

DUKE UNIVERSITY SCHOOL OF LAW

**LAW AND  
CONTEMPORARY  
PROBLEMS**

**GROUP-CONFLICT RESOLUTION:  
SOURCES OF RESISTANCE TO  
RECONCILIATION**

*ERIN ANN O'HARA  
SARA SUN BEALE*

*SPECIAL EDITOR*

VOLUME 72

NUMBER 2

SPRING 2009

# LAW AND CONTEMPORARY PROBLEMS

---

Volume 72

Spring 2009

Number 2

---

## GROUP-CONFLICT RESOLUTION: SOURCES OF RESISTANCE TO RECONCILIATION

*Erin Ann O'Hara and Sara Sun Beale*  
Special Editors

INTRODUCTION .....	i
	<i>Erin Ann O'Hara</i>
VICTIMS, "CLOSURE," AND THE SOCIOLOGY OF EMOTION.....	1
	<i>Susan A. Bandes</i>
POLARIZATION: THE ROLE OF EMOTIONS IN RECONCILIATION EFFORTS.....	27
	<i>Meghan Clarke</i>
THE UNFORGIVING: REFLECTIONS ON THE RESISTANCE TO FORGIVENESS AFTER ATROCITY .....	33
	<i>Thomas Brudholm, Valérie Rosoux</i>
INSTITUTIONS FROM ABOVE AND VOICES FROM BELOW: A COMMENT ON CHALLENGES TO GROUP-CONFLICT RESOLUTION AND RECONCILIATION .....	51
	<i>Laurel E. Fletcher</i>
TRUTH, UNDERSTANDING, AND REPAIR .....	57
	<i>E. Franklin Dukes</i>
A BIOLOGICAL APPROACH TO UNDERSTANDING RESISTANCE TO APOLOGY, FORGIVENESS, AND RECONCILIATION IN GROUP CONFLICT.....	63
	<i>Douglas H. Yarn, Gregory Todd Jones</i>
UNLEARNING FEAR OF OUT-GROUP OTHERS .....	83
	<i>Terry A. Maroney</i>
ENCOUNTERING AND COUNTERING TRIBAL CONFLICT WITH FILM AND DIALOGUE .....	89
	<i>Steven D. Martin</i>

SKIRMISHES ON THE TEMPORAL BOUNDARIES OF STATES.....	95
	<i>Meir Dan-Cohen</i>
COMMENT ON MEIR DAN-COHN, <i>SKIRMISHES ON THE TEMPORAL BOUNDARIES OF STATES</i> .....	115
	<i>John C.P. Goldberg</i>
ON LEGITIMACY THEORY AND THE EFFECTIVENESS OF TRUTH COMMISSIONS.....	123
	<i>James L. Gibson</i>
LEGITIMACY AND EFFECTIVENESS OF A GRASSROOTS TRUTH AND RECONCILIATION COMMISSION .....	143
	<i>Jill E. Williams</i>
PERSISTENT NONVIOLENT CONFLICT WITH NO RECONCILIATION: THE FLEMISH AND WALLOONS IN BELGIUM.....	151
	<i>Robert Mnookin, Alain Verbeke</i>
GOVERNING PLURALISTIC SOCIETIES .....	187
	<i>Tom Tyler</i>
EXAMINING THE APPLICABILITY OF THE CONCEPTS OF APOLOGY, FORGIVENESS, AND RECONCILIATION TO MULTI-STAKEHOLDER, COLLABORATIVE PROBLEM-SOLVING PROCESSES.....	193
	<i>Jennifer Pratt Miles</i>
USING CRIMINAL PUNISHMENT TO SERVE BOTH VICTIM AND SOCIAL NEEDS .....	199
	<i>Erin Ann O'Hara, Maria Mayo Robbins</i>
COMMENT ON <i>USING CRIMINAL PUNISHMENT TO SERVE BOTH VICTIM AND SOCIAL NEEDS</i> .....	219
	<i>John O. Haley</i>
A REFLECTION AND RESPONSE TO <i>USING CRIMINAL PUNISHMENT TO SERVE BOTH VICTIM AND SOCIAL NEEDS</i> .....	227
	<i>Rev. Dr. Kenneth R. Downes</i>
NEVER BEING ABLE TO SAY YOU'RE SORRY: BARRIERS TO APOLOGY BY LEADERS IN GROUP CONFLICTS .....	233
	<i>Roger Conner, Patricia Jordan</i>
SAVING FACE: THE BENEFITS OF NOT SAYING I'M SORRY .....	261
	<i>Brent T. White</i>
CAN EFFECTIVE APOLOGY EMERGE THROUGH LITIGATION? .....	271
	<i>Alphonse A. Gerhardtstein</i>