The Age of Apology: Facing up to the Past

Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud,
and Niklaus Steiner (eds.), University of Pennsylvania Press, 2008, 333 pp.

Eric B. Litwack

One of the most characteristic features of our age is the search for recognition and moral equality. A key challenge for contemporary liberalism is finding the best model for accommodating the legitimate search for justice of aggrieved and historically oppressed groups within a framework that is both constructive and conducive to reconciliation and the strengthening of democracy. This is no easy task. It is daunting both because of the frequently controversial nature of claims concerning the past, and because of the important debate surrounding the role of the state and other collective bodies in representing and ultimately atoning for historic wrongs. Furthermore, collective apologies raise the question of the malleability of collective memory. Can a society re-interpret its past in order to do greater justice to its victims and move in a better direction? It seems entirely likely that how the current generation navigates these continuing problems and debates will have a major influence on our moral and political future. I will point to some of the specifically philosophical problems to be dealt with below.

In *The Age of Apology*, the editors have compiled a broad and useful collection of twenty pieces focussing on the historical and political aspects of collective apologies within and between states, by the Vatican and corporations, and in the context of the war on terror. The topics range from the importance of post-colonial soul-searching and amends-making, reparations for slavery, and the failings of American democracy. Some attention is paid here to the important cultural specificities of apology and restitution, although the question of cultural evolution in the West merits greater attention. In particular, one of the very most important and influential sets of state apologies and atonement, that of post-war Germany for the Holocaust, is curiously neglected.

The legal stage is set early in the work by Richard B. Bilder in his article: 'The Role of Apology in International Law.' Bilder emphasises the wariness of some states to express collective remorse on behalf of their citizens due to concerns about litigation before international tribunals, and a desire to keep other options open, such as diplomatic initiatives unencumbered by admissions of guilt. Nonetheless

he says, with qualified optimism, that, 'Hopefully, current apologies for historical injustices will in fact help to heal long-held resentments and bring about a measure of reconciliation.' [p. 29]

Two of the editors of *The Age of Apology* have claimed a need for American apologies for waging a war on terror in their piece: 'Apology and the American "War on Terror."' Here, Mark Gibney and Niklaus Steiner are highly critical of apologies offered by senior U.S. administration and military officials, as well as what is taken to be unclear or inadequate apologies on their part, especially concerning the deplorable abuses and acts of humiliation at Abu Ghraib, accidental civilian casualties in the military campaign against terrorism, and the failure to anticipate and prevent 9/11. They state: 'as a nation we somehow believe that saying "We are sorry" to some Iraqis who have been harmed means that we do not need to say that "We are sorry" for the cruel and incompetent way in which the war and ensuing occupation have been carried out. And in believing this we are decidedly wrong.' [p. 295] As much as it is entirely reasonable to expect clear contrition on errors made during the current campaigns against terrorism and extremism, it is regrettable that not the slightest mention is made by the authors of the humanitarian arguments for the toppling of the Saddam Hussein Ba'ath Party tyranny, made both by many Iraqis and by many non-Iraqis. Furthermore, they elide any acknowledgement of the real threat that fanaticism and terrorism pose both to the democratic West and to the entire Middle East itself. Their focus here is entirely on errors of emphasis, flaws in the remarkably complex and error-prone world of military intelligence, and on atrocities and abuses. On the issue of imperfections in security and military intelligence before 9/11, it is important to invoke here the 'lighthouse effect' – one always hears of the one shipwreck and its horrors, but not of the solid function of preventing possibly thousands of other shipwrecks that the lighthouse performs.

In her entry 'Apologies: A Cross-Cultural Analysis' Alison Dundes Renteln concludes on a pessimistic note that, 'Until comparative research is undertaken to determine the extent to which apologies are used and the meaning they have for people in different regions, one cannot decide whether state apologies for human rights violations are viable.'[p. 73] This seems to raise the thorny question of moral relativism at first glance, but it is important to distinguish between local customs or courtesy on the one hand, and ethics on the other. Bracketing the huge and important debate over the extent to which ethics is relative to specific cultures, it is important to note here that apologies straddle the conceptual line between ethics

and customs. This is one of the reasons why they raise such daunting questions of clarification and policy.

Ethics and courtesy are by no means the same, and it is a common error of relativists to assume that they are. It is likely that restitution, responsibility and making amends are notions to be found in all cultures, across historical and geographical boundaries. *How* these notions are expressed has varied and does vary. Keeping this in mind will allow us to discern whether collective apologies, state reparations, or a combination of the two is optimal in a particular political and historical context. However, beyond surface courtesies, the basic underlying moral motivation for actions of redress should remain the same: accepting historical responsibility for past wrongdoings, when appropriate, and making amends. Saying 'sorry' is not merely a question of getting a particular culture right, although local customs must be considered in style and policy. It is rather a matter of expressing an attitude towards history and a desire to make the future better than the past.

This cultural question is raised in the context of Asian political culture in Elizabeth Dahl's 'Is Japan Facing its Past? The Case of Japan and its Neighbours.' Here, the cultural context of Japan's historic disputes with its neighbours, especially China and Korea, is presented as the background to the question of Japan's war guilt and the need for its coming to terms with its fascist expansionism. In addition to its reluctance to face its conquest and widespread oppression of subject Asian populations, Japan has only slowly expressed some degree of remorse for the sexual slavery, and in some cases murder, of the so-called 'comfort women.' Questions of national honour, saving face and a lack of adequate soul-searching in post-war Japan distinguish the framework for collective remorse that one sees in that country, compared to its former Axis ally, Germany. As slow and partial as Japan's coming to terms with its past may be, the very real resentment over widespread atrocities, such as the Nanjing Massacre and the comfort women, among formerly tyrannised Asian societies points to cross-cultural reactions to the Second World War and fascism that must be dealt with adequately. There is no other way to set the historical record straight and allow for improved intra-Asian relations in the future.

Still within the area of cultural change, Michael Marrus states in his 'Papal Apologies of John Paul II':

> Apologies usually seek to set things right in social or communal terms. Apologies are likely to achieve this when the statement of contrition involves a commitment to examine deeply wrongs done and ponder whether the wrongdoers' belief systems might themselves have been responsible for the harm. After all, fidelity to established beliefs, particularly beliefs that are not shared by both parties, carries no special appeal to those who have suffered. From their standpoint, what matters is whether lessons have been learned, and whether there will be change. [p. 269]

This underlines both the value of soul-searching on the part of offending societies and institutions, and the need to accompany this introspection with real improvements in future group behaviour.

Institutions such as the Vatican have exercised enormous symbolic suasion, and not just over their members. In the case of the papacy, the power to bring about redemption through healing and reconciliation is linked to religious and ethical practices, and it has been expressed in many collective apologies on behalf of one of the world's most ancient institutions. It is likely that such a combination of symbolic features will prove especially important in gaining results from collective apologies, particularly when they are linked to the renewal of doctrine and improved education. This might go considerably further than financial compensation to particular successor states in bringing about social improvement.

The question of post-colonial restitution is raised in a number of pieces in the anthology. For example, Peter Kerstens discusses Belgium's troubled conscience towards its former African colonies, Rwanda and Democratic Republic of Congo in 'Deliver us from Original Sin': Belgian Apologies to Rwanda and the Congo.' In 2002, the Belgian government accepted a critical parliamentary report on decolonisation of the former Belgian Congo and passivity in the face of the genocide in another of Belgium's former colonies, Rwanda. This led to an apology to both former colonies, a brief stimulus to Belgium's 1993 Universal Jurisdiction Law on genocide (repealed in 2003), and a desire to make amends. It is unclear from this piece whether or not the author thinks that humanitarian intervention to prevent genocide on the part of Belgium is a likely effect of the state apologies of 2002. In such extreme cases, in which the aggrieved parties continue to face an imminent and mortal threat, this would seem to be a desirable policy. What better course of action could there be to make amends for previous sins of commission and omission than to pledge not to allow future atrocities and possible genocide?

This may call upon state players to do more than they bargained for, but in that case, the problem may be in the original perceptions of the situation and its genuinely demanding terms.

Should America apologise for the historical slavery of its African-American population? This case is a distinctive one, because it involves not an aggrieved party beyond the boundaries of an institution, such as the Vatican, or a group beyond a state's jurisdiction, such as Japan and the victims of its fascist imperialism. Rather, it is a case of making amends with an historically oppressed and continuous minority *within* a state. Furthermore, it is entirely plausible to believe that there is an enduring legacy of harm that stretches back beyond the Emancipation Proclamation of 1863.

This question is discussed by Eleanor Bright Fleming in 'When Sorry is Enough: The Possibility of a National Apology for Slavery.' She claims here, on reasonable grounds, that such a collective apology to African-Americans on the part of the U.S. government would do much to reconcile the inheritors of that great evil and help to solidify social bonds in the United States today. She thinks that an American apology for slavery would help to reconcile white and African-Americans, and would also redeem America's venerable democracy from one of its most shameful and hypocritical derelictions. Comparing such an action in moral potential to the practice of Australia's Sorry Day, when Australians pause to remember their shameful treatment of Aborigines, Fleming states that 'A national apology would lay the foundation to bring citizens together to resolve the past, and create a new future for American democracy, in which race would not divide citizens.' [p. 98] She also claims that in order to be fruitful, such a national apology 'must not be a matter of white guilt, but rather a step in the progressive direction of reconciliation and racial healing.' [p. 101] Stressing the forward-looking and constructive elements of collective apology, properly framed, is both strategically advisable and morally commendable. It reminds us that there is a deeper point than guilt in all of this, namely, the building of a better future for rights violators and aggrieved alike. As such, it involves constructing our social narratives and collective memories so as to come clean about the past while reducing the odds of future harm.

Philosophical Problems

These are some of the key philosophical problems surrounding the debate over collective apologies: holism versus individualism, the value of symbolic versus

material restitution, and the question of inter-generational responsibility. All must be examined in order to know how best to carry on.

Holding entire societies responsible for past wrongdoings implies a significant degree of *holism* in the manner in which society is conceived. Seeing society as more than just the sum of its individual parts implies that it, or its representation through the state, takes on an institutional life of its own. The main challenger to holism in the philosophy of social science is methodological individualism, which counts social units as real only insofar as they are expressions of a combination of individual wills and interests. This perspective may seem initially attractive to liberals and democrats insofar as it gives priority to individuals, with the minimal state limited to regulating their rights and mutual contracts. However, its unqualified acceptance, typified by Lady Thatcher's notorious dictum that 'there is no society, only individuals,' implies that group intentions and responsibilities have no purchase. This would seem counter to common sense and historical sensitivity. Without falling into the pernicious errors of collectivism, it is desirable to avoid what Charles Taylor has termed 'atomism' – the excessive fragmentation of social life into mutually indifferent and often competitive individuals with neither a robust cultural identity nor a common history. If human beings are to live together with common ethical and political values, they require a sense of a shared past as well as a common hope for social justice and a better future.

Furthermore, as citizens, we identify with states and national cultures that carry the torch of past and present generations, and from which we acquire various benefits. An entirely legitimate part of such common values is recognition of the need to make amends for the past misconduct of political predecessors, as well as clarification of a shared historical record. This is especially important given our continued identifications with historically significant institutions like states and religious denominations, and our real benefits and interests related to them today. There is much talk of responsibility to future generations among environmentalists, and this shows sensitivity concerning our legacy towards the future. A similar degree of moral and social sensitivity is called for with respect to our shared pasts and their legacy – namely, ourselves.

Granted the philosophical and ethical legitimacy of restitution, the precise form it ought to take should be variable, in accordance with local customs and the interests of the aggrieved parties themselves. Furthermore, as much as a generally holistic approach to collective apologies is to be recommended, there is a reasonable

individualist proviso. Monetary compensation, when deemed appropriate by both parties, ought not be unduly harsh on the current generation of citizens of the offending successor state or other institution. In other words, a significant degree of historic responsibility for the actions of previous generations ought to be recognised by those who continue to benefit from membership in a continuous society. Endorsing and gaining from it today ought to involve coming clean about its sins. However, such symbolic recognition of past wrongs, with its attendant quest for redemption must be linked to a *reasonable* amount of financial aid on the part of those who have followed the offending generation. Not to do so would be unjust to successor generations, produce resentment towards a generally laudable goal, and thereby prove counterproductive.

That this requirement can be satisfied is shown easily in the case of German reparations for the Holocaust to survivors and the state of Israel. The post-war German state's acceptance of historical responsibility in this case has not prevented Germany from attaining a leadership role in the new Europe, nor has it prevented the German people of today from attaining one of the highest standards of living in the world. It has furthermore reflected well upon contemporary Germany that it has made this choice to face its dark past squarely, and this has been exhibited recently in its solidarity with the Jewish state in the face of a renewed and explicit threat of genocide from the Iranian dictatorship.

In the end, it is likely that some combination of symbolically rich apologies with economic compensation will prove optimal, in most circumstances. The main point is to recognise and atone for past wrongdoing, ameliorate contemporary inter-cultural relations, and set the grounds for a better global future. This can and should be done in a manner that underlines the primacy of symbolic action and the need for cultural change, without imposing an excessive burden on individuals who may identify with the offending institution and gain from it, but who should not be punished as individuals for its past wrongdoings.

To see the past as more than a fleeting draft version of the present, but rather as a deep cause of contemporary society that must be clarified and faced by the present, is required for any sophisticated conception of human society. Failing to do so, whether due to wilful ignorance or evasiveness, can only encourage superficiality in the self-understanding of societies and institutions, prevent the necessary rectification of past injustices, and facilitate further unethical conduct in the future. Collective apologies serve a vital role in this process of coming to terms with

history, on the part of both state and institutional players. Let us also note that they must be accurate, constructive and proportionate to be in order.

A final note: the inter-civilisational aspects of collective contrition are especially important at a time when the democratic world is both increasing its demographic pluralism and is forced to defend its key ethical and cultural values contrastively, in the world of ideas. It is important to consider, from a variety of perspectives, how notions of collective and historical responsibility can strengthen or weaken commitments to global democracy and human rights. In an era when the rumours concerning the 'end of history' have been clearly exaggerated, we require no less.

Eric B. Litwack is a philosopher on the faculty of Queen's University at Kingston's International Study Centre (ISC) in East Sussex. His *Wittgenstein and Value: The Quest for Meaning*, is forthcoming with Continuum Books.