

Promotio Iustitiae

RECONCILIATION

An Introduction

S. Santos and E. López, P. Manwelo

Experiences of Reconciliation

Acting from and with Parties to a Conflict

R. Minani, B. Lenon, M. Bingham, D. Oricho

Reconciliation in the context of prison ministries

M. Kennedy and R. García, P. Landenne, G. Matarazzo

Reflections on Reconciliation

J. Geske, S. Parmentier, D. Hollenbach, A. Ares

DOCUMENTS

Reporting on Copenhagen

The Blue Book: Social Assistance in China

Encyclical Caritas in Veritate: 'Think!' and 'Love!'

'Charity' to 'Justice': Jesuits in Madurai Province

Challenges of Colombia

EXPERIENCES, BOOK REVIEW, LETTER, IN MEMORIAM





Promotio Iustitiae

At the service of Faith that does Justice



<http://www.sjweb.info/sjs/pj>
sjs-pj@sjcuria.org

Editor: Fernando Franco SJ
Consultant Editor: Suguna Ramanathan
Associate Editor: Judy Reeves and Uta Sievers
Publishing Coordinator: Liliana Carvajal

Promotio Iustitiae is published by the Social Justice Secretariat at the General Curia of the Society of Jesus (Rome) in English, French, Italian and Spanish. *Promotio Iustitiae* is available electronically on the World Wide Web at the following address: www.sjweb.info/sjs, where you can download single articles or the complete issue.

If you are struck by an idea in this issue, your brief comment is very welcome. To send a letter to *Promotio Iustitiae* for inclusion in a future issue, please write to the address, fax or email address shown on the back cover.

The re-printing of articles is encouraged; please cite *Promotio Iustitiae* as the source, along with the address, and send a copy of the re-print to the Editor.

CONTENTS

EDITORIAL

- Crucified and Smiling** 5
Fernando Franco SJ

RECONCILIATION: an introduction

- Reconciliation: “Righting Relationships” and a Justice without Borders** 9
Salomé Santos and Elías López SJ

- The theme of reconciliation in political philosophy** 17
Paulin Manwelo SJ

Experiences of reconciliation

ACTING FROM AND WITH PARTIES TO A CONFLICT

- Political negotiations in favour of reconciliation, justice and peace** 21
Rigobert Minani Bihuzo SJ

- Reconciliation in Northern Ireland** 27
Brian Lennon SJ

- Restorative Approaches to Conflict and Offending** 31
Michael Bingham SJ

- Understanding the traditional Council of Elders and restorative justice in conflict transformation** 35
Dennis Otieno Oricho

RECONCILIATION IN THE CONTEXT OF PRISON MINISTRIES

- Jesuit Restorative Justice Initiative: A Pastoral Ministry of Accompaniment and Advocacy** 41
Michael E. Kennedy SJ and Richard D. García

- Promoting a restorative justice defying prison walls?** 45
Philippe Landenne SJ

- A Jesuit’s 30 Years in Prison: Interview with Father Mario Greco** 51
Gianfranco Matarazzo SJ

Reflections on Reconciliation

- God, If You Want Me To Forgive You Better Show Me How** 59
Janine Geske

- Transitional Justice and Reconciliation for International Crimes: who holds the roadmap?** 63
Stephan Parmentier

Reconciliation and Justice: Ethical Guidance for a Broken World 71
David Hollenbach SJ

Just Relations and Reconciliation 75
Alberto Ares SJ

DOCUMENTS

Reporting on Copenhagen 80
Jacques Haers SJ and José Ignacio García SJ

The Blue Book: Social Assistance in China 84
Dominique Tyl

Encyclical Caritas in Veritate: 'Think!' and 'Love!' 91
Michael Czerny SJ

'Charity' to 'Justice': Jesuits in Madurai Province 94
Xavier Arockiasamy SJ

Challenges of Colombia 100
Francisco de Roux SJ

EXPERIENCES

An Experience of Regency among the Tarahumara 107
Juan Pablo Romero SJ

Jesuit immersion in an islamic school: An Indonesian Experience 110
Gregory Soetomo SJ

BOOK REVIEWS

Peines en prison. L'addition cachée 112

Au cœur du monde. L'engagement du chrétien dans la société 114
Guy Cossée de Maulde SJ

LETTER (IN REMEMBRANCE)

Remembering the 20th Anniversary 115
Michael Czerny SJ

IN MEMORIAM

Father Jean-Yves Calvez SJ (3 February 1927 - 11 January 2010) 117
Jérôme Vignon

Crucified and Smiling Fernando Franco SJ

The title 'Crucified and Smiling' refers to an extraordinary carving, the statue of Jesus smiling on the Cross exhibited at the Sanctuary of St. Francis Xavier in his hometown of Javier, Spain. I have taken the liberty of sharing with you in this editorial some reflections inspired by this image. The reason for not having a formal introduction to the theme of 'reconciliation' in this editorial and the various articles dealing with it is partly that a formal introduction to this theme has already been written by Elias Lopes in the article that follows. The inspiration for putting down these reflections on the challenges facing the Church and the world today came during my annual retreat under the gaze of the crucified and smiling face of the Christ of Javier.

Nothing, as we leave this year behind and commence 2010, the last year of the first decade of this millennium, can better exemplify our frustrations and hopes than the UN summit on climate change at Copenhagen. On the one hand, we feel profound admiration for those members of civil society, more than 20,000, who battled freezing cold and sheer exhaustion to speak up for a very noble ideal; and, on the other, we experience a creeping sense of bitterness and despair at the failure of nation states to deal successfully with a global challenge. The Copenhagen failure is a vivid example portraying the deepening divisions crisscrossing the whole world.

Troublesome as these divisions among political leaders at Copenhagen have been, what leaves me somewhat scared and dispirited are the fractures and divisions that are tearing apart the basic social norms that hold us together as a human family. Within this worrying fragmentation of the global, the polarisation and divisions lacerating the Church, the community of Christian believers, touches a raw nerve deep inside my own body and flesh.

Following Ignatius' guidelines to do the contemplation on the Incarnation, I imagine the crucified and smiling Christ of Javier looking at the totality of the world, and more concretely at these divisions within society and the Church. I made an effort to look at these divisions as He might have looked at them, but I am fully aware that my way of portraying them is obviously my own. I intend to describe the effects of this fractiousness in the Church with the help of a story about two groups of the faithful, each trying to find God's will for the Church today.

Let me make abundantly clear that in telling this story I pass no judgement on the actors involved and fully understand the dangers of generalising and simplifying reality. Given all those misgivings, I still want to share with you my reflections on the significance of the smiling and crucified Christ for this Church (and this world) branded by the scars of division, fear and mistrust.

Let me start with the first group. Those of us who may be in this group feel that the Church is engaged in a decisive battle against anti-religious secularism and argue, quite correctly, that they are defending themselves and the Church from these attacks. Many have felt the sting and the harshness of this harassment in ordinary radio and TV programmes where religion, and more specifically Christian religion, is presented as the cause of all the evil in the world. The Church is defined as “anti” everything, and most especially as a force against what is modern and most progressive. Moral issues, mainly the issue of abortion, are strong rallying points for many of them.

To face this secularist attack the group has designed a counter-strategy based on spreading a particular way of thinking through a network of religious and cultural associations covering youth, business persons, women, the elderly and retired. It is a strategy that underscores aggressive recruiting to create a mass of followers because only numbers at a meeting or convention count before the media. If you are engaged in this battle, and you already form part of this army, dialogue with the ‘opposition’ is not only unthinkable, but a sign of weakness and perhaps betrayal. If you are engaged in this battle, actions like building bridges and searching for common ground are judged as stratagems benefiting the enemy. While preparing for the coming battle they dream of re-creating the past.

Rather than examining this group’s assessment of the situation and its confrontational strategy I want to reflect on the implications of their stand for other members of the Church who do not share with them their evaluation of the situation nor the need to adopt a confrontational stand. I want to reflect on the impact of this brand of Christianity on the Church’s identity and mission.

Those of us who may be in the second group share with the members of the other group a concern for the Church in this global world and they also want to respond to the challenges of atheism and unbelief. Members of this group consider themselves heirs of the new spirit ushered in by Vatican II more than fifty years ago. Some of them have taken up the cause of the poor and have lived with them in favelas, shanty towns and slums. They have also accompanied ethnic minorities, indigenous communities and socially discriminated groups. While some may still defend some kind of liberation theology, others have closely followed various social movements and freedom struggles. In some countries of the North they may be called ‘liberals’. Some are committed to fighting the effects of ecological injustice. They believe in dialogue with others, in engaging this ‘secular world’ of science and culture, and in living at the margins.

This heterogeneous group, one must add, seems to be in disarray, with falling numbers, and a rising average age. In trying to engage with the world some may have lost their identity. They often feel they are out there in the wilderness rejected by those outside and inside the Church. In some obscure way they are also fighting for self-preservation, for an ideal of engagement

with the world that is looked at today as outmoded and in some cases as heretic.

In trying to live their faith and make the Church relevant vis-à-vis a globalised and secularised world both groups have ended as enemies within the Church, each one believing that the other is unfaithful to some essential element of Christian practice. I am sure that this type of division has been common in the history of the Church. In a world unwilling to deal as one with global challenges like climate change, these polarisations in the Church are neither a positive sign nor a prophetic message for this world.

This polarity diminishes the capacity and credibility of these two groups and of the Church in general to engage in dialogue with the world and among themselves. Self-preservation and fear are attitudes that end in confrontation and war. How far can we go down this road emphasising our differences at the cost of destroying unity? How far is the preservation of the truth of our identities compatible with our common vocation to live as one body?

Wrestling with this dilemma I tried again to look at the Church and the world with the gaze of the smiling and crucified Christ. Looking at the crucified one as he gazes at this divided and polarised Church (and world), I was struck by the similarity between his smile and the smile of the Buddha. It may not be wholly futile to look at this reality of division and polarisation facing the Church from the perspective of Eastern wisdom.

The smile, like the riddles of the Zen masters, is a sign that for those seeking enlightenment and deliverance, the visible and concrete reality before us may not be the ultimate truth. The manner in which each of the two groups wants to proclaim and live the Gospel may not be wholly right. There is a hidden meaning in Christ suffering on the Cross, a meaning not immediately available to an ordinary observer. The smile of the crucified is the ultimate expression of God's inclusive love, and therefore it is a desperate invitation to both groups and to all of us to give up our immediate battle plans. The smile may even be a challenge, a throwing down of the gauntlet in a way that only a dying person can, challenging us to become more humble and look at the future rather than at the past, to emphasise reconciliation and unity rather than defending a stand. If dialogue and building bridges are important for the persecuted Indian Church of Orissa, they are also equally relevant in discussing the place of Muslims in Europe.

There is also another message to both groups and the whole Church. The smile is a supreme sign of compassion and forgiveness: the ultimate expression of love's abandonment. The smile of the crucified Christ and of the Buddha is a permanent call to both groups and to all of us to defend the dignity of every born and unborn person and to rescue the poor, the widow and the orphan. It is a prophetic reminder that man is above the Sabbath and that love is above everything else. Compassion generates solidarity and unity and is incompatible with polarisation and division.

As Jesuits we are deeply immersed in this divided reality and GC 35 has also been fully affected by this polarisation. The approval of Decree 1 remains for me a moment of grace, a moment lived under the gaze of the same smiling and crucified Christ of Javier. We battled for some time; we expressed our differences and yet unanimously we approved a document that had generated considerable polarisation. GC 35 chose compassion, reconciliation and unity.

As persons inspired by the call of GC 35 to engage in dialogue, to build bridges and to reconcile opposing parties (and armies), we are faced with hard choices. Often we seem to be standing between these two groups. Some of us may even belong to one or the other of them. Beyond our particular ideologies and identities we have been called to explore the frontiers of dialogue, to set up our camp in these spaces open to all. At stake is our capacity to recognise the signs of the times, the signs of Copenhagen, and move decisively ahead in forming people who want to build bridges and create common spaces where all of us can heed the call to be universal at the service of Christ, suffering and smiling.

Fernando Franco SJ
Social Justice Secretariat

RECONCILIATION

An introduction

Reconciliation: “Righting Relationships” and a Justice without Borders

Salomé Santos and Elías López SJ

“**T**here is no reconciliation without a minimum of decency and justice” was the comment made by a Jesuit Refugee Service worker on GC 35’s “mission of reconciliation”. In the context of refugees, internally displaced people and victims of gross human rights violations, a simple mention of the word ‘reconciliation’ can be perceived as offensive, as exerting more violence. Reconciliation can, it is true, be used to legitimize unjust and violent relationships. It is only when perpetrators stop physical, psychological, cultural and structural violence, that can one call people to walk together the costly and long way of righting relationships again.

“*Again-together-call*” is the etymological meaning of ‘re-con-ciliation’.¹ Reconciliation is a *call* for antagonistic parties or enemies *to relate again*. GC35 sends Jesuits on a mission of reconciliation *to the frontiers* of division, to the *edge of humanity*² where the borders between human-inhuman, love-violence touch each other. *Frontier* comes from the Latin *frons*, meaning *face*. *Reconciliation* at the *frontiers* means *to call back the human face* of those who have been dehumanized by violent exclusions. Violence dehumanizes the *faces* of both victims and perpetrators; it poisons all of society with doubts about the fundamental goodness of human nature. Reconciliation restores the human bedrock: that basic trust in human goodness which makes it possible to look at each other again with a new human *face*.

a. The Original Jesuit Mission Statement: a Call to Four-Fold Reconciliation

The reconciliation mission was already the core of the original purpose of founding the Jesuits some 450 years ago. To “*reconcile the estranged, compassionately assist and serve those who are in prisons*” is the first mission statement written by S. Ignatius in the *Formula of the Institute*. This Ignatian formulation echoes Jesus’ first public proclamation of his mission: *announce good news to the poor, the release of captives, the recovery of sight by the blind, and freedom for the oppressed*.³ This issue of *Promotio Justitiae* addresses two areas of this original mission: reconciling *captives* or prisoners and reconciling those

¹From ‘council’, see: <http://www.etymonline.com/index.php?term=council>

²Expression of Fr. General Adolfo Nicolas when qualifying the work of JRS.

³Lk 4:18.

oppressed by violent conflicts. The Ignatian expression “reconcile the stranger” etymologically means *to call the excluded or outsider inside again* for – the term ‘stranger’ comes from the Latin *exterus* meaning ‘outward, outside.’ The mission to reconcile requires us to discern in changing times and places, with different conflicting people, the uncomfortable question about ‘the other’: which is the excluded other party with whom we are to be reconciled?

According to GC35, *the challenge of our mission today* is to restore *right relationships with God, with one another (especially with the least amongst us), and with creation.*⁴ These are three ‘other parties’. I suggest including oneself as a fourth other. As a perpetrator, victim or bystander to a conflict, one can become a *stranger* to oneself or alienated from oneself and in need of self-reconciliation. Considering this multi-party approach one sees reconciliation as a communitarian process of *conflict transformation* among interdependent actors: God, oneself, the others (those considered as enemies and mediators), and the created environment that has to sustain peaceful livelihoods for all. This is what I call a ‘four-fold reconciliation’.

b. A Call to Transform Conflicts: Reconciliation as ‘Software’

Reconciliation can be understood as a kind of *conflict transformation*. Conflict transformation theory understands conflicts as *perceived relational incompatibilities*. The perpetrator is perceived as incompatible with the rest of the community, a type of ‘delinquent’ – etymologically, a person who has *completely-left* the community.⁵ So, to reconcile with a delinquent is to welcome again someone who has broken the relationship with the community. In this sense, reconciliation is a way of community-building, healing the divisions within the broken community and regaining a new social link among conflicting parties. Thus, reconciliation looks for the *common good* of all parties to a conflict. In conflict transformation theory, conflicts are not a negative reality as such; they are neutral and can become positive if dealt with as a challenging opportunity to grow by transforming perceived relational incompatibilities among parties through a collaborative style where all in the end gain – in other words, a win-win strategy. From the perspective of conflict theory, there is no personal and social development without conflict. Reconciliation deals with conflict as an opportunity to deepen life and improve relationships among parties. In addition, conflict transformation theory addresses causes and not only symptoms of the conflicts. Reconciliation as a way of conflict transformation looks at the structural changes when addressing, for instance, economic injustices and greed as root causes of many armed conflicts and many crimes committed by prisoners. Conflict transformation theory prefers *transformation* over *resolution* of conflicts:

⁴GC35, Decree 3, part III.

⁵See: <http://www.etymonline.com/index.php?search=delinquent&searchmode=none>

conflicts are never fully resolved; but the perceived incompatible interests of antagonistic parties are permanently involved in processes of change. This permanent change makes it difficult to fully control all variables, especially in complex conflicts. It is better therefore to talk about conflict transformation rather than conflict management as conflicts are never entirely and fully managed. Reconciliation as a process of conflict transformation also gives room to the 'mystery' involved in transformation beyond the 'know-how' of full technical control.

Some schools of thought link reconciliation with *recognition theory*: recognition of the physical and affective integrity of the self, recognition of equal rights and recognition of personal traits and cultural group differences.⁶ Others link reconciliation with restoring human dignity at all relational levels: intra-personal, interpersonal, group, community, inter-ethnic, national, regional, international or broad global levels.⁷ Others, using the computer metaphor, associate reconciliation with the 'software' of conflict transformation like: transforming perceptions, regaining or deepening understanding, trust-building, healing psychological and social wounds and traumas, dismantling mental and sentimental walls and negative prejudices among antagonistic parties, free healing of the relationships generating new multi-loyalties and identities among individuals, groups and societies. This 'software' is promoted by education, mass media, psychosocial programs, cultural and artistic production, and spiritual and religious traditions and values. In conflict transformation, the area of 'reconciliation as software' contrasts with 'reconstruction as hardware'. Reconstruction has to do with 'hard', physical reparations and structural measures involving economic sustainability, development, adequate health care, environmental protection of livelihoods, establishment of the rule of law protecting social and political rights, democracy, and so on. Both reconciliation and reconstruction are interdependent areas in the transformation of conflicts, in the building and sustainability of peace.⁸

The "re" of reconciliation (or of reconstruction) is an "again" in the transformation process that does not necessarily lead to the same relationship as prevailed among the parties before the break. A victim of crimes against humanity in Congo said: "Victims are no longer who they were. They need to be re-humanized in a process that takes time before being able to give birth to a new-creation." The physical and psychological scars tend to remain even if the painful wound has been healed. But a new generation is born through the

⁶Honneth, Axel, "Integrity and Disrespect: Principles of a Conception of Morality Based on the Theory of Recognition," in *Political Theory* 20(1992):2, 187-201.

⁷Parmentier, Stephan, *Global Justice in the Aftermath of Mass Violence: The Role of the International Criminal Court in Dealing with Political Crimes*, Paper presented at the 13th World Congress of Criminology, Reducing Crime and Promoting Justice: Challenges to Sciences, Policy and Practice, Rio de Janeiro, August 10th-15th, 2003, p. 4, 11.

⁸Reychler, Luc, "Challenges of Peace Research," in *International Journal of Peace Studies* 11(2006):1, pp. 1-16, p. 6.

re-creation or transformation – from wrong to right, from unjust to just – of ‘soft’ and ‘hard’ relationships among *strangers*: God, oneself, one another, creation.

Particularly in both apostolic areas of prisons and armed conflicts, *reconciling strangers* calls for the paradoxical articulation of justice and gratuity, law and love.

c. A Call to Just Relationships: *Reconciliation in Law*

The explicit link that GC35 establishes between faith-justice-reconciliation is not new either; it was already present 33 years ago in GC32: “the service of faith, of which the promotion of justice is an absolute requirement, for reconciliation with God demands the reconciliation of people with one another.”⁹ At that time, the focus on the importance of intimately connecting faith and justice rendered almost invisible the intimate connection between justice and reconciliation.¹⁰ Today we are ready to see and recognize that, as much as faith does justice, justice does reconciliation. In other words, there is no faith without justice, nor is there justice without reconciliation; the three explain one another. If we fail in ‘the original mission of *calling strangers together again*,’ we fail in sharing a faith that does justice as promoted and protected by both love and law.

Human Rights Law, although often under special threat during war or simply ignored on the basis of a considered military necessity, does not cease to exist during armed conflicts.¹¹ Nonetheless, during armed conflicts, the so called Humanitarian Law, which aims at limiting the suffering by regulating the way in which military operations are conducted, enters into force. Humanitarian Law protects civilians (citizens who do not participate in the hostilities) from any war abuse such as genocides, rapes and massive displacements; restricts the methods and means of warfare, and resolves matters of humanitarian concern resulting from war.¹²

While Humanitarian Law only applies in times of armed conflicts, Human Rights Law applies at all times, in times of peace and in times of armed conflicts.¹³ The essence of some of the rules of Humanitarian Law and Human Rights Law is similar. For example, both bodies of law aim to protect human life, prohibit torture or cruel treatment, prescribe basic rights for persons facing criminal proceedings and prohibit discrimination. In the context of righting relationships between victim and victimizers in times of peace, for

⁹CG 32, D 4, n° 2.

¹⁰Recolons, Marcos, “What is new in the Decree on Mission,” *Promotio Iustitiae* 98-99, p. 18.

¹¹See: <http://www.caslon.com.au/humanrightsprofile7.htm>

¹²See: http://www.hrea.org/index.php?base_id=151

¹³In situations of armed conflict, Humanitarian law is *lex specialis*, which means that the application of the provisions of Humanitarian law prevails upon the provisions of Human rights law.

instance when visiting prisoners in jail and their victims, Humanitarian Law does not apply any more and the law that applies is the Human Rights Law.

When there is a violation of Humanitarian Law during an armed conflict, the expression 'transitional justice' indicates how peace processes come to terms with past gross injustices in societies. More precisely, "transitional justice refers to a range of approaches that societies undertake to reckon with legacies of widespread or systematic human rights abuse as they move from a period of violent conflict or oppression towards peace, democracy, the rule of law, and respect for individual and collective rights. In making such a transition, societies must confront the painful legacy, or burden, of the past in order to achieve a holistic sense of justice for all citizens, to establish or renew civic trust, to reconcile people and communities, and to prevent future abuses."¹⁴

Transitional justice looks at the big picture of justice. To achieve just and right relationships, individuals and societies have to address four elements in their interdependence: the truth about the harm done, accountability and responsibility, reparation of the harmed relationship, and reconciliation to heal the broken relationship.¹⁵ These four elements of transitional justice have to be framed in an even bigger picture of law with three dimensions: legal justice, rectificatory justice, and distributive justice.¹⁶ Legal justice has a political nature and focuses on establishing the rule of law that enhances order and security. It does not allow impunity.¹⁷ Rectificatory justice has a psychosocial nature and focuses on punishing the perpetrators through trials, justifying the victims in truth commissions and healing their trauma.¹⁸ The International Criminal Courts in The Hague or those set up for Yugoslavia or Rwanda are good example of courts and tribunals to punish perpetrators of crimes against humanity. Rectificatory justice must be followed by a distributive justice, which is largely socio-economic in nature and focuses on alleviating the effects and targeting the causes of violence: inequalities and exclusion, inhuman underdevelopment and poverty. Reconciliation is enhanced by legal, rectificatory and distributive justice. A big picture of reconciliation should not forget to address distributive justice against structural and systemic injustices such as political and economic discrimination and inequalities of distribution. These are often the underlying structural causes of violence affecting victims and perpetrators and societies.¹⁹

These three dimensions of the big picture of justice in reconciliation are mutually reinforcing: it is needful to address the three simultaneously to build a sustainable reconciliation.²⁰ But for the big picture of justice to be complete,

¹⁴See: <http://www.ictj.org/en/about/mission/> and also <http://www.ictj.org/en/tj/>

¹⁵See in this same issue of *Promotio Justitiae* the TARR model presented by Stephan Parmentier.

¹⁶Mani, Rama, *Beyond Retribution: Seeking Justice in the Shadow of War*, Maldin, 2002, p. 4-5.

¹⁷*Ibid.*, p. 5, 17, 86.

¹⁸*Ibid.*, p. 5, 17, 101.

¹⁹*Ibid.*, p. 6, 17, 128.

²⁰*Ibid.*, p. 11-22.

more is needed. Indeed, transitional justice must transform relations aiming at rehabilitating the perpetrator and 'delinquent' and reincorporating him/her back into the community. This is the aim of *restorative justice* that takes place within the criminal justice system as a fundamental legal approach to reconciliation. Restorative justice reconciles because it focuses on repairing and healing the harm done to individuals, communities and their relationships, to victims and perpetrators within their communities, rather than on punishing offenders. Restorative justice will never accept the death penalty or even a life sentence, because these render impossible the rehabilitation and reintegration of the perpetrator in the community. In restorative justice, perpetrators are accountable (that is, they assume responsibility), victims are repaired, and communities care for the relationships and are reconciled.²¹ This occurs not only in contexts of criminal and armed conflicts, but also with conflicts in families, schools, workplaces, and neighbourhoods. The following definition of restorative justice illustrates its participatory nature: "Restorative Justice is a process whereby: i) all the parties with a stake in a particular conflict come together to resolve collectively how to deal with the aftermath of the offence and its implications for the future; and ii) offenders have the opportunity to acknowledge the impact of what they have done and make reparation, and victims have the opportunity to have their harm or loss acknowledged and amends made."²² This new focus on healing victims and perpetrators and their relationships in society, empowering all those affected by a crime and enhancing community cohesion between divided individuals and societies, is essential to reconciliation in prisons and peace work. The justice of reconciliation is a justice without borders because it involves gratuitousness and love to restore parties and set right their relationships.

d. A call to Gratis Relationships: Reconciliation in Love

The *minimum measure* of love is justice.²³ Therefore, although love does not exist without justice, love goes beyond the borders of justice. According to Benedict XVI, "charity transcends justice and completes it in the logic of giving and forgiving. The *earthly city* is promoted not merely by relationships of rights and duties, but to an even greater and more fundamental extent by relationships of gratuitousness, mercy and communion."²⁴ There is no

²¹Paul McCold and Ted Wachtel, *In Pursuit of Paradigm: A Theory of Restorative Justice*, in *International Institute for Restorative Practices*, Rio de Janeiro, 2003; see:

<http://www.realjustice.org/library/paradigm.html>

²²See: <http://www.restorativejustice.org.uk/>

²³Benedict XVI, *Encyclical Letter Caritas in Veritate*, n. 6; see:

http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate_en.html#_edn27

²⁴*Ibid.*

reconciliation that does not go beyond justice; this is clearly the case in killings: how to do justice and pay back to an orphan the killing of the mother or father? In cases of extreme violence, there is no reconciliation without a certain degree of giving that is free of charge: some gratis self-giving is needed to heal the relationship between victim and perpetrator. Reconciliation involves 'reconciling' all approaches to justice in the big picture and also giving to a degree beyond a merely just transaction in relationships. This reconciling gratis relationship is present in forgiveness, which etymologically means "excess-giving" (*for-give*). Christians recognise this love or superabundant giving of the self beyond justice in Jesus' mission of reconciliation.

Jesus is God's gratis self-giving, overflowing love transcending justice to reconcile God with humanity. "In proclaiming God's message of love and compassion Jesus crossed over physical and socio-religious frontiers. His message of reconciliation was preached both to the people of Israel and to those living outside its physical and spiritual frontiers: tax collectors, prostitutes, sinners, and persons of all kinds who were marginalised and excluded. His ministry of reconciliation with God and with one another knew no boundaries. He spoke to the powerful, challenging them to a change of heart."²⁵ Jesus goes beyond the borders of what is humanly due in order to include the excluded *stranger*, as in the case of the Syrophenician woman (Mk. 7:25-30), and shows God's way of doing justice and reconciliation. Jesus finds the source of that compassionate love in his relationship with the Father in the Spirit, in the mutual indwelling of the three Persons of the Trinity. Moved by the overflowing divine loving indwelling, "He showed special love for the sinner, the poor widow, and the lost sheep. The kingdom of God, which he constantly preached, became a vision for a world where all relationships are reconciled in God. Jesus confronted the powers that oppose this kingdom, and that opposition led him to death on the cross, a death which he freely accepted in keeping with his mission. On the cross we see all his words and actions revealed as expressions of the final reconciliation effected by the Crucified and Risen Lord, through whom comes the new creation in which all relationships will be set right in God."²⁶ Jesus on the cross says 'Father forgive them'; and the Risen Jesus gives the disciples the indwelling Spirit of Forgiveness to love the enemy and *reconcile the stranger*. This is how we humans become perfect as God is perfect: reconciling through forgiving the enemy or loving in excess as only God does. Humans forgive 'like' God because humans forgive 'from and with' God, becoming "instruments of God, who *in Christ reconciled the world to himself, not counting their trespasses.*"²⁷

²⁵GC35, Decree 3, part III, n. 14.

²⁶*Ibid.*

²⁷*Ibid.*, n. 16.

Divine or not, love is what ultimately re-humanises victims and perpetrators and their societies.

Reconciliation puts on the table a tough question: who is the excluded enemy? Reconciliation invites us to respond with a tough answer: do justice without borders by giving gratis and in excess, by forgiving as a way of loving the enemy. In a faith perspective, human reconciliation takes place from and with God in a way that humans become divine or perfect like the Father is. “Righting relationships” is the fruit of doing justice without borders, the fruit of a divine-human cooperation to love in excess and reconcile what seems to be humanly irreconcilable.

Salomé Santos
Spain

Elías López SJ
Belgium

The theme of reconciliation in political philosophy

Paulin Manwelo SJ

Briefly looking at the great political philosophy treatises – from Plato’s Republic to John Locke’s Two Treatises of Government, through Aristotle’s Politics, Thomas Hobbes’s Leviathan, Jean-Jacques Rousseau’s Social Contract, Machiavelli’s The Prince and Hegel’s Philosophy of Right – one finds few references to reconciliation. Yet, in the nineteen laws of nature cited by Hobbes in the Leviathan, two could be related to reconciliation: “the faculty of pardon” – the sixth law – and the “law concerning mediators” – the fifteenth law. For instance, he formulates the law on pardon as follows: “A sixth law of nature is this: that upon caution of the future time, a man ought to pardon the offences past of them that, repenting, desire it. For pardon is nothing but granting of peace; which though granted to them that persevere in their hostility, be not peace, but fear; yet not granted to them that give caution of the future time is sign of an aversion to peace, and therefore contrary to the law of nature.” However, Hobbes does not give the same importance to all the laws of nature. They oblige only in *foro interno*, but not always in *foro externo*. In fact, given the restive nature of human beings, their natural propensity to violence, the CIVITAS (The Republic) would only be viable if all power were confided in one person, the great Leviathan, this “mortal god”, who would establish peace and protection for all without relying on the internal tendencies of individuals.

In his Philosophy of Right, Hegel also speaks of reconciliation. He assigns to his political philosophy the mission of “reconciliation”; “philosophy as reconciliation”. However, he uses the term “reconciliation” (*Versöhnung* in German) within the context of a critique addressed to Emmanuel Kant concerning the dichotomy that the thoughts of the latter create between individual autonomy (liberty) and the well being of the state (in the moral sense of the term: *Sittlichkeit*). The role of political philosophy, according to Hegel, consists in demonstrating that veritable individual freedom is only achieved through the political, economic and other structures of the state. This is the process of integration of the individual into the state which Hegel calls “*Versöhnung*.”

If we turn our attention to moral philosophy, an ancillary of political philosophy, it leads us to one conclusion: reconciliation is rarely mentioned in the great treatises of moral philosophy. Consider, for example, two classical authors: Aristotle and David Hume. In Nicomachean Ethics, Aristotle lists the moral virtues which should assist people to lead a good life in the *polis*. Among the twelve moral virtues mentioned, the word reconciliation is nowhere to be found. The same is true in David Hume’s survey on the principles of morality. Reconciliation is nowhere to be found in the catalogue

comprising approximately eighteen “qualities immediately useful to ourselves and others” to lead a good life in society.

Moreover, classical political philosophy is generally silent with regard to reconciliation. Why this silence? Was reconciliation not considered an important ingredient in ending disputes or social divisions which, nonetheless, also existed in these societies?

One plausible explanation for this silence is related to the nature of the theme itself. In effect, reconciliation has strong religious connotations, above all when by reconciliation we also understand notions such as pardon and conversion of hearts. Political philosophy is the study of economic, legal and political structures which seek to promote a rightful society. In this context, reconciliation, understood as essentially religious and/or regarding interpersonal relations, has little to do with the essentially structural approach of political philosophy.

However, after Hegel, reconciliation emerged in political philosophy in a new light with the publication, in 1971, of *A Theory of Justice*, by the Harvard philosopher, John Rawls. The background of Rawls’ reflections (which he begins to develop in the 1950s) is the context of a post-Reform society where the future of the world is marked by religious and cultural pluralism, as opposed to the pre-Reform society characterised by conflict and violence due to religious wars. The work of John Rawls’ is thus set within the context of a post-conflict society. One of the goals of *A Theory of Justice* is precisely to save modern society from the horrible wrongs before the Reform, notably the religious wars.

In truth, the title of John Rawls’ major work, *A Theory of Justice*, can also be understood as a ‘theory of reconciliation,’ even, a ‘theory of tolerance.’ Was it to avoid the title of the famous Letter Concerning Toleration by John Locke, written during the height of the Reform crisis (1689) and considered as a vibrant promotion of reconciliation of religions and other different forms of life, that Rawls preferred “*A Theory of Justice*” to “*A Theory of Tolerance*”? This is not impossible. However, what appears clear is that the fundamental question lying at the heart of *A Theory of Justice* deals with reconciliation. This appears clearer in his second work, *Political Liberalism*, where Rawls attempts to clarify his thoughts, formulating the question of reconciliation as follows: “How is it possible that there may exist a stable and just society of free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical and moral doctrines?”

In this way, reconciliation appears as the challenge *par excellence* of the modern world. For Rawls, reconciliation was not a solution. It is rather a question, given that it is dependent on the problem of pluralism, which is a natural fact of human existence. Whether we want it or not, we are, by nature, different and sometimes reasonably irreconcilable. To deny this would be naïve; we would risk seeking unrealistic solutions to resolve our differences.

Consequently, if reconciliation is, by nature, a problem, the challenge consists in seeking efficient solutions to prevent our differences from becoming the source of divisions, conflicts and wars. Here Rawls proposes justice as the principal way of promoting reconciliation and, therefore, a stable society; tolerance being one of the essential components of justice.

In political philosophy, the question of reconciliation is, thus, strictly tied to that of justice. This is the ideal means through which reconciliation between individuals, peoples and states can take place. In *The Law of Peoples*, Rawls develops the principles of justice which ought to reconcile the nations of the world. It is in this context that Rawls declares that justice is the “first virtue of social institutions” in the promotion of peace and social stability. We also understand beyond doubt why Aristotle, and after him St. Thomas of Aquinas, before Rawls declared that justice is the “mother of all virtues”, embodied in all the other virtues. In other words, without justice, none of the other virtues make any sense, including reconciliation. On the contrary, thanks to justice, the other virtues are enriched.

In modern political philosophy, justice plays a psychological and, overall, an immensely therapeutic role in reconciliation and, therefore, the peace process. Without a doubt, *a priori* and *a posteriori*, so to say, before as well as after violence, the justice to which each one of us is entitled (*suum cuique*) reassures, creates confidence and provides guarantees for the future. Justice is this “ingredient” which provides confidence to build stable relationships. This is why reconciliation can be considered as the daughter of justice, which establishes reconciliation from the bottom up.

This being so, what about the current debate on reconciliation? If it is true that reconciliation is the daughter of justice, one must disapprove of the current tendency, above all by certain peace activists, to separate reconciliation from justice.

With the theme of reconciliation very much in fashion, in the context of the Society of Jesus and the Church in general, it is feared that the vision, once vigorous and well-developed, of the defence of the faith and the struggle for justice will give way to a weaker vision, based essentially on reconciliation which must engender peace and justice. This thematic shift can be the source of confusion and frustration for those awaiting structural changes for a better world for all. Since General Congregation 32 solemnly proclaimed justice as something which produces, or better engenders (literally gives birth, causes to exist) reconciliation, our commitment must be unwavering and absolute. Otherwise, we will continue to clutch at the symptoms, overlooking the real causes which divide and fragment our societies and our world, making them vulnerable to conflicts and wars. Moreover, today, it should be noted that violence has changed its face. It is no longer only a question of war.

The absence of violence does not at all mean peace. This would be a negative understanding of peace, as Johan Galtung says. Today, violence

appears in many forms. It is not enough to wait for violence to break out somewhere to apply reconciliation therapy and hope for eternal peace. Such a fireman strategy does not pay in the long term. Only thanks to the unrelenting struggle for economic, political, cultural and environmental justice for all will we learn to promote reconciliation and, thus, durable peace for all; while encouraging, of course, the use of spiritual, therapeutic, psychological and other approaches to interpersonal reconciliation.

Paulin Manwelo SJ
Chief Editor Congo-Afrique
DCR

Original French
Translation by James Stapleton

Experiences of Reconciliation

ACTING FROM AND WITH PARTIES TO A CONFLICT

Political negotiations in favour of reconciliation, justice and peace

Rigobert Minani Bihuzo SJ

Introduction

If you would like to know what a Jesuit does, it is generally enough to consult the catalogue to see his “position”. If you do that for me, you will find that I have been a priest since 1997 and since 2003 also a member of CEPAS.¹ In brief, nothing directly related to reconciliation. Yet, most of my work has been focused on human rights and the search for peace, justice and reconciliation in the Democratic Republic of Congo (DRC).

In fact, since my ordination in December 1992, the situation in my home country has seriously changed the direction of my Jesuit vocation. I was teaching in a secondary school in eastern DRC when the Great Lakes region entered into crisis (assassination of the first democratically elected president in Burundi (1993), the genocide in Rwanda (1994), the invasion of DRC by Rwandan, Burundian and Ugandan armies (1996) and the assassination of my former provincial, the Jesuit² Archbishop of Bukavu).

It would have certainly been unusual if these painful events had not questioned my way (and that of my province) of understanding the “service of faith and justice”.

Before this upheaval, I devoted the mornings to teaching in secondary school and one afternoon a week to promoting human rights with Groupe Jérémie³ of which I was co-founder in 1993. I was equally very involved in South Kivu⁴ civil society in the struggle for democracy and against Marshal Mobutu. With the arrival of more than two million Rwandan refugees in

¹CEPAS: Centre for Social Action and Research

²Monsignor Christophe Munzihirwa SJ, assassinated in Bukavu (DRC) on 29 October 1996.

³After Groupe Jérémie, my starting point in the service of democracy and peace, I began working with RODHECIC (a network of Christian-inspired human rights and civic education organisations) in May 1999. At the same time, I continued my work as a priest, my principle occupation. Here, a commitment to democracy and peace concentrates on the promotion of civic education and defence of human rights, in three main ways - teaching human rights, condemning abuses and making a commitment to the victims of human rights violations. It is chiefly to talk about this work that I have often been invited to national and international meetings (The Change Maker Award received from the Protestant Diakonia foundation in 2005 and the Sasakawa Young Leaders Fellowship Prize from the Nippon foundation received in Tokyo in 2008). However, this work also gave me the opportunity to stay informed about important national events in the sphere of human rights. This information has proved to be a major asset in the service of peace and reconciliation.

⁴Province bordering Rwanda.

eastern DRC in 1994 (with the transformation of our sports fields into extensive refugee camps), the secondary school and the Jesuits were forced to adjust. Besides my work as a priest, I also worked with unaccompanied⁵ refugee children and in the refugee camps.⁶

1. An impossible reconciliation?

As a civil society organiser in South Kivu Province in 1995 I was asked by a group of Belgian NGOs, to reconcile members of Rwandan civil society (those living in the camps and those in Kigali). One week of negotiations in Nairobi culminated in a deadlock. The drama of the genocide seemed to leave them no space for a route to reconciliation and peace, even among fellow citizens.

At the time, I had no idea that this type of activity would become the core of my apostolate for years to come.

In September 1996, the raging storm moving in from Rwanda, Burundi and Uganda broke over DRC. Ever since, DRC has been desperately searching for peace. Leaving the region in 1995, I was left forcibly with one conviction “the pastoral priority of the Church in Central Africa would have to be a commitment to work for peace, reconciliation, justice and forgiveness”.

Second only to the political establishment, the Church – due to its history, influence and financial power – was capable of playing a role in reversing the trajectory which history seemed to have taken in this region.

I enthusiastically developed these ideas in the two years I spent in the “Pedro Arrupe” Institute for Political Formation in Palermo.⁷

At peace conferences on the Great Lakes region which I attended frequently in Italy, I met members of the Community of Sant’Egidio, which after its success in mediation in Mozambique, began to look at the Great Lakes.

2. In the corridors of political negotiations

In 1999, when DRC was at war with Rwandan, Burundian and Ugandan-backed rebel groups, the president, Désiré Kabila, appealed to the Community of Sant’Egidio to mediate between DRC and the rebel movements.

Fr. Matteo Zuppi of Sant’Egidio asked me to help them in this task. The mediation also needed a meeting place. I appealed to my province and CEPAS, asking the Society to provide a framework for meetings between Congolese politicians, civil society and the mediators, the former president of

⁵One of the survivors is now a member of my family, and lives with my brother.

⁶I was the first Jesuit Refugee Service project director in Bukavu.

⁷Rigobert Minani Bihuzo SJ, *Existe-t-il une doctrine socio-politique de l’Eglise ?* (Does the socio-political of the Church exist?), Kinshasa, edited by Cepas, 2000, 208 pages.

Benin and representative of the African Union, Derlin Sinzou, and Matteo Zuppi of Sant'Egidio.

My role during the negotiations consisted in preparing the necessary documents, selecting and proposing speakers from political parties and civil society and taking notes during the encounters.

I was thus a witness and frontline actor from the beginning in what would later become known as “the Inter-Congolese Dialogue.”⁸

In 2002, I was nominated by presidential decree to the preparatory committee of the Inter-Congolese Dialogue, a process which would put an end to the war and lead the country towards a political transition and subsequently to elections. It was in this role that I was invited to the political negotiations in South Africa. After making objections to the quality of my contribution, my provincial then proposed I attend the South Africa negotiations as an expert, with the advantage that my name did not appear on any list.⁹

3. Cooperation with Sant'Egidio

Since 2004, after the Inter-Congolese Dialogue in South Africa, DRC has once again asked the Community of Sant'Egidio to help resolve the problem of the presence of Rwandan refugees, former members of the Rwandan Armed Forces (FAR), the Democratic Forces for the Liberation of Rwanda (FDLR) and former members of the “Interahamwe” militia in the country.

This is since the presence of these groups has been cited by Rwanda as the principal reason for waging war against DRC. I was involved in this difficult endeavour which consisted in proposing strategies to end the armed conflict.

I was responsible for the following -

- initiating high level contact with the Congolese authorities,
- defending peace strategies, developed by the community of Sant'Egidio, to the authorities,
- briefing foreign diplomats interested in Congolese issues,
- organising frequent secret visits to Rome by different actors (combatants, FDLR, members of the Congolese secret services, politicians)
- calling (secret) talks with political FDLR leaders in the West.

These negotiations led to the first FDLR declaration in Rome, announcing their decision to reject the military option.¹⁰ Unfortunately, follow-up mechanisms for the agreement promised by the international community were

⁸The inter-Congolese dialogue established the transition government, focused on ending the crisis of legitimacy in DRC and opened the way towards the normalisation of the country.

⁹The various representatives present came from government, opposition, civil society and religious groups.

¹⁰« *Du pacte de stabilité de Nairobi à l' aide d' engagement de Goma* » *défis et enjeux de la paix en RDC*, (“From the Nairobi stability pact to Goma commitment assistance” peace challenges and stakes in DRC) edited by RODHECIC/CEPAS, 356 pages.

never put in place. After the return of some hundred combatants to Rwanda, the machine seized up again. These negotiations continue today in an unfavourable sub-regional and international environment.¹¹

4. Aspects of the conflict

The conflict which has ravaged DRC since 1996 can be described as multi-polar, given **the variety of elements** and number of actors involved.¹²

- In 1996, a coalition of countries¹³ resolved to topple Marshal Mobuto's regime, in reaction to, among other issues, his support to Jonas Savimbi and UNITA in Angola and the regime of Juvenal Habyarimana. Habyarimana's airplane had been shot down in 1994 and his death opened the door to genocide in Rwanda.
- In 1997, this coalition brought Désire Kabila to power. Subsequently, the sponsors disagreed over particular interests and some decided to oust him from power by force.
- In 1998, the conflict developed into a clash between two groups (through the use of proxy rebel groups). The first comprised Burundi, Rwanda, Uganda and South Africa. The second, made up of Angola, Namibia and Zimbabwe, supported the Kinshasa government.

The principal cause of the conflict was explained by the United Nations: *"The conflict in the Democratic Republic of the Congo has become mainly about access, control and trade of five key mineral resources: coltan, diamonds, copper, cobalt and gold."*¹⁴

The principal element in this conflict is the Rwandan accusation that DRC had sheltered their enemies, who, according to Kigali were responsible for the 1994 genocide in Rwanda. This viewpoint was accepted by a significant part of the international community who felt Rwandan aggression against DRC, both the troops sent to eastern DRC and support for the rebel groups¹⁵ formed, was "understandable." Today, eastern DRC continues to suffer war and repeated clashes involving multiple actors. This is a sophisticated conflict which began back in 1996.

I am still currently involved in peace initiatives to normalise the situation in the region. At the Goma peace conference I was asked to respond to the

¹¹At present, most regional and international observers support the current military option as the only solution.

¹²For further information read Rigobert Minani Bihuzo SJ, *1990-2007, 17 ans de transition politique en RDC et perspectives démocratiques en RDC*, (1990-2007, 17 years of political transition in DRC and democratic perspectives in DRC, edited by RODHECIC/CEPAS, Kinshasa, 146 pages.

¹³Angola, Burundi, Namibia, Uganda, Rwanda, Zimbabwe and South Africa, under the guidance of the United States.

¹⁴Report of the United Nations Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, published 12 April 2001, paragraph 213.

¹⁵Congolese Rally for Democracy, (RCD), National Congress for the Defence of the People (CNDP).

concerns of armed groups. In December 2008, the Congolese government asked me accompany and assist the negotiating teams, representing Laurent Nkunda's CNDP rebels, armed Congolese groups and the government. These negotiations took place under the auspices of the United Nations (President Obasandjo) and the African Union (President Mkapa). A peace agreement was signed on 30 March 2009 and I continue to support the committee's follow up work towards full implementation of the agreement.

5. Lessons learned from experience

- This work requires immense patience as results are frequently slow and sometimes appear inexistent. Above all, this should not lead to despair, particularly in accompanying "weak" actors, those who have lost the war but are still very dangerous or whose cause has not received any international support.
- From these experiences, both painful and exhilarating, I have learned that this type of work cannot be undertaken alone. It is important to unite forces with other institutional and non-institutional actors.
- Moreover, it has occurred to me more than once that the bulk of this work is done in a very informal manner hence there is a need to operate in a flexible and spontaneous way.
- In comparing different negotiation styles, I have noticed that starting from our Christian values makes it easier to shape agreements between participants. Bringing situations of suffering, humanitarian issues, respect for life and other fundamental rights to the negotiating table draws attention to the fact that beyond the search for strength and power are the lives of human beings to whom we must be accountable.
- It is an important guiding compass to keep the channels of ongoing "dialogue" open, promoting non-military solutions and bearing in mind the inequality at the heart of the conflict.
- Also important is having the courage to deal with underlying structural causes in the development of a conflict even when politicians try to avoid the steps necessary, deliberately forget events or distort the reading of the conflict.
- Negotiations must always be attentive to the poorest and marginalised, those suffering most from conflict. Being close to their suffering gives us the strength to carry on.

Conclusion: support for Jesuit structures and interpretation of GC 35

Analysis of the context undertaken during our provincial days demonstrates that the whole province agrees the Society should get involved

in the effort to end the war. The entire province feels called by the enormous suffering of the population. All companions hope to help to put an end finally to the massive human rights violations, the rape of women and the use of children in the conflict. All are urgently committed to resolving the issue of peace in DRC, which puts national reconciliation at risk and delays economic growth and development.

However, as already stated, my superiors have never officially sanctioned my commitment to human rights and peace work. My province has always told me it is a “dangerous apostolate” for which a Jesuit commitment not involving Society institutions is preferable. Thus, every time there is a positive outcome, the Society celebrates. Every time attempts fail, the cross is carried alone. This is a heavy burden to bear.

Consolation in these circumstances comes from the texts of the Society. In fact, GC 35 is very explicit in relation to this type of apostolate: *“In a world torn by violence, strife and division, we then are called with others to become instruments of God”, D 3 no 16 and “This tradition of Jesuits building bridges across barriers becomes crucial in the context of today’s world”, D 3 no 17.*

This position is also reinforced by the last Synod on Africa which stated there is a great “need for the Church’s active presence...where decisions and questions are made which worry us” on globalisation, global governance, conflict resolution. “...All the root causes of ethnic conflicts in Africa must be faced without fear or favour ... be objects of a continental, pastoral plan of action ... reinforcing [the] presence of continental organisations (AU)...”¹⁶

The Society cannot thus get involved in a durable way in the construction of peace without rethinking, in the light of the recommendations of GC35 and the Synod, all our pastoral care, as many of our provinces bear the weight of institutions inherited from the past now overtaken by the challenges of globalisation. As the Synod asks, the Society in Africa is called to accompany **the pastoral care of the African Church’s socio-economic commitment. This will require courage, tools, structures and know-how to articulate a word of life at the heart of the darkness of conflicts and violence.**

Rigobert Minani Bihuzo SJ
Socio-political Director CEPAS
Permanent Representative of RODHECIC

*Original French
Translation by James Stapleton*

¹⁶General report of the Synod.

Reconciliation in Northern Ireland

Brian Lennon SJ¹

In this article I will outline briefly some of the dialogue work in which I have been involved in Northern Ireland, and then raise some critical questions about reconciliation.

Dialogue work in Northern Ireland

The most recent phase of the conflict in Northern Ireland lasted over 30 years with over 3,500 deaths in a population of 1.5 million, over 20,000 having gone through the prisons, and probably in excess of 50,000 having served in the security forces. The pain from the conflict is still raw. Segregation in housing is now worse than it was in 1998, at the time of the multi-party Good Friday Agreement. The power-sharing Assembly has deep divisions over issues such as policing, education and parading. Yet our current situation is incomparably better than in the past. Killings have ceased almost entirely and bitterly divided parties are sharing power in the Assembly, however great the difficulty.

After the 1994 ceasefires I was part of an organisation that encouraged dialogue among the most divided groups. The purpose was not to get agreement, but understanding. In fact we banned agreement! Paradoxically, this helped a greater measure of consensus than might otherwise have been attainable.

During the dialogues people often spoke of their own suffering. At the beginning this always involved blaming the other groups. But gradually, they became less defensive, they began to listen to each other, and sometimes they could even talk of how the other side had suffered – in a way that the other side accepted. (It seems a rule of most conflicts that each side, most of the time, excludes all consideration of the suffering of the other side, especially suffering that their own group may have caused).

The outcome of these dialogues was a growth in understanding. There was little forgiving or repenting. Each side continued to believe that they were right and the others were wrong. But they began slowly to focus on the question of *why* the others acted as they did. They began to be aware that in the same circumstances they might have acted as their opponents did. That changed things. They remained opposed to each other but they recognised a commonality between them. This was helped by people beginning to humanise their situation through learning about each other's families. Our hope, as organisers, was that participants could bring this understanding back to their own community.

¹Brian Lennon works on conflict issues in Northern Ireland. His latest book is: *So You Can't Forgive: Moving Towards Freedom* (Dublin: Columba, 2009)

Reflection on reconciliation

There are what I would term 'high' and 'other' approaches to reconciliation. 'High' approaches take account of themes like forgiving, or repenting, or justice or truth, all of which make judgements about wrongdoing. 'Other' approaches use the term without that connotation.

The Christian narrative is about God reconciling the world to God by sending the Son among us. The forgiveness offered to us by God and our call to repentance are at the centre of this story and of our spirituality. In the light of this it is natural for us to ask how this reconciliation between God and us can be translated into dealing with our conflicts. But this move should not be taken for granted. It is a jump from the theological to the political. It involves taking a position not on the question of whether God is at work in the world but on *how* God is at work. I tend to be cautious about drawing firm conclusions about the latter, so I am correspondingly cautious about applying all-embracing narratives.

Reconciliation seems to be an all-embracing narrative. It is used in a bewildering variety of meanings, many of which are opposed to each other. Do we need an all-encompassing narrative like reconciliation at all?

For me, forgiving, repenting, justice and truth are important values in themselves, as are attempts to end conflict without referring to any of these themes. They do not need any higher narrative. But I would not put them under the heading of reconciliation. What is gained by doing so? Reconciliation, for example, between estranged individuals is a wonderful outcome, but why do we use it as an over-arching theme, rather than others such as liberation, salvation, freedom or justice? I fully accept that each of these can throw up as many difficulties as reconciliation. For example, in every conflict one side's dream of justice is the other side's nightmare, and objective analysis is unlikely to convince one side to make concessions. But this simply reinforces my scepticism about grand narratives.

In its 'high' sense I think reconciliation is more likely to be useful in interpersonal than in communal contexts. (Caritas in their analysis of reconciliation confine it to the interpersonal: cf *Peacebuilding: A Caritas Training Manual*). If we use the term in its 'high' sense in communal contexts we face a number of difficult issues: in Northern Ireland, I, with others, made statements like 'We must all forgive'. I would not do so now. The statement does not state why we are including everyone, or whom we want them to forgive. It presumes, but does not specify, communal guilt among the wrongdoers. It makes no attempt to say who belongs, and who does not belong, to the wrongdoers' group and why. In the Northern Ireland context statements like this were most often made by people who had suffered little and who were putting burdens on the shoulders of those who had suffered most.

A further problem in our context is that the divided groups do not agree at all about what is right or wrong: if Nationalists forgive Unionists, Unionists will respond that it was the Nationalists who did all the harm. Focusing on right and wrong may work in a context where one side is defeated (or it may be that the defeated side will accept their guilt until such times as the context changes and they can get revenge). In the absence of defeat such a focus is likely to increase separation, except at the very end stages of a conflict when it may highlight the fact that the conflict is over.

There is also the considerable danger that focussing on right and wrong encourages people to interpret their pain as due to the bad motives of other individuals and groups, not to something impersonal such as 'the war'. That is likely to lead to more victimhood, which is bad for those who have suffered.

We can of course respond to these arguments by using reconciliation in communal contexts in its 'other' sense without any reference to right or wrong. I have less of a problem with this as long as people make clear what they mean. But I still ask: what is gained by using reconciliation in this context rather than some of the other themes mentioned? Why not talk more simply and directly about 'trying to stop people killing each other', or 'working out ways to share diminishing water resources without violent conflict'?

There are ways to make peace without any apparent forgiving or repenting, such as letting go of personal or communal resentment, growing in understanding, or introducing new political structures that change the balance of power and address the basic needs of groups. (This latter was a major factor in Northern Ireland).

One answer to the question, 'why use reconciliation?' is that it focuses on relationships. In my experience however this is not always the most useful strategy for dealing with conflict. On the contrary, I found it helpful if people could get their mind off their opponents and focus on their own needs by asking 'what is it that I/we really need?' If they can focus on this question they are paradoxically much more likely to be open to listening to the real needs of their opponent. Secondly, the answer to some conflicts is not a new relationship, but separation. There is also a danger that by focussing on reconciliation we buy into an identity-based politics that freezes the conflicting groups and thereby keeps the basic causes of the conflict in place for longer. At times there may be no alternative to this: in Northern Ireland our 1998 Agreement gives political rewards for defining oneself as a Unionist or a Nationalist. I agreed with this approach, but as a necessary strategy, not as a virtue. It would be much better if we could find a way in which people emphasised other identities. Furthermore, forgiving and repenting can both be undertaken by an individual without developing a relationship with the opponent. To argue to the contrary is to confuse forgiveness and repentance with reconciliation, which requires mutuality.

Communal reconciliation as an immediate aim may make more sense in other contexts, such as Rwanda where there may be little alternative to dealing with problems like human rights abusers who return to their own village.

Jewish writers sometimes accuse Christians of engaging in 'cheap forgiveness'. Ultimately I think they are incorrect, but perhaps we need to listen to them. Practical judgements need to be made about what should be aimed for in the immediate future. One could, for example, ask if Jews should be reconciled to the Nazis. 'Nazis' refers to people, not to the ideology. My judgement is that if Jewish people are able to let go of resentment and bitterness they have done something extraordinary. Perhaps reconciliation in some cases should be left to the moment each of us will face when we encounter, before God, all those we have harmed in our lives and see the full consequences of our sin. That moment will also be in the context of seeing our loving God face to face, which will be quite different from our current context. This view of course depends on where we stand on the spectrum between the 'already' and the 'not yet' of eschatology.

Clearly I enthusiastically support many of the efforts that others put under the umbrella of reconciliation. Indeed, I would ask why the Society has such a strong and effective group in JRS but no equivalent organisation to deal with the conflicts which are a major cause of there being refugees in the first place.

Not long after World War II a German ex-soldier approached Jean Monnet, one of the original group who influenced the start of the EEC (surely the greatest conflict management mechanism in history). The soldier wanted to work with Monnet on the project but he wanted Monnet to know about his past before accepting him. He told Monnet that he had been in the German army, that he had supported his country's war aims, and that he had been one of the troops who had occupied Paris. He was not apologising for any of this. Monnet, a Frenchman, responded: 'If you believe in our ideals for the future and want to commit yourself to them, then you are welcome to join us.' There was no forgiving or repenting, but there was a commitment to the future. A lower moral threshold produced a great outcome.

I am inclined not to use grand narratives in the area of conflict; my greater concern is that we need to examine any concepts we use. Past experience should make us cautious about focusing on a single over-arching concept.

Brian Lennon SJ
Ireland

Restorative Approaches to Conflict and Offending

Michael Bingham SJ

Shortly after arriving in Northern Ireland in 1998 – the year of the historic Good Friday Agreement which laid the basis for collaborative government for the two sides, Unionist/Protestant and Nationalist/Catholic, that had been engaged in long-term conflict – I began training and working for Mediation Northern Ireland. This organisation sought to offer a new way of dealing with and resolving difference, whether political or social, at group or at individual level, in such a way that each side contributed in equal measure to working out a solution acceptable to both.

The method was based on a clear and defined process of engagement, facilitated by a pair of skilled ‘mediators’, which led the two parties in conflict through the stages of 1) each listening to the accounts of the other, 2) both identifying the common issues underlying the disagreement, 3) looking at possible solutions to each issue that might satisfy both sides and 4) arriving at a formal commitment on the part of both to the agreed conclusions. This meeting is preceded by separate interviews with each of the parties in order to establish the willingness of each to engage with the process, and their desire to reach an agreement and an end to the situation of conflict.

Between 1999 and 2007 I worked on several cases – involving both individual disputes (mainly between neighbours) and disputes between groups (for instance within agencies). At the same time I took part in delivering training sessions and workshops to various groups – adult education students, voluntary organisations, statutory agencies, school staff, church groups – on ‘Handling Conflict’, ‘Conflict Resolution’ and ‘Techniques of Mediation’.

My experience was that the concept of mediation as a method in resolving disputes was still very unfamiliar to the general public. It was only called on at the last minute, often when the dispute had escalated to include other people and other issues, making it too late to arrive at an easy solution. Part of the aim of Mediation Northern Ireland’s work was to spread a working knowledge of ‘mediative’ practices’ as widely as possible, so contributing to the growth of a climate of reconciliation between communities that were only now emerging from communal violence.

Currently my links with mediation are mainly twofold: firstly, through an ad hoc group of practitioners drawn from different churches, dedicated to addressing disputes within the various church communities in the North of Ireland. And secondly, as part of a team working with the Housing Executive (the body which administers ‘social’ housing in the North) to facilitate dialogue and agreements in cases of dispute between neighbours on housing estates.

On a different, but very practical level, I have taken part on a few occasions in a team of 'monitors', whose task was to observe and record in detail the course of events in sectarian confrontations – on the streets, for instance, or in some public place – with a view to establishing an objective account of who was responsible for which incident. This itself has become an effective method for reducing the amount of tension and violence that ensues outbreaks of conflict.

For a year between 2006 and 2007 I was employed by the Youth Justice Agency in the North of Ireland as a sessional Conference Coordinator. A programme of engagement between young offenders and their victims, based on principles of restorative justice, and incorporating positive actions towards modifying anti-social behaviour, was devised here a few years ago as an alternative to the court process, institutional detention and consequent criminalisation of young people.

This approach to offending behaviour has been pioneered in, for instance, Australia, New Zealand and Canada – itself a development of traditional methods of reintegration of persons outlawed by indigenous communities in those lands – and now introduced in many regions throughout the developed world.

The job of the conference coordinator entailed interviewing and motivating both the young person (together with parent(s)), and the victim of the offence – whether criminal damage, assault, burglary or disorderly behaviour, etc – preparatory to taking part in a 'conference' or facilitated meeting. Besides these two parties and their 'supporters', the conference is attended by a community police representative, and others whose input may be relevant to agreeing a programme of restitution that satisfies the victim's needs and expectations. The coordinator conducts the conference through its stages: hearing the account of events from each side in turn; responding to what has been said – whether anger or regret, or better apology; offering or suggesting appropriate action as restitution – repairing damage, paying recompense, doing community service, attending anger management or an alcohol course. The conference concludes by drawing up an agreement, signed by both parties, and the coordinator hands the case over to the community services to see the young person through the agreed programme.

Many of the skills learned from mediation are applicable here: leading both parties towards engaging with one another, listening to one another's experience of events in question in a way that encourages understanding (on both sides), and hopefully – though not necessarily – reaching some kind of personal reconciliation. At best, the experience for both is positive: for the offender, recognising and taking responsibility for the damage or hurt caused, and consenting to a proposed programme of restitution or action that is not imposed; and for the victim, encountering the young offender as a person, understanding something of the context of his behaviour, and by being able to

take control of the consequences normally monopolised by the agencies of state. The process of human encounter often enables a certain reconciliation to take place, between the offender and victim certainly, but even on a wider scale, between two sides of a fractured society – the law-abiding and the lawless – as each recognises responsibility for one another without the alienating intervention of impersonal organs of state.

Such approaches and methods are a long way from being introduced within the prison service of the North of Ireland, where I have been working as chaplain since 2006 in Maghaberry, a maximum security gaol for over 800 adult males. The legacy of 30 years of violence and terrorism has left a system more suited to containment and retribution than to rehabilitation, and with administration and staff largely inherited from the pre-Good Friday Agreement days, it is not surprising that its priorities are security and control of prisoners at all times. In contrast to the reformed policing service (where recruitment of new members has been in favour of Catholics so as to redress the balance in an almost wholly Protestant police force), the same has not taken place in the prison service, where Catholics still form a tiny minority of staff.

Nevertheless, the restrictions of the structure has forced the team of chaplains, representing the main churches in the North – Catholic, Presbyterian, Anglican, Methodist and Free Presbyterian, as well as Muslim – to work together as a team. Besides providing weekend services for all denominations, and promoting programmes for faith development, much of our time is spent responding to the very real human needs of the prisoners, both physical and mental.

As in all non-specialist prisons, one single system is applied indiscriminately to a multitude of very different human needs and conditions. Britain (from which the North's justice system is still administered) imprisons one in every 1,000 of its population. Time and again we come across people for whom life in gaol – or this sort of gaol – is doing them more harm than good. There are those severely damaged by circumstances of their upbringing, or suffering trauma or mental disability, or simply young victims of a culture of drink and drugs. Many endure deep depression, and are frequently close to suicide. There have been three suicides in Maghaberry within the last year or so. About 60 percent of prisoners in Britain (and Northern Ireland is unlikely to be any different) have some form of dyslexia or reading disability, and levels of ADHD (Attention-deficit-hyperactivity disorder) are high. The experience of relating to someone whose agenda is not that of the process of justice, and who is interested in him as a person, is the most valuable gift a chaplain can offer a prisoner. And it is only on such a basis that self-belief and self-esteem can be built, leading to hope for the future and openness to change.

A major need that we have identified is the availability of suitable homes to go to for many prisoners on completing their sentence. Free of the controls and routine that prison imposes, a great many find themselves vulnerable and unable to cope with the independence and autonomy that modern society expects of its citizens. The few hostels or half-way houses that exist – certainly in the North – lack the resources to provide a personal programme of care and support to ease the transition from prison to normal life. We are aware that imaginative initiatives exist in other countries and societies – even within Britain and the Irish Republic, from which there is much to learn for us in Northern Ireland. In the area of prisons in this small corner of the world, we have a lot of catching up to do following our long, dark years of political and religious conflict, not least in developing a greater degree of responsibility, and less of condemnation, towards the offender. ‘Reconciliation’ may be on everyone’s lips as an ideal to be striven for in our still contested society, but it is an alien concept when applied to approaches to incarceration.

Michael Bingham SJ
United Kingdom

Understanding the traditional Council of Elders and restorative justice in conflict transformation

Dennis Otieno Oricho

Introduction

This article explores traditional African models of justice in a changing culture that gives unequal treatment between the victim and offenders. The increase in injustice in many African countries has been associated with poor governance and structural systems in society today. However, even the most apparently “insane” person believes that violence has a rational meaning to the person who commits it, and to prevent this violence, we need to learn to understand what that meaning is. There is a difference between understanding what makes people violent, and excusing or forgiving the reasons. Therefore, punishing requires much less effort than understanding. The general agreement that traditional ways of restorative justice were capable of meeting the needs of the victim-offenders and the community motivates my desire to carry out this study. This is simply because violence is a complex mix of biological, psychological, and social forces. The social or environmental factor of violence appears to be more crucial than biological factors. Some societies and individuals are far less violent than others. In other words, all violence is an attempt to achieve what is perceived to be justice or to undo and prevent injustice.

Why restorative justice as a pastoral response to Refugees

The advent of Restorative Justice in Africa sustains a gradual development from the integration and sustenance of traditional institutions such as the Council of Elders. Studies have shown that systems of justice in many traditional African societies were carried out by the Council of Elders, not devoid of democratic values and practices. Current legal models of justice in a changing culture have been proven to give unequal treatment between the victim and offenders. It is a great sadness for perpetrator and victim to be treated within the justice system on the basis of ethnic identity or political affiliation. Therefore, the operations of the Council of Elders can only be understood against the administrative structure of the community.

For example, when there was a problem in most African communities, it was the role of the supreme jury with power to bring the victim-offenders together, who compelled witnesses to testify and accorded the offender’s punishment accordingly. The emotional gratification for punishment was the same for everyone using violence: a sense of pride and power in having dominion over others, including the power to inflict pain on them, punish

them and give them what they deserve.¹ However, there was no trial without judgement as in most cases the Council of Elders encouraged meetings in the victim offender process.

The Council believed that violence occurs when people see no means of undoing or preventing their own humiliation except by humiliating others. Hence, the offender was often given a chance to react to the allegations and accusations made against him or her and if the evidence were convincing enough, the sitting Council of Elders would decide on the nature of punishment. The whole process involved establishing a positive relationship between the victim and offender.² The council brought the victim and offender together anytime conflict or violence erupted in the community. The whole process was grounded on relationship building and respect for community members to put things right. The council used to prioritise forgiveness and reconciliation of the victim-offender and the community, based on the fact that crime and punishment were often thought of as opposites, rooted in the same perceptions of morality and justice based on people's values and traditions. The offenders in this case were not ignored and their needs were taken care off. As the present author pointed out in his article '*African Sub-Regional Bodies in Armed Conflict resolution: in the case of IGAD in the Sudan Conflict*, the old men had extraordinary alacrity and wisdom. They remembered every point made, did their deductions and passed an agreeable judgement on matters of clan quarrels, delicate cases of pregnancies and marital problems,³ on the basis of reasoning that violence is an attempt to achieve justice. To avoid an escalation of violence, the confidentiality of all the information was protected and in a situation where the offender's life was believed to be in danger, some form of security measures were provided to him or her by the Council of Elders until the case was over.

Thus, justice in the traditional community system was addressed with respect for each community member. These good values of the Council of Elders' pattern of leadership were preserved and integrated to foster the unity of the family. It thus follows that the more punishment a society uses, the higher the rate of violence becomes, making restorative justice the best model of an approach between the victim-offender. The Council of Elders can be a model of traditional restorative justice settings which I think are pertinent to the current political Kenyan system seeking healing and reconciliation. In other words, the Council of Elders established a system to promote human rights, throwing off imperialist domination and capitalistic exploitation to create a society where a *community* mode of existence prevails.

¹Gilligan, James. (2001). *Preventing Violence: Prospects for Tomorrow*, New York, Thames & Hudson.
Zehr, Howard. (1990). *Changing Lenses: A New Focus for Crime and Justice*, PA, Herald Press.

²Oricho O. Dennis (2007). *African Sub-Regional Bodies in Armed Conflict resolution: The case of IGAD in Sudan Conflict*, in *Peace Weavers: Methodologies of Peace Building in Africa*, by Opongo, Omondi

³Elias, S.J. (ed), Nairobi, Kenya, Paulines Publications Africa.

A good example is as reflected by a renowned African Scholar in his African Egalitarianism philosophy, *I exist for, with and in the WE and vice versa, I am because we are, and since we are, therefore, I am.*⁴ The concept brought to mind is that God loves diversity. God made a diverse world and we are to walk into difference rather than surround ourselves with people who are the same.

Likewise, the Council of Elders were regarded as men of wisdom with Plato's attributes of philosopher kings who could listen and handle diverse cases in the community. They did not have much formal education but were men of wisdom and humility who managed to bring the community together when there was conflict and disorder. Their mode of leadership was centred on the human core values of love, relationships, respect and recognition.

Their main task was to reconcile disputing families or relatives. This is based on the fact that disconnected relationships within the community bring shame on families which in turn reduce social cohesion among people. Cultures whose members commit the most violence are those whose value systems, socialisation practices and major institutions have the effect of making their members especially sensitive to feelings of shame and humiliation and do not facilitate their developing feelings of empathy, guilt or remorse which inhibit violent impulses. Therefore, the wisdom of the council elders was fully embedded in the concept of restorative justice as a uniting factor for the victim, offender and community. Restorative justice seeks to create dialogue and re-examine people's assumptions of justice.

As indicated by Johnstone, restorative justice represents a major paradigm shift and is a profound challenge to the conventional understanding of what is meant by crime and justice and how society relates to offenders.⁵ In the Council of Elders' system of leadership each member had a sense of belonging and the right to be heard. The term commonly used by the community was 'WE' not 'I' as in individualistic communities. The focus of the council fostered mutual engagement with neighbours and the entire community at a deeper level. For example, when couples quarrelled, the Council of Elders initiated dialogue between the parties to look into the main causes of disputes and ways of renewing relationships once more.

For example, events like communal meals and rituals were held on the basis of reconciliation, to prevent violence, do justice and build peace, fostering self esteem to protect against feelings of shame. The Council of Elders provided an environment for reconciliation where the victim-offender could meet face to face without tension or fear of expression. The creation of space for dialogue prevented the rise of unjust practices and promoted healing, respect and community harmony. Learning from this kind of

⁴Mbiti, John, (1978). *African Religions and Philosophy*. Nairobi: East- African Publishers. 1Zehr, Forgiveness - What is it, what is not, class notes: 12/04/2008, Fall Semester 2008.

⁵Johnstone, Gerry. (2002). *Restorative Justice: Ideas, Values, Debates*, USA, Willan Publishing.

restorative justice, Church leadership can give people the tools to acquire self-esteem through education, healthcare, empowerment and the opportunity to reduce violence within the community.

Zehr points out that restorative justice is more focused on needs, those of victims, communities and offenders.⁶ Decisions were community oriented with little damage and nobody was excluded. Most homicide cases could be attributed to income or wealth disparities. This is often referred to as “relative deprivation.” The Council of Elders in particular was unbiased and morally sensitive as violence was considered illegal by the community and offenders were punished.

An “Elder” had a social conscious and a thorough knowledge of prevailing social relationships to bring about social justice. The Council of Elders sought nonviolent means to diminish feelings of shame and ensure justice, peace and reconciliation. As the highest socio-political institution, membership of the Council of Elders depended on personal integrity and the ability to listen to the voice of the people, unconcerned with self-interest. Fr. Ikunza points out that the root cause of violent conflicts is the key to effective response.⁷ Thus, understanding violence ultimately requires learning how to translate violent actions into words. The formation of the Truth, Justice and Reconciliation Commission (TJRC) to look into post election violence in Kenya needs to adopt this kind of systematic approach to reconciliation. The promotion of justice as Zehr points out reveals that restorative justice provides concrete ways to think about justice within the theory and practice of conflict transformation and peace-building.⁸ Justice means that what affects one person also affects others because of the ‘social-connectedness’ of human persons.

Traditions and values were restorative in handling victim offender issues. Indeed, for a concrete practice of justice, leaders should be involved and not detached from the community they are called to serve. A philosopher king’s position is that of involvement in the day-to-day running of the community.⁹ Leaders must engage in dialogue, allowing people to express their opinions and discussing until they agree. It is the Council of Elders’ prerogative, like that of the philosopher kings, to influence the way the judicial system is run by personal contact and allow dialectic from both the victim and offender on a win-win solution. Jesus modelled an aikido approach to social change and did not live within the purity paradigm that kept away tax collectors and prostitutes. Counselling others to “turn the other cheek, walk a second mile, give them your cloak” are all aikido moves. He engaged from the beginning

⁶Zehr, Howard. (2002). *The Little Book of Restorative Justice*, PA, Good Books.

⁷Hakimani, (2009). *Jesuit Journal of Social Justice in Eastern Africa: Seeking Truth, Justice and Reconciliation*, Jesuit Hakimani Centre, Nairobi Kenya

⁸Zehr, Howard. (2002). *The Little Book of Restorative Justice*, PA, Good Books.

⁹Gothrie, W.K.C. (1975), *A History of Greek Philosophy Vo.5. “Plato the Man and His Dialogues; Early Period*. Cambridge: Cambridge University Press.

with their paradigm, terms and worldview, and transformed the terminology toward a new interpretation. We can reframe the national conversation on security by talking about God's security strategy, security from the ground up.

Restorative justice prefers collaborative and inclusive processes, as far as possible, and outcomes that are mutually agreed upon rather than imposed.¹⁰ Offenders must acknowledge and take responsibility for their actions to receive proper punishment, healing and forgiveness.

The results of the justice system must repair broken relationships and address the causes of the crime while meeting the needs of victims-offenders and communities. The Council of elders was a plausible alternative in building trust and eventually improving damaged relationships. Nonetheless some issues brought to the Council were beyond their jurisdiction, due to the trauma or psychological healing of victims-offenders in cases of rape, murder and burglary. Besides, issues like reconciliation are long term processes requiring thorough self reflection and humility and I fear most Council of Elders lacked expertise on these matters. In some respects this pointed to a disintegrating system, which in order to be remedied, required some sort of advocacy for trust building and the re-integration of society.

Another weakness appeared when the Council of Elders was mirrored within the context of Western democracy which does not exclude women. In the Council of Elders, a lot of focus was on men as key decision makers. This created partiality in terms of decision making and issues deeply affecting women and young people. I therefore raise the question 'What knowledge of customs should be taken into consideration before appointing the Truth, Justice and Reconciliation Commission in Kenya to set them apart as guardians of the community? Are these traditional values being practiced in our current court systems? These questions call for further research.

Conclusion

I think that regarding the nature of leadership it is a society's right to take the means necessary to achieve the purpose for which it exists. This is justified by the lawfulness of society's goals and means to achieve justice. The Council of Elders kept community social structures strong with respect, trust and honesty and they showed wisdom, intelligence, seriousness and leadership. Forgiveness is a journey rather than an event, a part of healing and an act of empowerment or courage.¹¹ This calls for a long term process of healing to help the victim offender. However the lack of centres and institutions in African communities for psychological healing, traumas and educational training has curtailed this process.

¹⁰Gothrie, W.K.C. (1975), *A History of Greek Philosophy Vo.5. "Plato the Man and His Dialogues; Early Period*. Cambridge: Cambridge University Press

¹¹Hakimani, (2009). *Jesuit Journal of Social Justice in Eastern Africa: Seeking Truth, Justice and Reconciliation*, Jesuit Hakimani Centre, Nairobi Kenya.

The pertinent question is: *Can Council of Elders values and natural wisdom in leadership be utilised in the modern restorative justice process without ethnic bias?* I think more research should be done in this area. Within the unjust systems of today's world, the fate of restorative justice is in our hands as practitioners in justice and peace building. We have learnt from history that we can forget it and let it die, or we can nurture it, share it with others and keep it alive. Thus common justice needs to include acknowledgment of responsibility, maximum information, the search for truth, empowerment and repair of harm. Putting things right requires addressing harms and causes.

Dennis Otieno Oricho
Jesuit Hakimani Centre
Nairobi
Kenya

RECONCILIATION IN THE CONTEXT OF PRISON MINISTRIES

Jesuit Restorative Justice Initiative: A Pastoral Ministry of Accompaniment and Advocacy

Michael E. Kennedy SJ and Richard D. García

Introduction

The punitive spirit of the United States criminal justice system infuses a “lockdown craze...now incarcerating more than two million citizens,”¹ “prison construction... among the top two or three largest budget items in many states,”² and mandatory sentencing such as “three strikes and you’re out”³ or life without parole (*LWOP*) for juveniles. *Life without parole* means that these juvenile offenders will die in prison with absolutely no opportunity to ask for parole.

International human rights law strictly prohibits *LWOP* for juveniles (Human Rights Watch), and the United States is the only country in the world to sentence youth to life in prison with no opportunity for parole; statistics show that only 1% of these youths serving life sentences parole out.⁴ In California’s juvenile justice system, it is a daily occurrence for courts to sentence juveniles to life in prison and, what is even more cruel, to sentence juveniles to *LWOP*. Diametrically opposed to Christianity’s call to reconciliation, these methods of criminal justice lead to brokenness.

As co-chaplain and pastoral minister at the Barry J. Nidorf Juvenile Hall (*Sylmar*), we hear stories of deep remorse from juveniles and recognise their profound desire for healing. This story of a prisoner, for instance, reveals God’s healing presence. Jacob (not his real name), is a 29-year-old member of a Catholic faith community inside a California State Prison. Even though still a youth, the State of California tried Jacob as an adult and sentenced him to “50 years to life.” Jacob will most likely die in prison. Here, in his own words, is Jacob’s story, which he entitled “Child of the Damned.”

You see, by the time I had killed that man, I no longer believed in hope and love... Religious people spoke to me about love, but their actions proved to me they were liars, and further solidified my belief that love doesn’t exist...

Currently [I am] serving 50 years to life, since I was 17 years old...I so desperately want to hurl hope into the drab, concrete floor and allow myself to rot away in despair.

¹Mark Lewis Taylor, *The Executed God: The Way of the Cross in Lockdown America* (Minneapolis: Fortress Press, 2001), xiii.

²T. Richard Snyder, *The Protestant Ethic and the Spirit of Punishment*, (Wm. B. Eerdmans Publishing Company, 2001), 8.

³USCCB, “Responsibility, Rehabilitation, and Restoration: A Catholic Perspective on Crime and Criminal Justice,” <http://www.usccb.org/sdwp/criminal.shtml>.

⁴<http://www.fairsentencingforyouth.org/legislation/what-is-sb399/>

Isolated in my juvenile hall cell, I read the Gospels. A living God Jesus really is. There in my cell, I encountered another person who said he loved me, but most importantly, I knew he was telling me the truth.

I guess I want people – free people – to take a step back and honestly think about us prisoners... First is the task of bringing to light a prisoner's plight; second is the task of extending mercy to [those] who can be reconciled.

After twelve years in prison, Jacob's involvement with Catholic prison chaplains has given him the courage to speak about his plight and to expose the lasting damage and human cost of extreme punishment for youth.

Following Jacob's lead, I embarked on a ministry of healing and reconciliation through the *Jesuit Restorative Justice Initiative (JRJI)*, a ministry of the California Province that provides pastoral care and sacramental access for the incarcerated and for victims of crime. This ministry has inspired JRJI to organise diverse Jesuit ministries in an enterprise of extending mercy to juveniles who, because of "developmental immaturity,"⁵ retain a unique capacity to grow.

From facilitating Ignatian-based retreats in prison to organising Jesuit ministries for advocacy, JRJI's *project of reconciliation* begins by listening to the stories of prisoners and their families, and it also attends to the agonised voices of victims who call for healing. These stories bring to light the ripple effect of a justice system that offers no opportunity for reconciliation, a denial that ultimately deprives persons of their human dignity.

The Prisoner's Plight and Stories of Brokenness

Rachel is the mother of a formerly incarcerated youth and a member of a support group for parents of incarcerated children. Her story describes the devastation that extreme punishment caused her family.

At the age of 17, my son was arrested for a crime he did not commit and was faced with the uncertainty of serving a life sentence. After seeing how the juvenile (in)justice system works and how it devastates so many families, as it did mine, I have been committed to trying to help other families walk through this very difficult journey.

With no room for reconciliation, extreme punishment victimises juveniles and their families as it rips apart relationships. Victimisation does not preclude a deep commitment to ameliorate the severity of sentencing guidelines for juveniles.

Aqeela, a victim of crime and violence, is best known for creating the 1992 peace agreement between longtime Los Angeles gang rivals, the Bloods and the Crips. No novice to death, Aqeela's son Terrell was gunned down in a drive-by shooting on his first Christmas visit from college. In his brokenness, Aqeela discovered that "the wound can become the gift and the tragedy can become the opportunity for grace."

⁵Elizabeth S. Scott and Laurence Steinberg, *Rethinking Juvenile Justice*, (Cambridge: Harvard University Press, 2008), 17.

These stories serve as the foundation for *JRJI's* reconciliation project that empowers Jesuit ministries to share in Jesus' mission of healing through *Juvenile Justice Week of Faith and Healing (Faith and Healing)*. *Faith and Healing* is a reconciliation project that organises diverse ministries throughout California in a coordinated initiative to reform cruel sentencing guidelines for juveniles and propose major structural changes for fashioning a justice system that restores human relationships. Through *prayer, educatio, and advocacy*, this project draws attention to the destruction of relationships caused by cruel punishment and elicits a pastoral response of reconciliation.

Fernando Franco SJ, the Director of Social Justice for the universal Society of Jesus, expressed his support for *Faith and Healing* thus:

First, the theme of reconciliation and restorative justice has become one of the central themes of our mission today... the mission you are promoting involves the collaborative effort of many persons engaged in diverse ministries. GC 35 has insisted strongly on the need to respond to the complex challenges of today's world in an integrated and holistic manner... your apostolic endeavour stresses rightly the importance of directing our combined efforts to change present State policies and practices.

The Task of Extending Mercy and Juvenile Justice Week of Faith and Healing

Faith and Healing, born 26-28 October 2009, from the stories of Jacob, Rachel and Aqeela, marks the beginning of the California Province's *Social Ministries Conference (SMC)*. *Faith and Healing* is an event planned for 15-21 February 2010, and, seeking inputs from *SMC* member organisations, builds upon the *SMC* and Jesuit vision. It is a response to the GC 35 vision of reconciliation,⁶ which calls for Jesuit ministries to plunge towards new frontiers and join Jesus in reconciling humanity to God, to one another and with all creation.

Faith and Healing is a project of sharing stories. Support from leaders of partner organisations allows this reconciliation project to be played out on multiple fronts. Enthusiastic support from diverse organisations, including a university and a philanthropic foundation, shows the promise of *Faith and Healing*. Santa Clara University's President, Michael Engh SJ, has reflected on how the stories at the *SMC* evoked his pastoral response for juveniles, "I toured San Jose's Juvenile Hall. I hope I can figure out a way to...keep my pastoral ministry active in some small way, and ground myself in the deeper social reality of the youth," Engh said.

Mary Ellen, a programme officer from a Catholic foundation described the *SMC* stories as a catalyst for reforming the juvenile justice system. In her reflection she said, "I wonder if we all might look back... and say, 'the Kingdom of God is like a small group of people, gathering at a conference to learn and pray about juvenile justice together, and that group sparked off a movement

⁶<http://www.sjweb.info/35/documents/Decrees.pdf>

that changed everything – in the prisons and in the church.’” The reconciliation project shows how important story-telling is to the work of restorative justice.

Using restorative justice principles to heal broken relationships means creating the conditions for dialogue that allow victims, offenders and the wider community to tell their stories of the harm done and together imagine the healing that could happen. The liturgical life of the Christian community exemplifies how reconciliation is dialogue, an act of proclamation and response. *Faith and Healing* honours dialogue – the proclamation of brokenness from the stories of Jacob, Rachel and Aqeela, and the response of healing through prayer, education and advocacy.

The work of *JRJI* follows the revolutionary heart of Jesus where juveniles, despite the severity of their crime, have an irrevocable place in the heart of community. The spiritual life of juveniles is integral to *JRJI*'s effort to confront the sinful structure of extreme punishment. Prayer for juveniles in *Sylmar* incorporates a method of *guided meditation* as a healing ritual that touches the core of their hearts. David, not his real name, is a juvenile who participates in weekly guided meditations. David reflects, “The hardest part of going to court is seeing my family hurting... I see my victims and realise that they’ll never walk around the same... They’ll always look over their shoulders while just trying to make a living. I’m sorry that I caused them to live in fear.” Reconciliation honours these stories of remorse and works for redemption.

Michael E. Kennedy SJ
Richard D. García
USA

Promoting a restorative justice defying prison walls? Philippe Landenne SJ

An apostolic insertion *in shadow*

In nearly thirty years of life in the Society, the trajectory of my apostolic commitment has remained rather simple. For many of my fellow Jesuits I am simply “*the prison man*” and, in the eyes of the prisoners and their families, I have been so completely identified with that ministry that nobody could imagine me being called to a different mission! Even though at times I have had the impression of being on the sidelines in my province, I must admit I have lived that apostolic insertion *in the shadow* as a more than consoling grace and am happy to be confirmed by different provincial superiors in a mission where the link between the promotion of justice and the service of faith appears undeniably evident. My life has been soberly cohesive through that explicit option for multi-faceted solidarity with incarcerated people and their families -

- Full time chaplaincy experienced as a resistance endeavour against the cold logic of prison cell confinement, marshalling all the vital and spiritual energy of my detained friends in the construction of a base community entrenched in the depths of prison¹!
- Discrete and regular collaboration as the jurist I am within the Human Rights League ‘Prison’ Commission.
- Living in a disadvantaged district in a community house where I share my life with prisoners released on parole, among others.

In early 2005, I began to run out steam. I felt in need of a break to avoid burn-out. The prison environment was weighing on me more and more and I could no longer tolerate the feeling of powerlessness regarding this “total institution” which systematically crashed people I felt very close to. Moreover, my colleagues there were not Jesuits, and I felt quite estranged from the Society. Maybe I was in need of fresh inspiration or just wanted to walk the remainder of the road within a network of companionship...

Impressed, as many of us are, by the dynamism of JRS, I welcomed the opportunity to meet Fr Luis Magriña² while he was on a visit in Brussels. One of the questions I asked him was “*If a Jesuit wanted to join JRS, how should he prepare?*” Part of his reply struck me: “*In any case, he would need training in conflict management methods and ‘restorative justice’.*” That very evening I typed the phrase into a search engine and the screen instantly displayed an

¹The birth of that base community, known as “the catacombs”, in the cellar of Lantin prison in Liège, is described in the second part of a book I wrote about my journey in prison - Philippe Landenne, *Résister en prison. Patiences, passions, passages.* (Resisting in prison. Patience, passion, passages.) Editions Lumen Vitae, Trajectoires collection, Brussels, 1998, 272 p. The book, which is now out of print, can be downloaded free of charge at www.lumenonline.net (click on “monographies”)

²Father Luis Magriña was International Director of the Jesuit Refugee Service (JRS) at the time.

interesting programme at Queens University (Kingston, Ontario) organised by, among others, Professor Pierre Allard. I knew him, as he was a former general Chaplain for Canada's federal prisons. When I contacted him for more information on the training course, back came a gently provocative reply: "*Is it possible you have worked for so many years in prison without resorting to restorative justice? This is the very matrix of our commitment behind prison walls. Come and join us quickly!*"

Restorative justice in a destructive prison?

In fact, I knew about the restorative justice theory, but I could see neither why nor how to integrate it in my duties in the prison context surrounding me. How can we decently talk about restorative justice within a repressive system which destroys beyond measure? I have always been overwhelmed by the constant inflation of prison-generated trauma which saps the ever-fragile stability of incarcerated people. I knew too well that a gaol sentence is more than a gaol sentence. It seemed to me that my priority was to speak out against the hidden charges imposed by prison sentences. I was totally absorbed in writing³ and reflecting on the issue with actors on the ground, even though, like my colleagues, I was aware of my powerlessness to raise awareness in a public increasingly indifferent to the degradation of living conditions for prisoners and their families. Undoubtedly the urgency was to reveal that, beyond the loss of freedom to come and go itself, prison crushes by means of an interminable succession of collateral damages. Promiscuity, destitution, depersonalisation, addictions, dealings, multiple violence, isolation, family breakup constitute a stack of well known prison ills that all add up.

As a professional jurist, I was particularly shocked by the lack of respect for the classic criminal law principle '*Non bis in idem*'⁴ in a prison environment where aggression thrives at all levels. In that sad context, I realised that even though perpetrators of crime often intend to reflect on their actions, they inevitably soon have to face another challenge – surviving, with their families, the multiple impacts of prison. While deep down prisoners nurture the desire to make up for the harm caused to victims, they have to bury prematurely that concern under the rough carapace hastily crafted in order to stay "alive" within prison walls.

Today I still ask myself the following questions -

- Can prisoners, systematically victimised by a system which degrades them and deprives them of responsibility, really face the challenge of "restorative" outreach towards their victims?
- How can hope be promoted within a confined space, within an empty time which feels like eternity (due to constant extensions of custody),

³Philippe Landenne, *Peines en prison, l'addition cachée (Prison sentences – the hidden charges)*, Editions Larcier, Crimen collection, Brussels 2008, 258p.

⁴*Non bis in idem*: "the same offence is not punished twice."

hope to restore links with the outside world which seems lost beyond an inaccessible horizon?

- Without a culture of respect or the promotion of basic human rights in prisons, how can detainees feel rehabilitated enough to risk (re)conciliation dialogue with their victims or with the community from which they perceive only the weight of their sentence to exclusion?

Despite these reservations, I decided to accept the invitation from my Canadian friend and I left for a six month sabbatical. I was progressively enthralled by the theoretical tools provided by the programme and for six months I was plunged into discovering remarkable projects of restorative justice carried out within the prisons of Ontario and Quebec. God writes straight with curved lines and, at the very moment I was planning to leave prison work, I was led back to it in the prospect of a new approach! From now on, a new task awaited me.

There is not enough space to describe that task here. I can only outline its main lines of action which test today the discernment for my way of Jesuit insertion. Would my commitment to the promotion of justice marked by a constant search for reconciliation (which our last General Congregation reaffirmed) be given tangible form through in depth study of the possibilities of the Restorative Justice approach?

A pastoral ministry of communal relationships restoration

I have now left prison chaplaincy to others who have eagerly taken over. However, as a member of the Supervising Board for Lantin prison⁵ in Liège, I have regular access to prison and have not abandoned the struggle to obtain respect for prisoners. From now on, my approach to the reality of prison is inspired by a new concern – finding ways to restore peaceful relationships between **offenders, victims and local communities**. Appointed by the Liège Diocese, I serve in a research group attempting to promote in our region a pastoral ministry of community relationships restoration. We are working on creating a solidarity support network based on the three dimensions of restorative justice.

From what we observe we ask questions and identify stakes as follows -

1. Victims of crimes

For the victims of serious crimes we meet, the consequences of the unjust violence they have been subject to are often beyond measure. After long and complex proceedings, the “criminal” system ponderously moves to sentence

⁵The Supervising Board is an official body made up of voluntary citizens appointed by the Ministry of Justice with free access to prisons so as to identify and report dysfunctions and violations of basic human rights. Board members mainly visit solitary confinement and high security facilities on request from prisoners or staff.

offenders when the latter are identified and found guilty. Yet, is the suffering of the victims allayed at the end of the legal labyrinth? Mainly what the plaintiff gets are indemnity compensations in addition to the years the offender spends in prison. Is the case thus settled and the victim satisfied? Can the trauma of victims truly be dealt with in such a way? Victims are often left alone and at a loss, in a desperate quest for meaning. Certainly, professional services provide psychological counselling however innumerable questions remain. *Why me? Why did I not know how to react? Why do I still feel shaken? How can I find some peace? How can I regain confidence? How can I get on closely with people who cannot even begin to grasp the depth of my pain? How can I keep sharing my anguish with those who seem to be growing tired of hearing the story of what I have been through? And where is God in all that? Where is he? Where is he? My once-confident belief in human brotherhood has changed. I am scared and doubtful. It may be that I feel hatred. Do I still believe?* We try to provide help to people struggling with such questions. We still have a lot to learn before we can put in place a network of credible human and spiritual assistance with the necessary tact.

2. The perpetrator, the prisoner, the convict awaiting release, the prisoner released...

Thanks to prison chaplaincy action, prisoners discover the human, sympathetic and tolerant face of a Church from which they were often estranged before their imprisonment. While they face the challenges of an austere life, marked by the precariousness of human relationships in prison, they sometimes undertake a journey into the depths. Chaplaincy provides them with a haven of respect and confidentiality wherein they can review and question the broken trajectory of their life. It also provides the unexpected grace of a community experience inspired by the Gospel. This privileged space where they can walk in and be themselves, where they feel accepted without prejudice or judgement on their past life or their sometimes marginal means of expression, is for them a sacred oasis in the desert of prison! Some try to keep in touch with chaplains after their release. They often ask, *Once I am back outside, will I find the same respectful support enabling me to repair and face up again to my responsibilities? Where is it possible to pursue this community experience after release? Where can I carry on living and reintegrating myself within a community that accepts me as I am, at the stage where I am now? Can I really believe that I will be awaited and listened to when I come out of prison? Will there be a place where I will be listened to and respected? Will there be a space where I too will be able to share my skills and concerns?* Released people have to face numerous social, psychological and administrative problems and many other therapeutic injunctions right after their release. They feel alone and powerless faced with the complexity of procedures required. For many isolated detainees or those

whose family ties have been cut, accommodation is a thorny question. Detainees “provided” with an ankle monitor find themselves in a community with limited freedom of movement since they are confined to their imposed homes. It is crucial to provide accompaniment to those detainees experiencing a difficult transition towards freedom. We do not replace existing professional (still insufficient) services, but we offer, in the city, space and time to listen and share their concerns. Our team can serve as an intermediary, encouraging and orienting fragile people in the necessary steps towards adequate services.

Moreover, we have recently started proposing awareness sessions enabling detainees to learn a little about the daily life of a victim. Cautiously, in five-day long sessions organised in prison, we provide opportunities for respectful dialogue between prisoners and substitute victims. This experience, which has to be prepared for in advance and supervised, proves deeply shaking. Participants (victims and offenders) can experience these sessions as a first step towards liberation from deep-seated traumas. Nevertheless, we leave it to professionals to organise mediation between offenders and their actual victims.

3. The Christian community

Faced with the reality of crime within a society that confusedly expresses a sense of insecurity vis-à-vis the phenomenon of crime, heavily influenced by some media which thrive on an irresponsible use of sordid news items at the expense of balanced and lucid analysis of the social and human factors which lead to destitution and violence, the Christian community often seems silent and uncomfortable. Sometimes, it even seems to howl with the wolves, resigned to supporting a repressive idea of justice. It is as if Christians no longer realise that biblical justice is radically concerned with finding means of healing and reconciliation. Lack of training and inadequate information on the challenges of assuming responsibility and solidarity, in order to promote an inclusive model of restorative justice, insidiously lead the Christian community to an attitude of indifference, or even hostility and rejection towards people caught up in criminal realities. Do we still believe that *the rejected stone will be the cornerstone of the Kingdom*? Do we dare affirm that justice based on exclusion has no place in a Gospel-inspired society project? It is pastorally crucial to explore the dynamics that bring us back to the origins of Christian audacity and we have started providing training and reflection tools to local communities on request.

It must be admitted that this call for a communal justice is at odds with the dominant culture in Belgium. Many offenders become such precisely because they have lost every reference amidst the dreadful indifference of an ultra-individualist neoliberal society. Left alone, they exist for nobody. They have slipped through the gaps in a slack, even nonexistent, community fabric, and

their offences are more blind cries than broken human relationships that have long ceased to exist for them. Sometimes they resort, in a last desperate attempt, to consuming illicit products or undergoing extremely marginal experiences. They feel uprooted and cut off from every effective ethical or spiritual reference. Thus, initiatives proposed by benevolent people or support organisations do not seem credible to them and they go through their detention time isolated, adapting only to the violent prison subculture. For these people, who are far from being a minority in prisons today, what does “being released” mean? How can we, in a credible way, propose this community intermediary that we are trying to set up in the perspective of *restorative justice*?

Broad horizons to discern ways and means of “another” justice?

In recent years, I have had the grace of occasionally accompanying the Canadian NGO *Just Equipping*⁶ on different missions in the Great Lakes region of Africa. Committed to the promotion of restorative justice and prison chaplain training, *Just Equipping* favours a transformative, restorative and biblical vision of justice. What a blessing to meet in such a context people from other cultures, whose stories are often marked by extreme violence, and be able to listen to the stories of their deeply moving and creative efforts to find un-hoped for avenues to reconciliation!

There is the reason why this modest *Promotio Iustitiae* article makes me dream without borders. Would other companions committed to promoting restorative justice worldwide be interested in setting up an exchange network to allow us share our experiences and *ways of proceeding* in this difficult task? I have no doubt that many companions who “*stand as ferment of peace amidst the lacerations of the human family*”⁷ can enlarge our hearts and visions by upturning the framework of this research. What if together we put to use the grace of belonging to a “global” Society that does not falter at the challenge of promoting justice and reconciliation...?

Philippe Landenne SJ
Belgium

Original French
Translation by Christian Uwe

⁶<http://www.justequipping.org/>

⁷Expression borrowed from Brother Roger of Taizé.

A Jesuit's 30 Years in Prison Interview¹ with Father Mario Greco SJ Gianfranco Matarazzo SJ

How can you be a friend to a prisoner and furthermore a prisoner accused of association with the Mafia or of paedophilia? How do you feel when you are accused of being “one of them”? How can you engage in friendship when you know there are also victims of these crimes? And is society really interested in reconciliation with offenders in such serious crimes? Is the apostolic community supportive or otherwise in this kind of ministry in prison?

These are some of the questions explored in this interview with Father Mario Greco, chaplain in the Pagliarelli maximum security prison in Palermo. This Jesuit priest has never written a book or even an article and has never up until now been interviewed on these issues. This is the very first.

It must be explained immediately that Father Greco's experience has brought him into close contact with people expiating sentences for a range of crimes covering every possible part of the spectrum, including theft, drug pushing, prostitution, criminal association, Mafia type association, terrorism, homicide, massacres, sexual crimes and paedophilia. In particular Father Greco has worked for many years with prisoners convicted under the special conditions of Article 41 bis of the Italian Prison Administration Act.²

Father Greco, why this reluctance to share your experiences? Journalists here know you well and when they see you, as you say yourself, they show respect for your silence, assuring you, “No Father Greco, don't worry, we are not going to ask you anything.”

Yes, journalists have learnt to know me and this is the first time I have conceded an interview. I have always refused because I constantly adopt the criterion of a personal relationship with the poor in general, and in this case prisoners. To speak even indirectly on delicate issues regarding the life of a prisoner could affect the relationship of trust I attempt to establish with prisoners. I am making an exception today because I have faith in those expressing the Society of Jesus and this important *Promotio Iustitiae* initiative on such a vital issue as justice has persuaded me.

¹This interview was conducted by Gianfranco Matarazzo SJ, Social Apostolate delegate for the Italian Province

²The expression “Art. 41 bis”, although technically referring to Italian law no 254 of 26 June 1975 (part of the Italian Prison Administration Act), is used mainly to indicate the especially restrictive prison conditions designed for perpetrators of serious crimes and particularly organised crime. Security measures for such prisoners have been intensified in order to prevent contact with the criminal organisation the prisoner belongs to, imposing restrictions on the manner in which visits are carried out and the total number allowed, censoring correspondence and limiting time spent outdoors.

How did your long journey in prison commence? How did the *missio* received from your Superiors develop?

This is my thirtieth year working in prison, I began in 1980. I did not come to undertake my ministry in prison on the basis of a *missio* nor did the *missio* come explicitly from my Superiors, but from life's own unfolding. I arrived in prison because I was living and working in a poor district in Palermo. This was the *missio* I received – pastoral work in a poor and disadvantaged context. I chose to accompany the many people I knew and who were friends of mine. Travelling the same path as them, I found myself in prison. My going to prison was just continuing to share the same road as the poor. For a certain length of time, I accompanied these people in their everyday life in the district. When I could no longer find them, I asked for them and sought them out when they disappeared. To my great regret, but not surprise, I found them in prison.

How did this way of proceeding dictated initially by mere acquaintance with these people evolve? Why did you not just visit them regularly, which would still have meant great attention to the prisoners?

As I was saying, I wanted to meet the people I knew. Therefore I went to prison as their friend. After this first contact, I began my visits to prisoners as a volunteer, to accompany them in that environment not just on occasional irregular visits. Later, my Superiors saw what I was doing and confirmed my work with the *missio*. Thus in accompanying my friends from the district I ended up in prison. The prisoners saw me arrive as a friend and this role was recognised by others I had not known previously and met for the first time in prison.

In the light of your own formation and experience, how did you perceive your commitment and how did this commitment evolve over time?

At the beginning, even with the best of intentions, I perceived my social commitment in prison essentially as material support. Then right there in the criminal world, I understood that the real problem is not material – the evangelical image of the cup of water (Mk 9:41) reveals in the last analysis an interpersonal relationship and a dialogue undertaken because the problem is a man's heart.

What did the move from a working class district in transformation to a distinct place like prison, and especially the maximum security Pagliarelli, mean to you? What does going to prison mean?

I have two specific comments in response to your question. The first is that as time has gone by I have realised I did not go to prison, I am in prison. These 30 years of experience have shown me that. The second point is that prison is part of the city and of society itself. It is one of the tips of the iceberg in society.

Furthermore in our globalised world it is clear that prison is part of the world. In the Pagliarelli in Palermo where I work 87 nationalities are represented! When I began my ministry immigrants were few and far between. Almost all the prisoners were local and, here in Sicily, mainly members of local organised criminal associations.³ Immigrants who become entangled in crime are generally involved in common crime.

When you began your experience in prison, what type of organisation and management model did you find? How did you relate to this? What sort of service were you able to propose?

Today as in the past prison is experienced essentially as a punishment. A realisation which has come to me with experience is that punishment is not only the loss of personal freedom, but is compounded by suffering caused by bureaucracy and the scant human and Christian preparation of prison staff. This is how prison becomes a school of further violence and harshness. The re-educative aims a prison should have risk being overlooked. It is very probable that suffering leads to greater aggressiveness and criminality although there can be a chance to reflect and mature. However the latter can only happen if there are opportunities to meet a friend, say a chaplain, volunteer, teacher, people perceived as friends, who do not judge or condemn perpetrators further, who do not betray them. From this short list it is plain to see these kind of people are not part of normal prison structures!

How can you be a friend to a prisoner and especially one accused of serious crimes?

Above all evil is not found solely in prison. Violence is in the heart of all men. Besides in prison not everyone is evil. There is a significant number of innocent people forced to endure custody and others faced with interminably long legal proceedings. In this context, I am present and act as a friend, without proclaiming the fact. I am aware that all of us need to free our conscience from fetters, weaknesses and sin. He steals. I could do that too and maybe I do already. Those who suffer recognise the motivations of those who try to show solidarity. They also realise when someone tries to help as a brother does, not for show, but because they are genuinely one of them, a true friend. There is no criminal, assassin or offender who does not understand the meaning of this friendship, this sharing, this acceptance, this solidarity. And from this any kind of miracle can spring. Some are only interested in pointing to the crime. Many prisoners have made good progress but are we interested in these stories? I have learnt what it means to have a heart capable of suffering with those who suffer. In their suffering, they understand this and I have learnt solidarity and sincerity in friendship.

³In current prison administration policies, there is an increasingly geographical mix of inmates. Often they serve their sentences in custody in a completely different region from their own.

In your experience is it possible to integrate punitive justice? How?

Punitive justice is not the only way, there is also re-educative justice and restorative justice. For this to happen we must try to free men from the fetters that lead him to crime. However, is it certain society wants to invest in this direction? The problem is the rules say anyone who makes a mistake must be excluded and marginalised. Therefore even when people finally leave prison they are still excluded and the only door open to them is return to prison entrapped in crime once more. Society, and in part the Christian community, provides some material help, but the capacity for acceptance and the desire for reconciliation is lacking. This shortfall is even more obvious in a Christian context, since this is our *proprium*. For us Christians, the origin of the desire for reconciliation is not solely human, but justice towards God. The problem with restorative justice today is that it is still theoretical, just like re-educative justice, and so it will continue if society in general, and ideally the victims, do not share this aim.

Can you tell us of some encounters you consider emblematic in your ministry? What is their importance in your being a Jesuit?

At one stage in the crack-down on Mafia type organised crime, a man was arrested for serious crimes. About two months after his arrest, he asked to speak to me. We met and the wardens allowed us some privacy despite their presence. In a welcoming way, I greeted the prisoner, "Good morning! How are you? How is it going?" He broke down crying before even sitting down, saying "Father, since I was arrested, this is the first time I have felt like a man again. You are the first person to greet me and ask me how I am". Another time, a young honest immigrant from Eastern Europe, no longer able to tolerate the hardships facing his family and especially his children, tried to steal a car, with dramatic consequences. The owner tried to stop the thief by grabbing onto the car but was knocked down and killed by a car coming in the opposite direction. This caused the prisoner immense torment. We judge the facts, but the facts do not always correspond entirely to the truth. This discrepancy led to enormous suffering for this young man. Now he is trying to help the family of the victim, but they have refused dialogue and offers of help.

What reflection are you proposing by means of these two stories?

From a restorative justice viewpoint, there is, especially in the second case I mentioned, at least a desire for reconciliation, even though the personal process of the victim must be respected. However if perpetrators of crime believe there is someone ready to help and sustain them in this path towards reconciliation, this can be recognised and appreciated, even if not yet by the victim. Despite having no direct contact with the victim, the perpetrator is

aware of the path embarked upon and the presence of mediators. The role of mediation in reconciliation is recognised by the perpetrator. This is an aspect of the mission that calls us close as Jesuits – to be mediators for reconciliation bringing the perpetrator and society to this encounter on the frontier and, if possible, the victim as well. The presbytery can be a source of mediation for reconciliation, an urgent although still difficult service. This is a concrete way of announcing faith through promoting justice and love of enemies and reconciliation between enemies is the heart of Christianity. The candour of this announcement and testimony is the news to be offered, a projection of God's justice.

How can we understand the commitment to restorative justice in a concrete way?

Whoever makes a mistake, even a serious one, is still a man and will always be a man and therefore is capable of rebuilding his life and trying to make amends, if helped. Thus, first I have to accept him and not just continue to exclude him completely. It goes without saying that this way of thinking is not only valid in a prison context – this is the specific place where a man is labelled a “delinquent.” Therefore first you accept the prisoner as a man, although he has made a mistake, in fact because he has made a mistake you welcome him even more as a man, offering him friendship. A helping hand can make him aware and allow him to be born to humanity if he has not yet experienced this birth. At times criminality arises because people have not known loving relationships within their own families, or with others in society, therefore they have not been born to human life. Assessment of responsibility neglects this cause originating in disadvantaged environments where people are neatly deprived of freedom and hope. So the first thing is to accept the prisoner as a person. What he has done I could do too, I could also make a mistake, especially if deprived of freedom and hope. Prisoners can undertake to mend their ways. If they want, they can regenerate their lives but only if they find help, if they are loved, if they find an arm around their shoulder. Without this help, prisoners have no way out. We are back to the issue of the attitude necessary and reconciliation.

What support have you received in your dealings with Jesuit institutions?

I have not received much support from Society institutions. Incomprehension I myself have experienced with fellow Jesuits reveal there is not much experience or awareness of these issues, and not many of us have proposed paths of reconciliation. My actions have been challenged, often by fellow Jesuits. Seeing the fruit of my work, I am not too disturbed by criticism. The opposition I have experienced are on two counts. The first that I assert unjustifiable complexity regarding prison (the reasoning being that prisoners

have made mistakes and must pay for their errors) and the second that my approach would send every offender to heaven.

How do you interpret the GC 35 call for reconciliation and building bridges?

The General Congregations have been of great support to me. I do not relate to the decrees as simply theoretical since they originate in the experience of the Society itself and this comforts me, even though there is still a long road ahead. In particular, GC35 provides hope and comfort in terms of the community dimension, to ensure this work is carried forward not only by a handful of individuals. One of the hardest aspects of this job is the solitude, as I explained earlier. In my experience the apostolic community needs to be stronger and GC35 encourages this.

In your work, you tend to meet the perpetrators and not the victims of crime. Where do you situate the victim in this discussion on reconciliation?

I am convinced mediation should be available for victims too and priorities must be respected. Victims must be accompanied, since too often they are abandoned and disregarded, like prisoners, paradoxically. The initial phase of huge attention to victims unfortunately does not last over time and the wounds remain, well beyond the original media furore. Where are the widows interviewed in the past now? Does anyone care about them? Who accompanies the children of victims? Is the State doing anything? Victims experience further solitude this way. Mediation work requires a difficult position, on the frontier, close to both the victims and the perpetrators of crime. This is the real challenge and attending to one group or the other in isolation will not resolve the hurt.

You also worked for some time in the juvenile Palermo prison “Malaspina”. What are the differences between juvenile and adult prison?

There is one essential difference between juvenile and adult prison. While the social mix in adult prison tends to be varied, most juvenile offenders are from the poorest levels of society and almost always have relatives already serving time. There are practically no middle or upper class youths in prison. There is a second aspect which requires reflection and urgent action within the family. It is very significant that, in my experience at least, you do not meet prisoners in reformatories with even very basic schooling.

You mentioned there are 87 nationalities present in Pagliarelli. These different nationalities bring other traditions and religious creeds. What is your experience of this?

In our globalised world, many prisoners are Muslim, Orthodox or followers of other faiths. Attitudes of assistance and solidarity in suffering can be shared with them too. Usually the understanding with other believers is "You are here in the name of Christ and I know you will help me". It is very inspiring for me to be recognised in this way, non Christians too know that Christ has told me to help them.

Paths to reconciliation can cross cultural, social and religious barriers.

This attitude of reconciliation shown towards prisoners in general and especially in such specific cases generates reflection in others and I find myself meeting, personally and at their own request, volunteers, professionals and even prison staff. The inclusive breadth of reconciliation is evident in this simple example, because it goes beyond the immediate prison environment. Reconciliation, as I mentioned before, cannot be limited to the perpetrators alone. As Jesuits we are called to manage these erratic borders. As a chaplain, it may seem I dedicate my time only to prisoners, however, as a reconciliation mediator, I meet the victims as well.

Did you ever have any trouble with a prisoner?

I have never been afraid of a prisoner, but this does not mean I have ever been careless in managing my dealings with them. There has only been one episode where I experienced an attempt to create trouble for me, but I reacted openly and later he apologised. What engenders most fear in me is society, exclusive and hypocritical, refusing to admit any other standpoint and completely distrustful, wondering about me, "Who is he? Is he one of them? What does he want?" In these situations, the prisoners themselves paradoxically have been the ones who showed me solidarity.

You have acquired significant experience too in terms of the world of volunteers circling planet prison - what is your feeling about this? Who are the volunteers you meet in your Apostolate?

There are many different types of volunteers and it is important to be aware of the complexity of the motivations involved. Some people come to help in prison to fill their own solitude. Others are inspired by Christian values or moved by political views. Christian volunteers of all types are the most present.

In the debate on justice and crime policies divisions have arisen regarding the actors involved. In particular, magistrates, in the accepted general consciousness, are people who have attempted to ensure justice is done and in some cases have paid for the efforts made for the State with their lives. What do you think?

Without casting any doubts on the important work they do, they also have different motivations. I would like to point out the complexity of this rationale to those who prefer to see only single-mindedness and linearity. I believe that laws must be applied in a serene judicial environment and this is not an easy task.

What does living in poverty, chastity and obedience mean in prison?

It is a constant reminder of the counsel of the Gospel. In particular poverty is continually recalled by immigrants. I have something, they have nothing. I am reminded of obedience too by the numerous constrictions which are part of daily prison life. As for chastity, one of the major causes of suffering for prisoners is the privation or limitation of affection. It is hard to witness the difficulties experiencing affectivity facing poor prisoners, especially immigrants, whose families cannot afford the long journeys on visiting days when they are imprisoned far away or their relatives are also in custody. The last man I spoke to was a Moroccan immigrant from Milan now in prison in Palermo. How can his wife come all the way to see him in Palermo? For now I have procured him some postage stamps. Prisoners by convention do not speak of this deprivation of affection nor of their personal or romantic feelings since it embarrasses them and weakens their image as criminals.

Gianfranco Matarazzo SJ
Ragusa
Italy

Reflections on Reconciliation

God, If You Want Me To Forgive You Better Show Me How Janine Geske¹

Lynn Beboe, a widow, describes the experience of praying the Our Father one night months after her husband, a police officer, was murdered in the line of duty. When she got to the part, “forgive us our trespasses as we forgive those who trespass against us,” she suddenly stopped. She had said that prayer thousands of times before but that night it was different. She then cried out, “God, you cannot mean that. You cannot mean that I must forgive the man who murdered my husband – the father of my children. If that is what you want, you better show me how because I do not know how to forgive him.” She later found that restorative justice was the process that would lead her to forgiveness.

As the recent commencement speaker, I encouraged the new Marquette University graduates to be centered and good listeners, particularly with those who are in pain so that they can help peacefully resolve people’s conflicts. We all need to be less angry and more present with others to better engage in civil discourse and find ways to reconcile differences. Despite the stress laid on forgiveness and reconciliation by most religions, people often react with rage and a desire for revenge when deeply harmed. Many justice systems are retributive in nature. As a former state criminal court judge, I know that our American justice system generally focuses on whether a particular person is guilty of an offence, and then on how to punish that offender. Healing victims and communities is a factor rarely considered at a sentencing. Nor are there real opportunities for offenders to take responsibility for the impact of their conduct.

Restorative Justice (RJ), a philosophical approach to harmful acts, calls us to respond by asking who has been harmed, what that harm is and how we can work toward repairing the harm. It is through the utilisation of RJ processes that many victims of crime and other harmful behaviour discover that when they are provided with a supportive environment in which to describe in a meaningful way what happened to them, an environment in which they can truly be heard by the offender and by members of the community, they can begin a journey of healing. RJ recognises how a victim has been impacted by the actions of another; indeed, the individual’s very self can be changed because of an offence. Frequently that person’s life journey is altered forever. The basic human instinct to survive creates the need for healing. But the healing journey should not only be

¹Justice Janine Geske (ret.) currently serves as a Distinguished Professor of Law at Marquette University Law School and as founder of its Restorative Justice Initiative. She is a retired Wisconsin Supreme Court justice and trial court judge. For over six years, she has been actively involved in restorative justice work.

personal; to be most successful, it needs to involve the greater community. RJ is built on this premise, which is especially important in a global culture conspicuous for its lack of healthy relationships based on trust and communication.

Community involvement in the RJ process also reflects the fact that harm inflicted upon an individual has a ripple effect that goes well beyond a victim. It emphasises our interconnectedness as children of God. Consequently, the community must assume responsibility for healing when harm is done. Addressing conflict, which will always be part of human nature, is another responsibility that the community must shoulder.

I direct the Restorative Justice Initiative (RJI) at Marquette University Law School, a Jesuit institution, committed to educating lawyers who will become transformational leaders. (See <http://law.marquette.edu/cgi-bin/site.pl?2130&pageID=1831>) Our RJ work focuses on providing processes for victims of crimes and other wrongs to share their personal stories in a caring environment where they are truly heard; they are then given support for healing and rebuilding relationships, and, in some cases, even creating them. Our law students learn how to promote that healing and new understanding through their work. I point out the sacred moments we experience in this work. We journey with our victims through their personal suffering, desolation, consolation, revelation and faith-filled moments of peace. It is such a privilege to accompany survivors of offences ranging from homicide to bullying in the schools and even survivors of clergy sex abuse. Through this ministry, we all learn about the ripple effect of harmful acts, the importance of remorse and the rebuilding of relationships and forgiveness.

RJI facilitates victim/offender dialogue sessions in crimes of severe violence. My students also help teachers, social workers and students in central-city schools to develop restorative processes that address bullying and other harmful behaviours. We have even facilitated a circle discussion on campus with university students who have engaged in inappropriate behaviour together with those whom they have harmed by their actions.

People need to understand how decisions and actions can send out negative ripples that have far-ranging effects. One of the most effective ways to promote that conversation is to create a facilitated talking circle in which a symbolic "talking piece" is passed from person to person. One can only speak when in possession of the "talking piece." Offenders are held accountable for the pain caused by their actions and have the opportunity to see a victim as someone who is perhaps not so very different from themselves. Offenders, many of whom have also been victims, can tell their own personal stories while taking responsibility for what they have done. These intensive circle sessions, based on Native American traditions, are frequently transformational experiences for everyone involved.

Having participated in hundreds of circles through the years, I am still amazed at the generosity of spirit that emerges. For the last two years, our

community coordinators, Ron Johnson and Paulina de Haan, have conducted circles in violent neighbourhoods with offenders, victims, police officers, community members and others so everyone can grow in reconciliation by each hearing other's personal stories. (See <http://www.safestreetsmilwaukee.org/>). Actual RJ stories can best illustrate this work. Here is a sampling of what we have heard at community circles:

A police officer told a story about how he encountered an aggressive young man during a routine call. This young man proceeded to berate the officer with profanity and accusations of harassment. The officer responded, asking this young man, "Don't you remember me?" The young man shrugged off his comment and continued to antagonise the officer. The officer said, "I saved your life a few months back. You were shot in the leg and bleeding profusely. I risked my life when I stuck my hand inside your flesh to stop the bleeding. The young man stood there and did not respond. The officer asked in frustration, "Am I not going to get at least a 'thank you'?" The young man's fellow gang members pressed this young man to thank the officer but he still refused. The officer shared: "Even though you don't like me or in fact hate me, I will always come to your aid because I took an oath to protect all people." While the officer told his story, some of the offenders in the circle shook their heads in disbelief. Having a safe place to share impactful stories allowed for two inherently adverse groups to share a common understanding of human compassion.

In one circle, with an offender released from prison for armed robbery, some victims of armed robbery shared their personal stories of how they were affected by the crime they experienced. One of the victims explained the worst part of the traumatic event. After the perpetrators left, he saw that the contents of his wallet were scattered across the ground. Shaking and injured, he got on his hands and knee to pick up a photo of his wife, which he kept in his wallet, off the ground of the dirty alley where the robbery had just occurred. He said at that moment he felt completely violated, as though he had been raped. These very personal stories of violence and its impact on individuals and the community continued around the circle. Residents came together after sharing their stories of crime and offered motivation to the offender in his journey toward finding employment and becoming a positively active resident of their community

During a different session, a recently released offender talked about his childhood being filled with consistent violence, drugs and gangs. At a very young age, he said he remembered having to tie the rubber tubing around his mother's arm so that she could inject drugs into her body. He talked about how every single one of his family members had spent time in prison, including his mother. Growing up, violence was all that he knew. After the circle, an officer came up to this young offender and told him that while he wouldn't offer him a free pass for the wrongs he had committed he understood now why this young man did the things he did. Both the officer and young offender shook hands, while the young offender said, "Thank you, I've never had a cop talk to me the way you did tonight."

Although reconciliation and forgiveness often result from restorative practices, the topic is controversial in the restorative justice field. Many victims' groups get angry when people talk about the need to forgive because it calls upon someone who has been harmed to take the responsibility rather than calling on the offender to make amends. I believe much damage can be done by

telling people that “they just need to forgive.” The process of forgiveness is much more complex than that. One of the issues with the word “forgiveness” is that it means many different things to different people. For some it will always mean that whatever happened was not serious, or that forgiveness diminishes the actual harm. For such people, it may always be impossible to say the word. I believe it is more helpful to talk about people healing and moving forward in a positive way, not carrying hearts full of anger and hatred. However each victim (or survivor as many like to be called) walks their own “forgiveness” journey at their own pace and it is important to be respectful of that need.

Ever since the Catholic Church’s clergy sex abuse scandal occurred, I believed that an open discussion on the depth of the harm, the need for accountability and the work of healing was required. So I put together “The Healing Circle” documentary. The circle participants included four survivors who were subjected to clergy abuse while they were children (except for one woman who describes her son committing suicide over it), New York Archbishop Timothy Dolan , an abusing priest, a couple of other priests, lay church employees, a woman who describes both her own decision to leave the church over the issue and her 97 year old grandmother's decision to stop taking communion because of it, and a parishioner whose adult children no longer attend mass. Each spoke about the personal impact these events have had on their lives. The film is very moving and emotionally charged. We filmed the circle for the purpose of creating a mechanism to help parishes, seminaries, victims' groups and others to see the faces of victims, to understand the ripple effect that the scandal has caused and promote discussion on how to help repair the harm. I wanted people to see and listen to the victims to better understand why, despite some people’s beliefs, they can’t “just get over it.” I also wanted the viewers to recognise that the institutional response to the abuse had in and of itself also created great harm. The only way I believe that the Church will heal from the incredible harm that has occurred is for its members and hierarchy to recognize the ripple effect and discuss openly how everyone can work together toward repairing the harm. (See <http://healingcirclegroup.com>)

Our RJI work fosters reconciliation and forgiveness by giving a voice to those who have been deeply harmed, holding offenders accountable for the damage they have done and then working toward a process of healing. It is through this Ignatian education that I believe we will best succeed at training our next generation of servant leaders to promote harmony and reconciliation among all people.

Janine Geske
USA

Transitional Justice and Reconciliation for International Crimes: who holds the roadmap?

Stephan Parmentier¹

Introduction

To say that the 20th century was the bloodiest ever is nothing more than a truism. Two world wars left tens of millions of people dead, and many more war-affected, fleeing, dislocated, traumatised and stripped of their dignity. Also, after the Second World War, violent conflicts did not cease to erupt in Korea, Vietnam, Chile, Guatemala, South Africa, former Yugoslavia, Rwanda and East Timor, to name just a few. It is estimated that in the period 1945-1996 alone, 220 conflicts have resulted in 87 million deaths, and again many more millions affected (Balint, 1996), and that after the fall of the Berlin wall (1989-2006) 122 conflicts occurred, most of which were intra-state (Harbom & Wallensteen, 2007). In recent years and even as we write and read, violent conflicts are ongoing in Israel-Palestine, Darfur, Afghanistan, a list that is far from exhaustive.

In all conflicts without exception the fundamental rights of persons, men, women and children are seriously violated. The right to life, the right not to be subjected to torture or to disappearance, the right to freedom of expression, the right to food, work, health, even the right to self-determination, are trampled upon and often discarded altogether. All of these rights have been recognised in formal legal texts over the course of the last 60 years and it is the political and legal responsibility of the state to ensure they are respected and protected. Some of these human rights violations are nowadays, especially since the establishment of the International Criminal Court or ICC in The Hague in 1998, considered so serious that they amount to international crimes. The ICC Statute lists four categories of international crimes, i.e. genocide, crimes against humanity, war crimes and crimes of aggression (the latter not yet defined). Most of the violent conflicts listed have generated such international crimes.

Is it possible even to consider reconciliation between people in such contexts, after horrendous crimes have been committed by individuals and groups, by armies and states, even by the national state? And if so, how does one conceive of reconciliation in the first place? These two questions are at the heart of this short contribution. In order to address them I will first try to contextualise the international crimes mentioned in the framework of 'transitional justice', a new field of study in international law and international relations. Then I will focus on reconciliation as a concept and sketch some of the challenges related to that

¹Stephan Parmentier studied law, political science and sociology at K.U.Leuven (Belgium) and the University of Minnesota-Twin Cities (USA) and currently serves as a professor of sociology of crime, law and human rights at K.U.Leuven. He has written extensively in the area of human rights and transitional justice and is one of the general editors of the new international book series on *Transitional Justice* (Intersentia, Antwerp) (www.law.kuleuven.be/linc).

concept. One of these challenges is to find out if there is any roadmap towards reconciliation.

1. Transitional justice: what's in a name?

When wars and other violent conflicts come to an end the first objective is to rebuild the country, its infrastructure and its institutions. Very soon, however, the question arises of what to do with the crimes of the past and with those who have committed them. These debates usually begin in times of transition, that is, when societies are moving away from violence and into a new era of (relative) peace. In many cases this transition also involves a change of former political leaders who may have collaborated with foreign invaders, or belonged to an authoritarian regime that committed crimes against its own population. For a long time questions about how to address the heavy burden of a country's dark past were subsumed under legal and social science literature about "dealing with the past" (Huyse, 1996). Since the mid 1990s, however, such issues have been described as falling under "transitional justice," a phrase that underlines the importance of political transitions leading to the change of the regime itself (Kritz, 1995). Not coincidentally, this was linked to the fall of the Berlin wall in November 1989 and the ensuing demise of communism but it is also related to other regime changes in most of Latin America and in certain African countries. The new political leaders and elites are then confronted with the question of how to face the crimes of the past and expected to generate discussion and take decisions on these issues. One of the oldest definitions conceives transitional justice as "*the study of the choices made and the quality of justice rendered when states are replacing authoritarian regimes by democratic state institutions*" (Siegel, 1998, 431). A similar notion is that of 'post-conflict justice' but this one of course assumes that the conflict, violent or not, has come to an end (Bassiouni, 2002).

In the last 20 years various institutions have seen the light of day to deal with the consequences of violent conflicts in order to call the offenders to account and provide compensation to the victims. With the military war tribunals of Nuremberg and Tokyo as their predecessors, the early 1990s witnessed the establishment of two new international criminal tribunals by the Security Council of the United Nations, set up to deal with the crimes of war and genocide in ex-Yugoslavia and Rwanda respectively. A few years later, so-called mixed tribunals, located in the national country but comprising international members and applying international law, were set up in Sierra Leone, East Timor and other places. Meanwhile, some countries showed a renewed interest in activating or renovating their justice systems to bring perpetrators before a criminal court and allow victims to claim compensation for the physical, material and moral damage incurred. The new South African government in the mid 1990s advocated a non-judicial approach partly based on earlier models in Argentina and Chile, and installed a truth and reconciliation commission. And

the new Rwandan leaders, on top of relying on each of the national and international courts mentioned, reactivated in 2000 the traditional form of conflict resolution in the country and set up gacaca tribunals to deal with suspects of genocide at local community level. At present the world is host to a wide number of institutions and procedures to deal with the crimes of the past, ranging from national and international tribunals or courts, to non-judicial forums like truth commissions and community-based forms of conflict resolution (Bassiouni, 2002; Kritz, 1995).

Even states with long-term democratic regimes have gradually discovered the language of transitional justice. Australia, for example, has witnessed an intense debate all through the last decade on how to face the decimation of the aboriginal population since the arrival of white settlers in the late 18th century as well as the state policy of residential schools to which aboriginal children were forcibly sent until the 1970s. This was done to turn them into so called 'civilised' persons, and in the process many of them were subjected to sexual abuse. In 2008 the newly elected prime minister's formal apology to the aboriginal communities for the harm inflicted upon them over the last two centuries, seemed to many to be a sensible form of symbolic reparation. Similar developments took place in Canada with regard to the First Nations of Indian communities and tribes; while no formal apologies were issued, the country set up a truth commission in 2008 to deal with these issues through victim testimonies and public debate.

Given the growing application of transitional justice institutions and procedures outside situations of regime change, the very concept of transitional justice has also expanded. In his 2004 report to the General Assembly the UN Secretary General referred to transitional justice as "*the full range of processes and mechanisms associated with a society's attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation*" (United Nations, 2004, 4). Political transitions were thus substituted by 'large-scale past abuses' and the new concept also included three specific objectives, namely accountability, justice and reconciliation.

While not exactly identical, this broad concept of transitional justice is very much in line with the one we have adopted in our research work at K.U.Leuven since 2003 (Parmentier, 2003; Parmentier & Weitekamp, 2007). In our view new regimes and new leaders always face a number of key issues in their pursuit of justice for the crimes of the past: (1) to foreground the truth about the past and give it some form of credit for individuals and for society as a whole; (2) to make sure that offenders can be called to account for their actions through a variety of forms, inter alia but not limited to, criminal prosecution; (3) to make reparation to victims for the direct and indirect harm caused to them by serious human rights violations and international crimes; and (4) to look for reconciliation between individuals, communities and the whole of society in order to regain some form of social cohesion, essential for future development. It

should be highlighted, however, that not all new regimes or leaders are equally capable of addressing these key issues. They may have big problems finding reliable evidence about past abuses; they may have a vested interest in not judging some offenders for crimes of the past; the criminal justice system may not be sufficiently independent or equipped to deal with many complex cases, or the national resources may not allow for extensive reparation policies for victims. And what about the most difficult issue of all, that of reconciliation? To this I will now turn.

2. Reconciliation: the talk of the day

It is clear that reconciliation is the talk of the day. Newspapers and websites spread the word in many forms, conferences about the theme draw large numbers of participants, and national and international organisations and donors are redesigning policies and funds for projects that promote reconciliation. The United Nations even declared the past year 2009 “international year of reconciliation”, recognising *“that reconciliation processes are particularly necessary and urgent in countries and regions of the world which have suffered or are suffering situations of conflict that have affected and divided societies in their various internal, national and international facets”* (United Nations, 2007).

The current-day notion of reconciliation is closely connected to the work of the Truth and Reconciliation Commission (TRC) in South Africa, set up in 1995 to investigate a number of crimes committed under the Apartheid regime between 1960 and 1994. The TRC received worldwide attention for its detailed efforts to bring the past of South Africa to the forefront and hold up a mirror to all South Africans and the rest of the world. While the large majority of comments and debates have centered on the notion of truth, far less attention was paid to the notion of reconciliation. According to the constitutive act, the Commission’s overall objective was *“to promote national unity and reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past (...)”* (NURA, 1995, section 3,1). In its own words, the Commission had to be seen *“as part of the bridge-building process designed to help lead the nation away from a deeply divided past to a future founded on the recognition of human rights and democracy”* (TRC Report, 1998, 1, 48). This is not to say that the concept of reconciliation has no earlier traces. It had already figured in the Statute of the International Criminal Tribunal for Rwanda (ICTR) of 1994, stating that the work of the tribunal should be seen as to contribute to national reconciliation in the country hit by the genocide. It was also the central concept of the 1991 Australian Act to establish a special council for dealing with relations between indigenous and non-indigenous people, giving rise to the politics of *“practical reconciliation”* (Pratt, 2005).

However, all these antecedents cannot obfuscate the fact that reconciliation means many different things to many different people; in other words that the

concept is multi-layered and multi-faceted and needs deconstruction. The South African TRC in its Report has distinguished four different levels of reconciliation: (1) the individual level of coming to terms with a painful truth, for instance, after exhumations and reburials of beloved ones; (2) the interpersonal level of specific victims and their perpetrators who may meet and discuss their experiences; (3) the community level, when addressing internal conflicts inside and between local communities; and (4) the national level, by focusing on the role of the state and non-state institutions (South African TRC Report, 1998, 1, 106-110). The classifying into levels is merely formal and gives no substance to the notion of reconciliation on each level; nor does it address the relationships between the various levels. The TRC Report limits itself to simple references about 'restoring civil and human dignity' for all South Africans. Another way of looking at reconciliation is through the eyes of the Peruvian Truth Commission, set up to deal with the crimes committed by the Peruvian state and non-state guerrilla groups as well as paramilitary organisations in the period 1980-2000. The Commission conceived of reconciliation as *"a process of reestablishment and recasting fundamental ties among Peruvians; ties that were destroyed or that deteriorated in the conflict experienced over the past two decades"* (Peruvian TRC, Report, 346). According to the Report, reconciliation has three dimensions: (1) the political dimension, that involves reconciliation between the State and society, and between political parties, the State and society; (2) the social dimension, that encompasses the reconciliation of civil society institutions and public spaces with society as a whole, with special attention to the position of marginalised ethnic groups; and (3) the interpersonal dimension, that involves members of communities or institutions who found themselves in conflict. Following this logic, the Commission is not blind to the possibility of reconciliation between individual persons and groups, but nevertheless conceives reconciliation foremost as a fundamental restructuring of society in the political and social fields. Much more than in South Africa, this Peruvian idea of reconciliation is of a substantive nature and relates to concrete fields of interaction and intervention. But the question remains: is reconciliation along these lines really something different from social change in a society characterised by a very unequal distribution of resources; political, social, economic and cultural?

This debate has continued to permeate the discourse on reconciliation over the last two decades and most of the discussions have been of a theoretical nature. To this rule there are two noticeable exceptions with a focus on empirical work. A particular example is the Institute for Justice and Reconciliation in Cape Town, which has since 2003 started a "reconciliation barometer" with the objective of monitoring the reconciliation process through regular audits of actual social, political and economic transformation (IJR, 2008). The most important fields of attention and indicators to measure change were based on an exploratory survey of peoples' opinions. The barometer thus focuses on issues like human security (including socio-economic development),

political culture, dialogue and race relations. It is possible over the years to see the changes in reality and in peoples' opinions on these and other issues. In the last available report on 2008, attention was directed to the volatility within South African society, as people felt *"economically less secure, physically more unsafe, and less confident about the future"*. The model of the reconciliation barometer is also gaining ground in other countries, most recently in Rwanda. A second line of empirical work is more general and consists of population-based surveys on post-conflict justice, whereby a representative section of the population or a particular group is questioned about their opinions and attitudes in relation to issues like truth-seeking about the crimes of the past, accountability and criminal justice for offenders, reparation for victims and reconciliation among people and in society. Some surveys also address issues of physical security and socio-economic perspectives. Over the last years this type of broad survey was conducted in Uganda, Iraq and Colombia. Our own research in Bosnia and Serbia has revealed that in popular opinion the issues of forgiveness, trust and reconciliation are among the most controversial topics (Parmentier et al., 2010). In the multi-ethnic environment of former Yugoslavia, for example, many more people agree about the possibility of reconciliation between Serbs and Slovenians (76,9%) than between Kosovo Serbs and Kosovo Albanians (31,9%). Moreover, opinions on these subjects change considerably depending on whether questions are placed at an abstract level or at a personal level, with more negative opinions arising in the latter case. When asked what reconciliation means to them, people give very diverse types of answers: peaceful coexistence (21.9%), forgiveness (12%), respect/tolerance (11.9%), acceptance of responsibility (8.8%) and truth (6.2%). These two examples of empirical work demonstrate how important it is to have a clear concept of what reconciliation signifies if it is to be measured to see if any changes have taken place. At the same time, it is clear that the meaning of reconciliation may vary considerably across time and space, a conceptual problem that continues to permeate many debates.

This leads us to identify a number of important challenges for debates about reconciliation in a context of transitional justice. A first challenge stems again from the South African experience and has to do with the strong linkage between reconciliation on the one hand and forgiveness for the crimes of the past on the other hand. Forgiveness, with its theological antecedents and its Judeo-Christian roots in particular, is expected foremost from those who suffered the consequences of the crime of Apartheid in its many forms. This strong link has put a heavy burden on victims as it is suggested that the prospect of reconciliation in the country largely depends on their ability to forgive the perpetrators of heinous crimes. A second challenge relates to the ideological use of the 're-conciliation' discourse. It is often suggested that reconciliation means going back to the balanced situation of the past, that is, before the violent conflicts erupted and the human rights violations took place. But it could be questioned if

such a retrospective approach is relevant in situations of long-lasting divisions in society, for example, between indigenous peoples and new settlers, where going back to the past would mean a confirmation of long-time inequalities. The Peruvian example has shown that there is a way out of this deadlock by emphasising the importance of reconciliation for the future. And finally, a big debate continues seeking to understand whether reconciliation is actually an outcome that can be reached and measured, or merely a process that can and should be started without any certainty where it will lead individuals, groups and societies in the long run. Although reconciliation is a multi-layered concept one should be careful not to conflate too many different meanings, including process and outcome, with risk of creating a 'container concept' that can hold all and thereby voided of meaning (Bloomfield et al., 2003).

By way of conclusion

Is it possible to consider reconciliation between people in a context of transitional justice, that is, when very serious crimes and human rights violations have been committed in the past? In this short contribution I have tried to clarify what transitional justice means, how it has developed from a narrow link with political transitions to a broader idea of large-scale abuses in all countries. In all such cases major questions come up about how to find the truth about the past, how to bring offenders to account, how to mend the harm to victims and how to embark upon the road to reconciliation. The options chosen and the concrete steps taken clearly differ from case to case and also evolve over time. Thus, while it is not impossible to consider reconciliation, the limits and possibilities must be clearly marked.

For when it comes to reconciliation the most crucial aspect is to understand its multi-layered nature. Because it means different things to different people it is foolhardy to assume that reconciliation possesses a clear content and can be used without ambiguity in all kinds of situations. By touching on some of these meanings in terms of levels and fields of action, I have suggested that the concept itself first needs to be deconstructed before it can start making sense. Only afterwards can it be monitored and changes 'on the road to reconciliation' be assessed. One way of doing this is by conducting empirical research in order to understand how the population itself views reconciliation and which priorities can be set. Even then many challenges remain.

I trust I have made abundantly clear my notion that there is no roadmap to reconciliation, nor any person or agency in possession of such a map. Reconciliation after the genocide in Rwanda will necessarily be different from reconciliation after the Second World War in Europe, and this will again be different from reconciliation in Australia following the sexual abuse of aboriginal children. It may therefore be useful to conceive of reconciliation as always 'on the road', just like many other concepts in social life, such as 'justice' and 'truth' to mention just two.

Sources of Information

Books and reports

- Bassiouni, C. (2002) (ed.), *Post-Conflict Justice*. Ardsley: Transnational Publishers.
- Bloomfield, D., Barnes, T. & Huyse, L. (2003) (eds.), *Reconciliation after Violent Conflict. A Handbook*. Stockholm: International Idea.
- Huyse, L. (1996) Justice after Transition: On The Choices Successor Elites Make in Dealing with the Past, in: Jongman, A. (ed.), *Contemporary Genocides*. Leiden: PIOOM.
- Institute for Justice and Reconciliation (IJR) (2008) *South African Reconciliation Barometer. Eighth Round 2008*. Rondebosch: Institute for Justice and Reconciliation.
- Kritz, N. (1995) (ed.), *Transitional Justice: How Emerging Democracies Reckon with Former Regimes*, 3 vols. Washington: US Institute of Peace.
- Pratt, A. (2005) *Practising Reconciliation? The Politics of Reconciliation in the Australian Parliament, 1991-2000*. Canberra: Parliament of Australia.
- Truth and Reconciliation Commission of Peru (TRC), *Final Report*, 2003.
- Truth and Reconciliation Commission of South Africa, *Report*, 5 vols., Vol. 1. Cape Town, Juta Publishers, 1998.

Articles in books and journals

- Balint, J. (1996) Conflict, Conflict Victimization, and Legal Redress: 1945-1996, 59 *Law and Contemporary Problems*, 235.
- Harbom, L. and Wallensteen, P. (2005) Armed Conflict, 1989-2006, 44 *Journal of Peace Research* 623-634.
- Parmentier, S. (2003) *Global Justice in the Aftermath of Mass Violence. The Role of the International Criminal Court in Dealing with Political Crimes*, 41, 1-2 *International Annals of Criminology* 203-224.
- Parmentier, S. and Weitekamp, E. (2007) Political Crimes and Serious Violations of Human Rights: Towards a Criminology of International Crimes, in: Parmentier, S. and Weitekamp, E. (eds.), *Crime and Human Rights*, Series in Sociology of Crime, Law and Deviance, vol. 9, 109-144. Amsterdam/Oxford: Elsevier/JAI Press.
- Parmentier, S., Valiñas, M. and Weitekamp, E. (forthcoming in 2010) How to restore justice in Serbia? A closer look at people's opinions about reconciliation, in Rothe, D. and Mullins, C. (eds.), *Crimes of State: Current Perspectives*, Piscataway, NJ: Rutgers University Press.
- Siegel, R. (1998) Transitional Justice. A Decade of Debate and Experience, 20 *Human Rights Quarterly*, 431-454.

Other

- South African Government Gazette (1995) Promotion of National Unity and Reconciliation Act No 34 (the Act) of 19 July 1995.
- United Nations, Security Council (2004) *The rule of law and transitional justice in conflict and post-conflict societies*, Report of the Secretary-General to the Security Council, 23 August 2004, S/2004/616.
- UN General Assembly, *Resolution on the International Year of Reconciliation 2009*, adopted on 23 January 2007, A/RES/61/17.

Stephan Parmentier
Leuven
Belgium

Reconciliation and Justice: Ethical Guidance for a Broken World

David Hollenbach SJ

In a world deeply divided by injustice reconciliation is an urgent need if the divisions that set people against each other are to be healed. Both the injustice and the longing for reconciliation were visibly evident to me during the months I spent recently at Hekima College in Nairobi, Kenya, and visiting Jesuit Refugee Service work in the eastern Africa region.

For example, there have been debates about the relation of justice and reconciliation in Uganda. In September, 2005, the International Criminal Court (ICC) issued warrants for the arrest of Joseph Kony and other leaders of the Lord's Resistance Army (LRA) for committing crimes against humanity and war crimes, such as abduction of children as soldiers and sex slaves, grotesque murders and numerous rapes. Following the issuance of the arrest warrants, however, Kony declared that he would not participate in peace negotiations. This led to some, for example, Archbishop John Baptist Odama of Gulu, to state that the ICC indictment blocks the attainment of peace.¹ Such an analysis suggests that promotion of reconciliation can sometimes call for abandonment of the pursuit of justice, at least for a time.

The issue raised by the Ugandan case is not unique. Similar claims that ICC actions for justice impede peace have been raised in Sudan and Kenya. Nor does the tension between justice and reconciliation always suggest that reconciliation has priority over justice. For example, the amnesties granted in the name of reconciliation to political and military leaders following massive human rights violations in Chile and El Salvador delivered neither reconciliation nor justice.² These debates have important political dimensions. It may be useful here, however, to consider some of the ethical issues that arise in the relation between justice and reconciliation.

We need first to clarify the meaning of terms. Reconciliation, theologically considered, is the restoration of broken relationships between God and people. God initiates this process of restoration, humans respond to God's initiative through faith, and the outcome is the rebuilding of human community as a new creation.³ For Christians, therefore, hope for reconciliation is closely linked with faith in Christ's saving work among us.

For some this theological meaning erroneously suggests that reconciliation is a strictly spiritual reality, concerned only with our relationship with God.

¹*Sunday Monitor* (Kampala, Uganda), 9 October 2005, 2. Cited in Kashia Phillip Apulia, "The ICC Arrest Warrants for the Lord's Resistance Army Leaders and Peace Prospects for Northern Uganda," *Journal of International Criminal Justice* 4 (2006):179-187, at 185.

²See Stephen Pope, "The Convergence of Forgiveness and Justice: Lessons from El Salvador," *Theological Studies* 64 (2003): 812-835.

³Robert J. Schreiber, *The Ministry of Reconciliation: Spirituality and Strategies* (Maryknoll, NY: Orbis Books, 1998), 13-19.

Seen this way, reconciliation comes about when individual sinful persons are justified by a gracious act of forgiveness by God. Analogously, reconciliation among humans is seen as coming about when one person forgives another, re-establishing a positive relationship among them on the interpersonal level. In this individualistic perspective, reconciliation has little to do with justice in social and political life.

Justice, of course, also has significance in one-on-one relations of persons with each other. Thomas Aquinas called the type of justice that is achieved in interpersonal relationships “particular justice.” Justice of this sort requires fairness in the interactions between particular individuals. This kind of justice is also called commutative justice, which requires reciprocal relations among individuals or private groups on a basis of equality. For example, commutative justice requires not stealing what belongs to another and not physically assaulting another person. If these requirements are violated, justice calls for making the situation right by returning stolen goods to their owner. This is restitution, one form of retributive justice. Retributive justice can also require punishment, such as requiring someone who harmed another to provide compensation, for example by paying the victim an amount of money that provides at least symbolic compensation for the harm done. Retributive justice can also require that the perpetrator of injustice be subjected to a form of correction that seeks to change likely future behaviour and that will serve to deter similar behaviour by others. When people argue against toleration for “impunity” in the aftermath of grave abuses, they are appealing to the breakdown of retributive justice understood as a corrective or deterrent of this sort. Retributive justice can also be understood to mean administering a kind of punishment that subjects the perpetrator to a penalty equivalent in weight to that of the injustice committed. The biblical injunction “an eye for an eye, a tooth for a tooth” (Lev. 24:20, Ex. 21:23, Deut. 19:21) exemplifies this understanding of retributive justice.

When reconciliation is considered in relation to one-on-one injustices such as theft or bodily harm, it is often understood as calling for forgiveness and foregoing a demand for the punishment required by retributive justice. “Eye for an eye” punishments that inflict harm on the perpetrator risk turning retributive justice into a form of revenge. They can lead to a tit-for-tat cycle that makes reconciliation impossible. Thus Jesus called for replacing “an eye for an eye” with love for one’s enemies (Mt. 5:38-43). Following this call, Pope John Paul II argued that forgiveness must often accompany justice if reconciliation is to be obtained; otherwise retributive justice may lock people into a repetitive cycle of violence and counter-violence rather than leading to reconciliation.⁴

Reconciliation, however, goes beyond one-on-one interpersonal relationships to the political realm. Reconciliation as the overcoming of alienation, division and enmity and as the restoration of peaceful, cooperative relationships is

⁴Pope John Paul II, World Day of Peace Message, January 1, 2002, “No Peace without Justice, No Justice without Forgiveness,” no. 9.

surely needed in the life of nations.⁵ Thus it has social and even political dimensions. But what is the role of forgiveness in the political realm? Some reject the relevance of forgiveness in the political domain because they recognise how easy amnesty for major human rights violations can encourage continued injustice. Retributive justice, properly understood, seeks to stop further injustices. It imprisons perpetrators to restrain them from committing further acts of injustice. The punishment it administers seeks to deter others from thinking they too can commit injustice with impunity. For example, those who argue against the dropping of ICC charges against Joseph Kony fear that extending forgiveness may encourage the continuation of his injustices. Retributive justice, therefore, can sometimes be a prerequisite of reconciliation.

On the other hand, a half century ago, following the horrors of World War II, political philosopher Hannah Arendt argued that forgiveness has an important political role. It can “undo the deeds of the past” in political life, setting both victim and perpetrator free of an ongoing cycle of injustice and retribution, enabling them to begin again in a new, more productive relationship with each other.⁶ Arendt saw Jesus as the discoverer of the importance of forgiveness in human affairs. However she argued that forgiveness is not confined to either the religious or the individual realm; it has secular and political dimensions. The forgiveness shown toward those who admitted their crimes before the South African Truth and Reconciliation Commission facilitated the kind of new beginning Arendt envisioned. It helped in the creation of a “new South Africa.”⁷

The relation of political forgiveness and reconciliation to justice can be clarified by noting that justice goes beyond the one-on-one relationships that are the focus of commutative and retributive justice. In contemporary discussions of political reconciliation, the idea of restorative justice plays a complementary role alongside that of retributive justice. Restorative justice is forward looking. It seeks the future reconstruction of community by repairing relationships and reintegrating unjustly excluded persons into civic life. Restorative justice has similarities to what Thomas Aquinas called “general justice,” which enables and requires all members of the community to contribute to the common good.⁸ General justice, like the concept of “social justice” in modern Catholic social thought, governs corporate behaviour in civic life and the structures of social and political institutions. It guarantees that all members of society can actively participate in social life, both by contributing to the common good and sharing in the common good to the degree necessary to protect their human dignity. Restorative justice brings this participation back to civic life when society has been fractured by conflict and injustice.

⁵Mark R. Amstutz, *The Healing of Nations: The Promise and Limits of Political Forgiveness* (Lanham, MD: Rowman and Littlefield, 2005), 97-98.

⁶See Hannah Arendt, *The Human Condition: A Study of the Central Dilemmas Facing Modern Man* (Garden City, NY: Doubleday Anchor, 1959), 212-219.

⁷I recognize the limitations of the South African Truth and Reconciliation Commission, esp. the lack of reparation to the victims of injustice. Nonetheless, the TRC was an extraordinary achievement.

⁸Thomas Aquinas, *Summa theologiae*, IIa-IIae, q. 58, arts. 5 and 6.

Restorative justice, therefore, can set limits to the pursuit of retributive justice, though it does not replace it. From the point of view of restorative justice, punishment of perpetrators aims primarily at stopping the injustices they have been committing and restoring their victims to a just participation in the shared life of the community. This means taking the steps needed to ensure the injustice has really ceased. For example, the restorative work of the Truth and Reconciliation Commission in South Africa could only occur when the gravest injustices of apartheid had already been ended by the protection of the fundamental rights guaranteed by the new South African Constitution. Restorative justice in Uganda, therefore, requires ensuring that Joseph Kony and the LRA have truly stopped their killings, abductions and rapes. Forgiveness may be called for once these atrocities have been stopped, but not before.

Restorative justice thus means that impunity should be addressed by considering whether past patterns of injustice have been stopped and whether there are institutions in place to ensure that they will not return. Stopping past injustice in this way is essential if all persons are to return to full participation in civic life. Once institutions that protect justice and basic human rights, such as the rule of law, are in place, forgiveness may further contribute to the restoration of social unity. But the goal of renewed social unity will certainly not be achieved by amnesties that permit perpetrators to continue their oppression. Nor will social unity be achieved if the truth of what has happened in a deeply conflicted society is suppressed. Reconciliation thus requires that injustice cease and that the truth be told.

Reconciliation and forgiveness, therefore, in no way suggest a lessening of the commitment to justice. Indeed movement into a future of authentic reconciliation demands a continuing struggle to eliminate the oppression, exclusion and harm that so many people continue to experience today. The gospel calls Christians to be ready to forgive once justice is attained.⁹ It rules out revenge and forms of retaliation that simply replace one injustice with another. In the face of really grave injustices like apartheid and the abduction of children, renouncing revenge may call for a spirit of forgiveness that is sometimes heroic. But the gospel is certainly not a call to tolerate injustices like apartheid or abduction. Premature forgiveness will lead neither to restoration of social unity nor to reconciliation. Reconciliation requires justice, though it can go beyond justice in the granting of forgiveness. How forgiveness is to be blended with the ongoing commitment to justice in specific social circumstances will call for wise political insight and prudent moral discernment. Developing these virtues is one of the great spiritual challenges in the political life of our fractured world.

David Hollenbach SJ
USA

⁹Margaret A. Farley has called this "anticipatory forgiveness" in her excellent essay "Forgiveness: A Work of Mercy Newly Relevant in the Twenty-first Century," in *Fire Cast on the Earth--Kindling*, ed. E. Davis, A. Hannon, et al. (Dublin: Mercy International Association, 2009), 185-97.

Just Relations and Reconciliation

Alberto Ares SJ

On this twentieth anniversary of the death of our six Jesuit companions in El Salvador, speaking of reconciliation is fitting, for it helps us realise the vital importance of creating just relations in society. In GC 35, the Society of Jesus assumed this task of working for a world of just relations, and the term *reconciliation* appears repeatedly in the texts of that Congregation. A closer look at this theme may help us reinforce and fulfil our social commitment in favour of justice.

First, I will present the historical roots of the term *reconciliation* in the founding of the Society of Jesus. I will then depict *just relations* not just as a goal, but as a reconciling process which seeks both to heal the damage caused to victims and bring about authentic forgiveness. Subsequently, I will present the process of reconciliation on three levels: structural, personal and relational. This last, relational level will view reconciliation in a three directions, towards God, other persons and creation. Finally, I will point out different challenges and opportunities which move us to progress in our own relations.

From Isaiah's time...

The term *reconciliation* is intimately connected to the beginnings of the Society of Jesus. The Society's founding document, the Formula of the Institute, states that one of the indispensable elements in the purpose of the order was to "reconcile the estranged."¹

GC 35 is situated in the prophetic tradition of jubilee times, proclaiming the need for just relations with God, with other men and women (especially those held in least esteem) and with the whole of creation. Decree 2 of GC 35 develops this idea by going back to the apostolic roots of Jesus' own life, when he spoke in the synagogue of Nazareth: "Reading from the prophet Isaiah and acknowledging being anointed by the Spirit, Jesus announced good news to the poor, the release of captives, the recovery of sight by the blind and freedom for the oppressed."²

Thus, the Society of Jesus is today summoned to the mission of promoting just relations and reconciliation. It is for this reason that we have, over the course of the years, aimed for balance between the power centres of the known world and the challenging frontiers of new continents, new modes of operation and new ideas.

¹Formula approved and confirmed by Pope Julius III in the apostolic letter *Exposcit debitum*, on July 21, 1550.

²GC 35, D 3, n 13.

Reconciliation as a goal and as a process

This summons to establish just relations and promote processes of reconciliation is undoubtedly a source of grace and life. In this world where a battle is being waged (as proposed to us in the Two Standards) between good and evil, between grace and sin, we are invited to rebuild broken relationships and promote reconciliation and peace.

The fractures that exist in our broken world invite us to be conscious of our own vulnerability and fragility, on both a personal and community level. Our very wounds are signs of hope, and they are also what makes reconciliation possible, not merely a utopian dream but a reality. Such a reality requires our involvement with and commitment to justice, but it ultimately resides in our trusting in God, for whom nothing is impossible, for reconciliation is not only a goal, but also a process that continues on day by day.

Promoting just relations and reconciling the estranged require repentance, conversion and reparation from those who have caused harm. They also require that victims' memories be cleansed of violence and oppression.

An essential element in reconciliation is forgiveness, however forgiveness which does not mean forgetting or impunity. Forgiveness has to do with remembering, but in a different way, in a different manner. It is a way of remembering that frees us from the vicious circle of resentment, so that we become true agents of change.

Furthermore, we cannot put justice aside when we speak of forgiveness. Justice and forgiveness have a complementary relationship, provided that forgiveness is not confused with forgetting and justice is not reduced to simply punishing people through the legal system.³ The real connection between genuine justice and true forgiveness lies in letting the truth shine forth, not only because revealing the truth is an important expression of justice, but because it contributes to the very process through which the victims are healed.⁴ The process of reconciliation is most truly attained when offenders receive forgiveness from victims. If this reciprocal movement is broken, then the pain, the untruth and the injustice will be perpetuated. However, if repentance opens us up to being converted, finding the truth and repairing the harm done, then we will be travelling the path that leads to healing the harm done to victims and so bring about genuine forgiveness.

Structural, personal and relational levels (GC 32, GC 34, GC 35)

Decree 4 of GC 32 spoke of this process of reconciliation as a mutual penetration between faith and justice, thus placing the stress on the *structural*

³Stephen J. Pope, "Forgiveness and Justice": *Theological Studies* 64 (2003), p. 826.

⁴Truly impressive are the testimonies cited by Desmond Tutu in the seventh chapter of his book *No Future without Forgiveness* (Doubleday, New York, 1999). Many of these testimonies demonstrate the importance of clarifying the truth in order to bring both victims and perpetrators together in communities and make the process of reconciliation really effective.

level. According to this perspective, every process of reconciliation has to pass through the transformation of socio-economic structures. Without institutional change, true reconciliation cannot be achieved. Authentic reconciliation is not the total sum of concrete acts of reconciliation between victims and perpetrators. Rather, it requires more profound changes, affecting society's very roots.⁵

GC 34, for its part, affirmed that such a transformation of socio-economic structures could not take place unless accompanied by cultural and religious transformations as well. The Congregation also spoke of the need for our own interior conversion: a reconciliation process was necessary at a personal level. As Michael Hurley points out, reconciliation is focused on persons, not on things or situations. Thus, the principal aim of the process of reconciliation involves a change of heart more than a change of mentality.⁶

Of course, the leap from modernity to post-modernity, from pure reason to the subject, has left us with different accents and nuances.⁷ It is now impossible to deny that both these levels, the structural and the personal, are essential elements in any true process of reconciliation.

Finally, GC 35 has given one more turn to the screw by stressing a key element of the reconciliation process, the relational level. Since we are all social animals, any personal initiative will have social or public implications, and these will have a threefold relational orientation, toward God, other people and creation.

Reconciliation – with God, with others and with creation

GC 35 accordingly elaborates the challenges facing Jesuits in three blocs. The Spiritual Exercises are the primary means by which Jesuits invite people to a profound renewal of an experience of reconciliation with God in Christ. The resulting experience of joyful reverence produces grace that nourishes our hope.

Within our relation with God, we find that the practical materialism and cultural relativism of our world can be both challenges and opportunities for us to undertake a more serious commitment to reality and broaden and extend the spaces for dialogue and reflection. Our relation with God stirs up in us a renewed search for meaning and a thirst for spiritual experience, so that we see clearly the need for new forms of evangelisation and the value of the Spiritual Exercises in their many forms. Given the present context of widespread fundamentalism and an erosion of traditional religions, we understand the need for greater interreligious dialogue and for listening

⁵Pope, *art. cit.*, p. 833

⁶Michael Hurley SJ (Editor), *Reconciliation in Religion and Society*, Institute of Irish Studies, Belfast 1994, p. 4.

⁷Gaspar Lo Biondo SJ, Peter Bisson SJ and Michael Amaladoss SJ offer two interesting reflections on this point in *Promotio Iustitiae*, no. 100, 2008/3.

attentively to everybody, so as to create bridges among communities and with all persons of good will. We also recognise the importance of discernment in our pastoral work with young people, so that they more readily engage in encounters with and for the poor, as a way of living in solidarity with others and finding meaning and direction in their lives.

In considering our relations with other persons, Decree 2 issues a call for us to view our globalised world from the perspective of the poor and the marginalised, so that we may learn from them and accompany them more closely. It also stresses the importance of building bridges between rich and poor and establishing links in the sphere of advocacy. It urges us to use new communications media as vehicles for decrying injustice, educating people and working in networks, and it especially exhorts us to place those same media at the service of the people who are most disadvantaged.

Finally, in treating our relations with the natural world, the decree exhorts us to consider care for the environment as a crucial aspect of our relations with God and other people. The present modalities of controlling and exploiting the planet's natural resources are a real threat to the future of the planet, and especially for the poor of the earth, hence the importance of promoting research and practice aimed at revealing and confronting the true causes of poverty and environmental degradation.

Challenges and opportunities in our *relations*

GC 35 presents us with a great many challenges. Regarding our relation with God, there are important topics, abortion among others, which require profound reflection at social level, so that dialogue can be encouraged. At the same time, in many parts of the world, especially in India, religious fundamentalism is vitiating relationships among people and is creating extremely violent situations. There is a great need for genuine interreligious dialogue to dissolve the chains of terror and divisiveness.⁸ In our own Spanish society, which is continually searching for meaning, it is a joy to be able to offer others the attention, the accompaniment and the discernment that flow from our experience of the Spiritual Exercises. It has never been a good idea to put new wine into old wineskins. Today more than ever, we need discernment in our pastoral work with young people, so that we can help them toward new encounters with God, with others – especially the very poor – and with the natural world.

In regard to our relations with others, we cannot turn a blind eye to all the processes by which so many people are being excluded from society in every part of the world, especially in Africa. The rules of international commerce

⁸Around the year 1998, Robert J. Schreiter invited us to a "ministry of reconciliation," which was done through a spirituality of reconciliation – a mixture of political strategy and personal faith. The ministry aimed to create spaces and develop processes that make social healing possible. Robert J. Schreiter, *El Ministerio de la Reconciliación*, Sal Terrae, Santander 2000.

demonstrate the inequality of the relation between rich and poor. Perhaps never before have we had as much capability for committing ourselves to doing public advocacy for and with those who live on the margins of society. We can pursue such advocacy by developing social networks and allying ourselves with other movements, especially those entirely devoted to working for a world where just relations prevail and economics and consuming are a means towards common good for all and not a weapon of exclusion creating situations of profound division, distress and violence. Our own Spanish society in recent years has seen an increase in migratory movements, due in part to the real need for labour to sustain our economy and the welfare system. This large-scale migration, however, is caused principally by the deteriorating living conditions of many people throughout the world. The dire situation of that migrant population requires us all to reflect seriously on what it means to be “a non-citizen”, and denounce deportation orders and internment centres. As we have indicated, wherever an unjust relationship exists, there is need for repentance, conversion, clarification of the truth, denunciation of the injustice and reparation. There is no justification for avoiding or circumventing the process of reconciliation, necessary in healing the memories (and lives) of so many victims and compensating for their losses.

Finally, regarding the relationship with creation, we know of experiences confronting and denouncing the causes of poverty and environmental deterioration. One example is the *Itinerant Team*, a group of missionaries who work side by side with the most disadvantaged communities dealing with problems in Amazonia. Their aim is to create networks and empower communities, so the people themselves become agents for change and denunciation. Similarly, the World Social Forum brought a breath of fresh air, speaking out and believing that another world is really possible. At the same time, in a world so tremendously urbanised as our own, the practice of the Exercises, prayer and our spirituality in connection with the environment is increasingly necessary, in continuous appreciation of the depths of our alliance with creation.

The promotion of just relations with God, with other people and with creation demands our complete involvement and commitment, but all of this stems from our hope in a God for whom nothing is impossible. Reconciliation is an ideal we dream of and live for, but it is also a process that becomes concrete through simple daily actions.

Alberto Ares SJ
Spain

Original Spanish
Translation by Joseph Owens SJ

Reporting on Copenhagen

Jacques Haers SJ and José Ignacio García SJ

O CIPE sent us, as members of the “Franciscans International” team, to Copenhagen to participate in the 15th Conference of Parties (COP15) to the *United Nations Framework Conference on Climate Change* (UNFCCC) and the *Kyoto Protocol*. All of us hoped that the already existing international agreements and particularly their legally binding features would be strengthened and broadened in the face of the increasingly complex global environmental, climate and energy crisis. Unfortunately, COP15 did not really meet these expectations.

Before analysing some of the reasons for this failure, we want to point out a very encouraging fact. The official *Copenhagen Accord* unequivocally states the parties’ awareness of the seriousness of the crisis: “We underline that climate change is one of the greatest challenges of our time.” They refer to the scientific analyses of the *Intergovernmental Panel on Climate Change* (IPCC), display a good grasp of the complex interactions between climate change and development, and are sensitive to the plight of the poorest nations that are most vulnerable and do not have the means to adapt. This sound realism of the politicians is reassuring and connects with the concerns and hopes of the many thousands of civil society and NGO representatives in the Bella Center, where COP15 was held, as well as at the alternative *Klimaforum*. Mr. Yvo De Boer, UNFCCC’s executive secretary, liked to refer to this public and political awareness as a powerful and energising source of hope, capable of constructively confronting the frightening challenges at hand.

Why is it that, with such hope and energy, the results of the conference are so elusive? Different perspectives on the question can be taken and they complement one another.

From a psychological view, it is not easy to face up to human responsibility – human actions and lifestyles are the most important cause of today’s climate change – and to the threatening consequences of climate change. The complexity of a situation that escapes our control frightens us, we do not want to change our lifestyles and habits, we feel very small and powerless to mitigate or adapt to inevitable planetary change in the conditions that support life. Not surprisingly, there is still a lot of denial around and even some fatalism.

Good science may help us to be realistic. The scientists have an important voice in the decision-making process: they attempt to explain what is going on and they are called upon to set targets (planetary warming up should not exceed 2°) and propose means to reach these targets (how to reduce CO₂ emissions over a given period of time, what alternative forms of energy are available, etc.). We have learned three important facts from the scientists. (1) The situation is moving more rapidly towards worst case scenarios than was

thought before. (2) Science itself is rapidly evolving and still has a lot to learn about specific matters such as the role of the oceans, the atmosphere and biodiversity, but also a more holistic and transdisciplinary approach which will also pay attention to social and cultural perspectives. (3) Scientists have to deal with accusations from eco-sceptics, who will use all means to discredit science and individual scientists, as for example religious convictions or the theft and publication of personal e-mail correspondence in the so called "climate gate". It is stimulating to see that scientists collaborate internationally, passionately and sometimes at great personal cost. They admit that today's best possible science (BAS) is not nearly sufficient to understand what is happening, but they also claim that to the best of their knowledge we should act decisively: there is an ethical urgency when so much is at stake.

Action, particularly joint action, requires political vision. However, the interface between politics and science is not easy. Scientists envision long term issues more easily than politicians, who often look for short term electoral success and think in terms of mere regional or national interests in the midst of a crisis that requires middle and long term decision-making processes as well as a capacity to think in terms of planetary interest even while attending to particular perspectives.

If our politicians do not transform current political habits into concern for the world as a whole and in the long run, we will not be able to answer these challenges. Then local security issues – how will we defend our comfortable and egocentric lifestyles to those to whom we cannot grant these lifestyles if we want to maintain ours; or how can we reach the lifestyles of those whom we take as our examples and with whom we will have to compete up to the point of eliminating them – will take the upper hand and in a very cynical way, politics will give way to violence. Nature, while looking for its own new planetary balance, will conveniently eliminate those who are not strong, resilient or powerful enough in our competitive struggles. It is remarkable that security and military issues remained in the background at COP15. But they appear very clearly in the Nobel Prize speech of US president Barack Obama. Obama considers himself responsible, not for the world, but for his country, the US, its citizens and their lifestyles. He is commander in chief of his nation's army, and he knows from his military advisors that climate change is a key military concern. Cynical politicians, who know that climate change is real, calculate that competitors who threaten their unacceptable lifestyles, thousands and millions of competitors, will have to disappear. The only way to answer such cynicism is by means of international collaboration, taking into account the plight of the poor and vulnerable, as well as the plight of the planet as a whole.

A key political issue is the tension between the limits that surface in our dealings with nature and the desire for growth and development. How are development and growth understood? How is the debate framed from various

“national” perspectives – developed, emerging and developing countries, as well as countries such as some islands in the Pacific Ocean already suffering the consequences of climate change? Social justice and climate justice are real challenges, since sustainability, requiring mitigation and adaptation, appears to frame the relationship to our environment rather than excessive development and unlimited growth. This requires legally binding agreements with an eye for worldwide human equity and a deep respect for nature. Vulnerable groups point this way: young people with their slogan “how old will you be in 2050”; indigenous people, who are mercilessly persecuted while attempting to protect the forests and biodiversity; island people and a rapidly growing number of climate refugees or migrants, whose very lives and cultures are already threatened by the consequences of climate change.

In practice, politicians and many of us look for economic, scientific and technical, even military solutions. These are “control options,” that paradoxically perpetuate dangerous anthropocentric claims by human beings on their environment and their planet. They fail to understand the need for a new perception of the place and role of human beings in the larger context of their environment and the planet. Many people sense that these control options may fall short and that other approaches are needed: anthropological perspectives in the context of cosmology and planetary awareness, ethical decision-making processes taking into account unacceptable climate injustice in human communities and with regard to nature in general, new models for dignified and sustainable life together, attention to trauma experiences, spiritual sensitivity to the interconnectedness of reality and for dealing with mistakes and guilt, a better understanding of the earth as a whole or as an organism with a history. To coordinate these different views – and there are more perspectives than those we have named here –, constructive collaboration will be necessary between many people. Therefore, due attention will have to be paid on how to stimulate such creative and efficient collaborative processes.

In the context of such broad transdisciplinary efforts, religions will be able to contribute. We focus on this as, in the Bella Center itself, religion was no real interlocutor. In Copenhagen, some religious leaders, amongst whom Archbishop Desmond Tutu and the Anglican Archbishop of Canterbury, Rowan Williams, spoke with a clear voice. We were particularly impressed by R. Williams’ sermon in the Lutheran cathedral: he combined sharp intellectual vision with a keen spiritual sensitivity, focusing on the issue of fear. There was a Vatican representation at COP15 headed by Mgr Celestino Migliori who has more than once spoken out on environmental issues and climate change at the UN and who also in Copenhagen contributed with a strong statement. The full authoritative Roman Catholic voice came a few days later, in Pope Benedict XVI’s 2010 message for the world day of peace, “If you want to cultivate peace, protect creation,” and in his address to diplomatic representations at the Vatican.

The ideological and structural role of religions – and we are thinking more specifically of Christians – is crucial. They provide vision, motivation and spiritual and theological support in times of crisis; they can help to better grasp the role of human beings on earth; they can act as convenors for the different perspectives that have to learn to collaborate in the face of environmental challenges; they can put their experience of interreligious dialogue and learning to good use – particularly when they are willing to enter into constructive dialogue with the thought systems of indigenous people, who live in close connection with nature and the environment. Of course, religions will also have to learn from their mistakes, particularly with regard to one-sided anthropocentric approaches that many people have read in their teachings, which have been used to cover up egocentric consumerist mentalities, although churches have always clearly opposed these.

Religions are also worldwide community builders calling for solidarity and loyalty to humanity and to the planet. They are present at many levels: in the field with people who suffer the consequences of climate change, in the universities and technical institutes with the capacity to analyse and propose sustainable ways of life, in the media that influences and strengthens public opinion, amongst politicians and decision makers, in need of solid support for the difficult decisions they have to take, in charitable organisations that tangibly express solidarity. They can take a positive critical stance: offering hope and perspective, precisely while criticising unsustainable egocentric human habits at the root of the complex economic, financial and environmental crises we are experiencing today. These are opportunities in a world that is in dire need of global and worldwide approaches at the crossroads of many levels and perspectives. Not committing seriously, at a time when on the planet many people suffer worldwide, would be, for such organisations an unacceptable sin of omission.

Jesuits already have a tradition of commitment to environmental issues particularly since the publication in 1999 of “We live in a broken world” – Reflections on Ecology, and they reaffirmed their commitment in the last General Congregation. To engage in the current crisis alongside those who suffer its consequences, will be an opportunity to rediscover their spiritual assets – the movement of incarnation, the community empowering relationship with the Trinity, the sense of the Church, the practice of common apostolic discernment, – and to put to good use their formidable institutional capabilities, as well as the tradition of networking they inherited from their founder.

José Ignacio Garcia SJ
Jacques Haers SJ
Belgium

The Blue Book: Social Assistance in China

Dominique Tyl SJ

In April 2009, the Social Sciences Academic Press (China) published *Reports on the Development of Social Work in China (1988-2008)* [henceforth referred to as the Blue Book]. This opened a new phase in the famous and valuable collection of annual blue books regarding various aspects of the country's situation. The editorial committee of the publication, produced by the China Association of Social Workers, comprised the most senior staff of the association, government agencies and academia, which undoubtedly underlined the political and social importance of the endeavour. Although many other books and articles, as well as websites, on social assistance are now available to a wider Chinese public, the first Blue Book on this topic appears to have a special objective: to stress the importance, and probably the urgency, of a vigorous national development plan of social assistance to meet the needs of a rapidly evolving society under pressure from reforms desired and promoted by the government, and generally accepted by the population.

Confirmation of the deliberate intention of the government can be found in the final report of the sixth Plenum of the sixteenth Central Committee of the Communist Party of China in 2006. In fact, the instruction reads as follows, social assistance should expand and be staffed by a large battalion of professional social workers, capable of carrying out the tasks confided to them.¹ The plenum sets as the principal objective to examine means of promoting harmony in society, namely to deal with new social problems, conflicts or contradictions. Reflection on the theme of a harmonious society had already begun well before the plenum, confirming the need to produce concrete action. Rather than offering theoretical dissertations on desired harmony, the Blue Book offers practical presentations on the new and very useful role filled by social workers in facing such challenges. Included is a summary of the work undertaken by sector and profession, indicating the positive outcomes achieved and the issues which need to be addressed.

The table of contents indicates the amplitude of the task. After a lengthy general report, "Analysis and Forecast on China's Social Work Development over 20 Years,"² covering the principal themes of the publication, come the "Reports on Special Subjects." The first sub-section addresses "Practical Expansion." Although it appears banal at first glance, it is very interesting to list out the areas of professional activity, giving an indication of the scope: older people, youth, the physically challenged, women, districts, rural zones, enterprises, schools, families, health, deviance, mental hygiene, drug dependence, family planning, ethnic minorities and religions. It is not

¹See http://news.xinhuanet.com/politics/2006-10/18/content_5218639.htm

²The titles and other terms or expressions are those used in the "Abstract" and "Contents" of the English version of the Blue Book

surprising to find birth control in the aforementioned list. However, the presence of social workers, whose work principles of respect for human dignity are found in many pages of the book, could lead to improvements in the implementation of an authoritarian population policy. The abuse of harmful substances merits a chapter apart, which indicates the gravity of the problem, ranging from smoking to taking hard drugs. The fact that religious affairs are dealt with in the same chapter as ethnic minorities calls for an explanation... This is not at all clear.

The subsequent sub-section, "Special Studies," does not seem to be particularly special, after flicking through the pages. The traditional domains, Social Relief, Employment Service, Disaster Mitigation Relief and Adoption can be found in this section. The chapter, "Social Work, Preferential Treatment and Job Placement" deals with assistance to former soldiers and their families. Two studies examine the situation of "Charities" and "Charity agencies," also known as "Charitable Undertakings" and "Public Welfare Undertakings," the Chinese term for the latter could also be translated as "common good" or "of public interest." As can be seen, these domains are still largely underdeveloped. The next sub-section, "Human Resources Development," comprising four chapters, explains the steps taken to establish and regulate the profession. It also mentions the need for "innovative systems," as well as pointing out the obstacles encountered, which we will return to below. Two subsequent articles tie in well with the title of the heading "Laws, Regulations & Policies," an inventory without a lot of commentary. One observes, just in passing, the pages "Cooperation and Exchanges," which report, in two chapters, on contacts with Hong Kong, Macau, Taiwan, and the rest of the world.

The section "Experts' Forum" is more stimulating as it illustrates the tensions and adaptations of social assistance in China. It deals with the ethical values of the profession, obligatorily drawing on the "traditional" values of Chinese culture. Without denying the ongoing reflection necessary for the indigenisation of social work in the country, it is recognised that most of the insights, concepts and methods come from abroad. In practice, the problem is the conflict between civil service offices, cogs of central government and all levels of administration, and the profession. Why were two articles on methodology, "case work" and "group work," inserted into this section? This is undoubtedly because these are new methodologies used in China, as opposed to the way of dealing with cases and people until the 1980s, and still used in many state offices and institutions for social assistance. Without any apparent logical reason, a report on NGOs is to be found among the chapters on methodologies. This bravely develops what is referred to later on in the section on non-public associations. The latest study, "Contemporary Chinese Social Work and Party Mass Work," rather short and vague, is preceded by a few pages on other research undertaken. It contains a chronological list connecting everything together in a useful, though incomplete, index. It would

have been useful if the details and website addresses of social work organisations had been added, completing references in the text and endnotes.

More than ever before, understanding the mission, officially entrusted to social workers, undoubtedly requires qualified personnel. Nearly every chapter of the Blue Book points to two interconnected inadequacies, a lack of both personnel and quality in the training courses. Although the book lacks quantitative data, it appears as if social assistance organisms are largely staffed by personnel accustomed to the official procedures of public agencies. Their age, position and experience could be obstacles to initiatives required by the new social context. This is not explicitly mentioned, but implied here and there. It is understandable that the authors do not go into detail on the subject, and therefore avoid offending those who would feel threatened with the loss of their job, or just being subject to reasonable criticism. The writers choose to emphasise the training of a new generation of social workers. In this way, it would be easier to foresee a gradual replacement of personnel. Over the last twenty years, endeavours like this have already produced positive outcomes, the report adds.

More than 200 universities now offer comprehensive courses of varying duration, producing approximately 10,000 graduates per year.³ Certainly, as the "Human Resource Development" section of the Blue Book explains, not all the problems in the field have been resolved. As is the case of other countries, not all young social work graduates, actually only thirty percent, pursue careers in the profession. Some regional authorities have even been forced to suspend the recruitment process due to a lack of candidates. Although it is unjust to blame the trainers, it is also true that they are not all qualified. This is hardly surprising considering that the work of training trainers only really took off towards the end of the 1990s. In cooperation with Hong Kong, Taiwan and other universities, the work of training teachers is ongoing. Even though there is still a lack of trainers, their quality has certainly improved, generally characterised by an open mind and a manifest interest in their profession. Largely thanks to them, programmes have been standardised, training manuals produced and significant advances made in research.

In order to establish the profession and give it a certain social status, the government decided to register it in the list of officially recognised professions. As in the case of jurists and accountants, certificates for social workers and assistant social workers are granted to those who pass national examinations. In 2008, the first time the examinations were held, 50,813 and 60,907 students respectively took the two tests, of whom 4,105 received the highest certificate and 20,086 the second highest.⁴ In 2009, more than 70,000

³Blue Book, p. 396, and China Social Work Education <http://www.chinaswedu.com/>

⁴Many websites give information on the 2008 and 2009 examinations. See, for example, <http://sw.mca.gov.cn> of the Ministry of Civil Affairs of the People's Republic of China, or, for Beijing see <http://www.beinet.net.cn/sydh/wbxx/200906/t401391.htm>, or see http://www.huiling.org.cn/html/xyxw_553_1043.html, of the private organisation Huiling which also has an English version of its website

students registered for the examinations. This considerable drop doubtlessly stems from a reflection on the issues at hand, followed by a decline in enthusiasm. A document by the Ministry of Civilian Affairs in April 2009 spelt out registration procedures for qualified social workers. It is certainly a positive step towards the recognition of the profession which should promote long-term stability and encourage recruitment. However, as seen elsewhere, they will have to avoid “graduates” being absorbed by other public sector organisations offering better salaries for more easily found positions.

The Blue Book and other sources clearly highlight the fact that average salaries are too low. Even in the big cities, they are not very attractive, between 1,400 and 1,500 renminbi per month. A document issued by Hubei Province points out that the salaries of social workers in Hong Kong are such as to promote competition among jobseekers in the profession. This is not the case in China, it adds.⁵ Yet, as some consider, employment offers corresponding to needs would potentially be capable of absorbing a large number of young people. In fact, the salary, a clear recognition of value, would assert the position of the profession in the society. Moreover, the career profile, still poorly designed, and the management of social work organisms discourage energetic young people. In other words, this dysfunctionality hinders the growth of the profession. Examples provided come mainly from the pioneer cities of Shanghai and Shenzhen. We know almost nothing about the smaller towns and rural areas. The authors of the Blue Book merely say that professionally provided social work is disproportionately present in the country. Ganzu is disadvantaged while Yunnan is better off, partly due to cooperation projects with institutions in Hong Kong. Decisions taken by the higher echelons are inadequate and the profession is still seeking its place in the system and a *modus operandi*, both approved and supported by the grassroots.

What does the man on the street think? A study, published in 2009, gave the following responses – districts should be the principal field of activity for social workers, followed by orphanages, older people and children ...eleven percent said they know practically nothing about the profession.⁶ Nevertheless, there is no lack of work to be done. For example, very few hospitals offer social assistance, according to the Blue Book. Another study indicates that more than 83 percent of those interviewed believe that China urgently needs social workers. Yet, social workers often highlight the fact that their professional services have not received the recognition their work in society deserves. The Blue Book confirms and justifies their complaint,

⁵See www.hbmzt.gov.cn/upload/file/03社会工作者评价制度研究.doc, or http://www.socialwork.hku.hk/news_and_events/past_events.htm for a simple and clear presentation in English by Joe C.B. Leung, “Professionalisation of Social Work in China: The Shenzhen Model”, 6th April.

⁶<http://www.jianghuaisw.com/bbs/viewthread.php?tid=14840>
<http://www.022net.com/2009/3-24/446666342431320.html>
<http://www.edu-sp.com/static/html/20090331/16306.html>

although here and there the authorities acknowledge its merits while seeking to remedy the situation by introducing more appropriate regulation. However, it appears increasingly difficult to escape the administrative red tape. The purchase of services by the government from non-government institutions, according to the Blue Book, is a step towards the diversification of roles. Unfortunately, it neither elaborates on the details of the approach nor on the contract partners.

Indeed, as mentioned above, one study in the Blue Book was dedicated to “Public Welfare Undertakings” and another to NGOs. They portray a somewhat promising situation, as the authors recognise. They point to the vast development potential in this area, however, they also raise a wide array of obstacles, none of which have really been analysed. The experts are debating, as demonstrated by the series of articles, the definition of social assistance in China.⁷ The fact remains that, despite a growing number of various forms of “non-government associations,” civil society or community activism remains underdeveloped in the country. The Chinese General Social Survey Report (2003-2008), after putting forward ideas on the importance of community activism to social stability, with reference to Tocqueville, expresses misgivings about the poor level of social participation by non-government actors. The Blue Book acknowledges that too many mutual assistance campaigns rely on the workplaces or schools to mobilise the public.⁸

The connection between the setting up of associations and social assistance is, of course, not immediate. However, it is easy to imagine considering the reasons why associations have been established, to open channels for social dialogue and undertake tasks which the government, and even the family, are unable or will never be able to carry out. The Blue Book reflects a policy decided from the top, even though, over the last twenty years, a considerable amount of work has been undertaken by the grassroots to reach this point. What has happened to the grassroots now? Is the work of promoting social assistance complete just because the government, using the means at its disposal, more administrative than legislative, has taken up the baton to promote social cohesion? Without dedicating a chapter to the problem, the Blue Book says enough, this would be a chimera. How then can these initiatives be fostered? Even though the growth of civil society is not a panacea – and the concept itself deserves to be expanded beyond certain definitions – full

⁷A debate, in the International Journal of Social Welfare, was instigated by the article by A. Hutchings and I. Taylor “Defining the Profession? Exploring an international definition of social work in the China context” (online on 20 March 2007); Jia Cunfu wrote a critique on it later (online on 22 September). The first two authors responded in kind (online on 6 December 2007) and finally, Sheng-Li Cheng put “A Response to the Hutchings and Taylor Debate and Jia on Global Standards in China” online on 18 July 2008.

⁸The *Chinese General Social Survey Report (2003-2008)*, edited by Zhongguo Renmin Daxue Diaocha yu Shuju Zhongxin, Zhongguo zonghe shehui diaocha (CGSS), was published in March 2009. Work written by civil society researchers in China can also be found on <http://www.nporuc.org/html/achievements/20081007/123.html>

development of this can only be of benefit to welfare in China. Other studies in the same collection of blue books provide suggestions on areas for further examination.⁹ But, again, why is so little said about initiatives inspired by ethics and the professionalism of social workers?

Yet they exist, and among these initiatives are those of religiously motivated groups, mentioned once in the Blue Book (p. 368). These are known and generally considered positively. It is less evident how current legislation and administrative practices can assist them to deliver the services they offer. That these social assistance and other associations are sometimes used for unstated political purposes is obvious. It is equally obvious that competition is disagreeable to those who benefit from clear official support and enjoy a quasi-monopoly in practice. But it is increasingly accepted inside China that the government cannot and should not do everything. Of course, it is the duty of the state to place civil society initiatives in an appropriate legislative framework. It is also generally recognised that current laws and regulations do not meet the need to develop social assistance in the country. There is a lot of important work still to do which should facilitate the decentralisation of projects, control of activities and finance, respect for codes of conduct and assessment of field results. The authors of the Blue Book are aware of this although they appear more hesitant in their proposals to meet these challenges.

Private initiatives, including those religiously motivated, although they enjoy significant autonomy, have no difficulty in accepting the legal and ethical criteria which, with increasing precision, govern the profession of social worker.¹⁰ Security and competence requirements mentioned in the Blue Book and elsewhere appear in general to be reasonable. However it is true that their interpretation varies, in line with the principle that government and Party "leadership" is exercised within imprecise boundaries. It must also be added that the criteria are not always respected, even in government institutions, partly due to the realities faced by this evolving profession. The distribution of available money and the collection of funds are not presented in detail in the Blue Book while ongoing discussions demonstrate, it is insinuated, that satisfactory methods have yet to be found. In relation to the social workers' code of ethics, even though still not clearly approved at national level, there is frequent allusion to the fact that the norms must be respected as professional guidelines, and considered a reference in cases of misconduct. There is strong emphasis on the standards relating to the person as an individual and worthy of respect, regardless of his physical or psychological condition or ethnic and religious differences. The book explains that the role of social workers consists in using personal skills, which are not

⁹*Annual Report on Chinese Philanthropy (2009); Emerging Civil Society in China (1978-2008); Annual Report on Chinese Civil society (2008)*...

¹⁰See <http://www.ngocn.org/batch.download.php?aid=10174> for information on NPOs. For information on the ethical norms of the social work profession see, among others, <http://www.cncasw.org/txsg/sgkp/>

efficient if not stimulated by a spirit of benevolent service, helping others to help themselves, thus regaining an autonomy which promotes the contribution of each individual to the common good.¹¹

The Blue Book on social work, briefly summarised here, does not attempt to be exhaustive. Another one should appear in 2010. It would be good if it contained more statistical data, but also examples of good practices between government responsibility and civil society proposals. Since personal service should, primarily, be the driving force in social work, it would be interesting to show that initiatives are not, by right or de facto, the sole property of trained professional or public officials, even if professionalism is becoming increasingly important and a legally constituted yet flexible framework is necessary to ensure the quality of services rendered. In truth, none of this is very new, neither today throughout the world nor in history over the centuries. In China, there have been frequent references to explicitly foreign experiences, while concurrently seeking the “indigenisation” of social work. Recent studies confirm there has been no lack of creativity in this area throughout the history of the country and this could be a source of inspiration in reflection and practice regarding the challenges present, described with stimulating honesty by the contributors to the Blue Book.

Dominique Tyl SJ
China

*Original French
Translation by James Stapleton*

¹¹One of the most recent: *The Art of Doing Good, Charity in Late Ming China*, by Joanna Handlin Smith, University of California Press, 2009.

Encyclical Caritas in Veritate: *'Think!' and 'Love!'* Michael Czerny SJ

Pope Benedict XVI opened his new encyclical, *Caritas in Veritate*, with these words: "To all people of good will, on integral human development in charity and truth ..." So what might *Caritas in Veritate* do for a poor African woman infected with HIV? And can she help a reader of *Promotio Iustitiae* to grasp what the Holy Father is saying?

I thought of Rosanna, an abandoned mother in her twenties, HIV-positive, struggling to get by in a Nairobi slum. "Six years down the line," she says, "my family has not accepted me, not my mother or sisters or husband. I've lost jobs because I'm positive." She also lost an infant daughter to AIDS, but her 10-year-old son – conceived before Rosanna got infected – is negative. Jomo is a bright, healthy boy who loves drawing and soccer. His mom tries to keep healthy, too. "I want to see my son grow up."

Rosanna does not take ARVs but when sickness strikes, the Jesuit AIDS office, AJAN, which I co-ordinate, helps with hospital bills. From time to time, Catholic AIDS programmes invite Rosanna to tell groups the story of her difficult life, explaining her HIV status and encouraging young people to live well and avoid the mistakes which lead to infection.

Rosanna is grateful for the assistance but seeks something more. "Myself, I am young, I want to have a future even if I didn't finish elementary. I want my son to be someone." Unable to do physically demanding work, she stands little chance of finding someone to hire her. But recently she had an enterprising idea. The landlords in her slum refuse to provide water, telling abject tenants to find it for themselves. So, with AJAN's help, she bought a storage tank and a pump and set up a water business. Things are going well, and she is paying back nearly 2 percent a month.

I was trying to imagine what *Caritas in Veritate* might mean for Rosanna and Jomo when, as Providence would have it, she dropped in. So I gave her a four-page summary and, after an hour's careful reading, she came up with pretty clear ideas of its relevance for Jomo and herself.

1. Rosanna and Benedict XVI love life and see society much the same way. "I know the Encyclical is about the whole world," she said, "but when I read the Pope's words, he is talking exactly about Kenya, even my slum. He says that the market must not become 'the place where the strong subdue the weak' but it is."

Billions of us live as neighbours to one another in our global village (slum?), yet with too little fraternal relationship. "Kenyan authorities see the poor as a problem. If you do not have a job, they try to send you back up-

country. Our politicians feel supported by foreign aid and just take advantage of the poor."

Accordingly, aid is misdirected and badly distributed; it creates dependence, generates corruption, abuses the poor and solves nothing, "without ethics, we are in a total mess."

2. The Pope "is thinking in the right channel," Rosanna said, but many of us have become discouraged and, frankly, lazy. Addicted to sound-bites and ideological slogans, the local-cum-global picture seems too complicated to understand any more. Increasingly resigned to a fragmented world, we just let others ('the market') decide.

By contrast, Benedict XVI seems tireless in wanting find the way forward. Without preaching yet showing us how, the Pope invites us to think clearly about (our) society and (our) economy. He shows us how to put order into our thinking, keeping things in their proper places. Social science seeks the facts and the trends, social policy implements governmental decisions about what to do, but only *we* (believing and thinking people) can weigh up the pros and the cons, only *we* can opt for the basic values and work for what is best under God for the whole human family.

For example, when Benedict XVI shows that respect for life and responsible sexuality are essential for development, Rosanna concurs. Honesty and true charity aren't born of selective or sentimental wishing; they hang on a complete picture of man which can only come from God.

"In promoting development, the Christian faith does not rely on privilege or positions of power," the Pope affirms, "but only on Christ." To which Rosanna adds: "So I urge the Church to show us what being a Christian is all about. Isn't it loving your neighbour?"

3. Do not think the Encyclical is full of grand social schemes. Throughout, the Holy Father calls for practical solutions to real problems. "Solutions need to be carefully designed to correspond to people's concrete lives, based on prudential assessment of each situation." Rosanna is equally practical, coming up with the idea of selling water to better the lot of her neighbours and her little family.

The heart of the Encyclical is gift, gratitude, graciousness, gratuitousness. "Gift" and "gratuitousness" come up about three dozen times, and "graciousness" is Rosanna's word. To acknowledge the abundant gifts we receive is to be filled with gratitude. It is also the fundamental truth of our situation. So we are creatures before we are bosses or employees; each our own person but radically related to one another; responsible, but not totally in charge. Instead of doing whatever we like, as global culture cajoles us to, without reference to humanity and God, things will get better only if we each graciously, gratuitously give our best – mind, heart, goods, time.

For Rosanna, forgiving her relatives, living for Jomo and his future, teaching youth to be responsible in the face of AIDS, leading a little support group for HIV-positive women, selling water to her neighbours – all helped prepare her to read and appreciate *Caritas in Veritate* very much.

Surely the best that she and I can offer is encouragement. Yes, really read *Caritas in Veritate* and consider it and pray over every sentence carefully. The message is in the title, *THINK! LOVE!* We must do both if Rosanna and Jomo and we are to have authentic human development.

Caritas in Veritate is easy to download from www.vatican.va – choose “Holy See,” then “Benedict XVI” and then “Encyclicals,” or get it at your Catholic bookstore.

Michael Czerny SJ
AJAN
Nairobi – KENYA

‘Charity’ to ‘Justice’: Jesuits in Madurai Province

Xavier Arockiasamy SJ

St. Francis Xavier, one of the first members of the Society of Jesus founded by St. Ignatius of Loyola in 1540, came to the Tamil country in 1542 as a missionary. He was followed by other notable Jesuits, such as Robert de Nobili (1577-1656), John Britto (1647-1693) the Martyr, Joseph Constantine Beschi (1680-1747) the great Tamil scholar and many others who tried in their different ways to address the social and economic circumstances of their times. This article, part of a much longer paper, is concerned with the movement from charity to justice. It presents a brief historical account of the Madurai Mission, followed by an outline of change at the level of Jesuit colleges and at the level of the Madurai province in the state of Tamil Nadu in Southern India.

The New Madurai Mission

While the old Madurai Mission was founded in 1606, the new Madurai Mission with the French Jesuit missionaries in the mid 19th century addressed the needs of the weak and the poor, especially during the famines when they distributed food and offered monetary help. As in the rest of India these were acts of charity based on their personal contacts. The commitment of the French missionaries to social equality¹ suggests that the ideals of the French revolution, namely equality, liberty, and fraternity, still inspired them. In Tamil Nadu the fight by the intermediary castes for justice against brahminical hegemony began in the 1920s with E.V.Ramasamy Naicker or Periyar, the Justice Party and the Self Respect Movement. The new Madurai Mission however spoke for the lowest in the caste ladder, the most oppressed, in other words, the dalits. “The Jesuits actively championed the cause of the depressed classes and the Panchamas for justice and fought for their basic human rights,”² writes Louis Leguen as early as 1938. Woven into all this was

¹* Victims of Kalugumalai in 1895 and Sivakasi in 1898 were protected by Fr. Caussanal and other Jesuits. They fought for their legitimate rights in society. Cf. *Les Missions Catholiques - Bulletin Hebdomadaire Illustré de L'oeuvre de la propagation de la Foi*. XXVII. January - December 1895. Also Cf. Fr. A. Caussanal SJ, *A History of Tirunelveli District*, 1910, p. 40.

* The Jesuits, especially Fr. Caussanal as the parish priest of Vadakankulam, defended the legitimate rights of the downtrodden people in church in November 1910 by taking a bold decision to demolish the wall in the church built to separate the caste Catholics and the downtrodden. Cf. *Historical Notes on Tirunelveli District*, Vol. II, pp. 25 - 27.

* The Bishop of Tiruchirappalli, Peter Leonard SJ, took all steps to break the barriers in the church in his jurisdiction in 1936, resulting in the parishioners making a complaint against the Bishop himself to the Pope. ‘Parishioners’ Complaint Against Bishop,” Tiruchirappalli, with regard to railing in the Church, July 1936. Cf. A Petition of the Caste Christians of Tiruchirappalli to the Pope, 9th December 1936, French Jesuits Archives, Vanves, Paris.

²Louis Leguen, *Stranger than Fiction, A Hundred Years of the Jesuit Madura Mission, Souvenir of the Centenary of the Jesuit Madura Mission*, July 1938. p.12.

Mahatma Gandhi's call during the Freedom Movement for sarvodaya through antyodaya (welfare of all through the welfare of the least and last) as well as the call for nation building resounding through the country after Independence. Both calls found a response from Jesuit communities. After Independence some native Jesuits concentrated on the formation of co-operative societies, enabling poor villagers to realise the extent of government help to which they were entitled. By forming cooperatives they also learned the importance of being united and working together.³

Student Participation

Jerome D'Souza, the great Indian Jesuit and four times member of the Indian Delegation to the United Nations Organisation,⁴ underlined the pressing need to impart the idea of social service to students in Jesuit colleges. Jesuits picked up the importance of student participation in the development process and made it mandatory for each Jesuit college to have a Social Service League⁵ (SSL) to enable students to do social service in their surroundings. In addition to the SSL, they initiated associations of students in all their colleges such as the Sodality, *Bharat Sevah Samaj*, Beschi Social Service Society, Youth Welfare Service Group and Old Boys' Association, to undertake social service in villages. These new initiatives suggest the transition in their approach to social action, and young minds were made aware of the importance of looking at and helping those less privileged than themselves. The social service of the students complemented the charitable activities in which Jesuits were traditionally engaged.

Privy Chamberlain, B. S. Gilani, invited the Catholic student community to build a Christian Social Order in free India through social services.⁶ Thus, from the 1950s to the 1970s, social work camps in rural areas for the development of the poor became a regular feature in the life of students, Jesuit scholastics and trainees under the leadership of Jesuits. As early as 1954 the then Provincial noted that the scholastics of Shembaganoor and the students of the Jesuit colleges were doing excellent social work in their surroundings, winning the confidence of people and public appreciation both for the Church and the Society.⁷ Along with the Social Service League, the services of the National

³Letter of Fr. Lamahieu SJ to Fr. Superior General on 27th February 1953, ARSI, Rome, 1013, p. 1.

⁴Served in the UNO in the years 1949, 1951- 1952, 1955 and 1957 . Cf. Lawrence Sundaram, A Great Indian Jesuit -Jerome D' Souza SJ, Gujarat Shatiya Prakash, Anand, 1986. p. 222.

⁵"The Role of the University Students in the Social Apostolate" Speech delivered by Fr. Jerome D' Souza, SJ, in Loyola College, Chennai, on 22 December 1952. Cf. All India Catholic University Federation Souvenir of the First National Congress, Madras from 20th to 22nd, December 1952, p. 49. (French Jesuit Archives, Vanves, Paris).

⁶"Christian Social Order in Building Free India", Speech delivered in Loyola College, on 22nd December 1952, by B.S Gilani, Privy Chamberlain Cf. Ibid., p. 39.

⁷Letter from Fr. Gordon, SJ, the Provincial of Madurai, to Fr. Superior General on 6 August 1954, Provincia Madurensis, ARSI, Rome, Vol. 1013, pp. 4 - 5.

Service Corps of the colleges were also gradually utilised in this process.⁸ Events and activities during this period give a clear picture of the developing trend and the conceptual clarity evolved by the Jesuits regarding the needs of the people whom they served. Fr. Ceyrac SJ, Chaplain of the AICUF noted: "In a country of acute poverty and widespread illiteracy like India social services are an urgent necessity. Unless people see concrete facts, concrete work of social relief, they will never believe in the sincerity of 'our social theories'."⁹

Training camps and social analysis courses, offered to college students through the AICUF movement animated by Jesuits, played a dominant role in bringing about change in the thinking of the student community through its social awareness camps and seminars on social issues. Insertion camps stimulated its members to reflect on the situation of the people and students began to raise questions about the condition of the poor.¹⁰ Ideology was a favourite subject of discussion. Books like *Pedagogy of the Oppressed* by Paulo Freire were widely read by Jesuits and students,¹¹ and the campus culture of Jesuit colleges was slowly transformed. Students who were involved in that process are today making important contributions to society, in Tamil Nadu, at national and at international levels. AICUF also created an impact on the minds of the members of the province, a fact noted by the Province Survey in 1968 in its comment: "It is to be noted that the AICUF was one of the important factors that led the province to social action. ...One cannot deny its significant role."¹²

The Plight of Dalits

A more specific and local impetus to the move from charity to justice may be traced to the report of Francois Houtart Canon, a Belgian sociologist appointed in 1972 to conduct a survey of Ramnad district. He identified the basic social issues and rights of the dalits¹³ – the 'untouchables'. Struggles by dalits to enter temples in the villages of Iravucherry, Kannankudi, Uruvatti and Velimuthi in the district in 1954, the murder of Immanuel Sekaran a dalit leader in 1957 at Paramakudi¹⁴ and Siluvai Muthu, another dalit leader, in

⁸Letter from Fr. A M Varaprasadam SJ, Provincial of Madurai to Fr. Superior General, Rome on 8 January 1968, ARSI, Rome, Vol. 1018, 68/1, pp. 5 – 6.

⁹'Towards Leadership', speech by Fr. P. Ceyrac SJ, in All India Catholic University Federation (AICUF), National Session for the Leaders, Mysore, from 25 April to 5 May 1953, p.15

¹⁰Madurai News Letter, Dindigul, February 1969, p. 6.

¹¹Paul Mike SJ, Unpublished Report, PALMERA 25 *aam aandu Niraiou Vizha, Munnaal PALMERA Uruppinar Kuuttam*, (Tamil), Devakottai, 21 – 22 October 2004, p. 18.

¹²The Madurai Province Social Survey Part IV, The Jesuits and their Apostolate, Dindigul, September 1968, p. 19.

¹³Dalit is a Sanskrit term which means broken, scattered, crushed and the destroyed. Cf. Monier Williams, A Sanskrit – English Dictionary, Delhi, 1976

¹⁴A. Ramaswami, Ramanathapuram District Gazetteer: Tamil Nadu, Government of India, Madras, 1972, p. 669.

1967¹⁵ and 42 dalit labourers by a landlord at Keelavenmani in the nearby Thanjavur district on 24th December 1968¹⁶ – all made the youth, especially dalit youth, reflect on their oppression and the need to come together. As part of their struggle, the dalits in Devakottai area in the district started a movement under the banner of *Thazhthappattor Nala Iyyakam* later renamed as "*Uzhaikum Makkal Urimai Iyakkam*."¹⁷ With the new emphasis on justice within the church, dispensing charity to the poor gave way to seeking justice for the oppressed.

The Province and PALMERA

The 1960s and 70s saw the Second Vatican Council, Liberation Theology and GC 32, and the shift became far more pronounced and formalised. At GC 32 in 1972, the Society of Jesus noted "The mission of the Society of Jesus today is the service of faith of which the promotion of justice is an absolute requirement."¹⁸ This preferential option for the poor may be seen as a turning point in the history of the Society, calling for the eradication in the human heart of attitudes that engender structures of oppression."¹⁹ The Madurai province in Tamil Nadu was one of the first ones to translate the message of that document into concrete action in the local situation.

From strictly Christian themes Jesuits had moved to development, motivation, leadership, and later social analysis. A three-day seminar was held in Madurai in 1977 on the theme: "The Church and the Society in East Ramnad District." It underscored defence and promotion of the rights of dalits as the primary task of the Church in East Ramnad.²⁰ The Jesuit pastors of Madurai province at a meeting a few months later on the theme, "Faith and Justice as Integral Elements of the Jesuit Mission" decided to dedicate their efforts and energies towards the removal of all forms of indignity and oppression to which the 'low' caste brothers and sisters were being subjected. The shift in the minds of Madurai Jesuits was permeating the whole province. At the end of October 1977 the Jesuits reflected for two days on caste as an unjust structure in the parish milieu and on the problem of lay leadership in the task at hand.²¹ Wider discussions and deliberations on the topic came to the official decision-making body, the Provincial Congregation held in January 1978. This body drafted a proposal to work among the exploited and humiliated dalits and it

¹⁵Ilan Kumaran, *Kizhanrthezhuhirathu Kizhaku Mukhavai*, (Tamil), Thamizhamutham Publication, Madurai, 1996, p. 27.

¹⁶T. N. Gopalan, *Jathi Chandaikalum Mann Kuthiraikalum, Unchanaiyil Vanchanai*, (Tamil), Nithersana Publications, Madras, 1983, p. 25. Also Cf. The Indian Express, Madurai Edition, 30 October 1983.

¹⁷*Uzhaikum Makkal Urimai Iyakkam Or Aaivu*, (manuscript), (Tamil), Devakottai, 1987, p. 13.

¹⁸Document of the General Congregation 32 of the Society of Jesus (Indian Edition), Gujarat Sahitya Prakash, Anand, 1976, p. 109.

¹⁹*Ibid.*, p. 121.

²⁰Madurai News Letter, Dindigul, September 1977, pp. 2 - 3.

²¹Jesuit Madurai Province Golden Jubilee (1952 - 2002), Souvenir, op.cit., p. 408.

was sent to Fr. Superior General in Rome. The Jesuits now saw their social commitment to work for the dalits as a moral obligation, a historical imperative and a mandate imposed on the province by poor dalits. Consequently the province started PALMERA,²² a social action centre in the Ramnad district. Madurai Province took up the justice cause earlier than other provinces perhaps because the plight of dalits even after Independence, especially in the Ramnad area in south eastern Tamil Nadu, was heart-wrenching.²³

Consciousness of caste was not easily eradicated within the Christian community. In Paraltchi village in Madurai district, for example, the Arunthathiyars, a dalit caste, suffered at the hands of 'upper' caste Christians. As dalits they were socially untouchable and economically weak, not allowed even to enter the Church. Recognising their pitiable condition, the parish priest built a chapel for the Arunthathiyars in the teeth of opposition from 'upper' caste Christians, but these efforts by individual Jesuits were woefully inadequate in proportion not only to the magnitude of the issue, but also to the population of dalit Christians in the church. The Madurai province for a long time had failed to respond adequately to the problem of caste discrimination, but now the shift in the minds of Madurai Jesuits of what constitutes true social service had occurred. It led to the definite option for the poor and the organisation of the dalits.

The martyrdom of Fr. Rutilio Grande SJ in the central American Republic of El Salvador in 1977, Fr. Joao Boxo Burmier in October 1976 in Brazil and Frs. Martin Thomas, Christopher Shepherd Smith and Brother John Conway in 1977 in Rhodesia²⁴ inspired the Jesuits of Madurai province. Their martyrdom, austerity and commitment were a great example for the Madurai Jesuits about the nature of true service. God seemed to be speaking to the Society of Jesus through the pouring out of their blood and inviting them to a deeper dedicated service for the liberation of the marginalised in Tamil Nadu.

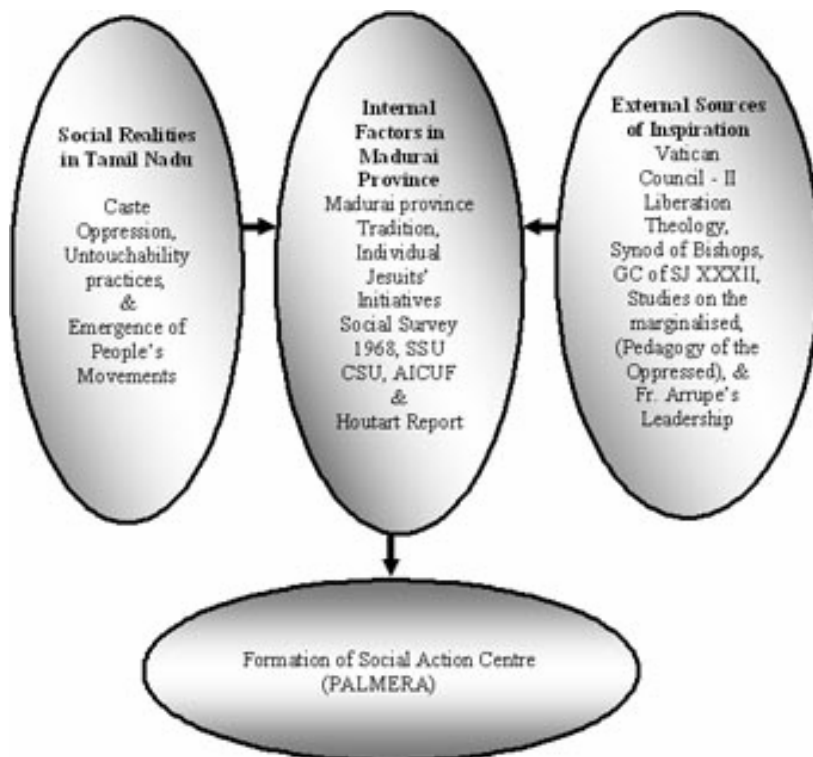
The Madurai Jesuits concretised liberation theology in the context of the Indian situation with special reference to Tamil Nadu's social milieu. Deeper reflection and sociological analysis subsequently resulted in the launching of an action programme of support and solidarity with the poor. While other religious congregations were still concentrating on such traditional missionary activities as parish work and education, the Jesuits threw themselves into a new type of mission. The diagram below illustrates the factors leading to social action in Madurai Province.

²²It is an acronym for People's Action for Liberation Movement in East Ramand Area Cf. Madurai News Letter of Jesuits, Dindigul, September, 1978.

²³Human Rights in Tamil Nadu A Status Report 1996, People's Watch, Madurai, 1996, p. 75.

²⁴Madurai News Letter of Jesuits, Dindigul, April - May 1977.

Formation of Social Action Centres



Madurai was once branded as a conservative province. But over the years it has followed the path of greater social involvement. In 1954 there was resistance to working for social change, as is evident from what the rector of St. Joseph's College wrote to the Superior General: "It seems to me that undue insistence is given to social service in the scholasticate of Shembaganur to the detriment of real intellectual formation of our young men."²⁵ It is very different now. Madurai province, once it took up the preferential option for the poor as an organised endeavour, was the first to think of a common vision for the mission of the entire province.²⁶ From isolated acts of charity by individual Jesuits, through a project phase characterised by social work camps to the present commitment to social action²⁷ – such has been the trajectory of the move from charity to justice in Madurai Province in Tamil Nadu.

Xavier Arockiasamy SJ
India

²⁵Letter of LC Fernandes SJ, Rector, St. Joseph's College to Fr. Superior General, Rome on 22 July 1954, ARSI, Vol. 1013, p. 1

²⁶Xavier Alphonse SJ (ed), Set the World on Fire: Jesuit Madurai Province Golden Jubilee 1952 – 2002, The Jesuit Madurai Province Publication, Dindigul, 2002, p. 61.

²⁷M. Arockiasamy Xavier, Contribution of the Jesuits to Social Awakening in Tamil Nadu, Unpublished Ph.D. thesis, Bharathidasan University, Thiruchirappalli. 2006. p.58.

Challenges of Colombia

Francisco de Roux SJ

Companions of the University of the Andes¹

I have been invited to say a few words on the day of your graduation, and I can speak to you only from the sentiments I carry in my soul and from the ideas and judgments I have been able to form during my years of intense searching since leaving the halls of this beloved university.

You are now going forth to an extraordinary country, which has many wonderful, intelligent people, a profound and varied culture, a rich institutional and economic history and a generous natural environment.

The humanitarian crisis

All these marvels cannot obscure the fact that you are also going forth to face a tremendous challenge. I wish to put before you the magnitude of the challenge, the demanding terrain on which you will first have to deal with it and the tasks you will be called upon to carry out. I also want to express my profound conviction that you are quite capable of responding to this challenge.

You graduate today from the University of the Andes as free men and women, and as you do, you come face to face with the immense and disconcerting humanitarian crisis of our country, Colombia. The crisis is evident in the mafia that has penetrated the government and our institutions, both in the city and in the countryside. Today, as was the case 25 years ago, we continue to be the world's greatest producer of cocaine. Along with Sudan and the Democratic Republic of Congo, we form the trio of nations with the greatest number of internally displaced persons. In addition, our farmers have been robbed of five million hectares of land, over two thousand persons are still held by kidnappers and we are the part of the planet with the greatest density of anti-personnel mines. We also have many false positives, such as pyramids of easy money and young people murdered in cold blood then later presented to the press as killed in combat.

A crisis that cannot be left in other people's hands

Many measures have been taken to combat this reality. In recent years the government has made a serious effort to deal with the crisis, and as a result the number of murders today is only half what it was a decade ago, but the rupture of our humanity still continues. In the midst of this human disarray,

¹Words of Fr. Francisco de Roux SJ at the student graduation ceremony at the University of the Andes, Bogota, 21 March, 2009.

we are a society held captive by simplistic thinking. We are convinced that the problem has nothing to do with us, that everything has been caused by a perverse, hostile minority which attacks good people. We believe the main problem is the terrorism perpetrated by a few criminals and everything will be resolved when the war does away with terrorists. There are many among us who still claim there is just one man who can find a solution to the huge crisis confronting Colombia, only the president has the courage to take on the problems of the country on a daily basis. He has proved he can be everywhere: in Boyajá, destroyed by FARC gas cylinders; in Club Nogales, wiped out by a car bomb; on the Magdalena River, contaminated by cans of cyanide; in Puerto Wilches, drowned in the flooding; in Cali, distressed by the weeping of the widows of the councillors. He is in every place where the crisis shows its head. And millions of Colombians believe that, by keeping the president's popularity ratings above 80%, they are responsibly fulfilling their duty as citizens of Colombia. After casting their vote, they take refuge in the caverns of their personal interests, my university classes, my small business, my managerial post, my pastoral duties, my department store. And all the while we know full well that the magnitude of our crisis is such that no single man can possibly find a solution to it. We know that it is the responsibility of each and every Colombian.

A crisis recognised by the international community

Meanwhile, we are surprised that many groups of volunteers, travelling about the world and helping human beings in the places where they hurting most, put our country on their list of destinations. We are quite familiar with the itineraries of UN officials, university researchers and people from organisations such as Oxfam, Cafod and Médecins sans Frontières. Their programmes always include Afghanistan, Iraq, Palestine, DRC, Sudan, and Colombia. The rupture of the human fabric in this country is so disconcerting for the world's nations that, even though Colombia does not qualify for international aid because average income is above the poverty threshold, it is still the Latin American country that has received the greatest amount of direct external aid over the last decade in the form of grants. This aid has been given mainly through the US Plan Colombia and EU Laboratories of Peace.

Our crisis, which is not due to poverty, has brought to Colombia the financial resources that should be going to calm the hunger of impoverished populations in Haiti, Nicaragua, Bolivia and Ecuador. Europe and the US have neglected the poor in order to come to the aid of Colombia, for the world is experiencing fear and vicarious shame as it beholds us Colombians committing the horrors we do, we who are members of the same human race. I am not claiming we are the only ones responsible. The humanitarian crisis in Colombia is the result of both endogenous variables, which are our

responsibility, and exogenous variables, out of our control. Hovering over the whole world is a complex, perverse dynamic which at any moment can produce, in auspicious places like Colombia, a rupture in the human fabric. This crisis, had it not burst forth among us, would have happened in some other part of the world with conditions similar to ours. The external variables beyond our control are, among other things, the international demand for cocaine, the fabrication and trafficking of arms, the madness of speculative finance in stock markets and banks and the global warming being caused by human greed.

A crisis for which we are responsible

Still, to be honest, we have to admit that these exogenous variables have found fertile ground here in Colombia. By reason of our long history of exclusions and non-resolved problems, and because of our inability to consider each and every Colombian as contributing to and sharing in the fate of the country, we have provided rich soil for the explosion right here, and not anywhere else, of the humanitarian chaos which is destroying us as a people.

If there is no change in us, then the humanitarian crisis will continue. It will continue even if we re-elect the president, as many hope, it will continue even if there are ten more "Plan Colombias," even if we fumigate the whole country with glyphosate herbicide, even if we kill all the guerrillas, it will continue even if you graduates have professional degrees certifying that you have been trained in one of the best universities on the continent. It will continue because the problem is what we carry within us. It can be said of us, as we watch on television the common graves and hear the cries of the victims, what John Steinbeck, author of the *Grapes of Wrath*, crudely said of a similar people: "They are not human. If they were, they would not let happen to them what has been happening for so long."

This is a problem of ethics

Although this problem has many dimensions and demands solutions that are professional and interdisciplinary, the first thing that you as graduates need to face, from the very start, is a problem of ethics.

In mentioning ethics, I am not going to speak to you of moral principles or of religious commandments. Rather, I am going to speak to you about yourselves – about ourselves. What is at stake here is located in the personal terrain of each one of you, of each one of us. It is a question of our dignity. It is a question, in you and in us, of the dignity of all the women and men of Colombia.

Human dignity

When a Chinese student, some years ago, stood alone in front of the tanks of the communist army in Tiananmen Square, there we saw human dignity. When the workers of the Solidarity trade union rose up in strikes to bring down Soviet socialism in Poland, there we saw human dignity. When millions of persons marched in protest in Spain and brought the country to a standstill because of attacks by the ETA, there we saw human dignity. When thousands of persons assembled on Wall Street to demand that bankers not be awarded bonuses for their greediness, there we saw human dignity. When a black man ran for office and won, and when he was sworn in as president of the United States, there we saw human dignity.

Human dignity is the conscience which appears in us when we give pride of place to the immense, non-negotiable, non-surrendable, non-replaceable value that we have as persons, and when we assume the tremendous responsibility of being true to that value, in order to protect it above all else, alongside the other human beings who are our fellow citizens. We do so out of respect for ourselves and for others. We do so with determination and with character.

You all know that human dignity was the basis of the United Nations Charter of Human Rights, drawn up in 1948. The world had just emerged from a veritable apocalypse, with 60 million killed in the Second World War. In the midst of the confusion and the shame, it was necessary to establish a code of conduct that would be equally valid for all nations and all cultures. When those who were invited to draw up the code met in Paris, they were unable to agree on the basic principle that would unite them. At that point Jacques Maritain proposed the phrase that succeeded in gaining unanimous approval from the participants: "All human beings have equal dignity." That judgment provided the basis for the subsequent declarations in favour of human rights.

In this consists the greatness of each one of us. It is what liberal ethics expounds in the principle that we should "treat others with the same respect with which we want them to treat us." It is what led Kant to state that nobody can be used as a means, because every human being is an end in him or herself. It is what the Jewish tradition and the great religious traditions of the peoples affirm when they say that each woman and each man is an image of God and a privileged space for the manifestation of the transcendent mystery. Christianity gives such absolute value to every person that it places God himself at the service of human greatness: "I have not come to be served, but to serve," says Jesus. And God in Jesus appears washing the feet of his followers at the last supper. In the most serious versions of Catholic theology we do not possess dignity because Jesus saved us, on the contrary. Jesus delivered himself up to death so that we would come to understand how

valuable we are and recover consciousness of our responsibility for our own lost dignity.

Human dignity cannot be increased, nor can it be decreased. Today you are receiving your university degree, a triumph you deserve. If you have understood me well, you realise that this degree does nothing to increase your dignity, because human dignity cannot be augmented. You do not have more dignity by reason of being doctors or teachers, just as tomorrow you will not have more dignity by reason of being mayors, presidents, Nobel prize winners or managers of large firms. You will never have more dignity than that possessed by a fisherman on the Magdalena River, a person displaced from Soacha, an Indian countrywoman from Tacueyó, or an illiterate African Colombian on the Pacific Coast.

But neither can human dignity be diminished. Neither AIDS, nor economic failure, nor the errors you may one day commit can take away from you the greatness of being human beings. The parchment you receive from the University of the Andes does not grant you more dignity than others have. Rather, that parchment certifies you as persons capable of serving and putting your skills at the service of the dignity of the men and women of Colombia and the world. That is what you must do!

I urge you to carry this conviction deep in your soul, because we Colombians, oblivious to the greatness of our own people without knowing why, have acted savagely with one another. We have despised, hated and killed each another. We have reached the point of thinking that there are some human lives worth more than others, we have seen ourselves killing one another to control land, we have marginalised the Indians and African Colombians, we have given greater priority to the security of businesses than to the safety of people. We have come to think that money is more important than people, and that possessing money makes us more significant, more worthy and more deserving than others.

The human dignity that is present in each one of you does not depend on anybody or anything. You were not given dignity by the nation or the government, you did not receive it from society or from religion, it was not granted to you by the university. This dignity is something you have had from the very first moment you appeared as human beings. And it is not something that can be demeaned in any one of you without being debased also in everyone else. Since, therefore, it depends on nothing, since it exists totally in each one of you, this dignity you possess has an absolute value. For that reason, so that we can be true to our inmost being, I urge us all to return to this fundamental principle, in order to build up from there, in keeping with the value of each person, the ethics we have lost.

The task we have ahead of us

We have to begin by recognising the equal dignity of all women and men of this country, recognising it as inherent in them, independently of their education, their wealth, their family names, their race, their skills or their prestige.

And together we have to determine the manner in which we wish to live our dignity as Colombians. We cannot increase our dignity, but what we can and must do – and this is called development – is to agree among ourselves about our own, particular, Colombian way of formulating, protecting, expressing and celebrating the dignity of each and every person. And we must also agree about how we will share with other peoples of the world the variety of ways in which every people courageously and magnanimously lives the dignity they desire. This is a tremendous cultural task which you graduates have to carry forward, to the point where we Colombians create our own symbolic universe, founded on our own traditions and joined to our rivers and our mountains. This will be a universe of stories, images, music, dreams and reflections shared by all. It is you who, as professionals in culture, philosophy, the arts, architecture and design, have to carry out this task alongside our people.

And we must go further still. We must bring about the life we desire in a way that is consistent with our own dignity, and we must engage every Colombian man, woman, and child in the task. That is to say, we must transform the life we desire into a function of our well-being and maximise that function in a horizon that is just and free of exclusions, a horizon in which all Colombians feel that they can fully experience their human greatness, without fear that greatness will be diminished or threatened by the fulfilment of others. We have to bring about that life we so desire in an efficient manner, with the least possible human and environmental costs, and we must do it well, so that we are able to exchange with other peoples of the earth the things we cannot make ourselves and yet consider part of the life we desire. Bringing such a life about means good infrastructure for our small farmers and poor city dwellers, and it means new forms of energy for our industries and for all the firms, national and international, that are joined together in this collective enterprise. It is what you yourselves have to do, as engineers, health care professionals, mathematicians, biologists, mechanics and physicists.

But we must go further still, to the point of emerging together on the horizon of the public sphere, in this state of ours, this institution which we human beings have created to guarantee that everyone without exception has the conditions needed to live with dignity. This is the task of politics, and you are called to carry it out as professionals in the public sphere, as administrators of the state, as legislators and as lawyers.

Conclusion

Friends, you who share with me this great spirit of the University of the Andes, you have in your hands this country, this extraordinary piece of nature and this great capacity of Colombians, which has fallen into our humanitarian crisis.

I want to urge you to think big. I know that you young people can do it. I remember from my classical studies the story in the Aeneid about the young companions of Aeneas as they made their way toward Latium. No one could stop them because they knew they could do it. *Possunt quia posse videntur*, they were able to do it because they were convinced that they had what it took.

I want to urge you to return to the regions of Colombia from which you come, to feel pride in being from the Cauca Valley or the Paisa region, in being from the coasts or from the plains, in being from Boyaca or Pasto, in being from the coffee regions or Santander, in being from Tolima or Bogota. I want you to position yourselves firmly in this globalised world, using all the cultural strength of your regions, in the same way that your forebears lived their dignity to the full.

Your responsibility as members of the community of the University of the Andes does not end with your studies or in obtaining a degree certifying your knowledge. The very meaning of your lives is at stake in your deciding to put into practice the knowledge cited in the degrees which you receive today.

The great ethical challenge before you is to put your knowledge into practice, even to the ultimate consequences. There you have Colombia awaiting you. I am sure you have understood that your dignity is what is ultimately at stake.

We who are older are confident you have the courage, the daring, the character and the freedom needed to put your knowledge to work, to translate into deeds what you have learned in the halls of this university, so that you and all men and women of Colombia may truly live in dignity.

Many thanks

Francisco de Roux SJ
Colombia

*Original Spanish
Translation by Joseph Owens SJ*

An Experience of Regency among the Tarahumara Juan Pablo Romero SJ

This first year of regency has provided me with a great contrast to my experience in the four years I spent studying philosophy. In the Mexican province, the philosophy years are a time when the young Jesuit in formation develops his ability to organise the many different daily activities which make up his life (including studies, apostolate, community responsibilities and discernment groups just to name a few). During this time, the study of philosophy helps to develop and expand the ability of the student to think about the world in all its complexity, such as the role of education in the formation of theoretical ideas or the influence of economic interests in political decisions.

I believe that if we as Jesuits want to contribute to an indigenous culture, then we must understand it well and be able to analyse our reality from the perspective of that culture. This is certainly the reason the mission given me by my Provincial for these two years was to learn the Tarahumara (or Raramuri) language and become familiar with the culture.

I have not had an easy time attempting to immerse myself in the daily life of the Raramuri families. This year I have not tried to organise any meetings, teach any classes or conduct any interviews. Coming to live in Samachiki has meant organising my life in a different manner. This has been a time of learning to accompany the people and to do so effectively. After spending four years in a university environment, systematically seeking important insights into the nature of reality, it is not easy to become the person who walks more slowly than the others, the one who has to chop much harder to split a log or the one who listens without understanding to what others are saying in Raramuri.

It has not been easy either to distinguish between indigenous thought and the Western thought in which I have been trained all my life. Visiting the Rawiwachi community,¹ we inevitably project our own definitions of a good life. It is not necessary to pay many visits there to become aware of the acuteness of people's needs: the corn they harvest is insufficient, they drink too much, their hygiene is poor and their formal education is inadequate. Since we are ignorant of their culture, we immediately make judgments and try to tell the people what they really need and how they should do things. But if we seriously want to be cultural bridges instead of new colonisers, then we have no recourse but to delve deeply into the culture, so that, having understood it, we can give our opinion from the perspective of the Raramuri culture itself. That is to say, do they really need what we feel they need?

I am slowly learning how important it is to understand what the Raramuri dream of for their children. For many years the Western world thought that

¹Rawiwachi, which means "the Hawk," is the community I am assigned to accompany.

what the Raramuri needed was to have things given to them, clothing, zinc roofing, corn and so on. What the church, the government and welfare organisations have done in many Raramuri communities has effectively debased the dignity of these indigenous people, since they are considered to be incapable of providing for themselves and in need of hand-outs. It is easier for others to tell them what they need than to ask them what they dream about for their children. It is easier to give them things than to accompany them in the process of community development and organisation.

This slow process of getting to know their indigenous culture has been opening up my mind and heart to a different way of living the faith. The Raramuri have for generations lived on extremely rugged land and have thrived in a raw, austere climate. Since they have had to struggle with adverse natural conditions just to survive, the Raramuri have developed a close relationship with nature and ways of relating to God that have given me a completely fresh experience of faith. Two particular aspects of Raramuri culture that have most definitely enriched my own faith are the physical way in which they express their faith and the constancy of their relation to God present in nature.

One of the most significant experiences for me during this time has been the feeling of ever greater confidence and closeness with the families of *Rawiwachi*. I would like to say that this sense of familiarity has been the result of my attitude on arriving in the community, but as I look back over the year as a whole, I find it has really been the fruit of time and the way in which “the hawks” have progressively involved me in their daily activities, inviting me to walk along the same paths as them, harvest their corn with them and dance to the *Onorúame*.²

On the one hand, this time of insertion in *Rawiwachi* is a way of accompanying people in their lives and being a presence that reaffirms the values of their culture, the source of the community’s life. On the other hand, this experience is an attempt to discover ways to build bridges between the Raramuri culture and modern Western culture. Thirty years ago, the people of *Rawiwachi* were capable of dealing with what was happening there just by using their own resources. Nowadays, traditional *Rawiwachi* knowledge is insufficient to explain what is happening there. Climate change, tourism projects and drug cultivation are transforming the lives of the families living on the Sierra.

I believe it is necessary to build intellectual bridges, but before we can do that, we need to acquire a profound knowledge of the culture of the people and carry out serious intercultural reflection. In this sense, I am moved strongly by two desires as I enter my second year of regency. First, there is the desire to let myself be touched by Raramuri culture; and this will be done concretely by immersing myself in *Rawiwachi*, studying the language and taking part in our attempts to dialogue with Raramuri theology. My second desire is to think about the world as a whole from the perspective of *Rawiwachi*, and not simply within the framework of our own structures. This desire is taking shape among

²*Onorúame*: He who is Father.

the many questions that besiege me, and also in the ventures that we as a team are attempting to develop, such as the Food Bank, the literacy programme, the child nutrition programme and the meetings of the Raramuri governors.

After a year working on the project, after a year of friendship with “the hawks,” I recognise that this is a place that stimulates me to dream, to dream about how best to be a Jesuit in these indigenous lands, hoping always to be able to dream, one day, the dreams the Raramuri have for their children.

Juan Pablo Romero SJ
Mexico

Original Spanish
Translation by Joseph Owens SJ

Jesuit immersion in an Islamic school An Indonesian Experience

July, 3 - 17th 2009

Gregory Soetomo SJ

In early July this year, eighteen Jesuit scholastics studying philosophy in Jakarta travelled twelve hours by road to an Islamic boarding school in Salatiga in the Province of Central Java. Accompanied by two Jesuit priests - Frs. YB Heru Prakosa and Greg Soetomo - they were on their way to living in that boarding house with Muslim Clerics. Is this kind of engagement significant? What is the purpose of involvement in the Muslim community?

Religious Fundamentalism

In an Indonesian setting the relationship between Religious Fundamentalism and Islam is very relevant. Jesuits and the broader Catholic Church working here, in the midst of the world's largest Muslim population, need to come to terms with this central issue.

Religious fundamentalism has its roots in history, in social, cultural, political and economic history. GC 35 recognizes the complexity of the matter. These decrees take account of that fact.

Commitment to "the service of faith and the promotion of justice", to dialogue with cultures and religions, takes Jesuits to limit-situations where they encounter energy and new life, but also anguish and death - where "the Divinity is hidden" (GC35, D 2, n 7).

Thus as this world changes, so does the context of our mission; and new frontiers beckon that we must be willing to embrace. We plunge ourselves more deeply into that dialogue with religions ... (GC35, D 2; n 24).

In the light of this, Jesuits in Indonesia need to examine the relationship between Islam, Social Injustice and Globalisation. Careful investigation will reveal a close interconnection between the three. The capitalistic policies of the neoliberal economic system are a crucial factor in spreading the seeds of religious fundamentalism. The immersion experience was undertaken keeping this in mind.

Dynamics

The project had four dimensions. The first was a first hand experience of living and working with the Muslim community; "seeing is believing," and there is no substitute for actual experience. Second, a definite Research Methodology was followed; data gathering, interviewing techniques and social analysis were all undertaken. Third, exposure to a different philosophical and theological approaches to reality helped to integrate what was studied with real contexts. Finally, the project had pastoral implications; the results were to be of practical use to the people.

Social Package and Curriculum

The programme of Immersion in an Islamic Boarding House divided the day into distinct periods. To begin with, there was a morning discussion lasting two hours and an evening class of two hours. Three hours were allotted to field visits in the interim period. Four hours in the day were a kind of *tempus liberum*, devoted to Koran recitation, or sports, or outdoor projects or simply conversation. This meant that in the two-week time frame, 20 hours were spent in morning discussions, 20 hours in evening classes, and 24 hours to field visits and study. The last included a spectrum of Pesantren's essential life: economic cooperation skill; vocational training; entrepreneurship drilling; higher education; and agricultural training. Fifty-six hours were given over to informal dialogues on Christian-Muslim relationships, religious fundamentalism and neo-liberalism.

Morning discussions had three main subjects:

1. Research Methodology, with a focus on Participatory Action Research.
2. Neo-liberalism, with a focus on socio-economic issues, politics, popular culture and religion
3. Islamic Studies, with a focus on identity, democracy-theocracy, radicalism, women and conflict-harmony

Evening Classes/Lectures covered the following topics:

1	History of <i>Pesantren</i> in Indonesia
2	History of Islam in the General
3	History of Islam in Indonesia
4	Politics in Islam
5	Variants in Islam
6	Islamic Theology
7	Radicalism in Islam
8	Women in Islam
9	Islam and Javanese Culture
10	The Christian-Muslim Relationship

The programme offered valuable insights and different perspectives, all of which helped us understand better the context in which we live and work.

Gregory Soetomo SJ
Indonesia

BOOK REVIEW

Peines en prison. L'addition cachée
(Punishment in Prison. The hidden charges)
Guy Cossée de Maulde SJ

Philippe Landenne SJ, *Peines en prison. L'addition cachée*, preface by Françoise Tulkens, postface by Dan Kaminski Brussels, Larcier (coll. Crimen), 2008, 257 p.

This book is first of all a diary kept for five years (2002-2007) by a Jesuit chaplain in a Belgian prison (Andenne). The author, Philippe Landenne, has held this position for more than twenty years.

The account concerns the prisoners (sentenced to more than five years of imprisonment), management, wardens, administrative staff, psycho-social actors and – because it exists – the “prison system” itself.

These stories experienced on the front line are very hard – deaths in series (six, of which three suicides, between March 2002 and March 2003), a prison wardens’ strike (September 2003) during which two prisoners died dramatically, a riot with obscure origins and heavy consequences, violence among prisoners, rumours of trouble leading to a prisoner losing his job, going crazy and hanging himself, inexistent or inappropriate therapeutic follow up... and less critical at first glance, but profoundly destructive; petty-minded, even humiliating, conduct, leading to feelings of despair and hatred.

The author takes care to be objective in describing the facts and observes the actors around him with respect. He is conscious of his vow of confidentiality yet he cannot escape from the need to see clearly within himself (his difficulties and doubts) and express the reflections that these situations provoke in him as a citizen. In a critical spirit he analyses the exercise of justice in a legally constituted state, in the heart of a democratic society. He refers to official reports drawn up by the European Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment (CPT). It must be added that these (extracts of which are published in the book) confirm the statements made by Philippe Landenne, establishing uncompromising standpoints and calling for effective enforcement of the *Law of principles concerning the administration of penitentiaries and the legal status of prisoners*, passed by the Belgian Parliament in 2005.

In order to explore his reflections further, the author undertook a six month sabbatical in Canada (2005), where he participated in a formation programme at Queen’s University (Kingston, Ontario), in ‘Restorative Justice’: a healing justice which – taking into account victims, offenders and communities – “attempts to repair offences and promote recovery and growth.”

Prison – the loss of liberty – is in itself a punishment. As the title of the book indicates, the way in which prison functions today adds many other penalties –

the 'hidden charges' which affect relatives as much as the prisoners themselves! Moreover, custody does not really help - in fact the opposite is true - convicted prisoners to reflect on what they have done, enter into a process of restorative justice with respect to victims, rebuild their lives personally or socially or reintegrate into society. At an even more profound level, questions must be raised on the value of custody as a punishment in general, save perhaps in extreme cases. This is what Françoise Tulkens, a judge in the European Court of Human Rights, invites us to do in her preface.

This book deserves to be read and readers should allow themselves be moved deeply by it. Work must be done to build awareness in order for political leaders, trade unionists, journalists and ordinary citizens to overcome the uncontrolled emotions and primary instincts of 'security first' we find them so prone to. In Belgium well thought out laws have been put in place. These must be enforced and the necessary means be resolutely designated.

Guy Cossée de Maulde SJ
Belgium

Original French
Translation by Judy Reeves

Au cœur du monde. L'engagement du chrétien dans la société Guy Cossée de Maulde SJ

Jean-Marie Faux SJ, *Au cœur du monde. L'engagement du chrétien dans la société*. (In the heart of the world. A Christian commitment to society). Brussels, Éditions Lumen Vitae (Trajectoires collection, 20), 2009, 131 p.

This study intends to offer a theological foundation to Christian social and civic commitment and demonstrate its central nature. Christians are not separate from society, they live in the heart of the world. They share with their human sisters and brothers responsibility for creating a just world, a world according to the heart of God. It is thus necessary to encourage those who refer to the Christian faith to examine critically the way in which their faith underpins their commitment as citizens of the world today.

The key to the work is the reference to the Kingdom of God which occupies a central position in the Gospels, in close relation to the figure of Jesus Christ. The author proposes an exegetic journey to observe more deeply this historic reference and deploy it through time, as well as an updated analysis and situating of this commitment today, together with its community dimension. The Church will be situated here as community of the disciples of Christ, in the service of this Kingdom which expands in the heart of the world.

The world we live in today is both unified and divided. "In this context, what is important?", asks the author at the end of the book. "It seems to us," he writes "what is important is to rediscover faith in the human being, trust in the best of themselves, the call to freedom and awareness raising among men and women of good will. What is important for Christians is to commit themselves with others to this common task, bringing all the resources of the heart and spirit brought them by the Good News of Jesus Christ, and above all with unwavering hope. "Nothing will be able to separate us from the love of God in Christ Jesus our Lord" (Romans 8:39).

Jean-Marie Faux is a Belgian Jesuit and a theologian (emeritus professor at the Institute of Theological Studies in Brussels). At the same time for many years now he has been actively involved in numerous associations working for human rights and the creation of a just world. He is currently administrator of MRAX (Movement against Racism and Xenophobia) and a member of Centre AVEC (Social Research and Action Centre - Brussels). It is on the basis of situations experienced in the field that he has been inspired to re-examine the scriptural foundations of the Christian faith and write this reflection.

Guy Cossée de Maulde SJ

*Original French
Translation by Judy Reeves*

Remembering the 20th Anniversary

Dear friends and companions from UCA, IDHUCA and Radio YSUCA:

The peace of Christ and special greetings of solidarity from Africa, which is suffering but always at your side!

On this 20th anniversary of Celina, Julia Elba and our six Jesuit companions, I will be remembering them in talks in a number of cities in northern Italy. I would like to share with you three quotes where the Holy Father has spoken about Archbishop Romero:

(Angelus, 25 March 2007):

Mary's reply to the Angel is extended in the Church, which is called to make Christ present in history, offering her own availability so that God may continue to visit humanity with his mercy. The "yes" of Jesus and Mary is thus renewed in the "yes" of the saints, especially martyrs who are killed because of the Gospel. I stress this because yesterday, 24 March, the anniversary of the assassination of Archbishop Oscar Romero of San Salvador, we celebrated the Day of Prayer and Fasting for Missionary Martyrs, Bishops, priests, Religious and lay people struck down while carrying out their mission of evangelisation and human promotion. These missionary martyrs, as this year's theme says, are the "hope of the world", because they bear witness that Christ's love is stronger than violence and hatred. They did not seek martyrdom, but they were ready to give their lives in order to remain faithful to the Gospel. Christian martyrdom is only justified when it is a supreme act of love for God and our brethren.

(Interview on the flight to Brazil, 5 September 2007):

Question: "Your Holiness, we are flying to the continent of Archbishop Oscar Romero. Much has been said about the process of his canonisation. Would you be so kind as to tell us what stage the process is at and whether he will soon be canonised? Also, please tell us something about how you view him.

Response: According to the latest reports on the work of the Congregation dealing with the matter, many cases are being studied and are moving ahead. His Excellency, Archbishop Paglia, sent me an important biography, one that clears up many of the points in question. Archbishop Romero was certainly a great witness to the faith and a man of great Christian virtue; he committed himself to the cause of peace and opposed the dictatorship, and he was killed while celebrating Mass. His death, therefore, is truly "credible" in the way it witnesses to the faith. The problem has been with a political faction which sought unfairly to use him as their banner, as an emblematic figure.

Question: How is it possible to give a true presentation of Romero's stature, while protecting him from such attempts at manipulation?

Response: That is the problem, and it is being looked into. I await with confidence what the Congregation for the cause of saints has to say in that regard.

(Salvadoran bishops' ad limina visit, 28 February 2008):

The majority of the Salvadorans are known to be people of strong faith and profound religious sentiment. The Gospel, carried there by the first missionaries and preached with fervour by pastors infused with love of God, like Archbishop Oscar Arnulfo Romero, has taken firm root in that beautiful land and has produced abundant fruits of Christian life and holiness. Once again, dear Brother Bishops, we have seen the transformative power of the message of salvation, which the Church is called to announce, because most certainly, "the Word of God is not kept in chains" (2 Tm 2,9); it is alive and active (cf. Hb 4,12).

These three fragments can do much to help our meditation on this 20th anniversary of the death of our companions (November 1989), and on the 30th anniversary of the death of Archbishop Romero (March 1980), to be celebrated soon.

In a communion of solidarity with all of you, I pray that the Lord energise us so that we are able to confront the great challenges of these difficult times and wage our struggle with great faith and hope.

As always, in Christ, Michael

Milan, 16 November 2009

Michael Czerny SJ
Nairobi – Kenya

Original Spanish
Translation by Joseph Owens SJ

In Memoriam
Father Jean-Yves Calvez SJ
3 February 1927 – 11 January 2010



Social Weeks of France pay homage to Father Jean-Yves Calvez

In the name of Social Weeks in France, the renewal of which was inspired by Jean-Yves Calvez, along with Jean Gelamur and Jean Boissonnat, and mindful of the many testimonies that have been arriving since news of his passing reached us, I wish to commemorate him in this place, for his Jesuit companions and other people close to him, knowing that his thoughts and his stature as a believing man will continue to guide us, especially in the difficult times we are now experiencing.

Justice and charity

In these days, with the risk of confusion for Christians between justice and charity, due to the great value placed on interiority and individual initiative, Jean-Yves Calvez draws a clear line for us. Social justice, as a form of social organisation and public life that seeks to apportion wealth equitably and provide access to what is essential for human development to everyone, is an inescapable demand that cannot be neglected by Christians. It is evident that there will always be a need to go beyond what is prescribed by law and justice.

Charity is what urges Christians to want a just society above all. As an untiring seeker for justice, Jean-Yves Calvez was in this sense a modern prophet, and precisely in the name of that justice he waged his fiercest battles against the idea that inequalities are a necessary condition for the extension of freedom. In keeping with this conviction, the last "Social Weeks" held in Villepinte have reasserted the importance that Christians give to universal social protection based on law, and have decried the way that resources for such protection, under the pretext of modernisation, are being reduced, with the risk that life will become even more difficult for those who are the most vulnerable.

Confidence in humanity

In these times when the collective will for the common good *seems* to have become paralysed, when corruption *seems* to dominate those countries whose leaders were placed in power precisely to counter injustice, when the laws and regulations established over the years to protect the weak from abuse of power *seem* to have become irrelevant, when public opinion (much better informed than before about its responsibilities) *seems* reluctant to assume the consequences in a democratic way, Jean-Yves Calvez teaches us to look beyond these appearances and manifest our confidence in human beings, in their capacity to give a human form to their destiny and their ability to transform interdependencies into deliberate solidarity. This confidence is not naive, but a confidence born of profound understanding and observation of reality, an understanding and observation nourished by dialogue and enlivened by Hope in the Risen Christ.

Strength

Finally, I would like to honour Jean-Yves Calvez's strength.

Paul Ricoeur claims that moral strength does not consist only in a person's willingness to make commitments and take responsibility. It is also a matter of being combative and exigent toward the human community we are part of. Jean-Yves Calvez was a fighter. He fought not only against his opponents, but also against our conformism, our apathy and our illusions. He was an alarming "redistributor of lines," even within the Catholic Church, but he did it his own way, that is, with a humility that left us confounded, with a wisdom and a spirit of truth that left us disarmed, always with that smile of his that betrayed the child and youth that he was. Thus was he able to shake us out of our immobility. Christ's call to put out into deep water was expressed through him. "If nothing moves in our lives," he said only recently in this same church, "this means there is something amiss." Dear Father Calvez, we will keep on going.

Jérôme Mignon
France

Original French

Social Justice Secretariat

Borgo S. Spirito 4 – 00193 ROMA – ITALY

+39 06689 77380 (fax)

sjs@sjcuria.org