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## Gender and the Public Apology

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### Introduction

In the last ten years, a healthy debate about the moral nature and limits of apology has emerged, focused particularly on the growing practice of official apologies by states, governments, corporations and churches. There now exists a substantial body of work dedicated to distinguishing the conditions for a morally and politically adequate public apology, and how these relate to broader issues of historical and collective responsibility, as well as numerous articles theorizing the language, pragmatics, politics, discourse, economics, performance, cultural variation and emotions involved in publicly apologizing.<sup>1</sup>

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<sup>1</sup> See, for example, Michael Cunningham, "Saying Sorry: The Politics of Apology," *The Political Quarterly* 70.3 (1999): 285–293, doi:10.1111/1467-923X.00231; John Borneman, "Public Apologies as Performative Redress," *S.AIS Review* 25.2 (2005): 53–66, doi:10.1353/sais.2005.0028; Sandra Harris, Karen Grainger, and Louise Mullany, "The Pragmatics of Public Apologies," *Discourse and Society* 17.6 (2006): 715–737; Alison Dundes Renteln, "Apologies: A Cross-Cultural Analysis," in *The Age of Apology: Facing up to the Past*, ed. Mark Gibney et al. (Pennsylvania: University of Pennsylvania Press, 2008), 61–76; Matt James, "Wrestling with the Past: Apologies, Quasi-Apologies, and Non-Apologies in Canada," in *The Age of Apology: Facing Up to the Past*, ed. Mark Gibney et al. (Philadelphia: Pennsylvania State University Press, 2008), 137–153; M. Augoustinos, B. Hastie, and M. Wright, "Apologizing for Historical Injustice: Emotion, Truth and Identity in Political Discourse," *Discourse and Society* 22.5 (2011): 507–531.

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It is disappointing, therefore, that theoretical work on the topic has largely failed to take seriously questions of gender.<sup>2</sup> The severity of this omission is especially striking once we acknowledge the growing body of evidence concerning “the ways gender plays a role in generating, or at least shaping, the forms and the effects of political violence perpetrated under authoritarian regimes and during armed conflict.”<sup>3</sup> Gender is deeply implicated in some of the most serious harms for which public apology is invoked as remedy. Similarly, feminist work in philosophy, psychotherapy, and on restorative justice has highlighted the significant role that gender plays in practices of apologizing; indeed, this research suggests that acts of apology (both private and public, political and apolitical) are already gendered, often in problematic ways.<sup>4</sup> It would seem that gender rears its head when we consider the figure of the apologizer,

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<sup>2</sup> Aaron Lazare and Nick Smith both include short sections on gender and apology, but in both cases their discussion is largely limited to the comparative apology styles of men and women and, in particular, claims based on sociologist Deborah Tannen’s work, that women apologize more than men. My intention in this paper is to convince the reader that the relationship between gender and the practice of apologizing goes far deeper than the quality and quantity of men’s and women’s individual utterances. See Aaron Lazare, *On Apology* (Oxford: Oxford University Press, 2004), 27-31; see also Nick Smith, *I Was Wrong: The Meanings of Apologies* (Cambridge: Cambridge University Press, 2008), 108-113.

<sup>3</sup> Ruth Rubio-Marin, “The Gender of Reparations in Transitional Societies,” in *The Gender of Reparations: Unsettling Sexual Hierarchies While Redressing Human Rights Violations*, ed. Ruth Rubio-Marin (New York: Cambridge University Press, 2009), 63.

<sup>4</sup> See J. Haaken, “The Good, the Bad, and the Ugly: Psychoanalytic and Cultural Perspectives on Forgiveness,” in *Before Forgiving: Cautionary Views of Forgiveness in Psychotherapy*, eds. Sharon Lamb and Jeffrie Murphy (Oxford: Oxford University Press, 2002); Sharon Lamb, “Women, Abuse and Forgiveness: A Special Case,” in *Before Forgiving: Cautionary Views of Forgiveness in Psychotherapy*, eds. Sharon Lamb and Jeffrie Murphy (Oxford: Oxford University Press, 2002); Sharon Lamb, “Forgiveness Therapy in Gendered Contexts: What Happens to the Truth?” in *Trauma, Truth and Reconciliation*, ed. Nancy Potter (New York: Oxford University Press, 2006), 229-256; Elizabeth Spelman, *Repair: The Impulse to Restore in a Fragile World* (Boston: Beacon Press, 2002); and Julie Stubbs, “Beyond Apology? Domestic Violence and Critical Questions for Restorative Justice,” *Criminology and Criminal Justice* 7.2 (2007): 169-187.

that of the recipient, the content of the apology, or the practice apologizing itself.

Why should a *philosopher* of apology pay attention to gender, in particular? Philosophers have focused on the moral nature of public apologies; that is, how such apologies function to take and express responsibility appropriately, to acknowledge the impact of wrongful harm on victims, and to contribute to moral and relational repair following wrongdoing. Philosophers have asked themselves when and for what it is morally appropriate to apologize, as well as how best to accomplish this task – that is, what makes for a good or even an ideal apology.<sup>5</sup> Normative theories of apology refer to familiar moral-philosophical themes of responsibility, respect, and moral emotion. In assessing an apology, we ask how serious the wrong was, how deeply it harmed and disrespected the victim, how far the apologizer takes responsibility, and how sincere her remorse appears to be. Yet feminist philosophical work has challenged traditional approaches to responsibility and to the emotions, demonstrating how both our moral practices and subsequent philosophical reflection on them are implicitly gendered, often in ways that harm or undermine the agency of women.<sup>6</sup> If the complex

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<sup>5</sup> For an overview of the philosophical literature on apology, see the following sources: Louis F. Kort, “What Is an Apology?” *Philosophy Research Archives* 1 (1975): 80-87; Kathleen Gill, “The Moral Functions of an Apology,” *The Philosophical Forum* 31.1 (March 2000): 11-27, doi:10.1111/0031-806X.00025; Spelman, *Repair: The Impulse to Restore in a Fragile World*; Sharon Lamb and Jeffrie Murphy, *Before Forgiving: Cautionary Views of Forgiveness in Psychotherapy* (Oxford, New York: Oxford University Press, 2002); Margaret Urban Walker, *Moral Repair: Reconstructing Moral Relations after Wrongdoing* (Cambridge: Cambridge University Press, 2006); Charles Griswold, *Forgiveness: A Philosophical Exploration* (Cambridge: Cambridge University Press, 2007); Nick Smith, *I Was Wrong: The Meanings of Apologies* (Cambridge: Cambridge University Press, 2008); Linda Radzik, *Making Amends: Atonement in Morality, Law, and Politics* (Oxford, New York: Oxford University Press, 2009); and Christopher Bennett, *The Apology Ritual: A Philosophical Theory of Punishment* (Cambridge: Cambridge University Press, 2010).

<sup>6</sup> The traditional ‘responsible person’, for example, was represented as an atomistic, autonomous, unencumbered individual, defined apart from their significant relationships. Feminists have shown both how this picture of the autonomous self only represents—at best—a select, elite few (whose autonomy depends on the

collection of behaviours, images, trait-attributions, and power relations that together constitute gender affects how we conceive of and recognize moral wrongs, respect, responsibility, and remorse, then the nature of apologizing cannot be separated from the genders of those engaged in it.

In this paper, I present a two-part argument for ‘gendering’ theories of public apology. First, I show that gender is deeply implicated in significant harms for which public apologies are demanded. Second, I argue there are multiple connections between gender and practices of public apology, connections that become evident once we consider apologies as public narratives, performed in public spaces and expressive of public responsibility.

### Apologies and Gendered Harm

Apologies are offered in the aftermath of wrongful harm. In making an apology, the apologizer represents him or herself as someone who takes responsibility for the actions in question, views them as both wrongful and harmful, acknowledges their impact on his or her victim(s), and expresses regret and remorse for both the wrongs and their effects on others.<sup>7</sup> Many apologies go further in taking

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labour of others) and how it fails to acknowledge a myriad of other ways in which we are responsible and responsive to one another, in chosen and unchosen relationships.

<sup>7</sup> The language of ‘taking’ responsibility is a deliberate choice here. Some may argue only the wrongdoer herself can apologize: anyone else would not bear the appropriate relationship of moral responsibility. I disagree; accomplices, inactive bystanders, witnesses, and members of a morally relevant collective may find themselves called upon to *take* responsibility for some or all of a given wrongdoing, or may wish to present themselves as responsible by apologizing for it. Insisting that no one but the primary wrongdoer can appropriately apologize ignores the complexities of responsibility for wrongdoing, as demonstrated by recent feminist work on the topic. See Iris Marion Young, “Responsibility and Global Labor Justice,” *Journal of Political Philosophy* 12.4 (2004): 365-388; Tracy Isaacs, *Moral Responsibility in Collective Contexts* (New York: Oxford University Press, 2011); and Serena Parekh, “Getting to the Root of Gender Inequality: Structural Injustice and Political Responsibility,” *Hypatia* 26.4 (2011): 672-689. Whether that relationship of responsibility is accepted by the putative recipient (and others) is a different

responsibility: offering some compensation or reparation, promising not to engage in any further, similar, actions or policies, and taking further steps to mend or build the relationship between apologizer and addressee.

Central to the success of a given apology is the question of *fit*: do the elements of narrative (i.e. the story that is told by the apologizer), responsibility, and future commitment fit the seriousness and extent of the wrongful harms in question? Do they match up to what happened? To whom it happened? Do they accurately describe the relationships involved? An apology can misfire when its recounting of the wrong does not match the victim's own understanding, whether by downplaying the harm involved, offering excuses, casting the apologizer's intentions in a better light, or glossing over key aspects of the injury. Equally problematic are apologizers who address the wrong victim altogether, mischaracterizing what happened by rewriting to whom it happened. Apologies are performative utterances—in J.L. Austin's terms, they *do* things with words<sup>8</sup>—and what they do is accomplished, in large part, by the story that is told: their narrative power. Apologies can alert others to the very fact of wrongdoing, draw witnesses' attention to the extent of the harms done, elicit sympathy and solidarity from new sources, and can convince skeptics that the victim's claims are legitimate. Part of the demand for an apology arises out of the satisfaction that comes from having one's story acknowledged publicly, especially if the events have caused distress, or have been widely denied: "Yes, *that's* what happened to me. That's why it hurts. That's it, exactly." The narrative power of public apologies is especially significant, as these can also alter legal and political record, changing official histories, and can reverberate across media and popular discourses both nationally and internationally.

Thus normative theorists of public apology ought to pay attention to gender if for no other reason than the content of public

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question, but by apologizing, one of the things an apologizer does is to position herself in a relationship of responsibility to the act in question.

<sup>8</sup> J. Austin, *How to Do Things with Words*, 2nd ed. (Cambridge: Harvard University Press, 1975).

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apologies—how we conceive of and articulate what gets apologized for—affects their practice, and gendered harms are something for which public officials are called upon to apologize. Indeed, there are four different kinds of harm in which gender is particularly implicated. They include gendered harms to groups targeted on the basis of gender, e.g. sexual violence as a tool of war, harms to mixed-gender groups that have a gendered dimension that intensifies or amplifies the harm (e.g. certain harms to families and family homes), patterns of sexism and gender-based exclusion, and harms likely to be overlooked for gender-related reasons.

In a period nicknamed the “Age of Apology,”<sup>9</sup> the culture of ubiquitous apology has not yet extended to gendered harms; apologies for harms against groups of women remain relatively rare. Official apologies are typically invoked as a form of symbolic reparation, offered alongside financial and material reparations, in the aftermath of conflict or oppression,<sup>10</sup> and efforts to include reparations for harms against women in any larger reparation movements are still nascent—indeed, recognition of many gendered harms themselves is recent. Acts of sexual violence can now be charged as war crimes, acts of genocide, and crimes against humanity under international law, but this recognition only solidified with the International Criminal Tribunals for the former Yugoslavia and Rwanda<sup>11</sup>. Moreover, sexual violence is not the only harm women suffer in situations of armed conflict and political oppression. Margaret Urban Walker’s work on gendered violence and reparations makes the case for recognizing a far more complex matrix of

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<sup>9</sup> Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner, *The Age of Apology: Facing up to the Past* (Philadelphia: University of Pennsylvania Press, 2008).

<sup>10</sup> Margaret Urban Walker, “The Expressive Burden of Reparations: Putting Meaning into Money, Words, and Things,” in *Justice, Responsibility and Reconciliation in the Wake of Conflict*, eds. Alice MacLachlan and C. Allen Speight, Boston Studies in Philosophy, Religion and Public Life (Dor: Springer, 2013).

<sup>11</sup> Margaret Urban Walker, “Gender Violence in Focus: A Background for Gender Justice in Reparations,” in *The Gender of Reparations: Unsettling Sexual Hierarchies While Redressing Human Rights Violations*, ed. Ruth Rubio-Marin (New York: Cambridge University Press, 2009), 18.

gendered violence, emphasizing how gender may augment or reinforce broader harms in complicated and subtle ways, while Ruth Rubio-Marin notes that “reparations efforts in the past have concentrated on violations of a fairly limited and traditionally conceived category of civil and political rights.<sup>12</sup> Even within the now recognized category of sexual violence—and considering the widely documented use of rape in warfare—there remain only a few notable examples of official apologies to groups of women for sexual violence, past or present.

Most famous, perhaps, are the various apologies to former ‘comfort women’— that is, women from Korea, China, the Philippines and other Japan-occupied territories who were forced to provide sex to Japanese soldiers, during World War II. These apologies took several forms over several decades. In 1992, a Japanese Chief Cabinet Secretary Koichi Kato offered an official apology to Korean former comfort women. Since 1996, letters of apology have been sent, signed by various Japanese Prime Ministers, to individual former comfort women. Finally, in March of 2007, an initial denial that the Japanese government was implicated in sex slavery by Prime Minister Toru Yamanaka resulted in an official parliament-level apology.<sup>13</sup>

There are a few, more recent, examples of official apologies issued in the wake of sexual violence. 2012 saw the US Assistant Secretary of State apologize after two American servicemen raped

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<sup>12</sup> Rubio-Martin, “The Gender of Reparations in Transitional Societies,” 64.

<sup>13</sup> For a more detailed history and analysis of this case, see the special issue of *positions: asia critique* (5:1 Spring 1997) dedicated to discussing the history of ‘comfort women’, as well as “Comforting the Nation: ‘Comfort Women’, the Politics of Apology and the Workings of Gender.” See also Norma Field, “War and Apology: Japan, Asia, the Fiftieth, and After,” *Positions: Asia Critique* 5.1 (1997): 1-49; Hyun Sook Kim, “History and Memory: The ‘Comfort Women’ Controversy,” *positions: asia critique* 5.1 (1997): 73-108; Won Soon Park, “Japanese Reparations Policies and the ‘Comfort Women’ Question,” *Positions: Asia Critique* 5.1 (1997): 107-136; and You-Me Park, “Comfrotting the Nation: ‘Comfort Women,’ the Politics of Apology and the Workings of Gender,” *Interventions: International Journal of Postcolonial Studies* 2.2 (2000): 199-211.

Japanese women,<sup>14</sup> and the Royal Canadian Mounted Police issue an apology for their inaction and recalcitrance in the case of Robert Pickton, a Vancouver serial killer who targeted sex trade workers.<sup>15</sup> Yet these incidents are dwarfed by the broader pattern of silence following sexual violence. Apologies for documented policies of sexual violence during civil and international war have not been forthcoming, for the most part, despite repeated calls by advocates and NGOs. Notorious examples include the systematic brutalization and rape of Bangladeshi women during the 1971 Pakistani invasion,<sup>16</sup> the estimated 100,000 victims of mass rape during the three decades of civil war in Guatemala,<sup>17</sup> or the victims and survivors of the 60,000 estimated rapes that took place during the Bosnian War.<sup>18</sup> Indeed, while Serbian President Tomislav Nikolic recently offered an apology

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<sup>14</sup> Martin Fackler, "U.S. Troops in Japan on Curfew Amid Rape Inquiries," *The New York Times* (October 19, 2012); available from <http://www.nytimes.com/2012/10/20/world/asia/curfew-imposed-on-american-troops-in-japan.html>.

<sup>15</sup> The sincerity and extent of this apology remains the subject of controversy. See Susan Lazaruk, "RCMP Offer Apology over Investigation," *Canada.com* (January 27, 2012); available from <http://www.canada.com/RCMP+offer+apology+over+investigation/6066952/story.html>; "RCMP Apologizes for Not Doing More in Pickton Investigation," *The Toronto Star*, January 27, 2012, sec. News; available from <http://www.thestar.com/news/article/1122788--rcmp-apologizes-for-not-doing-more-in-pickton-investigation?bn=1>; and "RCMP Apology over Pickton Murder 'Not Enough,' Victim's Father Says," *The Globe and Mail*; available from <http://www.theglobeandmail.com/news/british-columbia/rcmp-apology-over-pickton-murder-not-enough-victims-father-says/article542859/>.

<sup>16</sup> Bijoyeta Das, "Bangladesh Rape Victims Say War Crimes Overlooked," *Women's eNews*, September 6, 2011; available from <http://womensenews.org/story/rape/110904/bangladesh-rape-victims-say-war-crimes-overlooked#.Uhh9jGTTVpI>.

<sup>17</sup> Ofelia De Pablo, Javier Zurita, and Giles Tremlett, "Guatemalan War Rape Survivors: 'We Have No Voice,'" *The Guardian*, July 28, 2011; available from <http://www.theguardian.com/lifeandstyle/2011/jul/28/guatemalan-women-mass-rape-give-evidence>.

<sup>18</sup> Michele Lent Hirschl, "Bosnia (Women's Media Center: Women Under Siege)," February 8, 2012; available from <http://www.womenundersiegeproject.org/conflicts/profile/bosnia>.

for the massacre of 8,000 Muslims in Srebrenica,<sup>19</sup> he failed to mention the gang rapes that were part of these genocidal acts, and there has been no apology for the mass gang rapes in Foca, in 1992,<sup>20</sup> or indeed the 20,000-60,000 estimated rapes that took place over the course of the war, despite calls from organizations like the Association of Women Victims of War and Mothers of Srebrenica. If we are living in an age of apology, then sexual violence stands in stark contrast to the prevailing Zeitgeist.

Furthermore, sexual violence is not the only gendered harm that calls for apology. There is a gendered dimension to historical wrongs not typically categorized as *gendered* wrongs. These include the forced displacement of populations, the removal of children from homes and families, as well as control over reproduction, including forced abortions and sterilization. In 2008, the Australian and Canadian governments apologized to indigenous peoples for the forced removal of children from families and communities, through government policies of residential schools and forced placement in white homes. There exist multiple dimensions of serious harm in these racist and genocidal policies, but gender is among them. The seizure of children led to the destruction of families, homes, and communities, and the effects of harms to family are often disproportionately felt by women.<sup>21</sup> Furthermore, the excuse for seizing indigenous children was—in many cases—spurious claims of unfit (typically explained as insufficiently Christian) homes. Indigenous mothering was judged by colonial authorities to be

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<sup>19</sup> Damien McElroy, “Serbian President in Historic Srebrenica Massacre Apology,” *Telegraph.co.uk*, April 25, 2013; sec. worldnews; available from <http://www.telegraph.co.uk/news/worldnews/europe/serbia/10017552/Serbian-president-in-historic-Srebrenica-massacre-apology.html>.

<sup>20</sup> Brandon Hamber and Ingrid Palmay, “Gender, Memorialization, and Symbolic Reparations,” in *The Gender of Reparations: Unsettling Sexual Hierarchies While Redressing Human Rights Violations*, ed. Ruth Rubio-Marin (New York: Cambridge University Press, 2009), 368-369.

<sup>21</sup> I discuss these apologies in more detail in Alice MacLachlan, “Government Apologies to Indigenous Peoples,” in *Justice, Responsibility and Reconciliation in the Wake of Conflict*, eds. Alice MacLachlan and C. Allen Speight; Boston Studies in Philosophy, Religion and Public Life (Dordrecht: Springer, 2013).

insufficient mothering, and so state and church schools (rife with cultural, physical, and sexual violence) were required to remedy this supposed gender role failure.<sup>22</sup> Indeed, an exhaustive list of apologies for gendered harms would also track calls for apology regarding past and present government policies of reproductive violence, including forced or denied abortions, practices of sterilization, coerced marriages, as well as the forcible removal of children from homes. These harms are all gendered-based both because they are committed against women, and because their spurious justifications invoke gender ideals—that is, they are committed against women deemed to fall short of gendered ideals of femininity and motherhood.

### Apology, Power, and Performance

The remainder of my discussion turns from the possible content of public apologies to the practice itself. Gender complicates how an apology is performed, taken up, and read by others, as well as the apology's transformative significance for broader political change, in ways that are not immediately evident. First of all, people of different genders are likely to be socialized differently when it comes to the rhetorical spaces of apology: that is, situations of conflict, anger, and resentment. Women—that is, persons socialized to see themselves as feminine and who are treated as feminine by others—face pressures to be “compassionate and giving” rather than “angry and vindictive” victims that men in positions of privilege do not. Indeed, there is a substantial body of feminist work that describes how women are socialized not to express anger, how their anger is less likely to receive uptake from others, and how it may even lead to significant social punishment.<sup>23</sup> Just who is able to express

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<sup>22</sup> This is discussed in detail the role that sexism and sexual violence played in the colonial suppression of indigenous cultures across North America in Andrea Smith, *Conquest: Sexual Violence and the American Indian Genocide* (Cambridge, MA: South End Press, 2005).

<sup>23</sup> This is not to say that *only* women experience such pressures, or that all women face them uniformly. For example, men of colour – whose anger is stigmatized and exaggerated in racist society – may also experience pressure to be ‘calm’, ‘cooperative’ victims that white men and women do not. Similarly, persons

resentment, whose resentment gets read as appropriate, forceful and justified, and which protests are seen as warranting a response—these variables affect practices of apology. Women may be at risk of prematurely accepting apologies, accepting them for problematic reasons, or offering them for wrongs for which they are not responsible.

This scholarship redirects our attention from the apology itself to the rhetorical space in which it is uttered, a rhetorical space that is inflected by power. Philosophers have tended to focus on apology as a *moral* space, in which the apologizer lowers herself to the recipient, correcting for the asymmetrical disrespect of wrongdoing.<sup>24</sup> But apologies also take place in *social* spaces, marked by various asymmetries of social and political power, and thus vary widely in their expressions of power. We need only consider the difference between “I’m so, so very sorry—please, please forgive me” when spoken in rushed, anxious and soft tones and “I accept full responsibility for this unfortunate incident and sincerely apologize for

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diagnosed with mental illnesses may fear being labeled ‘hysterical’, ‘unreasonable’ or ‘mad’, in ways that track the stigma attached to female anger (certainly, the history of mental illness diagnosis is itself gendered). In other words, thinking about rhetorical spaces of anger draws our attention to multiple forms of oppression, and how these affect practices of apology. See Marilyn Frye, “A Note on Anger,” in *The Politics of Reality* (Berkeley: Crossing Press, 1983); Audre Lorde, “The Uses of Anger: Women Responding to Racism,” in *Sister Outsider* (Los Angeles: Crossing Press, 1984); Sue Campbell, “Being Dismissed: The Politics of Emotional Expression,” *Hypatia* 9.3 (1994): 46-65; Sharon Lamb, “Forgiveness Therapy in Gendered Contexts: What Happens to the Truth?” in *Trauma, Truth and Reconciliation*, ed. Nancy Potter (New York: Oxford University Press, 2006); Alison Jaggar, “Love and Knowledge: Emotion in Feminist Epistemology,” in *The Feminist Philosophy Reader*, eds. A. Bailey and C. Cuomo (New York: McGraw-Hill, 2008); Kathryn Norlock, *Forgiveness from a Feminist Perspective* (Lanham MD: Lexington Books, 2009); and Carol Gilligan, *Joining the Resistance: Psychology, Politics, Girls, and Women* (New York: Polity Press, 2011).

<sup>24</sup> Jean Hampton, “Forgiveness, Resentment and Hatred,” in Jeffrie Murphy and Jean Hampton, *Forgiveness and Mercy* (New York; Cambridge: Cambridge University Press, 1988); Pamela Hieronymi, “Articulating an Uncompromising Forgiveness,” *Philosophy and Phenomenological Research* 62.3 (May 1, 2001): 529–555; and Adrienne M. Martin, “Owning up and Lowering down: The Power of Apology,” *Journal of Philosophy* 107.10 (2010): 534-553.

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any offense,” uttered loudly, slowly, with confidence and authority. The former renounces social or interpersonal power, while the latter reinforces it. Words of apology can function as performative softeners, offering up moral authority or, on the other hand, they can serve to retain control over the rhetorical space: asserting a particular narrative while demanding that the hearer now respond. Philosopher Elizabeth Spelman describes the latter effect as the ‘subpoena’ power of apology, “pressing you for an appearance, a response... You have lost the moral high ground your anger might have afforded you. But more, it shifts the burden now to you.”<sup>25</sup> Legal scholar Julie Stubbs notes that there is not only a “strong social norm that encourages victims to accept an apology, even if it is not a convincing apology” but further that “apology is a common strategy used by abusive men... a feature of the ‘cycle of violence’.”<sup>26</sup>

The social identities (and attendant socialization) of apologizer and recipient are relevant to how we understand the relational effects of apology: that is, how it changes the relationship between speaker and hearer. Indeed, gender is not the only relevant variable at play here—apologies between individuals of different races, classes, ages, abilities and citizenships may require similar considerations of social power. Furthermore, considering the rhetorical spaces of apology reveals that we cannot assume apologies always function to effectively ‘lower’ the apologizer or ‘raise’ the recipient. Indeed, even in strictly moral terms, apologies do not always have an ultimately ‘lowering’ effect; equally, they are acts of moral cleansing. In apologizing, I take responsibility for wrong-doing but I also cast myself as right-thinking: someone who recognizes appropriate moral norms and possesses the courage to face up to past misdeeds, rather than shying away from my accuser. All in all, the apologizer can come out of the apology looking better and not worse.<sup>27</sup> In other words, the power dynamics of apologies compound the problem of widespread failures to appropriately recognize and

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<sup>25</sup> Spelman, *Repair*, 99.

<sup>26</sup> Stubbs, “Beyond Apology?” 177.

<sup>27</sup> I discuss the inflections of power in rhetorical spaces of apology in more detail in “Telling Sorry Stories” (unpublished).

offer reparations for gendered harms. Not only are gendered harms less likely to be recognized and gendered expressions of resentment less likely to be given uptake, but the moral practices we employ to manage and repair wrongdoing (apologies, acceptance, forgiveness) may reinforce rather than disrupt the asymmetries between wrongdoer and victim.

### **Public and Private Narratives**

Above, I noted that the narrative power of official apologies is significant, because they typically address a vast audience beyond the recipient, through national and international media coverage. This is not merely a question of large numbers. Official apologies are *public* narratives; they are uttered in public spaces, by public representatives, and are thus treated as matters of public interest, invoking the interests and concerns of society as a whole. From a gendered perspective, the public quality of official apologies is crucial, as the public/private binary and subsequent relegation of the feminine to the private sphere often comes to the fore in times of conflict. First, women's roles in conflict and resistance are often overlooked and depoliticized, even by women themselves. Colleen Duggan and Adila Abusharaf note that testimonials by women to truth commissions tend to concern "experiences of their menfolk, their children, and their loved ones" rather than the harms they themselves have suffered, or the actions they themselves have taken.<sup>28</sup> Second, victims of sexual and gendered violence often face significant socially enforced silence, shaming, and ostracization. As a result, such violence either remains entirely invisible, or is treated as abstract, a "stain on upon the social fabric of the nation, rather than being interpreted as a violation of women's rights as individuals."<sup>29</sup> Duggan and Abusharaf conclude that women victims are mostly like to fall between the cracks of truth commissions, which are less likely to be

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<sup>28</sup> Colleen Duggan and Adila Abusharaf, "Reparation of Sexual Violence in Democratic Transitions: The Search for Gender Justice," in *The Handbook of Reparations*, ed. Pablo De Greiff (Oxford: Oxford University Press, 2006), 639.

<sup>29</sup> *Ibid.*, 631.

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gender-attentive, and women's groups, which are forward- rather than backward-looking in their focus.

Given the relegation of women's experiences of harm, there is moral and political significance to the recognition offered by the sheer fact of public apology. An official apology has the power to name harms to women as wrongful harms, when they have not previously been publicly recognized as such. At the same time, it also asserts public (i.e. state or society-wide) responsibility for what are often seen as private, apolitical matters, or inevitable consequences of biology and soldier 'boys being boys.' Finally, public apologies name the victims as appropriate moral addressees, persons worth taking seriously and holding others accountable. A public apology, done well, offers tripartite recognition: women victims are named as moral interlocutors,<sup>30</sup> gendered and sexual harms are identified as significantly wrongful, and the state takes wider social responsibility for cultures of impunity around sexism and sexual violence. The performance of a public apology—words read out by a person of authority, in the space of government, and given air-time by national and international audiences—brings what has been considered private into public space through the presence of the victims who carry the marks of harm, thus disrupting the familiar public/private binary that hides harms to women and sexual abuse in private homes, reinforces patriarchy, and limits women's agency. Public apologies can thus potentially play a role in changing problematic gender dynamics and public conceptions of gender, and these social changes, in turn, may be an important part of post-conflict social and political repair.<sup>31</sup>

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<sup>30</sup> Lynne Tirrell, "Apologizing for Atrocity: Rwanda and Recognition," in *Justice, Responsibility and Reconciliation in the Wake of Conflict*, eds. Alice MacLachlan and C. Allen Speight (Dordrecht: Springer, 2013).

<sup>31</sup> Philosopher Colleen Murphy has argued that we should measure political reconciliation partly in terms of post-conflict political relationships that demonstrate reciprocity and respect for agency. See Colleen Murphy, *A Moral Theory of Political Reconciliation* (Cambridge, New York: Cambridge University Press, 2010). We can expand Murphy's argument and note that, since sexist relationships are asymmetrical rather than reciprocal, and disrespect women's agency, changing widespread sexist conceptions of gender also contributes to conditions of political reconciliation throughout a given society.

Of course, to achieve this recognition, public apologies must get the narrative right. Misrepresenting, neglecting or glossing over wrongs, and failing to acknowledge victims and their experiences, risks re-inflicting harms of silencing and disrespect. Furthermore, it plays into the gendered dynamics described in the previous section, creating a rhetorical space where there is excessive pressure on women to shoulder the responsibility for relational harmony by accepting the apology. Yet naming the harm appropriately is complicated by patriarchy, as the identification of the exact ‘harm’ involved in harmful treatments of women may itself be open to sexist interpretation. Many have critiqued the apology letters by Japanese Prime Ministers to former ‘comfort women’ for remaining vague about the nature of the violations in question, retaining euphemistic language, and tending to emphasize the harm to “honour and dignity”—an understanding of sexual slavery and violence that reinforces the link between women’s agency and value, on the one hand, and their sexuality and, especially, their sexual purity, on the other.

Moreover, the recognition power of apology can be compromised not only by the story that is told, but also by the choice of storyteller and the process of story-creation. In the context of transnational public apologies, one head of state typically apologizes to another. Since there remain very few female heads of state, public apologies are often made by one man and to another, each standing in for a broader group or polity. If women are present only as the *objects* of apology (that which is apologized for) and not the subjects of apology (either as speaker or hearer), then their subjectivity and agency is undermined and the private/public division is reinforced and not challenged. There is something especially disconcerting about representative responsibility, when the harm in question is gendered sexual violence. As Helen Field remarks:

Think, for example, of Prime Minister Hosokawa apologizing for Japanese colonial rule, including the institution of military comfort women, and South Korea President Kim Young Sam praising the prime minister’s “understanding of history”... How, one wonders, did those two men, in the prime of

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public life, understand the sexual humiliation and unending suffering of those elderly women, for the most part of humble origin?<sup>32</sup>

Earlier I noted that apologies reinforce and vindicate the agency of the victim, by telling the story of the wrong *as she herself understands it* (“Yes, that’s it, that’s what happened to me...”). But without consultation and attention to what victims themselves have to say, apologies remain wrongdoer narratives; the wrongdoer has the microphone, after all, even if he is uttering what it is victims would have chosen to acknowledge, had they the choice. This is risky for any apology, but particularly when individuals with considerable political power speak on behalf of those with very little, with very different experiences, and whose harms are likely to be made invisible or misrepresented.<sup>33</sup> An apologizer who gets the content, tone and sincerity of apology right, from the perspective of standard philosophical theories, can thus go morally wrong. Without attention to and care for victim input, the apology is paternalistic at best. At worst, the apologizer further objectifies the victim, making her the object and not the author of her own experiences.<sup>34</sup>

Even the notion of giving voice to silenced harms is not without its moral pitfalls. While public, authoritative, truth telling around gendered and sexual violence may ultimately disrupt cultures of shame and silence, one apology alone cannot accomplish this cultural transformation. As long as stigmas and repressive norms around women’s sexuality persevere, such apologies risks re-harming

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<sup>32</sup> Field, “War and Apology,” 7-8.

<sup>33</sup> This also highlights an interesting asymmetry between public and interpersonal apologies. While the request for victim input is usually taken to be a sign of insensitive (i.e. bad) private apology – i.e. “Just tell me what to say and I’ll say it!” – it can add value to a public apology, especially if the victims have not typically had their voices represented by the state.

<sup>34</sup> Indeed, we might describe such apologies as a particularly egregious form of the sexist act colloquially known as ‘mansplaining’, i.e. when a man informs a woman of something, at length, that she is in a much better to know (in this case, her own history of hurt), because of his (unconscious) presumption that he has epistemological authority and she does not.

and humiliating individual victims in the name of that broader social change. Public apologies may inadvertently “out” victims of sexual violence, if they are named or alluded to in identifiable ways, putting them at risk of public humiliation and shame, further ostracization, and material consequences including the loss of income, home and family, as well as exposure to physical violence and death.

Solutions to these dilemmas rest in *how* practices of public apology prioritize the agency of victims. This will vary from case to case, meaning that one ‘good’ apology may not resemble another. Instead of focusing on the conditions for performance of public apology and the inner state of the apologizer, we need to examine *who* is in a position to offer such apologies, how and where they are offered (whether verbal or written, public or sequestered, anonymous or named) and the extent to which the agency of the victims is prioritized, in the periods leading up to and following the apology. For theorists of apologies, this means focusing on apologies as practice rather than performance. The value of an uttered apology may lie in the process of constructing what ultimately gets said—who is involved, how equal and collaborative the process is, and who is chosen to speak—rather than the isolated act of speaking those words sincerely.

Equally important are the rhetorical spaces that follow and are opened up by an apology. As noted above, apologies can demand certain responses from victims and foreclose others, especially when those victims are socialized to repress anger and prioritize harmony: in Spelman’s words, their interpersonal powers of ‘subpoena.’<sup>35</sup> However powerful public apologies may be, they are unlikely to magically accomplish victim healing, which means that primary and secondary victims may still want to revisit histories of harm, uncovering further details and bringing new evidence and insights to light.<sup>36</sup> Thus, we have reason to distinguish between apologies that

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<sup>35</sup> Spelman, *Repair*.

<sup>36</sup> For example, Canadian historian Ian Mosby’s recent research uncovered a grim history of nutritional experiments and tests performed on malnourished Aboriginal children in residential schools, several years after the Canadian government apology. Ian Mosby, “Administering Colonial Science: Nutrition Research and Human

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function as subpoenas and those that open up rhetorical space for a wide variety of responses; the latter and not the former will likely reinforce victim agency. Philosophers have typically defined a good apology as one that gives the recipient definitive reasons to accept it. This assumes that the state of harmony that follows the acceptance of apology is always better than the disharmony that preceded it. When it comes to complicated histories of public and private wrongdoing, gendered or otherwise, this assumption does not hold. In gendered political contexts, where the apology may be one step in a longer process of negotiated narrative and meaning, ‘good’ apologies leave space for resistance as well as acceptance.

### Apology, Gender and Responsibility

Skeptics of public apology fear that unless they are accompanied by some other, material, measure of responsibility, such apologies are little more than a cheap and empty gesture; they seem to take responsibility while actually failing to do so in any concrete way. Simply naming oneself as responsible is not sufficient for moral self-congratulation, such skeptics object. The question is not, *is the government responsible for past violence or injustice?* (since all too often, there is widespread, credible evidence and common understanding that they are) but rather *what will they do about it?* And certainly, apology-skeptics have a point: apologies can potentially attend more to the state of the wrongdoers’ souls than the state of the victims’ lives, purging guilt and purifying the polity by narrating a story of moral growth and development, while victims remain marginalized, deprived and in compromised material circumstances.<sup>37</sup> Indeed, one

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Biomedical Experimentation in Aboriginal Communities and Residential Schools, 1942-1952,” *Histoire sociale/Social History* 46, no. 91 (2013): 145–172.. Assembly of First Nations Chief Shawn Atleo and other First Nations leaders have demanded a new apology, further inquiry, and measures of reparation, but these calls are being resisted by the Canadian federal government “First Nations Leaders Demand Apology for Nutritional Experiments - Manitoba - CBC News,” accessed August 29, 2013, <http://www.cbc.ca/news/canada/manitoba/story/2013/07/17/mb-aboriginal-children-nutritional-experiments-reax-national.html>.

<sup>37</sup> For example, the 2008 Canadian apology for residential schools stated that “we now recognize it was wrong” to separate indigenous children from their families

of the benefits of thinking about apologies as a process and not a performance the process may include not only future dialogue, but also the material and political commitments made in the apology utterance. Good processes of apology may have financial as well as discursive dimensions.

At the same time, even the mere admission of state responsibility is often a tremendous step forward, when it comes to gender violence and injustice. Human rights scholars and activists continue to hotly debate the extent to which states can be held responsible for patterns and practices of gender-based violence and inequality, despite the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979.<sup>38</sup> Despite ever-increasing research and investigation into the systematic basis for rape as a tool of war, and gender violence as a tool of colonialism, specific harms to women are too often dismissed as the result of ‘bad apples,’ ‘soldier boys being boys’ or problematic, but private and apolitical matters. The ceremony and publicity of an official apology challenge this perception. A public narrative of responsibility, even without further (financial) measure, accomplishes three things: first, by naming the harms together in public, it draws connections between seemingly discrete incidents, revealing a broader culture of impunity and sexism. Second, it brings the wrongfulness of sexual and gender-based harms into broader, national

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and culture, as if this realization was a new development, prompting the apology—the result of recent soul-searching and moral progress. Yet Canada had signed and ratified the 1948 UN Convention on the Prevention and Punishment of Genocide, many decades before the last residential school closed. The Convention lists, in Article 2, “forcibly transferring the children of the group to another group” as an act of genocide. See Sara Ahmed, *The Cultural Politics of Emotion*, 1st ed. (New York: Routledge, 2004), 101-121.

<sup>38</sup> CEDAW holds that states party to the convention, in addition to taking responsibility for specific state-sponsored human rights violations, must “modify the social and cultural patterns of conduct of men and women with a view to achieving the elimination of prejudices and customs and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women,” in Article 5. See Parekh, “Getting to the Root of Gender Inequality.”

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conversation. Third, by taking responsibility for these harms, the government implicitly commits itself to discharging that responsibility—meaning that others can now hold the government accountable for that commitment. Moreover, as Serena Parekh notes, governments are able to discharge responsibilities for structural problems in ways that individuals cannot: publicizing and educating others about their role in widespread harms, changing processes that made these harms possible, and acting collectively in response to those harms.<sup>39</sup>

Furthermore, symbolic acts of reparation have some advantages that material reparations do not. Brandon Hamber and Ingrid Palmary note:

Symbolic offer a unique opportunity to produce complex narratives because, unlike legal questions concerning, say, compensation where more clear delineations are needed between victim and perpetrators, symbolic measures, such as memorials, apologies, public acknowledgments, or museum projects, can offer abstract and complex representations of conflict.<sup>40</sup>

If patterns of responsibility for sexual and gender violence are complex, as Parekh argues, then measures adopted to express and acknowledge that responsibility may need to tell equally complex narratives. Furthermore, there are additional complications involved in measuring out responsibility in financial form when it comes to sexual violence, because of the persistent stigma attached to sex work and ‘sex for money’ in patriarchal societies. How the wrong for which money is offered gets named, in the apology, can alleviate the dangers of re-harming victims through stigma. Navigating the relationship between apology, responsibility and financial

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<sup>39</sup> Serena Parekh, “Getting to the Root of Gender Inequality: Structural Injustice and Political Responsibility,” *Hypatia* 26, no. 4 (2011): 672–689.

<sup>40</sup> Brandon Hamber and Ingrid Palmary, “Gender, Memorialization, and Symbolic Reparations,” in *The Gender of Reparations: Unsettling Sexual Hierarchies While Redressing Human Rights Violations*, ed. Ruth Rubio-Marin (New York: Cambridge University Press, 2009), 379.

compensation will again be a question of process rather than performance, with particular attention to how the agency of women victims is prioritized during that process.

### **Conclusion**

I have argued that normative theorists of public apology need to incorporate considerations of gender into their work, since gender is implicated both in many of the harms for which public apologies are offered, and in the practice, significance, and impact of offering public apologies in general. Thinking about gender draws our attention to the power dynamics of apology, revealing that not every instance of apology is a case of the apologizer 'lowering' him or herself, and that social identities play a role in how we offer and accept apologies, and the meaning we attribute to them. Moreover, in the case of public apologies, in particular, attention to gender reveals the significance of apologies as public narratives, and their power to challenge or reinforce problematic public/private distinctions, as well as telling complex stories of public responsibility for sexual and gender violence. Most significantly, thinking about gender (and indeed, the asymmetrical power relationships created by social power and group identity, more generally) reveals that the moral value of apologies does not ultimately lie in the performance of words or the inner state of the apologizer who utters them. If, as philosophers have argued, apologies are valuable because they respect the agency of victims, then that respect emerges most in the processes of discourse, negotiation, and listening that precede and follow that utterance, "We're Sorry."