

UNDERSTANDING APOLOGY IN INTERNATIONAL POLITICS

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DECLARATION

I declare that the dissertation entitled “**Understanding Apology in International Politics**” submitted by me in partial fulfilment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.

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CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.

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Introduction

It is claimed we live in “the age of apology” (Brooks 1999; Mbaye 2005; Gibney et al. 2008). Governments are saying sorry for their part in the sufferings of their own populations, colonial states to their former colonies, religious establishments or businesses or educational institutions to victims of their past policies, and curiously enough, a combination of all actors saying sorry for even ‘not doing enough’ (when they should have) in their neglect of other nations and peoples. This trend is accordingly reflected as much in the burgeoning academic interest in apologies that seeks to make sense of this sudden “flurry of intense apologizing today” (Weyeneth 2001: 36), expressed in terms of an “avalanche” (Barkan 2000), “epidemic” (Thompson 2002; Thompson 2000; Clarke & Fine 2010) or even “mania” of apologies (Taft 2005); as in increasing journalistic endeavours to explain the phenomenon, asking, often with a dollop of cynicism, “Who’s Sorry Now?” (*The Economist* 2008). Other developments too seem to lend credence to the growing significance of apologies in politics. There is a “Sorry Day” in Australia to commemorate the regret of Anglo-Australians for mistreatment of the Aboriginal Australians. At least 1132 instances of apologies (when last checked- most dated between 1990 and 2010) find their place in the archives of the *Political Apologies and Reparations Website*¹. And there exists even a novel on apology- a tongue-in-cheek tale by Jay Rayner (2004) of some Chief Apologist for the United Nations who makes a career out of saying sorry. The task of this dissertation is to interrogate and understand what indeed such apologies imply in international politics.

The first thing one might still justifiably ask is: why apology? Apart from rather piquant and somewhat dramatic claims about ‘mania’ or ‘epidemic’, what import does the topic hold for politics at large? Answers to such questions and the associated justification for choosing apology as a research topic lies more in the

¹ This website is maintained by the Canada Research Chair in International Human Rights at Wilfrid Laurier University, Canada, and provides the most comprehensive list of political apologies I have come across so far.

manner in which this phenomenon has challenged dominant notions about how politics happen at the global level than in the frequency with which the ‘flurry’ of apologies have come by. As a discipline, International Relations has traditionally seen the dominance of the Realist school of thought- with its emphasis on Realpolitik rather than morality or idealism as the driver of international politics (Hoffman 1977; Der Derian 1995). Violence and war, in this view, are but inevitable consequences of an anarchic world order. And might is, proverbially but also invariably, right. Human history has always been full of episodes of violence, instances of one state/nation/groups’ aggression and atrocities on the other. States/nations/groups, nonetheless, never sought nor offered apologies for such acts (Lind 2004). On the contrary, it seemed to fit well within Thucydides’ famous dictum: “the strong do what they can and the weak suffer what they must”.

Apologising for past wrongs, however, brings such assumptions into dispute. And when comparatively powerful states or groups say sorry for their own actions to comparatively less powerful ones- as has been the case with former colonial powers- it occasions even greater cause for intrigue. Not only that. States or governments that refuse to apologise are increasingly criticised by other states and the international media (Brooks 1999a); and in cases like that of Turkey’s non-recognition of and non-apology for the Armenian genocide of 1915, it assumes the shape of huge obstacles in the path of often unrelated goals (membership in the European Union, in the case of Turkey) (Lind 2004). For students of international politics then, the profusion of apologies in politics presents compelling research questions. Exactly why do states apologise? Why are apologies so important? And how did apology barge into the apparently amoral field of politics in the first place?

These questions apart, what this research aims to deal with merits a little more description. Although all of us already know what an apology is, a most significant typology is provided by sociologist Nicholas Tavuchis in his classification of apologies into four types:

1. Interpersonal apology from one individual to another, or One to One
2. Apology from an individual to a collectivity, or One to Many
3. Apology from a collectivity to an individual, or Many to One
4. Apology from one collectivity to another, or Many to Many (Tavuchis, 1991: 48)

But while Tavuchis' (1991) work on the 'sociology of apology' dwells primarily on the first interpersonal variety, this research shall look at- for the lack of a better word- non-interpersonal public apologies that seldom take the one-to-one form. Consequently, the spotlight shall be focused on the remaining three types of apologies which are used in the public realm for political purposes leaving the entire paraphernalia of issues that come with interpersonal apologies outside of critical analysis.

We could take note of the lines of distinction that have been drawn between different kinds of public apologies as well- in Michael Cunningham's (1999) useful categorisation, they include apologies by individuals, professional or commercial organisations, religious organisations, spiritual leaders, governments and heads of state. Because our interest lies in the larger phenomenon of public acts of apologising, however, we can safely limit our engagement with such categorisations without losing much. Chosen at random, the kind of public apologies we are interested in, here treated sans further qualifications, include, West Germany's apology first in 1951 and then East Germany's apology in 1990 to Jewish victims of Nazi atrocities; Australia's 2008 apology to the Aboriginal Australians for decades of conscious state policy of removing "half-caste" Aboriginal children from their families known as the *Stolen Generation*; Canada's apologies in 1998 and 2008 to the First Nation people for forceful assimilation in Indian Residential School policies; Spain's apology to the Powhattan Indian Nation and Netherlands' apology to the Iroquois Nation, both in 2007, for injuries in colonial times; Pope John Paul II's not less than 94 apologies from 1998 to 2002 for failures on part of the Catholic Church including the Inquisition, Crusades, failure in opposing Nazi persecution of Jews, mistreatment of women and the like; Britain's apology to Ireland in 1997 for British inaction during the Irish Potato Famine in the mid-nineteenth century; the American Senate's apology in 2009 for two centuries of slavery; and South Africa's former president F. W. Klerk's apology in 1992 to victims of the apartheid (Political Apologies and Reparations Website 2011).

Let it be said, of course, that the research cannot provide a comprehensive trawl of all sorts of apologies that have been demanded or received so far. Instead, it

hopes to understand the theoretical and philosophical underpinnings of the phenomenon by drawing from these instances of apologies for empirical evidence. Phrased into interrogatives, some of the concerns that inform the study could be summed up as: How do apologies work? What do they precisely do? How do they relate to the themes of reconciliation and reparation? Does it always promote reconciliation? Does reparation always require acknowledgement of the harm, as symbolised by an apology? Is apology enough to redress all past wrongs? And, what are the obstacles they face?

Having briefly outlined the rationale behind this specific research and dwelt on what it seeks to do, we now cast a glance at how we plan to go about it. In spite of increasing uses of this particular trope in the domain of politics, we find, *International Relations* reveals an acute dearth of scholarship around the subject. Except for few articles and fewer books (such as Nobles 2008; Lind 2004; Lowenheim 2009; Renner 2010), the consequences of apology in politics remain largely unexplored in the field. This makes it mandatory that we crisscross multiple disciplines at all times. To that effect, the study involves resorting to literature on linguistics (Austin 1975; Bach 1998; Ahmad 2004; Cohen & Olshtain 1981), law (Shelton 2003; Bibas & Bierschbach 2004; Bilder 2006; Brown 2004; Cardi 2008; Taft 2000, 2005), ethics (Lazare 1995, 2005; McGary 2003; Digeser 2001; Govier & Verwoerd 2002), philosophy (Derrida 1997; Davis 2002; Smith 2005; Minow 1998), conflict-resolution (Bar-Simon-Tov 2004; Allpress et al. 2010; Long & Brecke 2003; Bloomfield et al. 2003; Galtung 2005), sociology (Snyder 2007; Tavuchis 1991; Celermajer 2009), political science (Blatz et al. 2009; Cunningham 1999; Gibson 2004; Hook 2008; McCarthy 2004; Ivison 2006; Laremont 2001) and history (Clarke & Fine 2010; Cunningham 2004; Marrus 2006). This is further complemented by use of primary sources in the form of newspaper reports, website archives, and United Nations documents; although, for the major part, the dissertation relies overwhelmingly on secondary sources.

In terms of method, the research is informed by the needs of what Martin Hollis and Steve Smith (1990) define as the ‘understanding’ approach in social science. ‘Understanding’, for Hollis and Smith, contrasts with an approach focused on

‘Explaining’- whereas the latter looks at the world from outside in the manner of a natural scientist seeking to draw explicit conclusions about how things work; the former entrusts itself with the task of uncovering what things mean by locating itself within the parameters of what it seeks to understand and in that sense, is interested in revealing the ‘inside story’. Hence, while ‘explaining’ stresses on locating causes/ effects or laws of behaviour by hinging itself on scientific method, ‘understanding’ underscores the importance of meaning in the social world by basing itself on the interpretative tradition of ‘hermeneutics’. And where ‘explaining’ is satisfied with a spectator’s view, establishing parsimonious causal links in behaviour as long as they can be tested against experience and observation; ‘understanding’ concedes that behaviour has meaning to its actors themselves, and therefore the need to probe beyond behaviour into those meanings.

The current research consequently presupposes that a comprehensive analysis of apology in politics, complex as it is, necessitates the adoption of the ‘understanding’ approach over the one built on ‘explaining’. In order to address the questions raised above, it is proposed, we must place a concern with meaning at the centre of our enquiry. Indeed, the necessity for adopting such a stance is further accentuated when we take into account the four ways in which meaning can inform analysis as specified by Hollis and Smith (1990: 68- 71). First, it is important to understand that meanings are symbolic. They depend not so much on natural visible signs but on social symbols located in people’s experience. Second, that linguistic meaning plays a vital role in social life because language is the most fundamental mode of people’s expression. Third, context is crucial in understanding action because meaning depends not only on action but also on what the actor meant by it. And fourth, that ideas influence human action by informing how they understand action. The dissertation accordingly seeks to imbibe these insights to explore not just apology in politics but also the politics of apology.

Chapter Outline

In its entirety, the research comprises five chapters. Chapter two, following the current Introduction, deals with unpacking the concept of apology for us. At the very outset, it seeks to reflect on the reasons that explain the advent of apologies in the realm of politics to provide a context within which to locate apologies. Then, we focus on apology in the light of speech act theory to explore what insight an enquiry into the linguistic meanings of apology could yield to us. Drawing mainly from Austin (1975), and also from O'Neill (1999), Ahmad (2004), Cohen & Olshtain (1981), we find that apologies are 'explicit performative utterances' with conditions of sincerity and responsibility attached to them; and also that an apology generally must consist of: expression of apology in words, acknowledgement of responsibility, explanation or account, offer of repair, and promise of non-recurrence (Cohen & Olshtain 1981).

Further on, we move on to examining what constitutes a valid apology and chart out a range of criteria (suggested variously by numerous scholars) an apology must fulfil in order to be termed valid. This leads us to examine the specific functions performed by public apologies as opposed to individual interpersonal apologies, without which it is neither possible to understand what constitutes their validity nor clearly reveal why they are relevant in politics. The chapter ends with acquainting ourselves with some of the paradoxes and problems that characterise apologies in global politics. They include the problem of the unforgivable, anachronism, and insincerity.

Apologies in politics are inevitably linked with the question of history. If history is the ever-changing dialogue of the present with the past (E. H. Carr 1967), apologies help 'rewrite' history. Demands for apologies and offering of them invoke reflection on one's past behaviour and effectively involve not only a meditation on history itself but also more specifically on what constitutes historical injustice. Apologies for slavery, colonial atrocities, mistreatment of indigenous peoples- all reveal this definite concern. The ability to reinterpret the past in fact forms one of the most salient features of an apology, and one that contributes to its relevance in politics. In this sense, they act as tools for recognition of victims, for the vindication

of victim narratives, and for clarifying who did what to whom. Apologies, therefore, become tools of historical justice. Further, as we shall see in more detail later, apologies mark a renegotiation of past societal values and previous terms of relationship between the apologiser and the recipient of an apology. To that effect, they also influence the present's relationship with the future. Acting as instruments to redress wrongs of the past in the present, apologies redefine also the future. We examine these issues in the course of chapter three and four within the framework of two broad themes: reconciliation and reparation.

Accordingly, the task of the third chapter is to address 'Apology and the Question of Reconciliation'. Here we will seek to find out the different ways in which apology manages to aid reconciliation. Beginning with what the process of reconciliation signifies in international politics, we move on to analysing the role of apology in promoting reconciliation in the field of law. Although it does not concern public apologies per se, it is hoped that the discussion of apology and reconciliation in law shall chart out a few of the ways in which apologies function. Further, we discuss apology's role in helping contending groups to 'come to terms with the past' which ultimately smoothens the path of reconciliation.

We also explore the claim of apology's ability to herald a new beginning for estranged entities. Next, we examine how important the commitment of non-repetition of wrongs is, and look at what role apology plays in it. We also note the ways in which apology restores a moral balance between victims and perpetrators by bringing forth an equality of regard for victims. Finally, in the longest section of the chapter, we try to find out how apology helps in healing, and thereby, lead to reconciliation. Our discussion reveals that although apology is an extremely important aid in promoting reconciliation, it is no panacea for all at the same time. Indeed, certain issues are too complex for apology alone to take care of. Especially in the context of the Truth and Reconciliation Commissions of South Africa, we find out that apology on its own only goes so far. Reconciliation or healing in cases like South Africa also requires the presence of one vital element: justice.

The fourth chapter is 'Apology and the Question of Reparation'. Like the chapter on Reconciliation, we begin our enquiry by uncovering what the concept of

reparation means in the realm of politics. Then, we try to explore how apology aids reparation. Taking from Roy L. Brooks' distinction between reparation (that consists of expression of regret, acceptance of responsibility or/and monetary compensation) and settlement (monetary compensation without visible regret or acceptance of liability) we examine the ways in which apologies signify attempts of atonement in politics. Atonements alone, according to Brooks, qualify as reparation. Without regret for what has been done, compensation remains a monetary settlement.

Next, we examine apology's role in enacting moral repair. As scholars have pointed out, apologies themselves symbolise non-material reparation (Cunningham, 1999; Baehr, 2008; Torpey, 2006). We note the ways in which apologies act as reparation, and the conditions under which even material reparations fail to implement moral repair. Further on, we look at the issue of reconciliation as a form of reparation itself. Apology, by promoting reconciliation, becomes an important factor in this form of reparation as well. Next, we look at the debates about history that conflicts inherently entail, and examine apology's role in providing a means to resolve such contentions. Being an acknowledgement of one's actions, apology has implications for historical accounts, and often leads the road to shared negotiations about the past.

Finally, at the end of the chapter, we look at the issue of justice. The concern for justice is inherently linked with the concept of reparation. Indeed, no discussion of reparation could leave justice out, for, reparations itself is a mode of seeking justice. In this context, we explore a few debates about reparation and apology for African Americans in the United States. We note that apology, in the form of acknowledgement and acceptance of responsibility, is an important part of justice. However, for justice to be substantive apart from symbolic, reparations are a necessity.

The last chapter of the dissertation is 'Conclusion'. This chapter reiterates the central findings of all previous chapters as well as contains our three main observations from the research. The first observation points out the arbitrariness of apologies in politics, urging us to take note of non-apologies along with apologies in order to understand the politics of saying sorry. The second observation reiterates the significance apologies play in addressing historical injustices. Finally, our third

observation identifies a Western bias in the available scholarship on apologies and provides two diverse lines of thought along which future research could take place.

Apology in International Politics

This chapter intends to pursue a thorough examination of the apology phenomenon in world politics, and as such, shall form the core of our understanding, apart from providing the foundation on which the latter chapters are based. To that end, our purpose here is five-fold. First, we seek to collate a few observations that can throw light on why and how apologies managed to break through the domain of politics. This is deemed necessary to yield us the larger context in terms of which to make sense of apologies. Second, by scanning through literature on rhetoric, communication, and speech-act theory, we seek to locate the concept of apology in the structure of language. This, then, is followed by a deeper enquiry into the larger nature of apologies. Together, they are meant to clarify the meaning of apology in language (and here we limit ourselves to English) as well as understand how it works. Third, with the insights gained from our previous enquiry, we further attempt to delineate the conditions that make for a valid apology. This shall provide us a guideline with which to evaluate instances of apologising in politics. Fourth, in order to fruitfully evaluate the efficacy of public apologies, we attempt an approximation of the differences between them and inter-personal apologies. And finally, we note the problems and paradoxes that confront apologies in politics. These include the problem of insincere apologies, the problem of the unforgivable, anachronism, and the problem with ethical choice.

The roots of apology

Not very long ago, the incidence of statespersons or governments apologising for past wrongdoing would inevitably have appeared odd. It is, however, no more the case². The act of refusing to apologise, rather, attracts censure; the attempt to turn

² This is borne out by the chronological list of public apologies available in the *Political Apologies and Reparations Website* (<http://political-apologies.wlu.ca/>) that reveals an exponential rise in apologies in the last two decades. See also, Melissa Nobles (2008) for a similar list of official apologies.

one's back to the past, criticised (Lind, 2004). The memory of the first German chancellor Willy Brandt's wistful apology in front of the Warsaw Ghetto Memorial in 1970 is commemorated with other monuments (WARSAW in your pocket, 2009) and internationally acknowledged with the Nobel Peace Prize (Oliner, 2008). While Prime Minister John Howard's refusal to apologise to indigenous Australians for the racist state policy of removing indigenous children from their families is met with Australian citizens' 'Sea of Hands' (Celermajer, 2009), signing of 'Sorry Books', petitions, television shows, and online debates with the implicit message, "See? If we can say sorry, so can you" (Lawn, 2008: 26- 27). But what could possibly explain this change? What is apology doing in politics? And how did an essentially personal element of quotidian human relationships find its place in the political? Such questions yield a multiplicity of explanations.

Because the earliest instances of apologies have come from various European countries for atrocities against the Jews during the Holocaust, a number of scholars have treated the Holocaust as a watershed event that has accompanied apology's entry into politics (Marrus, 2006; Barkan, 2000). This is no surprise, considering the sheer volume of scholarship dedicated to the Holocaust or its influence in injunctions that point to the barbarity of writing poetry after Auschwitz (Adorno, 1949: 34). But precisely by being unprecedented both in its character and magnitude of violence, the aftermath of the Holocaust heralded an era of critical self-introspection in Europe that took the shape of embracing one's own guilt for participation in the crimes of the same. In the words of Adorno (1990: 365), Hitler imposed a new categorical imperative upon humankind to "arrange their thoughts and actions so that nothing similar will happen again". Apologies are located within this larger concern with 'Never Again'. They seemed to reflect Hannah Arendt's (1950: ix) assertion that "[w]e can no longer afford to take that which was good in the past and simply call it our heritage, to discard the bad and simply think of it as a dead load which by itself time will bury in oblivion... This is the reality in which we live". Most importantly, though, as Marrus (2006) points out, the Holocaust helped underline the limitless potential for human cruelty. Being an example of the extent that participation in mass murder and involvement of institutions in heinous crimes could reach, it brought home

the unsettling understating: “anyone might have been a perpetrator, and, by extension, everyone has something to atone for” (2006: 26).

The post-war trials at Nuremberg and Tokyo similarly come across as significant tipping points. By laying the foundation of intolerance for human rights violations, the trials provided the normative ground for political apologies (Coicaud, 2009). Indeed, they provided significant impetus for acknowledging wrongdoing and redressing wrongs. The removal of the *statute of limitation* for participation and assistance in war crimes during World War II in Germany also meant that perpetrators of such crimes could be tried any time (Frei, 2009). This paved the way for not just rectifying the present, but also confronting the past. No act of injustice, however remote in the past, could afford to escape unscathed. And that apologies too, are better late than never, seemed to find increasing recognition. Seen in this light, we find that although apologies are often viewed as alternatives to trials for justice- as, in fact, mutually exclusive forms of justice; their growth in importance in acknowledging injustice and relevance as tools of addressing past wrongs seem to have benefitted from these trials themselves.

The rejuvenation of the jurisprudence of natural justice is further believed to facilitate the expansion of apologies in politics (Lawn, 2008). While the United Nations’ advocacy of crimes against humanity provided substantial boost to the spread of universal notions of human rights, the added impetus came with the democratic transition of former dictatorships throughout the 1980s, especially in Latin America (Coicaud, 2009). It is possible in this context to locate the development of apologies in the development of a certain kind of politics that emerged out of the processes of massive decolonisation in the 1950s/ 1960s, the spread of civil rights movements, and the rise of neoliberalism during the 1980s- famously called ‘the politics of recognition’ by Charles Taylor (1994). This kind of politics brought the struggle for recognition by various victim groups at the heart of the political in multicultural societies, and are intimately associated with issues of identity. Seen in this light, it is not very difficult to perceive the instances of apologies to indigenous peoples in Canada, Australia, New Zealand and the USA by their respective government as part of a larger politics of recognition. We can further trace the growth

of apologies in the related concept of “historical wound”, espoused by Dipesh Chakrabarty. Chakrabarty (2007) in fact takes from Taylor the notion of ‘misrecognition’, where misrecognition of victims by the larger society was capable of inflicting severe wounds and self-hatred in the former, and result in the evolution of a sense of “historical wound” in them whereby the past emerges as the site of the original slight while the present forms the platform for the redress of that slight. This “historical wound”, Chakrabarty clarifies, is a “particular mix of history and memory” (p. 77) and is distinguishable from ‘historical truths’ which are verifiable by historical research. Further, the wounds depend on recognition by the ‘givers of the wounds’ themselves and in this sense are dialogically formed, and are unevenly spread across democracies. Against this background, apologies could be seen as emerging out of the logic of the concept of “historical wound” both in their ability to redress past wrongs in the present as well as reinforcing the recognition of victim groups by the ‘givers of wounds’. While indeed there is need for further research along this line of thought, I do not think it is entirely implausible to understand the politics of apologies within the larger politics of recognition/ misrecognition.

Apart from the issues discussed above, the end of superpower rivalry, for Barkan (2000b), provided a boost for apologies and marked a significant decline in the tendency to justify wrongful action and use of *realpolitik* discourse to garb the same. In fact, it heralded a ‘normative turn’ in politics that introduced questions of justice and morality into a post-Cold War world order with a push for “the new global trend of restitution for historic injustices” (p. 10). The fall of the Soviet Union also accompanied change in the quondam modes of conflict in world politics. With the rise of several large-scale intra-state ethnic conflicts, issues related to standard power bloc rivalry were superseded by concerns with justice and human rights. This had severe repercussions on the notion of state responsibility as well. Whereas the contentious issue of humanitarian intervention occupied one end of the changed nature of state responsibility in world politics, the increasing legitimacy of public apologies occupied the other. Responsibility was no longer the forte of concerned states, but seemed decentralised on the basis of an imagined universal humanity. Apologies also were offered no longer only for wrongful action, but additionally for wrongful inaction. In the aftermath of the 1994 Hutu-Tutsi genocide in Rwanda, we therefore have in 1998,

President Clinton saying sorry for not acting “quickly enough after the killing began.... We did not call these crimes by their rightful name: genocide” and UN Secretary General Kofi Annan’s pensive recollection: “What we did was not enough.... to save Rwanda... We will not deny that, in their greatest hour of need, the world failed the people of Rwanda” (Larson, 2009: 14). In this sense, the altered realities of post-Cold War politics came to play a role in the acceptance of apology in politics.

Without ostensibly contextualising the advent of apologies in a post-Cold War world order, some writers choose to see them as part of a “new culture” (Mills, 2001). Thus, while Dwyer sees in apologies a “global frenzy to balance moral ledgers” (Dwyer in Prager & Govier, eds., 2003: 91), Barkan (2002) sees a ‘new public morality’ in the politics of apologies where public apologies are “evidence of the public distress in carrying the burden of guilt for inflicting suffering and possibly of its empathy with the victims” (Barkan, 2002: xxviii). This is related to the efforts taken in a number of countries to “come to terms” with past human injustices, and this is what exhorts Roy L. Brooks (1999) to define the present as the “age of apology”. Such a phenomenon is novel, and accrues largely to the fundamental change in the way we think and act where “[o]ne new measure of this public morality is the growing political willingness, and at times eagerness, to admit one’s historical guilt” (Barkan, 2002: xxviii). Brooks also explains, however, that this is representative of more than mere “contrition chic” or the simple canonisation of sentimentality. Apologies imply “a matrix of guilt and mourning, atonement and national revival” (Brooks, 1999: 3). We could try to understand this better by looking at Jennifer Lawn’s (2008) use of a rise in a certain ‘psychodynamic culture’ in the latter half of the twentieth century. Lawn herself borrows the concept of ‘psychodynamic culture’ from Ian Hacking where the notion that “what has been forgotten is what forms our character” (cited in Antze and Lambek, 1996: 65, in Lawn, 2008: 22), when applied to nation states, leads to the development of such a culture in the society. It is this culture which then underlines the importance of collective healing, of the necessity of stories of victims being told, of integrating the painful aspects of a nation’s history in its historiography. Remorse and apologies, in this sense, improves the national spirit and health. It raises the moral threshold of a society (Brooks, 1999). Understood

within such a perspective, apologies come across as easily recognisable signifiers of a psychodynamic culture.

Within the framework of the concept of responsibility, Danielle Celermajer (2009) argues that the phenomenon of apology marks a novel recognition of the significance of collective responsibility, the place of ritual in redressing past wrongs, and the contribution that practices which once belonged to the religious sphere- such as apology- could make to politics. She claims that although the entry of apology/repentance in contemporary politics seems odd when one considers its differences from the fundamental principles of modern secular liberalism, in reality it signifies our collective disappointment with the promises of a rationalised politics and marks the shift of political action from legal and insitutional realms into the realms of the repentant and the performative. In fact, the inherent inadequacies of our modern models of justice in dealing with issues related to past injustice are further characterising this shift beyond modern politics into the religious domain of repentance and redemption. In her understanding then, apologies have to do with a novel way of doing politics in the face of an impasse that liberal conceptions of justice or responsibility poses to politics.

Perhaps the most fascinating account explaining the advent of apologies in politics is provided by sociologist Jeffrey K. Olick in his work on collective memory and historical responsibility. Olick (2007) sees the rise in apologies as part of the related rise of a particularly new framework for facing up to past wrongs, which he calls the politics of regret. He argues that regret has come up as the emblem of our present age, the consciousness of our times, and the primary means for political legitimation. Along the lines of Reinhart Koselleck (2004), Olick too identifies the end of eschatology (the branch of theology concerned with the end of the world, as in visions of the Apocalypse, the Second Coming, or the Judgement Day) as a consequence of modernity which in turn gave rise to linear temporality and history and placed man at the centre of the moral universe. This, then, facilitated the decline of supernatural beliefs while theodicy lost its previous relevance. But going even further than Koselleck, Olick sees in Hannah Arendt's 1963 essay *On Revolution* (Arendt, 1991) the rise of an associated revolutionary ethos, also caused by the

centring of man in history, when people started questioning the inequalities among people instead of taking them as inevitable and eternal. Arendt's concept of revolutionary ethos, according to Olick, provides the foundation for ending suffering. In fact, pointing out the distinction drawn by Arendt between a sense of compassion and a sense of pity- where compassion is specific, limited and passive; while pity is eloquent, general, and capable of reaching out to multitudes, and therefore, of use in politics- Olick sees in the politics of pity the echo of the originally Nietzschean concept of *ressentiment*. But *ressentiment* here comes with a constructive goal- while the concept of humanitarianism (the desire to ameliorate suffering out of pity) informs *ressentiment* in Arendt's formulation; the redemptive view of future provides it a constructive goal. For Olick, then, *ressentiment* is the marker of our age. But, not only that. Olick ties this development with the modern notion of randomness of injury in accidents (caused by industry and speed), the mechanisation of death in World War I, the prevalence of genocide throughout Europe and the annihilating potential of nuclear weapons to highlight the fact that these in turn led to attempts at controlling this randomness through insurance, psychiatry and law which colluded to form a new moral universe of compensation. Together the notion of *ressentiment* and the morality of compensation have become the biggest markers of our age. Apologies, along with other forms of compensation, are thus indicators of the greater politics of regret.

All the above arguments, then, now give us some clue about the larger historical context in which apology has gained its purchase in the political domain. While Olick's formulation gives us some sort of meta-narrative about apology's historical and sociological origins, the other observations preceding it help us understand the specific reasons in more detail. In this sense, the different interpretations, far from befuddling our understanding, are meant instead to make us aware of the subtle nuances that the phenomenon can yield.

Apology in language

In this part here we examine the concept of apology in the English language. In terms of etymology, the word 'apology' reveals a surprising irony. For a word that

connotes regretful sorrow for one's own wrongdoing in the modern sense, it is in fact rooted in a meaning which is quite the opposite. As Tavuchis (1991), for one, points out, the word 'apology' comes from an older Greek word '*apologia*' which means a defence/ speech in defence of something. Rooted in the Classical Greek legal system, *apologia* comprises the defendant's speech of self-defence to meet the prosecutor's statement *kategoria*. Plato's *The Apology for Socrates*, for example, written in defence of Socrates, could be understood as one such case. And the word 'apologist' too comes from this understanding. Following this tradition, within the scholarship on rhetoric and communication itself, some sceptics have used the meaning of *apologia* to interpret public apologies as mere self-justifications. When a state says sorry, in this view, it is a "speech of self-defense" (Ware & Linkugel, 1973: 279), where the primary motive is to repair its self-image (Ware & Linkugel, 1973).

This is not the sole meaning of the word 'apology', however. To retrieve its modern meaning in terms of "*nothing, except a.... speech expressing regret*" (Tavuchis, 1991: 33) and to anchor that meaning in the scholarship available, we must now turn to speech act theory. That is done both for revealing the word's meaning as well as its position in the structure of speech act theory, for apologies have overwhelmingly been trafficked under speech acts (O'Neill, 1999; Searle, 1969; Celermajer, 2009; Taft, 2000; Austin, 1975). And because the dissertation is neither a part of the Department of Linguistics nor I an expert on linguistic theory, it seems useful to start from the basics.

Speech acts, then, we note was first used by linguist J. L. Austin (1975) in *How to Do Things with Words* to indicate that a sentence not only *describes* reality but also performs other actions. Words are used not only to make a statement but also to do several other things- ask questions, give orders, make requests, give thanks, make promises or offer apologies. To this effect, a speech act is generally defined as an utterance that serves a function in communication. Communication involves the expression of an attitude, and the type of speech act corresponds to the type of attitude that has been expressed- as a statement expresses a belief, a request expresses a desire, an apology expresses a regret. And communication fails if words fail to be true to the attitude they express.

Speech acts also fall under the category of intentional action irrespective of their medium of performance. This implies that there is always the existence of inherent intentions behind the action. At this point Austin points out three distinct levels of action beyond the act of utterance. Thus, he classifies the act of saying something as 'locutionary' acts, which comprise the actual utterance and its ostensible meaning. What one does *in* saying it falls under 'illocutionary' acts, which comprise the real force of the utterance and its intended meaning. And finally, what one does *by* saying it becomes a part of 'perlocutionary' acts, which comprise the actual effect like ordering, convincing, persuading, enlightening, inspiring, or getting someone to do something whether they intended to do it or not (Bach, 1998; Austin, 1975). A particular sentence could involve all three levels of action, although speech acts are generally associated with illocutionary acts. Thus, the locutionary act of saying "I'm sorry" could also have the force of an illocutionary act depending on the context.

Of the various kinds of speech acts, Austin regarded apology to fall under what he defined as 'explicit performative utterances'. 'Explicit performative utterances', according to him, are those where "the issuing of the utterance is the performing of an action" (Austin, 1975: 6). These are sentences like 'I suggest...' or 'I apologise' which are used to perform acts of the very sort named by the verb. Further, Austin explained that apology is a particular kind of performative "concerned roughly with reactions to behaviour and with behaviour towards others and designed to exhibit attitudes and feelings" (Austin, 1975: 83). This he termed under 'behabitives', which are somewhat ambiguous or "troublesome" in nature as they are more than simple sentences or descriptions of feelings. He also attached conditions to a happy apology- in apologising, the speaker must be really sorry for their act. If the speaker is insincere in her assertion, then the conditions required are not met and the apology remains an unhappy one (Austin, 1975: 40, 47). Similarly, O'Neill (1999) points out that among all things that speech acts do, what is common in all is that the speaker asserts some belief through a speech act. When someone apologises, it means that they are really sorry. A speaker is required to be sincere in her assertions, or the performative loses force. In this regard, one can identify two types of sincerity requirements- those involving intentions and those involving motives. But even as both intentions and

motives are generally unobservable, the sincerity condition suffers in case if insincerity of intention or motive become manifest.

Apart from the condition of sincerity identified by Austin and O'Neill, Sara Ahmed (2004) refers to additional conditions inherent in the act of apologising. According to Ahmed, apologies are inherently always conditional as in sentences "I apologise for what I have done" or "I apologise for hurting you". She elucidates that merely by stating what one is apologising for; one is at the same time delimiting the force of the utterance. One in the same instance interprets what it is that has been done as well- whether it is the action itself that is the cause of regret or the hurt caused to the receiver by the action that is regretted rather than the act itself. By the same logic, an unconditional apology does not work because it does not offer an explanation. It only says "I am sorry", which is meaningless without specifying what one is sorry for. Specifying what one is sorry for, then, is required. As we will see, this is also related to assuming responsibility of the action committed, without which, an apology is necessarily meaningless.

Cohen and Olshtain (1981) too we find define apologies as speech act and delineate five strategies that the act of apology must contain:

1. *Expression of apology*, where the speaker uses a word, expression, or sentence containing certain verbs such as "sorry", "excuse", "forgive", or "apologise".
2. *Acknowledgement of responsibility*, where the speaker admits that their action or omission amounted to a wrongdoing; and assumes responsibility for the act.
3. *Explanation or account*, where the speaker describes the situation or provides reasons that caused them to commit the wrong and which is used by the speaker as an indirect means of apologizing.
4. *Offer of repair*, whereby the speaker seeks to compensate for the harm caused by their action or inaction. This also often used to bear out the sincerity of the apology.
5. *Promise of non-recurrence*, whereby the speaker commits herself not to repeat the same wrongful act in future (Cohen & Olshtain, 1981: 119- 125).

The discussion so far reveals that resorting to speech act theory enables us to move beyond apology's roots in the concept of *apologia* and gain insights about what it involves in the rules of language. Far from being a speech of justification, then, an apology must fulfil a number of these qualifications in order to be effective. The

discussion also lays bare the conditions that are intrinsic to an apology. This should form the base of two related issues that we take up in the following sections: how an apology works and what constitutes a valid apology. Thus, while the first of these two parts shall seek to delineate what makes an apology work, the latter half shall focus on identifying the constituent elements that make an apology useful.

How do apologies work?

To attempt an answer to this question, we have to rely on the way scholars have understood the workings of interpersonal apology and extrapolate from them any insight for public ones. This is because both interpersonal and public apologies share some central concerns. This is also because exploration of the concept in the interpersonal realm could help us comprehend the concept better, as it is within that realm that an apology finds its most meaning and displays its highest efficacy. In terms of definition then, Nicholas Tavuchis (1991: 19) interprets apology as a speech act that involves an “acknowledgement of painful embracement of our deeds, coupled with a declaration of regret” designed to promote reconciliation between two or more parties. Indeed, a successful reconciliation demands apology (Larson, 2009; Mbaye, 2005; Barkan, 2000). An apology is meant to counteract an insult, to help undo the offence and to restore harmony (O’Neill, 1999). Also, an apology could bring about moral repair in victims (Walker, 2006; Cunningham, 1999; Baehr, 2008; Torpey, 2006).

But how does an apology manage to counteract an insult or promote reconciliation? What does it precisely do? For scholars and philosophers concerned with apology, the answers remain far from clear. Surely mere expression of regret does not undo the harm for which it is offered in the first place. Tavuchis understands this unavoidable fact that characterises the phenomenon. He is mindful of Disraeli’s observation that “apologies only account for that which they do not alter” and reiterates that an apology, no matter how sincere or effective, “does not and cannot undo what has been done. And yet, this is precisely what it manages to do” (Tavuchis, 1991: 5). This is the most striking feature of an apology, and that which eludes

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rational explanation in the first account. In light of this peculiar paradox, Tavuchis views apology as something that is shrouded in mystery, something that possesses magical qualities. For, it seems as if apology works by some sort of magic to restore harmony and facilitate forgiveness when it really changes nothing.

Attributing magical qualities to apologies, however, does not help us make real sense of them. One could very well ask what it is that an apology does, even as it fails to undo a wrong. In this regard, Tavuchis himself gives us a clue in saying that an apology also involves “a restoration of moral balance- more specifically, a restoration of an equality of regard” (Tavuchis, 1991: 12). This is a critical point to note. It implies that although an apology might be unsuccessful in undoing the original harm, it could be instrumental in restoring the moral worth of the victim. As Govier and Verwoerd (2002) point out in the work of Jeffrie Murphy and Jean Hampton (1988) in *Forgiveness and Mercy*, wrongdoing actually implies that the victim has no moral worth. As an illustration, when X deliberately does some wrong to Y, it implies that X does not consider Y to possess the same moral worth as her and therefore does not deserve the same treatment as she herself does. However, in apologising to Y, X accepts that her action towards Y was wrongful, and implies that Y deserves the same treatment as X as they share the same level of moral worth.

This becomes particularly clear when seen in the context of the various truth commissions the world over. Govier and Verwoerd (2002) suggest that the institutional proliferation of truth commissions is proof enough of the import attached to moral worth and human dignity. Indeed, restoration of moral worth and human dignity are at the heart of truth and reconciliation commissions. By public acknowledgement of wrongdoing, TRCs facilitate the restoration of dignity and moral worth, and in this sense, apologies often offer a starting point for healing (Weyeneth, 2001). Probably that is why we find Desmond Tutu thanking the perpetrators of apartheid for accepting their crime and “helping to pour balm on the wounds of many”³.



³ Transcript of TRC Special Hearing on the State Security Council, Johannesburg, October 14, 1997, cited in Govier & Verwoerd (2002: 70).

For those who see TRCs as instruments of justice, apologies also constitute a form of “non-litigious corrective justice” (Radin, 1993) in which the emphasis is more on restoration of dignity for the victims than on meting out punishment to the guilty. As Lazare posits, “[w]hat makes an apology work is the exchange of shame and power between the offender and the offended” (Lazare, 1995). The perpetrator of wrongdoing often enjoys a powerful position when compared with the victim. By apologising, the offender relinquishes power to the victim which in effect restores moral balance. This is where some believe apologies score more than conventional procedures of criminal justice. Whereas criminal justice succeeds in punishing the guilty, apologies pave the way for better contemporary relations by helping opposite parties to ‘move on’ (Cunningham, 1999). More than establishing sterner forms of justice, apologies aim at reparative justice and act as a social lubricant that benefit social relations (Bovens, 2008). In this sense, apologies are also symbolic. An apology could merely be a statement, but it allows for recognition, which itself could be reparation enough. For many victims of injustices, therefore, formal apologies mean more than financial compensation⁴. Further, Marrus (2006) suggests that apologies signify that a particular injustice *matters*, and that it cannot be ignored. In this sense, apologies address symbols which often act as markers for the past as well as the future. Such an understanding is borne out by the Afro-American civil rights activist Julian Bond’s words on an apology for slavery: “Apologies don’t provide jobs, but I think there’s a place for symbolic acts . . . It wouldn’t solve the problem of race, but it would mean that we are beginning to be a bit more realistic about it and that, as a society, we are moving away from this denial. The first step toward recovery is eliminating denial” (Weyeneth 2001: 32, cited in Marrus, 2006).

Writing on apologies, Barry O’Neill (1999) proposes that apologies are intrinsically linked to issues of honour and face. He explains that when we wrong somebody, our honour prompts us to make an apology; and when we feel someone owes us an apology, honour expects us to demand it- “there is no greater sin than not

⁴ Cunningham (1999), for example, mentions the victims of the Irish Potato Famine who favoured an official apology over financial compensation from Britain.

to admit a fault, and there is no greater disgrace than not to realize the need for shame”⁵. Further, if one feels one is not in the wrong, then honour calls on one to refuse to apologise. Thus, while the various instances of public apologies indicate an admission of wrongdoing by the parties offering the apologies, Turkey’s refusal to apologise for the Armenian genocide is consolidated by linking the issue to its honour in the form of Article 301 of the Turkish penal code where any discussion of the genocide is interpreted as an insult to “Turkishness” (Nobles, 2008). Apart from honour, apology is also related to face. To apologise is to grant face to the other person and imply that the other person matters and will get better treatment in the future. But to apologise it also to lose face oneself. To quote O’Neill, “[a]lthough apology is an honorable thing to do, our doing it implies we were wrong and on that account losing face” (O’Neill, 1999: 178). Honour and face is in conflict in such a case, and sacrificing face for the sake of honour implies one’s sincerity of apology. It also implies committing oneself not to repeat the wrong by putting one’s honour at stake, because to go back on the apology would result in a further loss of credibility and as a result, honour.

These aspects of how apologies work at the same time lead us to the question of what constitutes a valid or a sufficient apology. That, then, is the object of our next concern where we focus in more detail on what an apology must contain in order to have adequate effects.

What constitutes a valid apology?

Research on apologies suggests that a valid apology could potentially contain several distinguishable elements (Tavuchis, 1991; Lazare, 2004; Blatz, Schumann, & Ross, 2009). As performatives, apologies cannot be adequately evaluated as true or false (Celermajer, 2009). Instead, their efficacy is measured in terms of their fulfilling the conditions that make for a happy/ successful or valid apology. P. Davis, for one,

⁵ From *Japan Economic Newswire*, March 23, 1995, cited in O’Neill, 1999

identifies three constituent parts of what he calls the “consummate apology”. According to him, first, there is a “*doxastic*” element, which implies one believes that one has transgressed. Without recognising what constitutes the wrongdoing, one cannot meaningfully apologise for it. Second, there is an “*affective*” element, where one is affected by feelings of remorse or self-reproach for the harm caused by one’s action or inaction. Third, there is a “*dispositional*” element, where one is disposed not to repeat the same transgression again without which the apology has no meaning (Davis, 2002).

Complementing Davis’ classification, Luc Bovens (2008) identifies four elements of a genuine apology- “*cognitive*”, “*affective*”, “*conative*” and “*attitudinal*”. According to him, a genuine apology must recognise that a wrong has been done by the actor’s action (or inaction). The “*cognitive*” element of a genuine apology remains unfilled if the wrongdoing party fails to fully take cognisance of its wrongdoing- as in the case of Japan, which although offered formal apologies to China and South Korea for its actions during the Second World War, failed to recognise that the receiving parties saw them as insincere and inconsistent with Japan’s public policies of honouring the Japanese wartime dead (including war criminals) at the Yasukuni shrine or its version of the war in history textbooks for Japanese schoolchildren.

A genuine apology also requires that the offender recognises one’s culpability- it is not enough that one’s actions turned out badly. By this standard, many presumable apologies fail to become genuine apologies. A case in point is Carsten Juste’s apology- the editor of *Jylland Aftenposten*, who apologised for hurting the feelings of Muslims as a result of publishing cartoons lampooning Prophet Mohammad and not for publishing the cartoons themselves. In this instance, he refused to acknowledge that his action was wrong- he merely apologised because the action turned out badly (Bovens, 2008).

Bovens also claims that a genuine apology has an “*affective*” element. This implies that for an apology to be genuine, it should express certain emotions. The wrongdoer must recognise one’s culpability and feel remorse for her action, or even feel sympathy for the harm/hurt caused by the act of wrongdoing. An “*affective*”

element in an apology is said to be missing when the offender expresses little regret or sympathy and where the apology is motivated by opportunism. An apology is also not considered genuine without accompanied willingness to make amends or pay reparations. Although the issue of reparations will be dealt separately and in more detail a separate chapter later, it is important to note that the genuineness of an apology is often contingent on one's willingness to make amends through reparations (Bovens, 2008). Bill Clinton's apology for slavery, for example, without an accompanied commitment for reparations, is considered somewhat 'useless' in this regard.

The "*conative*" component of a genuine apology expresses two separate commitments- counterfactual and conditional. The counterfactual commitment implies that if the clock were turned back, then the offender would act differently, while the conditional commitment implies that in case a similar situation arises in the future, the same offence would not be repeated (Bovens, 2008).

The "*attitudinal*" element of apology implies that a genuine apology should express a humble attitude. As mark of humility, the act of apologising could include a metaphorical or literal bowing of the head as an expression of shame associated with an act of wrongdoing, or to make up for the deficit of respect with which the victim is treated, or even to relinquish power to the victim to restore the offender's moral stature. An apology without humility is not considered an apology, as evidenced by Kuwait's rejection of Saddam's apology for the invasion of Kuwait because of the provocative nature of his speech and his military uniform (Bovens, 2008). A stiff apology is also a second insult (Chesterton, 1950). Not only does it fail in its purpose, such an apology causes further grievances to the victims as well.

Nick Smith (2008, 2005: 473- 493) on his part proposes nine elements that must be satisfied before an apology could be termed a "categorical" apology. A categorical apology, in his view, represents the "*maximally meaningful*" apology. Although what constitutes as maximally meaningful depends on the context, these elements provide a guideline with which to test apologies. The first element then, among nine, is "*corroborated factual record*". This is required because moral injuries often involve contested facts, and unless both the offended and the offender agree on

a stabilised and uncontested record of facts, the apology cannot be complete. In fact, the moral process can only begin after such an agreement has been reached.

The second element implies that the offender must “*accept causal responsibility rather than merely express sympathy*” for the harm caused. One can express sympathy or say sorry even when one is not responsible for something, such as in saying “I am sorry you broke your leg”. However, saying sorry for accidental occurrences are merely expressions of sympathy because one is not causally responsible for the accident that has caused the harm. One can meaningfully apologise for something only when one is responsible for causing the harm concerned.

The third element requires the “*identification of each moral wrong*” to avoid conflating several wrongs into one apology. Indeed, this is necessary to isolate the discrete nature of wrongdoing so that it can be denounced and also specify all the aspects of the wrong for which one offers the apology.

The fourth element implies a “*shared commitment to violated moral principles*”. The offender must understand that the victim’s claims are legitimate and also recognise her own fault in order to offer a complete apology. She should not view the victim as a mere obstacle to her own interests. Similarly, the victim must be convinced about the genuineness of the apology offered. Unless both the victim and the offender share the same set of moral values, an apology remains a mere statement of regret implying that the victim does not conform to the offender’s beliefs as in the case of saying “I am sorry X bothers you”.

The fifth element requires that expression of “*regret must be categorical*” as well. Regret typically means expressing the wish that things could be otherwise. However, such a sentiment could be expressed in a number of cases where causal responsibility does not exist, such as the sympathy apologies mentioned before. Categorical regret, on the other hand, implies recognition of the mistake. It involves declaration of the wrong and wishing that wrong could be undone rather than expressing disappointment at the outcome of an action. It also entails a commitment that the offender will not repeat the transgression in future.

The sixth element emphasises on the “*performance of the apology*”. It is important for the offender to utter the apology and admit wrongdoing to the victim, preferably face-to-face. While an oral apology has its value for creating emotional and ceremonial meaning, a written version allows the offender to identify the wrongs and causal responsibility required for a categorical apology with comparably more precision.

The seventh element entails “*reform and reparations*”. In a categorical apology, the offender commits herself to moral reform and non-repetition of the transgression. Further, it also requires the offender to offer reparations to the victim as a means of making up for the harm caused.

The eighth element of a categorical apology refers to “*standing*”. Smith borrows this term from the field of law to clarify that only the person who is responsible for the wrong has the standing to offer an apology. In this sense, third parties cannot offer apologies for the actions of someone else. Only the offender can denounce her own wrongful action, promise never to do it again, undertake her own moral transformation, and build trust with the victim. None of these can be done by someone else.

The ninth element specified by Smith pertains to “*intentions*”. The meaning of an apology depends on the offender’s motivations to a significant extent. If the apology is offered not as an admission of moral wrong but for improving one’s image in front of others or for material gains, then it ceases to be a meaningful apology. In this regard, enquiring into the intentions behind the apology can throw light on the precise reasons for which it is offered even if all other elements are satisfied.

Along with these components of a comprehensive apology identified by Davis, Bovens and Smith, we seek at this point to reiterate the most important requirements that an apology must satisfy in order to be considered complete. Since these follow from an attempted approximation based on the general literature on apologies, they exhibit the tendency to overlap with the elements specified by any or

all of the writers mentioned above. Notwithstanding such unavoidable repetition, it is hoped that the following elements listed would aid a richer comprehension of the constituents of a full apology.

The first element of an apology requires that an act must have been committed or omitted which constitutes a wrong or injustice (Cunningham, 2004). This point is rather obvious- unless there is an action (or inaction) that constitutes as a wrongdoing, there can neither be any requirement nor opportunity for offering an apology. This is also related to Sara Ahmed's (2004) analysis of conditional apologies. One can only apologise for specific things- an unconditional apology such as saying "I'm sorry" without saying what one is sorry for is meaningless.

The second element implies that there should be identifiable victims to whom the apology is offered (Cunningham, 2004). The very logic of apology demands this- apologies have no meaning if there are no victims. Indeed, because apologies are different from confessions, they cannot be solitary acts but must be addressed to the victims (Marrus, 2006). However, it is also important to note that this argument loses force in the case of historical apologies where apologies are offered by and addressed to third parties. Instead of direct perpetrators and direct victims, historical apologies are exchanged between representatives of the respective collectivities. Nevertheless, some sort of identifiable victims still exist even in such cases.

The third element entails an admission of the wrong committed (Marrus, 2006; Clarke & Fine, 2010; Blatz, Schumann, & Ross, 2009, Tavuchis, 1991). Almost all writers on apology emphasise on this particular aspect. An apology can have no meaning if the offender does not recognise or admit that she has committed an act of wrongdoing. Excuses or justifications of transgressions weaken the apology. Further, Marrus (2006) argues that there should be clarity on the nature of wrongdoing if apology is to fulfil its justice-seeking objectives. In his view, apology succeeds in resolving conflicts by determining "the entitlements claimed by the successors or descendants of victims of injustice and the obligations that are thought to be entailed by those claims" (Thompson 2002: xi; quoted in Marrus, 2006). Without agreement

on the wrongs, however, entitlements or obligations cannot be assessed to aid the process of justice-seeking.

The fourth element includes an acknowledgement of the harm caused (Marrus, 2006; Clarke & Fine, 2010; Blatz, Schumann, & Ross, 2009). Again, this is another most vital component of an apology without which it is rendered meaningless. If the offender does not acknowledge the harm caused by her action or inaction, she fails to offer a full apology that requires admission of wrongdoing in the first place. In view of the utmost importance of acknowledgement of wrongdoing by the offender, Govier and Verwoerd (2002) propose that the significance and efficacy of apology itself lay in its capacity for acknowledgement. This acknowledgement, according to them, has three dimensions. First, the wrongdoer acknowledges wrongdoing by herself, or her group that she represents and accepts responsibility for the wrong act. Second, the wrongdoer acknowledges the moral status of victim(s) to whom she apologises. Third, the wrongdoer acknowledges the legitimacy of feelings of anger or resentment that victims may feel in response to being wronged. Indeed, an apology is the “acknowledgement of the *human dignity and moral worth of victims* as well as *respect for their feelings of resentment....*” (Govier and Verwoerd, 2002: 69). Indeed, lack of acknowledgement is a further insult, a second injury to victims. If wrongdoing implies lack of moral worth of the victim, then lack of acknowledgement amounts to moral contempt which can be as devastating as the original wrong itself.

The fifth element involves an acceptance of responsibility by the offender for the harm caused (Blatz, Schumann, & Ross, 2009, Cunningham, 2004). This is important in order to distinguish between expression of regret or sympathy and offering an apology. Apology is not possible without assuming responsibility (Smith, 2005, 2008; Cunningham, 2004). One can be sorry about something that has happened, but one cannot apologise for something for which one was not responsible. Again, this is why statements such as “I am sorry X offended you” fail to be a valid apology. Instead of assuming responsibility for the harm, this sort of statement tends to hold the victim responsible for taking offence (O’Neill, 1999). The underlying implication of such apologies suggests that the offender does not deem her own action to constitute a wrong.

The sixth element of a valid apology implies that the offender express regret and remorse for both the harm caused and the harm done (Marrus, 2006; Clarke & Fine, 2010; Blatz, Schumann, & Ross, 2009; Tavuchis, 1991). A genuine apology must express sorrow (Tavuchis, 1991). Remorse implies that the offender admits that her action or inaction was wrong, and desires that things could be otherwise. Put in other terms, absence of regret in the offender implies that she does not consider her action as wrong. In such a scenario, there is no justification for an apology.

The seventh element requires that a commitment be made not to repeat the wrong in future (Marrus, 2006; Clarke & Fine, 2010; Blatz, Schumann, & Ross, 2009). If an apology does not imply such a commitment, it remains a shallow one. A valid apology derives its meaning from the reassurance that the offender would not commit the same wrong in a similar situation in the future.

The eighth element includes an offer of repair or amendment for the wrong caused (Marrus, 2006; Clarke & Fine, 2010; Blatz, Schumann, & Ross, 2009, Cunningham, 2004). This could be complicated in the case of historical apologies where it is difficult to identify victims. A further problem can arise in determining tangible material forms of reparation for intangible wrongs. Nevertheless, offers of reparation help to demonstrate the sincerity of the apology. We might also note that in some cases at least, apology in itself is taken as some form of non-material reparation (Cunningham, 1999; Baehr, 2008).

The ninth element pertains to the significance of language in apologies. One must in the apology use words that show that one accepts one has done wrong. To make the apology clear and unambiguous, therefore, terms like “I am sorry” or “I apologise” serve as markers (Cunningham, 2004; Davis, 2002; O’Neill, 1999). Expression of remorse or regret does not automatically amount to apology, however. As an example, in Peter Baehr’s (2008) discussion of a Dutch perspective on colonialism and slavery, we find mention of a Dutch cabinet minister expressing his “deep remorse” about slavery and the slave trade (without particularly mentioning the Netherlands) at the UN World Conference against Racism and the Right to Reparation in Durban, 2001, without apologising for it. Indeed, by referring to Theo van Boven,

Baehr suggests that the government of Netherlands remained content with “expressing remorse” and steered clear of “presenting apologies” because the latter contained in it possible demands for compensation⁶.

The scope of these qualifications implies that not all statements saying sorry amount to valid apologies. In effect, they provide significantly difficult criteria that apologies must fulfil before they can be deemed successful or valid. Further, although individual interpersonal apologies display a greater potential to satisfy these qualifications, the likelihood of public apologies satisfying the same seems highly skewed. This is because in acts of collective apologies, responsibility is decentralised, direct perpetrators and direct victims are often absent and admission of wrongdoing is partial. President Clinton’s apology for failure to prevent the Rwandan genocide, for instance, neither implies a corresponding similarity of thought with the larger community of Americans he represented, nor included any offer of compensation for the concerned act of omission. Due to such characteristics, public apologies have often been stymied as ‘partial’ (Smith, 2005), ‘vacuous’, ‘exhibitionistic’, and ‘politically expedient’ (Beauchamp, 2007).

Yet, public apologies are still widely desired by ever growing number of victims. In Taiwan, the victims (128 families) of the 228 Incident⁷ filed legal suits demanding a public apology by the KMT (Shu-ling, Chang, & Chao, 2011). In Korea, victims of forced sexual slavery by Japan during World War II- euphemistically called the ‘comfort women’- crossed their 900th demonstration in 2010 demanding an apology from Japan (Amnesty International, Public Statement, 22/001/2010). In the United States, the victims of the Tuskegee Syphilis Study conjoined their demand for compensation with an equal demand for an apology as fundamentally important for redressing past wrongs (A Request for Redress of the Wrongs of Tuskegee: Final report of the Tuskegee Syphilis Study Legacy Committee, 1996). In Bangladesh, the

⁶ Boven, Theo van (2001), “World Conference Against Racism: An Historic Event?” *Netherlands Quarterly of Human Rights*, 19(4) 380, mentioned in Baehr (2008)

⁷ This incident refers to the massacre of thousands of Taiwanese by the Chinese Nationalist Party (KMT) troops in February, 1947.

need for an unconditional apology by Pakistan for the 1971 genocide is seen as the only way to heal the wounds of history and memory (Habib, 2002). Indeed, that such apologies are important is further underlined by the instance of a joint statement of apology by fifty one Pakistani civil rights organisations which being unhappy with Musharraf's much delayed muffled apology, spelled out in unequivocal terms: "We feel sad and burdened by what we know was a violation of the people's human rights... The apology should have come a long time ago, and citizen groups did make attempts to do so... We deeply feel that a message from us is necessary to acknowledge the historic wrongs, to express sincere apology and build a bond based on honest sentiments" (Habib, 2002).

But if they are indeed partial, why are such apologies desired? To throw light on such questions, we have to note the differences that characterise personal and public apologies and the different functions they serve. Without that, there is the risk of losing any insight that the specific functions of public apology could yield to us. As Tavuchis does not fail to point out, to expect the functions of interpersonal apology from public ones "is to mistake its task and logic" (1991: 108- 11).

Interpersonal and public apologies

Interpersonal and public apologies share certain elements in common. Both involve an admission of error and regret over the action/inaction responsible for the harm caused to the victim. Both are categorised as speech acts. And more generally, as Melissa Nobles (2008) highlights, both interpersonal and public apologies require judgements and reflections, ideational as well as moral, on what apologies are being asked for and on what the expected consequences of the apologies are (Nobles, 2008: x).

The differences between interpersonal and public apologies, however, are more obvious. As Barry O'Neill (1999) points out, international apologies show flaws that would never be accepted in interpersonal apologies. According to him, this is because what are more important in international public apologies are issues related

to honour and face rather than communication of attitudes between stakeholders. His examination of a wide range of international apologies reveals that demands for public apologies are usually expressed in the language of rights, honour and face, rather than interests. Thus, he finds that apologies were sought in the event of symbolic violations of a nation's sovereignty like over-flights into one's air space but none for raising tariffs or discontinuing foreign aid which have far serious material effects.

International apologies could also seem insincere because they are delivered under pressure. As a speech act, interpersonal apologies are commitments that also contain an assertion of a fact. But assertion cannot be sincere if made under coercion. However, this does not matter very much in the case of international apologies where apologies are often negotiated or coerced but still taken as serious on sheer face value (O'Neill, 1999).

International or public apologies do not exhibit explicit forgiving as well, which is common in interpersonal ones. In most cases, the receiver of an international apology only "takes note of" the apology offered or "considers the matter closed" (O'Neill, 1999).

Public apologies are often offered to and by third parties (O'Neill, 1999). The person who is offering the apology is usually not identical with the agent(s) of wrongdoing. The speaker- representatives of states, governments or institutions- speaks for the collective (Govier & Verwoerd, 2002).

Public apologies also involve plural or ramified actions that occur over a long period of time and involve many people (Govier & Verwoerd, 2002). As we witness, governments and universities apologise for slavery long after it has ceased to practice, or Truth and Reconciliation Commissions in post-conflict transitional societies comprising hundreds or even thousands of members offering collective apologies such as in South Africa or Rwanda.

To some writers, public apologies must have a popular mandate (Govier & Verwoerd, 2002; Nobles, 2008). Without some sort of domestic consensus about an

apology, there is always the fear of a domestic backlash. This becomes clear when we see refusals to offer a clear and categorical apology by states such as Japan for its atrocities against South Korea and China during the Second World War or U.S.A's refusal to apologise for using atom bombs in 1945, however, what is not clear is the extent of popular mandate required for making an apology. It is important to note also that almost all apologies have had their supporters and detractors- even the most successful ones- just as Republicans have been vociferously critical of Clinton's apologies for various issues and some Germans have questioned the desirability of Willy Brandt's *Kniefall* at the Warsaw Ghetto Memorial 1970. On the other hand, there is also the example of thousands of Australian citizens signing "Sorry Books" and sponsoring "Sea of Hands" to apologise to indigenous Australians when Prime Minister John Howard refused to do so. The point here is, simply, that this point must not be overstretched.

Blatz, Schumann, & Ross (2009), in their article "Government Apologies for Historical Injustices" point out that government/public apologies could include four additional elements in their apologies that are not present in interpersonal ones. First, an public apology might choose to address the identity concerns of the minority, and use the apology as an occasion to undo the harmful implications of previous injustices by proclaiming the significant and unique contributions of the victimised group to the society so as to demonstrate that the government values the group. Second, public apologies might be phrased in a manner that minimise resistance from the non-victimised community, who might not want to be implicated in the injustice on the ground of not individually being responsible for it. Third, such apologies might also include praise for the present system of law and government so that the non-victimised community do not blame the victimised group for their own suffering. The writers refer to claims by social psychologists who posit that people are highly motivated to believe that they live in a just and fair society, and admission of historical wrong threatens that belief, prompting some members to shift the blame on the victims themselves. To reduce victim blame, according to them, societies must believe they are just and fair. Fourth, an public government could also disassociate the present system from the system that permitted injustices to further reduce threat to the society. This is required, according to the writers, to demonstrate its own commitment

to justice. It must be said, however, that some of these suggestions are considerable problematic. As we shall see later in the chapter, for apologies to try to abjure responsibility through disassociation from past wrongs or not wholly admitting blame result in 'insincere' and failed apologies.

Further, public apologies are usually public events (O'Neill, 1999). Unlike interpersonal apology where the emphasis is on identifying individual responsibility and communicating authentic remorse, public apologies intend "to put things on record, to document as a prelude to reconciliation" (Tavuchis 1991: 109). In fact, they are primarily for the record. These kinds of apologies are meant to acknowledge harm and responsibility to the whole world to constrain the apologiser's future assertions and behaviour. The public-ness of public apologies also influences the symbolism of their context. They are more carefully crafted and usually involve public ceremonies such as speeches at public gatherings. Generally, the apologiser also travels to the receiver's area or at least offers the apology face-to-face to symbolise respect and emphasise the fact that it is a deliberate act and not offered by default (O'Neill, 1999). In addition, although Tavuchis (1991) considers emotion to be the 'engine' of apologies, this is not vitally important for public apologies which are made in public contexts. Govier and Verwoerd feel this is because Western convention generally keeps emotions out of the public realm. More importantly though, acknowledgement of wrongdoing is what is crucial in public apologies as opposed to expression of emotion (Govier & Verwoerd, 2002). They also add that public apologies often carry implications of legal liability or a duty to compensate victims unlike interpersonal apologies (Govier & Verwoerd, 2002).

Again, Blatz, Schumann, & Ross, (2009) point out that public apologies for historical wrongs often involve far more serious crimes than most interpersonal transgressions, and thereby call for more sincere commitment than a mere "sorry". These apologies are also directed primarily at present and future generations of both the offender and victim groups, many of whom may know little about the injustices. Therefore, according to them, it is important that "everything counting as the apology must be spelled out; nothing can be taken for granted or remain ambiguous" (Tavuchis, 1991, p. 71).

These dissimilarities between interpersonal and public apologies are attributed to the difference in illocutionary points of apologising used in both types of apologies by Barry O'Neill (1999). As he elucidates, whereas interpersonal apologies are more about the speaker's feelings, meant to inform the receiver and give confidence for the future of that relationship, public apologies are geared towards management of face and honour. They are aimed more at communication to the world than to the immediate offended party. In fact, they are offered to restore the other's face and also to commit one's own face before the whole community that the wrong action will not be repeated in future.

These distinctions make clear that public apologies serve specific purposes that interpersonal apologies are inept to handle. Although they are seldom marked by ostensible proofs of forgiveness or often offered under compulsions, their value lies in the public-nature of their act. They are desired because they set record in public. For victims, public acknowledgement of being wronged help in initiating healing; and for perpetrators, these acts assert their sincerity in repairing those wrongs.

Notwithstanding such obvious advantages, public apologies are mired in deep theoretical and practical problems as well. In the final part of this chapter, we shall take note of some of the paradoxes and problems that an act of apology might encounter.

Problems and paradoxes of apology

The first problem that the politics of saying sorry faces is the charge of insincerity. It is pointed out that apologies serve no purpose save that of symbolism, and represents a mere 'politics of gesture' (Cunningham 1999). In fact, apologising could very well be an easy way out for perpetrators of crimes without really paying for their wrongs. If anything, apologies serve as a cheap way for governments to win favours with political or electoral groupings (Cunningham 2004). The US apology for slavery, for instance, could as well be a means to merely win favour without paying any real material price for it (Cunningham 1999). Again, apologies are seen as tools

that are superficially used by states and governments to serve their own interests. The motivation behind offering an apology is not guilt or regret for the harm caused, but rather securing self-interest for the apologising party itself. Behind Italy's apology to Libya in August, 2008, for occupation and war between 1911 and 1942 was actually the selfish interest to secure Libya's help in combating illegal African immigrants into Italy and get access to Libya's gas and oil (Zimmerer and Schaller, 2008).

Besides, the different standards that states adopt for different acts seem to render apologies hypocritical. What could explain Clinton's apology for inaction in Rwanda but not even acknowledgement of wrongdoing in acts of bombing of Hiroshima and Nagasaki during the Second World War? What is the justification for his deep regret for slavery in Uganda but refusal to apologise to African Americans for more than two centuries of exploitation in the United States? Seen in this light, it seems apologies are more forthcoming when states are not directly involved in wrongdoing and considerably less probable when they are directly implicated in those crimes.

The second problem we could take note of concerns apology's relation with the concept of forgiveness. Since apologies are seen as promoting reconciliation between formerly antagonistic entities, there is also a notion of forgiveness implicit in apologies somewhere. In fact, reconciliation becomes a reality after the wronged has forgiven the wrongdoer. But forgiveness poses a formidable philosophical problem for apology, and that relates to the problem of the unforgivable (Coicaud, 2009). Jacques Derrida discusses the problem in detail in *Cosmopolitanism and Forgiveness*. Derrida points out that in principle, there really is no limit to forgiveness: "no measure, no moderation, no 'to what point?'" (1997: 27). Yet, there also exists the paradox of the 'unforgivable'- of the impossibility of forgiving all crimes. This evidently implies that the less serious the wrong, the more likely it is to be successful; while the greater the crime, the more difficult it is to offer or accept apology. Its efficacy seems to be inversely proportional with the gravity of the wrong. However, the significance of an apology increases with the magnitude of the wrong as well. As Derrida points out, an apology is most valuable when it faces the impossible, when it

confronts the challenge of offering or accepting an apology for an unforgivable wrong.

This very paradox is further extenuated by the fact that on the one hand it is taken that we ought to forgive only those wrongdoers who deserve to be forgiven,; on the other, the more deserving of forgiveness one is, the less wrongdoer she seems. Forgiveness, in this sense, loses its point (Kolnai, 1973- 74). The dilemma becomes acute in the instances where apologies have been issued for crimes against humanity. As Jean-Marc Coicaud (2009) points out, crimes against humanity are not mere violations of human rights but crimes that deny the right and essence of being human, and in that sense, falls into the category of ‘unforgivable’ crimes. But apologies issued for the holocaust or genocides have also made them problematic. Coicaud raises three critical concerns in this regard. The first concern relates to the possibility or even desirability of offering apologies by perpetrators themselves: “what would have been the value and the meaning of an apology coming from Hitler for the crimes he instigated?... is the perpetrator entitled to the relief he/she might get from the apology?” (2009: 102). The second concern, according to Coicaud, is the difficulty it poses to the victims in terms of their ability to forgive. In several instances of crimes against humanity, the victims are either dead and therefore, physically incapable of forgives when the apology is issued, or because the abysmally heinous nature of the crime destroys the human capacity to empathise with the perpetrator and transcends the possibility of forgiveness. The third challenge that unforgivable crimes pose to apology relates to the problem of trade-offs that negotiations of apology and reconciliation entail in the case of unforgivable crimes. These negotiations, according to Coicaud, diminish the meaning of an apology, as exemplified by the Truth and Reconciliation Commission in South Africa, where the price of apology and reconciliation was amnesty to perpetrators of grievous crimes.

The third problem that apologies confront relates to the issue of time. Because many apologies- the Pope’s for the Crusades, US Senate’s for slavery, for instance- have come years after the original act of wrongdoing, they have often been charged of anachronism (Gibney et al., 2008; Cunnigham, 1999; Govier & Verwoerd, 2002; Coicaud 2009). The argument goes that past values and past judgements were

different from present understandings of the same and it is therefore unwise to apply modern standards to values of another age. Indeed, the related set of questions that arise in this context are:

How meaningful can it be for the twentieth-century Pope John Paul II to express contrition about how Galileo was treated in the seventeenth century — especially when the pontiff's remarks are addressed to God, rather than to the scientific community? Why should the Canadian government apologize for the wartime execution of deserters in 1917, seemingly applying our standards, not those of the time, to a problem of military justice? And how can a British prime minister, who presumably represents immigrants from Bangladesh along with the descendants of British civil servants from the 1840s, declare present-day English responsibilities for the Irish Potato Famine? (Marrus, 2006: 28- 29).

This brings us to the related fourth problem that marks the question of apology, and this relates to the problem of ethical choice. Human history seems to bear out Walter Benjamin's (1955) aphorism about civilisation being inevitably accompanied with barbarity. Indeed, it is not hard to find innumerable instances, in the past and in the present, which could make cogent claims on apology. But if every other individual/ group/ state demands our apologies, who do we choose first? On what criteria do we make our choice? Is it possible to do justice to all? And then, when do we stop? These questions reveal no easy answers. On the contrary, they seem to lead us to some dead-end. In terms of ethical choice, then, apology faces the problem that Derrida termed the problem of *aporia*: there is no way forward, only an impasse (Derrida, 2006: 63). No matter what instances are chosen and on whatever grounds, it is bound also to be unjust on ethical grounds by ignoring all other instances of injustices. And it is equally humanly impossible to address every act of injustice, every instance of wrongdoing. This paradox, however, does not render apologies useless. The problem of ethical choice along with concerns with anachronism, the unforgivable, and insincerity of apologies rather lay bare the hidden limits of the phenomenon, and in effect, only go on to aid our understanding rather than stifling it.

Apology and the Question of Reconciliation

We deal in this chapter, with the twin themes of apology and reconciliation. Our primary motive here would be to examine how and in which ways the concept of apology relates to reconciliation. Broadly, we intend to find out whether apology is or is not a necessary and sufficient condition in resolving conflicts, and uncover the reasons thereof.

A number of authors seem to argue that apologies are a potent means of reconciliation (Tavuchis 1991; Lazare 2004; Minow 2002). Thus, Long and Brecke (2003) see the German Chancellor Willy Brandt's 1970 apology at Warsaw, famous as the *Kniefall*, as an indispensable factor in improving Germany's relations with Poland. Similarly, Sadat's emotional address in the Israeli Knesset in 1977, they argue, was responsible for leading both the countries to a path of reconciliation: "Both of these important symbolic acknowledgments of harm took place at the beginning of the reconciliation process, much like the civil conflict cases. We can assume that they performed a similar function too, that is, to open a space for the possibility of additional steps toward reconciliation" (Long & Brecke, 2003: 113). Taking a cue from here, in the following pages, we shall make an attempt to understand the various ways in which an apology could play a role in reconciliation between estranged parties. Before embarking on that issue, however, let us briefly turn our attention to the concept of reconciliation itself in order to map out what it implies and what it does not.

What is Reconciliation?

The concept of reconciliation, we can safely assert, has gained some sort of ubiquity in our times; what with laws promoting reconciliation in Algeria, Canada, Guatemala, Namibia, Nicaragua, South Africa, and Timor-Leste; establishment of reconciliation commissions in Ghana, Morocco, Nigeria, Peru, Sierra Leone, and Timor-Leste; or existence of reconciliation ministers in Australia, Fiji, Rwanda, and

the Solomon Islands (Sarkin 2008). Despite such ubiquity, however, the concept, vast as it is, seems elusive to definitions. In spite of the immense attention it managed to attract in the scholarly discourses of many disciplines, particularly in the last two decades (Bloomfield et al., 2003), it remains marked by considerable vagueness. For one, a significant dearth of agreed-upon and comprehensive definitions renders the concept substantially protean. Second, there also seems no consensus on whether reconciliation is an end in itself, or more of a means as in being a part of a process. Further, scholars are confounded on the question of actors of reconciliation as well-whether reconciliation entails individual reconciliation between the victim and the perpetrator, or whether it involves national or social reconciliation in the form of formal reconciliation reached by political actors from conflicting groups.

Taking cognisance of the difficulty this lack of proper definition poses to our understanding of the concept, we begin by looking at the most basic meanings of reconciliation available to us. The first two meanings of the word 'reconcile' in Merriam-Webster (2011) dictionary, therefore, enlist:

1. a. to restore to friendship or harmony
- b. settle, resolve
2. to make consistent or congruous

Having its etymological origin in the Latin word *reconciliare*- a combination of two words *re+ conciliare*, meaning, "to make compatible again"- most fundamentally, 'reconciliation' denotes restoration or repair of broken relationships. It is "the action of restoring broken relations" (International Year for Reconciliation, 1998). Reconciliation is also more than mere theory or a conglomeration of 'how to' steps. "It is more than what any one of us can bring to the table. It is something that emerges out of sitting at the table" (a Mozambican woman, cited in Villa-Vicencio et. al, 2004: 5).

Lederach (1997), reflecting on intra-social reconciliation, presents four compulsory elements of the same. The first element of reconciliation, according to him, is truth. This requires a truthful and open expression of past events without which reconciliation is rarely possible. All the parties related to a conflict must know

and acknowledge a common past. The second element is mercy or forgiveness. The victims of a conflict must be willing to forgive and let go of past resentment for the society to move on and start new relations. The third element of reconciliation is justice. Justice is of supreme importance, and it requires restitution to victims and often social restructuring after a conflict. Devoid of justice, the reconciliation reached could be fragile. The fourth element is peace. This is the ultimate aim of reconciliation and this entails the well-being and the existence of a desirable common future for all.

Bar-Tal & Bennink (2004) remind us that reconciliation is vital for stabilising peace after a conflict, and for transforming relations between adversaries. This is because reconciliation goes beyond mere conflict resolution and is concerned with the emotional barriers that confront stabilization of peaceful relations. It goes beyond 'negative peace'- or, the absence of violence- to social transformation. Indeed, the social psychological approach of reconciliation that they uphold holds it necessary to openly address the past in order to build a peaceful future on that foundation. Additionally, "[t]his may require unilateral or mutual willingness to apologize for previous transgressions, unilateral or mutual forgiveness, an offer of appropriate compensation, a mutual perception of a just peace agreement (that is, one that is responsive to the needs and fears of both sides), mutual satisfaction with the peace agreement and with the development of the relations, mutual acceptance and respect for each other's national identity, internalization of the peace values, and a willingness to open a new chapter in the relationship" (Bar-Tal & Bennink, 2004: 5). They also most importantly remind us to note that reconciliation is a mutual and consensual process. It cannot be imposed by one side or from outside, and must develop naturally and slowly where all parties to the conflict act simultaneously and jointly to ensure the internalisation of peace relations in all spheres of the society (Bar-Tal & Bennink 2004).

In terms of practice, a completely new method of reconciliation was put in use in the now famous Truth and Reconciliation Commissions in post-apartheid South Africa. At its heart was the (Sub- Saharan) African way of life and philosophy of Ubuntu. This philosophy is central to the understanding of reconciliation, and is used

by Africans on a daily basis to settle disputes and conflicts at various levels throughout the continent (Nabudere, n. d.). Ubuntu literally means ‘humanity towards others’ with emphases on cooperation, compassion, community, concern for all, and respect for the dignity of personhood (Ubuntu Network, 2007: 6). ‘Ubu’ and ‘ntu’ constitutes both wholeness and oneness (Nabudere, n. d.: 2). In essence, the concept of Ubuntu embodies the Zulu proverb ‘umuntu ngumuntu ntabantu’, which when translated, stands for: “a person is a person through other persons” (Nabudere, n. d.: 3). In one of the most vocal advocates of Ubuntu, Desmond Tutu’s words,

Africans have this thing called UBUNTU... the essence of being human... It embraces hospitality, caring about others, willing to go the extra mile for the sake of others. We believe ...that my humanity is caught up, bound up and inextricable in yours. When I dehumanise you I inexorably dehumanise myself. The solitary individual is a contradiction in terms and, therefore, you seek to work for the common good because your humanity comes into its own community, in belonging (Tutu in Nabudere, n. d.: 5)

It connotes the connectedness and interdependence of all humanity. Because of such emphasis, therefore, the logic of reconciliation is built into the concept. In order to achieve togetherness of humanity, Ubuntu requires reconciliation with all persons in a society. A person with Ubuntu is never alone, and knows that they belong to a “greater whole” and “diminished when others are humiliated or diminished, when others are tortured or oppressed” (Tutu in Ubuntu Network, 2007: 6). Because of the inherent nature of Ubuntu, Desmond Tutu believes that had there been more Ubuntu in the world, there would be no war (Tutu in Beliefnet Interview, 2004: 2).

It could be of interest here to also note the views of that one person credited with mass-scale popularisation of non-violent means of struggle in India: Gandhi. Although Gandhi did not directly address the question of reconciliation, as commonly understood in current academia, it is well possible to distil his views on the concept from his extensive writings on the ethical aspect for struggle of national independence in India- a context within which he mainly wrote and worked. The core of Gandhi’s philosophy was based on truth (*satya*), truth-force (*satyagraha*), and ahimsa (non-violence), and together they formed the basis of the most fundamental element of his political philosophy: *swaraj*. *Swaraj* was “a state of being” for individuals and nations, while non-violence was the means to *swaraj*. National independence forms

the first aspect of *swaraj*, and connotes freedom from alien rule. But Gandhi did not believe independence in itself to cure all the ills afflicting Indian society. For that, he advocated the pursuit of *swaraj* which was an all-encompassing approach. And “*poorna swaraj*” or complete independence required the existence of a collective capacity for building a strong civil society. It required that the civil society work towards the goals of peace between the majority and minorities, removal of untouchability and the caste system, small-scale industries, emancipation of women, improvement of the lot of lost of students, peasants, industrial labourers and tribals (Parel, 2000).

Gandhi is also clear that the means through which independence was to be achieved was as important as the end of independence itself. He vociferously called for a harmonization of political action with self-rule (Gandhi, 1997). Resort to violence, therefore, was wholly rejected. Instead of a war of independence, the alternate means advocated by Gandhi consisted of civil disobedience, non-payment of taxes, and withdrawal of voluntary association with the colonial government (Parel, 2000). The primary method of resistance to colonial rule was defined as *satyagraha*, also known as passive resistance, because it rejected any use of violence and adopted the principle of “personal suffering” instead. This principle of “personal suffering” sought to make the struggle for independence less violent and more peaceful by urging its practitioners to voluntarily accept the penalties of active resistance to unjust laws instead of resorting to violence themselves (Parel, 2000). In this sense, *satyagraha* was “the systematic organization of patience and voluntary suffering as a special method or technique of political activity” (Maritain, 1951: 69- 70 in Parel, 2000).

Gandhi also emphasised on the importance of virtue in the pursuit of self rule. To Patanjali’s five virtues listed in *Yogasutra*- non-violence, truthfulness, chastity, non-stealing and greedlessness- Gandhi added six more- “*swadeshi* (concern for what pertains to one’s own country), removal of untouchability, bodily labour, control of the palate, fearlessness, and respect for all religions” (Parel, 2000: 16). In this sense, *swaraj* was supposed to lead to self- knowledge and awaken one’s conscience, and also connect the private world of spiritual freedom with the public world of political

and economic freedom. It was supposed to make one aware of one's duties and sensitise them to social injustices. Taken together, Gandhi's insistence on peace between all communities, the role of virtue in politics, reliance on truthful and non-violent means towards an end, make him one of the most significant contributors in thinking about reconciliation. His ideas have consequently inspired the likes of Nelson Mandela and Martin Luther King.

Having dwelt on what reconciliation means thus far, we now move on to exploring the dynamics between apology and reconciliation. To that end, we shall first focus on how apology plays a role in promoting reconciliation in law in order to have some idea about the way apology works. Then we move on to enquiring how an apology aids reconciling with the past, inaugurate a new beginning, ensures a commitment for non-repetition of injustices, promotes equality of regard and healing.

Law

The role of apology in law has garnered the attention of a number of scholars. Increasing focus is being paid to explore the ways apology could function in civil, tort and criminal law. In his analysis of the Uniform Apology Law of British Columbia, 2007, Getz (2007) notes the importance of apology in resolving civil disputes. He hails both the Apology Act and the Evidence Amendment Act of 2007 in Canada as legal reforms to improve the means available to citizens for resolving civil disputes. Defining an apology as an acknowledgement of responsibility for wrongdoing and an expression of regret or remorse for wrongdoing, Getz contends that apologies have a meaningful role in moral life and an essential place in reconciliation. Referring to the *British Columbia Discussion Paper on Apology Legislation*, Getz claims that apologies are desired for three reasons:

- a) To avoid litigation and encourage the early and cost-effective resolution of disputes;
- b) To encourage natural, open and direct dialogue between people after injuries; and
- c) To encourage people to engage in the moral and humane act of apologizing

after having injured another and to take responsibility for their actions” (Getz, 2007:5).

Getz further argues that people often want to apologise or receive apologies, and instead of opposing such a natural human inclination and moral sensibility, the law should support it. In order to emphasise apology’s role in lessening litigation, Getz cites a 1994 study of patients and their families who had filed medical malpractice suits for negligence. This study, Getz informs us, revealed that 37% of the patients or their relatives considered an apology more important than monetary compensation, and even claimed that they might not have filed any lawsuit if they had been given an adequate explanation or apology.

In the context of criminal law, Bibas & Bierschbach (2004) argue in favour of using remorse and apology to recognise the social dimension of criminal wrongdoing and to dismantle the separation between substantive values like apology and remorse and criminal procedure. They point to the fact that criminal law largely ignores remorse and apology and denies the broader roles that they could play in reconciling and educating criminals and healing victims and communities. In fact, there is a need to recognise that crime is not just about individual wrongdoing, but about harms in social relationships. And remorse and apology could play important roles in mending the social, relational harms from crime by healing wounded relationships, vindicating victims, educating offenders and reintegrating them into the community. Indeed, remorse and apology could ultimately lead to reconciliation.

The most vociferous arguments in favour of apology in law, however, have come from scholars concerned with tort law (Vines, 2004). In this context, Cardi (2008) claims that one of the primary aims of tort law is to repair the loss suffered by someone by the actions of another through forced transfer of money. This approach, nonetheless, leaves both parties dissatisfied. To counter such dissatisfaction, Cardi urges seeks to explore the possible role of reconciliation in tort law and looks at the role of court-ordered damages in such a system. He also argues that efforts by courts to encourage reconciliation could also lead to further achieving the goals of tort law as well as reduce administrative costs, insurance premiums, and damage verdicts.

Reconciliation in the tort context aims at repairing social harm only, not at fostering positive relations between parties. In that sense, it is unique, and akin to the concept of forgiveness. However, whereas forgiveness is an internal state often associated with one's moral virtues, reconciliation is primarily social in its focus. The two are mutually exclusive as well: while one might forgive without engaging in the social act of reconciliation, one might also achieve reconciliation with another without the aid of forgiveness. Further, tort law can only influence the conditions under which reconciliation could take place; it can in no way impose it on parties (Cardi, 2008).

For reconciliation to occur, the offender must accept responsibility for the wrong done and express regret or remorse. Seeking an apology from the wrongdoer is the plaintiff's chief aim in tort law, and legal action is only a backstop to the wrongdoer's failure to apologise. Apology helps in "restoring self-respect and dignity, assuring victims that the offense wasn't their fault, allowing victims to feel secure that the offense won't happen again, validating the victims' experience, and evening the score" (White, 2006: 13; cited in Cardi, 2008). Cardi also claims that an apology helps the victims to identify with the offender that often creates a bond between them. He reflects on how an almost instantaneous erosion of anger and meets accompanies a sincere apology. Additionally, he posits that apology helps the wrongdoer to assuage guilt, restore self-image, and be reaccepted socially. In light of all these psychological needs of both parties that an apology succeeds in fulfilling, an apology indeed lays the path for reconciliation (Cardi, 2008).

Being a two-party endeavour, reconciliation not only requires an apology but also acceptance of it by the tort victim. Acceptance is not synonymous with forgiveness, and could occur without the latter.

Cardi (2008) argues that reconciliation is consistent with an Aristotelian view of corrective justice which concedes that the purpose of law is to "correct" wrongs by restoring the pre-wrong equilibrium between the victim and the offender. Reconciliation serves this criterion by restoring the pre-tort equilibrium between parties. This is even truer in the context of apology, according to Cardi, in the light of evidence from criminal and corporate contexts where court-ordered apology has been effectively shown to promote both specific deterrence by shaming the offender and

general deterrence by reinforcing social norms. However, it is also possible for state encouraged reconciliation to backfire. Indeed, they could be insincere and ineffective, they could undermine the moral value of genuine altruism, and they can harm victims further by exacerbating their negative emotions and feelings of self-worth.

Nevertheless, as Daniel Shuman points out: “compelling even an insincere apology and forgiveness reinforces an important social ritual and encourages wrongdoers to take responsibility for their actions; moreover, accepting an apology, even ritualistically, encourages victims to learn to forgive” (Shuman, 2000: 23; quoted in Cardi, 2008). Both these actions- acceptance of responsibility and forgiving the offender- are necessary for genuine reconciliation to occur.

As is evident from above, apologies are viewed as having the potential to bring in psychological healing that legal justice often fails to encapsulate. Rotberg (2006: 47) even claims that by focusing on retributive justice, we end up hindering reconciliation. Sincere apologies do not reduce the likelihood of disputes being taken to court (Wagatsuma & Rosett, 1986; Haley, 1986) but also represent a better means to address the rehabilitation of individuals and society by being easily accessible by those who have been hurt (Nobles, 2008: 30).

Coming to Terms with the Past

Apology represents a part of the process of ‘coming to terms’ with the past (Brooks, 1999; Gibney, 2008). Brooks (1999) and Gibney et al. (2008) note the proliferation of efforts in numerous countries to address past wrongs and injustices and deliver justice to victims. As already mentioned in the beginning, starting from the victims of the Nazi era, states have gradually recognised and offered apologies for slavery, illegal internment of nationals of foreign origin, indigenous peoples, wartime atrocities and like. Indeed, apologies have been offered not only for state action but inaction as well, as in the case of Britain’s apology for inaction during the Irish Potato famine and President Clinton’s apology for not “doing enough” to prevent the Rwanda genocide in 1994. The underlying assumption behind these efforts has been the perception that modern societies need to redress their past in order to reach a

reconciliation between past adversaries in the present and transit into a better future. To paraphrase the title of Desmond Tutu's famous book, the assumption has been: no future without the past.

Apology has emerged as an important tool to address issues of the past. It has been ascribed with the potential to heal historical wounds. Barkan & Karn (2006) observe that the age of apology is unique in its concern with history and its commitment to remove the past as a hindrance in the path of peaceful and productive intergroup relations. Apologies have come to play a most significant role in this regard, for even while they do not and cannot erase or undo the past, they can amend it so that it resonates differently in the present for those aggrieved by history and those responsible for a scarred past. In conflicts characterized by disputed narratives, an apology creates the possibility for closure and furthers the process of reconciliation: "[s]ince the utterance of apology is capable of muting recrimination and reducing bitterness, public acts of contrition are able to assist, accelerate, or commence the process of post-traumatic reconciliation in a manner that enables a nation-state to build or rebuild. Without the conferring of apology, a post-conflict nation-state may remain no more than a collective of contending sections and groups in search of a whole" (Rotberg in Barkan & Karn, 2006; 33). In a similar vein, Martha Minow (1998) also claims that while only an apology might not be sufficient for total forgiveness, it most definitely opens up venues for reconciliation.

Thus, by helping estranged groups to address a contentious past "apologies and forgiveness provide the possibility of political renewal" (Weiner, 2005: 171). Therein lay the potential for reconciliation. A complete and sincere apology is invaluable for wrongs that cannot be righted easily. As Tavuchis contends, "while there are some injuries that cannot be repaired just by saying you are sorry, there are others that can only be repaired by an apology" (Tavuchis, 1991: 95). Many wrongs from the past including slavery and oppression of indigenous peoples, fall into this category. Apology as an admission of wrongdoing helps redressing the unsettled issues of the past.

Reconciliation is as much a concern of transitional societies as of stable democracies. Indeed, it is an issue to reckon with for all with historically troubled

social relations among groups and long-standing human rights violations (Murphy, 2010). In this context, Melissa Nobles (2008) explores the role of apologies in extending democratic membership within a nation state. Reflecting particularly on the apology issued to the indigenous peoples in Australia, she argues that such an apology helps broadening national democratic membership of minorities by reinforcing and upgrading their rights and political claims. It helps in renegotiating identities and change the nature of group membership by including formerly excluded groups into the fold of national citizenship. In that sense apologies help change how groups stand in relation to their shared history (Nobles, 2008). According to Edwards (2005), apart from facilitating the process of healing, rebuilding, restoring, and reconciliation, apologies also lead collectivities to create good discursive communities which then help foster relationships for a more peaceful world (Edwards, 2005).

New Beginning

Reconciliation is also credited with inaugurating a new beginning. Apology's role in this is in giving out signals of the former belligerent's now benign intentions. In this sense apologies could be instrumental in reducing hostilities between former enemies and moving them closer towards reconciliation. Apologetic remembrance "signals that a country is not planning aggression" (Lind 2006:5). The expression of sorrow and remorse for past actions also indicates that the country considers its actions as wrong and does not intend to repeat similar acts in the future. Equally, if apologies are insincere or not offered at all, it indicates how the offender views its past behaviour and also what it might consider as acceptable behaviour in the future. Such states "appear to have hostile intentions, and thus appear more threatening" (Lind 2006:5). Lind therefore argues that apologies can be used by states to give out signals of their now changed benign intentions and help in altering mutual perceptions and lead them towards reconciliation.

However, Lind believes that the straight jacketing of the idea that apologies always lead to reconciliation is only half-right. Apology, according to her, is a "potentially explosive confidence-building measure"- if states appear too apologetic,

it might lead to domestic backlash and force the apologising state to be less accommodating towards the victim state, as evidenced in the case of Japan. In order to counter such a possibility, she suggest a safer middle ground between denial and contrition in the form of acknowledgement of past atrocities and aggression which in her mind also has the potential to reduce animosity and promote reconciliation: “[b]ut going far beyond acknowledgement—ritualizing acts of contrition, seeking to pass large reparations packages, erecting monuments to past aggression can in the end complicate efforts at reconciliation by triggering nationalist backlash” (Lind 2004: 50). In her opinion, leaders attempting reconciliation with former adversaries should learn from the Franco-German reconciliation in which the issue of German guilt was sidestepped in favour of larger, more unifying themes in the relationship. Although states must acknowledge the past, they should be wary of adopting extensive policies of contrition that may deal to denial and domestic backlash (Lind 2004).

Without the qualification that Lind (2004) proposes, Elazar Barkan and Alexander Karn argue that apologies help resolve bilateral tensions by allowing them to renegotiate their past: “apology can create a new framework in which groups may rehearse their past(s) and reconsider the present [. . .] Especially at the group level, apology has emerged as a powerful negotiating tool for nations and states eager to defuse tensions stemming from past injustices” (Barkan and Karn in Barkan & Karn eds. 2006: 3- 32). In effect, apologies help parties to a conflict “to put the matter behind and move on” (Bilder 2006).

On their part, Nadler and Saguy (2004) make a distinction between social-emotional reconciliation and trust-building reconciliation. They then argue that social-emotional reconciliation is needed when the goal is integration while trust building reconciliation is needed when the goal is separation. Apology and forgiveness are invaluable tools for socio-emotional reconciliation, as all past wounds must be healed so that the parties to a conflict become equal partners in society. Only then is it possible to herald a new beginning. On the contrary, if the aim is formal cessation of hostilities with the added goal of separation, apology and forgiveness are of not much use. In the cessation of all ties, there is no question of a shared new beginning.

Reconciliation implies that both parties get to know and truly acknowledge what has happened in the past. This is necessary because a conflict implies that there are at least two narratives of the past. Unless the collective memories of each party about its own version of history are not reconciled, the hope for long-term reconciliation is skewed. Therefore, reconciliation requires a change in collective memories about the past and who is responsible for the conflict. The process of negotiation in reconciliation helps in a critical investigation of one's own past and aids in arriving at a new narrative acceptable to all parties. Consequently, a new shared narrative of history is formed which becomes the foundation of a new relationship between formerly estranged parties (Bar-Tal & Benninck, 2004).

The Promise of Non- Repetition

A meaningful apology, most analysts agree, must acknowledge that a wrong has been done and express remorse and accept responsibility for the harms suffered by the victims (Cohen & Elshtain, 1981; Smith, 2005, 2008; Govier & Verwoerd, 2002; Blatz et al., 2009; Cunningham, 2004; Marrus, 2006; Clarke & Fine, 2010; Weyeneth, 2001; O'Neill, 1999). An apology must also convey the commitment of non-repetition of wrongs (Cohen & Olshtain, 1981; Smith, 2005, 2008). This is as important as any other element of an apology and constitutes a constructive step towards reconciliation (Thompson 2002). As Nicholas Tavuchis points out, through a sincere, remorseful and genuine apology, "one's future actions come to be seen as immanent in the evanescent speech that expressed one's present sorrow and regret" (1991: 36).

Commenting on the importance of apologies in assuaging the fears among victims, Roy L. Brooks (1999: 4) writes how through the writing of his book he realised how much fear exists in the minds of survivors of human injustices that the very same atrocity might be repeated. The fear of the Holocaust looms large among the Jews, and Japanese Americans are scared about another internment in similar circumstances. Apologies by Germany and the United States have quelled those apprehensions but without them, there would be greater concern that those acts might

be repeated. Apologies in this sense signify a nation's commitment not to repeat an act of injustice (Brooks, 1999; O'Neill, 1999).

To drive home the same point, Nadler and Saguy (2004) point to the research that bears out the need for apologies to contain acceptance of responsibility for the harm caused and expression of empathy for the suffering of the victim. Research also indicates, they contend, that if the offender is perceived as less trustworthy by the victim, then the chance of both accepting the apology and granting forgiveness is relatively low (Obhuci & Sato 1994, referred in Nadler & Saguy 2004). Tavuchis (1991) and Scheff (1994) therefore underline the necessity of trust in an apology. In the absence of trust, an apology might only look like a manipulative ploy or a hollow promise which hinders the path to reconciliation. Devoid of an element of trust, an apology also fails to guarantee non-repetition of wrongs. It is highly imperative, therefore, for an apology to genuinely accept responsibility and express empathy that could truly act as a guarantee of non-repetition of injustices as well.

Equality of Regard

An apology signifies an equality of regard (Tavuchis, 1991; Taft, 2000). For reconciliation to take place, this is vitally important. As already mentioned in the previous chapter, an act of wrongdoing implies that the victim has no moral worth and therefore does not deserve an equality of treatment *vis-a-vis* the offender (Govier & Verwoerd 2002). In such a case, an apology signifies an equality of regard- by apologising, the offender sends out a message that the victim is worthy of the same treatment as her, and that her previous treatment of the victim was wrong. This helps in restoring the moral worth of the victim. It is in this light that Tavuchis claimed that an apology involves "a restoration of moral balance- more specifically, a restoration of an equality of regard" (Tavuchis, 1991: 12).

Janna Thompson believes that apologies reaffirm the dignity of victims and contribute to restorative justice. She argues that injustice "always involves disrespect for the victim; thus, reparation must include 'an acknowledgment on the part of the

transgressor that what he is doing is required of him because of his prior error' [. . .] apology fulfils this function" (Thompson in Gibney 2008: 31- 44). Thus, through this process of acknowledgement of wrongdoing by the perpetrator and restoration of dignity of victims, apology opens the door for further reconciliation between them.

Conflicts often entail a dehumanisation of victims and fuels distrust between opposite parties to the conflict. Apologies in such situations help restoration of moral balance among victims by underscoring an equality of regard. This also has healing effects on the relationships between perpetrators and victims (Taft, 2000). Further, apologies unite both the wrongdoers and the wronged into the same moral community (Barkan, 2000; Celermajer, 2009; Tavuchis, 1991; Weiner 2005). This reiterates the moral worth of victims and paves the way for genuine reconciliation.

Healing

Apologies, according to Weyeneth (2001), "can offer a starting point for healing" (p. 24). "One of the most profound human interactions", wrote Lazare (2005), "is the accepting of apologies. Apologies have the power to heal humiliations and grudges..." Further, Mbaye (2005) claims that apologies "are needed in the process of reconciliation between [parties]" (Mbaye, 2005: 39). And then again, reconciliation facilitates forgiveness and healing (Lederach 1998). Evidently, despite the lack of a neat causal relationship among all three, scholars generally agree on the importance of apology in reconciliation and healing.

As we already discussed, reconciliation signifies the end of conflict. For Nadler and Saguy (2004), however, reconciliation also consists of the removal of the emotional barriers that exist between rivals. These include emotions regarding parties' perceptions of being victimized and feelings of distrust accumulated through years of conflict. Without the removal of emotional barriers, the probability of reaching an agreement is low and unstable even when preliminarily reached. The emotional barriers associated with victimisation can be ameliorated with the help of an apology by the offender and forgiveness by the victim in return. Tavuchis (1991) considered

this as the apology-forgiveness cycle, and Nadler and Saguy (2004) consider it under socio-emotional reconciliation. They in fact quote Tavuchis on the nature of the apology-forgiveness cycle: "An apology, no matter how sincere or effective, does not and cannot undo what has been done. And yet, in a mysterious way, and according to its own logic, this is precisely what it manages to do." (p. 5). According to them, apology and forgiveness manage to do this by fulfilling the emotional needs of the perpetrator and the victim.

They refer to Tavuchis (1991) and Scheff (1994) who suggest that an act of wrongdoing threaten the wrongdoer of being expelled from the "moral community" to which they belong. By apologising and accepting responsibility, however, the wrongdoer acknowledges a "debt" to the victim for having committed the wrong. The victim in return either forgives the wrongdoer and thereby cancels the debt or seeks material compensation which will cancel the debt. This allows the offender to lessen the threat of being expelled and empowers the victim by giving her the right to either grant or withhold forgiveness. The victim also gains greater equality with the offender.

Govier and Verwoerd (2002) ascribe restorative power to apology and argue that it is through "*acknowledgment* that the importance of apologies to victims, and their power as a step toward reconciliation, can be explained". Apology, according to them, helps in healing by being an instrument of catharsis for the wrongdoer and acting therapeutic for the victim. By means of moral recognition, it restores the self-respect and human dignity of the victims. At the same time, by means of acknowledgement of wrong-doing, it relieves the perpetrators from guilt and self-contempt. According to Lee Taft (2005), "[w]hat elevates [apology] to a truly moral and corrective communication is the offending party's willingness to accept the consequences that flow from the wrongful act." In the same breath, Taft also adds that "the willingness to accept consequences [is] an act of moral courage, which can inspire healing in both the party harmed as well as in the offender."

The occurrence of conflict accumulates many grievances against the opposite sides through a considerable period of time. These take the form of anger, grief, desire for revenge, or sense of victimhood. Bar-Tal and Benninck (2004), therefore, see the

need for forgiveness and healing in the process of reconciliation. Most importantly, in their minds, reconciliation “is reestablishment of friendship that can inspire sufficient trust across the traditional split” (Marrow 1999: 132, referred in Bar-Tal & Bennink, 2004). Without healing of relations, reconciliation is rendered fragile.

Talking of healing, Waterhouse (2009) sees in truth commissions the potential for promoting healing between victims and violators by working within the model of reconciliation and using amnesty and confessions rather than tribunals and retribution. In his view, by allowing a public process of confession, truth commissions in South Africa or Chile facilitate reconciliation between victims and perpetrators to shape a new future for their society. They bear out Martha Minow’s assertion that revealing, in fact, is healing (Minow, 1998: 326). As the survey conducted in 1998 in the context of the South African Truth and Reconciliation Commission revealed- for South Africans; truth, acknowledgement, apology, and gaining a voice for the victims to tell their stories in public was as important as retribution or financial compensation (Villa-Vicencio 2009; Gibson 2004).

Forgiveness or healing pertains to the spiritual aspect of reconciliation (Bar-Tal & Benninck, 2004). In fact, reconciliation provides a platform for offering and accepting forgiveness. Bar- Simon-Tov (2004) argues that forgiveness is important and necessary for a full and genuine reconciliation, particularly in the instance of grave injustice, as exemplified by the Holocaust. In his opinion, reconciliation is fated to be partial and vulnerable if no effort at forgiveness is made. However, he also argues that forgiveness does not inevitably lead to reconciliation: people may forgive each other without resuming their past friendship. Therefore, forgiveness is a “*necessary—though not always possible—and not sufficient condition for full and perfect reconciliation between former adversaries*”. Indeed, forgiveness is possible only when the parties to a conflict agree about the crime and the identity of the wrongdoer in their search for reconciliation. In conflicts where the parties do not agree on who is or was the victim and who is or was the perpetrator- such as the Israeli-Palestinian conflict- the chances of forgiveness or reconciliation are bleak. In cases where the criminal/victim distinction is clear, however, like the case of the Holocaust, forgiveness is possible and necessary for reconciliation.

Bar-Tal and Benninck (2004) further consider forgiveness of much greater importance in cases where one party is overwhelmingly responsible for the conflict while the other is largely a victim. Indeed, it is forgiveness which makes reconciliation and healing possible in such cases. Similarly, in his book *Political Forgiveness*, P. E. Digeser (2001) makes a strong case for political forgiveness as a means to achieve social reconciliation. Arguing that forgiveness does not necessarily involve a violation of justice- as critics of South African Truth and Reconciliation style amnesty claim- Digeser claims that forgiveness could act as a supplement of justice instead. He also points out that justice is only one value among others including peace, stability, and prosperity. In that context, Digeser's argument suggests that political forgiveness often protects greater values than justice- social reconciliation being one of them. Albeit Digeser concedes that political forgiveness is neither necessary nor sufficient for reconciliation, he claims that it is nonetheless most likely to set a society towards the path of reconciliation.

Unlike Digeser, however, Wole Soyinka (2000) and Mahmood Mamdani (2000) refuse to believe that reconciliation or healing is possible without justice. Soyinka (2000) asks how far can a nation go in stretching its policy of accommodation to include both victims and perpetrators of past abuse? Soyinka is critical of the TRC process because it allowed perpetrators to be absolved not only of criminality but also of responsibility, and because the quest for reconciliation led to the erosion of one of the pillars on which a durable society is founded: justice. He in fact asserts that justice "is the first condition of humanity" (p. 31). Even while acknowledging the importance of truth telling in the process of reconciliation, he refuses to accept truth as the sole condition for reconciliation. Instead, making a strong case for justice and reparations, he asserts: "[r]eparations, we repeat, serve as a cogent critique of history and thus a potent restraint on its repetition" (Soyinka, 2000: 83).

Mahmood Mamdani criticizes the TRC process he sees in it a trivialization of the injustices of apartheid by reducing those injustices to mere questions of human rights violations (2000). The apartheid was not about murders, kidnappings, torture, and abduction alone. It was more directed at entire population groups than against

individuals. The TRC obscured the link between conquest and dispossession and between perpetrator and victim, thereby rendering the colonial nature of apartheid invisible. Although he emphasises on the need for acknowledgement and apology, Mamdani sees the need to go beyond the formal 'deep regret' expressed by former President F. W. Klerk to something more clear and concrete like Willy Brandt's *Kniefall* at the Warsaw ghetto.

On the question of justice, apology, and reconciliation in the TRC process itself, Galtung (2005) presents a model of the TRCs of South Africa. He explains the process as being based on three pillars of inter-relationship:

- (1) Victim-Perpetrator: Forgiveness for Apology/Restitution
- (2) Perpetrator-State: Truth in return for Amnesty
- (3) State-Victim: Restitution in return for Closure" (Galtung, 2005: 44)

Here the basic relation is between the perpetrator and the victim. For achieving closure, both the perpetrator and the victim undo the harm partly materially (restitution) and partly spiritually (forgiveness) (pp. 44). The underlying assumption of TRCs is that fear of punishment through retributive justice would make the perpetrators conceal the truth and lie; but the possibility of amnesty shall entice them to confess their crimes in all detail. Truth is supposed to have redemptive capacities-capable of healing wounds and leading to forgiveness. However, there are problems in this approach. First, the truth might be so horrendous that the victims might refuse to forgive. Second, the hardened perpetrator might get scot free in return of some truth and apology. What is there to guarantee that he will not repeat the acts again? Third, where is the justice in it? "Is justice also based on a market for the exchange of bads/harms (including disservices), where closure can only be obtained when the (negative) values are about equal?" (p. 46).

Galtung (2005) at the same time presents an ideal Model III as a combination of both the punishment approach (called the 'justice model') as well as the apology for forgiveness (called the 'TRC model', as above) approach. Thus, if P has harmed V, Galtung proposes that a model judgement should read like this: "You P have committed crimes against the laws of ----, and you have violated the general moral

bonds tying humans together by your heinous acts of violence against V. For breaking the law I hereby, in the name of justice, sentence you to----. In addition to serving this sentence you are obliged, after mature reflection, to extend your deep apology to V and/or V's family and try your best, directly and/or indirectly, to repair the human relations you violated. In addition to this you are obliged to repair the damage done through direct restitution to V and/or V's family, in kind and/or money, over time. Your case is closed when you have served your sentence and justice has been done, and you have extended your apologies, done your restitution, and reconciliation has been done" (p. 48). According to him, this model takes care of justice concerns and also has provision for closure/reconciliation through apology and forgiveness.

For Galtung, then, reconciliation requires both justice and forgiveness: only those perpetrators are to be forgiven who deserve it. The transaction needs a two-way traffic. Only when amnesty is preceded by a deeply felt apology based on a deep truth, and restitution, is there any hope for a true healing-closure-reconciliation. Without accompanied apology and restitution, reconciliation "may all fall flat on the ground, particularly if outsiders enter and say, "well, you surely have been through tough times, but it is all over now so why not shake hands and let bygones be bygones!" (Galtung, 2005: 90).

Conclusion

Our discussion so far has underlined the supremely significant role the concept of apology plays in the process of reconciliation. Indeed, by some standards, apology in itself is an act of reconciliation (Hatch, 2003). To that effect, Barkan and Karn (2006) reiterate that a sincere apology offered in the right pitch and tenor can pave the way for atonement and reconciliation and promote mutual understanding by highlighting the possibilities for peaceful coexistence. Indeed, it is capable of creating a new framework in which groups may revisit their past(s) and reconsider the present. Apology, by letting conflicting groups an outlet to approach their grievances through a discourse of repentance and forgiveness, allow them to explore the roots of conflict

and initiate steps towards mitigating the antagonisms produced by such conflicts. Due to these factors apology as a negotiating tool for groups and states inclined toward reconciliation has seen an exponential increase.

We also realise through our discussion so far that an apology, however, is not a magic potion (Barkan & Karn, 2006). Drawing from the title of their book, we can say: sorry is never enough. And as Barkan and Karn (2006) contend, nor should it be. Apology alone is not sufficient to heal all wounds from the past. David Crocker (2006 in Barkan & Karn, 2006) therefore argues that restorative justice or the logic of reconciliation cannot wholly substitute the logic of punishment. Too much emphasis on apology and forgiveness might promote impunity and a tendency to repeat those harms. Additionally, excessive emphasis on forgiveness exerts unfair pressures on victims who might not be as willing to forgive. To mitigate the ill effects of such a scenario, Crocker instead pleads for a more flexible system- a system that has space for a wide variety of justice-seeking tools and combines apology with criminal trials, international tribunals, and reparations.

Apology and the Question of Reparation

This chapter seeks to explore the relationship between apology and the concept of reparation. This is done by first focusing our attention on the meaning of reparation and locating its origins in international politics. That is followed by the larger enquiry on the ways apology relates to the notion of reparation. To this end, such an enquiry would seek to find out not only why and in which ways apology becomes important in and is intertwined with reparation but also how apology itself becomes a form of moral reparation. We ask, for one, whether apology as acceptance of wrongdoing is necessary for repairing old harms? What are the promises and pitfalls of reparation? How does apology provide reparation, if at all? And, can apology alone suffice to be reparation enough?

As with the case of apology, reparations also have increasingly been used, particularly since the twentieth century, by governments to redress historic wrongs and bring closure to the injustices of the past (Brooks, 1999; Barkan, 2000). We have, for instance, Germany's apology and monetary reparation of approximately 100 billion DM to Israel and surviving Jews for Nazi crimes; the United States' apology and monetary reparation of \$20,000 to each Japanese American victims of illegal internment during the Second World War, or Canada's apology and compensation of Canadian \$21,200 to Japanese Canadian internees during the same period (Nobles, 2008).

What is reparation?

According to Merriam-Webster (2011), three meanings are ascribed to the word. Reparation thus means (1) repairing or keeping in repair, (2) the act of making amends, offering expiation, or giving satisfaction for a wrong or injury, and (3) the payment of damages or indemnity, as compensation, by the defeated nation(s) to the victor nation(s) for damages suffered by the latter in the course of war. If we look at meanings one and two, in the most basic sense, reparation is about making good what

has been harmed. As the title of Torpey's (2006) book suggests, it is *Making Whole What Has Been Smashed*. In cases where 'making whole' or full repair is not possible, however, reparation connotes compensation for the loss. The very notion of compensation/reparation has been central to the development of law regarding third-party payment of compensation for damages made to the lord or kin of a wronged person, and it forms the core of the distinction Aristotle made between corrective justice and revenge (Engerman, 2009; Lazar, 2008). Thus, in the field of law and beyond, compensatory reparations authorise the payment of damages for physical, political, psychological, economic, and other harms (Brooks, 1999: 475- 477). They could be a result of court rulings, legislative provisions, or the funds of a commission responsible for administering the injustice (*Ibid*). Further, reparation schemes range from the establishment of victim funds for education, health care to individual payments to the families or descendants of victims (*Ibid*).

Interestingly, however, Engerman (2009) points out that the use of 'reparation' to denote payment of damages to victims by wrongdoers is a rather recent usage, and can be traced back to the use of the term in the case of German reparations paid to Jewish victims of the Nazi crimes after the Second World War. Prior to that, reparation was used to avoid an earlier term "indemnity" (in use from the 16th century in Europe until the 19th) to imply restitution of physical objects and compensation for injuries suffered by the wartime losers to victors of wars. In this sense, reparation resonates with meaning three listed in the dictionary.

To put this into perspective, Barkan (2000) contrasts restitution or reparation with retribution- the age-old custom of imposed war reparations. Consequently, he points out that until the First World War- the Versailles Treaty of 1919 being just one- the losing side ended up paying war indemnities known as war reparations. However, when it was perceived that the Versailles Treaty contributed in a major way to pave the way for the Second World War, there was a change in behaviour by the winners of World War II. Not only was no indemnity imposed on the losers, but the United States sought to rebuild the war devastated Germany and Japan under the Marshall Plan as well. This was a completely novel phenomenon in international relations. This was also the beginning of an era for paying reparations to victims. The biggest

impetus for reparation as compensation to victims for damage and as a means of historical redress, however, as already mentioned, came with Germany's response to the victims of the Holocaust (Engerman, 2009; Barkan, 2000; Waterhouse, 2009). Beginning with that, claims for reparation and apology have risen exponentially (Barkan, 2000).

Witnessing such tremendous increase in claims for restitution and reparations, the United Nations, under the auspices of the United Nations Commission of Human Rights, also subsequently created the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Sub-Commission, at its forty-first session, entrusted a Special Rapporteur (by resolution 1989/13) with the task of developing guidelines on the right to restitution, compensation and rehabilitation for victims of human rights violations (Boven, 2005). Consequently, this led to the development of the "*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*" as a set of Guidelines and Principles for states to take into account when dealing with violations of human rights (General Assembly resolution A/RES/60/147). These Principles and Guidelines maintain that adequate and effective reparation is mandatory for requirements of justice, and that states have the obligation to provide to victims of violations of international human rights law or violations of international humanitarian law redress in the form of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

Accordingly, they note that "[r]estitution should, whenever possible, restore the victim to the original situation before the gross violations of international human rights law or serious violations of international humanitarian law occurred. Restitution includes, as appropriate: restoration of liberty, enjoyment of human rights, identity, family life and citizenship, return to one's place of residence, restoration of employment and return of property" (note 19, General Assembly resolution A/RES/60/147) and "[c]ompensation should be provided for any economically assessable damage, as appropriate and proportional to the gravity of the violation and the circumstances of each case, resulting from gross violations of international human

rights law and serious violations of international humanitarian law, such as: (a) Physical or mental harm; (b) Lost opportunities, including employment, education and social benefits; (c) Material damages and loss of earnings, including loss of earning potential; (d) Moral damage; (e) Costs required for legal or expert assistance, medicine and medical services, and psychological and social services” (note 20, General Assembly resolution A/RES/60/147). They also underline the importance of “[p]ublic apology, including acknowledgement of the facts and acceptance of responsibility” (note 22 (e), General Assembly resolution A/RES/60/147) as a means of reparation.

From these United Nations Guidelines and from the writings of scholars on reparation, we then come to understand that reparation could include apologies, prosecutions, commemorations, memorials, rehabilitation, compensation, affirmative action, restitution, land reform, and various types of truth commissions (Shelton, 2004). Along this line, Ivison (2006) also clarifies the three different modes of reparations- restitution, compensation, and recognition or acknowledgement. Restitution, here, means restoration or handing back the thing that was originally taken. Compensation means attempting to make amends for or repair harm, knowing that restoring it to its former position is impossible. Recognition or acknowledgement refers to the potential of reparations to force the recognition of the basic humanity and subjectivity of the victims that were denied during the crime. Ivison considers public recognition of past injustices as a highly political act because only such acknowledgement, more than any legal provision, has the potential to redress social and political agency. Ivison (2006) therefore posits that reparations in this context are intended to help reconstruct and re-found a political community disrupted by civil conflict. Reparations are seen as contributing to an ideal of democratic inclusion and aiding establishment of equality in a polity.

To take the issue further, we now cast a glance at the theory of redress and its four constituent elements charted out by Roy L. Brooks (1999) in a most comprehensive anthology on the debates surrounding reparations, *When Sorry Isn't Enough*.

First, he claims that the demands for redress must be placed in the hands of legislators instead of judges, because legislators have the capacity to make laws more than judges. Courts could be useful in implementing existing rights and remedies. But they can seldom create new ones.

The second element pertains to political pressure, both public and private. Only meritorious claims are no guarantee for a successful redress programme as factors like the willingness of political leaders to step forward and take political risks, intuitions of public policy, and the prejudices that legislators share with their constituencies matter much more than issues of justice, logic, or merit of claims.

The third element, in Brooks' opinion, is strong internal support. Unless the victims themselves are vociferous and united in their demand, the chance of successful redress is comparatively low. The case of reparations for Japanese Americans in the United States is evidence of the fact that passionately made claims have higher chances of success than less united claims as in the case of African Americans.

The fourth element pertains to the merit of claims. The demand for reparation should be based on substantive merit. What constitutes a meritorious claim, however, is full of contentions. In this regard, Brooks refers to Mari Matsuda's (Matsuda 1987, referred in Brooks 1999) identification of prerequisites that makes a claim meritorious and worthy of redress: "(1) a human injustice must have been committed; (2) it must be well-documented; (3) the victims must be identifiable as a distinct group; (4) the current members of the group must continue to suffer harm; and (5) such harm must be causally connected to a past injustice" (Brooks 1999: 7).

Brooks (1999) also distinguishes between diverse forms of redress. First, there is a distinction between responses that are remorseful and those that are not. For Brooks, while responses that seek atonement for an injustice qualify to be termed reparations, those that do not are justifiably called settlements. In a real sense, a settlement is more a compromise than a victory which gives the victim a monetary award and the offender a chance to end the dispute without finding of liability. In contrast, reparation is accompanied by an apology and acceptance of responsibility for

the wrong. Further, reparations and settlements can be categorised as monetary and nonmonetary responses. While monetary reparations or settlements come in the form of hard cash to victims, nonmonetary forms include affirmative action, amnesty, change in curricula, construction of health or educational facilities and the like. Both reparations and settlements in monetary and nonmonetary forms could be directed towards the victims as individuals or as a collective. When they are directed to an individual, they take the form of compensation to return the victim to the status quo ante. While when they are directed toward the victim group they are rehabilitative in nature aimed at improving the conditions of the group as a whole.

Atonement

We have already noted Brooks' (1999) distinction between remorseful-atonement-seeking reparation and settlement marked by an absence of remorse. In view of that distinction, an act of reparation has always to be accompanied with regret or sorrow for causing a harm. Payment of compensation is just not enough to be qualified as reparation. Only when such compensation is coupled with tangible proof of regret, most often in the form of an apology, does it come across as true reparation. An apology, in this context, by indicating the presence of sorrow and remorse (Tavuchis, 1991; Marrus, 2006; Clarke & Fine, 2010; Blatz et al., 2009), signifies a form of atonement- a form of repentance for the wrongdoer's action or omission. An apology also signifies an acknowledgement of wrongdoing and acceptance of responsibility by the wrongdoer for the wrong done to the victim (Cohen & Elshtain, 1981; Smith, 2005, 2008; Govier & Verwoerd, 2002; Blatz et al., 2009; Cunningham, 2004; Marrus, 2006; Clarke & Fine, 2010; Weyeneth, 2001; O'Neill, 1999). This is not only necessary for the sake of atonement, but by virtue of absolving the victim of any responsibility for the wrong, it becomes a form of reparation as well. Acknowledgement itself is a form of reparation, notes Shelton (2004), with the added potential for promoting social reconciliation. Without genuine regret and acceptance of responsibility, the scope of reparation gets lost. An insincere apology devoid of responsibility fails to effect genuine atonement/reparation as well.

The controversy over reparations for Korean Comfort Women bears out the point above fairly well. Unlike Germany after the Second World War, Japan refused to address issues related to wartime atrocities in its past. In the face of demands for reparations (increasingly since the 1970s) for its role in the forced sexual slavery of thousands of Asian women during the Second World War, Japan took to denial of any involvement in the matter. It maintained this position of blatant denial even in 1990 when Social Democrat member Motooka Shoji raised the Comfort Women issue in the Japanese Diet and made a demand for necessary investigations (Hicks, 1999). This demand, however, led to the formation of the Voluntary Service Corps Study Association by a combination of thirty-seven organisations including various South Korean women's groups. This Association, then, in October 1990, drafted an open letter to the Japanese government asking for six demands:

1. That the Japanese government admit the forced draft of Korean women as comfort women;
2. That a public apology be made for this;
3. That all barbarities be fully disclosed;
4. That a memorial be raised for the victims;
5. That the survivors or their bereaved families be compensated;
6. That these facts be continuously related in historical education so that such misdeeds are not repeated (Hicks, 1999: 116).

However, the Japanese government rejected each one of those demands. After the first lawsuit filed by a former 'comfort woman' in a Japanese court in 1991, Professor Yoshimi revealed five archival documents as proof of government indictment in the matter in 1992. Following those, scores of other related documents as undeniable evidence of Japan's involvement began to surface (Hicks, 1999). As a consequence of these revelations and under immense public pressure, the Japanese government was forced to issue an apology. The Prime Minister of Japan first expressed his regret in Japan in 1992 and then issued an apology in South Korea in the same year. However, activists of the Comfort Women case saw them only as personal statements, not as official apologies from Japan. Instead, they demanded an apology from the Japanese Diet, which stood in denying Japan's role in the slavery

suffered by the Comfort Women, and which still claimed that Japan had no responsibility for war crimes after post-war treaties, including the Basic Treaty between South Korea and Japan in 1965. An apology without acceptance of responsibility, for the activists, represented a fake apology.

Further, activists have also been critical of the mode of operation of monetary reparations by Japan. Apart from criticising the meagre amount of compensation, they particularly take exception to the financing of the “Asian Women’s Fund” (set up in July 1995 by Japan to provide redress to the victims of forced sexual slavery and to express the Japanese people’s “feelings of apology and remorse”) by donations from private individuals and organisations instead of the government. Additionally, contrary to the wishes of the victims, the money is paid not to individual victims but collectively for the welfare of all women in the victim category. To this, advocates of comfort women have maintained that atonement can be achieved through money paid by government as individual compensation accompanied by an apology by the Japanese parliament. Even if one takes into account the fact that compensation in the form of community rehabilitation is often more constructive than individual compensation, Japan’s rejection of individual compensation in spite of such demands by victims raises the question of adding insult to injury. In fact, in an ideal situation both forms should have been paid. Not satisfied by the compensation and not being convinced by Japan’s apology, therefore, many of the victims have not received compensation. They want money to be paid by government: otherwise it is more like charity or welfare. In a real sense, they want “atonement money” and not “consolation money” (Hicks, 1999).

A genuine case of atonement, on the contrary, is represented by the reparation offered to the Japanese Americans interned during World War II by the United States. The Civil Rights Act of 1998 in this case acknowledged that the act was uncalled for and wrong, and offered an apology. Additionally, it also called for a public education fund on internment and paid reparations of \$20, 000 to every living survivor of the injustice (Brophy 2002).

Moral Repair

Writers on apology have noted its value in bringing about ‘moral repair’ (Walker, 2006). In this sense, apology is seen as a form of non-material reparation (Cunningham, 1999; Baehr, 2008; Torpey, 2006). McGary (2003), therefore, asserts that reparations have two dimensions- material and psychological. Both are important. In fact, the psychological element is more important. The call for reparations for slavery, for instance, could be perceived as an apology for slavery as well as a means of overcoming victimisation. Further, they could also pave the way for moving closer to the ideal of a racially reconciled society (McGary, 2003). One of the lessons that the Holocaust has taught us, Gabilondo (2003) underlines, is the need for apologies and reparations along with erecting a material memory in the form of monuments, institutes and the like in order to prevent future historical denials of injustice.

Apologies cannot undo what has already happened. But they can send out important signals. In that sense, apologies are symbolic (Torpey, 2006). The first Resolution demanding an apology for slavery in the United States in 1997, proposed by Representative Tony Hall, did not contain any provision for monetary compensation. Yet, Hall (1999) argues that it had significant symbolic value and meaning for both the apologisers and the receivers of apologies. Although apologies are symbolic, according to Hall, they have a supreme meaning for those apologising and source of power for those who receive them. In fact, the very opposition to the proposal and its vehement rejection, in Hall’s perception, clarifies the importance and weight of an apology.

An apology is the first step towards reparation (Henry, 2007). The purpose behind reparations or apologies or regrets is to force an acknowledgement of guilt about wrongs on the wrongdoers, argues Engerman (2009). In a most basic sense, apologies signify an acceptance of responsibility for wrongdoing. Even if no amount of apology and reparations can restore the former state they symbolically represent the acknowledgement of wrong and acceptance of responsibility. Acceptance is an important part of healing as there is no longer a denial of a crime. Acceptance also might lead to forgiveness as in the case of the Truth and Reconciliation Commissions in South Africa (Brophy 2002). However, we must also note that an apology does not

automatically translate into reparations. To take the first step of apology, nonetheless, in Engerman's (2009) opinion, indicates that sometimes they might as well lead to payment of reparations.

Apologies represent the starting point of healing (Weyeneth, 2001). By vindicating victims, they provide the necessary balm for non-material repair of harms. The quote from D. K. Nagata's chapter in Danieli (2009) expresses to what extent Japanese Americans felt vindicated after so many decades of injustice after the apology offered and reparation paid to them by the United States for their illegal internment during the Second World War: "[s]o many of our people could now talk about it and express deep-seated feelings for the first time in 50 years. That was the positive, therapeutic side. It was only a token compensation. \$20,000 won't cover what was lost: jobs, names, all properties, horrible living conditions, dignity or citizenship. It's not the money but what the money signifies. Psychologically it lifted a big burden off the Japanese-Americans who always felt that the system couldn't trust us but viewed us as potential enemies, as second-class citizens. At least we now feel not accepted but vindicated for what happened 50 years ago. The apology was more important than the amount of money. After 50 years of maintaining that they were right, the government did acknowledge that they were constitutionally wrong" (Nagata, 1998; quoted in Danieli, 2009).

Iris Chang (1999) also underscores the relevance of apology in her discussion of the Nanking massacre. She details the instance of the first law suit against Japan filed by ten survivors of the massacre in Tokyo District Court in February 1997 asking for a public apology from the Japanese government and compensation worth \$806000. She also notes the important factor that the lawsuit was not just about money, but about the larger sanctity of human life. Although no amount of reparations can compensate for the harm suffered during the massacre, reparations along with an apology, according to Chang, would help some of the survivors to live through the rest of their lives with dignity. In essence, reparations would symbolise as an official gesture of remorse, and a national acknowledgement of past wrong-doing (Chang, 1999).

Not all instances of apology and reparation, however, lead to moral repair. The manner in which apology and reparations are offered are also of vital importance. In this context, Waterhouse (2009) contends that although the increased focus on reparations has signalled an improvement over historic neglect of the victims, few reparations programmes qualify to be 'good' when viewed from the perspective of the victims. Rather, most reparations programmes qualify to be 'bad' or 'ugly' by that standard. This is because most programmes focus on the needs and the moral agency of the violators and fail to afford injured groups a meaningful role in the design and implementation of reparations programmes. The core of Waterhouse's argument is that governments act as moral agents by expressing their moral agency through formal apologies and acknowledgement or acceptance of responsibility for past injustices and injuries. Paying monetary compensation to victims or reparations through other means also enhance their moral agency. However, victims are seldom allowed that level of agency. More often than not, victims are reduced to being mere passive recipients of government aid. Although victims retain the ability to reject government efforts, according to Waterhouse, this 'take it or leave it' approach to reparations frustrates efforts of reconciliation of the political community and the remediation of victims' harms. Consequently, he argues that victims can best express their moral agency through participation in the development and implementation of reparations programmes, which also enables them to participate in the active remediation of their injuries.

To illustrate his point with examples, Waterhouse (2009) terms the German reparations for the Holocaust as representing a 'good' case. Because it grew out of negotiations with a fairly well-organized group of Holocaust victims, he argues, it reflected a better understanding of victims' wishes than others. It also contributed substantial resources for institutional development in Israel that would benefit victims over the long term. Further, Germany also provided an exemplary case of comprehensive reparations that included compensation to individual victims and the state of Israel, restitution for stolen property and forced labour and reconciliation in the form of apology as well as a variety of domestic reconciliation projects in providing redress to the victims of the Holocaust (Brooks 1999: 61- 65, referred in Waterhouse, 2009). Nevertheless, since the German programme was limited in scope

in reaching all the victims of the Nazi regime in Eastern Europe, Roma, and homosexuals, Waterhouse considers the programme falling short of fully 'good'.

On the other hand, according to him, because the victims did not play an active role in the design, development and implementation of the reparations programme for the Korean Comfort Women and the Indian Claims Commission in 1946 (to redress the claims of Native Americans and settle land claims with the federal government), they represent 'bad' reparations schemes. In both these cases, the Japanese and American bureaucrats formulated a scheme and then informed the victims in a top down approach. Whereas the claimants in the Indian Claims Commission found their efforts at seeking justice being frustrated by rigid adversarial litigation processes, the victims of the Korean case found themselves more marginalised after the Japanese government created "The Asian Women's Fund" to redress their cause as it functioned more as charity donated by the Japanese government rather than compensation that they rightfully reserved for being wronged. Indeed, as Waterhouse mentions, by providing meagre compensation the Japanese government implied that the atrocities faced by them were trivial inconveniences rather than seriously traumatic; and by denying responsibility for the forced sexual slavery, the Japanese government alienated the victims who sought some form of public acknowledgement and acceptance of responsibility by the wrongdoers (p. 17-18).

Another manner in which reparations and apology fail in providing moral repair is when unlike the reparations provided by Germany, they focus on the actions of past violators to define and evaluate reparations. This, according to Waterhouse, undermines the importance of victims by placing importance to the violators and also maintains the continued subordination of the victims. Indeed, the past violators seem to have "an almost unilateral ability to decide, if, when, and how to make reparations, with little regard to the victims' views or role in the design and implementation of reparations programs" (p. 11).

Additionally, such reparations schemes also provide scant attention to the material needs of victims. The focus rather is on restoring the moral standing of past violators in the political community and establishing social accord among community

members. Instead of assessing the measures required to enable victims to overcome the effects of past injustices, this type of reparation emphasises the remorse of violators over the needs of victims. As a result, they often come in the way of effective reparations in failing to pay proper attention to the well-being of former victims. This in turn leads to continued subordination of victims vis-à-vis governmental actors. Especially because the original harms also accrued from abuse of government power itself, reparations based on symbolic government concessions fail to redress the original neglect of victims. Additionally, countries often see victims as passive recipients of compensation or symbolic gestures when they contemplate on ways to redress the past. This way of viewing victims “fails to recognize the importance of victims’ active engagement in the reparations process, from its design and implementation, to its conclusion and evaluation” (Waterhouse, 2009: 12). Without victims’ participation and engagement with the reparation process, few instances of apology and reparation can lead to genuine healing of wounds and removal of resentment and bitterness that victims feel. The work of moral repair remains incomplete.

Reconciliation

Apology, coupled with reparations, often aid reconciliation within and between groups. To drive home this point, Laremont (2001) claims that the formal apology offered by German Chancellor Konrad Adenauer on September 27, 1951, for Germany’s role in the Nazi crimes, opened the gates for more serious negotiations between West Germany and the representatives of the Jews from the Claims Conference and the state of Israel (p. 237). Before the apology, he points out, most Jewish groups refused to engage in face-to-face negotiations with Germany. Similarly, the Japanese Americans reparations for illegal incarceration also came in the form of \$ 1.6 billion through the enactment of the Civil Liberties Act of 1988 and a presidential apology. Only because payment of reparation was accompanied with an apology, opines Laremont, did the whole matter bring relief to the victims. Both these cases also represent successful attempts at reconciliation.

Barkan (2000) too elaborates on the case of Germany. He maintains that to re-establish its political and moral legitimacy after the dark Nazi era, Germany sought to atone its past by paying reparations to its victims, particularly the worst victims- the Jews. This arrangement proved to be of benefit for both. While forced indemnities through Versailles instigated feelings of resentment and led to rise of Nazism in Germany, its voluntary acceptance of responsibility and accompanied reparations provided a means for Germany to move beyond its shameful past towards healing. The rhetoric of guilt, apology, atonement, compensation and reparations enabled both Germany and the Jews to deal with pain and loss and allowed for life to proceed. With Jews recognising Germany's attempt to atone for its crimes, the path toward further reconciliation between both became clear. It further helped in the rehabilitation of Germany and contributed to Israel's economic survival.

Waterhouse (2009) clearly sees reconciliation itself as a form of reparation. This process includes formal apologies and other symbolic rewards as part of a broader project of reconciliation between the wrongdoer and victims. He mentions Roy Brooks (1999) who argues that reparations along with an apology constitute atonement by past violators who warrant forgiveness by victims. Reconciliation is the primary goal of such reparation. Its aim is to repair the broken relationship caused by past injustices. Reparation as atonement help violators to represent a symbolic gesture of the good faith of their apology. In the absence of material redress, symbolic acts provide past violators with an opportunity to show their remorse and commitment not to repeat the unjust behaviour. Apart from apologies, these actions could also include community memorial funds, creation of monuments and museums, development of educational and cultural awareness programmes, establishment of national holidays and national commemoration of victims.

Most of these attempts aim at enshrining the recognition of past injustices in the national memory and to honour the communities or individuals who suffered at the hands of the violators. Brooks (1999) explains in the "anatomy of apology": "A tender of apology is no trivial matter, particularly when made by state officials on behalf of their governments. It is an act fraught with deep meaning and important consequences... Let us begin with some understanding of what apology is and is not in

the context of atonement. Apology, most importantly, is an acknowledgment of guilt rather than a punishment for guilt. When a government perpetrates an atrocity and apologizes for it, it does four things: confesses the deed; admits the deed was an injustice; repents; and asks for forgiveness” (Brooks 144). Brooks also notes that government apologies are important in clarifying the contentious historical record regarding past injustices (pp. 148- 151). In fact, this was the motive behind the South African Truth and Reconciliation Commissions that led to grant of amnesty for perpetrators in exchange for open and detailed testimony about the atrocities inflicted during the previous regime. This process of reconciliation offers recognition to victims and also allows past violators to regain moral standing. Although this approach accrues minimum financial costs associated with reparations, the strong resistance of past regimes as well as fear of future civil suits can deter government from adopting this approach due to its political or psychic costs as evidenced by the 1996 Australian government’s discontinuation support for reconciliation efforts by previous governments in an effort to preserve the dominant political ideologies. However, victims interested in redressing their current societal standing or addressing the emotional costs of a painful history might choose reconciliation as a means of reparation because of its social and psychic benefits (Waterhouse, 2009).

A sincere apology can mark the first step in the path of reparation leading to national reconciliation, forgiveness, and healing (Henry, 2007). Clinton’s apology for the infamous Tuskegee syphilis experiments, for instance, was a first step in this process. It helped inaugurate the process of reparation and ultimately, reconciliation. For this to happen, however, the apology should be genuine. For Henry, an effective apology requires communication between the wrongdoer and the victim. Indeed, in order to forgive the wrongdoer that could lead to reconciliation, the victim must change her opinion of the former. On their part, the wrongdoer must accept responsibility for their actions. Only when these conditions are fulfilled does an apology become effective. An apology, nonetheless, does not mean an end to conflict. It is only the first step in a process that could include compensation, satisfaction, rehabilitation, and guarantees that the action will not be repeated.

Along similar lines, McGary (2003) claims that the only way of achieving genuine reconciliation in the United States is by a government acknowledgement of its debt of justice to African Americans, as has already been done in Australia and South Africa. A symbolic acknowledgement in the form of apology is indispensable for reconciliation to take place. Further, recognition or acknowledgement also highlights the potential of reparations to force the recognition of the basic humanity and subjectivity of the victims that were denied during the crime (Iverson, 2006). Public recognition of past injustices is a highly political act. It has the potential to redress social and political agency. Iverson (2006) therefore posits that reparations are intended to help reconstruct and refound a political community disrupted by civil conflict. Reparations are seen as contributing to an ideal of democratic inclusion and establish equality in a polity. At the same time, payment of reparation is also important. To this end, Cunneen (2005) maintains that there can be no reconciliation between the coloniser and the colonised without reparations. Only a reparation process provides both a moral and a legal response to policies and practices that we find unacceptable. Making a reference to Van Boven's recommendations about the appropriate response to victims of human rights violations in the context of the Stolen Generation in Australia, he contends that reparations must include five elements: "acknowledgement and apology; guarantees against repetition; measures of restitution; measures of rehabilitation; and monetary compensation" (p. 65).

History

Addressing past injustices through apology and reparations also allows an addressing of history. It provides an opportunity to build an interpretation of the past that is shared by both the perpetrators and the victims. Indeed, it provides a platform for the discourse about nationalism and a negotiation concerning whose version of the story and whose view of the national narrative can be legitimated (Barkan, 2000). In this sense, reparation is a moral issue that involves a formal acknowledgement of historical wrong, recognition of continuing injury, and commitment to redress. They are pursued because of their potential to challenge assumptions about the past and present social arrangements (Shelton, 2004).

An apology does not automatically resolve a dispute. Rather, it is a first step in the path of negotiation. In essence, it is more a means than an end. Apologies, however, lead to a reformulated history which is itself a form of reparation and becomes an important factor in contemporary politics (Barkan, 2000). However, although apologies cost no money, they are not easy to obtain (Brophy, 2002). According to Brophy, therefore, it is further testimony to its importance in politics and points out how meaningful apologies are for both who make them and those who receive them. Apologies are part of a struggle for interpreting the past. Apologies for slavery, for example, are a part of debates between black and white histories. They have the potential to influence the way we look at our present. By that virtue alone, they can restore the pride of victims.

Indeed, in the context of the black reparations movement in the United States, McCarthy (2004) claims that its success to an extent lay in igniting a public debate in the American public sphere. He also expresses the hope that this could prove to be of great “public-pedagogical” use in raising and reforming public historical consciousness (McCarthy 2004:765). In fact, the multiple forums of the movement provided by public trials, public hearings, inquiry commissions and the like could help bridging the gap between professional historiography and public memory by bringing home to public awareness the actual history of slavery in the United States and the extent to which it has shaped the culture, institutions and structural inequities witnessed in that society. In his view, whereas the official “master narrative” of American nationhood in terms of the “land of the brave and the free” and a place of “liberty and justice for all” still dominates public historical consciousness, several critical narratives regarding slavery and segregation in American society have also gained in prominence since the 1960s. Because debates about competing national narratives are ultimately contests for public memory, they have the potential to reshape political culture and influence political practice. Even filing reparations lawsuits could also help kindle a public debate about racial oppression. The importance of apology and reparation, therefore, lay in its ability to challenge dominant histories.

Truth commissions, according to Brophy (2002), also play a similar role. By enquiring and acknowledging what truly happened, they create an official history. Indeed, by clarifying who the victims are and who are the offenders they vindicate victims as well as put the blame on offenders. In that sense, they help in reordering history and past by recreating a view of the past. If “winners write history” throughout the world, apologies record the history of the victims for future generations. From that perspective, truth commissions provide a powerful form of reparations itself. How the past is viewed have important ramifications for the present and those interpretations influence how the struggle for power is played (Brophy 2002).

Because apologies are part of the most significant forms of symbolic reparations including public acknowledgements, public commemoration, museums, and revised school curricula to name a few, sometimes they are considered more important than monetary reparation even. The ancestors of victims of the Potato Famine in Ireland, for instance, considered Tony Blair’s apology more important than any monetary compensation (Cunningham, 1999). To them it was more appropriate that Britain acknowledge its role in the disaster and revise its historical account about the famine than make payments after so many decades. It meant an end to denial, and a vindication of the Irish victims who blamed Britain for so long. Similarly, in his response to the advisory report of the United Nations World Conference against Racism and the Right to Reparation, held in Durban in 2001, the chair of the organisation National Platform Slavery Past Council retorted: “We don’t want personal financial compensations for the victims (...) We think rather of a fund for historical research into slavery, in order to correct Dutch history books” (Baehr, 2008: 237). This historical correction was no less necessary than other reparative measures. Indeed, one of the greatest bones of contention between Japan and its former wartime enemies is the debate about Japan’s portrayal of history in Japanese school text-books. The victims of the Nanking massacre or the former comfort women refuse to believe Japan regrets its wartime behaviour in the face of Japan’s denial of these issues in its official history books.

Notwithstanding cases like Japan, Barkan & Karn (2006) find the widespread willingness of individuals and groups to engage in negotiated history through apology and reconciliation astounding. Through open dialogue, victims and perpetrators

“exchange perspectives, combine their memories, and recover their lost dignity” (2006: 8). This exchange also leaves ample room for both perpetrator and victim to express strong emotions. Especially, it allows the victim to voice their suffering and shaming the perpetrator about their behaviour and its consequences (Scheff, 2007). The tool of apology unveils a new range of possibilities. Indeed, “[a]s they allow themselves to become enmeshed in each other’s stories, historical adversaries uncover new possibilities for self-definition and fresh avenues for cooperation” (Barkan & Karn, 2006).

Justice

The concept of reparation is inextricably related to the theme of justice. The most fundamental goal of reparations is to do justice. Brophy (2002) contends that reparations have many benefits. First, they represent an effort to redress decades-old injustice. Second, they suggest that justice is possible. Third, by moving in the direction of justice, they help building trust in the community. Fourth, they make similar events less likely to happen (Brophy 2002:112).

Most scholars of reparations acknowledge the importance of addressing the issue of historic wrongs to establish justice in a society scarred by the continuation and pervasive ill-effects of those wrongs. This becomes all the more necessary when we take into account the fact that the perpetrators of egregious injustices have been states, corporate firms, educational institutes, churches, and other public and private institutions, rather than arbitrary individuals (McCarthy, 2004). Although apology is an important tool in redressing past injustices, it might not be enough to redress the past wholly (Nobles, 2008; Brooks, 1999). For substantive redress of historical grievances and serve the cause of justice, there is a need for adequate modes of other tangible reparations. Reparations also underline the sincerity of an apology (Barkan, 2000; Brooks, 1999).

McCarthy (2004) summarises the core idea behind the desirability of reparations in the realm of justice. If one person has harmed another, then the

perpetrator had a prima facie moral obligation to repair the damage to the victim. Her moral obligation does not end with expression of remorse or admission of guilt or even an apology. Indeed, if possible, she ought to correct the harm or else the continuing suffering of the victim amounts to continued harm. This is the basis of corrective or rectificatory justice from Aristotle to present times. This could also be applied to liberal justice by rooting political justice in fairness or impartiality, which requires equal respect for every human being, equal treatment before the law, equal rights and liberties for all. In the context of black reparations, McCarthy contends that the gross inequities from which present day African Americans suffer have to do with the consequences of centuries of racial oppression that began with slavery and has a causal connection to past injustice. Blacks have been systematically denied equal access to land, housing, voting rights, employment, public service positions, trade unions, New Deal programmes, schools, hospitals, churches, libraries, public facilities, transportation, recreation, parks, sports, and so on (McCarthy 2004: 760).

According to him, therefore, the case for slavery reparations in the United States should be made in terms of collective responsibility. Along the lines of Janna Thompson's argument about transgenerational responsibility explained earlier, he argues that it should be kept in mind that the United States has been a nation-state with an unbroken constitutional history for more than 200 years and that African Americans were denied equal opportunities under the law until 1960s. This argument should counter refusals to pay reparations on the basis of individual culpability and account for the fact that most of the current non-black residents of the United States are derived from waves of post-Civil War immigration. Therefore, writer concedes that every generation of citizens inherits both the burdens as well as the benefits of membership. Just as they reap the benefit of political institutions, civil rights, and other such benefits accumulated through the actions of past generations; similarly, they should take the responsibility for rectifying the continuing harms of past racial injustice. The national inheritance of non-blacks was unjustly acquired at the expense of blacks, by that logic, they have a responsibility to redress the inequalities suffered by blacks as a result of a depraved national inheritance. Indeed, "*[t]his is not a matter of collective guilt but of collective responsibility; and reparation is not a matter of collective punishment but of collective liability*" (McCarthy 2004: 758).

Reparation is connected to the issue of responsibility. In his article, Torpey (2004) cites the instance of a law suit filed on 26 March 2002 by a young black lawyer named Deadria Farmer-Paellmann in US District Court for the Eastern District of New York against FleetBoston Financial Corporation, Aetna Insurance, and a railroad company named CSX Corporation, and up to 1000 other companies that may have made profits through slavery, asking for compensation for 35 million descendants of African slaves. However, he notes that instead of hailing it, reparations activists were critical of the suit- by not naming the US government as a defendant, the suit failed to underscore the point that reparations was not only about economic damages, but also about political responsibility to compensate the victims of centuries of slavery and segregation. Indeed, it is the state's responsibility to repair the harms suffered by victims because the state had all along colluded with direct perpetrators in their suffering.

In this context of black reparations itself, McCarthy (2004) points at the increasing demand for slavery reparations throughout the United States- in the form of resolutions calling for reparations in the city councils of Chicago, Cleveland, Detroit, Washington, D.C., and elsewhere; in the form of establishment of a Committee on Slavery and Justice in Brown University; or in the form of appointment of the Reparations Coordination Committee (RCC) centred at the Harvard Law School. Focusing particularly on the RCC that comprises a number of lawyers, activists, and scholars, McCarthy observes that it works by filing a variety of law suits in a number of courts against public and private institutions that benefitted from slavery and against local, state, and federal government that executed and sanctioned racially discriminatory policies and practices. He notes, however, that they do not only seek monetary reparations. As important as 'material' compensation in the form of policies, programmes, and institutional reforms aimed at correcting inequalities in socio-economic status of victims, is 'symbolic' or 'non-material' reparations in the form of public acknowledgements, official apologies, memorials, museums, commemorations, national holidays, curricular reforms, and the like (McCarthy, 2004).

The issue of an apology for slavery is as contentious as the issue of reparations for slavery. Indeed, the ABC News poll⁸ cited by Joe R Feagin and Eileen O'Brien (1999) shows that while two-thirds of the black participants favour both- a federal government apology and monetary relief to "compensate for slavery"-, two-thirds of the white participants oppose even to the idea of an apology and 88 percent reject any notion of monetary reparations. Even President Clinton, who had apologised to Africa for the U.S. role in slavery, refused to offer an apology to African Americans for fear of possible pressure to pay reparations and inflaming racial tension (Brooks, 1999). Robert S. McElvaine (1999), however, maintains the importance of apology for the sake of justice. In his essay, McElvaine seeks to reinterpret the Civil War in America. He makes the shocking argument that the North fought to preserve the Union and not to free slaves, while the South fought to deny liberty to slaves and not to protest liberty and "states rights" as generally held. Therefore, the North's participation in the Civil War is not tantamount to an apology for slavery, and the South's participation only calls for a stronger case for apology regarding slavery (McElvaine, 1999). By issuing an apology, the United States must fulfil its commitment to justice for all.

Camille Paglia (1999), on the other hand, expresses her deep criticisms for symbolic gestures such as an apology, which, according to her, are meaningless for African-Americans. In her opinion, instead of benefitting African Americans, any apology would end up sanctifying and crystallising the identity of former slaves for eternity in them. Paglia thus contends that African Americans should rather channelize their efforts on substantive reforms, instead of dwelling on the past. Whereas Hall (1999) believes an apology is inevitable for racial reconciliation, Paglia (1999) argues that most people in the current United States do not have any direct connection to slavery and therefore bear no responsibility for it. While Hall (1999) argues that Congress as an institution is responsible for perpetrating slavery and must atone for it, Paglia (1999) argues that any apology from the federal government must be accompanied by apologies from all African nations as well that took part in slavery. On his part, Howard W. French (1999) though, is of the opinion that both the

⁸ ABC News Poll, June 18, 1997; referred in Feagin & O'Brien (1999)

United States and African countries should apologise for their role in perpetrating slavery.

Perhaps the mood of general blacks is captured by Hilary Shelton's response who, even after the U.S. House of Representatives apologised to African Americans for the injustices of slavery and for the atrocities suffered by them under the Jim Crow laws on July 29, 2008, rendered the apology "hollow" unless backed by larger reparation (Osel, 2008). Osel, though, claims that while it is obvious that a simple apology cannot undo hundreds of years of injustice, it is nevertheless a start (Osel, 2008).

Conclusion

In light of the sections above, we could agree with Barkan (2000) that restitution, reparations and apology are different levels of acknowledgement of a past wrong that create a mosaic of recognition by perpetrators for the need to amend past injustices. We also note the importance of a formal apology for an acknowledgement of injustice and validating attempts of reparation. An apology alone, as is evident by now, is certainly not sufficient (Shelton, 2004).

Reparations are imperative for redressing past injustices. However, as already discussed in the context of apology's role in moral repair, the manner in which apology and reparation are offered has a direct impact on their capacity to bring in repair. As much important as financial compensation can be- by bringing a finality to the process of reparation and affording some amount of autonomy to the victim in using the compensation the best way they want to use it in redressing their past harm- when it fails to reflect the needs or wishes of the victims, it could as well represent a cheap payoff or blood money (Waterhouse, 2009). Similarly, it is important to note the larger politics of apology that Barkan (2000) hints at. With much insight, Barkan observes that far too often apologies for grave injustices even aim at amending only one layer of injustice. The larger complexities of history are ignored. Indeed, the apologies offered to indigenous peoples in Canada and Australia corroborates this

assertion. The apologies in all these cases were offered for particular instances- for removal of children from families or unfair residential school policies. None of them acknowledged the greater violence of colonialism and imperialism which were also the roots of all such previous policies.

In effect, Barkan (2000) also cautions us not to go overboard in our self-congratulation over reparations. He reminds us that it is only against the backdrop of the international community's failure to prevent or mitigate grave injustices that reparations provides a hope for morality. In essence, therefore, its appeal lay in presenting local moral solutions in a thoroughly immoral and unjust world.

Conclusion

This dissertation has tried to examine what apologies mean and do in international politics. Through an enquiry into the meanings of apology and how it relates to reconciliation and reparation, it has sought to evaluate the importance apology holds in these debates. These last few pages here seek to revisit the major arguments briefly and offer conclusions that the study has yielded.

Accordingly, the first chapter gave a broad overview of the research topic by way of an 'Introduction' and included short summaries of each chapter. It sought to answer why the topic was chosen, what it chooses to engage with and how it plans to go about it.

The second chapter, with its robust aim of forming the backdrop of the research, included a discussion of how apologies came to occupy a position of import in international politics. It noted that various interpretations look at the post-Holocaust, post-Nuremberg, post-democratisation of large parts of the world, and post-Cold War political contexts of the world as being particularly conducive to the development of the practice of apologising in politics. Further, pursuing an exploration of apology's meaning in language and then delineating the conditions that constitute a sufficient or valid apology, it gathered that most importantly, apology is a speech act expressing sorrow or remorse for having wronged someone. Acknowledgement of the act of harm and acceptance of responsibility thereof, apart from a commitment of non-repetition, on the part of the offender, are some of the most vital elements of apology. It also noted the different types of roles played by interpersonal and public apologies which also highlighted the significance of the latter. We ended the chapter by taking note of certain paradoxes that apology could face: the problem of insincerity, the problem of the 'unforgivable', and the problem of time and anachronism.

The third chapter dealt with the theme of reconciliation. It presented various ways in which reconciliation has been conceptualised in politics, and then sought to

examine the way apology promotes reconciliation in law- especially tort law. Further, it examined the ways in which apology led to reconciliation: by heralding a new beginning, commitment of non-repetition of wrongs, restoration of moral balance and healing.

The fourth chapter concerned itself with the concept of reparation. This was examined in itself, as well as how it relates to the phenomenon of apology in terms of atonement, moral repair, debates about history, and justice.

By way of conclusions now, we have three observations to make. First, we identify an element of randomness in the politics of apologies. Apologies seem to be offered for some wrongs and resisted in the case of others. Pope John Paul II's as many as 94 apologies included apologies for "general sins; sins in the service of truth; sins against Christian unity; against the Jews; against respect for love, peace and cultures; against the dignity of women and minorities; and against human rights". Yet, he left out homosexuals and any clear reference to the names of the crusaders, the Inquisition or the Holocaust (Carroll 2000). Again, as we have indicated earlier, President Clinton's various apologies for US inaction in Rwanda or US role in political violence in Guatemala does not find corresponding parallels with apologies for more immediate causes like slavery or use of atomic bombs in Nagasaki and Hiroshima. In that sense, non-apologies reveal as much about the politics of saying sorry as apologies themselves. It highlights, for example, that although apologies have emerged as one of the positive means with which wrongdoers address past injustices, their use has also been partial and arbitrary. Indeed, they have been avoided in several serious cases (like the two mentioned above) that ought to have most definitely occasioned apologies and by virtue of such seriousness, probably placed greater obligation on wrongdoers to provide other forms of tangible redress which wrongdoers wished to avoid. The concern with sincerity of apologies remains an issue.

In terms of its efficacy though, our second observation underscores the useful role apologies could play in addressing historical wrongs. This, as we have noted in the previous chapters, is because an act of apology becomes instrumental in negotiating the relationship between the past and the present, and the present and the

future. We could further elaborate that in the absence of other available forms of justice for past wrongs, historical apologies could act as necessary correctives. This is not to contend that apologies are either best or substantially potent tools of justice-seeking. Rather, considering the limited means of redress that wrongs of such nature present to us, apologies could form the much-needed first step and often the only available step to address a past injustice. In addition, in the face of complications regarding the amount and mode of reparation for historical wrongs in the greater past, apologies could act as alternate means of reparation. It does so by acknowledging wrongdoing and vindicating victims. Because apologies put things on record, we must note, they help in clarifying history. In that sense, an apology seems to be better form of reparation for victims of injustice than other forms of commemoration including monuments, exhibitions, and national days.

Our third observation, finally, identifies the hegemony of Western modes of understanding apology (in this research as well as) in the larger scholarship on the subject. This could be understood as a consequence of what Derrida (1997: 32) terms *globalatinisation*- “the effect of Roman Christianity which today overdetermines all language of law, of politics”. The very process, in his view, is responsible for informing all articulation of apology or forgiveness with Christian notions even in societies where it is not the dominant religion. And this leaves us with two diverse strands of thought that in view of the existing scholarship on apology, urgently begs further research.

One, that, if we agree that the very notion of apology and forgiveness is based on Christian theological conceptions, could it then explain the increased use of such tropes in the predominantly Christian societies of Europe, North America, Australia, Latin America and Africa (particularly the use of Truth and Reconciliation Commissions in the case of the latter two) in comparison to predominantly non-Christian ones in South Asia, West Asia and North Africa? Further research could examine the veracity of this assumption and throw light on what explains the difference in attitude towards apologies among various nations.

Two, even while not totally discounting the influence of Derrida’s *globalatinisation*, is it still worthwhile to attempt understanding what apology means

in other non-Western contexts? Our answer points towards the affirmative. Indeed, it is submitted that this tendentious understanding of Western/ Christian notions of apology limits our perception of the efficacy of the concept. Unless we interrogate other forms of apology in other cultures and languages, we could never fully know how relevant they can be in non-Western contexts. Apologies, after all, are forms of speech. And although we resorted to speech act theory in the first chapter to explore what they mean, it is equally pertinent to be wary of extrapolating our insights from English to generalise about apologies in all languages. Universalism, in this context, is unwarranted because apologies have their meanings only within particular linguistic frameworks.

The question of language is vitally important here not only because apologies are expressed through it but also because language affects our thought-processes, influences the way in which we *frame* events for ourselves, and has an impact on the speaker's reasoning (Pinker, 2008: 126- 134). It constitutes subjects through what Louis Althusser calls *interpellation* (Althusser, 1971), creates an enemy as the ultimate 'other' (Dower, 1986), causes injury (Butler, 1997) and heals (Tavuchis, 1991). Most importantly, though, language imposes limits to our world: since all meaning is already embedded within language, the possibility to reach out to an outer reality outside of language does not exist (Wittgenstein, 1965). Seen in this light, the research identifies the need for future cross-cultural and comparative linguistic studies of apology to help us understand its potential in influencing politics in full.

References

(* indicates a primary source)

* (2011). Retrieved April 23, 2011, from [http://www.merriam-webster.com:
http://www.merriam-webster.com/dictionary/reconcile?show=0&t=1304674677](http://www.merriam-webster.com/http://www.merriam-webster.com/dictionary/reconcile?show=0&t=1304674677)

*(2011). Retrieved May 11, 2011, from [http://www.merriam-webster.com:
http://www.merriam-webster.com/dictionary/reparations](http://www.merriam-webster.com/http://www.merriam-webster.com/dictionary/reparations)

*A Request for Redress of the Wrongs of Tuskegee : Final Report of the Tuskegee Syphilis Study Legacy Committee . (1996, May 20). Retrieved June 15, 2011, from *Infectious and Epidemic Disease in History*, Department of History: University of California, Irvine : <https://eee.uci.edu/clients/bjbecker/PlaguesandPeople/week5e.html>

*A Statement of Apology and Commitment. (n.d.), Retrieved June 15, 2011, from <http://www.massslaveryapology.org/Read%20our%20statement.htm>

Adorno, Theodor (1990), *Negative Dialectics*, Routledge

Adorno, Theodor (1949), "An Essay on Cultural Criticism and Society", *Prisms*, trans. Samuel and Shierry Weber (Cambridge, Mass.: MIT Press)

Ahmed, S. (2004). *The Cultural Politics of Emotion*. Edinburgh: Edinburgh University Press.

Allpress, J. A., Barlow, F. K., Brown, R., & Louis, W. R. (2010), "Atoning for Colonial Injustices: Group-Based Shame and Guilt Motivate Support for Reparation", *International Journal of Conflict and Violence* , Vol. 4 (1) , pp. 75 – 88.

Althusser, Louis (1971), "Ideology and Ideological State Apparatuses", *Lenin and Philosophy*, tr. Ben Brewster, New York and London: Monthly Review Press, p. 170-86

*Amnesty International Public Statement, "Japan: 'Comfort Women' mark the 900th anniversary of the 'Wednesday Demonstration'", AI Index: ASA 22/001/2010, 13 January 2010, Retrieved June 15, 2011, <http://amnesty.name/en/library/asset/ASA22/001/2010/en/fd5f51cf-26ca-4985-8f44-3ee028370b84/asa220012010en.html>

Arendt, Hannah (1991), *On Revolution*, New York: Penguin Books

Arendt, Hannah (1950), "Preface to the First Edition," in *The Origins of Totalitarianism* (1950; repr., New York: Harcourt Brace Jovanovich, 1973)

Austin, J. L. (1975). *How to Do Things with Words*. Cambridge, MA: Harvard University Press.

Bach, K. (1998). "Speech Acts", in E. Craig, *Routledge Encyclopedia of Philosophy*. Routledge.

Baehr, P. (2008), "Colonialism, Slavery, and the Slave Trade: A Dutch Perspective", in M. Gibney, R. E. Howard-Hassmann, & J.-M. C. (eds.), *The Age of Apology: Facing Up to the Past* (pp. 229- 240). Philadelphia: University of Pennsylvania Press.

Barkan, Elazar; Karn, Alexander (eds.) (2006), *Taking Wrongs Seriously: Apologies and Reconciliation*, California: Stanford University Press

Barkan and Karn (2006), "Group Apology as an Ethical Imperative", in Barkan and Karn (eds.), *Taking Wrongs Seriously. Apologies and Reconciliation* (Stanford, California: Stanford University Press, 2006), pp. 3–32

Barkan, E. (2002), *The Guilt of Nations: Restitution and Negotiating Historical Injustices*. New York: W. W. Norton.

Barkan, E. (2000 , October), "Restitution and Amending Historical Injustices in International Morality", *Working Paper 00-5* . The European Union Center of California Working Paper Series.

Bar-Tal, D., & Bennink, G. H. (2004). "The Nature of Reconciliation an an Outcome and as a Process, II". In Y. Bar-Simon-Tov. Ed., *From Conflict Resolution to Reconciliation* (pp. pp. 11- 38). Oxford: Oxford University Press.

Beauchamp, G (2007), "Apologies all around", *American Scholar*, 76 (4): 83–93.

*Beliefnet Interview (2004), *Desmond Tutu's Recipe for Peace*. Beliefnet.com <http://www.beliefnet.com/Inspiration/2004/04/Desmond-Tutus-Recipe-For-Peace.aspx?p=1>. Accessed 15 June, 2011

Benjamin, Walter (1955), *Theses on the Philosophy of History*

Bibas, S. & Bierschbach, R. A. (2004), "Integrating Remorse and Apology into Criminal Procedure", *Yale Law Journal*, Vol. 114: 1, pp. 85- 148.

Bilder, R. B. (2006). "The Role of Apology in International Law and Diplomacy", in *University of Wisconsin Law School: Legal Studies Research Paper Series* (Wisconsin: 2006)

Bloomfield, David, Barnes, Teresa & Huyse, Luc (eds.) (2003), *Reconciliation after Violent Conflict: A Handbook* , Stockholm: Handbook Series, International IDEA.

Bittker & Brooks (1999). "The constitutionality of black reparations", in R. L. Brooks (ed.) *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (New York: New York University Press).

- Blatz, C. W., Schumann, K., & Ross, M. (2009). "Government Apologies for Historical Injustices", *Political Psychology*, Vol. 30, Issue. 2, April, pp. 219- 241.
- Bovens, L. (2008). XII—APOLOGIES. *Proceedings of the Aristotelian Society*, Vol. CVIII, Part 3, pp. 219- 239.
- *Boven, T. V. (2005, December 16). *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, General Assembly resolution 60/147*. Retrieved May 12, 2011, from Audiovisual Library of International Law: http://untreaty.un.org/cod/avl/ha/ga_60-147/ga_60-147.html
- Brooks, R. L. (1999a). *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*. New York: New York University Press.
- Brooks(ed.), R. L. (1999b). "Not Even an Apology?", in R. L. Brooks, *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 309- 316). New York: New Youk University Press.
- Brooks, R. L. (2004). *Atonement and Forgiveness: A New Model for Black Reparations*. Los Angeles: University of California Press.
- Brophy, A. L. (2002). *Reconstructing the Dreamland: The Tulsa Riot of 1921*. New York: Oxford University Press.
- Brown, J. G. (2004). "The Role of Apology in Negotiation", *Marquette Law Review*, Vol. 87, pp. 665- 673.
- Butler, Judith (1997), *Excitable Speech: A Politics of the Performative*, New York: Routledge
- Cardi, W. J. (2008), "Damages As Reconciliation", *Loyola of Los Angeles Law Review*, Vol. 42, No. 5, pp. 5- 24.
- Carr, E. H. (1967), *What is History?*, Vintage
- Carroll, R. (2000, March 13). *Pope says sorry for sins of church*. Retrieved June 15, 2011, from [guardian.co.uk](http://www.guardian.co.uk): <http://www.guardian.co.uk/world/2000/mar/13/catholicism.religion>
- Celermajer, D. (2009). *The Sins of the Nation and the Ritual of Apologies*. Cambridge: Cambridge University Press.
- Chakrabarty, Dipesh (2007), "History and the politics of recognition", in Keith Jenkins, Sue Morgan and Alun Munslow (eds.) *Manifestos for History*, New York: Routledge, p. 77- 87

- Chang, I. (1999). "The Nanking Massacre", in R. L. Brooks(ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 104- 108). New York: New York University Press.
- Clarke, M., & Fine, G. A. (2010). "'A' for Apology: Slavery and the Discourse of Remonstrance", *History & Memory* , Vol. 22, No. 1, Spring/Summer, pp. 81- 112.
- Coicaud, J. M (2009), "Apology: A Small yet Important Part of Justice", *Japanese Journal of Political Science*, Vol. 10, No. 1, p. 93- 124
- Cohen, A. D., & Olshtain, E. (1981). *Developing a measure of socio-cultural competence: The case of apology. Language Learning* , Vol. 31(1), pp. 113- 134.
- Cohen, R. (2004). "Apology and Reconciliation in International Relations", in Y. Bar-Simon-Tov, *From Conflict Resolution to Reconciliation* (pp. pp. 177- 196). New York: Oxford University Press.
- Cunningham, M. (2004). "Apologies in Irish Politics: A Commentary and Critique", *Contemporary British History* , Vol,18, No.4, Winter, pp.80-92.
- Cunningham, M. (1999). "Saying Sorry: The Politics of Apology", *The Political Quarterly* , pp. 285- 293.
- Cunneen, C. (2005). "Colonialism and Historical Injustice: Reparations for Indigenous Peoples", *Social Semiotics* , Vol 15: 1, pp.59 — 80.
- Danieli, Y. (2009). "Massive Trauma and the Healing Role of Reparative Justice", in C. Ferstman, M. Goetz, & A. S. (eds.), *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity: Systems in Place and Systems in the Making*. Boston: Martinus Nijhoff Publishers.
- Davis, P. (2002). "On Apologies", *Journal of Applied Philosophy* , Vol. 19, No. 2, pp. 169- 173.
- De Ridder, Trudy (1997), "The Trauma of Testifying: Deponents difficult healing process," *Track Two: Constructive Approaches to Community and Political Conflict*, Vol. 6 No.'s 3 & 4, December. <http://ccrweb.ccr.uct.ac.za/two/index.html>.
- Der Derian, J., (1995). *International Theory: Critical Investigations*. New York: New York University Press.
- Derrida, Jaques (1997), *On Cosmopolitanism and Forgiveness*, London and New York: Routledge
- Digester, P. E. (2001). *Political Forgiveness*. Cornell University Press.
- Dower, John W. (1986), *War without Mercy: Race and Power in the Pacific War*, New York: Faber and Faber

- Dwyer, S. (2003). "Reconciliation for Realists", in C. Prager, & e. Trudy Govier, *Dilemmas of Reconciliation* (pp. 39- 63). Waterloo, Canada: Wilfrid Laurier University Press.
- Edwards, J. A. (2005), "Community-Focused Apologia in International Affairs: Japanese Prime Minister Tomiichi Murayama's Apology", *The Howard Journal of Communications* , Vol. 16, pp. 317- 336.
- Engerman, S. L. (2009). "Apologies, Regrets, and Reparations", *European Review* , Vol. 17, Nos. 3&4, pp. 593–610.
- Feagin, J. R., & O'Brien, E. (1999). "The Growing Movement for Reparations", in R. L. Brooks(ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 341- 346). New York: New York University Press.
- Feldman, L. G. (2010, April 19), "German-Polish Reconciliation in Comparative Perspective: Lessons for Japan?" Retrieved February 5, 2011, from *The Asia-Pacific Journal: Japan Focus*: http://www.japanfocus.org/-Lily-Gardner_Feldman/3344
- Frei, N. (2009). NS-VERFAHREN – "The Germans are guilty themselves to take action against Demjanjuk", Retrieved May 25, 2011, <http://www.spiegel.de/politik/deutschland/0,1518,626409,00.html>
- French, H. W. (1999). "The Atlantic Slave Trade: On Both Sides, Reason for Remorse", in R. L. Brooks(ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 355- 357). New York: New York University Press.
- Gabilondo, J. (2003). "Historical Memory, Neoliberal Spain, and the Latin American Postcolonial Ghost: On the Politics of Recognition, Apology, and Reparation in Contemporary Spanish Historiography", *Arizona Journal of Hispanic Cultural Studies*, Volume 7, pp. 247-266.
- Galtung, Johan. 1998. "After Violence: 3R, Reconstruction, Reconciliation, Resolution: Coping with Visible and Invisible Effects of War and Violence", *Transcend: A Peace and Development Network*, July. <http://www.transcend.org/TRRECBAS.HTM>.
- Getz, Russell J. (2007), "Uniform Apology Act", *Uniform Law Conference of Canada: Civil Law Section*, September 9- 13.
- Gibney, M., Howard-Hassmann, R. E., Coicaud, J.-M., & Steiner, N. (2008). *The Age of Apology: Facing Up to the Past*. Philadelphia: University of Pennsylvania Press.
- Gibson, James L. "Does Truth Lead to Reconciliation? Testing the Causal Assumptions of the South African Truth and Reconciliation Commission." *American Journal of Political Science*, (April 2004), pp. 201-217.

Green, Eric.1996. "Truth Commissions in Latin America," *Issues in Democracy*, ISIA Electronic Journals, Vol. 1, No. 3, May. <http://usis.intnet.mu/jide5/latam.htm>.

Govier, T., & Verwoerd, W. (2002). "The Promise and Pitfalls of Apology", *Journal of Social Philosophy* , Vol. 33 No. 1, Spring, pp. 67–82.

*Habib, H. (2002, August 17- 30). "'Regrets' for 1971", *Frontline* , pp. Vol. 19, Issue 17. <http://www.frontlineonnet.com/fl1917/19170630.htm>

Haley, J. O. (1986). "The Implications of Apology". *Law & Society Review* , Vol. 20, No. 4, pp. 499-508.

Hall, T. P. (1999). "Defense of Congressional Resolution Apologizing for Slavery", in R. L. Brooks(ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 350- 351). New York: New York University Press.

Hambler, Brandon. (1998), "Truth: The Road to Reconciliation?", *Cantilevers: Building Bridges for Peace*, Vol. 3. <http://sunsite.wits.ac.za/wits/csvr/artrcant.htm>.

Hatch, J. B. (2003). "Reconciliation: Building a Bridge from Complicity to Coherence in the Rhetoric of Race Relations", *Rhetoric & Public Affairs* , Volume 6, Number 4, Winter, pp. 737-764.

Henry, C. P. (2007). *Long Overdue: The Politics of Racial Reparations*. New York : New York University Press.

Hicks, G. (1999). "The Comfort Women Redress Movement", in R. L. Brooks(ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 113- 125). New York: New York University Press.

Hoffmann, Stanley (1977), "An American Social Science", *Daedalus*, 106 (3), Summer, pp. 41- 60, in Der Derian, James ed. (1995), *International Theory: Critical Investigations*, New York University Press

Hollis, M and Steve Smith (1990), *Explaining and Understanding International Relations*, Oxford: Clarendon Press

Hook, G. R. (n.d.). "The political apology as a millennial phenomenon". Retrieved December 3, 2010, from *MAI Review*, 2008, Vol 2, Article 2: <http://www.review.mai.ac.nz/index.php/MR/article/viewFile/138/140>

*Human Rights Research Council. (1998), *In Focus: Human Rights and Democratisation* "Debating our Past: the road to a Human Rights Culture", "Some Case Studies", May. [http:// www.hsrc.ac.za/corporate/InFocus/May98/cases.html](http://www.hsrc.ac.za/corporate/InFocus/May98/cases.html).

Ignatieff, Michael.(1996), "Articles of Faith," *Index on Censorship*, Retrieved May 5, 2011. http://www.oneworld.org/index_oc/issue596/ignatieff.html.

*International Year for Reconciliation. (1998), "2001: International Year of Reconciliation: A Proclamation," <http://www.worldreconciliation99.org.ni/en/proclama.html>.

Iverson, D. (2006). "Historical Injustice", in B. H. Jon Dryzek, *Oxford Handbook to Political Theory*. Oxford, OUP.

Josephs, H. K. (2004). "The Remedy of Apology in Comparative and International Law: Self- Healing and Reconciliation", *Emory International Law Review*, Vol. 18, pp. 53- 84.

*Knoll, C. (2009, June 23). "State issues formal apology for past discrimination against Chinese", *Los Angeles Times*, Retrieved June 15, 2011, <http://articles.latimes.com/2009/jul/23/local/me-chinese-apology23>

Kolnai, Aurel (1973- 74), "Forgiveness," *Proceedings of the Aristotelian Society*, Vol. 74, p. 91-106.

Koselleck, Reinhart (2004), *Futures Past: On the Semantic of Historical Time*, New York: Columbia University Press

Krause, Keith & Michael C. Williams (1997), "Preface" in Krause and Williams eds. *Critical Security Studies*, Minneapolis, MN: Uni of Minnesota Press

Laremont, R. R. (2001). "Jewish and Japanese American Reparations: Political Lessons for the African Community", *Journal of Asian American Studies*, Volume 4, Number 3, October, pp. 235-250.

Larson, C. C. (2009). *As We Forgive: Stories of Reconciliation from Rwanda*. Michigan: Zondervan.

Lawn, J (2008), "Settler Society and Postcolonial Apologies in Australia and New Zealand", *SITES: New Series*, Vol. 5, No. 1, p. 20- 40

Lazar, S. R. M. (2008). "Corrective Justice and the Possibility of Rectification", *Ethic Theory Moral Practice*, Vol. 11, pp. 355–368

Lazare, A. (1995). "Go Ahead, Say You're Sorry", *Psychology Today*, January/February.

Lazare, A. (2005). *On Apology*. New York: Oxford University Press.

Lederach, J. P. 1997. *Building Peace: Sustainable Reconciliation in Divided Societies*. Washington, D.C.: United States Institute of Peace Press., referred in Bar-Tal, D., & Bennink, G. H. (2004). "The Nature of Reconciliation as an Outcome and as a Process, II". in Y. Bar-Simon-Tov. (ed.), *From Conflict Resolution to Reconciliation* (pp. 11- 38). Oxford: Oxford University Press.

- Lind, J. (2004). *Apologies in International Politics*. Retrieved November 1, 2010, from <http://web.mit.edu/polisci/research>: <http://web.mit.edu/polisci/research/wip/Lind.pdf>
- Long, William J.; Brecke, Peter (2003). "International War and Reconciliation" in *War and Reconciliation: Reason and Emotion in Conflict Resolution*, Massachusetts: MIT Press. Pp. 113
- Mamdani, Mahmood (2000). "The Truth According to the Truth and Reconciliation Commission", in Ifi Amadiume & Abdullahi An-Naim, eds., *The Politics of Memory: Truth, Healing and Social Justice*, London: Zed Books.
- Marrow, D. 1999. "Seeking Peace Amid Memories of War: Learning from the Peace Process in Northern Ireland." in *After the Peace: Resistance and Reconciliation*, ed. R. L. Rothstein, pp. 111–138. Boulder, Colo.: Lynne Rienner., referred in, Bar-Tal, D., & Bennink, G. H. (2004). "The Nature of Reconciliation an an Outcome and as a Process, II". in Y. Bar-Simon-Tov. Ed., *From Conflict Resolution to Reconciliation* (pp. pp. 11- 38). Oxford: Oxford University Press.
- Marrus, M. R. (2006). *Official Apologies and the Quest for Historical Justice*. Toronto: Munk Centre for International Studies.
- Matsuda, Mari J. "Looking to the Bottom: Critical Legal Studies and Reparations." *Harvard Civil Liberties–Civil Rights Law Review* 22 (1987): 323, 362–97
- Mbaye, A. (2005). *The Pragmatics of Public Apology*. Retrieved November 11, 2010, from www.umbc.edu/lc/lcreview/2005/The_Pragmatics_of_Public_Apologies.pdf, 38
- McCarthy, T. (2004). "Coming to Terms with Our Past, Part II: On the Morality and Politics of Reparations for Slavery", *Political Theory* , Vol. 32; pp.750- 772.
- McElvaine, R. S. (1999). "They Didn't March to Free the Slaves", in R. L. Brooks (ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 358- 359). New York: New York University Press.
- McGary, H. (2003). "Achieving Democratic Equality: Forgiveness, Reconciliation, and Reparations", *The Journal of Ethics* , Vol. 7, No. 1, pp. 93-113 .
- Mendeloff, David. "Truth-Seeking, Truth-Telling, and Postconflict Peacebuilding: Curb the Enthusiasm?", *International Studies Review*, No. 6, 3 (September 2004), 355-380.
- Mills, N. (2001), "The New Culture of Apology", *Dissent* , Fall, pp. 113.
- Minow, M. (1998). *Between Vengeance and Forgiveness: Facing History After Genocide and Mass Violence*. Boston: Beacon Press.

Murphy, J., & Hampton, J. (1988). *Forgiveness and Mercy*. New York: Cambridge University Press.

Nabudere DW (n.d.). "Ubuntu Philosophy: Memory and Reconciliation". *Reseau Documentaire International Sur La Region Des Grands Lacs Africains*
<http://www.grandslacs.net/doc/3621.pdf>. June 15, 2011

Nadler, A., & Saguy, T. (2004). "Reconciliation Between Nations: Overcoming Emotional Deterrents to Ending Conflicts Between Groups", in H. Langholtz, & C. E. (Eds.), *The Psychology of Diplomacy* (pp. pp. 29- 46). New York, NY: Praeger.

Nagata, D. (1998). "Intergenerational Effects of the Japanese American Internment". in Y. Danieli, *International Handbook of Multigenerational Legacies of Trauma* (pp. 125–140). New York: Kluwer Academic/ Plenum Publishing Corporation., in Danieli, Y. (2009). "Massive Trauma and the Healing Role of Reparative Justice", in C. Ferstman, M. Goetz, & A. S. (eds.), *Reparations for Victims of Genocide, War Crimes and Crimes against Humanity: Systems in Place and Systems in the Making*. Boston: Martinus Nijhoff Publishers.

Negash, G. (2006). *Apologia Politica. States & Their Apologies by Proxy* (Oxford: Lexington Books, 2006).

Nobles, M. (2008). *The Politics of Official Apologies*. New York: Cambridge University Press

Olick, Jeffrey K. (2007), *The Politics of Regret: On Collective Memory and Historical Responsibility*, New York, Routledge.

Oliner, S. P. (2008). *Altruism, intergroup apology, forgiveness and reconciliation*. St.Paul, MN: Paragon House.

O'Neill, B. (1999). *Honor, Symbols, and War*. University of Michigan Press.

Osel, A. (2008, August 17). "U.S. apology for slavery: apparently not front-page news", Retrieved May 13, 2011, *The Daily of the University of Washington*:
<http://dailyuw.com/2008/8/17/us-apology-slavery-apparently-not-front-page-news/>

Paglia, C. (1999). "Ask Camille: Camille Paglia's Online Advice for the Culturally Disgruntled", in R. L. Brooks(ed.), *When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice* (pp. 353- 354). New York: New York University Press.

Parel, A. J. (2000), *Hind Swaraj and Other Writings*, Cambridge University Press

Pinker, Steven (2007), *The Stuff of Thought: Language as a Window into Human Nature*, London: Penguin

*Political Apologies and Reparations Website, *Document List*, Retrieved on January 11, 2011, <http://political-apologies.wlu.ca/>

Pupavac, Vanessa. "Pathologizing Populations and Colonizing Minds: International Psychosocial Programs in Kosovo." *Alternatives*, No. 27 (2002), 489-511.

Radin, M. J. (1993). "Compensation and Commensurability", *Duke Law Journal* , Vol. 43, No. 1, October: 60.

Rayner, Jay (2004), *Eating Crow*, New York: Simon and Schuster Paperbacks

Renner, J. (2010). "I'm sorry for apologising': Czech and German apologies and their prelocutionary effects", *Review of International Studies* , pp. 1- 19.

Rotberg, R. I. (2006), "Apology, Truth Commissions, and Intrastate Conflict", in Barkan, Elazar; Karn, Alexander (eds.) (2006), *Taking Wrongs Seriously: Apologies and Reconciliation*, California: Stanford University Press

Sambadan, V. S. (2004), "An apology to Tamils", *Frontline*, Vol. 21, Issue 17, August 14- 27, 2004
<http://www.frontlineonnet.com/fl2117/stories/20040827001305600.htm>

Sarkin, Jeremy (2008), "Achieving Reconciliation in Divided Societies: Comparing the Approaches in Timor-Leste, South Africa and Rwanda", *Legal Studies Research Paper Series, Research Paper No. 08-17, Yale Journal of International Affairs*.

Scheff, Thomas J. (2007), "Responses to a War Memorial", *Journal for Social Action in Counseling and Psychology*, Vol. 1: 1, pp. 58- 71

Scheff, T.J. (1994). *Bloody Revenge: Emotions, nationalism and war*. Boulder: Westview Press, referred in, Nadler, A., & Saguy, T. (2004). "Reconciliation Between Nations: Overcoming Emotional Deterrents to Ending Conflicts Between Groups", in H. Langholtz, & C. E. (Eds.), *The Psychology of Diplomacy* (pp. 29- 46). New York, NY: Praeger.

Searle, J. (1969). *Speech Acts: An Essay in the Philosophy of Language*. Cambridge: Cambridge University Press.

Shelton, D. (2004). "The World of Atonement Reparations for Historical Injustices", *Miskolc Journal of International Law* , Vol. 1, No. 2, pp. 259-289.

*Shu-ling, K., Chang, R., & Chao, V. Y. (2011, March 1). National 228 museum opens in Taipei. Retrieved June 15, 2011, *Taipei Times*:
<http://www.taipetimes.com/News/front/archives/2011/03/01/2003497056/2>

Shuman, Daniel. (2000). "The Role of Apology in Tort Law", *Judicature*, Vol. 83, pp. 180- 182

- Smith, N. (2008). *I Was Wrong: The Meaning of Apologies*. New York: Cambridge University Press.
- Smith, N. (2005). "The Categorical Apology", *Journal of Social Philosophy* , Vol. 36 No. 4, Winter, pp. 473–496.
- Snyder, J. (2007, Fall). *The Social Consequences of Traumatic Memory: Politics, Victimhood, and Regret*. Retrieved February 25, 2011, from <http://sociology.rutgers.edu/>:
http://sociology.rutgers.edu/DOCUMENTS/conf_papers/Snyder_Justin.pdf
- Soyinka, Wole (2000). *The Burden of Memory, the Muse of Forgiveness*, Oxford:Oxford University Press.
- Taft, Lee (2005). "Apology Within a Moral Dialectic: A Reply to Professor Robbennolt", *Michigan Law Review*, Vol. 103, pp. 1010- 1012
- Taft, L. (2000). "Apology Subverted: The Commodification of Apology", *Yale Law Journal* , Vol. 109, No. 1, March, pp. 1135– 1160.
- Tavuchis, N. (1991). *Mea Culpa: A Sociology of Apology and Reconciliation*. California: Stanford University Press.
- Taylor, C. (1994). "The Politics of Recognition", in Amy Gutman, *Multiculturalism: Examining the Politics of Recognition*. Princeton, N.J.: Princeton University Press.
- Thompson, Janna (2008). "Apology, Justice, and Respect: A Critical Defense of Political Apology", in Mark Gibney et al., (eds), *The Age of Apology. Facing Up to the Past* (Philadelphia: University of Pennsylvania Press, 2008), pp. 31–44.
- Thompson, J. (2002). *Taking Responsibility for the Past*. Oxford: Polity Press.
- Thompson, J. (2000). "The Apology Paradox". *The Philosophical Quarterly* , Vol. 50, No. 201, pp. 470-475.
- Thucydides. *History of the Peloponnesian War*. (London: Penguin Books Ltd, 1972), 400.
- Torpey, J. (2006). *Making Whole What Has Been Smashed: On Reparations Politics*. Harvard University Press, 2006, 224 pp.
- Torpey, J. (2004). "Paying for the past?: the movement for reparations for African-Americans". *Journal of Human Rights* , Vol. 3: 2, pp.171 — 187.
- *Ubuntu Network. (2007). *Ubuntu Network: Teacher Education for Sustainable Development*. http://www.ubuntu.ie/publications/Project_Definition.pdf. Accessed 15 June 2011

*UN General Assembly, *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* : resolution / adopted and proclaimed by the General Assembly, 16 December, 2005, A/RES/60/147, available at: <http://www2.ohchr.org/english/law/remedy.htm> [accessed 12 May 2011]

Villa-Vicencio, C. (2009). "Where the Old Meets the New: Transitional Justice, Peacebuilding and Traditional Reconciliation Practices in Africa". *Claude Ake Memorial Papers No. 5* (pp. pp. 1- 40). Uppsala: Distributed by: Department of Peace and Conflict Research (DPCR), Uppsala University & the Nordic Africa Institute (NAI), Uppsala.

Vines, Prue (2007). "The Power of Apology: Mercy, Forgiveness or Corrective Justice in the Civil Liability Arena?" . *University of New South Wales Faculty of Law Research Series. University of New South Wales Faculty of Law Research Series*. Working Paper 30. <http://law.bepress.com/unswwps/flrps/art30>

Wagatsuma & Rosett (1986), "The Implications of Apology: Law and Culture in Japan and the United States", *Law and Society Review*, Vol. 20, pp. 461- 488

Walker, M. U. (2006). *Moral Repair: Reconstructing Moral Relations after Wrongdoing*. Cambridge : Cambridge University Press.

WARSAW in your pocket, October- November 2009, Retrieved May 15, 2011, http://iyp-online.de/downloads/international/iyp_warsaw.pdf

Waterhouse, C. (2009). "The Good, the Bad, and the Ugly: Moral Agency and the Role of Victims in Reparations Programs", *University of Pennsylvania Journal of International Law* , Vol 31 (1), pp. 257- 294.

Weiner, B. A. (2005). *Sins of the Parents: The Politics of National Apologies in the United States*. Philadelphia: Temple University Press.

Weyeneth, R. R. (2001). "The Power of Apology and the Process of Historical Reconciliation", *The Public Historian*, Vol. 23, No. 3 , 9- 38.

White, B. (2006), "Say You're Sorry: Court-Ordered Apologies as a Civil Rights Remedy", *Cornell Law Review*, Vol. 91, pp. 1261- 1274

"Who's sorry now? Who should apologize to whom, for what and how?", *The Economist* (2 October 2008). Retrieved June 15, 2011, <http://www.economist.com/node/12339527>

Wittgenstein, L. (1965), "A Lecture on Ethics", *The Philosophical Review*, 74: 3-12.

Zimmerer, J., & Schaller, D. J. (2008). "Settlers, imperialism, genocide. Introduction: apologies and the need". *Journal of Genocide Research* , Vol. 10, No. 4, December, pp. 475-477.