

# National Apologies

Mapping the complexities of validity

**A practical paper**

Researched by Eneko Sanz

Edited by Jeremy Tomlinson





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## Abstract

The national apology is a phenomenon which can loosely be defined as a collective, political, intra-state apology, issued from one group to another through the use of appropriate representation. Broadly speaking the 'age of apology' started twenty years ago, yet even with age the term 'national apology' has remained one which is particularly analytically elusive. The bulk of the concerned literature has attempted to face up to this dilemma, to clarify the issues and fortify (or discredit) the utility of the practice. However what it has achieved is confusion over the points of suitable definition, purpose, form, delivery, target audience, and so on. This paper attempts to address these issues through analysing the nuances associated with the term, to contribute meaningfully to the topical discussion through a mapping exercise. As such this paper seeks to provide the knowledge for understanding both composition and critiques of national apologies.

The process of mapping national apologies is started through mounting a discussion of its variables which are historical location (historic or recent), incidence (discrete or sustained) and significance (whether it remains relevant in the current context). It then continues to argue that the correct form for a national apology requires paying particular attention to the publicity, official character, and ceremony of the statement, as well as by choosing an appropriate speaker. Such contextual adequacies however are not enough to validate an apology. The statement must include within its content an acknowledgement of the injustices committed, an expression of remorse, a guarantee of non-repetition, and refrain from appealing for forgiveness. Finally complementing such an apology with further reparative action (measures of sincerity,

corrective action, and material compensation) give the best chance for a national apology to be considered valid and accepted.

In conclusion the report affirms that although the mapping exercise has surely been informative to the reader, and may act as a resource for the analysis and correct construction of national apologies, the information put forward is clearly not intended to be indisputable. It is a current theory in the face of a lack of engagement with this under studied topic, and the author's intention has been to inspire debate. When this field has a significant potential to contribute to reconciliation and peace efforts around the globe it seems inappropriate to accept it as unexplainable. Thus, the report finishes by suggesting it is only through persistent and constructive dialogue between academics and practitioners that we may hope to one day reach consensus on best practice of national apologies.

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In December last year, the Egyptian armed forces apologized for their treatment of women in Tahrir Square protests. Two weeks before the Dutch ambassador to Indonesia had apologized for a massacre committed back in 1947, while in November Turkish Prime Minister Erdogan did the same for the bombing of Kurds during the 1930s. The previous month Guatemalan President Colom apologized to the son of former President Arbenz, who was deposed by a coup d'état in 1954, and earlier in January "Baby Doc" Duvalier expressed regret in Haiti to the victims of his regime.<sup>1</sup> These are all examples of a phenomenon of recent history referred to as the 'national apology.'

Broadly speaking the 'age of apology' started twenty years ago, yet even with age the term 'national apology' has remained one which is particularly analytically elusive. The bulk of the concerned literature has been published within the last five years and attempted to face up to this dilemma, to clarify the issues and fortify (or discredit) the utility of the practice. However what it has achieved is not clarity but confusion over the points of suitable definition, purpose, form, delivery, target audience, and so on. This paper hopes to address these issues through providing a useful analysis of the nuances

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<sup>1</sup> See D. Kirpatrick, "Mass March by Cairo Women in Protest Over Abuse by Soldiers", *The New York Times*, December 20, 2011; "Dutch apology for 1947 Indonesia massacre at Rawagede," *BBC News*, 9 December 2011; "Turkish PM apologizes over 1930s killings of Kurds", *The Guardian*, November 23, 2011; M. Castillo, "Apology reignites conversation about ousted Guatemalan leader", *CNN*, October 24, 2011; J. Guylor Delva, "'Baby Doc' offers regret, no apology, to Haitians", *Reuters*, January 22, 2011. Most of these references have been located via HOWARD-HASSMANN, *Political Apologies and Reparations Website*. Short-title references are given for works in the Bibliography, full references for other documents.

associated with the term, to contribute meaningfully to the topical discussion through a mapping exercise. However, significantly, this paper also seeks to provide the knowledge for understanding both composition and critiques of national apologies—perhaps laying the foundations for the development of a strategic framework in the future.

In reaching for these goals the author has made a conscious effort to examine material which discusses current findings regarding national apologies as a category—be it positive or negative, normative or descriptive—rather than the reactions and criticisms to particular instances. Reviewing other elements of transitional and restorative justice, there are different understandings regarding the moral and political underpinnings of national apologies. There is also imprecise empirical evidence about what actually ‘works’ and what does not. These are no small obstacles to overcome and this must, of course, be kept in mind throughout the journey of this paper. Although this document works towards clarifying the various complexities of national apologies, many will remain unresolved and/or controversial.

Right from the outset it should also be warned that national apologies pose several *a priori* difficulties. Two issues in particular stand out: our understanding of the nature of social (ethnic, political) identity, and how this fits with the institutions of the modern nation-state. These issues of identity and representation will be explored in relation to apologies but, again, there are no clear-cut answers. Whether particular criticisms and uncertainties are overcome or remain insuperable will depend on one’s own political and philosophical stances. It is for those reasons that the overall aim of these pages is to serve as a guide for reflecting on a developing topic, both in practice and in theory.

As such chapter 2 will consider first what defines a national apology in relation and contrast to other types of apologies, whilst detailing some of its most prominent characteristics and theoretical issues. Chapter 3 will begin the process of mapping national apologies through mounting a discussion of its variables; it will then continue to argue that several paramount factors must be taken into account when examining the form and content of a national apology; and, finally it is stressed that additional complementary actions are necessary to reinforce an apology which is to be considered true. Chapter 4 presents a brief account of two additional issues which are seen as the core practical dilemmas of the national apology, these are: the role of the quasi-apology, and accounting for the cultural context. Finally in Chapter 5 this work concludes by expressing that although the mapping exercise has surely been informative to the reader, and may act as a resource for the analysis of national apologies, the discourse is ultimately young and immature. As such it requires the persistent dedication of academics and practioners alike, which over time will yield a meaningful understanding of the topic.

# 2

## Defining National Apologies

Before progressing to a deeper discussion it is imperative to outline what the author understands by the term ‘national apologies.’ In this case the relatively uncommon term ‘national apologies’ is used to refer to an action, or rather a set of actions which may also be called one of the following:

- ‘state apologies’
- ‘community-focused apologies’
- ‘political apologies’
- ‘reconciliation apologies’
- ‘many—to—many apologies’
- ‘historical apologies’
- ‘public apologies’
- ‘collective apologies’

All of these terms, in fact, point to different aspects of what a national apology may encompass, while none of them actually cover the exact same scope. In essence, a national apology is a collective, political, intra-state apology.

As opposed to interpersonal apologies exchanged between individuals, a collective apology is both made on behalf of and directed to identifiable communities. It is political because it is made by/through political or social institutions and for past wrongdoings of political character. Furthermore, they are a particular kind of collective political apologies in that the source of the apology is a modern nation-state (‘state apologies’). They are also described as intra-state because they are intended for communities from the same country, instead of being made amongst states. Using this understanding we could understand the terms ‘intra-state’ or ‘domestic’ apologies as synonyms of national apologies.

At this juncture it is necessary to outline a differentiation of national apologies along the lines of their validity. Alice MacLachlan names a few elements which might be used to pass judgement on a national apology: “material compensation, changes to the historical record, the affective responses of addressees and witnesses, or...a renegotiated political relationship between apologizer and addressee.”<sup>2</sup> Although slightly varied, throughout the literature most authors agree that it is not just one but a set of these elements that makes an apology valid. None by itself constitutes a full apology but they can all form part of one. More concisely they are interconnected components which are all necessary for an apology to be meaningful, and through understanding each of these elements we may begin to tell apart full apologies from partial-apologies, and quasi- or non-apologies (those which are fatally flawed).

In essence this report understands these terms as the following: a ‘true’ or ‘full apology’ is whereby the apology is perceived as authentic, genuine, and sufficiently in depth to give credence to the attempted reconciliation of grievances; a ‘partial apology’ signifies where an attempt is made to apologize but because of a lack of specifics does not succeed in becoming a meaningful, rounded gesture, and; a ‘quasi-’ or ‘non-apology’ is fundamental flawed, seriously compromising the value and utility of the apology.

As the above section only gives some clue to the meaning of the term ‘national apologies’ the remainder of this chapter will examine in depth its various characteristics.

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<sup>2</sup> MacLachlan, “The State of ‘Sorry’”, p. 376.

## **2.1 The objectives and purpose of national apologies**

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It is useful to first briefly identify the purposes and objectives of national apologies.

### ***Reconciliation***

Reconciliation is the most obvious and commonly stated objective of any apology. Its “overarching purpose”, Edwards has noted, is “to repair relationships between victimizer and victim harmed by past wrongdoing.”<sup>3</sup> However, as discussed later in this paper, the specific mechanisms by which national apologies reach this objective are disputed, as is its role and value within a wider reconciliatory process.

### ***Mutual confidence-building***

It has been said that a “lack of apologies, demands for apologies, and the refusal to give them are ... testimony to the wish and the need of both sides to reach the negotiating stage.”<sup>4</sup> Additionally, apologies themselves can play a vital role in transitional or peace processes, through acting as an effective mutual confidence-building measure within a wider process. In this scenario the objective of a national apology is not conventional because it is not directly focused at exacting the reconciliation of two communities; rather it is a tool of the larger stabilization process. In such situations the quarrelling parties have a deep mistrust of each other and any issue which can build consensus is the first step towards peace.

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<sup>3</sup> Edwards, “Apologizing for the Past for a Better Future”, p. 61.

<sup>4</sup> Elazar Barkan quoted in Warner, *Sorry! The Politics of Apology*.

## ***Nation and identity-building***

“Rebuild[ing] the national ethos”<sup>5</sup> can be seen as a collateral benefit of national apologies. However some believe that in actual truth their main goal is to integrate minorities' claims into the mainstream historical record of a country, and enact a new social contract between the different communities that live in it. Against the backdrop of a reconciliatory process, it helps therefore to simultaneously strengthen discourses, and identity both all-inclusive national identities and particular minority ones. A national apology holds the potential to exact such results, and often the reconciliation aim of an apology in fact helps forge a new collective national identity.

## **2.2 Types of national apology**

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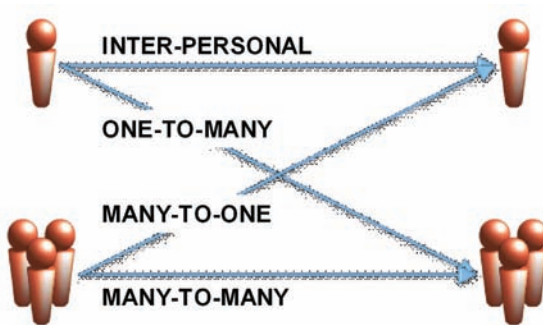
Having seen the objectives and purposes of a national apology we may continue to a discussion of its typology.

### ***Collective or group apologies***

Standard typology distinguishes between one-to-one (interpersonal), one-to-many, many-to-one, and many-to-many apologies. National apologies are many-to-many, community to community, albeit these may be represented by a single leader or a small group of people. These apologies are often practically observed in three different forms.

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<sup>5</sup> Edwards, op.cit. p. 63



The first is when what is taking place is the reconciliation between two groups of people, the perpetrator and the victim. In this respect collective apologies bear some resemblance to the clearer, more intuitive conventional procedures of interpersonal apologies—a useful link as our personal experiences with and judgement of interpersonal apologies becomes a foundation for our understanding of national apologies.

The second way is to see it as originating from the government or state and directed towards a group of wronged people inside its territory. For example, as happened in apartheid-era South Africa and with Australia’s policies towards aboriginals, the government may be in the hands of the ‘wrongdoer’ group.

The third observed form of collective apologies is when two groups apologize simultaneously for the abuses inflicted upon each other. They both are, at the same time, victim and victimizer. One example is Germany and Czech Republic's joint declaration on their respective behaviour during World War II.<sup>6</sup> It can also take the form of separate apologies issued in quick succession, as in

<sup>6</sup> *German-Czech Declaration on Mutual Relations and their Future Development*, signed by Helmut Kohl and Vaclav Klaus in Prague, January 1997.



the case of Frederik de Klerk's apology for apartheid and Nelson Mandela's apology for African National Congress atrocities.

What is important to note at this juncture is that this report has limited its scope to the above forms of collective apologies. As a possible point of confusion, one-to-many apologies delivered before Truth Commissions and in pleas for amnesty, as well as national apologies which are directed to a single individual (many-to-one) are seen as separate phenomena and will be disregarded.

### ***Political apologies***

Political apologies are somewhat difficult to define. However they can loosely be considered political if they involve political issues and are delivered by an appropriate political agent.

Yet there are unexpected exceptions to this rule. Although rare, a collective and political apology may come from a body or institution in the commercial, corporate, media, sports and medical fields (amongst others). For example, the American Medical Association apologized to African-American physicians for past discrimination against Black medical staff, whilst the New Zealand and South African rugby unions apologized for discriminating against non-whites.<sup>7</sup> In these cases it is apparent that a group not inside the political realm can temporarily assume political agency in order to address and apologize for their offense(s).

Similarly another exception is that apologies made by political bodies may not always constitute a political apology. For example the bureaucratic apparatus of governments are indeed made

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<sup>7</sup> AFP, "NZ, South Africa apologize to Maori and black players," *The Australian*, May 15, 2010.

by state institutions however their character is, in principle, administrative and not political. Accordingly, when issuing an apology not only the nature of the issuer but the content must be political to qualify as such. In other words, national apologies are political for two reasons: they involve both political agents and political issues.

### ***State apologies***

National apologies involve one specific collective and political agent, namely the state, and a particular set of state-related domestic political issues. This instance, as we have previously stated, can be also referred to as a state apology.

### ***The nation-state as agent***

With regards to who may assume the role of issuing national apologies, governments and heads of state can issue apologies in the name of the country, the nation, the people, or some large subgroup of these. Political institutions from sub-state administrative divisions may at times also qualify. For example in the US, Senates and Assemblies of several states passed resolutions in 2007 condemning and expressing regret for the slavery of African-Americans. That is one year before the US House of Representatives and two years before the US Senate made their own official apology. Whether these kinds of sub-state apologies can be considered to be partial apologies or full national apologies in themselves will depend on the political context of each country.

As it was pointed out earlier, the relationship between state and the collective on behalf of which it apologizes is complex and can be contested. But as Anderson noted, “nation-ness is the

most universally legitimate value in the political life of our time.”<sup>8</sup> Modern nation-states are assumed to embody the relationship between the people and government, whether it is on the basis of ethnic or civic identity. In fact, the objective of many national apologies may be to help with the transition from an ethnically-based national identity to a civic nationalism, and nation-building in general.

Although there is much room for debate within this subsection, it is essential to look towards the assumptions laid out in section 2.3. The assumptions clearly affirm both the unity and continuity of national and ethnic identities, and their theoretically unproblematic relationship with the state.

### ***Non-state political agents***

Political apologies can also be made by political but non-state actors, such as political parties not in government, politicians not in office, non-state armed groups, civil society organizations, and institutions such as religious groups and *ad hoc* organized groups of citizens. For example, the Timorese political parties apologized independently before the Commission for Reception, Truth and Reconciliation.<sup>9</sup>

To consider all religious groups and churches as part of civil society may be tricky given their connivance with state apparatuses in some cases. Apologies by “state churches” or other institutions of national religions<sup>10</sup> sometimes are clearly part of wider state

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<sup>8</sup> Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso, 2006, p. 3.

<sup>9</sup> “Report on Hearing on Internal Political Conflict 1974-1976, 15-18 December 2003,” in *CAVR Update / Dec 2003 – Jan 2004*. Dili: CAVR, 2004.

<sup>10</sup> Those of religions officially endorsed by a state, also called “state” or “official” religions.

apologies (e.g. the Canadian Church of England apologies to indigenous peoples).<sup>11</sup> However apologies made by the Pope are in a different category altogether as they come from both a religious leader and the Head of the state of the Vatican. They are neither addressed to national groups nor to truly international ones (since misdeeds have been made through/by national chapters of the Catholic Church); therefore these apologies are not considered appropriate state apologies.

Other political apologies that may not amount to a state apology can be made by sections of the state apparatus, as in the case of apologies from the armed forces, the judiciary or political parties.<sup>12</sup> Commissions and other independent bodies may also sometimes encourage a formal apology by the government in their reports and recommendations (these may include or make reference to individual, partial or informal apologies). Apologies from political institutions other than government can help to construct and complete a state apology. These partial statements can be considered sufficient in some cases, complementary to a state apology in others, or they can be found an inappropriate substitute. For example the speech by the Head of US Bureau of Indian Affairs, Kevin Gover, falls into this category.<sup>13</sup>

### ***The political issues addressed by state apologies***

We said that political apologies are about political issues, yet it remains unclear what these issues are when they involve the

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<sup>11</sup> See Bavelas, "An Analysis of Formal Apologies by Canadian Churches to First Nations".

<sup>12</sup> Timorese political parties apologized in the 2003 public hearings held by the Commission for Reception, Truth and Reconciliation. Leaders of the Indonesian army apologized to the Acehnese population to different extents in several occasions. See "Aceh Under Martial Law: Inside the Secret War". *Human Rights Watch*, 15:10, 2003.

<sup>13</sup> Kevin Gover, *Remarks at the Ceremony Acknowledging the 175th Anniversary of the Bureau of Indian Affairs*. Washington: BIA, September 8, 2000.

state. Contexts are varied, but not to the level which makes it impossible to find some general pattern of injustices that generate requests for apologies. Celermajer has grouped them in a sort of historical order as those making reference to: a) the Holocaust, b) race, imperialism and colonialism, and c) political transitions (i.e. democratization processes).<sup>14</sup> Melissa Nobles provides a slightly different categorization, with apologies for wrongs during a) World War II, "b) colonial rule, and c) national founding, settlement, and for the historical treatment of indigenous populations."<sup>15</sup> Recently, other incidents have been the object of requests, refusals, statements and rejections of national apologies, or near-apologies: from the conflicts in Guatemala, Yugoslavia, and Rwanda, to various military and diplomatic activities in East Asia involving North and South Korea, China, or the US.

### ***National/international: boundaries between communities***

These themes point to a relevant classification of state apologies. Clearly, an apology from the US government to African-Americans for slavery is somehow different to a Japanese apology to China for invading the country. They both originate from the top organs of the political system but they may be directed to a group of citizens that belong to the same State (called 'national', 'domestic' or 'intra-state' apologies), or to another state ('international' or 'diplomatic apologies").

There are two further possibilities that blur this distinction. First, it is common that international apologies are not directed to the State or government of the wronged country, but to its population, or a section of it, for instance to the civilian victims of

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<sup>14</sup> Celermajer, op.cit. p. 16.

<sup>15</sup> Nobles, *The Politics of Official Apologies*, p. 6.

war. A well-known case of this was Japan's controversial apologies to World War II 'comfort women' from South Korea, and other East and Southeast Asian countries. Second, it is often the case that boundaries between communities have changed since the time of the misconduct. The descendants of the population of the Kingdom of Hawaii received a domestic apology from the US government, while the State of Israel received a diplomatic apology from Germany for the crimes of the Nazi regime. This may pose methodological challenges in terms of classification but in practice the wider nation-state framework seems to overcome such incoherencies. As it has been argued before, collective apologies help, in fact, define and build ethnic and national identities.

### **2.3 Theoretical issues**

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Finally it is critical to address a key theoretical issue and outline the assumptions of this report.

The national apology, as Villadsen reminds us, "is indeed a curious rhetorical phenomenon involving a speaker apologizing, on behalf of a group, for something neither the speaker nor the vast majority of the group did—often to a group of people who, while representative, were not among those originally wronged."<sup>16</sup> All of which opens a host of questions, interpretations and criticisms about when, how, by whom and even why national apologies should be performed. In an effort to broach the core theoretical issues with national apologies is essential to discuss the concept of guilt. Collective guilt consists of two dimensions which are: collective responsibility (being when guilt is assigned to a collective) or collective regret (where the collective itself feels guilty).

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<sup>16</sup> Villadsen, "Speaking On Behalf of Others", p. 26.

### ***Collective responsibility***

Collective responsibility is an important element in the national apology equation because it is used to refer to the identity of a collective by assuming both unity and continuity. For example if we hold Germans responsible for the Holocaust we first assume the existence and unity of such a collective, which in turn allows guilt to be assigned—in this case to everyone living in Germany during the 1930s and the 1940s, except the victims. If we further assume continuity, that is, that such German identity exists through time, we can conclude that modern-day Germans are in some way also guilty as a consequence of trans-generational responsibility.

An example, which suggests the usage of this logic to assign guilt by societies at large is the fact that the German President apologized to Israel in 2000 for the injustices committed during the war—an event neither he nor the majority of Germans alive today were party to.<sup>17</sup> This apology can be seen as a product of pressure on Germany by the outside world's assumptions of unity and continuity of the national identity. (As a note it is apparent that the same reasoning can also be, and is, used in regards to the victim identity, in this case the Jewish people who continue to be identified as a victim group.) This illustrates that belief in the unity and continuity of national and ethnic identities is deeply ingrained in our modern societies.<sup>18</sup>

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<sup>17</sup> *Speech in the Knesset by the President of Germany, Johannes Rau. Jerusalem, Wednesday, 16 February 2000.* Available at the Israeli Parliament website (<http://www.knesset.gov.il>).

<sup>18</sup> Perhaps much less than the concepts, fundamental for criminal justice, of the unity and continuity of individual identity (the idea that I am one individual, and it is *the same individual* that I was ten years ago).

However the argumentative logic that flows from these assumptions can also have an unsettling effect. Bagdonas describes the difficulties posed by the issue of collective responsibility in the following statement: “Apologizing on behalf of people for the crimes they have not committed seems to go against the basic principles underlying contemporary liberal morality and law. If in diplomatic apologies state unity is assumed and continuity is usually irrelevant, in historical apologies both of these requirements for moral agency must be negotiated.”<sup>19</sup>

In fact, historical apologies have often been criticized or withheld on these grounds. Australian Prime Minister Howard refused to apologize to the indigenous peoples because, “Australians of this generation should not be required to accept guilt and blame for past actions and policies over which they had no control”.<sup>20</sup> After the apology was finally made in 2008 “Indigenous Affairs Minister Jenny Macklin claimed that it was made on behalf of the Australian government and did not attribute guilt to the current generation of Australian people”.<sup>21</sup> Note that in this case, unity and continuity were assumed for the Australian state institutions but not for the people.

Accusing a group of people of wrongful conduct on the basis of their ethnicity or nationality certainly feels inappropriate, although each of us—through our own experiences—can acknowledge that it is an unfortunately common occurrence. However there are cases when collective responsibility is not attributed by others but

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<sup>19</sup> Bagdonas, *The Practice of State Apologies*, p. 76. Cf. Engert, “A Case Study in ‘Atonement’”; Thompson, “Apology, Justice and Respect”; and, especially, Trouillot, “Abortive Rituals” for a thorough criticism of apologies based on the act of national self-identification and a liberal collective self.

<sup>20</sup> Quoted in Bagdonas, *op.cit.*, p. 39. See also Weingrod, “Ehud Barak’s Apology”.

<sup>21</sup> Bagdonas, *op.cit.*, p. 39.



readily acknowledged by a self-defined group of people. Celermajer gives a fine example of this. A Canadian aboriginal community travelled to Japan in 1998 to apologize for transporting uranium mined from the group's land, later used in the atomic bombs dropped on Hiroshima and Nagasaki.<sup>22</sup> Nobody had blamed them for their involvement in the destructive act before, and as such this demonstrates a natural capacity for trans-generational acceptance of collective responsibility (continuity).

### ***Collective regret***

The second dimension of collective guilt which must be considered is that of collective regret. This concept is no longer about accepting an abstract but 'rational' collective responsibility, rather it is about defining collectives by their emotional attributes—in this instance feeling remorse for an action. Primarily it is argued that as sorrow and regret can only be experienced by individuals, the collective phenomenon is one and the same as the aggregation of individual sentiments. In other words apologies are about feelings and collective regret can only occur if there is common feeling amongst all of the group's individuals.

Celermajer's example of the indigenous group in Canada is also relevant here. This formation of collective emotion is seen to have been a product of the trans-generational narrative of responsibility. In essence the feeling of responsibility weighed so heavily on the group that the act manipulated the group identity, and a unanimous sense of regret naturally emerged. Whilst this example is perhaps not a scenario commonly observed, it does demonstrate that collective regret can genuinely occur. However this example

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<sup>22</sup> Celermajer, *The Sins of the Nation and the Ritual of Apologies*, p. 31.

also calls into question the nature of an apology delivered when no ubiquitous sense of regret is found amongst the apologizing group. It is possible to suggest that if collectives do not have a homogenous sense of regret then the collective apology itself is put at risk of being meaningless, even provocative. This notion relates to the concept of sincerity explored in in chapter 3, which is argued to be a crucial component of a valid, full apology.

The common counter-argument is that apologies are in fact not about feelings. They are about collective commitment to change future behaviour and public exposure of this position. In Australia, public “sorry” books, where people could write down personal sorry messages, were set up after a refusal from the government to issue a formal apology to Aboriginal communities. Many individuals signed up but as Thompson notes, even if every Australian had done it, the act would have not amounted to a national, collective apology. A serious, collective commitment, not feelings, is required for that.<sup>23</sup> This is not to say that regret should not be felt, but this paper does not believe that it must be unanimously agreed upon by the apologizing collective.

What has been provided through this theoretical discussion is a map of two core dimensions of collective apologies: collective responsibility, and collective regret. These are profound and complicated issues in political philosophy, and although this discussion has been informative it can provide no clear, concrete answer. The answers to whether any potential apology is useful, workable, and politically or morally right will ultimately depend on how one chooses to define these delicate concepts of guilt. It is important to understand this notion so that we may

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<sup>23</sup> See Thompson, *op.cit.*

subsequently engage the complexities of the national apology in greater depth.

### ***Assumptions***

This paper, in order to adequately discuss national apologies free from the restraints imposed by the above theoretical issues, makes the following assumptions:

- 1) Collective apologies are not about expression of emotions, but a social and political activity independent from them (more about this in the discussion of apologies as speech-acts in Ch. 3 below).
- 2) People have an inherent sense of collective political responsibility, although it may exhibit different features than individual responsibility does.
- 3) National and ethnic identities do exist, and they are provided with unity and continuity, even if they are “impossible to demonstrate on logical grounds or to make up on pragmatic grounds.”<sup>24</sup>
- 4) Similarly, we treat the modern nation-state as a given, and we question neither its ideal relationship with national and ethnic identities, nor its liberal and Western lineage.

Without any single one of these assumptions national apologies seem to be deeply problematic. On the other hand these assumptions have, when combined, serious implications for the discussion about whether national apologies are cultural-specific (see section 4.2).

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<sup>24</sup> Trouillot, *op.cit.*, p. 185.

# 3

## Mapping National Apologies: Variables, Form, Content, and Action

The most common understanding of what, in essence, an apology consists of is a ‘speech-act’. That is, a statement that is not just formed of mere words but an action in itself, in the same way that orders or promises are more than words. A speech-act is an action which has an effect on others. Bavelas argues that “apologies are the prototype of a speech-act. It is a social action that can only be done with words and, by corollary, if it is not done in the words, it has not been done.”<sup>25</sup> But the performance of speech-acts is not exhausted by words, according to Austin, father of the theory of speech-acts. The performance of any such act, to be deemed fully performed, requires three things: 1) the utterance of the words (the “leading incident in the performance of the act”), 2) that it is done in the appropriate way, and usually 3) further actions being performed.<sup>26</sup>

Austin argues that acting according to appropriate circumstances presupposes the existence of a conventional procedure that must be executed both correctly and completely by the appropriate persons at the appropriate time and place. Once we solve (or bypass) the issue of collective identity and representation, we seem to have rules for the appropriateness of persons, i.e. the correct status of the speakers, and some ideas about the right time and place (see section 3.2). But it is much less certain that there exists a conventional procedure for what exactly is to be said, and therefore criteria for assessing whether an apology has been correctly and completely performed.

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<sup>25</sup> Bavelas, *op.cit.*, p. 1.

<sup>26</sup> Austin, *How to Do Things with Words*, p. 8

From a slightly different point of view, Thompson considers that both victim and wrongdoer communities participate in the whole process of constructing a national apology, whose meaning and function, form and content are thus negotiable, and negotiated.<sup>27</sup> What formal, ceremonial and corrective actions they believe are required and choose to implement will depend on their particular historical, political and social context. The advantage of this interpretation is that it frees apologies as speech-acts from both any rigid, universalistic formulation, and an equally rigid, culturally determined expression. Unfortunately the lack of such points of reference leaves us with no irrefutable way to predict or judge the value of an apology.

Yet these differing perspectives only serve to reaffirm that there is significant debate and confusion about what elements constitute a national apology, and dictate its reception and utility. While some argue that the core element of an apologetic statement lays in its acceptance of responsibility, others insist that it is their expression of regret, commitment to corrective action, or acknowledgement of wrongdoings. This report suggests the topic of national apologies is too complex, too intricate to attempt to explain through one aspect or the other; rather national apologies are seen as given meaning (or judged to be void) through elaborate and intertwined series of factors, each of equal importance.

In an ideal world a consistent list of these criteria by which national apologies could be evaluated would exist. But there is no such agreed-upon list of elements, and perhaps there never should be. As each grievance is different, each context where the use of a national apology may be considered is highly unique, moreover extremely sensitive. To suggest one rule to suit all situations would

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<sup>27</sup> See Thompson, op.cit.

certainly be unproductive and even potentially harmful to the reconciliation process at large. As such the following paragraphs attempt to draw out several common themes from the research conducted, and map each analytical category's internal debates and examples. Through this illustration of a national apology's variables, form, content, and actions, it is hoped that the reader will be empowered to conduct a well-informed, context-specific assessment of national apologies in the future.

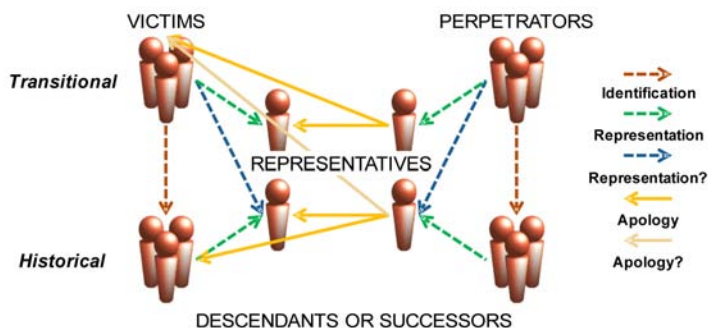
### **3.1 Variables of national apologies**

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#### ***Historical location: inter-temporal and transitional apologies***

Apologies issued for the distant past are called inter-temporal or historical apologies, and those in the recent past, transitional apologies. In the first case, the group demanding the apology are the descendants or representatives of the victims, while in the second case it is the primary victims or their representatives. The same applies for the groups apologizing.

The structure of a reconciliation process surely changes depending on whether the facts of the incident are located in the distant or recent past. However the nature of the correlation between time and reconciliation is as of yet not clear. On one hand scholars have argued convincingly that apologies work best the further in time the two parties are from the events in question (or, in other words that apologies issued close to the event are not useful for the reconciliation process). On the other hand, the argument that proximity to the events makes for a more successful apology also holds logical validity (i.e. delayed apologies are harmful to the reconciliation process).



Where peace is unstable, the first argument suggests there will be calls to bring perpetrators to justice, and impunity and human rights violations will continue to be major issues. An apology will be considered insufficient and “likely to be overwhelmed” by the present context.<sup>28</sup> For that reason, a more appropriate time would be one when the issues remain politically salient but there is some distance from the offences. The converse argument contends that the further the two parties are from the facts, “the more symbolic, religious, diversionary and obstructive and even false” the exchange is.<sup>29</sup> A closer time frame to events guarantees a more genuine and therefore effective apology, provided there is corrective action. Both arguments depend on context and whether further reconciliatory or other actions are being taken or not. While no clear answer can be given, this is an important variable to keep in mind when mapping a national apology.

### ***Incidence: discrete or sustained injustices***

An additional, essential variable is that of incidence. Particularly this refers to whether the injustices which were committed were a

<sup>28</sup> Celermajer, op.cit., p. 251.

<sup>29</sup> See Warner, op.cit.

one-off anomaly, or if they were part of a wider, consistent pattern of behaviour. Crucially the way in which the apology frames this can have strongly influence how the party receives the statement. Often it is seen that apologies may try and mask the gravity of the situation through suggesting a sustained injustice was a discrete injustice. Compare the following case:<sup>30</sup>

*“On behalf of the Dutch government, I apologize for the tragedy that took place in Rawagede [Indonesia] on **the 9th of December, 1947.**”*<sup>31</sup>

The Dutch apology for a particular massacre avoids the issue of colonial rule, and the wider contextualization which acknowledges a period of sustained injustice (or at least perceived sustained injustice). Whilst it is difficult to state as a rule, it is likely in this case that reconciliation will be much harder to achieve. Should an apology adequately and unreservedly frame a pattern of injustice recognized to have existed, a deeper, structural transformation of the relationship between wronged and wrongdoer is more likely to occur. On the other hand, the framing of wrongs as discrete events in the past perhaps helps reconstitute a new moral identity, and the groups to move on.

### ***Significance***

Another source of variance is the relative significance of the apology in the political landscape of a country. Celermajer makes the following summary: “Some apologies speak to issues that are very much alive in terms of the stabilization and constitution of the contemporary polity; others raise issues that are apparently

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<sup>30</sup> See Appendix 1 for sources for examples.

<sup>31</sup> “Dutch apology for 1947 Indonesia massacre at Rawagede,” *BBC News*, 9 December 2011.



of concern only to a minority. In some cases they have deeply engaged the broader community, provoking strong allegiances or oppositions; in others they have been relatively unnoticed sideshows.”<sup>32</sup> Needless to say it is difficult to elaborate on this point greatly because it is a factor entirely dictated by the cultural and contextual factors at play in a particular instance. As such this variable must be understood as a key in determining the functionality of a national apology.

### **3.2 Procedure I: form**

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Many authors emphasising the performative elements of apologies have described their delivery as a 'drama' and a staged performance. To be formally considered appropriate a national apology should fulfil three criteria regarding form: publicity, the official nature of the state, and ceremony.

#### ***Publicity***

An obvious prerequisite for an apology, as it is an exchange between two parties, is that it must be known about and understood by the communities of the recipient, and those on whose behalf the apology is being made. To that effect state apologies are made publicly, preferably in writing or other recorded medium, among other things so there is no argument about what was exactly said. For the same reasons, apologies to ethnic minorities have been usually issued in or translated to the native language of the recipients.

A national apology must be made on the record. This can take the form of public speeches, radio or televised addresses, or laws and

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<sup>32</sup> Celermajer, op.cit. p. 15.

other print statements disseminated by the press. *Inter alia*, the apology must be adequately publicized in order to engage the community in whose name it is made. Witnesses will vouch for what has been said, but they will also attest as to whether there is any transformation in the apologizer and promises are kept in the future.

### ***Official character***

The official character of an apology is not only proof of seriousness by the government but also one of the ways it can convey sincerity of purpose. Both the acceptance of responsibility and the commitment to change bear much more weight if it is officially sanctioned. Especially in the case of written law, it can be a way to guarantee new generations' commitment to the long-term obligations towards reconciliation assumed by the state.

The most formal of these (resolutions, bills or other kind of laws) are usually preceded by informal statements: speeches, press conferences, interviews, etc., sometimes expressing the views of political leaders as their own and/or making quasi-apologies.<sup>33</sup> One reason speeches or interviews of political leaders remain informal statements is because often they are not fully reproduced but selectively quoted by the press and media. The statement is only received by his or her interlocutor, and only partly recorded. For that reason an improvised speech will not in all probability be considered an official statement but a written speech will be much closer. This can be accompanied by revocation of legislation

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<sup>33</sup> See two examples of this progression in Australia, with Prime Minister Keating's (1993) and Prime Minister Howard's (1999) statements before Prime Minister Rudd's (2008) apology, and in Indonesia, with President Wahid's (2000) and President Megawati's (2001) apologies in visits to Aceh, Irian Jaya or East Timor.

or other political gestures that may contain or be interpreted as near-apologies. Also, formal apologies can be the result of recommendations made by an independent body, such as a Truth and Reconciliation Commission, to government, or to a parliamentary assembly.

Although most effective when presented with the correct official character, states often shy away from this type of formal acknowledgement of moral responsibility. This is largely due to the fact that accepting guilt can easily turn into acceptance of liability, and may encourage legal claims for compensation. Australian Prime Minister John Howard was well aware of this possibility when in 2001 he opposed a “formal national apology”, yet stressed that he was personally very sorry.<sup>34</sup>

### ***Ceremony***

The previous two points can be considered part of a ceremonial performance in its widest sense but it is usually necessary to add pomp and circumstance to the official announcement of a national apology. The regular procedure for the publication of the annual Budget, a public and official matter with its own ceremonial aspects, will certainly not do. Attention to ceremony, in particular rituals of the performative kind, provides dignity and seriousness of purpose. Ceremony is important to stress the unique character of a national apology. As Thompson argues, a national apology does not (and maybe should not) happen every day. It is a historical landmark and it has to acquire the status of a national symbol.<sup>35</sup> Of course, ceremonial and ritualistic aspects are highly dependent on the political culture of each country.

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<sup>34</sup> See Bagdonas, *op.cit.*

<sup>35</sup> See Thompson, *op.cit.*, p. 10.

### ***The status of the speaker and political representation***

National apologies are collective but they are usually given by an individual, often the leader of an institution (government, parliament), who is in its turn representative of a nation (the collective). This figure is called 'the speaker'.

Although this appears logical, it raises the question of who can be considered appropriate to deliver a national apology. In the past they have been made through prime ministers, presidents, heads of state and parliamentary assemblies. While this appears logical, we must consider why this affects the validity of a national apology. For one thing, an apology will not attain its official status if the speaker is not sufficiently authoritative. A Minister or other high-ranking official is no substitute for a Head of State or a Prime Minister, who can speak on behalf of the State, the Government or the Legislative Assembly. Any other individual is simply not capable of assuming full responsibility for whatever acts were committed.

Another precise and interesting distinction is one Nobles draws between apologies made by executives (heads of state such as presidents and monarchs, or lower officials of this branch such as governors, ministers, ambassadors, etc.) and legislatures (parliament and senate houses). This distinction may not hold all the time—for example because of the position as head of state which prime ministers in parliamentary systems hold—but the general argument is the following:

Both types of apologies are indeed official, but executives' less so. Leaders of the executive may or may not consult with advisers and other politicians on the issue of giving an apology, while apologies promoted by legislatures are the result of a deliberative process, often having had contact with the public. Moreover Nobles notes

that apologies by the executive tend to be international and do not commit material compensation, while most of the apologies by legislatures are towards domestic groups and are in a position to enact laws that ensure compensation. However it is imperative to remember that every country has a different political system, and the powers, symbolic/historical standing, and authority of offices and institutions may vary greatly.<sup>36</sup>

In any case, Nobles' distinction makes us aware of two broad types of official apologies that can play different roles in different contexts. If it is true that in a given context a Presidential apology does not have the same weight as a Parliamentary one, the former can be used to make a partial apology to pave the way for Parliament taking fuller responsibility thereafter. Or it can be considered part of the national apology as a whole. For example, in New Zealand the Queen's apology to the Maori people was inserted within the Resettlement Act approved by the House.

At the core of this are the political issues of legitimate authority and representation. Different ideologies and national traditions will assume different degrees of representativeness from the State or its particular institutions. Therefore, the authority to speak on behalf of others will depend on the real or perceived representativeness of the political system as a whole, in the relation of elites and leaders with their constituencies, in the identification between State, ethnic or social communities, and so on. A ceremonial authority (say, a King) may be appropriate to speak on behalf of a community in some contexts and highly inappropriate in others. It depends on whatever political relationship—direct, active or acquiescent—the apologetic community has with the different institutions of the state.

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<sup>36</sup> See Nobles, *op.cit.*, p. 5f.

This concept of appropriate representation—and the dilemmas inherent in choosing this figure—also applies to determining how an apology will be received. Collective identities become an issue once more when considering who the correct object of the apology is, and to whom the apology should be addressed. Naming the victims as part of the acknowledgement of wrongdoing (see below) is as crucial as clearly stating whom the speaker is representing (that is, who is the responsible party). Directing a national apology both carefully and appropriately is a vital element affecting its success. As a note this should not be confused with who is entitled to ask for an apology, which may introduce other political considerations but lies outside the boundaries and procedures of the speech-act.

### **3.3 Procedure II: content**

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The following paragraphs, although not promising to act as a universal guide, will briefly explain the content necessary to validate a national apology. The topic of a national apology's formal content, that is, its specific substance, recurring elements and rhetorical strategies, is one of the most contested in literature. Extrapolating the critical building blocks from these debates, this report finds the basic elements of the content of a meaningful national apology to be the following:

1. Acknowledgement ('something happened')
2. Regret ('it was wrong')
3. Responsibility ('we were responsible for it')
4. Remorse ('we are sorry')
5. Non-repetition ('it won't happen again')
6. Refrain from appeals for forgiveness ('we do not have the right to ask for forgiveness')

A number of additional complementary (however non-central) elements are also proposed in the subsequent discussions.

### ***Acknowledgement***

The first issue which must be addressed in a national apology is that 'something happened.' Acknowledgement "affirmatively indicate[s] that a wrong was done; it requires that truth be told, neither minimising the offence nor rationalising the behaviour."<sup>37</sup> (See 'regret' below for ways of minimising an offence). Importantly this should also be an opportunity for the community on whose behalf the apology is made to become fully aware of the actions committed and their consequences. As such acknowledgement is an imperative element necessary to initiate the reconciliation process. *Consider the following example of the US Senate's 2008 Concurrent Resolution Apologizing for the Enslavement and Racial Segregation of African-Americans:*

*“Whereas millions of Africans and their descendants were enslaved in the United States and the 13 American colonies **from 1619 through 1865 ...***

*“Whereas the system of slavery and the visceral racism against people of African descent upon which it depended became **enmeshed in the social fabric** of the United States ...*

*“Whereas after emancipation from 246 years of slavery [in 1865], African-Americans soon saw the fleeting political, social, and economic gains they made during Reconstruction eviscerated by virulent racism, lynchings, disenfranchisement, Black Codes, and racial segregation laws that imposed a **rigid system of officially sanctioned racial segregation** in virtually all areas of life;....*

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<sup>37</sup> Stamato, "Peace and the Culture and Politics of Apology", p. 394.

*“Whereas African-Americans **continue to suffer from the consequences** of slavery and Jim Crow laws—long after both systems were formally abolished—through enormous damage and loss, both tangible and intangible, including the loss of human dignity and liberty;...”*

US Senate [US, 2009]

In this case the national apology, made through the appropriate political body while paying adequate attention to the public and ceremonial nature of the statement (argued as crucial earlier), certainly lays the foundations for a meaningful outcome. Whether the apology itself is able to realistically embody the reparation of injustices is a separate and complicated debate; what is important to note is that the acknowledgement itself allows the victim group to seek recognition of the way they have been treated, and mark the end of a period of painful denial.

To understand this concept in greater depth it is useful to examine the two main components of acknowledgement: reckoning and naming.

### *Reckoning*

The frank, unqualified acknowledgement of events, without justification or explanation, shows that the perpetrator (or representative) is aware of the injustices they committed and does not seek to devalue their severity. In other words a neutral and impartial reckoning is made which does not endanger the opportunity for the apology to be considered valid by its recipients. If this acknowledgement is then incorporated into a historical record (e.g. by Truth Commissions) a narrative of events previously denied or minimized (i.e. an alternative version of history) is welcomed into the public domain. This has obvious implications



for the larger reconciliation process between the collectives.

An alternative view which emphasizes the negotiated character of truth is that the process towards acknowledgement should be a joint endeavour, a public discussion whose goal is to reach an agreement on a common narrative of past wrongdoings. The following are several examples—from Sri Lanka, New Zealand, and Australia—which demonstrate this approach.

*“[The Commission found] evidence of what was nearly a 1000 killings during that period and I believe 18,000 properties were destroyed, mainly by fire, and thousands of others were injured in incidents of violence. We suppose that there must have been many more incidents that have not been reported.”*

Kumaratunga [LK, 2004]

*“The Crown acknowledges that the subsequent confiscations of land and resources...were wrongful, have caused Waikato to the present time to suffer feelings in relation to their lost lands akin to those of orphans, and have had a crippling impact on the welfare, economy and development of Waikato.”*

Elizabeth II [NZ, 1995]

*“[S]hould there still be doubts as to why we must now act, let the parliament reflect for a moment on the following **facts**: that, between 1910 and 1970, between 10 and 30 per cent of Indigenous children were forcibly taken from their mothers and fathers; that, as a result, up to 50,000 children were forcibly taken from their families.”*

Rudd [AU, 2008]

Whilst these examples certainly appear to hold healing properties it is worth considering that this approach can also inspire a degree of controversy. Particularly when those accounting for history are

identified as party to the collective responsible for the misdeeds, the victim group may become sceptical of such statements being used to record the victor's account of history.

### *Naming*

The second component of acknowledgement is the practice of naming—to specify who the victims were. To the extent that it relates to the identification of collectives, it can help build shared identities or it can take the form of a more fragmented or individualized list. Sometimes, both approaches are present.

*“Indian Residential Schools separated over 150,000 Aboriginal children from their families and communities.”*

Harper [CA, 2008]

*“... [T]heir wives and children, along with the community in Macon, County, Alabama, the City of Tuskegee, the fine university there, and the larger African-American community.”*

Clinton [US, 1997]

*“Nanna Fejo's is just one story. There are thousands, tens of thousands of them: stories of forced separation of Aboriginal and Torres Strait Islander children from their mums and dads over the better part of a century.”*

Rudd [AU, 2008]

*“Over 700,000 Tamil people out of a total of about 1.2 million Tamil people living in this country at the time had to run away and find homes in other countries. Amongst these we count some of the best qualified professionals of Sri Lanka.”*

Kumaratunga [LK, 2004]

However it is carried out, naming must take place to ensure appropriate direction of the apology as well as to remove the

possibility of talking in generalizations. As has already been shown it is through the suitable acknowledgment of injustices committed the greatest chance of a successful national apology—and therefore to promote the reconciliation of grievances between collectives—may be achieved.

### **Regret**

“What happened was wrong;” this content is used by the apologizer to pass negative judgement on the past events. The desire—which is impossible to fulfil—is to change the past, which leads to the expression of sadness or sorrow. In turn the concern about the harm suffered provokes sympathy. The following are several examples:

Keywords: “wrong”, “grief”, “suffering”, “harm”, “sorrow”, “sadness”, inability to “change history”; and occasionally “sorry”, “regret”.

*“We desperately wish that we could **change this history**, but of course we cannot.”*

Gover [US, 2000]

*“The United States Government did something that was **completely wrong, deeply, profoundly, morally wrong.**”*

Clinton [US, 1997]\*

*“The American people are sorry—for the loss, for the years of hurt. You did nothing wrong, but you were **grievously wronged.** I apologize, and I am sorry that this apology has been so long in coming.”*

Clinton [US, 1997]\*

*“We apologize for the laws and policies of successive Parliaments and governments that have **inflicted profound grief, suffering and loss** on these our fellow Australians.”*

Rudd [AU, 2008]

However it is important to remember that regret is one element of the multifaceted system needed to validate a national apology. 'Regret-only' apologies, those that just express sympathy for the victims, disapprove of the facts or concern for their consequences, and are consistently not well taken by the victims (this is talked about in greater depth under the heading of remorse below) Apologies must also be cautious of reducing offensiveness or mitigating the events, as this runs counter to condemnation of the facts. There are several ways this can be done: bolstering (stressing good traits), minimising (act was not serious), differentiating (act was less serious than similar ones) or transcending (there were more important considerations).<sup>38</sup> The use of any of these techniques shows that repudiation (see below) is not complete, and so a new course can hardly be expected.

Although these paragraphs may have discussed more negative aspects of regret than positive, the author stresses that regret is as an inherently bountiful component of a national apology; it is however one which must be complemented with content addressing acknowledgement, responsibility, remorse, non-repetition, and refraining from asking for forgiveness.

### ***Responsibility***

*'We were responsible for what happened.'* The first point of discussion on this subtopic is to note the important of accepting responsibility through a national apology. Responsibility is claimed not through "expressions of regret that locate the speaker as a sympathetic bystander... They must place the collective subject as a protagonist in the drama of violation, not on the sidelines."<sup>39</sup>

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<sup>38</sup> See Benoit, *Typology of Image Repair Strategies*.

<sup>39</sup> Celermajor, *op.cit.*, p. 253.

Centrally acceptance of responsibility—a *mea culpa*—involves making oneself liable to be called to account, to blame oneself, and acknowledging failure to act responsibly (that is, to have broken the social order).

Keywords: “recognize”, “acceptance”; identification of self as agent, “we”, in national apologies, “the government”, “the state”.

“**We will have to accept** collective guilt for the wrongs.... When I say collective guilt I mean first the State of Sri Lanka.”  
Kumaratunga [LK, 2004]

“[The removal of children from their families] was the product of the **deliberate, calculated policies** of the state as reflected in the explicit powers given to them under statute.”  
Rudd [AU, 2008]

“[T]he government now **recognizes** that the consequences of the Indian Residential Schools policy was profoundly negative and has had a lasting impact on Aboriginal culture, heritage, and language.”  
Harper [CA, 2008]

“I want to say that I was sad as this hearing went on ... each party wants to tell its own story ... nobody is admitting they did wrong. I want to start by saying that **I did wrong**. All the victims that Fretilin killed, **it's my fault**. Fretilin victims killed by UDT, **my fault**... if you look for who was to blame, you don't need to look so far, **I was at fault**. I will carry the weight of this mistake.”  
Carrascalao [TL, 2003]

As we have seen in all the other components of an apology there is the opportunity for the misuse of statements of responsibility. For example, through several tools to evade responsibility: shifting

blame (another one did the act), or claiming provocation (act was response to another's offence), defeasibility (lack of information or ability to act otherwise), accident (act was a mishap), or good intentions (act was meant well).<sup>40</sup> Excuses and justifications of this sort seriously undermine an apology. To reiterate, the only scenario in which a national apology holds potential to be a mechanism of reconciliation is where the apologizer claims direct responsibility. Such full assumption of responsibility asserts willingness and knowledge of one's own actions, an important step to repairing the damage caused by the victim's prolonged suffering.

### ***Expression of remorse***

In addition to the explicit use of acknowledgement, regret, and responsibility, a national apology should clearly contain the expression of remorse. Remorse is the emotion supposed to create the desire to apologize. It is elicited by the guilt and shame of having done something wrong. The expression of remorse and combination of regret and responsibility works almost as a minimal definition of apology in its everyday, non-technical usage. For instance, the Merriam-Webster dictionary defines an apology as "an admission of error or discourtesy accompanied by an expression of regret". Below are some practical examples of what, upon first glance, we may consider as such an apology.

Keywords: "guilt", "shame", "embarrassment", "dishonour"; "disgrace".

*"[W]hat the United States Government did was **shameful.**"*  
Clinton [US, 1997]

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<sup>40</sup> See Benoit, op.cit.

*“ I have felt **shame and humiliation** as I have heard of suffering inflicted by my people.”*

Peers [CA, 1993]

*“ As we know all nations have great achievements which they are proud of, they also have moments in their history which they need **to be ashamed of.**”*

Kumaratunga [LK, 2004]

*“ I would like to first welcome all of you here today on this occasion when we commemorate **one of the most shameful crimes** ever perpetrated on this nation.”*

Kumaratunga [LK, 2004]

*“ Finally, there is this **disgrace**: the government's refusal to endorse the United Nations Declaration on the Rights of Indigenous Peoples.”*

Duceppe [CA, 2008]

However it is vital to reflect upon the words 'regret' and 'sorry,' as these terms in fact can be used interchangeably in two closely related contexts. This is particularly important to fully understand. Someone can feel regret or say 'I'm sorry' for something that they have done or failed to do, that is, for something that they feel responsible. But it is also possible to regret or be sorry for something that has happened without our involvement. This is the usual sense in which these words are used in formal settings. In both cases we pass a negative judgement on events and wish things had been different ('regret' in the narrow sense), but only in the first case of direct involvement do we acknowledge responsibility for them ('remorse').

The following chart illustrates the two uses of 'I'm sorry' or 'regret' in an apology, to show how they can affect the overall validity.

<p>“I’m sorry” (regret)</p>	
<p>Plus “that something bad happened to you” With no responsibility: speaker is not the agent of the act (<b>sympathy</b>)</p>	<p>Plus “that I did something bad to you” With responsibility: speaker names the act and self as agent (<b>remorse</b>)</p>
<p>“I’m sorry”</p>	
<p>Plus “that you were hurt” (no agency) “if I did anything wrong” (no acknowledgement) “for whatever I did” (no reckoning) <b>(non-apologies)</b></p>	<p>Plus “that I did something to you” (agency) “that I hurt you” (acknowledgement) “that I hit you” (reckoning) <b>(true apologies)</b></p>

Adapted from Bavelas, “An Analysis of Formal Apologies by Canadian Churches to First Nations”, p. 3

It is seen that where the speaker assumes no responsibility or agency, nor acknowledges the misdeed itself, an apology carries no legitimate meaning. When in fact these elements are present in the content of an apology, the speech-act becomes authentic. In the following quotations the expression of sorrow is clearly linked to apologising and the acceptance of responsibility, thus suggesting remorse (the characteristic of a true apology):

“*To the stolen generations, I say the following: as Prime Minister of Australia. **I am sorry.** On behalf of the government of Australia, I am sorry. On behalf of the*



*parliament of Australia, I am sorry. I offer you this apology without qualification. We apologize for the hurt, the pain, and suffering that we, the parliament, **have caused you** by the laws that previous parliaments have enacted.”*

Rudd [AU 2008]

*“Let us begin by expressing our profound **sorrow for what this agency has done** in the past. Just like you, when we think of these misdeeds and their tragic consequences, our hearts break and **our grief is as pure and complete as yours.**”*

Gover [US, 2000]

*“The Crown expresses its **profound regret and apologizes** unreservedly.”*

Elizabeth II [NZ, 1995]

Although it is difficult to provide a concrete rule dictating how remorse can be genuinely disseminated through an apology, from the above examples we may begin to understand the phenomenon and become equipped to pass our own judgement.

### **Non-repetition**

'It won't happen again.' No expression of remorse can be taken seriously if those apologizing keep behaving in the same way as they did before. What must be undertaken to achieve this behavioural transformation is to: distance themselves from their “old self” (repudiation), and make a believable commitment to a new course of action.

### *Repudiation*

The inclusion of repudiation in the content of an apology shows the rejection of the old self. It is “a statement that passes a judgement

on what the subject has been in the past and one that works to reconstitute the subject's normative identity."<sup>41</sup> It emphasizes that that time has passed and that kind of negative behaviour is gone for good.

*“The treatment of children in Indian residential schools is a **sad chapter** in our history.”*

Harper [CA, 2008]\*

Repudiation can be expressed implicitly by the words used to describe the facts. If these offer an unequivocally loathsome picture, it goes without saying that the speaker believes that it should never be repeated. Janack called this strategy “dystalgia” (i.e. the opposite to nostalgia). “Dystalgia is where the speaker depicts the past in a negative light so that it will not be used as a guide for decision making in the present.”<sup>42</sup>

*“There is something terribly primal about these first-hand accounts. The pain is searing; it screams from the pages. The hurt, the humiliation, the degradation and the sheer brutality of the act of physically separating a mother from her children is a deep assault on our senses and on our most elemental humanity.”*

Rudd [AU, 2008]

*“I believe honestly that what happened in 1983, the attitudes that led up to it, and the consequences are similar to what Germany suffered in the 1930's and 40's.”*

Kumaratunga [LK, 2004]

What is seen in the above examples is that reckoning may be used as a dystalgiic substitute for an explicit promise of non-repetition.

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<sup>41</sup> Celermajer, op.cit., p. 62.

<sup>42</sup> Edwards, op.cit., p. 69.

*A new course*

Repudiation reveals a new moral identity for the perpetrators that enables a new relationship between them and their victims. "In facing the past squarely and understanding its 'darker' chapters, the nation can immunize and inoculate itself against repeating the mistakes of a 'bad past.' Thus, apology is a mechanism for claiming a new identity and a new direction. Although our forefathers did bad things, we are different today and we can claim a new moral identity."<sup>43</sup> A promise is made for a new and better future; it constitutes a new social pact where the common theme is that of rebuilding the bridge between communities.<sup>44</sup> It is the expression of the desire to regain social stability.

Keywords: "making amends," "building a bridge," "repair," "healing," and "reconciliation", "move forward together", "new chapter/beginning/partnership", "better future", "a watershed"

*"[I]t is only in remembering that shameful past that we can make amends and **repair our nation**, but it is in remembering that past that we can build **a better present and future**. And without remembering it, we cannot **make amends** and we cannot **go forward**."*

Clinton [US, 1997]

*"[T]here comes a time in the history of nations when their peoples must become fully reconciled to their past if they are to go forward with confidence to embrace their future. Our nation, Australia, has reached such a time . . . to remove a great stain from the nation's soul, and in a true spirit of reconciliation, to open **a new chapter** in the history of this great land, Australia."*

Rudd [AU, 2008]

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<sup>43</sup> J.W. Yamazaki quoted in Edwards, op.cit., p. 63.

<sup>44</sup> See "membership theory" of apologies in Nobles, op.cit.. Cf. Corntassel & Holder, "Who Is Sorry Now?".

“ [T]oday’s apology, however inadequate, is aimed at righting past wrongs. It is also aimed at **building a bridge** between Indigenous and non-Indigenous Australians—a bridge based on real respect rather than a thinly veiled contempt.”  
Rudd [AU, 2008]

“ [W]e will have to accept collective guilt for the wrongs, **and then move forward.**”  
Kumaratunga [LK, 2004]

“ I extend a sincere apology for the past, and I invite us **to build the future together**, as nations.”  
Duceppe [CA, 2008]

“ We cannot reverse history, but we can do everything possible to make amends and to do what we can now to build for the future and address the problems that have occurred.”  
Doer [CA.MB, 2008]

“ We cannot imagine that the descendants of people... [who] survived two centuries of dispossession and abuse, will be denied their place in the modern Australian nation.”  
Keating [AU, 1992]

Given that we cannot change the past (as seen previously this is the cause of regret), we propose a new future. “This is the dynamic aspect of state apologies—apologies do not merely give satisfaction by affirming the validity of violated rules and ‘restoring’ the existing order to the state in which it was prior to the violation. In many cases, apologies may be used as an instrument to negotiate, develop and agree upon new rules.”<sup>45</sup> In this respect non-repetition is one of the most crucial aspects of the national apology system which this section is currently mapping.

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<sup>45</sup> Bagdonas, op.cit., p. 29.

### ***Refraining from appeals for forgiveness***

Speech-acts need to be executed by all participants completely. Austin gives the following example: “my attempt to make a bet by saying 'I bet you sixpence' is abortive unless you say 'I take you on' or words to that effect.”<sup>46</sup> We may therefore be tempted to infer that an apology will not be performed completely if forgiveness is not granted by the recipients. Based on this logic the quest for a full apology should be therefore one for an apology that cannot be rejected.<sup>47</sup>

However, on this point there is quite a broad consensus: an apology should never ask for forgiveness, let alone expect it. While some do ask for forgiveness it is apparent that these statements are mostly rhetorical demands. In them the speaker usually appears to make the explicit assumption that asking for forgiveness is inappropriate, given that the misdeeds are incommensurate with a mere apology. This, although acceptable, is dangerous as there is significant room for misinterpretation by the recipients.

In any case the choice of forgiveness should be vested in the wronged party, so a “performative reversal of the offence” is produced. Engert gives the following explanation of this reversal: “It is also a plea for forgiveness that makes the party asking to be forgiven vulnerable because he or she is taking the risk of admitting guilt without knowing in advance whether one will be forgiven. According to psychologists, the reversal of roles and the gesture of humility re-establishes the dignity of the victim.”<sup>48</sup> Or, as Celermajer puts it, “The judgement itself is less important than the act of submitting oneself to judgement.”<sup>49</sup>

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<sup>46</sup> Austin, *op.cit.*, p. 36.

<sup>47</sup> See Bavelas, *op.cit.*

<sup>48</sup> Engert, *op.cit.*, p. 113. See also Warner, *op.cit.*

<sup>49</sup> p. 62.

Recipients should have the choice to respond to the apology in one of three ways: “to ‘accept and release’ by forgiving, to refuse or reject the apology, or to acknowledge the apology and defer a decision.”<sup>50</sup> But some believe that expecting any reply is too much to put over the shoulders of the injured party, even if it is done freely and with no coercion whatsoever. The reversal of roles may add to the stress and be less empowering than it seems at first sight.

An interesting additional issue to be aware of is that in some languages the distinction between ‘apologising’ and ‘asking for forgiveness’ or ‘being sorry’ can become blurred easily. For example “a common German phrase for ‘I apologize’ is *entschuldige bitte* which... translates roughly to ‘Please take away my guilt.’”<sup>51</sup> In this case the use of an appeal for forgiveness may in fact be impossible to avoid. Most cases however do not have to face this added confusion, and can simply follow this advice: an apology, and the standing of the promises it contains, should never be conditional to receiving forgiveness.

### **3.4 Procedure III: further action**

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In some respects, collective, political apologies can be “too easy” to perform. As Cunningham states, governments “can presumably go around being sorry promiscuously about all sorts of things.”<sup>52</sup> It is in fact extremely difficult to gage the authenticity of humility and reversal of roles, and this leaves the national apology extremely vulnerable to being faked.

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<sup>50</sup> Nicholas Tavuchis quoted in Celermajer, op.cit., p. 58.

<sup>51</sup> Lazare, *On Apology*. p 80

<sup>52</sup> Cunningham, “Saying Sorry”, p. 287.

There are three basic mechanisms which can be used to reassure the truthful and genuine nature of an apology, these are: symbolic reparation which conveys sincerity, corrective action that guarantees consistency of behaviour, and material compensation that may seek to counterbalance any perceived 'cheapness' of the act.<sup>53</sup> Statements that do not include or are not followed up by these tools are often rejected as quasi-apologies, void of meaning.

From the point of view of speech-act theory, on top of the utterance of some words and the observance of procedure, an apology must be confirmed through the performance of further actions. In other words, while the apology forms part of the repertory of symbolic reparations they need further restorative actions (symbolic or otherwise) to be considered fully complete. As Verdeja puts it, “apologizing may be brief, but does not exhaust the apology itself.”<sup>54</sup>

### ***Sincerity: further symbolic reparation***

While ultimately it has been shown that what best conveys sincerity and validity is the appropriate composition and procedure of a national apology, suspicion of hypocrisy can arise from a plethora of factors—some of which have been discussed in the sections above. To mitigate the risk the rhetorical strategy which can be used is the performance of penance (acceptance of a negative

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<sup>53</sup> The idea that apologies not coupled with material compensation always come cheap should be qualified. They may be an inexpensive way to debilitate further demands of minorities but, as Jennifer Lind argues, they can also annoy wider constituencies, at a high political cost for their sponsors. See Lind, “Sorry States”.

<sup>54</sup> *Ibid.*, p. 567. From this perspective, criticisms of “expanded definitions” form part of the discussion on what are the limits of the apology as symbolic reparation and what further reparations is reasonable to demand.

sanction or self-sacrifice) and volunteering of restitution. This strategy can be observed in the following examples:

*“We will have to move beyond the frontiers of our needs and our selfish requirements of what we think we should have as leaders, we will have to learn to think of our peoples, to forget ourselves, especially as leaders before anybody else, and think what the majority of our people need, **even if we lose our positions of leadership.**”*

[LK, 2004]

*“Those found guilty should be held responsible and legal action must be taken against them, according to the law.... For it is clear that Indonesia is a state based on law. **No single person is beyond the reach of law, not even a president.**”*

Megawati [ID, 2001]

*“I have done wrong.... I could live in Sydney, a good life, easy work, good money, lots of friends. **But I want to make a contribution, a humanitarian contribution.**”*

Carrascalao [TL, 2003]

In these examples a ‘selfish’ reality is described where those responsible could ignore or avoid the guilt of their misdeeds, and contrasted to the alternative and preferred approach of accepting individual responsibility regardless of consequences. Furthermore this new, accepted reality is illustrated as being one which is self-subjected and, most critically, fully deserved.

### **Consistency: corrective action**

Even though such penance and volunteered restitution is useful, such statements are in fact meaningless without the additional support of action—namely corrective action. The guarantee of acting on the newly established idea of guilt diminishes the weight of subsequent accusation of hypocrisy. Pledges for concrete



corrective actions, also “practical redress”,<sup>55</sup> serve to reassure the collective receiving the apology of non-repetition and that a new course is being embarked upon. Here are several examples:

“*Today I would like to announce several **steps to help us achieve these goals**. First, we will help to build that lasting memorial at Tuskegee... Second..., I'm directing the Secretary of Health and Human Services, Donna Shalala, to issue a report in 180 days about how we can best involve communities, especially minority communities, in research and health care... Third..., I am directing Secretary Shalala to work in partnership with higher education to prepare training materials for medical researchers. They will be available in a year... Fourth..., we commit to providing postgraduate fellowships to train bioethicists especially among African Americans and other minority groups... [F]inally, by executive order I am also today extending the charter of the National Bioethics Advisory Commission to October of 1999”*

Clinton [US, 1997]

“*But apology is not enough. It must be accompanied by a series of rearrangements to restore things in the shortest possible time. Therefore, we are now carrying out **basic corrections** in the two provinces, not only by paying respect to the cultural identities and specific characteristics of the people, but also by granting the regional administrations more authority to manage their respective regions in the framework of special autonomy.”*

Megawati [ID, 2001]

“*I have the **opportunity to correct**, even in a small way the tragedy that was perpetrated upon some of the Tamil people.”*

Kumaratunga [LK, 2004]

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<sup>55</sup> See Verdeja, op.cit.

Once again it is paramount to reiterate that, alone, the performance of penance and volunteering of restitution is not adequate to provide a national apology with the needed credentials to be judged as a true apology. It is only when this element is utilized as part of the intricate system of tools which is being described in this report that it may yield fruitful results.

### ***Material compensation***

Still, symbolic reparations and timid steps for non-repetition are not enough for some; “many observers are cynical of the new politics of apology, dismissing it as cheap, ‘gestural politics’ awash in self-interest and crocodile tears, which enable governments and leaders to defuse angry minority groups without committing any actual resources to the problems of injustice and exclusion.”<sup>56</sup> This commitment can take many forms: restitution of property, monetary compensation, and allocation of resources for particular persons or groups, etc. A few examples of how this element has been incorporated into a national apology are as follows:

*“The Commission has recommended certain amounts of **monetary compensation** to these victims of the various forms of violence. I must hasten to say that we do not believe that these small amounts of monetary compensation will in any way make up for the suffering undergone by those people.”*

Kumaratunga [LK, 2004]

*“[F]rom Monday onwards my office will be ready to undertake the task of distributing the relevant **compensations** to all those who would wish to present themselves.”*

Kumaratunga [LK, 2004]

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<sup>56</sup> MacLachlan, op.cit., p. 374. See also Cunningham, op.cit., and Corntassel & Holder, op.cit.

However material compensation is by no means always requested by victims (or the entire victim's collective) who ask for an apology. This fact links back to one of the original suggestions of this paper that the contexts of each instance are extremely varied, and context-specific analysis must be undertaken to determine the appropriate action. Central to discovering what is deemed appropriate is a comprehensive understand of the cultural context(s) at play, particularly in the majority of cases where the injustices committed have been along ethnic or cultural boundaries (e.g. Apartheid in South Africa, Sinhalese/Tamil rivalry in Sri Lanka, discrimination against the indigenous population by the Australian government).

# 4

## Practical Issues of the National Apology

In the previous pages, we have touched upon the main difficulties with national apologies: the theoretical complications of assigning trans-generational responsibility, the potential backlash to be provoked by partial and quasi-apologies, and the tension between symbolic and material reparations, amongst other issues. While the topic of reconciliation has been constantly referred to throughout the report, particularly whether the discussed elements of an apology will strengthen or weaken its prospect for success, it is important to address several practical points of issue with the national apology. Namely it is important to look towards the role of quasi-apologies, and an introduction to the dilemmas of accounting for the cultural dimension of national apologies.

### 4.1 The role of quasi-apologies

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In mapping national apologies the primary objective has been identifying those criteria which tell full apologies apart from ones devoid of deeper meaning. Predominantly the literature examined, and the core argument of this paper so far, has focussed on what constitutes a full apology while criticising partial, quasi-apologies. This quest is much determined by Austin's idea that a speech-act must be performed completely or it will be void. But he himself suggested the notion of flexibility on this point. "It is inherent in the nature of any procedure that the limits of its applicability, and therewith, of course, the 'precise' definition of the procedure, will remain vague."<sup>57</sup> On these grounds it seems essential to discuss whether an incomplete apology—what Thompson calls a "low key

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<sup>57</sup> Austin, op.cit., p. 31.

apology[y]"<sup>58</sup> —may still have a positive role, or even perhaps if it is better than no apology at all.

First we will examine the argument against the utility of a quasi-apology. The logic is as follows: if perceived to be insufficient, a partial apology can be criticized and rejected in the best case, or taken as an insult in the worst case. A rejected apology may present significant obstacles to the path to reconciliation, perhaps even pushing progress towards this goal backwards. Due to the highly political and public nature of national apologies it stands to reason that the implication of such persistent scrutiny is that there will always be an individual who takes issue with an apology's sincerity. This can lead to demands for further, deeper, clearer apologies, or the victim collective finding their marginalization reaffirmed, and subsequently increasing their mistrust in the national body. In this light a partial apology is doomed to be controversial from the start, and certainly considered a risky option.

Second is the argument in favour of the use of partial apologies. They are said to be a step towards a full apology and a confidence-building gesture. It is not simply a question of insincere statements—as often the acknowledgement of wrongdoings, and expressions of regret and sorrow are never intended to be full institutional apologies (especially due to their legal implications)—rather a gesture of goodwill. Public apologies in special cases might also be primarily directed to the community responsible for the wrongdoing. A partial apology can help instigate a transformation of the collective narrative of the perpetrator group, whereby acceptance of the wrongs committed may slowly become accepted, and the notion of responsibility agreed with.

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<sup>58</sup> Thompson, *op.cit.*, p. 6.

Although certainly not holistic in their analysis of the quasi-apology, what these brief points have conveyed most visibly is that there is neither a clear-cut answer, nor a one-size-fits-all approach. In addition it is apparent that those considering the use of a quasi-apology must indeed contemplate it carefully, honestly appraising the limits of the restorative properties of an apology in their instance.

## **4.2 Accounting for the cultural context**

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Some governments have responded to requests for national apologies, while others have not. There are two common ways of explaining this. It can be either attributed to 'culture' (that is, to traditional customs and beliefs, including religion), or to 'politics' (a self-serving political strategy on the part of governments). This leads us to question whether national apologies are in fact only relevant in particular contexts, and not used in others because they are a 'foreign' custom that puts onerous symbolic burden on authorities, while not providing real satisfactions to victims. Alternatively these governments who abstain from issuing national apologies may simply be hiding behind the guise of cultural idiosyncrasy. This is in fact a delicate issue which has no obvious answer.

It could be argued that the countries which have made use of the national apology thus far have predominantly stemmed from a strong Judeo-Christian tradition, which places extreme value on forgiveness (e.g. the USA, Australia, and New Zealand). A reservation about pursuing such a thesis of cultural specificity springs from the fact that non-western states who have refused to issue them have nonetheless delivered diplomatic, commercial and administrative apologies when felt forced to do so. Japan, for instance, is the country that has provided the most examples of

diplomatic state apologies, spanning from the 1950s to present day. Further, diplomatic apologies between states have been made by and among both those culturally similar and dissimilar. To give an example, US President Bill Clinton delivered apologies (or quasi-apologies) to Guatemala, Rwanda, South Korea and China.

International apologies for commercial issues have also been common in dealings between Eastern and Western countries. Stamato brings up the case of China, a country which fiercely refuses to issue national apologies on cultural grounds, that, however, has shown some adaptation (or duplicity?) in the commercial terrain. Here the 'western use of apology' has been made by Chinese authorities as and when considered necessary.<sup>59</sup> Diplomatic and commercial transcultural apologies seem to indicate that either there is some basic but universal understanding about them, or the formula for apologising is flexible enough as to detach itself from the cultural norm and adapt to new contexts if needed. As Celermajer reminds us, in the west national apologies are also suspect of running against long-held ethical and political traditions. Her study of ancient, collective apologies in the Judeo-Christian tradition stresses their conflict-management and social and political dimension, rather than their religious formulations and wrappings.<sup>60</sup>

Still, in order to consider the culturally specific traits of national apologies we must recall the discussion about individual and collective apologies. If we assume that collective apologies are substantially the same as individual apologies we will tend to consider some cultural traits relevant for national apologies. We have seen that a conventional procedure must exist for an

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<sup>59</sup> Stamato, *op.cit.*, p. 392.

<sup>60</sup> See Celermajer, *op.cit.*

apology to work. There are such conventions for interpersonal and one-to-many apologies in most societies, but they are no doubt cultural-specific. Such an exchange between individuals from different cultural backgrounds may easily be misinterpreted. This is because they have different understandings about when it is the appropriate time to do it, what words should be used, who is entitled to issue and receive an apology, and so on. In principle, collective apologies should be as tied to cultural particularities as interpersonal apologies, if not even more so (given that ceremony and shared meanings need to be considered and accommodated more strictly).

Moreover, instead of focusing on instances of apologies made by states, we can also pay attention to requests for apologies made by state or non-state groups and institutions. From that perspective, the relevance of state apologies seems to be less affected by location. Requests for apologies are common across the globe, both from particular groups to their governments and between states. Polynesian communities may use the *ho'o ponopono* approach<sup>61</sup> internally, but they requested and extracted state apologies from the US and the New Zealand governments. What this seems to point to is that, at least in theory, a community is perfectly able to issue and receive apologies at different levels and of different types.

A way out of both universalistic and culturally essentialist positions is to insist in the negotiated nature of political apologies. With few exceptions, national apologies are a fairly recent phenomenon. As it has been argued before, their general meaning and conventional procedures are in the making and being negotiated in each new

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<sup>61</sup> A collective apology for one single individual's wrong based in a strong sense of collective responsibility. See Galtung, "Twelve Creative Ways to Foster Reconciliation After Violence".



case. It may well be too soon to see a pattern that unequivocally derives from a neatly defined set of morals, traditions and practices. In fact, if they were to develop separately, the extent to which working domestic apologies evolved to be similar would tell us a great deal about the cultural variability of the nation-state. In that respect, attention should be paid to the role played by the international community as a witness of domestic apologies and how that role could distort the indigenous understanding of what a meaningful apology is.

Finally, we should be cautious not to mistake arrogance and politicking for cultural differences. Stamato reproduces two examples of purportedly different cultural approaches to apologies. In the first example, she argues that Clinton's apologies did not work in Rwanda because the engines of Air Force One were the whole time on during his quick speech at the airfield. One "African observer" explains the mishap, "If you go round in the car to say sorry to a neighbour, it's always good to turn off the engine. Just for a minute at least. Don't you think?" Second example: again, Clinton's apology for the bombing of the Chinese embassy in Belgrade was not well received because it was delivered outdoors in a polo shirt.<sup>62</sup> These two examples point to misfired exchanges between different cultures. Although it is easy in these instances to argue the point of a fundamental misunderstanding between cultures, upon further examination it is genuinely more believable that most US citizens would wholeheartedly agree with the 'African observer' and the Chinese officials.

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<sup>62</sup> Examples are Jay Rayner's. See Stamato, *op.cit.*, p. 392

# 5

## Concluding remarks

This report has endeavoured to analyse the phenomenon of the national apology and contribute to the small body of literature struggling to provide progressive clarity on what remains a complex and relatively unexplored topic. Ultimately this has been an exercise of mapping, whereby several core components of the organism which is the national apology have been illustrated. In particular several underpinning variables have been addressed, followed by a discussion on what might be considered appropriate form, content, and complementary action. Additionally two pragmatic issues were addressed through a discussion of the utility of what has been termed the ‘quasi-apology’, and the complexities of accounting for the cultural context.

Perhaps the strongest affirmation that can be made about national apologies at this stage is that there is no conventional procedure for their performance—nor is the author of this work arrogant enough to claim such findings. Rather, what has been discovered through the efforts of these pages is that there are numerous possible discursive building blocks, that there are competing views about fundamental issues such as collective identity or trans-generational responsibility, and that there are limitless political and cultural contexts in which all this may be put to the test. In consequence, judgement on what is an appropriate national apology and recommendations on how future statements of apology are to be drafted should at least be cautious. This is in fact the central message which has been attempted to be conveyed to the reader.

The discourse at present is plagued by a lack of appropriate mechanisms to critique national apologies, and certainly of any

detailed introduction to understanding their composition. What can be stated confidently here is that no answer to this mystery has been provided in the chapters above; instead the tools to engage in the analysis of individual instances—whilst comprehensively accounting for the cultural setting and context-specific factors by one’s own experience and research—have been inferred. Neither are the elements which have been mapped immune from disagreement or discussion, they are simply a current and well-presented theory in the face of no opposing thought. This fact only highlights the importance of the roles of both academia, and the practitioners reading this document while considering the use of a national apology. It is, after all, through their debating, disputing, and testing of this hypothesis that future progress will be made. Too often do these separate worlds remain in isolation, and it is when both theory and practice become linked that a meaningful understanding of the properties of national apologies will be reached.

As a final note, it is evident that this field is both young and grossly immature. As such the literature on state apologies—on which the previous pages rest—relies heavily on textual analysis, media reactions, and casual observations, with very few approaching the subject of the national apology through measurable responses of the communities involved. This explains the tendency towards normative commentary rather than descriptive analysis found in the field, of which this report was unfortunately not able to break free. Without substantial research on how recipient and issuer communities have evaluated past experiences of national apologies, and how communities currently requesting apologies expect them to be formed and disseminated, the most important aspects of national apologies will remain unidentified.

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## Annex 1. Source examples of national apologies

The quotations used as examples in the text are taken from:

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- US Senate [US, 2009] US SENATE, *Concurrent Resolution Apologizing for the Enslavement and Racial Segregation of African-Americans*. S.CON. RES.26. Washington: Government Printing Office, June 11, 2009.

These examples were not chosen for their merits as best practices or full apologies. In fact, all of them have been criticized and found at fault in some respect or another, often regarded as quasi- or even non-apologies. For instance, Gover's apology did not meet the requirement of status of the speaker, Kamaratunga's fluctuates between acceptance and justification of responsibility, and so on.<sup>63</sup> Still, they display some useful examples for the understanding of specific elements of an apology.

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<sup>63</sup> Please refer to works in the bibliography, which include several critical analysis of these apologies.



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