

After Apology: The Remains of the Past

Paul Muldoon

IN AN EXTRAORDINARILY PRESCIENT LECTURE, ADDRESSED TO THE NATION RESPONSIBLE for the first 'crime against humanity', Theodor Adorno attested to the paradox of a past that lives on, but cannot be lived with: 'one wants to get free of the past, rightly so, since one cannot live in its shadow, and since there is no end to terror if guilt and violence are only repaid, again and again, with guilt and violence. But wrongly so, since the past one wishes to evade is still so intensely alive' (Adorno 115). Although 'the past' to which Adorno refers remains the exceptional instance of state crime, his observations strike at the heart of a dilemma that many political communities continue to grapple with today: how does one get free of a past that refuses to pass? Though an increasingly popular theme of intellectual inquiry, a burgeoning topic within the ever expanding and ever more sophisticated field of 'memory studies', the question could scarcely be dismissed as being of *merely* academic interest. Assuming John Torpey is even half right in suggesting that concern for the future has now been eclipsed by a 'preoccupation with past crimes and atrocities', the 'righting old wrongs' project is of more than marginal concern for states right around the world (Torpey 1). Indeed, if the problem of 'coming to terms with the past' was ever exclusively German, it is now a truly universal political concern.

Is it possible to do justice to the past and at the same time get free of it? A little over a decade after Adorno delivered his public lecture, the Chancellor of West

Germany, Willy Brandt, fell to his knees at the foot of the monument to the Jewish victims of the Warsaw Ghetto in what has been retrospectively (and not uncontroversially) construed as the first, truly authentic, post-war act of apology (Borneman 54-5, 62; Celermajer, *Sins of the Nation* 17-8). Although Brandt's *Kniefall* could, on account of its silence, be legitimately excluded from the category of performative 'speech acts' known as apologies, the position it has since come to assume as the inaugural event of the 'age of apology' is by no means without justification. Reflecting back on his, apparently unpremeditated, genuflection, Brandt underlined the importance of his speechlessness: '[O]n the abyss of German history and carrying the burden of the millions who were murdered, I did what people do when words fail them' (Borneman 55). Arguably, however, it was precisely because he did 'what people do' in such situations that the words did not need to be uttered. As an instance of a ritual form, recognisable to all, his *Kniefall* already said everything that needed to be said. Indeed, since it was clearly 'taken up' as an apology, Brandt's gesture would appear to bear out the logic of the linguistic theory of performatives by way of inversion: for if it is possible, as Austin famously suggested, to do things by saying things, then so too must it be possible to say things by doing things.

To treat Brandt's *Kniefall* simply as an interesting case in the study of linguistic performatives would, however, be to miss the point. For what is really at stake here is the effect an apology can have on the 'weight of history'. To what extent does it help societies burdened by the memory of injustice to break free of the past? For Borneman and, as we shall see, for many others, the answer would appear to be that it helps quite a bit. Brandt's 'apology', he writes, was not a confession and it did not testify to a new truth. In falling to his knees, the Chancellor was not admitting to any personal wrongdoing nor was he exposing any previously unknown historical facts. It was rather by virtue of his purely symbolic gesture of remorse that he 'inaugurated a new phase in the relations between Germany and the Jews it had persecuted' (Borneman 62). That Brandt himself had been forced to change his name and to live in exile during the war years was of course clearly significant to the warm reception his gesture received (at least within Poland). If he knelt down before the monument as a representative of the perpetrating nation, it was as someone with the requisite moral authority to lend the gesture sincerity. Yet none of this, on Borneman's account, did anything to throw into question the power of symbolism itself in gaining release from the past. 'Only such a symbolic purification ritual', he writes, 'could transform the German people from a criminal nation to a rehabilitated member of the international community' (62).

If this were the only example, and the only interpretation of that example, upon which to pass judgement, it would be hard to escape the conclusion that political apologies are extraordinarily powerful—capable even of repairing the

irreparable. However, exactly what they achieve (and thus how skeptically we ought to regard them) is a matter of ongoing philosophical and political debate. My aim in this paper is to add to the existing critical literature by interrogating the power of official apologies to bring about political transformation. Unlike some of the early debates in moral philosophy, which were focused largely on the formal question of whether the concept of a *political* apology was a 'category mistake', I bring critical attention to the 'work' they perform and, perhaps more importantly, the work they make it possible to evade in our attempts to come to terms with the past. The article begins with an examination of the academic literature on apologies as 'speech acts', paying particular attention to the view that they can play a radical, transformative role in relations between peoples. I then proceed to raise some critical questions about the temporal logic that is at work in political apologies and the potential this has to prematurely foreclose upon the work of critical self-reflection that they set in motion. I conclude by suggesting that the acceptance of political apologies ought to be deferred so that the norms they instantiate have a chance to work their way through the political culture.

The Power of Apology

Once the importance of apology as a political institution started to become apparent, critics were quick to raise a number of concerns about their efficacy as a response to historical injustice, some of a more formal and some of a more moral nature. The formal objections commonly revolved around the following set of interrelated issues: firstly, that it was illogical for political leaders to apologise for events in which neither they nor the people they represented took part (the problem of responsibility); secondly, that such apologies lacked cogency to the extent that they imposed the moral standards of the present upon the past (the problem of historical anachronism); and thirdly, that the officials who issued apologies on behalf of the people would, of necessity, lack the feelings of remorse upon which the sincerity of the gesture hinged (the problem of motivation). The primary moral objection was that *political* apologies would, by their very nature, tend to be either disingenuous or hypocritical. Since every political apology was likely to be motivated, at least in part, by strategic goals, critics claimed, it would, at best, be an empty gesture and, at worst, a cynical exercise in public relations management (Cunningham 287-8; Joyce 159-60; Govier and Verwoerd, *Taking Wrongs Seriously* 144-7; Thompson, 34-8).

Although the formal challenges to political apologies were by no means insubstantial, the general consensus was that most of the objections diminished in significance once proper cognisance was taken of the unique characteristics of political communities. If, for instance, the state was conceived as a continuous agent, one whose identity remained constant despite changes in leadership and

government, there was no logical reason why current representatives of that agent could not assume responsibility for injustices committed by it or 'in its name' in the past (Joyce 169; Thompson 37). Similarly, if the ultimate purpose of political apologies was deemed to be the establishment (or re-establishment) of relations of trust between two groups or peoples, the problem of judging the past against the standards of the present became less salient. Since the objective was not so much to condemn the political actors of the past for their moral flaws, but to signal to the victim group that the abusive or discriminatory treatment they received was no longer considered acceptable, the charge of anachronism effectively fell away (Cunningham 289; Andrieu 16). Finally, once it was accepted that the political leaders who say 'sorry' speak in the name of the office of the state that they hold (e.g., the office of the Prime Minister), the requirement of remorse became superfluous. In such cases, the desire to create a just polity was understood to provide motivation enough for the offer of apology (Verdeja 575; Govier and Verwoerd, *Taking Wrongs Seriously* 143).

Unsurprisingly the more explicitly moral concern that political apologies are merely cynical exercises in reputation management proved much harder to dislodge. The critical stumbling block in this regard was not that symbolic gestures like apologies are, *ipso facto*, 'empty' nor even that they are always a poor substitute for material reparations. On the contrary, there is now a widespread view that a 'purely symbolic' gesture, like an apology, is a necessary condition of reparative justice (not merely 'window dressing') and in certain cases may be the most meaningful response to injustice of all (Thompson 34; Borneman 62; Celermajer, 'Apology and the Possibility of Ethical Politics' 27; Andrieu 10). The critical stumbling block was rather that politics, precisely because it is the kind of (Machiavellian) game that it is, puts the sincerity of all such symbolic gestures into question. If one accepts, as almost every writer in this field seems to, that strategic calculation is not only endemic to political life, but definitive of 'the political', no symbolic gesture, however sincere it *appears*, could ever be morally uncontaminated. Behind every act of state, even an act of contrition like an apology, must sit a strategic concern with the national interest—a concern that is now almost as tightly bound up with the defense of reputation as it is with the defense of territory. To expect a political apology to be free of self-interest was thus to be naïve or foolish or both. (Verdeja 568; Gibney and Roxstrom 912-4; Thompson 32, 37; Celermajer, 'Apology and the Possibility of Ethical Politics' 30; Griswold 151).

Rather than encourage moral philosophers to reject political apologies *tout court*, however, this concession to the ineradicable risk of strategic manipulation catalysed efforts to stipulate the normative criteria that a political apology would need to satisfy in order to make it 'felicitous' as a speech act. Some differences of opinion notwithstanding, certain basic conditions sufficiently uncontroversial as

to be beyond dispute have gained general assent. Firstly, that a political apology must be framed as an exceptional event—that it must meet the ceremonial demands (right location, right time, right tone) by which watershed moments in the life of a polity are distinguished from the day-to-day business of the state. Secondly, that it must be offered by the right person—by someone who not only has the requisite moral authority, but who is duly authorised to act as a representative of the people. Thirdly, that it must name and explain the injustice to which it is responding—that it must be quite specific in describing the injustice in question and in accounting for its occurrence. Finally, that it include a solemn commitment not to commit similar acts in the future—that it promises ‘never again’ (Gibney and Roxstrom 926-37; Thompson, 40-4; Verdeja 570-2; Celermajer, *Sins of the Nation* 250-8). Of course, a political apology that met all of these criteria might still have, as its underlying motivation, the recuperation of the offending state’s reputation. However, since the state in question would still have shown that it was ‘taking wrongs seriously’, the presence of that motivation would not invalidate the apology as a moral gesture.

Exactly how close any actual political apology has gotten to this counterfactual ideal is, of course, a matter of conjecture and would, in any event, remain open to contestation. Like all things in politics, state apologies are destined to remain the subject of ongoing disagreement—not least of all with regards to their felicity. What has commonly been considered incontestable, however, is that a political apology that did approximate this ideal would be an extremely powerful vehicle of transformation. By publicly acknowledging past wrong-doing and pledging to avoid it in the future, claims Thompson, political apologies can interrupt the cycle of revenge and restore relations of trust between warring groups. Indeed, those that meet the normative criteria stipulated above have, she suggests, ‘the power to change the course of history and bring the violence to an end’ (Thompson 43). Whether the same holds true in the international (as opposed to the domestic) realm is, perhaps, a little less certain. As Gibney and Roxstrom note, thus far the most successful attempts to use apologies to reconstitute relations between groups on the basis of human rights law have been *within* the state. Yet, as they go on to suggest, there is in principle no reason why they could not play a similarly important role in the realm of international politics (914). Since what is generally at stake in both cases is a relationship between *peoples*, political apologies have the potential to release all sorts of groups from the burden of history.

Although it is not often presented in precisely these terms, therefore, the power of apology would seem to lie in its capacity to introduce a rupture in time—‘it is’, to cite Thompson once more, ‘supposed to separate a past of injustice and indifference from a future of just dealings and respect’ (42). This sense of a rupture in time manifests itself in a variety of different tropes in acts of apology:

'starting afresh', 'beginning anew', 'turning the page', and so on. However its pivot point as far as the normative efficacy of a political apology goes is the commitment to non-repetition. The principal reason why the expression 'never again' has become more or less mandatory in political apologies is because it serves as a definitive marker of a break from the violence of the past. More than simply providing reassurance to victims, the promise that such acts will never be repeated establishes a metaphorical 'line in the sand' that separates, as if by a chasm, the political community to come from the political community that has been. As much as it is a response to an injustice, therefore, a political apology can also be seen as an act of re-foundation or re-covenanting (Celermajer, *Sins of the Nation*). It divides the past from the present by re-affirming the *Grund-norm* of equal respect and promising to keep faith with it into the future. After an apology there can be no going back to the time of discrimination.

After Apology

This characterisation of a political apology as a temporal rupture finds considerable support within the theory and practice of state apologies and is arguably the best way of capturing what is exceptional about them. However, it also has the potential to be quite misleading. As we have already seen, one of the core features of a political apology, ideally conceived, is the commitment to reestablish relations between two peoples on an entirely different normative footing (generally that of universal dignity or equal respect). An apology is, to that extent, not just a judgement upon the past (what Austin calls a verdictive), but a promise about the future (what Austin calls a commissive). It is because it has this promissory dimension that the felicity of an apology is always in some way dependent upon what happens *afterwards*. Thus, even Austin, who takes an apology as an archetypal case of an illocutionary, rather than a perlocutionary, act (that is, as a form of speech that *does* something rather than tries to persuade people *of* something), notes that its 'felicity' depends in part upon whether the one who offers it is 'committed to doing something subsequently' (Austin 46). Its classification as a performative within speech act theory notwithstanding, then, an apology does not terminate in its own performance. While one might declare it 'felicitous' where the commitment to 'doing something subsequently' is deemed genuine, it is hard to escape the conclusion that the real test of that commitment is whether that 'something' *is* subsequently done.

How ought we conceive of the 'after' of apology? According to one quite prominent account, the efficacy of apology as a symbolic gesture depends upon it being *supplemented* by reparative actions of a more 'concrete' nature. Thus in Govier and Verwoerd's influential formulation, a distinction ought to be made between 'moral' and 'practical' amends, where the former refers to the symbolic acknowledgement of the wrongdoing and the latter refers to the concrete

measures undertaken that attest to the sincerity of that acknowledgement: 'for potential reconciliation between the parties, and for good evidence of sincerity on the part of perpetrators, a full-fledged moral apology should include a commitment to practical amends' (*Promise and Pitfalls of Apology* 73). Mindful of how this requirement might be construed, Govier and Verwoerd are quick to insist that 'practical amends' ought not to be equated with monetary compensation. In this context, any number of things, from the erection of memorials to the restitution of property, might show that the perpetrating community really was sorry. However, they hold firm to the view that '[a]n apology in which there is no willingness to undertake any practical measures of reparation is likely to seem insincere or hollow'. Indeed, they go so far as to suggest that it 'may even be worse than no apology at all' (Govier and Verwoerd, *Promise and Pitfalls of Apology* 73).

Others, by contrast, have insisted that this view of apology as in need of supplement merely reinforces the perception that its efficacy as a gesture derives from somewhere other than the ritual action itself (Celermajer, 'Merely Ritual?' 287). By looking for evidence of 'sincerity' in practical works, it falls back into the trap of measuring a political apology against the criteria of a personal apology and denies the public speech act any value 'in itself'. If we are to avoid giving succour to the view of apology as *mere* symbolism, they suggest, we need to think about the 'after' of apology in terms of actions that reinforce it or 'back it up' rather than actions that complete it (Celermajer, *Sins of the Nation*; Griswold 154-5; Mihai 206, 215). Thus, in Celermajer's account of political apology as an act of re-covenanting, it is not a case of adding something to the symbolic action in order to properly resolve it, but of seeking to bring the polity into conformity with the moral norms it recalls or enacts. For Celermajer, in other words, a political apology serves as a kind of reference point for on-going critical self-reflection. As an expression of the ideal normative identity of nation, it provides citizens with the yardstick against which to measure the existing culture and institutions of the polity and address shortcomings as necessary. Thus, whatever 'future-action orientations' an apology generates must, on this account, 'be understood as correlates of the speech act, rather than its referents' (Celermajer, *Sins of the Nation* 56, 60-1).

At first glance these two versions of the 'after' of apology fall into two quite distinct categories. Whereas the first is premised upon an 'exchange model', according to which the perpetrator is required to return (in the sense of 'repay' or 'restore') things to the victims, the second is premised upon an 'identity model', according to which the perpetrator is required to return (in the sense of 'retreat' or 'recommit') to their own moral norms. These two understandings of the meaning of apology as 'return' gives rise to two quite different orientations: while the former looks outward, towards the suffering of the other, the latter

looks inward, towards the constitution of the self. Exactly how great the gap is between these two different models is, however, an open question. It is certainly not hard to conceive how the operation of either one could become a trigger for the other—just as the need to return things to the victims might awaken a process of critical self-reflection, so too might the turning back to foundational moral norms spark acts of reparation. However, to the extent that the aim of both approaches is ultimately the repair of a broken relationship, it is likely that they are more than just causally related. Arguably both are integral to (and thus mutually implicated in) any act of apology.

We will have cause to return to the tension between these two different models later in this paper. For the moment, I want merely to note the presumption, common to both, that the work of apology extends beyond its own performance. Regardless of whether one subscribes to the exchange or the identity model, it remains the case that a political apology cannot succeed as a vehicle for coming to terms with the past unless the process of national self-reckoning required to get it on to the political agenda in the first place continues beyond the spectacle of the public event. This, conceivably, could involve any number of things, from changes to the educational curricula that embed the injustice in the national story, to changes to the constitutional framework that prevent the state from exercising its powers in an abusive or discriminatory way (Thompson 41-2; Mihai 216; Reilly, *Sovereign Apologies* 214). However, the common objective behind all such measures is to fulfil what Mihai has called the ‘democratising potential’ of the apology by ensuring that the norm of equal respect becomes fully instantiated in the culture and institutions of the polity (203). In short, then, it would be quite mistaken to see a political apology as simply a moment in time that brings an end to an earlier time (of violence, discrimination, racism, etc.). As Gibney and Roxstrom have noted, ‘[w]hile past state practice is, to a large extent, negated by the apology itself, the practice of a state *after* it has issued an apology is vitally important’ (935).

Whether this happy view of a political apology as both ‘event’ and ‘process’ can stand up to critical scrutiny is, however, another matter. Do political apologies really inspire citizens to further critical reflection upon forms of violence and discrimination that remain hidden in their political institutions and culture? Or do they rather encourage them to assume that the past has been appropriately dealt with and the nation-state post-apology is already another country? It is of course entirely possible that there is no definitive answer to these questions. Perhaps either of these outcomes is possible and everything hinges on whether the state in question is interested in living up to the promise contained in its apology. Hence Gibney and Roxstrom’s assertion that ‘[t]he biggest problem with state apologies is that the apologizing state wants it both ways: it wants credit for recognizing and acknowledging a wrong against others, but it also wants the

world to remain exactly as it had been before the apology was issued' (936). Some thought should, however, also be given to the possibility that it is not simply an empirical question of *whether* the potential of an apology is realised in any given national context, but a theoretical question about *how* an apology works as an act of performative redress. The analogy that is regularly drawn between political apologies and purification rituals is not only a worrying sign in this regard, but reason to look more closely at what an apology is and does (Cohen 236; Borneman 53).

Apology and the Risk of Purification

According to the now conventional interpretation, a political apology is a 'speech act' which provides justice in the form of recognition. In their seminal work, Govier and Verwoerd identify three discrete elements to this type of justice: recognition of the wrong-doing, recognition of the status of the victims as moral and civic equals and recognition of the right of those victims to harbour feelings of anger and resentment in relation to their past mistreatment. This analytic decomposition is clearly useful to the extent that it draws attention to the fact that an apology must do more than simply acknowledge the existence of a wrong. To be successful it must also recognise the damage it did both to the dignity of the victims and to the trust upon which social relationships are built. However, Govier and Verwoerd leave their readers in little doubt that the critical element to the reparative work of apology is the withdrawal of the moral insult contained in the original offence. By publicly recognising past policies and actions as 'wrongs', apologies retract the message implied by the original offence; namely, that the victims were unworthy of respect. An apology is thus a retrospective acknowledgement of the moral worth that was denied victims in the first instance. If it opens up the possibility of reconciliation it is not because it 'undoes' anything—the suffering caused by the offence can never be erased—but because it 'unsays' the message of moral worthlessness (Govier and Verwoerd, 'Promise and Pitfalls of Apology' 69-70).

In Govier and Verwoerd's account the significance of 'unsaying' the message of moral worthlessness is primarily for the victims. As they would have it an apology is important because it allows them (the victims) to regain what they had earlier been denied; namely, their human and civic dignity. However, there can be little doubt that this act of 'unsaying' carries considerable significance for the perpetrators as well. In retracting their earlier message, the perpetrators give evidence that they have come to see their actions differently or, to be more precise, that they have come to see them in the same light as their victims. What they previously considered either consistent with moral principles or a politically justifiable deviation from those moral principles, they now regard as morally reprehensible, perhaps even criminal. Among other things, therefore,

their apology speaks of a new perspective upon themselves and in that new perspective resides the kernel of a new self. Interpreted in the best possible light, an apology serves as evidence, not only that the perpetrators have changed the way they think about what they have done, but that they have changed *who they are*. In offering an apology they show not only that they regret transgressing moral norms in the past but that they desire to be someone who will uphold and respect those moral norms in the future. An apology, in short, indicates that they have ‘turned over a new leaf’.

In offering an apology, then, perpetrators do not simply recognise the moral equality of their victims, they stake a claim to a new, more upstanding, identity for themselves. However, since the addressee of an apology always has the right to reject it, this ‘claim’ to a new identity remains just that; namely, an assertion of something that is yet to gain approval or receive recognition. In a curious way, therefore, the speech act of apology actually inverts the original relationship of dependence between the perpetrator and the victim. Where previously it was the perpetrator who held the fate of the victim in their hands, it is now the victim who holds the fate of the perpetrators in theirs—at least to the extent of being able to release them from the burden of their past. Though often neglected in academic discussions, this feature of apologies is of the utmost importance to their ethical value. For more than simply forming part of the ritual requirement of apology, the shift from sovereign to supplicant—a shift exquisitely symbolised by Brandt’s *Kniefall*—turns every apology into an expression of vulnerability before ‘the other’. Every genuine apology brings the offenders to their knees, metaphorically if not literally, because they expose them to the judgement of their former victims. Will they or won’t they endorse the claim to a new identity by accepting the apology or granting forgiveness?

One would not be entirely unjustified, therefore, in suggesting that the ethical significance of a political apology derives as much from what it *risks* as from what it recognises; namely, its own refusal. Arguably, one of the primary reasons why the stakes of state apologies are so high, at least when conceived in ideal terms, is that they require the perpetrating community to put its identity on the line. By saying sorry, the state simultaneously distances itself from the exclusive identity it maintained in the past and undertakes to adopt a more inclusive identity in the future. In short, and understood figuratively, a political apology seeks to ‘uncouple’ the past from the present so that the state can appear (and be *recognised* as being) non-identical with its former self. Yet since political apologies, like all apologies, can be refused, there is a danger the state will be left in a kind of limbo, unable either to return to the identity it has disavowed or to inhabit the identity it has proclaimed. While a state is free to present an apology as evidence that it has ‘turned over a new leaf’, therefore, only the victims of the injustice can confirm it in the identity to which it now aspires. Apologies that

miscarry, either because the victims decide they fail to measure up to the accepted normative criteria or because they consider the wrongs in question to fall outside the scope of atonement, can precipitate a crisis of legitimacy.¹

Arguably an apology without this element of risk would be no apology at all (Reilly 211). Absent the possibility that it might be refused, an apology would lack the ethical significance that arises from delivering oneself into the hands of 'the other' in the hope that they might grant you another chance or trust you once more. However, if the risk of non-acceptance is inherent to political apologies so too, it would seem, is the tendency for that acceptance to be pre-empted or by-passed by the force of the speech act itself. One of the practical problems here, as Verdeja points out, is that there is often no clearly identifiable addressee who can legitimately accept or refuse a political apology on behalf of all the victims: 'the lack of an identifiable addressee means that, practically speaking, once the apology is uttered the speaker can claim that the apology was in some sense "successful", that it was "accepted" by the victim group' (573). Problems of a practical nature can also arise from the increasingly common (and normatively endorsed) practice of involving the victim-group in the shaping of the apology (Thompson 41). For while it is clearly desirable to consult the victims or their representative about the wording of the apology and the organisation of the event, this practice can also create the impression that the apology has been pre-endorsed, accepted as it were, even before it has been offered.

Viewed from a more abstract perspective, however, the greatest danger consists in the potential political apologies have to function as rituals of purification in which the 'after' of apology is nullified or erased. As we have already seen, one of the key criteria of a felicitous apology, at least on Austin's account, is the undertaking to do something *subsequently*. With the insertion of this condition the act of apology becomes bound to temporality in a way that prevents it from serving as its own realisation. Since the perpetrator needs time to make the necessary 'practical amends' or back up the promise of 'identity transformation', an interval necessarily opens up between the performance of the apology and the possibility of any judgement upon its 'felicity'. When an apology is viewed at this level of abstraction, in terms of its temporal dimension, the question of whether it ought to elicit acceptance or forgiveness declines in importance (Griswold 142-3). By far the most important thing is simply that there be this interval in which the 'work' an apology performs has an opportunity to become more fully realised in the political culture. Nothing, on this reading, would be more damaging to the

¹ It is, of course, possible, as Alexander Reilly has intimated, that sovereign states will seek to eliminate the possibility of non-acceptance precisely because it puts the absoluteness of their sovereignty at risk. The test of a genuine apology would thus be whether the state is willing to renounce its claim to a unitary sovereignty (Reilly, 209-15).

ethical standing of a political apology than its capacity to escape this temporal logic by constituting itself as a purification ritual in which speech and action, the promise and its realisation, become indistinguishable.

Somewhat perversely, however, it is the two features of political apologies now commonly cited in support of their efficacy by advocates of the 'identity model' that present the greatest risk in this regard: the first relates to the way such apologies address the relationship between the perpetrating community and *its* ideals (rather than the perpetrator and the victims); and the second relates to way they embody power as *sovereign* 'speech acts'. To begin with the first of these. One of the things, at least on Celermajer's account, that differentiates a political apology from an interpersonal apology is that it does not entail a dyadic relationship between self and other. While the representative of the perpetrator state might, in accordance with the ritual, fall to the ground in the presence of 'the other', this is really only a rhetorical device by which to symbolise that the nation has lowered itself in its own estimation. Its 'sin' arises from its infidelity *to itself*; that is, to the normative principles embodied in its founding covenant. Construed in this way, a political apology is all about mending the relationship between the perpetrating community and its normative ideals. Indeed, while it is ostensibly addressed to them, according to Celermajer, 'the primary target of the political apology is not the victim group at all' (*Sins of the Nation* 60). On the contrary, such symbolic gestures follow their ritual forbears by making the political community in whose name the injustice was committed a witness to the reaffirmation of its constitutional faith.

This does not mean that the victim group is regarded as completely irrelevant to the act of apology. As Celermajer notes it is the offence against the victim group that provides the occasion for the apology and it is their position in the political landscape that is likely to be the most dramatically altered by the perpetrating community's renewed commitment to its foundational norms (*Sins of the Nation* 61-2). And yet, the victim group is marginalised to the extent that its acceptance or forgiveness is not actually being solicited (*Sins of the Nation* 61). In Celermajer's account (which, I would suggest, is highly persuasive with regard to contemporary practice), a political apology is all about restoring the political community to its ideal normative identity. In apologising, the polity testifies to its return to the founding covenant and in doing so bridges the gap between its historical and normative identity (Celermajer, *Sins of the Nation* 71-88). The obvious risk with this is that political transformation becomes equated with the *renewal* of the commitment to constitutional norms, not the *fulfillment* of that commitment to constitutional norms. Indeed, as Celermajer's genealogical interrogation of the ritual of apology reveals, it is the act of repentance, 'the expression of sorrow for our infidelity to the principles of the covenant', that does the work of purification (*Sins of the Nation* 88). It follows that the

judgement of those who have been on the receiving end of state violence is not all that important. What really matters is that the perpetrators make a solemn vow to return to (or live in accordance with) their constitutional principles.

The risk that a political apology will turn into a purification ritual in which the need to 'do something subsequently' is obviated, is rendered even more likely by the fact that the official who offers it speaks in the name (and with all the force) of the sovereign power. It is worth remembering in this context that the speech of the sovereign is especially efficacious because it receives authority from a transcendent (or pseudo-transcendent) beyond. When kings ruled by 'divine right' it would no doubt have been obvious to all that every word had the force of God behind it. 'Where the word of a King is', Ecclesiastes tells us, 'there is power', for who but the King *in* Heaven and the King *on* Earth could turn speech into law? (8:4). There is, however, plenty of evidence to suggest that something of this power was carried over into the democratic epoch when the people below, rather than the God above, became the symbolic locus of sovereignty. As the house of the people, the legislature retains the power to bind through words, to turn speech into law, and every voice within becomes memorable simply by virtue of the status it enjoys as representative of the sovereign authority. The power that sovereign speech has to 'take effect' is, however, even more clearly on display in the (never relinquished) prerogative to pardon and to promise—that is, to erase the past and shape the future—and it is these that are at the heart of apology.

As an expression of self-transformation by 'unsaying', a state apology provides a particularly apposite example of the power of sovereign speech. When Willy Brandt fell to his knees and, then, for we are often inclined to forget this bit, rose up again, he performed the series of identity shifts that are characteristic of all apologies, whether spoken or implied. In that moment, of falling and rising, Brandt simultaneously represented the German people as the offender (we are the people who did those things) *and* as someone other than the offender (we are the people who could no longer do those things). The ritual power of his 'apology', and herein lies the key to understanding the 'work' a political apology performs, consists in the fact that it was able to hold these two identities together, while at the same time serving as a bridge between them. If Brandt's *Kniefall* is not to be meaningless, he must be recognisable as the defiled, but if his return to an upright position is not to be laughable, he must also be recognisable as the purified. What we have in the case of political apologies, therefore, is a highly amplified version of a performative, akin to what Marcel Detienne calls 'magico-religious speech'—that is, speech that does not so much 'solicit agreement' as 'take effect' or 'become action' in the absolute present, acknowledging no before or after (Detienne 74-5).

Conclusion

If there are risks involved with state apologies then it may not be just because politics is the kind of 'strategic game' that it is, but because political apologies are the kind of 'speech act' that they are. Assuming there is some merit to the sketch provided here, a political apology emerges as a strange, highly paradoxical, kind of gesture—at once an act of supplication in which the perpetrating community surrenders itself to 'the other' and an act of purification in which it obtains absolution for its sins by recommitting to its founding covenant. One of the more pressing issues we face with regard to political apologies, therefore, especially given their growing prominence as a means of coming to terms with the past, is the containment of their illocutionary force. If the normative principle of equal respect or equal dignity enshrined in political apologies is to have time to work its way through the societal culture, if such apologies are, in other words, to function as a *step towards* reconciliation rather than the *achievement of* reconciliation, it is vital that the identity claims they make go unrecognised—at least temporarily. Where victims are denied the opportunity to withhold recognition, the danger that an apology will turn into a form of ritual cleansing in which the need to 'do something subsequently' is vitiated becomes very high indeed.

Asking victim groups to withhold recognition of the identity claims within an apology is, of course, not without its problems. Those that defer acceptance in the face of a felicitous political apology are especially at risk of appearing ungracious, inviting accusations that they are either using their 'privileged' moral status to license further claims or are simply not invested in the process of reconciliation. Since they have now been granted the recognition they were denied, their anger or distrust loses its legitimacy—what grounds do they now have for refusing to join their former enemies in community? In principle, however, a deferral or withholding of recognition could provide a way for them to both acknowledge the courage of the perpetrating community in issuing the apology *and* of ensuring that the principle of equal respect it enacts is given a genuine opportunity to become enshrined in the political culture. To the extent that a deferral is *not a refusal*, it signals that the victims appreciate the acknowledgement of the injustice and to the extent that it is *not an acceptance*, it signals that they are still looking for further assurance that they ought to place their trust in it.

PAUL MULDOON teaches political theory in the School of Social Sciences at Monash University. His research is broadly focused on the way societies come to terms

with their past with a special interest in rituals of political transformation and the role played by the emotions in post-conflict settings. He has published widely on questions of historical injustice, reconciliation, political apology, and the politics of the emotions and is currently working on a book manuscript that examines practices of state penance for the wrongs of the past.

Works Cited

- Adorno, Theodor. 'What Does Coming to Terms with the Past Mean?' *Bitburg in Moral and Political Perspective*. Ed. Geoffrey Hartman. Bloomington: Indiana UP, 1986. 114-30.
- Andrieu, Kora. "'Sorry for the Genocide': How Public Apologies Can Help Promote National Reconciliation." *Millennium—Journal of International Studies* 38.3 (2009): 3-23.
- Austin, J.L. *How to Do things With Words*. Oxford: Clarendon Press, 1964.
- Borneman, John. 'Public Apologies as Performative Redress.' *S AIS Review* 25.2 (2005): 53-66.
- Celermajer, Danielle. 'Apology and the Possibility of Ethical Politics.' *Journal of Cultural and Religious Theory* 9.1 (2008): 14-34.
- . 'The Apology in Australia: Re-covenanting the National Imaginary.' *Taking Wrongs Seriously: Apologies and Reconciliation*. Ed. Elazar Barkan and Alexander Karn. Stanford: Stanford UP, 2006.
- . 'Merely Ritual? Displacing the Myth of Sincerity in Transitional Rituals.' *The International Journal of Transitional Justice* 7 (2013): 286-305.
- . *The Sins of the Nation and the Ritual of Apologies*. Cambridge: Cambridge UP, 2009.
- Cunningham, Michael. 'Saying Sorry: The Politics of Apology.' *The Political Quarterly* 70.3 (1999): 285-93.
- Detienne, Marcel. *Masters of Truth in Ancient Greece*. New York: Zone Books, 1999.
- Gibney, Mark and Erik Roxstrom. 'The Status of State Apologies.' *Human Rights Quarterly* 23 (2001): 911-39.
- Govier, Trudy and William Verwoerd. 'The Promise and Pitfalls of Apology.' *Journal of Social Philosophy* 33.1 (2002): 67-82.
- . 'Taking Wrongs Seriously: A Qualified Defence of Public Apologies.' *Saskatchewan Law Review* 65 (2002): 139-62.
- Griswold, Charles L. *Forgiveness: A Philosophical Exploration*. Cambridge: Cambridge UP, 2007.
- Joyce, Richard. 'Apologizing.' *Public Affairs Quarterly* 13.2 (1999): 159-73.
- Mihai, Mihaela. 'When the State Says "Sorry": State Apologies as Exemplary Political Judgements.' *The Journal of Political Philosophy* 21.2 (2013): 200-20.

- Reilly, Alexander. 'Sovereign Apologies.' *Sovereignty: Frontiers of Possibility*. Ed Julie Evans, Ann Genovese, Alexander Reilly and Patrick Wolfe. Honolulu: U of Hawaii Press, 2013. 196-219.
- Thompson, Janna. 'Apology, Justice and Respect: A Critical Defense of Political Apology.' *The Age of Apology*. Ed. Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud and Niklaus Steiner. Pennsylvania: U of Pennsylvania P, 2008. 31-44.
- Torpey, John. 'Introduction: Politics and the Past.' *Politics and the Past: On Repairing Historical Injustices*. Ed. John Torpey. Lanham: Rowman and Littlefield, 2003. 1-34.
- Verdeja, Ernesto. 'Official Apologies in the Aftermath of Political Violence.' *Metaphilosophy* 41.4 (2010): 563-81.