

## Group Apology as an Ethical Imperative

E L A Z A R B A R K A N   A N D   A L E X A N D E R   K A R N

### 1. The Practice of Justice: An Ethical Imperative

In his *Republic*, Plato flirts with the notion that humans are diverted into the path of justice only by coercion and force of law. Given the opportunity to commit injustice and avoid punishment, reasonable humans choose to act in their own interest, because that is what nature deems good. Rehearsing the tale of Gyges, who one day finds a magic ring which confers on him the power of invisibility, Plato (as Glaucon) concludes “that a man is just, not willingly or because he thinks that justice is any good to him individually, but of necessity, for wherever any one thinks that he can safely be unjust, there he is unjust.”<sup>1</sup> Although we may praise in public the individual who exhibits self-restraint when presented with an opportunity to live “like a God among men,” privately, Plato suggests, we regard this character as “a most wretched idiot.” We do not—indeed, cannot—expect to see justice practiced voluntarily, since humans, unless confronted by the possibility of exposure and punishment, are unwilling either to speak truthfully or pay their debts (for Plato, the twin hallmarks of justice).

Of course, Plato (as Socrates) ultimately rejects Glaucon’s proposition, arguing instead that humans submit freely to justice and law because they profit by doing so. There are ample rewards for those who restrain themselves in the face of temptation and make amends in the case of transgression. Justice, in this scheme, represents more than a middle road—as Plato’s Thrasymachus characterizes it—between what is best (that is, to do evil and escape punishment) and what is worst (that is, to suffer injustice without remedy). Instead, the practice of justice becomes a certifiable good, an exercise in right behavior, inextricably linked for an idealist like Plato to the unfolding and refinement of history and reason. Philosophers, having identified the nexus between justice and right, need only to map its terrain for their fellow citizens in order for society to blossom fully and prosper. In the ideal state,

sapient humans, well taught by the philosophers who govern them, *hope* to be punished for their trespasses and *wish* to be set on the path of justice:

He who is undetected only gets worse, whereas he who is detected and punished has the brutal part of his nature silenced and humanized; the gentler element in him is liberated, and his whole soul is perfected and ennobled by the acquirement of justice and temperance and wisdom, more than the body ever is by receiving gifts of beauty, strength and health, in proportion as the soul is more honorable than the body.<sup>2</sup>

Here, Plato suggests that humans, given proper instruction and opportunity, will gladly accept censure and punishment in cases where they have lapsed into injustice. In the ideal state, humans are conditioned to feel the injuries of others as their own and are motivated to do whatever is in their power to repair these wounds because they view the exercise of care as an avenue to self-improvement and social perfection. Freely chosen in the first instance, the practice of justice rises steadily in Plato's perfect world to the level of *ethical imperative*. As long as our faculties are undisturbed and our wits intact, we cannot help but practice justice; for Plato, it is in our nature to do so.

Outside the pages of the *Republic*, humans, not up to the standards of the philosopher-king, are often less than perfect. We retain a capacity for acts of immense irrationality (not to mention cruelty and callousness), and we adapt ourselves readily to the moral disorder which Plato once hoped to eliminate from the world. We humans, it seems, can get used to anything, bending our practice and shifting our allegiances to enhance our chances for fulfillment and self-gratification. And yet, in spite of this moral elasticity, we retain a commitment to the practice of justice, even for injuries suffered generations ago. There is an impulse in us which flies in the face of Glaucon's cynicism and refuses the uncertainty of the postmodern age. Our striving for justice, however naïve or idyllic it appears in the light of rational skepticism, nevertheless is rooted deeply in our conscience so that we find ourselves bothered even by distant episodes of injustice to which we are not directly party. This sneaking but persistent sense of guilt is particularly intriguing in light of the centrality attributed to *Realpolitik*. So, what is the relationship between justice and the politics of everyday existence?

International law and conventions reveal the depth of our political idealism and manifest in part our aspirations for a global *Republic*. Aiming to legislate good will and political justice, these international instruments reach for higher moral ground, but often fail miserably as pragmatic guides. This volume aims to explore in a comparative and interdisciplinary framework the

role and function—as well as the limitations—that apology has in promoting dialogue, tolerance, and cooperation between groups confronting one another over past injustices. The essays collected here seek to explain how and to what degree apology injects an idealist component into realist political discourse; or, to put it in another way, how apology manages to accommodate both perspectives at once. It seems clear now that a one-sided approach to the subject is too narrow. By bringing our moral aspirations to the “old-fashioned” negotiations and bargaining of national and international politics, are we moving closer to a global *Republic* as a result? The borders of our ideal *Republic* have been enlarged not only geographically, but also temporally, and we direct our aspirations for justice to the past as well as to the future. As the desire for equanimity is directed to history, and we attempt in our narratives of the past to accommodate minority voices, a picture emerges that is also more tangled and recriminating. Every example of past cruelty and injustice becomes a potential contemporary political topic for denizens of the *Republic*. The growing list of historical cases that demand our attention and emerge as candidates for compensatory measures is a testimony to the expansiveness of the moral *Republic*, as well as to its concrete, political impact. However, not all cases receive equal public attention; the details and nuances are the subject of the following essays.

After the end of the Cold War, and especially during the last fifteen years, the human need to amend immoral wrongs has been expressed in political discourse as a propensity to apologize for acts of past injustice. Nicholas Tavuchis was among the first scholars to take up the subject of these political apologies, and his text *Mea Culpa: A Sociology of Apology and Reconciliation* still serves as a historical starting point for the field.<sup>3</sup> Tavuchis regarded apology as one of the “deep truths” of social life and as a “moral expedition” which could repair damaged social relations and allow the parties to past injustices to go on with their lives. As the middle component of a “moral syllogism,” the apology, in Tavuchis’s scheme, bridged a linguistic and psychological gap between the victim’s need for acknowledgment and the perpetrator’s desire to reclaim his humanity. The passage of time since Tavuchis’ publication is indicative of the shift in the public significance of apologies. Where Tavuchis once asked, “How do these apologies, which appear both magical and mundane, do their work?” he referred to apologies as an exceptional phenomenon. Today, the inquiry engages the center of the political dynamic.<sup>4</sup>

This propensity to apologize, the frequency of these delicate “speech acts” and the window which they offer into the realm of ethics, suggests that we

ought to “take wrongs seriously,” just as Ronald Dworkin once urged us to with respect to our rights, if we want to produce a nuanced theory of justice.<sup>5</sup> Group apology represents a new and compelling iteration of our commitment to moral practice. Despite new tensions and escalating hostilities associated with what some view as the new world disorder, apology remains a powerful trend in global politics. Even as cycles of violence propagate in some spots, in others we see rival groups willing to put their troubled histories in the service of justice and peace. Indeed, we have witnessed during the past two decades an increased willingness on the part of perpetrators to engage the demands of their victims.<sup>6</sup>

The critics of group apology have been vocal. By dredging the past for episodes of injustice, they claim, we divide and unsettle communities trying to forge a common future. They argue that we cannot judge history fairly against the standards of the present. They warn that we overlook the problems of today, as well as those looming ahead, by focusing too much on the past. They characterize apology as lip service and empty rhetoric, or as overly idealistic window dressing for hard-nosed legal and political negotiation. Even where it may be warranted, the critics argue, apology turns out to be a cheap and easy way for perpetrators and their descendants to assuage their guilt. On the other hand, even among those who do regard history and memory as a source of contemporary identity, there are some who reject apology as an act of erasure and a dangerous step down the slippery slope of forgetting. The complexity of life ensures that there is some truth in these perspectives, as well as the need for critics to address the popularity of apology, which despite compelling arguments against it, continues to have enormous appeal in an age of supposed political amorality.

A wave of apology continues to work its way through global politics. In September 2003, the presidents of Croatia and Serbia-Montenegro unexpectedly exchanged apologies for “all of the evils” perpetrated by their countries.<sup>7</sup> Likewise, the Irish Republican Army surprised many of its supporters and critics in July 2002 by offering “sincere apologies and condolences” for the deaths and injuries of noncombatants during thirty years of sectarian violence.<sup>8</sup> In California, Governor Gray Davis apologized to more than 20,000 individuals involuntarily sterilized under a state-mandated eugenics program which operated until 1964.<sup>9</sup> In Canada, the provincial government in British Columbia apologized to those who suffered severe emotional and sexual abuse while living in state-chartered homes for the developmentally disabled.<sup>10</sup> In Japan, controversy erupted when researchers discovered among the papers of Emperor Hirohito a letter of apology for Japanese aggression during the Second

World War.<sup>11</sup> The letter, drafted in 1948 but never published or delivered publicly, expresses “deep shame” for what Hirohito terms acts of “immorality,” though it is addressed, to the consternation of many, to the Japanese people rather than the victims of Japanese aggression. An apology offered by leaders of Japan’s Zen Buddhist community for acts of wartime complicity was also charged by intense emotion.<sup>12</sup> A statement issued by leaders of Myoshin-ji (one of Japan’s main Zen temples) in September 2002 apologizes for lending religious credence to a militaristic regime bent on the destruction of “twenty million precious lives” and, more directly, for providing funds used by the Japanese imperial government to purchase military hardware. Apologies pry open the chapters of history which some prefer to remain closed. The Japanese examples reveal the difficulty of translating the western rhetoric of apology into terms consistent with non-Western culture. This challenge was particularly acute in the dispute over the appropriate Japanese governmental response to victims of sexual slavery during World War II.<sup>13</sup>

In the best cases, the negotiation of apology works to promote dialogue, tolerance, and cooperation between groups knitted together uncomfortably (or ripped asunder) by some past injustice. A sincere expression of contrition, offered at the right pitch and tenor, can pave the way for atonement and reconciliation by promoting mutual understanding and by highlighting the possibilities for peaceful coexistence. Practiced within its limits, apology can create a new framework in which groups may rehearse their past(s) and reconsider the present. By approaching their grievances through a discourse of repentance and forgiveness, rivals can explore the roots and legacies of historical conflict as a first step toward dampening the discord and frictions that they produce. It is possible, of course, to overstate the effectiveness of apology, but the psychological attraction it has for perpetrators, victims, and those who live in the shadow of historical injustice seems empirically undeniable. Especially at the *group level*, apology has emerged as a powerful negotiating tool for nations and states eager to defuse tensions stemming from past injustices.

Other well-known examples of the apology phenomenon include: Pope John Paul II acknowledging the role played by the Catholic Church in fomenting anti-Semitism; the determination of ordinary Australians to observe a “National Sorry Day” in commemoration of the injustices suffered by the indigenous Aboriginals and Torres Strait Islanders; President Bill Clinton’s apology to survivors of the Tuskegee Syphilis Study; President Jacques Chirac’s public meditation on France’s collective responsibility for Vichy and the deportation of Jews to Nazi death camps; Kevin Gover (himself a Pawnee)

apologizing on behalf of the Bureau of Indian Affairs in September 2000 for “efforts to annihilate Indian cultures” and a pattern of negligence in federal policy which has produced widespread poverty, disease, and disenfranchisement among many of the Native American tribes; Bishop Desmond Tutu’s stewardship of the Truth and Reconciliation Commission (TRC), an organ established in 1995 to help South Africa overcome the most damaging legacies of apartheid; and, finally, the “superfund” established by a consortium of Swiss banks in 1997 to compensate Holocaust survivors and their heirs for lost wages, assets, and incalculable suffering. These are some of the best examples in a long string of apologies, which dates back to the early- and mid-1990s.<sup>4</sup>

Although each case entails its own unique problems and complexities, the overall willingness of these individuals and groups to engage in what we may call *negotiated history* is remarkable. Through a process of open dialogue, victims and perpetrators can exchange perspectives, combine their memories, and recover their lost dignity. As they allow themselves to become enmeshed in each other’s stories, historical adversaries uncover new possibilities for self-definition and fresh avenues for cooperation. Apology can unlock the door to a more peaceful and secure future. Whether or not groups choose to take advantage of these openings is a different matter.

## 2. Amending the Past: Ethical and Political Considerations

The age of apology is distinguished by its unparalleled commitment to remove the past as an obstacle to productive and peaceful intergroup relations. Although they obviously do not erase or undo what has already happened, apologies can *amend the past* so that it resonates differently in the present for those who feel aggrieved by it or responsible for it. In cases of intrastate conflict, for example, where the origins and causes of the conflict are often disputed, apology can create a possibility for closure and can assist in effecting successful transition and reconciliation. Robert Rothberg explores this potential in his work on apology, truth commissions, and intrastate conflict. He writes:

[S]ince the utterance of apology is capable of muting recrimination and reducing bitterness, public acts of contrition are able to assist, accelerate, or commence the process of post-traumatic reconciliation in a manner that enables a nation-state to build or rebuild. Without the conferring of apology, a post-conflict nation-state may remain no more than a collective of contending sections and groups in search of a whole.