University of Windsor

Scholarship at UWindsor

OSSA Conference Archive

OSSA 9

May 18th, 9:00 AM - May 21st, 5:00 PM

An informal look at the non-apology

Mano Daniel Douglas College

Jeff Noonan

Follow this and additional works at: https://scholar.uwindsor.ca/ossaarchive



Part of the Philosophy Commons

Daniel, Mano and Noonan, Jeff, "An informal look at the non-apology" (2011). OSSA Conference Archive.

https://scholar.uwindsor.ca/ossaarchive/OSSA9/papersandcommentaries/13

This Paper is brought to you for free and open access by the Conferences and Conference Proceedings at Scholarship at UWindsor. It has been accepted for inclusion in OSSA Conference Archive by an authorized conference organizer of Scholarship at UWindsor. For more information, please contact scholarship@uwindsor.ca.

An informal look at the non-apology

MANO DANIEL

Philosophy and Humanities
Douglas College
New Westminster, British Columbia
Canada
danielm@douglas.bc.ca

ABSTRACT: While the mechanisms of apology, forgiveness and reconciliation receive considerable scrutiny, little attention has been afforded the non-apology. This counterfeit, confected typically by false substitution or mis-direction, adds moral insult to moral wrong. The paper elucidates the normative structural relationship among apologiser, the apologetic disposition, and the apology and defends the view of the non-apology as the pretended willingness to recalibrate the moral positional relationship among apologiser, wronged, and wrong without actually doing so.

KEYWORDS: reconciliation, apology, official apologies, moral repair.

1. INTRODUCTION

Apologies used to be a personal affair and a rare occasion in the public lives of nations and institutions. There has been a change in sensibility and we are currently inundated by public apologies both individual and political. The apology is a powerful and constructive means of conflict resolution and a way of dealing with wrongdoing once it occurs. In addition to being a mechanism by which transgressors may hold themselves accountable, the apology has the capacity to overcome bitterness, divisiveness and resentment and hence transform relationships among individuals, groups and nations. It is a mechanism for ethical accountability that, when used responsibly, is "a mysterious potent symbolic act" that can "cleanse and heal social rifts" (Tavuchis 1991: 2). Once considered a sign of weakness the apology has emerged as a symbol of strength, a sign that one has the confidence and humility to own up to mistakes since an apology cannot be offered from a position of moral superiority. But here lies the problem.

The road from transgression to reconciliation is long, arduous and treacherous. In recent years, the tilting balance of power towards formerly powerless individuals and communities have led them to assert their right to be treated as equals by those who had previously devalued them (Lazure 2004: 15). The prevalence of the non-apology is directly related to unwillingness on the part of the transgressor to give in to increased pressure to apologise for his wrong-doing. Rather than the genuine article, a counterfeit, the duplicitous non-apology is offered instead; often adding moral insult to moral wrong. As such, non-apologies are an unwanted negative externality, "a catalyst for superficiality" that "contaminate[s] public discourse" (Kampf 2009: 13). Nevertheless, they are "eloquent testimony" to the power of the genuine apology since the offender is "trying to reap the benefits of apologizing without having actually earned them" (Lazure 2004: 9).

The apology is a moral mechanism for holding wrongdoers accountable as well as for extracting assurance that similar violations will not be undertaken by them in the

future. The apology is meant to restore the tarnished image of the transgressor as well as constitute a means of redressing the transgression and its effects. It is my argument that the apology itself can be understood as, in principle, an internally consistent mechanism with a number of different parts interacting in certain predictable ways. Explicating the inner workings of this mechanism and its various elements will afford insight into our apology-practices and the ethical obligations of wrongdoers.

Although my eye is on the political or official apology, in this paper I draw on the affinities between personal and political apologies and provide criteria for understanding and evaluating them. I will restrict my comments to a robust form of the apology: the moral apology, one that is offered in response to transgressions of respect either by violations of moral standards or by moral insult. For Kampf, the key to the non-apology is a "manifest lack of sincerity" (Kampf 2009: 13). I unpack this insight by arguing that the non-apology, by disabling the apologetic disposition, is the pretended willingness to recalibrate the moral positional relationship among transgressor, wronged and wrong without actually doing so.

2. THE APOLOGY AS MECHANISM

There are a cluster of concepts or devices that are used to facilitate the complex restorative project of bringing a transgression to reconciliation, among them: mercy, pardon, forgiveness, apology, regret, truth-telling, atonement and restitution; none of which is strictly necessary, but a combination of which is usually needed to complete the project. The standard scenario is as follows. A profound wrong is inflicted by one upon another and the wronged (the cuckold spouse, the sexually assaulted, the racially recriminated, the betrayed, the genocide survivor, etc.) is created. Victimised by this profound wrong, the wronged invariably experiences outrage, anger and resentment and may respond to the wrong in a number of different ways including revenge, forgetting, forgiveness and reconciliation. The wronged who forgives voluntarily ameliorates resentment and forswears revenge thereby increasing the chances of reconciliation. And, he may be prompted to forgive by the transgressor's offer of an apology.

Apologies are temporally complex mechanisms; which look to not only redress the past but also show concern for the future. This makes sense since the interests of the wronged are both backward-looking, requiring the offender to recognize and acknowledge the value of the loss experienced by the wronged and forward-looking, requiring the transgressor to accept responsibility for future behaviour toward the wronged (Gill 2000: 17). The wronged is more likely to accept the apology if it contains acknowledgements about the past, commitments about making practical amends and promises of no further repetition of such transgressions. Numerous commentators have offered criteria for evaluating the "genuine," (Lazare 2004), "categorical" (Smith 2004) or "sincere" (Govier 2006) apology. I shall follow Davies in labelling this regulative ideal the consummate apology. I have also adopted some of his terminology (Davies 2002).

The consummate apology is a concatenation of principals, attitudes, beliefs, intentions and circumstances and has five distinct if overlapping elements unified, temporally, by acknowledgements about the past, commitments for the future and sentiments expressed in the apology. These five intermeshed elements are the doxastic, affective, structural, constative and dispositional.

Typically, an apology involves taking causal responsibility for committing the transgression and should include a meta-understanding of the reasons for one's transgressive behaviour. The *doxastic* element of the apology thus involves beliefs held by the apologiser acknowledging that his transgression was unjustified as well as "the morally relevant features of the situation that made one's performance transgressive" (Davies 2002: 170).

The *affective* element involves the apologiser displaying the appropriate emotions and the right amount of self-reproach. Typically this involves feelings such as sorrow and regret for causing the transgression and also involves a wish that the transgression could be undone. Among the cluster of cognitively tinged sentiments that are typically felt include embarrassment, chagrin, sorrow, regret, sympathy, empathy, shame, guilt, remorse, penitence and contrition. For some, the key driver of the apology's transformative power is this affective expression (Tavuchis 1991). Moreover, such sentiments matter because of the beliefs intertwined with them.

The apology is both an act and an accounting. As such, these doxastic and affective elements that the apologiser must display are matched, even if implicitly, by elements that the account of the apology must meet. As an account, the apology must conform to the *formal* or structural relationship among apologiser, wronged and wrong. These are matters of form and of the positional relationship among apologiser, wrong and wronged being configured in appropriate ways. I will mention three.

One, the apology account is not conflated with or substituted by other sorts of accounts that share similarities with apology; in particular, excuse and justification. Simply put, in an apology one accepts responsibility for a state-of-affairs that one acknowledges as the result of a wrong one has done. In an excuse, one accepts the state-of-affairs as wrong, but denies (degrees of) responsibility. In a justification, one accepts responsibility for the state of affairs but denies that the act was wrong. (Scott and Lyman 1968: 46-48) Similarly, the phrase "I'm sorry" is semantically and syntactically ambiguous. It does not always function as an expression of regret; for example, a person may express regret but not admit culpability or feel sorry; or, on the other hand, he may choose to regret the wrong that was caused, rather than express regret for the act that had caused the wrong. As such, attention has to be directed to ensure that the right sort of regret is connected in the appropriate way with the wrong and the causes of the wrong.

Two, the principals have standing and have the right positional relation to the wrong. In brief, this formal requirement is to ensure that the roles of apologiser and wronged are correctly connected together with the wrong and that only legitimate disputants (or their representatives) participate in the apology. There is no misdirection by apologising to the wrong party or for the wrong wrong (Lazure 2004: 101-105). The requirement is particularly contentious when the two roles are represented by stand-ins such as a spokesperson or a representative of a group, although such complaints are practical not conceptual.

Three, there is no attempt to minimise or misdirect responsibility such that the appropriate amount of causal and moral responsibility is borne by those responsible and is directed at the right wrong and the right victim.

The historical record or the *constative* element is needed to flesh out the formal structure of the apology by adding precision and detail. There will invariably be contested facts surrounding the transgressive situation. This hazard is compounded by the temptation to obfuscate the nature of the wrong and, the identities of the transgressor and the wronged. Often, a factual record collaborated upon and mutually agreeable to the princi-

pals will need to be established and may include the identification of each moral wrong and the social and cultural norms violated by the transgression(s) (Smith 2006: 480-482).

Ideally, these elements of the consummate apology would be internally consistent and hence, the elements would serve as inner constraints for each other. For example, the doxastic and constative elements may remain implicit (especially in personal apologies) or be the explicit result of a long process of negotiation (especially in official apologies). Similarly the affective element, say the expression of regret, has to conform to the formal constraints of the apology in that it has to be the expression of the right sort of regret in the right formal relationship with the wronged and the wrong. Still, formal, doxastic, affective and constative elements are insufficient to contrive a consummate apology. These elements are intimately connected with an acknowledgment that the wrong took place but, the apology is also necessarily future directed. There is a clear gap between expressing a sentiment and committing oneself to it and it is to this lacuna that the dispositional element is meant to address. What is needed in the consummate apology is a strong indication that the apologiser is disposed to affirm two sorts of commitments: one, the wronged must be given reasons that there will be no repetition of similar wrongs in the future (Gill 2000: 14); and two, that there is a commitment to make practical amends (Govier 2006: 69).

3. THE APOLOGETIC DISPOSITION

Since wrongs damage relationships, we expect apologisers to not only display appropriate emotions but to be also disposed to commit and undertake remedial action. This *dispositional* element is about subsequent conduct and is associated with the notions of atonement, restitution and reparation. Atonement is closely connected with the idea of personal transformation whereas reparation and restitution apply to the wronged and are intended to make a victim whole by returning what the offense has taken away. Restitution speaks specifically to returning something taken wrongfully while reparation is used to describe a form of recompense for more intangible losses (Smith 2006: 486).

Discerning dispositions as a way of affirming commitment on the part of the apologiser works better for the individual apology, but it gets increasingly dodgy when determining group commitment. At the individual level, the commitment to a less transgressive future may require character examination and modification through the cultivation of new dispositions or the reshaping of existing ones. Consummate apologies thus draw attention to the transgressor's character and identity not only to understand the motivation for the transgression but also to discern signs that the transgressor is disposed both to prevent repetition and to restore the moral balance by bringing the relationship or the community back into equanimity and harmony.

The apologetic disposition has three aspects that correspond in turn, to present, past and future: One, there is the present affirmation that the power differential between the positional roles of the transgressor and the wronged is in need of repositioning and that the apology would initiate this new position of moral equality; no consummate apology can be offered from a position of superiority. Two, there is a commitment to restorative reparation which is backward looking in its insistence that "reparation should restore the victim to her prior position" (Thompson 2002: 48). Compensation and restitution are key components to this aspect as their consequences, or lack of same, tend to be visible

and tangible. Three, there is a commitment to reconciliatory reparation which is forward looking in the sense that "it aims to achieve a good outcome now or in the future" (Thompson 2002: 48). This is the commitment to actually stop structuring the relationship in terms of transgressor/transgressed roles.

By apologising, the transgressor seeks to redeem and rehabilitate his tarnished image as transgressor by projecting the image of a moral persona capable of and accountable for moral interaction. But, if there is no real commitment to a future of moral parity then the apology is stillborn. The denial of the reconciliatory reparation aspect necessarily triggers the non-apology; the fraudulent apology offered in bad faith. This aspect is the nub of the non-apology. The non-apology is one offered under false pretenses by a feigned willingness to recalibrate the moral positional relationship.

There is no doubt that this cognitive dispositional element is opaque and difficult to discern. One common compensatory strategy is to glean from the other elements of the consummate apology indirect confirmation of the apologetic disposition and the reliance, perhaps over-reliance, on the affective element as the trigger that affirms and confirms this disposition to moral equality and respect. When an individual apologises in person, her delivery of the apology and the appropriate affective deportment provide data points for an overall assessment of the apology.

The other strategy is to use post-apology behaviour as a test of disposition or aptitude (Gill 2004: 14). Political apologies involve the public acknowledgement of wrongdoing by a political entity and tend to have a greater compass and complexity. Political wrongs are typically violations of communal and ethical conventions and public acknowledgement of the wrong and a willingness to repair the wrong may often be inadequate; political apologies must initiate the actual repairing of the communal conventions that have been violated and this repairing may play out in fits and starts. Hence it makes sense to downplay the immediacy of the affective element in group apologies.

Moreover, the efficacy of the affective element diminishes the more temporally distant the wrong and the larger the groups involved (especially when there has been a complete membership turnover.) An apology by a transgenerational polity, such as the state, concerning an intergenerational wrong does not appear to depend on affective states such as sorrow or remorse although an argument could be made that the appropriate emotion should be shame for this blot on the historical record. Tavuchis notes that group apologies have little to do with sorrow or sincerity but with putting things on a public record (Tavuchis 1991: 117).

The official political apology is meant to separate a past of injustice and inconsiderateness with a future of just dealings and respect (Thompson 2005: 10). Official apologies are heavily symbolic and hence they tend to be received tentatively and suspiciously pending further clarification and ratification of commitments. It does suggest that there is an important relationship between the apologetic disposition and the cultivation of trust between the principals, but this is not the place to pursue that thought.

There is no guarantee that an apology will succeed. The wronged, even when offered a consummate apology may choose to decline; such is her prerogative. Similarly, a less than consummate apology may be deemed adequate and accepted. But if the reason an apology is challenged is because "It's all words, nothing is going to change," then it is a critical judgement of the apologetic disposition of the apologiser. If this analysis of the

apologetic disposition is accurate, we better understand the complaint and have a better understanding of how it can be met and assuaged.

4. THREE EXAMPLES OF APOLOGIES

The relationship between the bilateral, dyadic, poles of the apology vary all the way from the personal one-to-one, and one-to-many apology, to the group apology of the many-to-one and the many- to-many. For Smith, personal one-to-one apologies have the best chance of being consummate apologies while collective or group apologies (especially group to group) are prone to failure; though importantly, on occasion may succeed (Smith 2008: 155). In this section I discuss three apologies to demonstrate how attention in terms of the apologetic disposition abets the evaluation of the apology and its parasitical complement, the non-apology.

4.1 A Consummate Personal Apology: The Takashi Example

An excellent example of a consummate apology was offered by Nagase Takashi. Eric Lomax, a World War II prisoner of war, writes in his memoir of being consumed by hatred and vengeance until he received an apology nearly fifty years later and was able to forgive his torturer tormenter, Nagase Takashi. The steps taken by Takashi to demonstrate his penance and his strive for atonement included the following: writing a short book reflecting upon his experiences including the remorse and shame that he felt while watching prisoners being beaten and also the categorical approach he took in acknowledging his guilt; working with the War Graves Commission in part to revisit and lay wreaths at the Allied cemetery; building a religious shrine; adopting an anti-militarist position; and setting up a charitable foundation for survivors of the Asian labour camps. When Takashi met Lomax at the Bridge over the River Kwai, he kept repeating "I am very, very sorry" (Lazure 2004: 242-248).

There is little doubt that Takashi's apology qualifies as consummate. What makes it easy to confirm this judgement is that, unlike the typical apology, here, the apologetic disposition has already been confirmed in act and deed. Takashi both acknowledges the wrongness of his actions and goes to remarkable lengths to atone for them by a change in character and a series of concrete actions.

4.2 A Political Non-Apology: The de Klerk Example

Things can get more complicated when you are talking of a political apology involving the public acknowledgement of wrongdoing by a political entity. Govier does an exquisite job dismantling an insincere apology by the former president P.W. De Klerk before the South African Truth and Reconciliation Commission; an account which drove Desmond Tutu to tears and prompted a contemptuous rejection by the African National Congress. Several aspects of the formal element of an apology were clearly not met.

One, De Klerk was evasive regarding responsibility for the wrongs committed by National Party governments, including his. While he acknowledged that wrongs had been perpetrated, he denied that the wrongs were the result of government policy. Two, his standing was questioned since it was unclear as to whether de Klerk was the spokes-

man for the National Party, and, also unclear was the degree to which the National Party represented White South Africa. Three, he offered excuses. While expressing regret that atrocities had occurred, he did not apologize for them. "We abolished apartheid and we are proud of it," he said, but did not concede that it was his Party that had brought in and maintained political segregation. De Klerk was clearly concerned to protect his public persona and the reputation of the National Party. He wanted to assume a position of *pride* for ending apartheid while refusing to acknowledge wrongs for which *shame* would be appropriate (Govier 2006: 77-79).

Significantly, de Klerk's statement made no mention of future commitments to seek amends and hence was entirely devoid of a dispositional element. Counterfactually, even if the other elements of the consummate apology were to be met by de Klerk, his apology would still be a non-apology because there was no attempt to envisage and commit to a changed future for South Africa.

4.3. The Australian Stolen Children Apology

Nothing prevents the official political apology from being a consummate apology. Standing before victims and pronouncing the apology creates emotional and ceremonial meaning, but an official written apology (perhaps accompanied by a treaty) is more like to satisfy the requirements of a consummate apology (Smith 2006: 484).

In 2008 the Prime Minister of Australia formally apologised to the Australian Aborigines and Torres Strait Islanders. The following excerpt is a good example of how a well crafted apology can address the three aspects of the apologetic disposition:

We today take this first step by acknowledging the past and laying claim to a future that embraces all Australians. A future where this parliament resolves that the injustices of the past must never, never happen again ... A future where we embrace the possibility of new solutions to enduring problems where old approaches have failed. A future based on mutual respect, mutual resolve and mutual responsibility. A future where all Australians, whatever their origins, are truly equal partners, with equal opportunities and with an equal stake in shaping the next chapter in the history of this great country, Australia ... if the apology we extend today is accepted in the spirit of reconciliation, in which it is offered, we can today resolve together that there be a new beginning for Australia. And it is to such a new beginning that I believe the nation is now calling us. Australians are a passionate lot. We are also a very practical lot. For us, symbolism is important but, unless the great symbolism of reconciliation is accompanied by an even greater substance, it is little more than a clanging gong. It is not sentiment that makes history; it is our actions that make history. (CNN 2008)

The process of repairing the damage caused by transgressive behaviour is always approximate and emergent mainly because the social fabric of Australian society is not one easily configured. Nevertheless, the signs are encouraging. The apology deliberately recalibrates the moral/trust relation from one that has become badly flawed to one of equality. There is a firm commitment for social and economic reparations. And, there is a firm acknowledgement of the need for and a commitment to establish a new more appropriate relationship whereby the moral infrastructure of Australian society is recalibrated and the wronged restored to a place in it as full and equal members.

5. CONCLUSION

The apology is a patch for moral transgression. Wrongs damage relationships and we expect transgressors to not only apologise but to undertake remedial actions which involve future commitments including reparations either in the form of debt restitution or moral transformation. Acts of disrespect cannot be undone, but they can be apologised for. A consummate apology is not simply a response to a wrong but also to an insult. It is to the moral insult that the apology's dispositional element is directed. The failure to address the insult in a future oriented manner renders the apology otiose.

Understanding the apology as an internally configured, temporally complex mechanism has its benefits. By understanding how it works we demystify the mysterious power of the apology to aid in the repair of relationships. This in turn allows for a deeper appreciation of its composite elements as well as an appreciation of how the mechanism can be disabled or dissembled. More importantly, it draws attention to a much neglected aspect of moral ontology; namely, the availability of moral mechanisms to respond positively to wrongdoing and to initiate repair. As such, apologies also function as mechanisms for social change (Gill 2000: 20) especially in transitions from a situation of injustice to a situation of more humane and hopeful circumstances since a society "hospitable to public apology not only values speaking truth to power, but also power speaking truth to the less powerful" (Griswold 2007: 190).

Finally, successful consummate apologies may "raise the moral threshold of a society" (Brooks 1999: 3) because they promote positive externalities such as increased trust and mutual respect. It is in such a milieu that previously disempowered individuals and groups are using their elevated status to remind others of profound inequities and insult. "Apologies are a civilized way to redress these inequities" (Lazure 2004: 16); whereas the non-apology simply contributes to the cynicism of contrition chic.

REFERENCES

- Brooks, Roy L. (ed.) (1999). When Sorry Isn't Enough: The Controversy over Apologies and Reparations for Human Injustice. New York: New York University Press.
- CNN (2008). Full text of Australia's apology to Aborigines. CNN.com February 12, 2008. From http://articles.cnn.com/2008-02-12/world/australia.text_1_stolen-generations-prime-minister-kevin-rudd-indigenous-peoples?_s=PM:WORLD
- Davis, Paul (2002). On Apologies. Journal of Applied Philosophy 19(2), 169-173.
- Gill, Kathleen (2000). The Moral Functions of an Apology. Philosophical Forum 31(1), 11-27.
- Govier, Trudy and Verwoerd, Wilhelm (2002). Forgiveness: The Victim's Prerogative. *South African Journal of Philosophy* 21(1), 97-111.
- Govier, Trudy (2006). *Taking Wrongs Seriously: Acknowledgement, Reconciliation, and the Politics of Sustainable Peace*. Amherst, NY: Humanity Books.
- Griswold, Charles L. (2007). Forgiveness: A Philosophical Exploration. Cambridge: Cambridge UP.
- Griswold, Charles L. (2008). Forgiveness and Apology: What, When, Why? Tikkun 23(2): 21.
- Kampf, Zohar (2009). Public (non)-Apologies: The Discourse of Minimizing Responsibility. *Journal of Pragmatics* 41(11), 2257-2270.
- Lazare, Aaron (2004). On Apology. Oxford: Oxford University Press.
- Neu, Jerome (2008). Sticks and Stones: The Philosophy of Insults. Oxford: Oxford University Press.
- Nobles, Melissa (2008). The Politics of Official Apologies. Cambridge: Cambridge University Press.
- Pettigrove, Glen (2003). Apology, Reparations, and the Question of Inherited Guilt. *Public Affairs Quarterly* 17(4), 319-348.
- Radzik, Linda (2009). *Making Amends: Atonement in Morality, Law, and Politics*. Oxford: Oxford University Press.
- Scott, Marvin B. and Lyman, Stanford M. (1968). Accounts. American Sociological Review 33(1), 46-62.
- Smith, Nick (2005). The Categorical Apology. Journal of Social Philosophy 36(4), 473-496.
- Smith, Nick (2008). I Was Wrong: The Meanings of Apologies. Cambridge: Cambridge University Press.
- Tavuchis, Nicholas (1991). *Mea Culpa: A Sociology of Apology and Reconciliation*. Stanford: Stanford University Press.
- Thompson, Janna (2002). *Taking Responsibility for the Past: Reparation and Historical Justice*. Cambridge: Polity Press.

Commentary on "AN INFORMAL LOOK AT NON-APOLOGY" by Mano Daniel

JEFF NOONAN

University of Windsor Department of Philosophy Windsor, ON Canada jnoonan@uwindsor.ca

At a very general level human history might be understood as an on-going struggle to institutionalize our capacity to recognise universal life-interests. That we can recognise these life-interests is proven by the existence of universal moral codes, secular or religious, solidaristic social and political movements that cross markers of empirical difference, and the millions-times multiplied quotidian friendly interactions between people. That institutionalizing this common life-interest is a *struggle* is proven by the structures of oppression, alienation, and exploitation into which some human groups have been and continue to be forced to subsist in material denial of what recognition of their humanity demands. Struggles are not static events but dynamic processes, they advance and retreat, achieve new plateaus of development or fall off cliffs of defeat. In all cases, struggles presuppose division and opposition between different groups of people; they objectively refute ideologies of essential unity of social interest and commitment to shared goals. If, nevertheless, the possibility of unity is real, as is proven by real successes in overcoming the instituted violence of oppression, then the question of how formerly opposed groups—the oppressed and their oppressors—can relate such that society can be reconstructed on the basis of normative unity must be posed. I read Daniel's paper on the structure of public apology as an attempt to pose and to answer this question.

Daniel sets out to analyse the internal structure of apologies not simply for the sake of clarifying an abstract problem of classification—what is the structural difference between a sincere and a false apology. Rather, the structural interrogation is undertaken for the sake of advancing the practical goal of restoring or creating social unity where it has been violated by a history of systematic oppression. The paper is admirably to the point, well-crafted, and lucidly argued, but politically important too. I agree with the general conclusion that Daniel draws: that sincere public apologies are capable of repairing the moral fabric of society where it has been riven by oppression and organized violence. My main interest in the argument, as these introductory comments make clear, lies in the underlying normative implications of this conclusion as well as certain metaphysical issues these conclusions raise. My comments will focus on two general problems that Daniel's conclusion raises, rather than particular argumentative or interpretative moves the paper makes. I want to ask, first, whether there is an obligation on the part of oppressed to accept sincere public apologies. Second, I want to ask whether there are not cases of extraordinary political crime for which accepting even a sincere apology would be immoral.

Daniel argues, and I agree, that public apologies are "powerful and constructive means of conflict resolution" because they can "cleanse and heal social rifts" (p.1). If they are to heal social rifts not only must they be honestly proffered, but they must be accepted. Daniels' seems to assume that an honestly proffered apology will as a matter of

fact be accepted. The historical evidence cited seems to bear out this assumption. What is left unasked is whether those to whom the apology is made have an *obligation* to accept it.

Let us put that question another way in order to probe its implications further. Why ought systematically victimised groups accept even a sincere apology combined with material compensation, as opposed to, for example, rejecting it in favour of concerted political struggle to permanently remove from power those who orchestrated the crimes? One answer is pragmatic: the politics of revenge make for on-going instability and on-going instability makes everyone's life worse off. The socially destructive racial politics of Zimbabwe might be cited as a paradigm example. Pragmatically speaking there might be good reasons for the victims of oppression to accept an apology and concentrate their energies on building a better future for everyone. Nevertheless, this pragmatic reason does not answer the moral question.

From the deeper normative perspective that interest me I can think of no grounds external to the victims upon which an obligation on their part to accept an apology could be grounded. Since the victims of crime owe the perpetrators nothing, and since obligations are, in a sense, debts owed to the other to whom one is obliged, the victims have no obligation to accept even an apology sincerely offered. If this is true, then accepting an apology and moving forward in a new spirit of unity is always a superogatory act on the part of the historical victims of oppression.

This conclusion, although somewhat beyond the scope of Daniel's paper, is nonetheless important to the more general philosophical-political issues upon which it is focussed. It seems to me that too often the group that apologises is morally lauded for agreeing to stop brutalising and oppressing the victims, while the victims who accept the apology are treated as if accepting the apology was only doing what was morally expected of them. However, it is really the group that is willing not to insist on the violent justice of revenge that allows the social fabric to be knit together anew.

This willingness to set aside the violent justice of revenge raises a further question: whether there are some cases where accepting a public apology would in fact be immoral. In other words, are there some crimes which are so egregious that the perpetrators permanently exclude themselves from the human family? How indeed can world historic crimes like the Holocaust or the brutal colonization and destruction of indigenous life-ways be redeemed through an apology, no matter how sincere? In cases such as these it was the intention of the perpetrators to completely annihilate life-ways and the lives of those who lived them because those lives and life-ways were impediments to the particular interests of a ruling group presiding over a life-blind social system. Apologies seem to require some degree of equal moral standing. In cases of truly extraordinary moral crime, precisely this equality of moral standing is absent. Instead of apology and acceptance, the morally relevant duty in these cases seems to me to be the destruction of the social fabric that produced the inhumanity and the weaving of a new one that permanently excludes the perpetrators and anyone who would sympathise or excuse their actions.

Thus, in cases of extraordinary political crime I am not certain that just understanding the inner structure of argument, important as this is, provides sufficient insight into "ethical obligations of wrongdoers." (p. 2) In these sorts of cases apology would seem to be part of the wrongdoing rather than the first step towards reconciliation—a kind of moral category mistake in which the perpetrator completely misunderstands the enormity of the violation by believing that apology is appropriate. I thus agree in general

COMMENTARY

with Daniel that apology can "redeem and rehabilitate" (p. 5) the moral standing of the perpetrator of political crimes, but worry that there are systematic forms of inhumanity that are beyond redemption and rehabilitation.