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### Official Apologies

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## Official Apologies<sup>1</sup>

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### Introduction

*The Man in the White Sharkskin Suit* is an autobiographical story of the expulsion of Arab Jews from Egypt after the 1956 Suez War. After the book was published the author, Lucette Lagnado, received a letter from a retired Egyptian diplomat who wrote ‘almost no one wants to admit the horrible... even criminal way Egyptian Jews have been treated.’ As Lagnado commented, ‘I realized that after forty years, my family—and tens of thousands of others—had finally obtained...what they had most wanted, other than the ability to return: An apology—an acknowledgment of our pain.’<sup>2</sup>

According to a United Nations General Assembly Resolution, “victims of gross violations of international human rights law and serious violations of international humanitarian law” have the right to a remedy. Remedies include *inter alia* “Public apology, including acknowledgement of the facts and acceptance of responsibility;”

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<sup>1</sup>Peter Baehr, Mark Gibney, Nava Löwenheim, Joanna Quinn, and Doron Shultziner offered valuable comments on an earlier draft of this manuscript, as did Peter Malcontent and Marcus Duwall: I am grateful to all of them. I also thank Kwan-Sen Wen for his research assistance, and the Centre for International Governance Innovation for appointing Mr. Wen as my research assistant. I am grateful to the Canada Research Chairs program for the funds and time to write this chapter, and to Wilfrid Laurier University for appointing me to my Chair.

<sup>2</sup> Lucette Lagnado, *The Man in the White Sharkskin Suit: A Jewish Family's Exodus from Old Cairo to the New World* (New York, Harper Perennial, 2008), Post script 15.

“Verification of the facts and full and public disclosure of the truth;” and guarantees of non-repetition, all aspects of a complete and satisfactory apology. Victims are defined as “persons who individually or collectively suffered harm” as well as “the immediate family or dependants of the direct victim.” Thus, evolving international law requires apologies to victims and their direct family members for gross violations of their human rights. This Resolution, however, does not call for retrospective apologies for events that have no surviving victims or family members or dependants.<sup>3</sup> Nevertheless, since the 1980s official apologies have proliferated.<sup>4</sup>

I define an official apology as an apology by a corporate entity with standing to represent a group of some kind. The corporate entity is often a state, but could also be a business or a private group such as a religious community. The corporate entity issues the apology in the name of the group it represents, such as the citizenry of a country, the officers and shareholders of a corporation, or the members of a religious community. The individual who delivers the actual apology has standing to do so because she officially represents the corporate entity, regardless of whether the incident or words for which she is apologizing occurred during her tenure in office. Many corporate entities such as states last over centuries; just as a successor government of a state takes over the monetary debts accrued by previous governments, so it takes over the legal and moral debts of its predecessors.

Decisions to issue official apologies raise complex questions about trans-generational justice, or justice from living people to past

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<sup>3</sup> General Assembly of the United Nations, ‘Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,’ GA Resolution 60/147, 16 December 2005. Section V, Article 8; Section VIII, Article 22, e; Article 22, b; Article 23.

<sup>4</sup> For explanations of most of the apologies mentioned in this chapter, as well as links to the texts of the actual apologies and/or press articles about them, see Rhoda E. Howard-Hassmann, Editor, Political Apologies and Reparations Website, Wilfrid Laurier University, Waterloo, Ontario, Canada, <http://political-apologies.wlu.ca>.

generations. Individual members of corporate entities often oppose apologies issued in their name on the grounds that they are not personally guilty of actions taken by either their actual biological, or their corporate, ancestors. Many private citizens opposed an apology for the slave trade by Britain on the grounds that neither they nor their ancestors were involved in the trade, and they therefore did not want the British government to apologize in their name. This appeared to be, for them, a matter of human dignity or moral stature; they did not want to be held culpable for an act for which they bore no personal guilt.<sup>5</sup> Although an official apology bore no material costs, the moral cost to them was the undermining of their ancestors' reputations.

In favour of official apologies for past wrongs, one can argue that while guilt, or fault, is an attribute held by an individual only if she has actually committed a harmful act, responsibility is another matter. Membership in a corporate entity means the individual shares in the entity's responsibility to ameliorate the consequences of injustices that it perpetrated. The corporate entity bears this moral responsibility even if its actions or lack of action were legal at the time they occurred.<sup>6</sup> Moreover, the human dignity of those whom the entity has wronged is at stake, and overrides any damages to the human dignity of individual members of the corporate entity that might be a consequence of the apology. If no apology for the harm is offered, then the wronged are not recognized as morally equal human beings, deserving of respect from those who wronged them. Even if the actual victims are dead, their descendants may still suffer from the grievous wrongs inflicted on their ancestors and still be in need of "moral restitution."<sup>7</sup>

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<sup>5</sup> Michael Cunningham, "It Wasn't Us and We Didn't Benefit": The Discourse of Opposition to an Apology by Britain for its Role in the Slave Trade,' *The Political Quarterly*, vol. 79, no. 2, 2008: 252-59.

<sup>6</sup> Janna Thompson, *Taking Responsibility for the Past: Reparation and Historical Justice* (Cambridge, UK: Polity Press, 2002), xviii-xix.

<sup>7</sup> Robert R. Weyeneth, "The Power of Apology and the Process of Historical Reconciliation,' *The Public Historian*, vol. 23, no.3, 2001: 31.

### Types and Functions of Official Apologies

Much of the literature on official apologies conflates different types of apologies for different types of events and between different actors, as if the content, enactment, and effects of the apologies do not vary according to the situation. By contrast, I suggest that official apologies can be divided into at least three categories: diplomatic apologies, political apologies, and historical apologies.

Diplomatic apologies occur between states. One state has offended another—sometimes unintentionally—and the offender state wishes to repair diplomatic relations. An example is the apology tendered by the United States to China for accidentally bombing the Chinese Embassy in Belgrade in 1999, when NATO attacked Serbia to stop the ethnic cleansing of Albanians from the Serbian province of Kosovo. The function of these apologies is straightforward, to restore relations to the *status quo ante*. The two parties often negotiate the content of the apology before it is offered, so that both sides can save face within the public act of contrition and its acceptance.

Apologies by corporate entities for past actions are less straightforward. Although frequently they are all referred to as apologies for historical wrongs,<sup>8</sup> it is useful to separate them into two categories, political and historical apologies. Political apologies are for acts that have continuing political relevance, where there are real political risks such as vengeful attacks or social disruption if the offending party does not apologize to the offended. These wrongs may be for acts perpetrated within living memory—some victims or their immediate heirs are still alive—or for acts perpetrated much earlier that nevertheless still so affect the descendants of the immediate victims as to have continuing political relevance. For example, the government of Germany apologized in 2004 for the genocide of the Herero people of South-West Africa (now Namibia) by German colonists and the German army between 1904 and 1908.<sup>9</sup> While there were probably no, or very few, living survivors of that

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<sup>8</sup> Michael R. Marrus, 'Official Apologies and the Quest for Historical Justice,' *Journal of Human Rights*, vol. 6, no. 1, 2007: 75-105.

<sup>9</sup> Rhoda E. Howard-Hassmann, *Reparations to Africa* (Philadelphia, University of Pennsylvania Press, 2008), 100-02.

genocide, resentment of Germany by citizens of Namibia could disrupt German-Namibian relations.

Thus, one inter-state function of political apologies is to restore relations that were intentionally ruptured during warfare, conquest, or other large-scale events. Such apologies also demonstrate respect for international laws, thus contributing to the preservation of international order and stability.<sup>10</sup> For example, Japan has apologized frequently for acts perpetrated against other Asian states such as Korea that it colonized and conquered before and during WWII. Germany has issued many statements of regret and apologies to Israel, the Jewish community, and European countries that it conquered during WWII, starting with a statement of regret issued by the first post-WWII Chancellor, Konrad Adenauer, in 1951.<sup>11</sup>

Political apologies can be internal to a state as well as between states. An intra-state function of political apologies is to restore or rectify a wrongdoing entity's sense of its own self. Both Canada and the United States issued apologies to individuals of Japanese descent who were interned and deprived of their property during WWII, ostensibly because they might have been acting on behalf of Japan, a member of the enemy Axis powers. Japanese-Americans and Japanese-Canadians are very small percentages of their respective countries' populations and do not appear to have any electoral influence, but in retrospect the internment grossly violated their human rights. The American and Canadian apologies to these two groups are part of a larger project to declare the respective countries non-racist and multicultural. Similar concerns can motivate newly democratizing states. In 1992, for example, the President of Hungary apologized to foreign students and Roma for attacks on them by right-wing and racist forces, and indifference to their plight by Hungarian police. In this case, it has been suggested, the President

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<sup>10</sup> Nava Löwenheim, 'A Haunted Past: Requesting forgiveness for wrongdoing in International Relations,' *Review of International Studies*, vol. 35, 2009: 554.

<sup>11</sup> Löwenheim, 549-53.

was trying to reinforce the new, post-Communist Hungary's identity as a liberal, nondiscriminatory society.<sup>12</sup>

Another intra-state function of political apologies is to restore the dignity of the individuals or groups that were wronged,<sup>13</sup> so that they can be more fully (re)incorporated into the democratic body politic as equal citizens.<sup>14</sup> The apology is also educative, teaching those who might not know about past wrongs—or realize the harm the wrongs cause even to current generations—about what happened. If the wider public supports the apology, then there is a greater chance for “societal reconciliation.”<sup>15</sup>

Although there is some overlap, strictly historical apologies can be separated from political ones. Historical apologies are for events that occurred in the distant past and that are not part of the actual lived experience of current members of states or communities. They are apologies for acts that do not have any particular present political relevance, even if they wronged the ancestors of a particular group of people. Such apologies are directed to the descendants—either individuals or corporate bodies—of those presumed to have been harmed by the historic act, and can be either inter- or intra-state. Intra-state apologies are numerous, such as those offered by the governments of settler states (Canada, the United States, Australia and New Zealand) to indigenous peoples.

Apologies for historical events raise questions not pertinent to diplomatic or political apologies. Returning to the debate about a British apology for the slave trade mentioned above, for example, even if the United Kingdom was responsible in part for the transatlantic slave trade, commentators question for what, at this late date, it ought to apologize. They also ask what “credit” the United

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<sup>12</sup> Elizabeth Kiss, ‘Saying We’re Sorry: Liberal Democracy and the Rhetoric of Collective Identity,’ *Constellations*, vol.4, no. 3, 1998: 387-98.

<sup>13</sup> Nick Smith, *I was Wrong: the Meaning of Apologies* (New York: Cambridge University Press, 2008), 10.

<sup>14</sup> John Borneman, ‘Public Apologies as Performative Redress,’ *S AIS Review*, vol. 25, no. 2, 2005: 59-60.

<sup>15</sup> Melissa Nobles, *The Politics of Official Apologies* (New York, Cambridge University Press, 2008), 70.

Kingdom receives for its attempt in the 19<sup>th</sup> century to abolish the trade. Moreover, some argue that not only European slave buyers, but also African slave sellers, were responsible for the trade, absolving the United Kingdom of some of its responsibility. Finally, it is not clear to whom—descendants of enslaved Africans, the continent of Africa, or Britons offended by the very idea of a slave trade—an apology might be owed. In the event, Prime Minister Tony Blair in 2006 expressed general “sorrow” for the slave trade, rather than offering an outright apology.

If the acts for which historical apologies are offered have no contemporary political relevance, why should they be made? A nation’s security is not threatened if they are not offered. Historical apologies have a symbolic and integrative function, however; members of groups that suffered historical wrongs are more likely to feel a respected part of the relevant political entity if they receive an apology, no matter how late. Apologies help groups that suffered severe wrongs become members of the national community.<sup>16</sup> Similar reasons influence non-state entities’ decisions to apologize. The Roman Catholic Church apologized to God for its treatment of women and indigenous people in the hope that members of these groups would feel more fully welcomed (back) into the Church. The Church also apologized to God for its poor relations with Jews, both to maintain good relations with the Jewish community and to re-establish the Church’s sense of itself as genuinely Christian, in the modern sense of universal love.

### **Complete Apologies**

Much philosophical and social scientific discussion of what constitutes a complete, and presumably successful, apology exists. Most scholars who discuss this question propose similar lists of requirements, many deriving their list from inter-personal, rather than official, apologies. For example, Tavuchis maintains that an apology must “acknowledge the fact of wrongdoing, accept ultimate responsibility, express sincere sorrow and regret, and promise not to

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<sup>16</sup> Nobles, 1-41.

repeat the offense.”<sup>17</sup> This is generally acknowledged to be a minimum definition of a complete apology. An interpersonal apology is an acknowledgement of the dignity of the individual who has been wronged. It recognizes that person’s suffering; the apologizer expresses remorse for having caused a fellow human being pain. This results, it is hoped, in an equalization of the relationship between the two parties to the apology and a restoration of the good relations that are presumed to have existed before one party wronged the other; the apology requires victims and perpetrators of a past wrong to morally identify with one another.

Most scholars of official apologies agree on a core set of definitional attributes similar to but more extensive than the attributes of an interpersonal apology. These attributes include establishment and acknowledgement of the facts of the case, so that they are not in dispute and a common history accepted by both the apologizer and the recipient of the apology can be written. In making the apology, the apologizer must also identify each wrong committed, so as not to obscure the enormity of the harm perpetrated on the recipients. Both sides must agree that the apologizer represents the entity responsible for the wrong committed, and the apologizer must accept that responsibility, thus absolving the recipients of any residual psychological feeling that perhaps they caused the harm by their own actions. The apology must be sincere, and the apologizer must show regret and remorse for harming the recipient, making clear that it believes its actions were wrong. Such emotional characteristics are in the eye of the recipient of the apology; if not correctly “performed,” by the apologizer, the apology has little value to its recipient. The apologizer must show both empathy and respect for the recipients, in order to re-balance the relationship between the two of them and undo any diminution of the recipients’ social worth implied by the wrong the apologizer earlier committed. The apologizer also has to promise not to repeat the action for which it apologizes. Finally, the apologizer must have standing to make the apology: while in

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<sup>17</sup> Nicholas Tavuchis, *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford: Stanford University Press, 1991), vii.

interpersonal apologies the apologizer must be the individual who actually committed the wrong, in official apologies she must be the legitimate representative of the entity responsible for the wrongdoing.

Expression of emotion is not as important in an official as a personal apology. Recipients recognize that a spokesperson for a corporate entity who is not herself guilty of the past wrong (for example, because she was not yet born) cannot be expected to show the same level of remorse as an individual apologizing for a wrong for which she is directly responsible. On the other hand, an official apology requires more actors than an interpersonal one; whereas the latter is a private matter, the former is public. The publics of both the apologizer (for example the citizenry of a state) and those receiving the apology (for example the members of the group that suffered the wrong) have to be aware of the apology. Often, moreover, both parties negotiate the form and content of the apology ahead of time, as well as who is to be the spokesperson for the apologizing entity. The apology is often surrounded by ritual, sometimes also negotiated in advance. The venue where the apology is to take place, its décor, clothing to be worn, music to be performed, speeches to be made, and persons to attend, are all negotiated.

These negotiated aspects of official apologies are important, as apologies seen to be perfunctory can do more harm than good. The government of Canada apologized twice to its indigenous peoples. In 1998, Jane Stewart, then Minister of Indian and Northern Affairs, delivered the apology. Although it was sincere, it was not delivered by then Prime Minister Jean Chrétien, who did not even attend the ceremony,<sup>18</sup> it was not widely publicized, and it was not surrounded by ritual. In 2008, Prime Minister Stephen Harper apologized to Canada's indigenous peoples again for the federal government's role in the Indian residential schools system, this time in the House of Commons, in the presence of many invited guests from the aboriginal communities.

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<sup>18</sup> Nobles, 74.

There is some debate as to whether an apology can be complete and ultimately successful if it does not include material reparations. Minow argues that “Valuing the losses from torture and murder strains the moral imagination;”<sup>19</sup> nevertheless, monetary reparations have a symbolic value. Money has a certain “social gravity” that is a measure of the sincerity of an apology.<sup>20</sup> Symbolic reparations or token amounts of money, such as the Can\$21,000 given to each living survivor of the Japanese-Canadian internment camps, can reinforce the sincerity of an official apology. Africans discussing the possibility of an apology from the “West” for the slave trade almost uniformly said that without some material compensation an apology would be useless.<sup>21</sup> By contrast, surviving WWII British prisoners of war and civilian internees disagree about whether the Japanese government owed them financial compensation.<sup>22</sup> Experimental psychological work on interpersonal apologies revealed that for some individuals, “withholding financial compensation undermines the effectiveness of an apology,” but in general, withholding financial compensation would not mean that an apology would be deemed inadequate.<sup>23</sup>

In the case of historical apologies, financial compensation is often impractical as the offended group, such as women in the Roman Catholic Church, is so large as to undermine any attempt to financially compensate individuals. Moreover, some wronged people reject financial compensation as “blood money,” as in the acrimonious debate in Israel in the early 1950s about whether that state should accept financial reparations from Germany.<sup>24</sup> And some

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<sup>19</sup> Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston, Beacon Press, 1998), 104.

<sup>20</sup> Smith, 238.

<sup>21</sup> Howard-Hassmann, 145-49.

<sup>22</sup> Michael Cunningham, ‘Prisoners of the Japanese and the Politics of Apology: A Battle over History and Memory,’ *Journal of Contemporary History*, vol. 39, no. 4, 2004: 561-74.

<sup>23</sup> Craig W. Blatz, Karina Schumann, and Michael Ross, ‘Government Apologies for Historical Injustices,’ *Political Psychology*, vol. 30, no.2, 2009: 233, 237.

<sup>24</sup> Daniel Levy and Natan Sznaider, ‘Forgive and Not Forget: Reconciliation Between Forgiveness and Resentment,’ in Elazar Barkan and Alexander Karn, eds.,

individuals or groups who were wronged would consider payment of financial reparations a further assault on their human dignity. Thus, there are times when an apology not only does stand alone, but ought to. Apologies in and of themselves do contain significant potential for “moral repair.”<sup>25</sup>

### **Apologies as a Social Movement**

Political apologies became common in the late twentieth century, especially in Western society, as a response to wider social forces. These wider social forces included changes in religious thinking and values, especially among Christians who after 1945 debated Christianity’s role in the Holocaust. Internal changes within the Christian community also reflected a newer Western humanism, which in turn both contributed to and reinforced the creation of the post-WWII human rights regime, with its stress on the equal dignity and worth of all human beings, starting with the 1948 Universal Declaration of Human Rights. Starting in the 1960s, there were also new social movements in Western states for the civil rights of African-Americans, for women’s rights, and for gay and lesbian rights, which resulted in legal and public policy reform. These social movements relied in part on personal testimony of those who had been harmed, as reflected, for example, in the women’s movement slogan that ‘the personal is political.’ Both the experiences of those who were oppressed and the desire of those who were members of the oppressing groups to make amends contributed to a culture of confessions and a social expectation that confession—or apology—could constitute absolution for past sins. The idea that victims deserved recognition and deserved to have their stories heard became more prominent in Western discourse and ideologies,<sup>26</sup> and

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*Taking Wrongs Seriously: Apologies and Reconciliation* (Stanford, CA, Stanford University Press, 2006), 92.

<sup>25</sup> Trudy Govier and Wilhelm Verwoerd, ‘Taking Wrongs Seriously: A Qualified Defence of Public Apologies,’ *Saskatchewan Law Review*, vol. 65, 2002: 139.

<sup>26</sup> Frank Furedi, *Therapy Culture: Cultivating Vulnerability in an Uncertain Age*, (London: Routledge, 2004).

eventually intersected with other ideals of reconciliation such as the South African stress on *ubuntu*, or community.

As of the 1990s, these new social ideals began to influence new mechanisms of post-conflict resolution such as truth commissions, with their stress on agreed narratives, personal healing, and intra- or inter-state reconciliation. Many scholars argued that such reconciliation was a prerequisite to social trust, itself a prerequisite to a functioning liberal democracy. Thus, a social movement to encourage official apologies began among those responsible for rebuilding torn societies ostensibly in transition to democracy.

Within already established liberal democracies, official apologies were used to try to build or re-establish trust between authorities and previously marginalized or oppressed groups. Sometimes, apologies were offered for particular incidents that symbolized the systemic marginalization of large groups, as when Canada's Prime Minister Harper apologized in 2008 to the entire Indo-Canadian community for a 1914 incident in which Canadian authorities returned a boatload of predominantly Sikh would-be immigrants to India, where the British killed 38 and imprisoned or transported many more.<sup>27</sup> When apologies are not offered, victims of past wrongs may continue to mistrust current governments, even if financial reparations are offered. Australian aboriginal people were allocated funds in 1997 for health, counseling and family services in recognition of their suffering under the 'Stolen Children' policy which removed aboriginal children from their families, but then Prime Minister Howard refused to apologize for the policy.<sup>28</sup> The apology offered by Howard's successor, Kevin Rudd, as soon as he took office in 2008, movingly acknowledged the responsibility of the government for the harm done to the aboriginal community.

Whether apologies were offered, however, often had more to do with who sought them than with the objective situations that

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<sup>27</sup>Matt James, 'Scaling memory: Reparation displacement and the case of BC,' *Canadian Journal of Political Science*, vol. 42, no. 2, 2009: 366.

<sup>28</sup>T.L. Zutlevics, 'Recognition, Responsibility and Apology,' *Public Affairs Quarterly*, vol. 16, no. 1, 2002.

particular groups might have suffered in the past. Apologies are not a free good; if groups do not seek them, they are unlikely to be offered, at least by governments (religious communities do sometimes offer apologies that have not been sought). A successful social movement for an apology requires moral entrepreneurs to lead it, organizational resources to garner followers who agree that there should be an apology, contacts with the press and other organizations that will support the demand, public support, and leverage over the government of some kind. The event for which an apology is sought should offend current standards of morality; for example, slavery, genocide, mass torture, severe violations of equality rights, or deprivation of property. The victims of the event should be an easily identifiable, cohesive group, acknowledged by outsiders to constitute a collective entity. A short 'causal chain' between the alleged perpetrator and the crime will make it easier to establish the case for an apology: for example, the causal chain between Nazism and the extermination of the Jews is much shorter than that between the slave trade and underdevelopment in Africa. If the event for which an apology is sought was discrete and bounded in time, an apology is easier to obtain than if the event was pervasive and continuous. If there is an expectation that the apology will be followed by financial reparations, then it is also easier to apologize if a small number of people were affected by the transgression, as the costs of reparations will be correspondingly lower.<sup>29</sup>

Apologies to both Japanese-Americans and Japanese-Canadians, for example, were for discrete acts that took place during WWII, that lasted only a few years, and that affected relatively small numbers of people, an even smaller number of whom were still alive when the apologies and financial reparations were offered. Apologies for actions and omissions that took place over many years, affecting many millions of people, are harder to come by. Thus, there has been no national US apology to African-Americans for their centuries of enslavement and discrimination. By contrast, there have been apologies for specific incidents affecting smaller numbers of African-

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<sup>29</sup> Howard-Hassmann, 47-50.

Americans. In 1997 President Clinton apologized for the Tuskegee ‘medical experiments’ conducted in the mid-20<sup>th</sup> century, in which African-American men with syphilis were denied treatment so that the progress of the disease could be studied. Individual American institutions, such as the University of Alabama, also apologized for specific acts, such as allowing professors to own slaves and occupying buildings built by slaves.<sup>30</sup>

Similarly, the Canadian government has never issued an apology to African-Canadians (Canadians of African descent), some of whose ancestors were enslaved in Canada until 1833, and who, as a group, are consistently ranked among the poorest in Canada. In the African-Canadian case, the victim group is not easily identifiable. African-Canadians are split among those whose ancestors were enslaved; those whose ancestors escaped to Canada from the US after 1833 to live in freedom; and those whose ancestors—or who themselves—moved to Canada more recently. It would be difficult to unite this community in search of an apology and difficult to decide for what exactly an apology should be sought. On the other hand, the Mayor of the city of Halifax, Nova Scotia apologized in 2010 for the destruction in the 1960s of an African-Canadian community known as Africville, ostensibly to improve residents’ living standards by moving them to housing with better access to services, but possibly also to make way for a new transportation route. This confirms the theory that it is easier to apologize for discrete events affecting relatively few people at a particular time than to apologize for events spanning several centuries and affecting many generations.

### **Apologies and Reconciliation**

In the ideal model of interpersonal apologies, something like the following occurs:

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<sup>30</sup> Alfred L. Brophy, ‘The University and the Slaves: Apology and Its Meaning,’ in Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud and Niklaus Steiner, eds., *The Age of Apology: Facing Up to the Past* (Philadelphia, University of Pennsylvania Press, 2008), 109-19.

Apology (acknowledgement of the facts, taking responsibility for the harm done, expression of sorrow and remorse, promise of non-repetition) → forgiveness → restored good relations → increased interpersonal trust → reconciliation.

All of these aspects of the process except forgiveness are also necessary to official apologies.

Analysts of interpersonal apologies frequently address the question of forgiveness and the conditions under which recipients are willing or unwilling to forgive apologizers for their transgressions. The definition of forgiveness varies: for some analysts, mere acceptance of an apology implies forgiveness, while for others, forgiveness is a deep psychological process in which the recipient of the apology relinquishes his anger or desire for vengeance, “surrendering the right to get even,”<sup>31</sup> and is able to focus on other matters, thus “moving on” (to resort to popular parlance).

Characteristics of interpersonal apologies may not have any relevance for collective apologies, however. Deep psychological forgiveness is not necessary in the chain of causality from official apology to reconciliation; it is enough that the victim of past wrongs formally accepts the apology and in so doing abandons his desire for revenge. Some analysts of recent attempts at national reconciliation have criticized pressure on individual victims to forgive after apologies for political acts have been offered; for example, in the case of the South African Truth and Reconciliation Commission.<sup>32</sup> But it is not clear that there is any necessity for forgiveness in official situations, even if for personal reasons, a victim might be better off letting go of resentment by forgiving the violation rather than holding a grudge.

In an official apology, it might be enough to substitute a restored sense of self-worth for forgiveness. A frequent assertion in the psychological literature is that an interpersonal apology

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<sup>31</sup>Michael Henderson, *Forgiveness: Breaking the Chain of Hate* (Wilsonville, Oregon: Book Partners, 1999), 2.

<sup>32</sup>Annelies Verdoolaege, ‘Managing Reconciliation at the Human Rights Violations Hearings of the South African TRC,’ *Journal of Human Rights*, 5, 1, 2006: 61-80.

contributes to the moral recognition and acknowledgement of victims' sense of human worth and dignity. Recipients of apologies will enjoy a restored sense of self when it is confirmed that they did not bring their sufferings on themselves and are not responsible for what happened to them.<sup>33</sup> In political as in interpersonal relations, apologies can result in restoration of the victim group's sense of self-worth. When the perpetrator has publicly acknowledged harm and expressed remorse, victims can be assured that the crime is not likely to be repeated. This may give the former victims more self-confidence about participating in the wider society.

The principal function of official apologies is the restoration of civil relationships between the apologizer and recipients, whether or not the recipients personally forgive the apologizer. In the case of diplomatic apologies, civil relations can be assumed to be restored once both sides have agreed on the wording and ritual of the apology and it has been delivered and accepted. In the case of political apologies, restoration or creation of good relations can help to prevent future outbreaks of violence or vengeance; thus, despite bitter memories of WWII and occasional acts of Chinese nationalist hostility to Japan (perhaps orchestrated by the government), relations between Japan and the Asian states it had colonized have been peaceful since 1945. In the case of historical apologies, restoration of good relations might prevent an unanticipated outbreak of vengeful violence, for example, if a group becomes preoccupied with memories of its past victimization to the point that it resorts to violence to avenge past wrongs.

The formal offer and acceptance of apologies, followed by restored civil relations, can contribute to increased social trust between previously antagonistic or estranged groups. Lazare argues that "the apology process holds out...the prospect of restored respect, of healed relationships, of civility, and of a clearer sense of morality among individuals and nations who inhabit an ever-shrinking world."<sup>34</sup> In international relations, trust is more likely

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<sup>33</sup> Aaron Lazare, *On Apology* (New York, Oxford, 2004), 44.

<sup>34</sup> Lazare, 203.

among previously warring groups if they apologize to each other for harms they have committed. Apologies within nations might result in development of a thin type of “civic trust” among citizens;<sup>35</sup> even if they do not yet consider themselves to be part of the same national community, groups of citizens can assume that actual hostilities have ended. A thin sort of cosmopolitan trust can also emerge from international apologies, as in the case of relations between Germany and Israel, which gradually were based on trust from the 1950s on. In this sense, apologies are confidence-building measures, increasing the likelihood that former enemies can interact civilly. Once more confidence is built between formerly antagonistic parties, trust can thicken to the point that they are actually reconciled to living with each other.

In official situations, reconciliation does not require victims to forgive, nor do victims need to reconcile in any interpersonal sense with their former oppressors; it is enough that previously antagonistic groups can function together in the public sphere without further conflict or mistrust. The apologizer and recipients of an apology should ideally be able to interact together in the marketplace, in public institutions such as schools, and in politics, treating each other respectfully as equals. At the same time, the victims of the acts for which the apologies were offered can continue to live their private lives separately from the perpetrators of the crimes or the group to which the perpetrator belongs. It is possible to combine public, civic reconciliation with private, personal mistrust; reconciliation might simply mean “a mutual agreement to co-exist.”<sup>36</sup>

Thus, the following model describes an ideal process of official apology, as opposed to an interpersonal one:

Apology → victims’ restored sense of self-worth → restored good relations → increased social trust → reconciliation.

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<sup>35</sup> Pablo de Greiff, ‘The Role of Apologies in National Reconciliation Processes: On Making Trustworthy Institutions Trusted,’ in Gibney et al., 126.

<sup>36</sup> Joanna R. Quinn, ‘Introduction’ to Joanna R. Quinn, ed. *Reconciliation(s): Transitional Justice in Postconflict Societies* (Montreal and Kingston, McGill-Queen’s University Press, 2009), 12.

This model removes psychological and religious variables from analysis of political reconciliation, acknowledging that official apologies are political tools, not interpersonal acts.

### **A Skeptical View of Official Apologies**

If official apologies have positive reconciliatory effects, they may be a powerful political tool. Nevertheless, we have no systematic evidence that they do have such effects. What we assume to be a consequence of an apology may be the consequence of other factors linked to it.

It may be that the social and political conditions that precede the apology are more influential than the apology itself. When leaders of liberal democracies offer historical apologies, for example, they are often apologizing to ethnic or religious groups who no longer suffer discrimination, as is the case for Japanese-Canadians and Japanese-Americans. By contrast, when leaders of liberal democracies apologize to social groups such as aboriginal people who still suffer discrimination and other social impediments, the apology itself does little but buttress a fragile trust that may be broken if concrete measures to ameliorate their suffering do not follow. Similarly, although the Catholic Church has offered numerous apologies for its sins of the distant past, its apologies for sins of the more recent past, especially physical and sexual abuse of children in its care, have rung hollow, as more and more cases of abuse are revealed and there is more and more evidence that the Church tried to conceal evidence and protect its personnel from prosecution. Many Irish Catholics reacted with disappointment to the Pope's apology in March 2010 for child abuse committed by members of the Roman Catholic clergy.<sup>37</sup>

Liberal democratic governments often apologize for acts that are already completely beyond the pale in present-day politics; thus, the promise of non-repetition rings hollow as non-repetition is already guaranteed. It is easy to apologize for past racial

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<sup>37</sup> Pamela Newenham, 'Mixed reaction to pope's letter,' *irishtimes.com*, March 20, 2010.

discrimination, mass internments of members of particular ethno-national groups, or refusal to permit people from particular parts of the world to immigrate, given that all such policies were outlawed several decades ago in liberal democracies. Liberal democratic governments do not apologize for continued systematic violations of human rights, such as the below-subsistence welfare payments that many governments offer the poor.

Sometimes, apologies appear to be offered more for self-serving reasons than as a result of genuine contrition. For example, the motivation behind the apology by Stephen Harper, a Conservative Prime Minister of Canada, to the Indo-Canadian community for the government's exclusion of a boatload of Indian immigrants almost a hundred years ago might have been to garner votes from Indo-Canadians, an ethnic constituency that had traditionally voted for the Liberal Party. When apologies are offered by states to groups who are weak political actors, the reason may be to bolster the apologizer's own self-image as a legitimate, democratic entity. On February 23, 2010 Prime Minister Gordon Brown of the United Kingdom apologized to British 'home children,' adults who were deported as children from poverty-stricken families in the UK to live and work in Canada and Australia, where they were often severely exploited and sexually assaulted. Brown knew that such a crime would never be repeated, and that the surviving home children were not a politically powerful group.

Often the most egregious violators of human rights and humanitarian law are those least likely to apologize. Imperialist countries do not apologize for histories and continued practices of conquest; President Clinton's apology to Guatemalans in 1999 for having supported their brutal military rulers was notable for its rarity.<sup>38</sup> 'Apologies' by the US government for the tortures and other excesses at Abu Ghraib prison in Iraq consistently misled the public

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<sup>38</sup> Mark Gibney and Erik Roxstrom, 'The Status of State Apologies,' *Human Rights Quarterly*, vol. 23, no. 4, 2001: 926-37.

about what actually happened and blamed subordinates rather than those who ordered the torture.<sup>39</sup>

Finally, those individuals who actually commit evil acts frequently do not experience the remorse or shame that it is comforting to assume everyone must feel for violating the common moral code. When asked at his trial in Israel in 1961 whether he felt any remorse for his part in exterminating Europe's Jewish population, Adolf Eichmann replied in the negative, stating "Remorse is for children."<sup>40</sup> Not everyone feels remorse: some people enjoy seeing others suffer. Political ideologies, religious or cultural beliefs, and indoctrination can also so affect entire populations that they feel little or no remorse for their cruel actions, as Goldhagen argues was the case for ordinary Germans who helped to enact Nazi exterminatory policies.<sup>41</sup> Perpetrators do not necessarily have any desire to apologize, especially if apologizing is "potentially humiliating".<sup>42</sup> Often the party that wants the wronged to forgive and forget is the party that committed the injustice in the first place.<sup>43</sup> There may also be cultural barriers to apologizing in societies where saving face is a more important value than recreating community between perpetrators and victims, or where intergenerational vendettas between feuding parties are considered to be socially honourable. In such cases, neither side may wish to release itself from the "grip of history."<sup>44</sup>

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<sup>39</sup> Mark Gibney and Niklaus Steiner, 'Apology and the American "War on Terror"', in Gibney et al., 287-97.

<sup>40</sup> Harry Mulisch, *Criminal Case 40/61, the Trial of Adolf Eichmann: An Eyewitness Account*, (Philadelphia: University of Pennsylvania Press, 2005), 5.

<sup>41</sup> Daniel Jonah Goldhagen, *Hitler's Willing Executioners: Ordinary Germans and the Holocaust* (New York, Vintage Books, 1997).

<sup>42</sup> Tavuchis, 9.

<sup>43</sup> Theodor W. Adorno, 'What Does Coming to Terms with the Past Mean?', in Geoffrey Hartman, ed., *Bitburg in Moral and Political Perspective* (Bloomington, Indiana, Indiana University Press, 1986 [originally published in German in 1959]), 115.

<sup>44</sup> Elazar Barkan and Alexander Karn, 'Group Apology as an Ethical Imperative,' in Barkan and Karn, eds., 26.

On the other side of the coin, ideologies and indoctrination can also create a “politics of aggrieved memories” on the part of victim groups.<sup>45</sup> Such victims may not wish to acknowledge the possibility of a common moral universe with the perpetrators of the crimes against them, even if the perpetrators offer to apologize. In some cases, the crime may simply be too horrendous for victims to have any interest in reconciliation, even if they do not intentionally wish to hold on to their grievances. Those who lost close family members in the Holocaust, for example, might consider that the more appropriate action is to refuse forgiveness and reconciliation, and hope that the formal institutions of justice will punish the perpetrators. Similarly, some survivors of people murdered during the anti-apartheid struggle in South Africa did not want to reconcile or forgive; they wanted the perpetrators tried and punished.

In cases where neither party to a political conflict is completely innocent, as each has perpetrated crimes against the other, a one-sided apology might simply aggravate the grievances of the other side. The people of the Republika Srpska, the Serbian part of Bosnia, apparently feel little remorse for the brutalities of the 1990s wars in ex-Yugoslavia, instead considering themselves the aggrieved party.<sup>46</sup> Psychological studies of interpersonal apologies suggest that defensive individuals or those with low self-esteem will react to an apology that acknowledges the facts of harm as a confirmation of their feelings of having been wronged, increasing their desire for revenge:<sup>47</sup> so might some Serbians react to an apology from Croats or Muslims. Likewise, if the Serbian government were to offer an apology and ask for forgiveness, there could be an internal backlash if some Serbian citizens thought that the request for forgiveness

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<sup>45</sup> Tony Judt, ‘From the House of the Dead: On Modern European Memory,’ *New York Review of Books*, vol. 52, no. 15, October 6, 2005: 14.

<sup>46</sup> Patricia Marchak, *No Easy Fix: Global Responses to Internal Wars and Crimes against Humanity* (Montreal and Kingston, McGill-Queen’s University Press), 2008, 227-48.

<sup>47</sup> Judy Eaton, C. Ward Struthers, Anat Shomrony and Alexander G. Santelli, “When Apologies Fail: the Moderating Effects of Implicit and Explicit Self-esteem on Apology and Forgiveness,” *Self and Identity*, vol. 6, 2007: 209-22.

presented their “collective identity in a negative light.”<sup>48</sup> Psychological studies also show that interdependent individuals—those more connected to others—are more likely to forgive transgressions than those who are independent and less connected to others.<sup>49</sup> If there are national cultures, either based on collective norms and behavioural patterns or created by political propaganda, then cultures that consider themselves superior to others might be less likely both to apologize and to accept apologies than those that are more connected to outsiders.

In any event, we do not know whether inter-group apologies among the various actors in the Yugoslavia wars would have any concrete effect. Considering German apologies to Jews, we do know that Jews do not terrorize Germans and we might plausibly conclude that they do not do so because the Germans acknowledged their guilt and took responsibility to repair relations. But Germany also paid substantial financial reparations both to individual Jewish victims of the Holocaust and to Israel; these concrete reparations may mean more than the apologies, which—as distinct from acknowledgement of harm—were not actually made until 1970, when the then Chancellor of Germany, Willy Brandt, famously fell to his knees in front of a memorial to the Warsaw Ghetto Uprising of 1943. It may also be that Jews do not terrorize Germans because they now live in liberal democratic states such as Canada, the United States and Israel where they are not threatened, or because they are more preoccupied by other matters such as the continued Israeli conflict with Palestinians. Moreover, unlike many current cases in which it is hoped that political apologies will contribute to conflict resolution, Jews and Germans do not compete for territory, resources, or power. It is interesting to speculate whether a mutual apology between

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<sup>48</sup> Löwenheim, 555.

<sup>49</sup> D. Ramona Bobocel and Agnes Zdaniuk, “Injustice and Identity: How We Respond to Unjust Treatment Depends on How We Perceive Ourselves,” in Ramona C. Bobocel, Aaron C. Kay, Mark P. Zanna and James Olson, eds., *The Psychology of Justice and Legitimacy: The Ontario Symposium, Volume II* (New York, Psychology Press, 2010), 27-52.

Israelis and Palestinians would have any reconciliatory effect, without resolution of territorial disputes and the end of Israeli occupation.

Not only do apologies not necessarily result in reconciliation, but reconciliation might not necessarily require apology. Germany did not apologize for its conquest of France during WWII, yet France and Germany reconciled quickly in the 1950s, as it was in France's interest to regard its former enemy as its new friend in the evolving Cold War world.<sup>50</sup> On the other hand, while apology is not necessary for reconciliation, perpetrators of crimes must not deny what happened. Denial can result in anger and calls for rupture of political ties, as occurs when Japanese political conservatives decry apologies from Japan to South Korea for colonialism and conquest. Denial also increases the former victim's perception that the former perpetrator of a crime is still a threat, a serious matter in international relations.<sup>51</sup>

Thus, it appears that combined with other methods of conflict resolution, political and historical apologies may help to ameliorate conflict, but we do not yet have any testable evidence that they do,<sup>52</sup> whether or not they are supplemented by other policies such as financial reparations. We do seem to have evidence that diplomatic apologies alleviate the potential for conflict, but that may be because they are a common method of statecraft, rather than a new method to remedy or forestall inter-state conflict. The efficacy of apologies should not be discounted; for example, when a government expresses sincere remorse to a collectivity that previously felt excluded from national society. But we should be careful not to assume that an official apology can be as efficacious as interpersonal apologies seem to be. To impute psychological theories about individuals to entire nations is to commit the fallacy of composition; imputation of charitable emotions of forgiveness and reconciliation is no more valid than imputation of desires for vengeance. The author of *The Man in the White Sharkskin Suit* may be willing to forgive the Egyptians who expelled her and her family, after one Egyptian

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<sup>50</sup> Lind, 101-58.

<sup>51</sup> Lind, 26-100.

<sup>52</sup> Marrus, 90.

diplomat apologized, but this does not mean that hundreds of thousands of other Jews will forgive Arab states for their expulsions.