

Exiting the Road to Resentment: Moving from Reactionary Reconciliation to Social Healing with Justice

Carlton Waterhouse
(Indiana University, USA)

Abstract

The call and the need for reparations grows out of some of the worst abuses humans have inflicted upon one another. In the aftermath of past atrocities, societies often grapple to understand their identity. They routinely struggle to reconcile their contemporary moral standing with their past actions. Pressure from internal and external groups often force governments to publicly denounce past injustices and mistreatment to establish or sustain political legitimacy. Pursuing this brings them squarely into the world of reconciliation and redress. In less than a century, countries on every continent have confronted this issue. Their approaches and outcomes have varied just as widely but lessons from their experience should guide ongoing and future efforts to achieve success.

Key words : reparations , the Road to Resentment, Reactionary Reconciliation, Social Healing with Justice, political legitimacy, reconciliation, redress, lessons, experience.

The call and the need for reparations grows out of some of the worst abuses humans have inflicted upon one another. In the aftermath of past atrocities, societies often grapple to understand their identity. They routinely struggle to reconcile their contemporary moral standing with their past actions. Pressure from internal and external groups often force governments to publicly denounce past injustices and mistreatment to establish or sustain political legitimacy. Pursuing this brings them squarely into the world of reconciliation and redress. In less than a century, countries on every continent have confronted this issue. Their approaches and outcomes have varied just as widely but lessons from their experience should guide ongoing and future efforts to achieve success.

The Federal Republic of Germany, in the wake of World War II, exemplifies one of the earliest examples of this phenomenon in contemporary history. The Nazi lead government had embarked on a widescale plan of property dispossession, deportation, terrorism, and extermination. Their expressed desire to achieve a mythical racial and ethnic purity led to the deaths of millions of Jewish victims as well as many thousands of Roma, sexual minorities, and others. After the war, the new nation had to come to grips with who they were and what relationship they had to the conduct of the past regime.

They were pressured externally by the allied powers and the World Jewish Congress and internally by Germans horrified about the holocaust that had taken place in their name and by their hands. They had to address their beliefs about the policies and ideology of the former government and their responsibility for the harm it caused. They decided to break ideologically with the Nazi's, disavowing the mythology and rhetoric of Aryan supremacy. Of equal importance, however, they accepted responsibility for their actions toward Jewish people.

Because of this approach, Germany was reborn after World War II. One of the principle foundations of that rebirth was the rejection of Nazi ideology and the acceptance of responsibility to make amends for Nazi atrocities. These two courses of action by the post war government and reaffirmation by every government since make Germany one of the world's best examples of transitional justice.¹ When forced to face similar decisions too many governments refuse to break with past ideologies or

accept responsibility to redress past harms. Some cling to the same ideologies about group identities that were used to justify past mistreatment while others explicitly reject past justifications for injustice as well as responsibility to redress them. Almost all governments facing these issues today, however, at least express an interest in reconciliation. In many ways, Germany did the opposite. They began with a commitment to break with the past and provide redress that laid the foundation for reconciliation. When governments seek reconciliation without a change of heart expressed through making amends or what Roy L. Brooks calls atonement they enter the road to resentment.²

Historic injustices and crimes against humanity take place within a social context. They are rarely, if ever, the random acts of governments and their surrogates. Instead, they rest upon an ideological or mythological foundation that distances the victims from other members of the society. This foundation of ideas and beliefs undergirds and justifies mistreatment. The Holocaust reflects this in the castigation of Jews, homosexuals, and the Roma before their detention, incarceration, and extermination. During the same error, the Japanese belief in Korean inferiority and the subordination of women to meet men's needs preceded the sexual enslavement of thousands of women for the comfort of Japanese soldiers. At the same time, the United States government rounded up thousands of Japanese women, children, and men. With little notice or warning, they took them from their homes and placed them in desert camps. Businesses, homes, jobs, careers, and many other tangible and intangible possessions were lost. The justification rested in their Japanese heritage and the ongoing war with Japan. These traits, the argument said, made them a threat. However, German, Italian, and other European immigrants and their descendants faced no such treatment based on those characteristics. Anti-Japanese sentiments and racist claims about Japanese disloyalty and duplicity, however, long predated the internment itself. These types of beliefs and ideas poison societies. They foment group conflict and undermine equality.

In a prior³ issue of this journal, I explained that social dominance theory provided useful insights into reparations worldwide. I will not repeat my arguments here, but I will provide a more thorough explanation of the social psychology theory to

1. It was far from perfect, however, as the Federal Republic of Germany explicitly rejected the claims of the Roma people in the post War Era. Instead, it held fast to the ideology of Roma inferiority that led to their inclusion in the Nazi's final solution. See Carlton Waterhouse, *The Good, the Bad, and the Ugly: Moral Agency and the Role of Victims in Reparations Programs*, 31 U. Pa. J. Int'l L. 257 (2009). Available at: <http://scholarship.law.upenn.edu/jil/vol31/iss1/5>

2. Roy L. Brooks, *Atonement and Forgiveness* (2006).

3. Felicia Pratto, Jim Sidanius & Shana Levin, *Social Dominance Theory and the Dynamics of Intergroup Relations: Taking Stock and Looking Forward*, 17 EUR. REV. SOC. PSYCHOL. 271, 271 (2006).

situate this discussion. Social dominance theory provides an insightful investigation into social inequality across human societies. As a theory of intergroup relations, it combines broad social analysis with examinations of human psychology. It provides a general theory that applies across societies and relates to group interactions of all kinds.

Social Dominance Theory

Social dominance theory investigates group based social inequality in human societies. It does so by combining wide social analysis with human psychology research. It provides a general theory that applies across societies and relates to group interactions of all kinds. The theory maintains that societal structures reflect group-based social hierarchies where at least one group experiences greater social power and privilege than others. The phenomenon exists without regard to political structure, economic system or religious beliefs. Theorists describe the dominant group members disparate share of societal benefits as “positive social value.”⁴ These are found in basic resources like wealth, quality housing and healthcare, abundant food, political power, leisure, and education.⁵ Subordinate group members, correspondingly, bear a disparate share of “negative social value” seen in “substandard housing, disease, underemployment, dangerous and distasteful work, disproportionate punishment, stigmatization and vilification.”⁶

The theory maintains that societies with stable economic surplus include three systems of group-based hierarchy; an arbitrary-set system, a gender system, and an age system. The age system distributes disparate social goods and power to adults over children. The gender system maintains a disproportionate distribution of “social, political, and military power” to men over women.⁷ Under the arbitrary set system, groups positive and negative social value reflects their group membership. Arbitrary set groups are grounded in identity characteristics like race, ethnicity, nationality, class, religion, and clan. Across societies, intensity and the levels of violence used to maintain hierarchy differ, as do the boundaries of membership.

While the insights are valuable when explored comprehensively, arbitrary set dominance is most applicable to the subject of this article. The theory illustrates how identity group-based dominance results from group-based discrimination at the level of institutions, individuals and intergroup processes

and interactions. The theory explains how discrimination at different levels favors dominant groups over subordinate groups in a coordinated fashion. Despite societal claims of meritocracy, social dominance is maintained through legitimizing myths and social ideologies. Accordingly, while the use of force by governments, their surrogates, and individuals against subordinates is one aspect of group hierarchy, social dominance theory explores how existing hierarchy within the social framework is justified through social myths and ideologies as well. This illustrates one of the most significant contributions of Social Dominance Theory. It connects the mechanisms of social and structural inequality at the institutional level with the ideas, beliefs and preferences held by individuals.

Legitimizing Myths and Ideologies

Two dominance relevant social myth and ideological types exist in societies. Hierarchy enhancing myths and ideologies and hierarchy attenuating myths and ideologies. Hierarchy enhancing myths and ideologies support inequality through moral and intellectual justifications. These myths and ideas maintain that social inequality is “fair, legitimate, natural, or moral.”⁸ Current and historical examples include just world beliefs, meritorious karma, the Divine Right of Kings, Manifest Destiny, and white supremacy. Counter ideologies and social myths that challenge and undermine social hierarchy are labeled as hierarchy-attenuating legitimizing myths. Human rights, socialism, feminism, and religious egalitarianism all exemplify hierarchy attenuating myths or ideologies. In both cases, the myths rest within the world views and behavioral patterns of the society and culture.

Hierarchy and Institutions

In conjunction with the ideologies rationalizing social hierarchy, social dominance theory also investigates institutional and individual practices and behaviors that reproduce and maintain hierarchy. Hierarchy enhancing institutions are those that reproduce and maintain social hierarchy through their allocation of more positive social value to dominant groups or more negative social value to subordinate groups. Criminal justice systems serve a special role in maintaining arbitrary set group dominance. Subordinate groups routinely experience a disproportionate rate of arrest, detention, incarceration, and execution.

Hierarchy attenuating institutions sometimes

4. Id. at 272.

5. Id.

6. Id.

7. Id.

8. Id.

diminish but seldom balance the effects of hierarchy enhancing institutions. Across societies, these organizations lack resources, legal support, force, and the other bases of power enjoyed by their hierarchy enhancing counterparts. Hierarchy enhancing institutions play a critical role in maintaining social dominance because of their extensive resources, longevity, supposed neutrality, and the protection from personal culpability they provide members and beneficiaries. This leads to substantial arbitrary set discrimination across societies in education, finance, employment, housing, politics, and commerce.

Individual discrimination also furthers social dominance. When individual decisions repeated across a large scale reflect hierarchy enhancing myths in employment, education, and criminality they “stabilize group-based inequality.”⁹ Social structures themselves facilitates individual discrimination. Dominant groups can and do readily allocate social value among themselves. They also use political and economic resources collectively to ensure that negative social value is reserved for other group members. Fortunately, people with social power may use their privileges in other ways, such as confronting and challenging social dominance within their society. However, the hierarchical structure within the society means that performing actions that maintain or enhance inequality is much easier than actions that attenuate hierarchy. The result is that despite conscience and even herculean efforts of some privileged group members to undermine social hierarchy, the vast numbers of unreflective dominant group decisions replicate the existing social order twenty-four hours a day three hundred and sixty five days per year.

Social Dominance Orientation

At the level of individual psychology, social dominance is assessed as social dominance orientation (SDO). SDO measures an individual’s preference for group-based hierarchy in society. High SDO reflects a strong preference for group based social hierarchy while low SDO shows an individual’s desire for less hierarchical and more equalitarian relationships between groups. Importantly, SDO also shows an individual’s, “support or opposition to social practices that influence intergroup relations, what kinds of attitudes they have toward social groups, and whether they embrace or discriminate against outgroups.”¹⁰

In repeated studies, theorists have found critical

connections between SDO and group identity and SDO and institutional location. Rather than being uniform across society or randomly varied, studies show that SDO relates directly to group identity and status. Testing demonstrates that members of higher status groups consistently have higher SDO’s than their subordinate group counterparts. This does not mean every individual member of a group will necessarily have a higher SDO than every other member, but that overall higher status groups have higher SDOs. Theorists relate this phenomenon to the social and experiential cues that higher status group members receive from the society that reinforce and justify their superior status.¹¹ They explain:

One reason is that people’s general desire to for positive self-esteem is compatible with hierarchy legitimizing myths for people in high-status and dominant groups, making group superiority seem appropriate to them. Because dominant are generally treated better than subordinates, dominants should then feel more comfortable with group inequality. In addition, because societies define social standards in ways that benefit people in dominant groups, such groups do indeed seem better to many people, affirming the “rightness” of inequality in dominants minds.¹²

Accordingly, research indicates that SDO varies consistently with gender and arbitrary set dominance across different societies. Testing reveals that men have higher SDO than women and heterosexuals have higher SDO than homosexuals, bisexuals, and transgendered persons. Researchers also found that SDO follows group status stratification within social hierarchies. Accordingly, along class lines, SDO increases as socioeconomic status increases. Along race and ethnic lines, SDO tracks groups perceived social standing. In America, theorists found that Whites and Asians showed the highest SDO levels and African Americans and Latinos the lowest.¹³

These findings are particularly salient because SDO directly correlates with acceptance of and belief in hierarchy relevant ideologies. Researchers found, “those scoring higher on SDO were the strongest endorsers of racism, sexism, nationalism, cultural elitism, and patriotism.”¹⁴ Beyond the content of ideologies, SDO provides a general orientation toward intergroup relations. Instead of a static

9. Id. at 278.

10. Id. at 61.

11. Id. at 77.

12. Id.

13. Id. at 78–79.

14. Id. at 84.

method of thinking about group related inequality, “SDO orients people to find the most socially acceptable way of rationalizing inequality.”¹⁵ This finds keen expression in the support or rejection of governmental and other institutional policies. Persons with low SDO find rationales that attenuate hierarchy most appealing while persons with high SDO gravitate to hierarchy enhancing rationales.

SDO and Institutions

Rather than a series of unrelated findings, social dominance theory provides a comprehensive perspective on group-based inequality by persuasively linking the structural, ideological, and psychological components. As mentioned above, social institutions replicate preexisting hierarchy in societies by distributing positive and negative social value in disproportionate ways based on group identity and prevailing ideologies that legitimate and justify the inequities. Although some institutions attempt to attenuate social dominance, we saw above that the most powerful social institutions replicate and even enhance existing social hierarchies. Financial institutions, government security organizations, and the criminal justice system are prime examples of this. However, these institutions also exemplify the important relationship between SDO and hierarchy enhancing institutions.

At the institutional level individuals play social roles that may enhance or attenuate hierarchy. Just like institutions that may enhance or attenuate hierarchy, social roles can be classified as hierarchy enhancing or attenuating as well. Hierarchy enhancing roles help to police the status boundaries or pass disproportionate shares of positive social value up to high status group members or pass disproportionate shares of negative social value down to low status groups. The converse is also true. Hierarchy attenuating social roles favor subordinate group members. They attempt to reduce or ameliorate inequality produced by the system and assist lower status group members to increase their positive social value or at least lessen their share of negative social value. Prosecutors, police officers, corporate lawyers, bankers, and executives all represent persons in hierarchy enhancing social roles. Human and civil rights advocates, “charity workers, public interest and labor lawyers, social workers, labor organizers and

public defenders” all provide examples of hierarchy attenuating social roles.¹⁶

We see then that hierarchy enhancing institutions sustain and support social roles that enhance hierarchy or otherwise police status and power boundaries. In turn, hierarchy attenuating institutions sustain and support social roles that challenge or attenuate hierarchy. Using multiple studies researchers demonstrated that individuals select social roles that conform to their SDO. Likewise, groups favored selecting persons for social roles with SDOs that corresponded to the hierarchy enhancing or attenuating function of the role. In American society, we believe this is readily demonstrated in another way using gender and race. Institutions dedicated to attenuating hierarchy tend to employ higher proportions of women and people of color while hierarchy enhancing institutions have higher numbers of men and much less racial diversity.¹⁷

Consensual Ideology

Social dominance functions at the ideological, institutional, and individual levels. Across these levels, the rationalizing structures of the society itself perpetuate dominance. Institutions and individuals readily replicate dominance without thought while challenging dominance requires social participants to “swim upstream.” This asymmetrical relationship is not simply a reflection of an individual or an institution’s designation as dominant or subordinate since the social structure and cosmology shared by dominants and subordinates reinforce domination.¹⁸ Members of subordinate groups may adopt and espouse hierarchy enhancing ideologies that legitimate their subordination while members of dominant groups may embrace hierarchy attenuating ideologies.¹⁹ Ultimately, “within stable social systems, dominants and subordinates will agree with respect to legitimizing myths more than they will disagree.”²⁰

Using social dominance theory, we can see how hierarchy enhancing ideologies were influential in Nazi Germany, the Japanese conquests in Asia, and the World War II Era United States. They represent the ideas within societies that legitimate and justify the subordination of different groups within societies as natural and appropriate. These ideas protect societies and their members moral self-image despite the cruelties and injustices they may inflict. In Rwanda, before the genocide, radio and

15. *Id.* at 88.

16. *Id.* at 94.

17. This phenomenon can also be observed to some degree in the legal academy. In our experience, a higher percentages of women and students of color enroll in our civil rights, gender equality, and racial equality related courses than business, finance, and corporate law based classes.

18. *Id.* at 279.

19. *Id.* at 276. In most cases, the majorities of each group are expected to show greater endorsement of the ideologies most favorable to their group.

20. *Id.* at 40.

other mediums were used to characterize Tutus as cockroaches. The dehumanization of the group by the Hutu majority played on longstanding group-based antagonism that was fanned to a flame. The Nazi rhetoric about Jews and Romani likewise supported their mistreatment and preceded from preexisting ideas that distinguished them from other Germans. These ideas form the intellectual structure that renders the mistreatment fitting.

Reconciliation and Hierarchy Enhancing ideology

True reconciliation requires the deconstruction of these hierarchy enhancing ideas. Leaving the beliefs in place and pronouncing reconciliation for political gain fosters resentment and leaves the door open for repetition. In the United States, after two hundred and forty plus years of black enslavement the Thirteenth Amendment to the Constitution prohibited slavery. Northern and Southern whites had a formal reconciliation and African Americans were proclaimed free, yet the centuries long ideology of white racial superiority remained firmly in grained. That ideology undergirded one hundred years of legal discrimination and countless deaths and abuses against African Americans unchallenged by the larger society. During that error, race riots were an established phenomenon where white mobs laid waste to African American neighborhoods and towns in the North as well as the South. Perpetrators were almost never arrested and when they were arrested prosecution and conviction was extremely rare. No true reconciliation could occur in that climate. The ideas supporting the collective violence and the governmental complicity remained interwoven into the fabric of the white American psyche. Politically, the nation moved on through the non-violent Civil Rights Movement which exposed and morally refuted the acceptance and justification of white racial violence. Reconciliation, however, remains only a distant possibility and perceived group progress by African Americans is regularly met with resentment by many whites.

Martha Minow describes how reconciliation can grow out of the strong desire to break the cycle of violence and endless retaliation in the hope of peace.²¹ In conflicts with reciprocal violence this is correct. Reconciliation during a hot war can provide social and political stability and end violent reprisals. When addressing historic injustices, however, where violence has been one sided from government, paramilitary groups, and citizens whence comes reconciliation?

Governments and dominant groups may act with impunity when no threat of reprisal or consequences seem likely. In these cases, political agitation and moral suasion must provide the impetus for change.

That impetus, however, can lead to a “reconciliation process” that leaves harmful injuries unaddressed and leaves redress off the table. In Australia, reconciliation has been a formal ongoing process for twenty-five years between the nation and the Aboriginal and Torres Strait Islanders. In 2008, the nation issued a formal apology for a stolen generation of children taken from their parents by white Australians. With the apology there was also a clear statement that there would be no redress for what happened. This example illustrates what can happen when reconciliation between dominant and subordinate groups is prioritized over redress and the rejection of hierarchy enhancing ideology. The aboriginal people remain highly discriminated against and firmly at the bottom of the Australian social hierarchy. On almost every social indicator of wellbeing they rank at the bottom. What is the meaning and value of symbolic reconciliation in the context of social subordination and discrimination?

Reactionary Reconciliation

True reconciliation serves important social and political ends. In the context of historic injustices, however, those ends are frequently co-opted to assuage consciences, silence criticisms, and deflect calls for reparatory justice. The label “reactionary reconciliation” fittingly applies to these efforts and motivations. Reconciliation of this type values devolves to easing social tensions and ceasing complaints about past injustice. Moreover, reactionary reconciliation prioritizes “peace and quiet” over justice and fairness. It protects status quo injustices and the structures that maintain them. As social dominance theory illustrates, institutional structures replicate social hierarchy through their distribution of positive and negative social values to groups within societies. Redress efforts typically seek to address these structural inequalities through monetary distribution, property restitution and land reform, education, and other mechanisms. Reactionary reconciliation, however, rejects changes to the existing social order lobbying instead for a symbolic process that legitimizes existing social hierarchy through the forgiveness sought from harmed groups that relinquish claims for justice.

In Australia, the 2008 presidential apology for the Stolen Generation was heralded by some as a further step along the path to reconciliation. Like the United States House/Senate(?) apology for slavery in 2009, however, it came with an explicit rejection of reparations. In both cases, these purported reconciliation efforts included an express rejection of reparations. The statements revealed not only a discomfort with committing to

21. See, Marth Minow, *Between Vengeance and Forgiveness* (2009).

reparations for these longstanding injustices but an unflinching opposition to studying, considering, or even exploring redress.

As mentioned in my previous article, dominant groups in social hierarchies enjoy the privileges of political and economic power. Victims of historic injustices typically have the opposite experience. From the bottom of the social hierarchy, these groups experience social subordination that robs them of the political or economic power to force change. In the United States and Australia, the African Americans and the Aboriginal and Torres Strait Islanders also experience mass incarceration and over representation in the criminal justice system consistent with the findings of social dominance theorists. The wide scale acceptance of these disparities in both societies rests in ideologies and myths of cultural and biological inferiority, inherent criminality, and white supremacy. The provision of redress in that social context is ludicrous. The most sympathetic members of the dominant group(s) may see the circumstances of these groups as largely unfortunate and worthy of charity but not as a fundamental injustice that delegitimizes the status quo distribution of opportunities and resources from which they benefit. In turn, redress for subordinate groups that provide meaningful material benefits or structural changes that do not accrue to dominant groups members suffers constant assault and attack. Affirmative action programs in the United States, India, and in South Africa, for example, face perennial challenges from socially dominant groups in each country who do not feel the policies benefit them.

Reactionary reconciliation efforts protect social cohesion at the expense of social justice. That equation presents a formula for perpetual subordination mistreatment and abuse. Much like the experiences of civil rights workers during the American Civil Rights Movement who were encouraged by white clergy and others to stop protesting the injustice they experienced in Birmingham, Alabama so that peace could be enjoyed by all and the system could gradually improve conditions. In his Letter From Birmingham Jail, Dr. Martin Luther King, Jr. responded that the forces in the white community calling for an end to protest and complaint without justice never had to experience the suffering faced by African Americans on a daily basis. Their willingness to relinquish justice on behalf of African Americans to gain peace for themselves and others illustrates how reactionary reconciliation functions in societies. It supports the status quo by assigning a low priority to the justice claims of subordinate groups. In Birmingham, the white clergymen Dr.

King responded to see African American claims for justice as a charity that whites would provide when they got around to it rather than a fundamental right requiring immediate satisfaction. Reactionary reconciliation routinely sidesteps calls for social and structural change in favor of symbolic gestures and muted justice claims.

The social dominance orientation of members of many institutions responsible for historic injustices and atrocities matches the ideology of inferiority and criminality that supports mistreatment, abuse, and discrimination. Criminal justice systems and paramilitary groups play a special part in historic and ongoing crimes against humanity, genocide, and other injustices. In Nazi Germany, Apartheid South Africa, the United States in the Jim Crow Era, and scores of other historic examples, men entrusted with protecting life were central in destroying it for others. However, rather than the actions of rogue individuals systemic brutality routinely comes from preconceived plans and practices that reflect the devaluation of the lives of victim group members. These institutions regularly foster hierarchy enhancing ideology about subordinate groups and their "antisocial" and criminal behavior. They seek out members who have high social dominance orientations and carry out their responsibilities in ways that reinforce their beliefs.²²

The Jeju 4.3 tragedy in South Korea provides another historic example reflects the same pattern. After people were labeled as communists, whether it was true or not, military personnel and others readily used force against them. The labeling connected the hierarchy enhancing ideology that "communists" were a threat that needed to be reigned in and controlled or destroyed which enabled the perpetrators to see "communists" rather than men, women, and children in carrying out the massacre. The hierarchy enhancing ideology that they were inherently a threat because of their identity justified their arrests, detention, and ultimate assignation. True reconciliation in that and other similar circumstances requires the reform of military and criminal justice systems that use group identity as a proxy for criminality and guilt. In that case, it also requires that the United States thoroughly explore what role it played in supporting the ideology and the atmosphere that lead to the slaughter as well as its direct and indirect involvement. Further, the continued use of labels for victims of the tragedy that keep them from rejoining the political community or receiving redress falls short of the steps necessary to achieve true reconciliation.

22. As mentioned in the previous article exploring social dominance and redress in this journal, in the United States and Australia this is reflected in high rates of arrests, detention, prosecution, and sentencing of African Americans and Aboriginal peoples within respective the criminal justice systems.

Social Healing Through Justice

Eric Yamamoto and Ashley Kai'ao Obrey have advanced an excellent approach to reconciliation using a refined Social Healing Through Justice framework.²³ The refined framework reflects the critical components needed to meet the dual goals of remedy and social healing. The strength of the framework rests in the foundational relationship between social healing and justice within it. Describing the framework, they write:

*[F]or indigenous Hawaiians and other long-subordinated groups, the harms are "comprehensive," encompassing resources, culture, and governance; "sustained" over generations; and "systemwide," implicating national and local governments, businesses, and citizens. A refined Social Healing Through Justice framework suggests that in these situations, a reparatory program of reconstruction and reparation must generate change that is comprehensive, sustained, and systemwide in order to foster the kind of justice that heals.*²⁴

The framework rejects reactionary reconciliation that suggests that subordinated groups who have suffered historic wrongs and harms can reconcile with governmental and societal perpetrators without considering remediation. Using the "4 Rs" of social healing through justice—recognition, responsibility, reconstruction, and reparations—Yamamoto and Obrey capture critical aspects of a meaningful reconciliation process that can lead to social healing. Many reactionary reconciliation efforts clearly miss the mark when the four Rs are considered. Each reflects a critical stage in the process necessary to move from the deep social and psychological wounds that neglected and inadequately addressed abuses and atrocities produce. For both dominant and subordinate groups in society, the long-term failure to prioritize apology, redress, and reconciliation, or atonement, has communicated a deep social and psychological message about the unimportance of the events and the victims. These deep social messages reinforce subordination as harms and issues that disparately affect dominant groups and their members receive political and social prioritization. A sustained process that requires the inversion of the social hierarchy by focusing on the concerns and needs of subordinate group victims can be transformational itself through elevating their social standing and value within

the society. Recognition and responsibility bring governments and dominant groups to the table and prepares them for the task ahead. Reconstruction and reparations is the transformational social change that repositions injured groups within the society. Both the framework and Brooks' atonement models are multifaceted, so they both emphasize the importance of addressing the diverse needs of injured groups.

Finally, exiting the road to resentment requires an emphasis upon changing the public memory. As the foregoing discussion of social dominance illustrates, social ideologies and myths are foundational to maintaining social hierarchy. Subordinated groups who often are victims of historic injustice are routinely discriminated against through unrecognized biases that seem like common sense rather than prejudice. Reshaping the public memory of past atrocities and injustices plays an important role in deconstructing hierarchy enhancing myths and ideologies that mask and sustain social dominance and the group-based hierarchy it always produces. Through monuments, memorials, museums, and education programs societies ideologies and myths can be revised and reshaped to promote equality and justice for all members irrespective of group identity.

Unfortunately, all societies are not equally inclined or prepared to exit the road to resentment. The willingness to pursue social healing through justice and the ease with which it may be achieved likely relate to preexisting inequality and inferiority norms within the society. More homogenous societies with strong social equality norms seem more predisposed to pursue and achieve social healing through justice. In other words, where group-based dominance is less intense and social hierarchy less pronounced conditions of group inequality related to past injustices may seem less natural and therefore appropriate. In social dominance theory terms, fewer or weaker hierarchy enhancing ideologies and myths would legitimate the social inequality precipitated by historic mistreatment. As a result, advocates may more readily gain the popular and political support necessary to pursue and implement social healing through justice.

In contrast, societies with weak equality norms that readily explain group inequality through cultural, religious, or biological myths and ideologies are less likely to pursue and carry out social healing through justice. These societies would likely be more focused on restoring past perpetrators of injustice to political and social standing. Reactionary reconciliation in that context would likely carry the

23. See, Eric K. Yamamoto; Ashley Kai'ao Obrey, Reframing Redress: A Social Healing through Justice Approach to United States–Native Hawaiian and Japan–Ainu Reconciliation Initiatives, 16 *Asian Am. L.J.* 5 (2009)

24. Eric K. Yamamoto; Ashley Kai'ao Obrey, Reframing Redress: A Social Healing through Justice Approach to United States–Native Hawaiian and Japan–Ainu Reconciliation Initiatives, 16 *Asian Am. L.J.* 5, 36 (2009)

day with much less commitment to reparatory efforts for harmed groups.

The American Civil War provides a poignant example. Following the war, although legislation was passed to prohibit slavery and many of the discriminatory practices associated with it deeply held beliefs of white supremacy pervaded the country. These myths and ideologies of racial identity lead to weak equality norms for all non-whites but especially for African Americans. Accordingly, African American material inequality and economic, political, and educational deprivation was readily explained through societal myths and ideologies of group inferiority. Equality based constitutional amendments and legislation were primarily observed in their breach and calls for redress lead to arrest and incarceration for advocates. In contrast, confederates who took up arms against the national government in the war were pardoned and had their political standing quickly restored. Equality norms for whites necessitated a quick restoration of political rights and economic opportunity, however, African Americans would continue to suffer political disenfranchisement and commercial and financial discrimination over the next century and beyond.

Reconciliation and redress scholars and advocates have a great opportunity and challenge to help move nations forward who grapple with the problems of their past. The developing theories of redress and reconciliation provide great insight that can steer societies along the road to social healing and justice but broader attention to a nation's true equality norms and the intensity of social dominance within it should also be brought to bear to inform the goals, design, and implementation of the reconciliation process. Reconciliation that neglects redress and existing social hierarchy will ultimately lead to resentment. However, using the Social Healing Through Justice framework can avoid the dead-ends of reactionary reconciliation and move societies to true and meaningful reconciliation and atonement that heals the otherwise festering wounds of the past.

Receiving Date: November 21, 2017
Reviewing Date: December 27, 2017
Reporting Date of Article Appearance: December 11, 2017