



# Center for Restorative Justice & Peacemaking

An International Resource Center in Support of Restorative Justice Dialogue, Research and Training

## The Paradox of Forgiveness in Restorative Justice

(Chapter prepared for E.L. Worthington, Jr Ed.) Handbook of Forgiveness

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"Restorative Justice" has emerged internationally as a viable response to the harm caused by crime. Its acceptance and promotion are underscored by the fact that the United Nations has adopted a set of principles that encourage use of restorative justice programming by member states. In addition, the Council of Europe supports its use in criminal matters while the American Bar Association promotes the use of victim offender mediation (VOM), which is the oldest, most widely used and empirically grounded form of restorative justice, in courts throughout the United States. As an alternative to systems that advocate retributive justice, restorative justice seeks to elevate the role of crime victims and community members, hold offenders directly accountable to the people they have violated, and restore the emotional and material losses of victims by providing a range of opportunities for dialogue, negotiation, and problem solving that can lead to a greater sense of community safety, conflict resolution, and healing for all involved (Umbreit, 2001). Most restorative justice practitioners use a humanistic approach to mediation that is dialogue rather than settlement-driven.

Although forgiveness and reconciliation are important philosophical objectives for many within the restorative justice movement, little attention has been paid, until now, to defining or examining how these terms function in various contexts. The growing clinical and scholarly interest in the healing potential of forgiveness (e.g. Enright & North, 1998; van Oyen Witvliet, Ludwig, & Vander Laan, 2001; Worthington & Wade, 1999) however, has predictably pulled restorative justice into the limelight because of its ability to achieve emotional repair for the victim through processes that reduce vengefulness or increase empathy, factors that influence a forgiveness response (Strang & Sherman, 2003). In light of the parallels, it would be tempting to align restorative justice with forgiveness (e.g. Moore, 1993) and draw the erroneous conclusion that restorative justice explicitly promotes forgiveness. It is time, therefore, for restorative justice proponents to begin clarifying the question of forgiveness and providing guidance to prevent the reductionism that might otherwise simplify and distort the use of this healing tool. The purpose of this chapter, therefore, is to delineate the dimensions of forgiveness in restorative justice dialogue, review empirical and theoretical data that address forgiveness or forgiveness-related constructs in restorative justice programs and offer suggestions for clinical applications and future research.

Amidst the controversy and mixed feelings about forgiveness in the restorative justice community, Worthington (Worthington and Wade, 1999) offers a unique perspective on what he refers to as 'victim unforgiveness' which occurs as the victim ruminates about the transgression and its consequences. While this notion clearly might be offensive to many victim advocates and some restorative justice practitioners, it does provide helpful insights into the victim's emotional journey. Resentment, bitterness, hostility, hatred, anger, etc. can coalesce over time into a cold complex of emotions called unforgiveness. Unforgiveness can be described as the emotional consequence of the perceived distance between desired justice and the victim's sense of injustice. Restorative justice endeavors to decrease that distance, and the lack of resolution associated with unforgiveness, by opportunities for face-to-face meetings between victim and offender. Indeed, forgiveness and involvement in a restorative justice intervention have been shown, under

experimental conditions, to be statistically equivalent in reducing levels of unforgiving motivations, anger and arousal, and in increasing levels of empathy, forgiveness, positive emotions, and control (Witvliet et al, in press).

Four programs use restorative justice dialogue as a mechanism to address harm and foster accountability. Many of these programs draw on the cultural traditions of Native American and First Nation groups in North America and the Maori in New Zealand, who use the principles of healing and living in harmony with all beings and with nature as the basis for mending damaged personal and communal relationship (Pecos Melton, 1995). The programs are distinguished on the basis of who participates, the nature of the crime, and when the mediated dialogue occurs.

"Victim Offender Mediation" (VOM) programs, sometimes referred to "Victim Offender Reconciliation Programs" (VORP), are the most widely used and empirically substantiated form of restorative justice dialogue, with more than 1400 programs in 17 countries (Umbreit, 2001). VOM focus primarily on dialogue that is limited to the juvenile or adult offender and their immediate family members. "Family Group Conferencing" (FGC) involves the victim and the offender and the family, friends, and key supporters of both in deciding the resolution of a criminal or delinquent act. Most VOM and FGC programs work with property crimes and minor assaults. "Peace Making Circles" (also called healing circles, community circles, or sentencing circles) expand to include community issues related to a specific crime by providing the opportunity for any community member to participate in identifying the problem, suggesting solutions and making commitments to action as part of the solution. While not used as frequently as VOM and FGC, peacemaking circles are particularly effective with crimes that impact broader communities. "Victim Offender Mediated Dialogue" (VOM/D) in severely violent cases is an emerging, post-sentence, victim-driven initiative that occurs between the offender and victim. These dialogues work with the victim and offender, and often include support people, in cases of murder, rape, and aggravated assault. It requires more intense case development and extensive mediator training before bringing people together to address the horrific violence and suffering that accompany these crimes. All four programs seek to restore 'right' relationships with the community and between the parties who have been wounded by crime or delinquency.

### **The Role of Forgiveness in Restorative Justice Dialogue**

Restorative justice dialogue fosters the possibility for forgiveness but only if the victim voluntarily chooses that path (Gehm, 1992; Peachey, 1992). In this regard, restorative justice recognizes the contribution forgiveness can make to the well being of both victim and offender (Zehr, 1985) by helping release the victim from the negative power of the crime (Zehr, 1990), raising the offender back to the status of a human being (Van Biema, 1999), facilitating the offender's reintegration into the community (Cragg, 1992), restoring the victim's peace of mind (Van Strokkom, 2002) and potentially contributing to the victim's mental (e.g. Coyle & Enright, 1997; Freedman & Enright, 1996) and physical health (e.g. Witvliet, Ludwig, & vander Laan, 2001). In spite of its positive contribution, forgiveness in restorative justice has not been widely used as an outcome variable. In addition, it has not received the same attention as victim satisfaction, fear reduction, or sense of fairness. Rather, forgiveness has remained resolutely embedded in the restorative justice process while out of sight of examination. We believe that explicating the current and implicit dimensions of forgiveness may increase understanding of its unique role in restorative justice dialogue and hopefully corral how outsiders view it. The concept of forgiveness in restorative justice has five dimensions:

1) Forgiveness for the victim refers to a conscious decision to free themselves of the negative power that the offense and the offender have over a person while not condoning or excusing the actor (Zehr, 1990). Letting go of the negative power usually refers disconnecting from the trauma or releasing bitterness and vengeance. This reduction in negative motivations neither precludes nor includes positive feelings toward the offender. It is supported by findings from a recent study (McCullough, Fincham, & Tsang (in press) that found that offended parties, after interpersonal transgressions, experienced gradual reductions in avoidance and revenge motivations toward offenders over time but did not become more benevolent.

2) Many restorative justice advocates would understand forgiveness as also referring to the offender's reinstatement as a moral citizen. Restorative justice recognizes that crime breaks connections between people and between people and their community. That is, crime creates injuries. Injuries create obligations. Justice means making things right (Zehr, 1980, 1985, 1990). These maxims suggest that the ultimate goal of restorative justice is to restore the bond of

community by mending the disconnectedness between people that occurs as a result of the crime. Forgiveness is not seen as an act per se or a psychological state but rather refers to the possibility that the offender, after atoning for the crime, can be reinstated in the community as a moral citizen (Van Biema, 1999). Forgiveness, in this context, is therefore symbolic and expressed as a willingness to accept back the offender through a process of accountability, remorse, reparation, and 'forgiveness' (Dickey, 1998).

3) Forgiveness is transformed meaning. Restorative justice dialogue has no absolute standard for assessing whether forgiveness has occurred or is even feasible. Rather, the crucial dimension of forgiving is that a participant experiences a shift in understanding of, and relationship to the other person, oneself, and the world. The possibility for a shift requires an open attitude so that movement can happen as a result of how each person impacts the other. Shifts are more likely if empathy (McCullough, 2001) and remorse (Bold & Weiner, 2001) are fostered and anger and vengeance reduced (Petrucci, 2002). Forgiveness, therefore, is expressed as the transformation of meaning that allows the victim to view both his or her own experience and the violating act of another in a different light (Fow, 1996).

4) Mediators maintain neutrality about forgiveness as an outcome. The potential for victim exploitation in restorative justice dialogues suggests that forgiveness must be approached from a position of mediator disinterest in order to protect the integrity of the dialogue and the victim's safety. For example, the stated objective of restorative justice dialogue is restoration of all three parties, namely the victim, offender, and community. Many programs, however, use restorative justice dialogue as a mechanism to help rehabilitate juvenile offenders (Ashworth 2000). Moreover, it has been used to promote reform in the retributive philosophy that guides the criminal justice system. Although these agendas are worthy, the victim's needs in these instances are not primary and the victim can be treated as a necessary object to advance the offender's remediation or lower recidivism rates. The institutional practice of promoting offender apologies as a way to reduce recidivism does not recognize, for example, its potential to place victims in an obligatory position to grant forgiveness.

Likewise, crime victims are sometimes severely re-victimized by religious prescriptions for unconditional forgiveness. The internalization of these prescriptions may compromise the ability of victims to exercise free choice in their decision making. Since restorative justice has its roots in religious and spiritual traditions and values forgiveness, critics might even worry that restorative justice too could promote reconciliation, forgiving, or some other manifestation of positive regard as a prescribed outcome rather than truly respecting the uniqueness of each victim's process.

Umbreit and colleagues (2003) maintain that restorative justice dialogue must be anchored in creating a safe place that maximizes the opportunity of the involved parties to enter into a direct dialogue about the impact of the crime on their lives and their community. Mediators, therefore, need to guard the victim's emotional safety and the opportunity for authentic dialogue by remaining personally disinvested in the outcome other than to support a process of healing that may include a change in attitude toward the offender as is inherent in the concept of forgiveness.

5) Forgiveness is implicit. For many individual victims, terms such as "forgiveness" and "reconciliation" are interpreted as devaluing their criminal victimization or as judging their legitimate anger and rage as inappropriate (Murphy, 2002). Therein lies the paradox. Although forgiveness and reconciliation represent a powerful potential outcome of the process of mediator-assisted dialogue and mutual aid between crime victims and offenders, the more one talks about these concepts, the more likely they will be heard as behavioral prescriptions and the less likely victims will participate and have the opportunity to experience elements of forgiveness and reconciliation (Umbreit, 1995). Since the word 'forgiveness' is a lightning rod for many crime victims and their advocates, the power of forgiveness in restorative justice may be tied to keeping it an implicit part of the process rather than making it explicit (Hill, 2001; Kurtz & Ketcham, 1992). Indeed, forgiveness may occur as a byproduct that is communicated nonverbally through a shift in attitude e.g. letting go of anger, or behavior, e.g. no longer fighting against the offender's parole (Enright, 1999; Strang, 2002). "You might see only the shadow forgiveness casts on their relationship: the accommodation, the acceptance, the reconciliation" (Reimer, 1996, p. 1 L)

6) Forgiveness requires a bilateral process. Restorative justice dialogue is based on the premise that victim and offender are together, in part, because each has the power by virtue of his or her physical presence and behavior to potentially help heal the other. Forgiving in the context of restorative justice dialogue, therefore, is inseparable from the dyadic relationship. In unilateral forgiveness, victims work independently of those who have offended them. In

bilateral forgiveness, victims work through the stages with the offender, dealing with issues of acknowledgment of wrongdoing, acceptance of responsibility, apology, offers of restoration, requests for forgiveness, etc (Dickey, 1998; Kittle, 1999). In this regard, bilateral forgiveness, is a journey involving numerous elements and steps, rather than a one time all-or-nothing event.

Forgiveness in restorative justice is multifaceted and conditioned by a protective reactivity against the imposition of religious doctrine or social expectation. Forgiveness refers generally to offender reinstatement and specifically to transformed meaning that reduces unforgiveness in the victim. Forgiveness, in the context of restorative justice, is a derivative of a bilateral process that requires victim and offender to be emotionally available to each other. The emergence of authentic forgiveness is protected by the mediator's de-investment in a particular outcome and awareness that forgiveness is an implicit rather than explicit part of the process. Notwithstanding the forgoing comments, restorative justice advocates also recognize and accept that many victims choose to forgive because granting forgiveness is congruent with their personal or religious beliefs.

### **Theoretical and Empirical Literature on Forgiveness**

Applied studies of forgiveness in restorative justice dialogues are thin. Outcome studies have focused on participant satisfaction (e.g. Umbreit, Coates, & Vos, in review) or offender recidivism (e.g. Nugent, Umbreit, Wiinamaki and Paddock, 2003) rather than forgiveness as indicators of change. Little is empirically known, therefore, about whether restorative justice dialogue realizes its full potential (Strang, 2002). Theoretical formulations as well as findings from clinical and experimental studies, however, have repeatedly shown relationships between forgiveness-related constructs, i.e. apology, remorse, and empathy and victim forgiveness (McCullough, Worthington, & Rachal, 1997; McCullough et al., 1998) and forgiveness and justice (Exline & Baumeister, 2000; Exline, Worthington, Hill & McCullough, in press; Witvliet et al, in press; Worthington, 2000).

Forgiveness in Minor and Major Crimes Outcome studies that specifically address forgiveness and changes in victim attitudes toward offenders have been conducted on family group conferencing in Australia (Strang, 2002) and VOMD in Ohio and Texas (Umbreit et al, 2003). Reviews of victim satisfaction in VOM programs in North America and Europe also provide some data on forgiveness-related constructs (Umbreit, 2001; Umbreit, Coates, & Vos, 2002).

Family group conferencing. A study known as the Reintegrative Shaming Experiments (RISE) project in Canberra, Australia analyzed victim effects after random assignment of 275 offenders to court or diversionary restorative justice conference for violent crimes (n= 100) and property crimes (n=175) (Strang, 2002). Victim-based response rate was 89% (88% for property crimes and 91% for violent crimes). Victims who attended a restorative justice conference later said that they forgave their offenders in 39% of the cases. A forgiving disposition may be indicated by the fact that 36% of all conference victims reported that wanting to help the offender was an important reason for their participation.

Statistically significant differences between conference and court victims were found for anger reduction (63% vs 29%), sympathy for the offender (48% vs 19%), incidence of apology (72% vs 19%), sincerity of apology (77% vs 41%), and effect of the intervention on closure (60% vs 20%). Conference victims also felt that meeting with the offender repaired the harm (54%), helped reduce shame and embarrassment (28%), and assisted them in feeling more settled (41%). Fewer victims reported fear after the conference (14%) than before meeting with the offender (38%) ( $p < 0.0001$ ).

The RISE experiment also analyzed the differential impact of crime (property vs violent offenses) on conference victim's pre and post responses. Increase in sympathy for offenders was greater for victims of property crime (22% to 58%) than violent crime (14% to 34%). Reduction in anger was greater for victims of property crime (58% to 24%) than violent crime (67% to 36%). Reduction in anxiety was greater for victims of violent crime (58% to 42%) than for property crime (40% to 31%). Reduction in shame was greater for victims of violent crime (57% to 38%) than for property crime (28% to 17%).

The relational hypothesis that victims and offenders influence each other toward similar positive (or negative) views was examined. Victims and offenders did not influence each other in their participation in the process, perceptions of procedural justice, or legitimacy of the process. They did influence each other in the dimensions of empathy on

emotional restoration and vengefulness on emotional harm. Although the direction of causality could not be tested due to the statistical procedure used, the finding that victims and offenders influence each other towards similar positive (or negative) states is important for understanding the synergistic processes that may impact bilateral forgiveness.

Victim Offender Mediation (VOM). Reviews of victim satisfaction in over 63 studies of VOM programs in North America and Europe also provide some data on forgiveness-related constructs (Umbreit, 2001; Umbreit et al, in review; 2002). Two multisite assessments (Coates, Bums & Umbreit, 2002; Umbreit, Coates & Vos, 2001), for example, show that the top ranking victim reason for choosing to participate was to help the offender. Moreover, offenders participate to take direct responsibility for their own actions, pay back the victim, and apologize for the harm (Umbreit, 2001). Reasons for participation suggest that both parties feel a pull to 'reach' the other in some meaningful way.

In addition, victims indicate that financial or material reparations are less important to them than the opportunity to talk to the offender about the crime (Coates & Gehm, 1989; Umbreit, 1995; Umbreit & Coates, 1993; Strang, 2002). Victims who participated in VOM were also 2.6 times more likely to forgive the offender (Poulson, 2000) and feel less fear (11%) than victims in court (31%) (Umbreit, 1995). They also reported more satisfaction (79%) than victims in court (57%) (Umbreit, 1994; Umbreit & Coates, 1993). Secondary analysis of satisfaction data from a US study and a Canadian study found that 40% of the variance was associated with three variables: 1) the victim felt good about the mediator, 2) the victim perceived the resulting restitution agreement as fair, and 3) the victim, for whatever reason, had a strong initial desire to meet the offender (Bradshaw and Umbreit, 1998; Umbreit and Bradshaw, 1999).

A review of four studies found that offenders were 6.9 times more likely to apologize to the victim in VOM and family group conferences than in court (Poulson, 2000). That is, nearly three out of four (74%) offenders in restorative justice apologized, whereas almost three out of four (71%) offenders in court did not apologize. Umbreit and Coates (1992) too found that 9 out of 10 offenders listed apologizing to the victim' as one of the 4 most important issues in the mediation process. Although these studies did not measure forgiveness, it is likely that the extensiveness of offender apology may play an important role in influencing changes in victim attitudes. Moreover, reviews of VOM studies show that offenders have opportunities to hear the victim's perspective, apologize, explain their actions, and offer restitution, all of which can facilitate forgiveness by victims (Gehm, 1992; Peachey, 1992).

Victim Offender Mediated Dialogue. There is speculation that the greatest benefit from restorative justice may be found in the most serious crimes because the higher level of emotional engagement by victims and offenders is the mechanism leading to the emotions of empathy and remorse (Strang and Sherman, 2003). Although information on the results of VOMD is limited to a number of small case studies, a program evaluation in Canada (Roberts, 1995), and a multi-site qualitative study of pioneering efforts in two states (Umbreit et al, 2003), participant self reports indicate exceptionally high levels of client satisfaction with the process. Since VOMD is a post sentence and victim-initiated initiative, it offers a laboratory for studying victim forgiveness and offender remorse independent of outside incentives or the legal proceedings that accompany other restorative justice dialogue programs.

Umbreit and colleagues (2003) conducted extensive post VOMD interviews with the first 79 participants in Texas and Ohio. Among other reasons, victims participated to share forgiveness (23%) and out of concern for the offender (18%). Offenders participated to apologize (38%) and to benefit victims (95%) including helping victims heal (38%) and release anger (13%).

Over half the sample spoke spontaneously of forgiveness issues during the interviews. Victims who forgave the offender did so either prior to the meeting (n=10) or during their encounter (n=5). There were three additional victims who indicated they had moved toward forgiveness and thirteen others who either did not forgive (n=8) or felt they would never forgive (n=5). Forgiveness was mentioned by 64% of offenders. They reported that victims had either shared (n= 10) or almost shared forgiveness (n=4) with them during the meeting. They also indicated that they could forgive themselves (n=2), needed God's forgiveness (n=3), or couldn't forgive themselves (n=2).

Self-reported victim change included letting go of hate, placing anger where it belongs, and experiencing the offender's ownership and remorse. Self-reported offender change included being accountable, seeing the victim as a person, understanding the impact of their actions, being able to give something back, and feeling the victims' opinion [or them]

had changed for the better. Moreover, 80% of the total sample reported that the dialogue had a profound effect on their lives and 58% of victims indicated that the meeting had changed their feelings for the offender for the better.

Although forgiveness is not a stated goal of VOMD, this study suggests that forgiveness is an important consideration in the minds of victims and offenders. It also shows positive changes in reducing unforgiveness without an explicit expression of forgiveness or apology which support findings from Witvliet et al. (in press) on justice outcomes in the absence of intentional forgiveness.

Self reports indicate less victim anger and offender remorse. Some interest in greater 'reconciliation' is shown by the fact that 18% of participants either wanted or were already engaged in additional contact with each other.

### Conditions that Facilitate Victim Forgiveness

Restorative justice dialogue implicitly relies on the importance of emotional processes. Although forgiveness has not been widely examined, there is a wealth of theoretical and empirical knowledge about emotional dispositions that increase the possibility of forgiveness and have application to restorative justice dialogues, namely apology, remorse, and empathy.

Apology. There is clear evidence that crime victims want apologies (Strang, 2002) and that apologies influence whether forgiveness occurs (Darby & Schlenker, 1982; Exline, Yali, & Lobel, 1998; Witvliet, Worthington, Jr., Wade, & Berry, 2002). Apology-making stimulates emotional dissonance and humility which allows victims to recognize their own transgressions and respond on the basis on commonalities rather than differences (Kelln & Ellard, 1999; Levenson & Ruef, 1991; Takaku, 2001).

The giving and receiving of apology, however, have sparked debate about issues of power and control between victim and offender. For example, the emphasis on victim need for apology allows the offender to maintain control (Kittle, 1999) and waiting for the apology as a precondition for forgiveness gives the offender too much power (Regehr & Gutheil, 2002; Witvliet qtd. in Keeler, 1998 10). Umbreit (1994) also argues that victims may feel bound by social protocol to give young offenders the opportunity to make amends. In contrast, Petrucci (2002) maintains that the offender's taking of responsibility empowers the victim and contributes to the offender's positive self attributions.

Apology-making has also raised concerns about the authenticity of the offender's response. Bazemore (1999) states that the practice of having juvenile offenders write apology letters to their victims is gaining increasing acceptance. Coerced apologies (Baldry, 1998) raise concerns about revictimization (Lavery & Achilles, 1999) and turn a potentially healing process into something mechanical and offensive. Since even weak or indirect apologies influence the willingness to forgive (Bennett & Dewberry, 1994; Girard, Mullet & Callahan, 2002), it is important to recognize strong social norms that encourage victims to accept an apology regardless of its strength (Petrucci, 2002).

Remorse. Murphy and Hampton (1988) contend that intentional wrong doing creates moral injury because it degrades the victim. The motivation for sincere repentance is to restore status to the victim by repairing the message of victim unworthiness that accompanies crime. This is, the showing of contrition transforms the victim from object to a human other (Gobodo-Madikizela, 2002)). Sincere repentance, however, rests on feeling shame for what one has done through inducing and activating conscience (Ahmed, Harris, Braitwaite & Braithwaite, 2001) a humbling of will, and the desire to undo the wrongdoing.

Although the emotional dynamics of confrontations have yet to be investigated (Van Strokcom, 2002), remorse has shown the largest overall multivariate effect on measures of forgiveness (Gold & Weiner, 2001). It also increases the likelihood of getting more positive judgments from victims (Daly, 2001). Although speculative, remorse likely impacts victims' future expectations of offenders. Specifically, remorse can affect perceived internalizations; of a person's moral code and be experienced as proof of sincerity. Moreover, victims report reduced revenge and avoidance, less anger, less fear and more forgiveness only after a 'strong' apology (Witvliet et al, 2002). It is hypothesized that victim empathy is evoked because the remorseful offender appears as a wounded person in pain and pain cannot be evil. (Tavuchis, 1991, Shabad, 1988, Gobodo-Madikizela, 2002). Apology also removes the victim's shame. In its place,

victims may compare themselves to the offender and feel hypocritical (Takaku, 2002; Exline et al, in press) because they know that they do have done wrong. The cognitive dissonance is reduced by the victim's acknowledgement of shame associated with past deeds which creates a bond between victim and offender (Scheff, 1998).

Empathy. Empathy is the only psychological variable shown to facilitate forgiveness when induced experimentally (McCullough, 2001). Indeed, empathy completely mediates the apology-forgiveness connection (McCullough et al, 1997; McCullough et al, 1998) which suggests that the linear sequence is from apology to empathy to forgiving rather than apology to forgiving. Moreover, empathy-based forgiveness results in more forgiveness than non empathy-based forgiveness (McCullough et al, 1997). Empathy reduces the injustice gap by helping victims to see themselves as less innocent and their offenders as less evil (Exline et al, in press; Worthington, in press).

Conditions that effect forgiveness include apology, offender attributions, empathy, and relationship closeness (McCullough, 2000; McCullough et al, 1998). Victim perception of offender intentionality (Boon and Sulsky, 1997; Gonzales, Haugen & Manning, 1994; Zechmeister & Romero, 2002), and severity of the crime (e.g. Bonach, 2001; Bradfield & Aquino, 1999; McCullough, 2000; McCullough et al, 1998) also influence the willingness to forgive. Many of these relationships have been established in experimental or clinical settings but now need to be shown in applied settings such as restorative justice dialogues.

Debate continues over whether or not apology making is a necessary condition for granting forgiveness. Zechmeister & Romero (2002) found that in forgiveness narratives, apology and attempts to make amends were present in fewer than 20% of the forgiveness narratives. Moreover, it is important for victims to know that victim healing is possible without forgiveness. Victim participation in restorative justice dialogues consistently shows a generalized reduction in fear and anxiety, both fear of being re-victimized by the particular offender as well as more free floating anxiety (Umbreit, 1994, 1995). Specific studies (e.g. Strang, 2002) have shown less anger and shame and reparation of the harm. The decrease in unforgiveness may result from the affective interplay between victim and offender that reduces the sense of injustice through apology making, remorse, and empathy.

### **Research Directions**

There is a sizable body of knowledge on forgiveness based on theoretical formulations (e.g. McCullough, Pargament & Thoreson, 2000; Worthington, 1998) and experimental (e.g. Witvliet et al, in press), and clinical (e.g. Coyle & Enright, 1997; McCullough & Worthington, 1995) studies. A number of instruments to measure forgiveness (e.g. Berry, Worthington, Jr., Parrott, 111, O'Connor & Wade, 2001; Subkoviak et al, 1995) have also been developed. Applied research is needed, however, to test findings with relevant populations outside of the readily available college student.

Restorative justice populations offer a unique real-world opportunity to examine formulations about forgiveness and forgiveness-related constructs. Moreover, since restorative justice can examine these constructs in the context of specific crimes, it can reduce possible measurement error due to variation in perceived severity, salience and recency of the transgression. Restorative justice populations also allow a focus on the dyad which broadens the perspective to include more than just the person doing the forgiving. In this regard, we need more research on bilateral forgiveness including attention to how variables interact concurrently, not just how they predict or relate in a unidirectional manner (Moore, 1997).

Our current research applies both theory and findings from experimental and clinical studies to a realworld population of victim and offender participant dyads in a VOM/D program for crimes of severe violence. It uses a combination of surveys, standardized measures, and inmate behavior and recidivism reports to gather information at four points on whether change occurs in victim and offender attitudes (e.g. revenge, rumination, forgiveness, empathy, gratitude), and spirituality, victim physical and psychological symptoms, and offender behavior. As the first empirical study to date of the VOM/D intervention, it offers a unique opportunity with an unusual sample to test out relationships between forgiveness-related constructs and the cumulative or dosage effects of an intense intervention in an applied and dyadic context.

We hope that researchers will also examine the following issues. Little is known about the percentage of victim participants that forgive offenders in restorative justice dialogues and the conditions that accompany forgiveness. Specifically, what are the post mediation outcomes for victims who forgive, intend to forgive, are open to forgiving, or do not intend to forgive prior to the dialogue? What events occur during the dialogue to generate or impede victim forgiveness?

Although studies show that victims participate in dialogues because they want to meet offenders (Bradshaw and Umbreit, 1998; Umbreit and Bradshaw, 1999), the motive(s) for meeting is not clear. Victims might want to assess the offender's remorse, ensure restitution is made, share the impact of the offense, receive an apology or, in some instances, grant forgiveness. Studies are also needed on motives for victim forgiveness for those victims who elect to forgive. Do victims forgive to reduce discomfort to behave in accordance with principles and beliefs, to express acceptance of the offender after receiving an apology, or possibly to reduce offender's fear of the victim and gain the offender's co-operation in dealing with unanswered questions about the crime? Moreover, how do motives impact outcome. Huang and Enright (2000) found that individuals who forgave out of love for the offender showed less elevation in systolic and diastolic blood pressure when recalling the event than those who forgave out of religious obligation.

Although crime type influences victim response, are certain crimes more unforgivable than others? Studies show severity of the crime (Strang, 2002) and criminal intent (Gonzales et al, 1994; Marcey, 1995) influence victim harm. Moreover, some crimes may be so atrocious (e.g. serial rapists, mass murderers) that victims would find it morally wrong to forgive the offender. Some restorative justice advocates (e.g. Umbreit et al, 2003) argue that restorative justice may be applied most meaningfully to crimes of severe violence. Although forgiveness is not an inherent part of this consideration, empirical studies are needed to ascertain the impact of crime type on victim response, including receptivity to forgiveness, and to examine possible change in victim perception of criminal intent in restorative justice dialogue.

Enright (2002) has argued that forgiveness is a process but little is known about the process for victim participants in restorative justice dialogues. Restorative justice dialogue programs that include a lengthy preparation (e.g. VOMD) prior to the actual meeting provide the opportunity to examine victim change in forgiving over time. A growth curve analysis might offer information about the role of time and the cumulative effect of pre-meeting preparation on victim forgiveness.

Longitudinal studies might also provide information about the significance of preparation on both victims and offenders including victim empathy and offender remorse and apology making. In some restorative justice programs, the mediator is more active with participants prior to the actual meeting than during the dialogue. Consequently, such research could also examine the mediator's influence on victims and offenders which might provide data about effective interventions on victim rumination or anger and offender denial, proclivities that negatively influence victims' unforgiveness.

Research is needed on the impact of forgiveness on offenders. Participants who received forgiveness (Kelln and Ellard, 1999) under experimental conditions were more amenable than those who did not. Does this inducement of pro social behavior suggest that receiving victim forgiveness may positively influence offender behavior generally? Exline and colleagues (in press) suggest that premature expressions of forgiveness could also reduce repentance by alleviating the moral pressure necessary for reintegrative shaming as practiced in the RISE project (Strang, 2002) or contribute to revictimization. Studies are needed, therefore, on offender behavior after forgiveness is granted.

The necessity to keep forgiveness implicit rather explicit in restorative justice dialogues requires new knowledge of verbal and non verbal communication and participant' perceptions of having given or received forgiveness and apology. Analysis of videotaped mediations and qualitative studies on the participants' lived experience of the dialogue might begin to delineate the dimensions of implicit forgiveness. The field itself must decide if evidence of fallibility and vulnerability inherent in apologymaking (McCullough, 2001) or acknowledging ultimate responsibility, expressing genuine sorrow and regret, and pledging responsibility, expressing genuine sorrow and regret (Tavuchis, 1991) or the transformation of bitterness and resentment into compassion (Umbreit, 2001) constitute implicit

forgiveness. Alternately, is evidence of a reduction in unforgiveness, sufficient to determine forgiveness has occurred if forgiveness is defined as an absence of revenge and avoidance?

In conclusion, future studies of forgiveness in restorative justice dialogue need to address bilateral forgiveness under applied conditions, the prevalence and type of victim forgiveness, victim motive, the significance of crime type on victim forgiveness, the development of the forgiveness response over time, and the impact of victim forgiveness on offenders. Future research also needs to delineate indicators of implicit forgiveness to ensure respect for the sensitivity toward the victim's process.

### **Conclusion**

Proponents of restorative justice face a significant dilemma. Forgiveness has been demonstrated to occur in the most horrendous of crime (Umbreit et al, 2003). Outcome studies also show that forgiveness-related constructs (e.g. empathy, remorse, and apology) as well as concerns about forgiveness are a part of the dialogue experience for a sizable number of victims and offenders. The extrapolation of forgiveness for study, however, gives it pre-eminence over the other components of healing and raises valid concerns among victim advocates and victim services staff about the possible imposition of external agendas on victims. Since victims have historically been given no voice or were valued only as witnesses by the criminal justice system, it is imperative to protect their safety and the integrity of the restorative justice process by paying close attention to the emergence of scholarly interest in the health-promoting effects of forgiveness related to criminal offenses.

The significance of both forgiveness and restorative justice is their potential to facilitate victim healing. If victim healing is paramount, then constructs such as reduced anger and increased empathy may be as important as forgiveness. Moreover, victim healing in restorative justice requires and is intricately wrapped up in restoring victim safety and security. Victim safety and protection from prescribed forgiveness have been ensured, so far, by making forgiveness 'irrelevant', which allows it to play naturally in the background. The goal in restorative justice, therefore, needs to remain on creating conditions that further healing including conditions such as offender apology and remorse that may facilitate victim-desired forgiveness. It is also important that the institutional and structural approaches that lead to forgiveness continue to be as flexible as necessary to assist rather than inhibit the healing process of both victims and offenders.

Forgiveness in the context of restorative justice remains a paradox. The more the concept of forgiveness is used as an explicit intervention, many victims and victim advocates will, at best, feel unsafe or even preached at. Some may feel quite offended. On the other hand, the more forgiveness remains in the background with the focus on creating a safe place for dialogue, the more likely many, if not most, victims will feel safe enough to travel the path of authentic forgiveness if that is what they truly desire.

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