

The Rhetoric of Official Apologies



Critical Essays

Edited by Lisa S. Villadsen
and Jason A. Edwards

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Front photo illustration: Danish Prime Minister Mette Frederiksen hugs Elmer, a man who as a child suffered in a state-run orphanage, on August 13, 2019 immediately after Ms. Frederiksen had given an official apology to care survivors at a nationally televised ceremony.

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Introduction

Lisa S. Villadsen and Jason A. Edwards

January 27, 2020 marked the seventy-fifth anniversary of the liberation of the concentration camp Auschwitz-Birkenau in then Nazi-occupied Poland. More than one million people were killed in this camp during World War II. Remembrance ceremonies were held in many countries. In the Netherlands, Prime Minister Mark Rutte apologized for the failure of the Dutch government during World War II to protect its Jewish citizens. With only few survivors left, it was important, he said, finally to “fully acknowledge what happened at the time,” namely that, “our country failed in its duty. When state authority became a threat, our public institutions failed in their duty as guardians of justice and security.” Noting the continued existence of Anti-Semitism, the prime minister stressed the importance of remembrance and a shared recognition of the collective responsibility, “we must fully acknowledge what happened back then and say it out loud.” Rutte tersely summed up the problem, “In all, we did too little. Not enough protection, not enough help, not enough recognition” and ended the speech on an unequivocal note of contrition, “I apologise on behalf of the government for the conduct of the Dutch authorities at that time.”¹

Rutte’s speech partakes in an interesting rhetorical phenomenon that has emerged since the end of the Cold War: political leaders apologizing for injustices perpetrated by or in the name of public authorities. Such apologies have been given on behalf of nation states or governments to subgroups of citizens or specific population groups or to citizens of another country who have suffered as a result of past policies. Official apologies have thus been used to give symbolic form to critical ethical self-reflection in many parts of the world. National leaders from countries like the United States, Canada, Japan, Australia, Sri Lanka, Rwanda, the United Kingdom, France, Italy, and Germany all apologized for their country’s past misdeeds. Although the

world has seen a wane in the frequency of official apologies since the 1990s when observers talked of an “age of apology,” current instantiations speak to the continued relevance of the genre, for example Belgian prime minister Charles Michel’s 2019 apology for the deportation, kidnapping, and forced adoption of app. 20,000 mixed-race children born to Belgian settlers and local women from 1959 and till the end of the colonial rule in Burundi, DR Congo, and Rwanda.²

As a recurring discursive phenomenon serving similar functions and with comparable constraints across different contexts, the *official apology* is arguably an internationally recognized rhetorical genre, albeit one whose meaningfulness and merit remains contested. While official apologies are considered symbolically and psychologically significant and as having political and social improvements as a potential outcome, skepticism remains regarding the meaningfulness and effect of this kind of statement. Rutte’s and Michel’s speeches thus belong to a genre which is typically not only well received by its immediate addressees, the victims, and some parts of the public and academia, but also regularly considered problematic by observers including pundits and academics. Later in this introduction we will come back to the controversial nature of official apologies, but first we pause to describe and define this phenomenon.

WHAT IS AN OFFICIAL APOLOGY?

An official apology is a statement of regret presented by a representative of a state or a government (e.g., a leading political figure such as a prime minister) to a particular group of citizens or an entire population (or subgroup thereof) of a different country for wrongs committed against them by or in the name of the state or government (e.g., social authorities, the military or educational institutions). Looking back at the past thirty years official apologies around the globe have dealt with issues relating to breaches of human rights, for example, as these have been perpetrated in the context of colonialism and warfare. Others have been oriented toward domestic issues of racism, religious oppression, sexism, and classism and often a mix of these. For example, in countries such as Canada, Ireland, United Kingdom, Australia, Sweden, Denmark, and Finland apologies have been given to former residents of state-run orphanages where children of particular ethnicities and marginalized social groups were placed against the wishes of their families.

Some scholars, including philosophers Alice MacLachlan and Janna Thompson and political scientist Michael Cunningham, call this kind of speech *political apologies* because not only are most such speeches given by political figures, but there is also an argument to be made for their being,

at least in part, political in nature.³ While this view has merits, we prefer the term *official apology* for two reasons in particular: first, the term “official apology” better describes the genre’s primary function, namely to offer an apology to a wronged group in a way that both underscores that this is a well-considered, very deliberate statement given in the name of the responsible authority (not just a single person who feels remorse) and its significance by doing it in public, typically either in a Parliamentary setting or at a ceremony dedicated to the victims. The word *official* is thus meant to underscore the significance of the publicness and ceremonial setting of these apologies. As we shall discuss immediately below, the public setting is important not just to the victims but also to the general public. The victims need the stigma that was unjustly visited on them to be lifted from them in the presence of the public who have indirectly underwritten this treatment. A public acknowledgment that what happened to the victims was due to no fault of their own can help victims free themselves of the thought that they are lesser people than others. At times, this aspect is directly addressed in an official apology. In her 2019 apology to state-run childcare survivors, Danish prime minister Mette Frederiksen recalled a conversation she had had with the spokesperson for the group of former orphanage residents, Poul Erik Rasmussen, who had likened the psychological effects and the social stigma of growing up in an orphanage with a physical burden,

Poul Erik, you once said that receiving an apology is a feeling of having carried a bag of cement on your back. And having it lifted off your shoulders. I think anyone can understand that when you carry a bag of cement on your back. Then you mostly look down on the ground. But when the heavy burden of the past is let go. Then you can straighten your back. And lift your gaze. And look ahead in life. And the rest of us may dare look you in the eye again.⁴

In the last part of this passage, Frederiksen skirts a topic also suggested by Rutte, namely that official apologies are a form of communication that addresses more than just the two immediately involved parties, the wrongdoer and the victim. This is part of the process of changing social relations for the better. Being placed in the role of civic witnesses to a transformation of the victims’ role in society is also important for the public’s self-understanding: watching, for example, the prime minister apologize enjoins the public to reconsider their understanding of both the victims’ experiences and place in society and their own. On our view, official apologies are important to the public in the same way as other forms of public address such as ceremonial speaking and major policy announcements can be: they communicate the current interpretation of the norms and values undergirding the society and the implications this has for policy both *vis-à-vis* particular groups and a more

general trajectory for social and cultural policies. We return to this perspective toward the end of this introduction.

The second reason why we prefer the term *official apology* over political apology is that although this kind of speech is most often presented by elected persons and on behalf of political bodies such as a government (and by implication the state), such statements may also come from top civil servants speaking on behalf of their agency, and there are examples of apologies being pronounced by monarchs and appointed heads of state, for example, the king of Norway (a constitutional monarchy), Harald V, who in 1997 apologized to the Sami for “the injustice the Norwegian state once imposed on the Sami people through policies of Norweganization.”⁵

A CONTROVERSIAL GENRE

As communication scholars we are interested in understanding the rhetorical power of official apologies in their complexity. Although official apologies at the time of their presentation are typically very well received by recipients and the media who report positively on the psychological relief and societal recognition they provide victims of injustice, we must look beyond the immediate emotional reactions and take both more theoretical considerations and longer-term reactions into account. Official apologies do not in themselves constitute changes in political, economic, and social conditions, and there are circumstances around their form that risk jeopardizing their value and therefore call for critical reflection. Scholars from a range of disciplines have thus raised concerns about official apologies, asking questions such as: How should a nation-state deal with past injustices? What is the specific purpose or value of an apology for events that took place in a distant past? What right do politicians or the population have to pass moral judgment on the past? How could a nation-state, if at all, atone for its historical past? How can the task of rebuilding communities harmed by historical injustices be undertaken? Are these apologies at all effective for moving reconciliation efforts forward? With what authority can a state leader apologize on behalf of a Parliament or even a state as a whole? Such questions span the fields of political science, sociology, psychology, and history and others. From a communication studies perspective, too, this genre is intriguing. Unlike other public speeches by state leaders, which may be politically controversial due to their *content*, the official apology is particularly interesting as a rhetorical form because its legitimacy as a *genre* itself is regularly put into question: How can a person who has no stake in acts of wrongdoing in a past time adequately express contrition and ask forgiveness? What would the rhetorical characteristics of a good apology be? What difference do pretty words make

anyway; isn't it just a form of moral grandstanding, leaving victims no better off, but the apologizer looking virtuous? Scholars, pundits, and politicians have addressed these complex issues with differing conclusions. This book attempts to answer some of these questions from the disciplinary perspective of rhetorical studies.

This book thus has as its main objective to contribute to the academic record by providing several in-depth studies of official apologies in order to analyze and critique their ability to perform the function intended for them. We believe that a rhetorical approach to the genre holds promise of a fruitful perspective due to rhetoric's dual commitment to analysis of specific wording and to the role of communication in political life. We conclude this introduction with additional reflections on the value of a rhetorical approach to the study of official apologies and of the potential value of the genre. First, however, it will be helpful to consider some of the most common reasons for skepticism against it, because many of these concerns, to varying degrees, turn out to reflect communicative aspects of the phenomenon.

THE CASE AGAINST OFFICIAL APOLOGIES

The perhaps most common reservation against the meaningfulness of official apologies concerns their symbolic nature: it is just words, and even if they are heartfelt and well-meaning, the past cannot be undone. An apology cannot change the past. This observation, trite though it may seem, is often stated, not just by critics of official apologies, but often also by way of preface in official apologies. Apologizers presumably mention it to convey their appreciation of the fact that the wrongs of the past happened and have consequences that affect the present and will stay with the victims in the future. This criticism concerns the official apology's status and effectiveness as a speech act, that is, a statement that is not only expressive of some meaning but performs an action in the saying. In J. L. Austin's terms apologies are performative, "illocutionary" speech acts, that is, statements that announce their own function and do something, namely apologize, as they are being pronounced. The "perlocutionary" function of apologies, that is, how the utterance affects the recipient or their actions, can range from acceptance, relief, and forgiveness or—when things go wrong—rejection and increased resentment.⁶ By mentioning the inability of an apology to change the past and yet going ahead with the speech act, apologizers allude to the perlocutionary potential of an apology and thereby create a space for what sociologist Nicolas Tavuchis talks about as the "miraculous" power of apologies: that in spite of their inability to change facts of the past they can change their affective valance in the present and for the future.⁷ Apologies can, if the recipient is willing to

accept them, make us think and feel differently about events in the past and thereby they can be an element in the creation of a better present and future. If an official apology rests on a mutual understanding and goodwill of the involved parties, it is with Kenneth Burke's term a form of symbolic action, that is, words that change our understanding of the world and our place in it.

A second common reservation about the meaningfulness of official apologies concerns the question of collective responsibility: How and why should people of today apologize for something that other people did, sometimes even several generations ago? For example, in Australia former prime minister John Howard asserted that present-day Australians should not be expected to take responsibility for these historical crimes, and he refused to apologize.⁸ On the issue of an American apology for slavery, the conservative social critic Camille Paglia opined, "all four of my grandparents were born in Italy; my mother did not arrive here until the 1930s. My people had nothing to do with the African slave trade, nor did most Asian immigrant groups."⁹ Similar nonresponsibility arguments have been made in debates over whether federal and state governments should apologize for slavery.¹⁰ In the 1990s and early 2000s, the British Parliament debated whether an official apology should be issued concerning the country's participation in the slave trade. Opponents of an apology objected based upon their nonresponsibility for the slave trade.¹¹

Against anti-apology arguments such as those launched by Prime Minister Howard, Ms. Paglia, the British government, and others who argue that the deplorable acts of parents should not be laid at the feet of their descendants, others have argued that there is a significant difference between assuming guilt for the deeds of others and assuming responsibility for them. On this view, an official contemporary apology should not be compared with an interpersonal apology where we expect the apologizer to be personally culpable for the wrongdoing apologized for. Because of their distance in time and personal involvement, official apologies are not about proximate guilt, but about the present taking collective *responsibility*, that is, publicly acknowledging that the acts of the past were wrong, expressing sorrow and remorse over the wrongdoing, and committing to nonrepetition and to new measures for improvement. Assuming this kind of responsibility is possible when there is an institutional continuity between the offending party and the present organization, institution, or national collective. This institutional continuity does not suggest that present-day individuals are guilty, but merely states that wrongs were committed in the name of institutions still in function.¹²

Significantly, official apologies do not speak on behalf of the past. An official apology does not suggest or imply that the actual perpetrators would agree with the apology. They are statements from and between contemporaries intended to have effect on the present and the future and are given on behalf of the community in the present. In Michael Marrus's words,

“Apologies are explicitly intended to express present-day reflections on [. . .] historic wrongs.”¹³

Still, some critics maintain that apologizing on behalf of a nation is problematic because it thereby undermines that nation’s self-perception. In Australia, former prime minister John Howard thus distanced himself from what had been labeled a “black armband view of history” which he criticized for seeing the country’s history as characterized by imperialism, exploitation, and racism, and similarly, in the United States, Republican presidential candidate, Mitt Romney, and Barack Obama’s opponent in the 2012 election, titled his campaign biography *No Apology: The Case for American Greatness*.¹⁴ This title was an allusion to Obama, whose stance on how to come to terms with America’s foreign policy mistakes was anathema to him and in his opinion made the United States look weak, reduced its claim to be the leader of the free world, and undercut its claim to exceptionalism.¹⁵

Some also link such new accounting of historical events with creating a backlash among those who dispute the apology to the further detriment of social cohesion and inclusiveness, arguing that revisiting and reinterpreting a country’s history does more harm than good. For example, in 1990 Czech president Vaclav Havel apologized to Germany for expelling Germans upon the conclusion of World War II. Havel’s apology created domestic public polarization and a heated debate in political circles about when and how the past should be interpreted. French president Jacques Chirac’s 1995 apology for France’s role in exporting Jews to Nazi death camps was widely praised. But it also caused a large domestic backlash used by nationalist groups like the National Front to obtain more supporters and political power. These kinds of protests led Judith Renner to argue that, “protests against an apology by the nation that is supposed to apologize reduces the apology’s credibility as an expression of regret and hence its effectivity and power as a means of reconciliation and rapprochement.”¹⁶

Similar concerns have been raised by Jennifer Lind who in her book *Sorry States* addresses the risk of backlash and its toxic effects on countries’ attempts to repair relations when apologies already have been given. She argues that contrition between states can actually be counterproductive and that silence about the past and working on bilateral issues that are mutually beneficial to both states can lead to greater cooperation and reconciliation than hitching too high hopes on a speech act as vulnerable to corruption as an apology.¹⁷ Lind persuasively suggests that official apologies must build on a strong political mandate for negotiators on either side to be able to withstand domestic resistance to apologetic remembrance.¹⁸

Others have argued that official apologies are in fact “exemplary” statecraft. Political scientists Mihaela Mihai and Mathias Thaler have thus suggested that in the case of liberal democracies, “living up to the principles

that define ‘us’ as liberal democrats implies acknowledging wrongs done to specific groups among ‘us.’ ‘We’ are the best that ‘we’ can be when ‘we’ look to our fundamental normative commitments and take responsibility for past suffering.”¹⁹ Others have similarly argued for the potential meaningfulness of official apologies as political discourse in the widest sense: concerned with communal values and a format for political action and as such a genre rehearsing and renegotiating norms of deliberative democracy and rhetorical citizenship.²⁰ Another version of this viewpoint holds that selective memory is a liability to a society; just as we should celebrate moments of greatness it is important to remember the ugly parts of history because without a complete reckoning there can be no real progress.²¹

The issue of collective memory is, however, also the subject of disagreement among commentators, advocates, and academics. Whereas the criticisms mentioned so far mostly are presented by voices belonging one way or another to mainstream majority groups such as politically moderate and conservative white people, we now turn to criticisms more often forwarded by minority groups who are the recipients of official apologies. Here, a central issue is who gets to speak and narrate a country’s and a group’s history and thus shape its collective memory. When a political leader offers an official apology, they are coming at it from a distant perspective. Typically, that leader had little connection to the wrongdoing in question, but because they represent the victimizing organization, they are tasked with offering an account of the past. The leader’s explanation of these injustices is often a sanitized version of events that occurred long ago. An additional problem is that official apologies are predicated on a structure where the victimizer speaks, and the victims listen. Tom Bentley asserts that his format enables a “platform from which to craft a narrative and represent both the ‘other’ and the ‘self.’” When the ritual of the official apology is approached as a top-down event where the victimizer gets to narrate and define the events, their meaning and what the proper reaction to them is, there is an imminent risk that victims feel doubly abused: Not only by the original transgression but again by having others speak for them, telling them what transpired. Without a voice in the apology ceremony, victims risk becoming “more bit-parts than primary protagonists. In other words, the victims become two-dimensional characters in a story told by someone else and principally about someone else.”²² In this sense, when the narrative of transgression is appropriated, fashioned, and voiced by the offending party, apologies risk adding both insult *and* injury to the injustice for which the apology was given. As Alexis Dudden asserted, “When governments apologize for past crimes, they take away the substance of apology that victims originally wanted for themselves. They rob victims of the dignity they seek while affording the state a new means by which to legitimize itself.”²³ For these reasons, official apologies are rarely presented

out of the blue but in fact are results of bilateral processes of gathering information (to set the record straight), questionnaires and other forms of listening to victims (to allow them to define and describe their experiences and express their wishes and demands for the content of an official apology), and sometimes negotiations regarding specific political initiatives or reparations. And for the reasons mentioned by Dudden, official apologies often include statements and quotes from victims about their suffering. In the ceremonial context of the official apology, representatives of the victims typically also speak in some sort of response to the apology.

In considering the multiple caveats regarding the meaningfulness of official apologies, it is important to note that official apologies are a starting point, not an end point, and they can play an important part in reconciliation processes and more generally in a society's coming to terms with its past. An official apology can play an important role in a community's process of acknowledging historical injustices inflicted in the collective's name and thereby contribute to a more complete and inclusive collective national memory. For decades, for example, Australia and Canada implemented a policy where indigenous children were taken from their families, sent off to faraway schools, often never to return, and were estranged from their native culture and language. Based on the impetus of special commissions and other political and social factors, prime ministers in Australia and Canada issued apologies for these historical transgressions. These apologies set the groundwork for reparations to be paid to survivors, a Truth and Reconciliation Commission to be set up in Canada, and Australia declared February 13 (the day of Prime Minister Rudd's apology to "The Stolen Generations") to be Australia Day. And significantly, the debate about how to represent and amend these injustices in the future continues.²⁴ The reconciliation process, while slow, has begun in Australia and Canada, as well as other states. In addition to reaching out to victims, official apologies have played an important role in communicating the horrors of the segregationist policies to a larger audience and raising awareness of the social and economic destruction of communities and the eroding of trust in authorities this injustice caused, thereby preparing the ground for more just and inclusive policies in the future. Official apologies are not a panacea, but they are a key step in rebuilding communal bonds between victimizer and victim.

A final concern is whether official apologies do the work they are supposed to do. To understand this criticism, a brief discussion of the structure and function of an apology is in place. Without clarity of purpose, evaluation lacks a basis and direction. Depending on the context, criteria for evaluation of an apology will vary, but Marrus's version of minimal elements of an interpersonal apology required for a complete apology reflects common ideas about expectations to a satisfactory apology:

1. An acknowledgment of a wrong committed, including the harm that it caused.
2. An acceptance of responsibility for having committed the wrong.
3. An expression of regret or remorse both for the harm and for having committed wrong.
4. A commitment, explicit or implicit, to reparation and when appropriate, to nonrepeat of the wrong.²⁵

Applying criteria such as these on official apologies may at first sight seem relatively simple, and indeed most official apologies address all four aspects.²⁶ Yet as mentioned above, political commentators and academics have pointed out that these and similar expectations, which are drawn from our experiences with interpersonal apologies, can severely complicate both the crafting and the evaluation of official apologies. Much rides on the wording of an official apology.

WHY A RHETORICAL FOCUS ON OFFICIAL APOLOGIES?

As we have just seen, even when all or most of the above reservations are set aside, an abiding issue remains that brings the relevance of a rhetorical approach into focus: How to phrase an official apology so that it serves the function intended for it? Critics often point to problematic wording as well as to the significance of what is left unsaid.²⁷ A typical criticism is that official apology texts are too unclear about the nature of the wrongdoing in question (e.g., due to general and euphemistic phrasing), that they obfuscate who the culpable party was (e.g., via the passive voice), and that they thus do not adequately assume responsibility but instead merely amount to expressions of regret trying to pass as good faith apologies. Another frequent complaint is that such statements of regret are not accompanied by commitments to specific actions to secure the nonrepetition of the wrongdoing and/or other initiatives to help the afflicted group. Australian prime minister Howard thus was resoundingly criticized for merely “expressing regret” regarding the atrocities committed against Aborigines—the criticism being, of course, that an expression of *regret* is equivocal compared to the unequivocal acceptance of responsibility inherent in *apologizing*. Japanese prime ministers have apologized for Japan’s World War II atrocities against China, South Korea, and other countries since these 1980s. But this “apology diplomacy” is often viewed as inadequate because the apologies have taken the form of expressions of personal regret rather than an official statement from the government. These apologies are also criticized for being vague and for not addressing

what specific wrongdoings were committed.²⁸ When President Bill Clinton and United Nations secretary general Kofi Annan attempted to apologize for the Rwandan genocide they were derided for not taking sufficient responsibility to prevent the tragedy and for casting blame on Rwandans.²⁹ Such criticism points to the importance of careful phrasing and authentic political will to better a problematic situation lest the apology be suspected of being presented for self-serving purposes on the part of the apologizer.

Oddly enough, given the rather extensive research interest in the topic, official apologies have rarely been studied in and for their rhetorical detail.³⁰ In an impressive and comprehensive review of official apologies as a phenomenon of the post–World War II era, Professor emeritus of Holocaust Studies, Michael Marrus, stresses the importance of being “highly attentive to what is said or done, and how, and by whom” because so much can go wrong given the importance of the symbolic in official apologies.³¹ Yet in spite of this recognition of the importance of the communicative core of apologies and its many aspects, Marrus devotes very little attention to this fundamental element of apologies: the discursive level. Marrus is not alone in considering official apologies significant communicative and symbolic events yet leaving aside study of the actual wordings and other rhetorically significant aspects of them.³² For example, philosopher Nick Smith concludes his brilliant 298-page book on the multiple pitfalls of giving a meaningful, or in his terminology, “categorical,” apology by reprinting in full a real-life example, namely President Bill Clinton’s 1997 apology to the victims in Tuskegee, Alabama (where poor, rural African American males infected with syphilis were medically monitored for decades in the false belief that they were being treated)—with no commentary. Smith leaves it up to the reader to decide if it is a good apology or not.³³

With this book, we try to amend this lack of detailed rhetorical analysis of official apologies. Over the past few pages, we have sketched some of the key challenges to the phenomenon of the official apology.³⁴ We mention these criticisms of official apologies not to undermine the significance of the genre, but as a point of departure and context for further study.

We do not suggest that official apologies by themselves amount to solutions to situations of state or government sponsored abuse of power against population groups. As the chapters in this book make clear, official apologies are complex communicative events that sometimes must solve more issues and compromises than is feasible. Most of the ensuing chapters speak to the vulnerability of this genre of degenerating into self-preserving, self-congratulatory, and nonvictim-centered apologies that do more harm than good by being empty rhetoric.³⁵ Yet we maintain, and most of our chapter authors maintain, that official apologies are an important and vital part of the political process, particularly in repairing relations between groups that

have been harmed by great historical wrongdoing. As Janna Thompson says, these apologies can help “bring about a reconciliation between communities, to facilitate healing, to improve relationships between groups, to demonstrate a determination to act more justly in the future, to build an interpretation of the past that descendants of victims and perpetrators can share.”³⁶ Official apologies are not a panacea for solving rifts caused by historical injustice, but they are an important step in the reconciliation process between communities. Reconciliation can lead to more harmonious relations between citizens, greater confidence in political institutions, and change in laws and political arrangements concerning national membership.³⁷ Perhaps Jane Yamazaki put it best when she argued that the power of official apologies is that “in facing the past squarely and understanding its ‘darker chapters,’ the nation can immunize and inoculate itself against repeating the mistakes of a ‘bad past.’” Thus, apology is a mechanism for claiming a new identity and a new direction. Recognizing the wrongdoing of our forebears is crucial for our understanding of our heritage and collective identity and a necessary element in moving toward a less prejudiced, more inclusive social fabric. Official apologies are one way to initiate fundamental change in a political culture.

PLAN OF THE BOOK

In chapter 1, Adam Ellwanger examines the concept of *metanoia*. Ellwanger argues that the discursive routines that form the modern apology are clearly drawn from Christian confessional practices. Even in stridently secular contexts, apologies of regret always bear the stamp of Judeo-Christian repentance. The rhetorical concept *metanoia*, loosely defined as a reinvention of the self, bridges the differences between secular apologies and religious confession. Because both genres facilitate reconciliation through a rigorous rhetorical engagement with the individual self, this essay advances a skeptical view of the reconciliatory capacity of state apologies which are often given on behalf of a collective by proxy. By analyzing Scotland’s apology to those prosecuted under laws prohibiting gay sex and the United States’ apology to Native American for a variety of offenses, this chapter scrutinizes the philosophical difficulties involved in collective apologies.

In chapter 2, Bradley Serber explores President Clinton’s apology on the Rwandan genocide. Serber asserts that during the speech, Clinton did not utter the phrase “I am sorry” or any variant thereof, but journalists in the United States nevertheless treated the speech as an official apology for the genocide. Pairing recent work on official apologies from rhetoric, philosophy, and sociology, this chapter explores the possibilities and challenges of issuing official apologies for genocide. On the one hand, collective apologies

generally, and Clinton's speech specifically, gesture toward what Margaret Urban Walker calls "moral repair." On the other hand, the gravity of genocide raises important questions about context, timing, and agency, and what official apologies for genocide reasonably can accomplish.

Chapter 3 has Kevin Coe exploring the normative dimensions of official apologies. He does so by synthesizing previous work from fields such as psychology, sociology, and linguistics to argue for a four-part normative framework of apology that includes acknowledgment that the act occurred, was harmful, and was immoral; full or partial acceptance of responsibility for the act; assurance that the act will not happen again; and a statement of explicit apology. It then leverages this framework to evaluate the normative dimensions of two U.S. Congressional apologies that happened in relatively rapid succession: the 1988 Civil Liberties Act, which apologized for the incarceration of Japanese-Americans during World War II, and the 1993 Apology Resolution, which apologized to Native Hawaiians for the overthrow of their monarchy in 1893. Taking seriously the mutuality of apology—the reality that an apology without a response is incomplete—Coe's analysis also considers the reception of these apologies among its intended recipients. With this combination of three components—providing a normative framework, applying that framework to two key cases, and considering audience responses—this chapter contributes theoretically and analytically to the extant apology literature.

In chapter 4, John Hatch explores Congressional resolutions on slavery. In 2008, the U.S. House of Representatives passed a resolution apologizing for slavery and segregation; a year later, the Senate approved a similar resolution. However, the two versions were never reconciled because language in the Senate version undermined grounds for reparations. As acts of legislative bodies (rather than heads of state), these resolutions are distinctive exemplars of the official apology addressing historical wrongs; they also expose how the specter of collective vulnerability and the limited agency of legislators thwart reconciliation that would meaningfully redress the legacy of an oppressive past. This chapter examines and assesses the U.S. slavery apologies considering his rhetorical-ethical theory of reconciliation and Richard Marback's notion of managing political vulnerability. Hatch examines the House and Senate apologies and reflects on the limits of legislators' agency and the challenge of managing vulnerability in reconciliation.

Shivaun Corry writes about the Aboriginal boarding school scandal in Canada. Corry maintains that official apologies are "rotten with perfection": Because no apology is perfect, it must be repeated *ad infinitum*. Corry uses the work of Kenneth Burke and Danielle Celermajer to illuminate Canada's continued need to apologize for the boarding school scandal. She maintains that with each apology an organization is reborn. Like the Greek cycles of

drama which were repeated annually, an apology is only a part of an unending cycle of recovenancing which will never transcend Canada's original sin of colonialism.

Chapter 6 has Jeffrey Brand exploring corporate apologies for slavery. As Brand notes, a corporation's history can be a valuable advocacy resource. In Chicago and other cities and states, corporations with historical ties to the institution of slavery are required to reveal these historic legacies in order to conduct business. The reparations movement has used this information to educate the public about the consequences of slavery and to seek economic and social justice. Brand examines the public relations efforts by corporations to apologize for their role in this history and to advocate for change and a renewed discourse over slavery, race, and economics in the United States.

In chapter 7, Claudia Janssen Danyi and Marita Gronnvoll theorize collective apologies as a form of resistance. After video footage of a U.S. attack on civilians in Iraq had surfaced two American soldiers publicly apologized. This chapter theorizes public apologies from members of one group to another in the absence of official apologies from representatives of their states. It proposes that this apology served as a rhetorical mode of resistance to official policies and attitudes of the rhetors' own collectivity toward another. The genre of apology thus provides opportunities for (re-)claiming rhetorical agency in opposition to official silence and denials toward injustice as rhetors reject the moral authority of their own leadership and speak for themselves.

Chapter 8 has Jeremy Cox and Tiara Good assessing the U.S. government's apologies to native peoples. They analyze the 2009 official U.S. apology to Native Americans. They assert, similar to others, that official apologies can and should play a role in healing historical rifts between communities. The act of making amends and seeking atonement for one's past wrongs create an impetus for improving future relations. However, apologies, like all rhetorical acts, are historical formations plagued by the mnemonic and narrative patterns inherent to state power. As a result, practices of atoning for the past are bound to habits of narrating history, with the former often being subsumed beneath the latter. In the case of the United States, this mnemonic structure creates the conditions by which official apologies become warrants further validating American exceptionalism. Their analysis articulates the limits such apologies face when bound to a traditional, exceptionalist framework for narrating America's past wrongs.

Chapter 9 chronicles the ongoing saga of Australia's attempt at national reconciliation. Jasper Edwards and Kundai Chirindo argue that statements made by representatives of the Australian Commonwealth—a colonial regime that violently subordinated the continent's indigenous groups, the Aboriginal peoples of Australia and the Torres Strait Islanders, both challenge and contribute to rhetorical formulations of reconciliation, and to how

reconciliation refigures our understanding of rhetoric. The authors draw on the work of rhetorical scholar Erik Doxtader who presents reconciliation as a paradoxical endeavor, one that is constitutively defined by interactions and tensions among temporality, identity, and teleology. Through a partial reading of the public transcript of Australia's reconciliation, they suggest that there is a fourth puzzle figured in reconciliation's paradoxical quest—the puzzle of self-determination. Reconciliation's paradox of self-determination is the controversy regarding the authority or framework upon which reconciliation is premised. Reconciliation, on this reading, is a pursuit of a mutual self-determination that requires the suspension of at least one of the parties' claims to self-determination. Edwards and Chirindo argue that insufficient attention to this question can frustrate efforts at reconciliation.

These chapters demonstrate the rhetorical opportunities and challenges for rhetors that make an official apology and are a good starting point for thinking about how this rhetorical genre might evolve in the future.

NOTES

1. Mark Rutte, "Speech by Prime Minister Mark Rutte at the National Commemoration at the Auschwitz Monument, Amsterdam," January 26, 2020, <https://www.government.nl/ministries/ministry-of-general-affairs/documents/speeches/2020/01/26/speech-by-prime-minister-mark-rutte-at-the-national-commemoration-at-the-auschwitz-monument-amsterdam>.

2. Roy L. Brooks, *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustices* (New York: New York University Press, 1999), 3; Milan Schreuer, "Belgium Apologizes for Kidnapping Children from Its African Colonies," *The New York Times*, April 4, 2019, https://www.nytimes.com/2019/04/04/world/europe/belgium-kidnapping-congo-rwanda-burundi.html?fbclid=IwAR0cExAlqrTv_XHeuFOrVzjqXsrUDmQztPRo4sD6rnmv01POcLrSQiNErvY.

3. Michael Cunningham, "Saying Sorry: The Politics of Apology," *The Political Quarterly* 70, no. 3 (1999): 285–93; Janna Thompson, "Apology, Justice, and Respect: A Critical Defense of Political Apology," in *The Age of Apology. Facing up to the Past*, eds. Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner (Philadelphia: University of Pennsylvania Press, 2008), 31–44; Alice MacLaclan, "Beyond the Ideal Political Apology," in *On the Uses and Abuses of Political Apologies*, eds. Mihaela Mihai & Mathias Thaler (London: Palgrave Macmillan, 2014), 13–31.

4. Translated from the Danish. Punctuation kept as close to the original as possible, http://www.stm.dk/_p_14843.html.

5. Doug Mellgren, "Norwegian King Apologizes for Treatment of Sami People," *Associated Press*, October 7, 1997, <https://apnews.com/e98d6c4f07f9479c7c256c51c5c0699b>.

6. J. L. Austin, *How to Do Things With Words, 2nd Edition* (Cambridge: Harvard University Press, 1975).
7. Nicholas Tavuchis, *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford: Stanford University Press, 1991), 8.
8. Janna Thompson, "Is Political Apology a Sorry Affair?" *Social and Legal Studies* 21, no. 2 (2012): 220.
9. Brooks, *When Sorry Isn't Enough*, 353.
10. John B. Hatch, *Race and Reconciliation: Redressing Wounds of Injustice* (Lanham: Lexington Books, 2009).
11. Michael Cunningham, "It Wasn't Us and We Didn't Benefit: The Discourse of Opposition to An Apology by Britain for Its Role in the Slave Trade," *Political Quarterly* 79, no. 2 (2008): 252–59.
12. See also Jean Harvey, "The Emerging Practice of Institutional Apologies Association for Practical and Professional Ethics," *International Journal of Applied Philosophy* 9, no. 1 (1995): 57–65.
13. Michael R. Marrus, "Official Apologies and the Quest for Historical Justice," *Journal of Human Rights* 6, no. 1 (2007): 85.
14. Mitt Romney, *No Apology: The Case for American Greatness* (New York: St. Martin's Press, 2010).
15. Jason A. Edwards, "Contemporary Conservative Constructions of American Exceptionalism," *Journal of Contemporary Rhetoric* 1, no. 1 (2011): 40–54.
16. Judith Renner, "'I'm Sorry for Apologizing': Czech and German Apologies and Their Perlocutionary Effects," *Review of International Studies* 37, no. 4 (2011): 1584.
17. Jennifer Lind, *Sorry States: Apologies in International Politics* (Ithaca: Cornell University Press, 2009).
18. *Ibid.*
19. Mihaela Mihai, "When the State Says 'Sorry': State Apologies as Exemplary Political Judgments," *Journal of Political Philosophy* 21, no. 2 (2013): 215; See also See Danielle Celermajer, *The Sins of the Nation and the Ritual of Political Apologies* (New York: Cambridge University Press, 2009).
20. Lisa S. Villadsen, "Beyond the Spectacle of Apologia: Reading Official Apologies as Proto-Deliberative Rhetoric and Instantiations of Rhetorical Citizenship," *Quarterly Journal of Speech* 98, no. 2 (2012): 244.
21. See Bradford Vivian, *Public Forgetting: The Rhetoric and Politics of Beginning Again* (State College: The Pennsylvania State University Press, 2010).
22. Tom Bentley, "Colonial Apologies and the Problem of the Transgressor Speaking," *Third World Quarterly* 39, no. 4 (2018): 403.
23. Alexis Dudden, *Troubled Apologies Among Japan, Korea, and the United States* (New York: Cambridge University Press, 2008).
24. Matt James, "Narrative Robustness, Post Apology Conduct, and Canada's 1998 and 2008 Residential School Apologies," in *Palgrave Handbook of State Sponsored History After 1945*, eds. Berber Bevernage & Nico Wouters (London: Palgrave MacMillan, 2018), 831–47.
25. Marrus, "Official Apologies," 79.

26. For other examples of requirements for a good apology see Joy Koesten and Robert C. Rowland, "The Rhetoric of Atonement," *Communication Studies* 55, no. 1 (2004): 73–75. Those elements include the following: (1) Acknowledge wrongdoing and ask for forgiveness; (2) Display thorough examination of the wrongful act and sign of changed attitude or policy; (3) Take steps to develop a different present and future; (4) Show evidence of mortification; (5) Make a public confessional; see also Nick Smith, *I Was Wrong: The Means of Apologies* (New York: Cambridge University Press, 2008). According to Smith, there are eleven dimensions of evaluation: Corroborated factual record; Acceptance of blame; Identification of each harm; Identification of the moral principles underlying each harm; endorsing moral principles underlying each harm; recognition of victim as moral interlocutor; categorical regret; performance of the apology; reform and redress; intentions for apologizing; emotions.

27. See Celermajer, *The Sins of the Nation*; Jason A. Edwards, "Apologizing for the Past for a Better Future: Collective Apologies in the United States, Australia, and Canada," *Southern Journal of Communication* 75, no. 1 (2010): 57–75; John B. Hatch, "Beyond Apologia: Racial Reconciliation and Apologies for Slavery," *Western Journal of Communication* 70, no. 3 (2006): 186–211; Aaron Lazare, *On Apology* (New York: Oxford University Press, 2004); Tavuchis, *Mea Culpa*; Janna Thompson, *Taking Responsibility for the Past: Reparation and Historical Justice* (London: Polity Press, 2002); Villadsen, "Beyond the Spectacle of Apologia," 230–47; Brian A. Weiner, *Sins of the Parents: The Politics of National Apologies in the United States* (Philadelphia: Temple University Press, 2005).

28. See Mariko Izumi, "Asian-Japanese: State Apology, National Ethos, and the 'Comfort Women' Reparations Debate in Japan," *Communication Studies* 62, no. 4 (2011): 473–90; Jane W. Yamazaki, *Japanese Apologies After World War II* (New York: Routledge, 2002).

29. Jason A. Edwards, "The Mission of Healing: Kofi Annan's Failed Apology," *Atlantic Journal of Communication* 16, no. 2 (2008): 88–104.

30. The exception to that is apologia, which is a speech of self-defense, has been a common genre examined in rhetorical studies. However, official apologies and apologia are different forms of address. They differ in their structure and purpose.

31. Marrus, "Official Apologies," 81.

32. See Celermajer, *The Sins of the Nation*; Lind, *Sorry States. Apologies in International Politics*; Melissa Nobles, *The Politics of Official Apologies* (New York: Cambridge University Press, 2008); Smith, *I Was Wrong*.

33. Smith, *I Was Wrong*, 203–5.

34. Löfström (2011) has suggested that official apologies—while ostensibly arguing for greater inclusivity—have built into them a risk of being exclusionary—the argument being that while official apologies spoken on behalf of a country or a nation are justified in presenting the apology on behalf of a political community, they are prone to assume a level of cultural identification with the state that not all citizens may feel part of. Löfström thus calls for "an analysis of how the apology affects the position of those who are, for all practical purposes, members of the apologizing state (her citizens), but who will identify with neither the (heirs the) victims nor with the (heirs of the) perpetrators" (95).

35. Bentley, "Colonial Apologies," 400.
36. Thompson, *Taking Responsibility for the Past*, xiv.
37. Nobles, *The Politics of Official Apologies*, 32.

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- . "Apologizing for the Past for a Better Future: Collective Apologies in the United States, Australia, and Canada." *Southern Journal of Communication* 75, no. 1 (2010): 57–75.
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Chapter 1

Theorizing Collective Metanoia

Apology, the Penitent Self, and the Penitent State

Adam Ellwanger

The central rhetorical feature of apologies, public and private, singular and collective, is *metanoic* testimony. *Metanoia* is a key rhetorical concept that is often overlooked by scholars of communication. The earliest references to *metanoia* come out of ancient Greek rhetorical texts: there, it was conceived as a figure of speech by which a speaker might modify or “take back” an earlier statement. But even in its earliest manifestations, *metanoia* had profound spiritual implications. By modifying earlier claims, speakers reveal what kind of people they are. In other words, *metanoia* is a means to transform *ethos*—the speaker reveals who he is in *what* statements are modified, *which* statements are “taken back,” and *how* they are taken back. “Taking back” a claim almost always involves offering a new statement that explicitly rejects the earlier one and adds a modified claim in its place. This substitutive movement is a central characteristic of *metanoia*. By undertaking a substitution in speech, people often undergo some modification of identity.

Early Christians significantly enhanced the spiritual dimensions of *metanoia* and their implications for the Christian *ethos*. Variations of the word *metanoia* appear dozens of times in the synoptic gospels and the letters of Paul the Apostle where it is used to characterize the essence of Christian conversion. In most English translations of the New Testament, *metanoia* is rendered as “repentance.” Thus, the Christian notion of *metanoia* is still a way of “taking something back,” but where the rhetorical *metanoia* took back an earlier *statement*, Christian *metanoia* renounces the speaker’s whole preceding life—all of the sinful *deeds* that ensured one’s alienation from God. Put differently, Christian *metanoic* testimony (or repentance) was a rhetorical performance in which the new convert rejected his old *ethos* and signified a

new identity in Christ. For Paul, this new *ethos* was so profound that he even changed his name as a result: after his experience on the Road to Damascus, he was no longer known as Saul.

So the rhetorical type of *metanoia* modified *ethos* by disavowing earlier words and the Christian variety of *metanoia* modified *ethos* by disavowing earlier deeds. The relation to apology should be clear now—what apologies do is use speech to disavow past words and deeds. And as we are shown by thinkers like Nietzsche,¹ Austin,² and others, the saying and the doing are inextricable. Indeed, the *doing* of the apology is the *saying* of it. And yet, paradoxically, apology is a unique example of performative speech because it is not a *doing*, but an *undoing*—an undoing of earlier speech and action, an undoing of antipathy, an undoing of violence. And here we encounter some difficulty—almost everyone in the humanities will enthusiastically affirm the first tenet of the performative theory of linguistics (that the saying is a doing). But we also express great skepticism when it comes to the validity of public apologies—we routinely call them “inauthentic” or “insufficient,” even when they meet the traditional criteria of the genre. In other words, when it comes to apology, we are unusually resistant to the idea that the mere *saying* does the job. The reason for this, I think, is a belief that it is easier to *do* a deed than to *undo* it. Therefore, when it comes to apologies, we must ask whether the link between the saying and the undoing is as profound as the one between the saying and the doing.

Using the rhetoric of apology to undo a past deed is very difficult when only two persons are involved. But it becomes nearly impossible when representatives of the public or the state apologize to victims of systemic, historical injustices—injustices that include countless victims and faceless victimizers. One limitation on the reconciliatory capacity of governmental apologies relates to the possibility of a collective *metanoia*. It is not unusual to encounter an individual who claims to have “become a different person.” What is the plural equivalent of such a statement? That “we have become a different people”? The question of how such a collective transformation unfolds is important. Apologies are usually judged on the criterion of authenticity: if we believe that the apologist feels genuine regret, then we are more likely to accept the apology as a valid guarantee that the person is transformed. Thus, we assume that in the future, the apologist will behave differently. But governmental apologies are often unable to satisfy in this regard: how can a *state* feel regret? Does the apologist (usually a high-ranking government official) speak for herself? Or does she represent a collective? Which collective? The state itself? The bureaucrats and politicians that comprise it? Or is the apology a claim that the nation as a whole—the sum of its citizens—has been transformed?

The idea that state actors *should* apologize for historical violations is a very new one. State apologies were a growing phenomenon in 1984, when

Canadian prime minister Pierre Trudeau said, “I do not think it is the purpose of a government to right the past. It cannot rewrite history.”²³ This begs the question—is that what a state apology is aiming at? Is the objective to “rewrite” or “undo” history? Certainly, to “rewrite” history is not to “change” it—a mere saying can’t do *that* kind of deed . . . right? Renouncing the Holocaust doesn’t mean it didn’t happen. So what, then, *can* the state apology do? An analysis of how governmental apologies negotiate these questions will provide insight to the possibility of a collective *metanoia*. In turn, the prospects for a collective *metanoia* determine the potential of governmental apologies to achieve reconciliation regarding past injustices. I begin this study with a brief consideration of collective *metanoia* as presented in the Old and New Testaments and then show how the genre of the remorseful apology represents a secularized rhetoric of repentance. I demonstrate this rhetoric with a close analysis of two governmental apologies: the U.S. government’s 2010 “Apology to Native Peoples of the United States” and the 2017 apology of Scotland’s first minister to those convicted of same-sex sexual activity under obsolete Scottish law. Although these apologies attempt two very different types of collective *metanoia*, they both show why government apologies cannot achieve the reconciliatory work that they aim to do. I conclude with a fuller account of these limitations.

REPENTANCE AND METANOIA IN JUDEO-CHRISTIAN SCRIPTURE

The classical idea of *metanoia* as a rhetorical figure of speech (by which a speaker takes back an earlier statement) necessarily involved some performance of regret. But this regret was fairly banal—the speaker would simply state that he wished he had not said what he said, either because it was erroneous, impolite, or imprecise. In other words, the “fault” that the speaker regretted was a *discursive* fault—a mistake made in speaking. Christianity uses the Greek word *metanoia* (μετάνοια) to denote an *existential* remorse, a *way of life* that consists of regret for the past life of sin. By taking on this regret, and living it, one abandons his prior sinful *ethos*, and is “born again” as a new person, committed to a different style of being. The contemporary genre of the regretful apology is a descendant of the Christian notion of *metanoia*.

Judaism had a rich tradition of repentance prior to the emergence of Christianity. A major theme of the Old Testament (OT) is the fickle faith of the people of Israel: they are zealous for God, and then fall away, a cycle that happens again and again throughout their history. The two main Hebrew words used to signify repentance in the early manuscripts of the OT are *shuv* (or *shubh*) and *naham* (or *niham*). Again and again, the wayward nation of

Israel is warned by God and the prophets to “turn their hearts” and “repent” in order to avoid the wrath of God.⁴ The presence of these commands suggests that a collective transformation is possible. But there are very few examples of the actual achievement of communal repentance in the OT.⁵

Over the course of the third and second centuries BCE, Hebrew scholars created a Greek translation of the OT, now called the *Septuagint*, or more simply, the LXX. The LXX uses a number of Greek terms when translating Hebrew words for regret and repentance, but variations of the word *metanoia* are used around a dozen times. Even a few uses of the term are noteworthy: in a study of all extant Greek literature from the eighth century BCE until the Common Era, Guy D. Nave, Jr. counts only ninety-five *total* uses of *metanoeo* and *metanoia*. But between 1 and 200 CE, he finds over a thousand written instances of these words.⁶ This shows that the Christian era brought with it a major refinement of both the terminology of repentance and the practices that it entails. *Metanoia* occurs dozens of times in the New Testament (NT) scriptures, which were originally written in Greek. Although the word used for *metanoia* in English translations is *repentance*, Christian *metanoia* entails much more than “repentance” lets on. It is at the very core of the ministry of John the Baptist, who announces the Messianic age by saying, “Change your hearts [μετανοείτε]; for the Kingdom of the heavens has drawn near” (Mt. 3:2).⁷ Likewise, *metanoia* is a central idea in the ministry of Jesus himself: Matthew, Mark, and Luke attribute many quotations to him that use variations of the word.

Both religious and secular scholars seem to agree that this change of heart consists of a lifelong reinvention of *ethos*: the convert doesn’t become a person who never sins, but instead takes on a new penitent *relation* to the sinful impulses of the self. In short, Christian *metanoia* is a spiritually rigorous transformation at the heart of one’s identity. Foucault offers a rich description that captures the essence of *metanoia*:

First, Christian conversion involves a sudden change [. . .] which drastically changes and transforms the subject’s mode of being at a single stroke. Second, in this conversion, this Christian *metanoia*, this sudden dramatic historical-metahistorical upheaval of the subject, there is a transition; a transition from one type of being to another, from death to life, from mortality to immortality, from darkness to light, from the reign of the devil to that of God, etcetera. [. . .] A fundamental element of Christian conversion is renunciation of oneself, dying to oneself, and being reborn in a different self and a new form which, as it were, no longer has anything to do with the earlier self in its being, its mode of being, in its habits or its *ethos*.⁸

This characterization of *metanoia* is typical in its emphasis on the role of the subject—the transformation it names unfolds *inside* the *individual* heart.

Because Christian community depends on an externalization of this internal event, converts must *speak*. They are expected to offer a discursive account of the inner change. These verbalizations embody a genre of *metanoic* testimony, in which the rejection of one's earlier identity serves as the evidence of the newly formed *ethos*. It is difficult to imagine how this process would work on a collective level: can the collective *feel* as one? Does a group have an "interiority" in the way that a self does? Or does a collective *metanoia* simply imply a uniformity of feeling across the individuals who comprise the collective? How can the uniformity be validated? Who has the authority to testify to a collective change? There are a number of NT passages that hint at the possibility of a collective *metanoia*, but most of them come in the form of a command to "change your hearts." The fact that the word *hearts* is plural seems a tacit acknowledgment that the collective must be transformed person by person. When referring to a collective, the text never says "Change your *heart*," which would be to suggest that the collective can transform *as a collective*. What is at stake here is nothing less than the possibility of a *collective soul*, and the bulk of the scriptural evidence seems to argue against it. As I will show, the dynamics of the modern apology of regret parallel those of Christian *metanoia* in key ways. Further, when the apology moves from the individual level to that of the collective, many of the problems of collective *metanoia* reemerge.

MODERN APOLOGY AS SECULAR REPENTANCE

The ideas of sin and crime are counterparts: sin is to religion as crime is to civics. The medieval church implemented elaborate rituals for dealing with sins of all types. First, one must confess. Then, one repents. Then, by the grace of Jesus Christ, one is forgiven. But this process is not without worldly consequences: the sinner must do penance, which is often a public performance of humility, imposed as a means of deterring future sin and reaffirming the norms and the expectations of the Christian community. If not addressed through confessional and penitential practices, the sin cannot be fully vacated because reconciliation is not achieved.

Crime is dealt with in much the same way in secular society. When a statute is violated, the violator must be punished. The legal process parallels religious practice in other ways: if the criminal confesses, or if the victim of the crime asks for the mercy of the court, a more lenient penalty might be handed down. But a central difference between the treatment of sin and crime is that the church is prepared to deal with *any* wrong that weighs on the believer's conscience. By contrast, crime denotes a very particular class of wrongdoing. There are many, many wrongs that the court has neither the

power nor the will to address. Prior to the emergence of secular modernity in the West, the church was the institution for dealing with these wrongs, which were certainly sinful, if not criminal. But the Enlightenment greatly accelerated a process of secularization that began with the Reformation. One consequence of this move away from religion was the dismantling of the institutional structure by which the church reconciled those with aggrieved consciences—reconciled them *to* their sins and reconciled them *with* God. Without the religious means to deal with sin, secular people still felt the need for absolution, but had nowhere to get it. Rather than looking to the church for forgiveness, people increasingly sought it from the victims of their misbehavior. We know this because the emergence of the formal genre of apology and the decline of religious faith happened synchronically. This is not to say that people didn't always admit feelings of guilt and remorse to people they had wronged. They did. Instead, I mean to say that the conventional features of a personal apology of regret only came to be formalized as a speech genre in the modern era.⁹ Secular society ritualized the remorseful apology. Today, we recognize a personal apology because it follows a formulaic script: when it deviates from the formula, it is generally regarded by scholars and the broader public as insufficient, disingenuous, infelicitous, or inauthentic.

The formula is largely adapted from Christian confessional practices, primarily for the purpose of negotiating noncriminal wrongdoing in the absence of an institutional authority that can mediate the processes of guilt, punishment, and forgiveness. Most people who research apology spend a lot of time debating the formula; that is, they are concerned with explicating the formal, discursive features of the genre. For example, Nicholas Tavuchis,¹⁰ Kathleen Gill,¹¹ J. Angelo Corlett,¹² and Aaron Lazare¹³ each attempt to describe the necessary elements of the apology. For my purposes, the precise transcription of the formula is less important than the fact that scholars agree a formula exists. Generally speaking, the formula looks something like this:

- The apologist must correctly name the offense.
- The apologist must explicitly classify the action *as an offense*.
- The apologist must acknowledge personal culpability for the offense.
- The apologist must correctly identify the parties harmed by the offense.
- The apologist must express (and *truly feel*) sorrow and regret for the offense.
- The apologist must ask for forgiveness *from the parties harmed by the offense*.
- The apologist must offer to do some reconciliatory work to “heal the breach.”
- The apologist must promise to behave differently in the future.

This procedure clearly mimics the process of Christian confession, penance, atonement, absolution, and forgiveness. Of course, the recipient of the apology is not allowed to demand any “Hail Marys” as a punishment: in fact,

accepting a personal apology of regret mostly consists in a *disavowal* of one's right to seek punitive satisfaction for the offense. This foregoing of punishment might seem to suggest that the secular apology does not include the step of penance. Actually, the penitential and punitive elements are folded into the confessional moment of the apology itself. Vocalizing one's guilt and regret is a renunciation of the self, a diminution of one's standing in relation to the offended other. And in secular societies that are dedicated to egalitarianism and the sanctity of the self, the self-renunciation that any apology entails is also the punishment for the offense that it names.

To properly execute a true apology, then, is to testify to a personal *metanoia*. The person who looks back with regret at earlier sin is necessarily a different person than the one who committed the wrong: if that wasn't true, then the offender wouldn't feel remorse, and therefore, wouldn't apologize. But audiences often disagree over whether a given apology demonstrates all the necessary parts of the formula. Further, the problems of feeling and sentiment mitigate the reconciliatory capacity of apology: if apologizing is simply a matter of sticking to the script, then how can audiences determine whether the emotion of the apologist is authentic and not simply a skillful and deceptive performance of the script? These complications indicate how difficult it is for an individual apologist to offer a sufficient, authentic apology in the eyes of the audience. The collective apology faces even greater obstacles than the individual one. As noted above, the governmental apology is a very new phenomenon and its operation is hampered by the fact that most observers seem content to apply the criteria of the individual apology to the collective one. For example, in their otherwise insightful essay "Government Apologies for Historical Injustices," Blatz, Schumann, and Ross identify the "important elements" of the government apology by considering "linguistic analyses of interpersonal apologies."¹⁴ But the case studies below suggest that the formula for personal apologies simply cannot obtain for collective ones.

THE UNITED STATES' APOLOGY TO THE NATIVE AMERICANS: DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2010

Americans should be forgiven if they don't remember the government apologizing to the Native Americans for their systematic mistreatment over the first centuries of the republic. The apology was a textual one that was tucked away on the forty-fifth page of a defense spending appropriations bill that passed Congress in 2010 (H.R. 3326).¹⁵ The fact that it was written rather than spoken has some implications for the prospects of a collective *metanoia*. When a representative gives a speech to issue a collective apology the audience knows

who, specifically, speaks on behalf of the collective. When the apology is a textual one, presumably authored by a body of representatives, the recipient of the apology may have some difficulty recognizing who is speaking. In the case of H.R. 3326, had the resolution passed unanimously, audiences could assume that the apology represented the voice of Congress at large. But it didn't pass unanimously: the vote tally in the House of Representatives was 400 yeas to 30 nays.¹⁶ In the Senate, the bill passed 93–7.¹⁷ So while most officials apparently agreed with the content of the bill, not all of them did. Can a collective (Congress) apologize on behalf of a larger collective (the people of the United States as a whole) if not even the apologists are unified in their support of the apology? Of course, by situating the apology deep within a bill about an issue that is ostensibly unrelated to Native American affairs, Congress ensured that audiences cannot determine the extent of the representatives' support for the apology. Was the inclusion of the apology the reason for the dissenting votes? Did some representatives vote in favor of the resolution *in spite of* their own opposition to the apology? It is impossible to know. Thus, not only is it difficult to ascertain who it is that speaks on behalf of citizens, the degree of the support that the speakers have for the apology is also questionable. Under such circumstances, it seems unlikely that the *metanoic* functions of the apology can be satisfied.

There is some small rationale for the inclusion of the apology in a defense spending bill: much of the money being allocated to the armed forces was specifically earmarked for “environmental restoration” of American land that had been impacted by military activities,¹⁸ an effort that symbolizes an atonement for ecological sins. This desire to “undo” the damage done to the terrain is one way that the bill works to signify a change in the attitude of the government toward the use of land. In turn, this change in the representatives of the people stands in as evidence of a collective *metanoia* among citizens in general. When the bill shifts abruptly to the subject of the treatment of Native Americans, the apology is written in such a way that it grows out of the thematic concern for sustainable land use. Under the heading *Apology to Native Peoples of the United States*, it reads:

“SEC. 8113. (a) *Acknowledgement and Apology*—The United States, acting through Congress—(1) recognizes the special legal and political relationship Indian tribes have with the United States and the solemn covenant with the land we share; (2) commends and honors Native Peoples for the thousands of years that they have stewarded and protected this land.”¹⁹ This is a moral elevation of the collective of indigenous people that will contrast with the (old) corrupt *ethos* of the American citizenry: one way that the apology achieves a diminution of the “self” that is required for apologies.

The apology then catalogues the offenses. First, the government admits its own wrongdoing, and “recognizes that there have been years of official

depredate, ill-conceived policies, and the breaking of covenants by the Federal Government regarding Indian tribes.”²⁰ Next, the apology acknowledges the offenses of Americans who were unaffiliated with the government, “apologiz[ing] on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States.”²¹ By identifying multiple offending parties (both citizens *and* government) the bill crafts a more complete apology, but it also suggests that the government is somewhat separate from the people: this begs the question of whether the government is genuinely authorized to give an apology on behalf of citizens who might not share the government’s remorse. The salient parts of the actual apology conclude by fulfilling another requirement of the formula—the promise to behave differently in the future. Again, this promise is framed in the context of good stewardship of the land: the government “expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together.”²² The voice that speaks here is clearly one with a different *ethos* than the nation who set out to destroy the native peoples in the past. Thus, the promise serves as the evidence of a collective *metanoia*. And yet, perhaps surprisingly, the subsequent section of the apology indicates the limitations of the transformation.

Immediately after the conclusion of the apology and the promise of atonement (section a), the statement continues with another section: “(b) DISCLAIMER—Nothing in this section—(1) authorizes or supports any claim against the United States; or (2) serves as a settlement of any claim against the United States.”²³ The second item here seems to bolster the authenticity of the apology. By emphasizing that the statement was not offered simply to fulfill a legal obligation, the clause creates the perception that the collective is motivated by a need to express genuine remorse. But the first item—that “nothing” in the apology “authorizes or supports any claim against the United States”—is clearly an attempt to ensure that it cannot be used as an admission of guilt in any legal proceeding against the offending parties. Thus, the statement of guilt and regret in the apology can’t be used to hold the apologist legally accountable for the wrongs that the apology names. In this way, the authors seem to relegate the offenses to the category of sin rather than crime. The assertion that the apology has no legal status also elevates the standing of the apologists rather than mitigating it—Congress indicates its higher authority by determining what is not admissible in court. The presence of legal concerns in such close proximity to the confessional language of the apology threatens to undermine the possibility of reconciliation. Further, this again indicates the religious lineage of the apology. The

apology in the first section acknowledges culpability and regret *for sin* and expresses a desire for reconciliation; the second section indicates that sin is different from *crime*. While the collective (the nation at large) admits its sins, it simultaneously insists that the collective cannot be held accountable for a crime. This shows how apology is used as a discourse to address a category of wrongs that are beyond the reach of the legal system.

Although there are duplicitous undertones to the apology as a whole, its rejection of the offense as a criminal matter makes some sense: how can a collective of anonymous offenders, many of whom are long dead, be held accountable? What kind of legal judgment could hope to “undo” or compensate for genocide? Apology, in its ideal form as a spiritual discourse, holds the most hope for meaningfully addressing sins of such magnitude. But the apology also demands that the apologist live out the *metanoic* transformation it names—the apologist must commit to a different *way of being*. And it remains unclear whether a collective apology can fulfill that obligation: *representatives* of a collective cannot commit to the *metanoia* of the collective at large. If a collective change of identity is possible, it cannot be coerced or “called into being” extemporaneously through a performative utterance like apology. It must occur organically over time. Further, *future* citizens—not the apologists—will decide whether to honor the commitments of the apology. In the end, the collective apology is fundamentally unable to guarantee the *metanoia* upon which reconciliation depends.

SCOTLAND'S APOLOGY TO PERSONS CONVICTED OF SAME-SEX SEXUAL ACTIVITY

On November 7, 2017, the Scottish Parliament passed the Historical Sexual Offences (Pardons and Disregards) (Scotland) Bill [*sic*], a resolution that ordered law enforcement to pardon people convicted of same-sex intercourse during the period that such activity was illegal in Scotland. The fault was greater than simple intolerance: those found guilty of the offense were listed on the nation's registry of sex offenders, a punishment that restricted employment and housing opportunities for the convicted. Systematic discrimination can be understood as a crime, but Scotland as a whole can't be held accountable by Scottish courts. Therefore, the offense committed by the Scottish government was framed as a kind of secular sin—one that required the spiritual discourse of apology to atone for historical wrongs. To mark the occasion of the pardoning, Scotland's First Minister Nicola Sturgeon issued an apology before Parliament. The problems that complicate collective governmental apologies arose almost immediately: while her apology frames the Scottish government (including the Parliament) as the offender in question, her

statement also explicitly identifies Parliament as the audience. Therefore, the apology is delivered to the offending party. But intermittently throughout the apology, Sturgeon does directly address the people who were the victims of the earlier policy. Because Sturgeon is the main representative of the government that imposed these convictions, her statement gestured toward a collective *metanoia*—she aimed to persuade the audience that the government had undergone a transformation. Thus, the apology represents a historical marker. Žizek notes that history involves “a radical BREAK, the rupture between the BEFORE and AFTER—and such a rupture in the continuum of evolution IS the mark of HISTORY.”²⁴ This historical break parallels the ontological break that Foucault shows to be the essence of metanoia. Sturgeon’s statement is the announcement of this break, which constitutes a shift in values that changes the collective identity of the government at large. We know that the *metanoia* preceded the apology because prior to such a transformation the Parliament would not have felt a need to apologize. And yet, the apology serves as a call for recognition of the transformation: it invites the victims of the offense to acknowledge its new identity, which is also performed *in and through* the apology insofar as it extemporaneously calls the collective *ethos* into being. So the *metanoia* that the apology depicts both precedes the statement *and* is constituted by it—a paradox that undermines the possibility of genuine reconciliation.

In the beginning of her statement, Sturgeon immediately draws attention to the metanoic historical break in a way that parallels the U.S. government’s rejection of its own past: “Scotland has travelled so far in recent years in relation to LGBTI equality that it still shocks us to recall that as recently as 1980—well within my lifetime—consensual sexual activity between men was still classed as a criminal activity in this country.”²⁵ She gives a detailed description of the wrong and the harmful effects the former policy had on the LGBT community, addressing them explicitly: “This Parliament recognizes that a wrong was done to you.”²⁶ Moments later, she claims that the new bill “rights a historic wrong,”²⁷ an apparent acknowledgment of the “undoing” function of apology. Further, Sturgeon represents her statement as an achievement of something that the bill itself cannot achieve, saying “I want to go further today, and do something that legislation on its own cannot do.”²⁸ This reaffirms the distinction of sin as a spiritual category “above and beyond” that of crime, and underscores the genre of apology as a discourse dealing with the former.

The main action of the bill is a legal pardoning of past crimes, a function that complicates Sturgeon’s apology for two reasons. First, issuing a pardon presumes that a wrong was indeed committed by the person who is pardoned. Second, in claiming the authority to pardon, the apologist (i.e., the government) positions herself *above* the recipient of the apology. This ensures that

the apology cannot achieve the diminution of the offender that is central to both Christian *metanoia* and the secular apology. But Sturgeon anticipates and addresses these problems: “A pardon is, of course, the correct legal remedy [. . .] but the term ‘pardon’ might still, to some people, imply that that Parliament sees them as having done something wrong. [. . .] as all of us know, that is not the case here.”²⁹ She goes on to place the blame squarely at the foot of the state: “The wrong has been committed by the state to them, not by individuals.”³⁰ Here, Sturgeon circumscribes the guilty collective in a way that greatly differs from the U.S. apology to the Native Americans. While the American apology acknowledged the culpability of both the government *and* the citizens it represents, the Scottish apology explicitly excludes the public as a guilty party. Further, in addition to speaking for the state alone, Sturgeon also depersonalizes the state itself: “Th[is] apology, of course, can only come from the government and from Parliament, not from the justice system; after all, the courts, prosecutors, and police were enforcing the law of the land at the time.”³¹ In a sense, this approach dissolves the collective—the state itself becomes a monolithic entity that cannot be conceived in any other way than as a sum of its constitutive parts.

Sturgeon continues to highlight the *metanoic* transformation of the state: “The simple fact is that parliamentarians in Scotland supported, or at the very least, accepted laws *which we now recognize* to have been completely unjust.”³² Although she acknowledges the transition to a virtuous *ethos* is not yet complete, she also celebrates the stark contrast between what the Scottish state was and what it has become: “While today’s legislation does mark an important milestone in Scotland’s progress toward LGBTI equality, our journey is not yet complete. Considering how recently it was that the laws I have just outlined were enforced, it is remarkable and indeed inspiring that Scotland is now considered to be one of the most progressive countries in Europe when it comes to LGBTI equality.”³³ Still, there are people who are not yet transformed—they are everyday people in the public sphere, outside the confines of Parliament. This is shown when Sturgeon explains that the state will take the initiative to reform those people: “Wherever there are societal, cultural, legislative, or regulatory barriers to achieving [equality], we will seek to remove them.”³⁴ This corrective action will complete the *metanoia* of the state; it represents the atonement demanded by Christian penitential practices. Nevertheless, by naming itself as empowered to police the broader society and culture, the state reaffirms its authority to monitor and discipline the values, beliefs, and behaviors of its citizens: the very same impulses that led to the persecution of the LGBTI community.

After Sturgeon’s statement, other parliamentarians took the floor to respond to the apology. Although the responses were generally laudatory, the other speakers did lightly criticize the first minister for her circumscription

of the collective that was responsible for the wrongdoing. Notably, parliamentarian Patrick Harvie acknowledged that some people dismiss the idea that a government can or should apologize for anything: “It is also worth remembering that not everyone will welcome this. There are those who reject the principle that governments ought to apologize for things done by previous governments or by previous generations.”³⁵ Harvie also attacked Sturgeon’s framing of the collective on other grounds. He argues that one cannot separate the policies of the government from the attitudes of the polity: “This persecution was not merely the act of *a* wicked government, [. . .] at the time [parliamentarians] represented the consensus view of society at large.”³⁶ Further, Harvie emphasizes the fact that the collective as a whole *has not* undergone a transformation, reminding the audience that “there will also be those who don’t welcome today’s step because they have not made that journey with the rest of society toward the abandonment of prejudice.” Ultimately, the Scottish apology shows that neither authenticity nor sufficiency can serve as the primary criterion for effective apologies: Sturgeon’s statement seems genuinely remorseful and it carefully satisfies all the requirements of the script for a personal apology. Nevertheless, its efficacy is limited because it represents a fragmentary, and occasionally illusory, collective. This ensures the impossibility of a collective *metanoia* at the level of the state—a hindrance Sturgeon seems to acknowledge when she notes the incompleteness of Scotland’s transformation.

COLLECTIVE METANOIA AND THE STATE AS SELF

Thus far, I have offered a rather cynical reading of governmental apologies. A more generous one finds in them a profound longing—a longing to reconcile, a longing to reckon with how such injustices could be committed, a longing to become someone (or something) else. Put differently, the penitent state suggests the possibility of *metanoia* on a collective level. The public performance of regret affirms our capacity to change who we are as a nation, as a people, and as a public. But a theorization of this collective *metanoia* is, to my knowledge, nonexistent in rhetorical and communication scholarship. This is probably because both of the predominant models of *metanoia*—the Greek rhetorical notion and the Christian penitential notion—hinge entirely on a particular idea of the self. Both *metanoias* begin *inside*, as a spiritual movement of the individual intellect or the soul. As Lindholm notes, the nation is conceived as a “primal genealogical entity” and the experience of a “collective soul” is central to the emergence of nationhood.³⁷ But in practice, the traditional concept of the soul dissolves very rapidly when mapped onto collectives. The vast diversity of perspectives and experiences

of historical injustices ensure that the state or the polity simply can't function as a unified, representative "self." In other words, *metanoia*—and by extension, apology—is about soulcraft, and the state is soulless. Critics of my perspective might suggest that an apology need not signify a fundamental change of collective identity—that we are, in fact, the *same* people who committed the offense. They argue that the apology reflects the collective's acceptance of a new set of values, but not a change in identity. I maintain that collective values (and the actions that extend from them) are in large part constitutive of identity or *ethos*. A major shift in values coincides with a change in identity.

A major problem for collective governmental apologies is that they ape all of the movements of the interpersonal apology, but finally cannot meet the criteria of authenticity because of the barriers posed by the bureaucratic structure of the state. This is not to say that collectives don't change—nations and peoples certainly do—but *over time*. By contrast, the state apology often seeks to call that change into being extemporaneously. The task before us is to describe the role of rhetoric in changing a collective *ethos*—we must theorize soulcraft at the collective level. The scope of this task probably can't be overstated. As Petito and Hatzopoulos note in the introduction to *Religion in International Relations*, the rise of the secular liberal state *required* the privatization and marginalization of religion.³⁸ This is to say that historically, the state is indifferent (if not hostile) to questions of spirituality. And yet, Dallmayr notes that "spirituality is not [. . .] a form of psychic subjectivism, but involves a mode of transcendence and self-transgression—more precisely, an effort to rupture self-centeredness by opening the self toward otherness."³⁹ Put in those terms, the aims of religion seem to be very much in line with recent emphases in postmodern thought and secular ethics. Still, religion remains exiled from the locus of governmental power.

There are a number of key thinkers in a variety of disciplines who explore the interrelation of religious life, state ideology, and the problem of agency. In *The Undiscovered Self*, a later work in which C.G. Jung attempts some philosophical reflection on the lessons of WW II, he argues that while some notion of a transcendental God is indispensable for the possibility of ethical action by individuals,⁴⁰ the collectivist state aims to establish a "psychological mass-mindedness"⁴¹ that necessarily undermines the value of the individual. Further, collectivism works to "cut the ground from under religion"⁴² so that ultimately "The State takes the place of God."⁴³ Thus, if religious thinking is a precondition for the possibility of ethics at the individual level, and the modern secular collectivist state is hostile to both individuality *and* theology, it remains unclear whether an ethical state is even possible under current conditions. In the same work, Jung characterizes *metanoia* as an individual phenomenon, and though he says that a *metanoia* of the state is precisely what

is needed in the aftermath of the war,⁴⁴ he finally dismisses that possibility because the state can't feel emotions.⁴⁵

Jung's student Erich Neumann draws somewhat different conclusions in his book *The Origins and History of Consciousness*. There, he affirms the possibility of a "collective consciousness," but notes that the formation of such a thing depends on a near-total liquidation of the individual as an entity apart from the collective.⁴⁶ If there is such a thing as a collective consciousness, then a collective *metanoia* is theoretically possible. But Neumann observes this primordial collectivity only in prehistorical societies. Although the modern bureaucratic state is hostile to *personal* individuality when individuals are hostile to state power, the entire genesis of the bureaucratic structure is an exercise in *institutional individuation*: the effectiveness of bureaucracy depends on the atomization of the state, so that each "bureau" has a unique sphere of authority and scope of action. This compartmentalization of authority argues against the emergence of a collective consciousness in the modern state: the depersonalization and imposed separation of state authority ensures that the people who comprise the state do not share a common experience of the state. Thus, it seems that although a collective *metanoia* is possible, it cannot be achieved by the modern state. And if not, then the governmental apology cannot perform the reconciliatory functions of the private interpersonal apology. The state aims to restore a collective unity that was betrayed by the offense, but that unity was always a fiction—and it must remain so, given the premises of the current political order and the West's commitment to globalist and multiculturalist ideology.

In an essay on racism, Ayn Rand goes even further, insisting not only that a collective soul is impossible but also that the concept of the collective mind is a rhetorical means to a deliberate expansion of statist power—an expansion that necessarily runs counter to the diminution of the self that apologies entail. She writes: "Just as there is no such thing as a collective or racial mind, so there is no such thing as a collective or racial achievement. There are only individual minds and individual achievements—and a *culture* is not the anonymous product of undifferentiated masses, but the sum of the intellectual achievements of individual men."⁴⁷ So given that the state cannot achieve the spiritual transformation that lies at the heart of the regretful apology, and given that the state cannot meet the criteria of the personal apology because government requires a subordination of individual agency, it is rather surprising that governments continue to employ the discourse of apology in relation to historical injustices. Apologies like those offered by Scotland and the United States show that they are often self-serving in that they advance the interests of the state rather than those of the victims.

The three major functions of state apologies show that though they may come from good intentions, they ultimately reaffirm state power. First, the

governmental apology tries to guarantee the offense won't be repeated. The punitive dimensions of the act of apologizing ensure against the possibility that history repeats. This performance of self-censure and contrition produces a humiliation that serves as a deterrent for future offenses. But as I have shown, these apologies often *elevate* the state rather than the recipients of the apology. Second, state and governmental apologies enact a restructuring of the collective *ethos*—through a public narration of past wrongdoing and a future commitment to justice, the apologist reinvents or reaffirms the essential decency of the collective, whether that means the state or the people it represents. In this sense, the apology advances the needs of the wrongdoers. Finally, the third function of these statements is to “heal the breach,” to accomplish a kind of reconciliation between the penitent offenders and the victims. This function is the one that is most celebrated by advocates of state apologies, but as Blatz, Schumann, and Ross show, there is scant evidence to show that apologies accomplish this reconciliatory work⁴⁸ and there is *some* evidence to show that they do *not*.⁴⁹ Given these three functions, we are left with an image of the governmental apology that offers a dubious guarantee against future offenses, serves the interests of the offenders by enabling a rehabilitated sense of self through absolution, and names a reconciliation that can't be measured or quantified.

German political philosopher Carl Schmitt wrote, “All significant concepts of the modern theory of the state are secularized theological concepts.”⁵⁰ The religious element is central to the state apology. As with private, personal apologies, the collective governmental apology mobilizes all of the central features of Christian *metanoic* testimony—an admission of wrongdoing, an acceptance of personal culpability, a reckoning with personal identity (*ethos*), and an expressed desire to be otherwise. But apologies like the ones addressed above show why the state is unable to operationalize a spiritual discourse like *metanoia*—there is no higher power to which the sovereign state is accountable. *Metanoia* implies an audience to whom the self is answerable: in the religious context, that audience is God. But in the ideology of Enlightenment liberalism, the representative democratic state embodies both self *and* God. As a representative of the people, in committing domestic injustices the state only wrongs itself. And as the public embodiment of collective agency, the state is finally accountable to no one but itself.

For the reasons discussed above, a *metanoia* of the state seems impossible. This is not to say that official apologies are worthless: the potential psychological benefits for the recipients of the apology are obvious. And these apologies almost certainly play a vital historical function, marking a divorce of the present from the past, so that a new future might be possible. However, these psychological and historical considerations are remote from the traditional uses of apology. In the context of private, interpersonal

apologies, expressing regret simply to assuage the unhappiness of the victim is often viewed as a mark of insincerity or inauthenticity—precisely because such an apology doesn't coincide with the personal transformation of the apologist. Historically speaking, *metanoia* is an embodied concept—a change occurs in this or that person, or this or that entity. But in an essay on institutional apologies, J. Harvey argues that their value lies in the way they facilitate “the building of a new and more appropriate relationship, often to replace one that has become badly flawed.”⁵¹ This “replacement” that Harvey alludes to is reminiscent of the substitutive movement of *metanoia*. Perhaps official apologies don't mark the transformation of the apologist, but rather inaugurate a *relational* transformation—a change that occurs in neither the offender nor the victim, but rather a change in *how they relate* to one another. This relational transformation suggests the existence of a new, disembodied notion of *metanoia*—a transformation that occurs “outside” in the open context of human relations, rather than “inside” a penitent subject. Such a *metanoia* would be inherently valuable for the process of reconciliation, but one is left to wonder whether the genre of apology is the best way to achieve it.

To close, I return to the idea of apology as a saying that is a performative *undoing*, a deed that takes back the doing and negates injustice. While repairing the wrongs of the past is a critical task for us and for society, I am very skeptical that the rhetoric of apology is the right tool for the job. Governmental apologies always seem insufficient or inauthentic because they ultimately reify the goodness of the state and the legitimacy of state power. Put differently: while the state apology explicitly mimics the penitent apology of regret, it implicitly embodies the classical *apologia* of defense. Even as it says, “we were wrong,” it says, “but now we are getting it right.” Even as it describes how it failed in fulfilling its obligation to justice, it reasserts its role as the rightful arbiter of justice. The *metanoic* apology of regret can only undo the violation if the apologist is simultaneously willing to undertake an *undoing of the self*. And when the offending self is the state, we can see why these apologies never culminate in the apologist's undoing. Thus, the task is not to erect ever more strident requirements for the authentic, sufficient, governmental apology: our aim must be to investigate the political conditions under which a collective soul can emerge, one that maintains (and is a product of) a unity of collective consciousness and conscience. This collective consciousness is *the* precondition for *metanoia*, which is the source of any apology's reconciliatory power. Although *metanoia* is an integral characteristic of the genre of apology, apologies are not the only means to signify a fundamental change in *ethos*. Spiritual transformations are demonstrated through actions and behaviors. When it comes to healing the wounds of historical injustices, the rhetorical *performance* of transformation is less

important than the new mode of being it signifies. In reconciliation, then, the (un)doing might be more important than the saying.

NOTES

1. Friedrich Nietzsche, *On the Genealogy of Morality*, ed. Keith Ansell-Pearson (New York: Cambridge University Press, 1994), 28–29.

2. J. L. Austin, *How to Do Things With Words* (Cambridge: Harvard University Press, 1975).

3. “Second World War Education Guide.” *Historica Canada*. N.D. Accessed November 30, 2017. http://education.historicacanada.ca/files/52/WW2_EN_EG_Digital.pdf.

4. For instance, *Ibid.*, 612. (1 Kings 8:46-51).

5. The single clear-cut case happens in the book of Jonah. After finally delivering God’s command for Ninevah to repent, “the people of Nineveh believed God.” The text continues: “When God saw what they did, how they turned from their evil way, God relented [*niham*] of the disaster that he had said he would do to them.” *Ibid.* (Jonah 3:5 and 3:10).

6. Guy D. Nave, *The Role and Function of Repentance in Luke-Acts* (Atlanta: Society of Biblical Literature, 2002), 39.

7. David Bentley Hart, *The New Testament* (New Haven: Yale University Press, 2017), 4.

8. Michel Foucault, *The Hermeneutics of the Subject: Lectures at the College de France 1981–1982* (New York: Picador, 2001), 211.

9. The etymology of the word *apology* supports this claim. Only in the context of rapidly secularizing early modern period was the meaning of apology as a defensive statement replaced with the idea that it is a reconciliatory statement instead.

10. Nicholas Tavuchis, *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford: Stanford University Press, 1991).

11. Kathleen Gill, “The Moral Functions of Apology,” *The Philosophical Forum* 31 (2000): 11–27.

12. J. Angelo Corlett, “Forgiveness, Apology, and Retributive Punishment,” *American Philosophical Quarterly* 43, no. 1 (2006): 25–42.

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17. *Ibid.*

18. <https://www.congress.gov/111/plaws/publ118/PLAW-111publ118.pdf>, *Congress.gov*, 7–8.

19. Ibid., 45.
20. Ibid.
21. Ibid.
22. Ibid.
23. Ibid., 45–46.
24. Sic. Slavoj Žižek, *On Belief* (New York: Routledge, 2001), 111.
25. “First Minister Statement: Apology to those Convicted for Same-Sex Activity—7 November 2017,” *YouTube.com*, November 7, 2017. 00:38, Accessed August 23, 2018. <https://www.youtube.com/watch?v=S0mAHA09cks>.
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27. Ibid., 02:55.
28. Ibid., 02:57.
29. Ibid., 03:03.
30. Ibid., 03:34.
31. Ibid., 03:46.
32. Emphasis added. Ibid., 03:58.
33. Ibid., 05:05.
34. Ibid., 06:40.
35. Ibid., 18:56.
36. Ibid., 19:59.
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42. Ibid., 12.
43. Ibid., 15.
44. Ibid., 32–33.
45. Ibid., 60.
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Chapter 2

“It May Seem Strange”

When Presidents Apologize for Genocide

Bradley A. Serber

On March 25, 1998, President Bill Clinton delivered a twenty-minute speech addressed to the people of Rwanda.¹ In the speech, Clinton offered condolences and support to Rwandans on behalf of the United States for its failure to intervene before and during the 1994 genocide. Key themes of the address included an acknowledgment of the Rwandan people’s history and suffering, calls to help genocide victims, and messages of hope for a better future. Given these themes, media accounts shortly after the speech largely treated it as a collective apology, even though questions remain about how well the speech fulfills expectations of that genre.² Despite the speech’s questionable fit as a collective apology, this was nevertheless Clinton’s first major attempt to make up for his administration’s inaction during the Rwandan genocide.

Although arguably a well-intentioned gesture and a small but important step toward a larger healing process, Clinton’s speech raises ethical and practical questions about the role of collective apologies for a phenomenon as large and heavy as genocide. The contextual factors surrounding Clinton’s speech and the various responses to it raise many questions about what collective apologies might consist of, how world leaders might do them differently, what they can and cannot accomplish, and perhaps even whether and under what circumstances they are warranted. These questions lack easy answers and are perhaps easier for both rhetors and critics to discern in hindsight. Rather than rendering simple judgments of Clinton’s “successes” and “failures” in Rwanda, this chapter explores how the role of the U.S. presidency, the international context of the Rwandan genocide, issues of timing and agency, and consequences for both speakers and receivers of collective apologies complicate both this speech and the genre of collective apologies as a whole. Based on these factors, I argue that, to the extent they are warranted at all, collective apologies for genocide may be inadequate to solve global

problems and are, at best, a highly delicate genre. Nevertheless, this analysis of Clinton's remarks and their reception points to alternative possibilities for how those who wish to take on the challenge of apologizing for genocide might do so in better ways.

COLLECTIVE APOLOGIES AND THEIR IMPLICATIONS FOR GENOCIDE

As several world leaders in the late twentieth and early twenty-first centuries have apologized for various mass atrocities, rhetorical critics and moral philosophers have taken an interest in collective apologies and how they resemble and differ from interpersonal apologies. Despite the long tradition of studying *apologia* as a genre, rhetorical critics in recent studies typically have treated collective apologies as a distinct genre with features of their own that differ from more conventional *apologia*, particularly as traditional speeches of *apologia* are more focused on self-defense than on expressing remorse. For instance, Jason A. Edwards argues that “rhetors who use *apologia* are attempting to defend/repair their own ethos,” whereas “rhetors who deliver a collective apology are not trying to defend their own self-interest; rather they are working for the larger interest of the community they represent.”³ Similarly, Lisa Storm Villadsen advocates for “distinguishing apologies from *apologiae* and shifting our understanding of official apologies from one based on interpersonal apologies to one much more akin to deliberative rhetoric.”⁴ Although collective apologies sometimes resemble traditional *apologia* insofar as they try to exonerate the speaker, they often involve ends and means that differ from individual *apologia*, including speaking for others, speaking about offenses that one did not personally commit (or commit alone), and attempting to repair relationships between groups. A major goal of collective *apologia* is to “begin healing the fractured relationship amongst groups harmed by historical injustice,”⁵ a process akin to what philosopher Margaret Urban Walker calls “moral repair.”⁶

Taking a rather optimistic view of collective apologies, Edwards argues that “expressions of remorse by political leaders may foster a change in the relational dynamic between communities where the relationship goes from victimizer/victim to one built on common ground.”⁷ Here Edwards suggests the possibility of effective collective apologies, which could be an important step toward repairing relationships and righting previous wrongs. Villadsen, however, takes a more skeptical approach, noting that “to some, official apologies represent a genre of public discourse struggling to find its feet as an ethically responsible and politically constructive discursive form.

To others, official apologies are at best meaningless, at worst the epitome of calculated verbiage.⁸ Done well, it seems, collective apologies can be an important step toward healing and reconciliation. Done poorly, however, they can cause additional harm and further damage relations between parties.

When it comes to analyzing collective apologies, however, Villadsen issues an interesting provocation. She charges rhetorical critics to look beyond mere evaluative judgments of praise and blame. When evaluating collective apologies, she suggests that "the point is less to determine if an official apology lives up to particular standards, or if it was 'successful' or not. Rather, the point of this kind of rhetorical inquiry should be to ask what official apologies tell us about the communities from which they spring."⁹ To be sure, this chapter does, to a certain extent, evaluate the virtues and vices of Clinton's speech in Rwanda. However, it does so as a way into broader analysis of the constitutive power and ethics of collective apologies for genocide. It is less my intent here to praise or blame Clinton for the positive or negative consequences of this speech and more to analyze what kinds of discursive norms, power dynamics, and models of citizenship such a speech might produce. Based on how these factors played out in Clinton's remarks, we can explore alternative possibilities for whether and how speakers might go about the task of trying to apologize for genocide.

COLLECTIVE APOLOGIES AS MORAL REPAIR

The international response to the Rwandan genocide created an international moral rupture. When Rwandan Tutsis and their Hutu allies reached out to leaders of other nations for help, their pleas were left unanswered. As a result, not only did hundreds of thousands die over the course of about three months, but trust between Rwandans and other nations also broke down. However, this rupture need not be permanent if invested parties could engage successfully in what Walker calls "moral repair." As she defines it, "Moral repair is the process of moving from the situation of loss and damage to a situation where some degree of stability in moral relations is regained."¹⁰ She argues that, in the context of genocide, moral repair can take place, in whole or in part, through a variety and combination of mechanisms, including but not limited to trials, reparations, truth commissions, collective apologies, and memorials.¹¹ Through moral repair, individuals and/or communities attempt to rectify previous harms.

Apologies can be an important component of moral repair. In some cases, particularly in minor interpersonal offenses, an apology alone can rectify harm sufficiently. Yet, for phenomena as large, complex, and injurious as

genocide, it need not be said that apology alone is often insufficient. Even with a perfect apology, it is unreasonable to expect a complete restoration of trust and mutual respect without additional support and changes in behavior. Nevertheless, an apology done well can have some benefits, even if it is only one of many parts of moral repair.

Even if they are not sufficient on their own, collective apologies can be a productive starting place for moral repair work, especially since they can help the apologizer and victims begin the process of accomplishing several different tasks simultaneously. In their recent studies of collective apologies, sociologist Danielle Celermajer and philosopher Nick Smith have tried to catalogue these various tasks. For instance, although she concedes that she does not think apologies are adequate for crimes such as torture, disappearances, and genocide, Celermajer lists four primary purposes of collective apologies: (1) taking comprehensive inventory of normative failures, (2) taking responsibility for wrongs committed, (3) explicitly performing the apology, and (4) envisioning a different future.¹² More comprehensively, Smith lists twelve recommended ideal criteria for collective apologies:

1. corroborating factual records
2. accepting blame
3. possessing and demonstrating appropriate standing
4. identifying each specific harm
5. identifying the moral principles underlying each harm
6. committing to shared moral principles
7. recognizing victims as moral interlocutors
8. expressing regret of previous actions
9. performing the apology explicitly and publicly
10. reforming behavior
11. intending the apology for the victim's sake more than for the offender's sake
12. expressing appropriate emotions.¹³

Because each of these criteria is an important component of moral repair, apologizers could use them strategically in combination with one another to begin the healing process. However, because missing or botched elements have the potential to do more harm than good, apologizers should be at least as concerned with what they do not say or say poorly as with what they do say. It would seem that those who make collective apologies would want to be as comprehensive, consistent, and sincere as possible with each of them.

THE POSSIBLE BENEFITS OF APOLOGIES FOR GENOCIDE

With Smith's criteria in mind, there may be some benefits to collective apologies more generally and Clinton's apology specifically. First, the presidential apology can send a powerful message in that it signals at least a brief reversal of typical power relations. As President of the United States, Clinton held a position with significant international clout. Although his ethos might have been damaged for this audience by his administration's inaction in Rwanda, this damage did not stop him from having tremendous influence in the international community. Apologies, however, typically require speakers to accept a position of humility and vulnerability. An apology from a leader like Clinton admits that both presidents and nations make mistakes that ought to be corrected. Furthermore, it shows solidarity and support for genocide victims, starts to repair the relationship between the two nations, and demonstrates that many further actions are necessary. With some of these ideals in mind, the presidential apology might actually do some good, at least in theory.

Turning to Smith's ideal criteria for collective apologies, Clinton's speech seems to do the best job at meeting the criteria of corroborating the factual record, identifying specific harms, and expressing regret. Here we see a second benefit of Clinton's address in that it helps to counteract genocide denial by corroborating the facts. As an official statement from a powerful world leader that the genocide happened, the speech acknowledges both the events that have occurred and the actions (not) taken by various parties. Like other genocides, the aftermath of the Rwandan genocide has generated a number of so-called "revisionist historians" who question or deny the historical record. This denial is problematic on several levels. For starters, the simple *argumentum ad ignorantium* appeal ("if you can't prove it to be true than it must be false," or vice-versa), which deniers often use, is problematic but nevertheless can function persuasively for some individuals, despite its categorization as a logical fallacy. Recognizing this phenomenon, Michael Bernard-Donals contends that genocide "denial is insidious because, though many of the deniers themselves are not sophisticated historians (or thinkers of any kind at all), they prey on the void of memory that is inevitable" after genocide has taken place.¹⁴ More importantly, however, to those who have suffered loss and trauma, denial rubs salt in an open wound. Acknowledgment of the historical record from a high-profile figure can be a source of comfort and reassurance.

Clinton does acknowledge the historical record in Rwanda in his speech. He maintains that "it is important that the world know that these killings were not spontaneous or accidental," but rather that "these events grew from a policy aimed at the systematic destruction of a people."¹⁵ Through this

acknowledgment, Clinton lends his ethos to back up the factual record against those who might deny it. Smith argues that leaders' recognition of the reality, magnitude, and severity of genocide "can serve to memorialize the event and elevate its status above rumor and hearsay. Confronting this record can also bring offenders to appreciate the full gravity of the injury, awakening them to the reality and scale of suffering at issue. Denial and minimization become increasingly difficult."¹⁶ Clinton's confirmation of the historical record is important not only for those who deny that the genocide happened after the fact but also for those outside of Rwanda who refused to refer to the events there as genocide, to recognize the extent of the harm they caused. This is an important move for offenders, victims, and bystanders because it creates a shared sense of what happened during the genocide and its causes and effects.

Two additional benefits of Clinton's apology are the speech's efforts to express regret and to rectify harms through promises of and commitments to future aid and assistance. Here Clinton makes efforts to take at least some responsibility for his administration's actions and to envision a different future. Through these expressions of regret and pledges of support, Clinton's apology lays the groundwork for future action both inside and outside of Rwanda to complement the speech's moves toward moral repair. His descriptive conclusions about the international community's handling of the situation, coupled with the statement that "we cannot change the past, but we can and must do everything in our power to help you build a better future,"¹⁷ imply normative conclusions about how world leaders and communities should handle the possibility of genocide the next time they are confronted by it. Moreover, throughout the course of the speech, Clinton pledges material and symbolic support, pairing money, services, and legal aid from the United States with messages of hope and unity, thus promising a progressive move forward while simultaneously remembering the past. Though not wholly reparative on their own, his physical presence and commitments to change the future imply new beginnings for the relationship between both nations.

As an attempt at moral repair, Clinton's speech does contain some positive elements. His use of presidential ethos to speak publicly about the genocide signals at least some degree of humility and some effort to right past wrongs. His public acknowledgment of the historical record once again taps into this ethos in order to combat denial, help victims heal, and reflect upon what happened and how world leaders might learn from it. Finally, his messages of hope and unity can be useful insofar as they help individuals transition from a tragic past to a more optimistic future. In these ways, Clinton's effort to rectify the harms of genocide in Rwanda might have been productive. However, the speech is not without significant problems related to contextual factors, timing, and agency. These issues undermine Clinton's message and goals and consequently raise questions for the larger genre of collective apologies.

THE CONTEXT OF CULPABILITY

In order to understand Clinton's speech more fully, it is important to recognize the international response (or lack thereof) to the Rwandan genocide. The inaction of the United States during the Rwandan genocide is now well documented. Several statements made by U.S. government officials show an unsettling trend of passing the buck. Many individuals at the U.S. State Department and elsewhere did not want the United States to get involved in Rwanda. As early warnings came in about the potential for mass violence, U.S. Under Secretary of Defense for Policy Frank Wisner said to another government official, "if something happens in Rwanda-Burundi, we don't care. Take it off the list. U.S. national interest is not involved and we can't put all these silly humanitarian issues on lists, like important problems in the Middle East and North Korea and so on. Just make it go away."¹⁸ However, as targeted mass killings spread throughout the country after the assassination of President Juvénal Habyarimana, it eventually became clear that this was no "silly humanitarian issue" that would just "go away." The Rwandan genocide left roughly 800,000 dead and many more raped and/or forced to become refugees.

Even as it became clearer that the systematic extermination of Tutsis was taking place in Rwanda, a memo from the Department of Defense addressed to high-ranking officials warned those officials to "be careful" for legal reasons with "language that calls for an international investigation of human rights abuses and possible violations of the genocide convention" because a "genocide finding could commit USG [the United States Government] to actually 'do something.'"¹⁹ Instead of calling the events in Rwanda "genocide," lawyers urged officials to use the watered-down term "acts of genocide," presumably to shirk away from legal commitments to intervene under the 1948 Genocide Convention. Notably, when journalist Alan Elsner pressed Christine Shelly from the U.S. State Department over how many acts of genocide make a genocide, Shelly evasively responded, "Alan, that's just not a question that I'm in a position to answer."²⁰ Presumably, the answer that Elsner and others were looking for was "one," but Shelly's non-answer, combined with other non-answers from similar individuals, allowed for a legal loophole through which the United States could slip in order to avoid intervention.

To be sure, Clinton does acknowledge his administration's inaction in Rwanda in his address, noting that "it may seem strange to you here, especially the many of you who lost members of your family, but all over the world there were people like me sitting in offices, day after day after day, who did not fully appreciate the depth and the speed with which you were being engulfed by this unimaginable terror."²¹ Here and elsewhere in the speech, he

does express a certain degree of remorse, even if he does not explicitly apologize by saying that he is sorry about what happened. Nevertheless, he and others in the U.S. government could have intervened at many points before and during the genocide but chose not to.

That said, the United States was not alone in its equivocation and evasion. Ambassadors to the United Nations also avoided using the word “genocide” in order to avoid intervention. When New Zealand ambassador Colin Keating proposed that the United Nations should label the killing in Rwanda as genocide, British ambassador David Hannay objected “that were the statement [calling it genocide] to be used in an official UN document, then the Council would become a ‘laughing stock.’ To name this a genocide and not to act on it would be ridiculous.”²² Consequently, the new proposal would include definitional elements from the Genocide Convention—namely, “the killing of members of an ethnic group with the intention of destroying such a group in whole or in part”²³—to condemn what was happening in Rwanda without actually using the term “genocide.”²⁴ Like government officials in the United States, ambassadors to the United Nations also looked for legal loopholes in order to justify nonintervention.

Aside from the United States and the United Nations, other nations also must share some of the culpability for the genocide. Critics of French involvement in Rwanda have pointed out many links between François Mitterrand’s government in Paris and Juvénal Habyarimana and his inner circle in Kigali.²⁵ In addition to France’s heavy military aid contributions and its training of the *interahamwe* soldiers who executed much of the genocide, the French Embassy, which was abandoned five days after the genocide began, suspiciously was filled with “a huge pile of shredded documents, almost filling a room.”²⁶ Whereas critics of the United States have implicated its inaction, some critics of France have charged the nation with direct complicity.

Furthermore, people concerned about where the weapons for the genocide came from have pointed fingers elsewhere. Although France had contributed a great deal of military support, the primary weapons used to execute the genocide, machetes, all came from China. Linda Melvern explains that

half a million machetes and other agricultural tools were purchased and distributed throughout the country, including hundreds of thousands of hoes, axes, hammers and razor blades. . . . The machetes came from China, supplied between 1992 and 1994 by a company called Oriental machinery. . . . According to bank records, US\$4.6 million was spent on agricultural equipment in 1993 by Rwandan companies not usually concerned with agricultural tools. . . . A total of US\$725,669 was spent on 581,000 machetes; one machete for every third adult Hutu male.²⁷

Such massive exports, particularly over a short period of time and to “companies not usually concerned with agricultural tools” should have set off some warning bells, but hundreds of thousands of machetes nevertheless made their way from China to Rwanda in only two years.

Of course, much of the burden of responsibility for the Rwandan genocide ultimately must lie with those who formulated the plan and those who directly executed it. Nevertheless, amid growing evidence that genocide was taking place, many highly influential government systems, through inaction or possibly even direct complicity, contributed to the final outcome. As Michael Barnett, a former officer of the U.S. Mission to the United Nations, argues, their excuses for inaction “point to a troubling truth: the larger and more complex the organization, the more difficult it is to recover individual responsibility. A nearly bottomless history of small decisions amassed to make a particular outcome almost inevitable.”²⁸ In addition to the active *genocidaires*, other individuals who could have acted to prevent or minimize the harm of genocide but chose not to must also share some of the blame.

Despite Clinton’s efforts to rectify the harms of his administration’s inaction, the weighty context before and during the genocide undercuts the possibilities of the text of his address after it. Even though it is unknowable how many lives could have been saved had the United States intervened earlier, and even though the United States was not alone in its failure to do so, the consequences of nonintervention were dire. Combined with financial aid, Clinton’s speech does make an effort to fix some of the problems that it helped to create, but even these moves cannot bring back the dead, fully repair broken trust, or even commit the U.S. government to intervene before or during future genocides. Thus, echoing Clinton’s words, “it may seem strange” when world leaders who did not intervene before and during a genocide try to apologize for it afterward.

TEMPORAL PROBLEMS WITH APOLOGIES FOR GENOCIDE

Beyond this context, there are several other ways in which Clinton’s speech fails to live up to Smith’s criteria and other related concerns. Many of these shortcomings have to do with matters of timing and agency. One major challenge that haunts Clinton’s speech is that of *kairos*. The speech is oddly timed in several ways. For starters, Clinton delivered it roughly four years after the Rwandan genocide. Not only did he keep silent while the genocide was taking place, but he remained silent about it for years while Rwandans continued to suffer its long-term consequences. Celermajer and Smith do not explicitly discuss *kairos* in their criteria for apologies, but in *Apologia Politica*, Girma

Negash calls attention to problems with timing. “Although there is no statute of limitations on apologies, an apology given expeditiously proves to be effective,” Negash explains. “Many apologies are rejected outright for not being timely and forthright.”²⁹ As a matter of *kairos*, this speech calls into question what a twenty-minute speech given four years after a genocide reasonably can accomplish.

Aside from taking place several years after the genocide, the speech was delivered at an odd time for other reasons. It was not an anniversary of genocidal events, and, as Negash notes, “it was not preceded by any government-led initiative or policy-relevant debate about a human rights calamity that involved the United States, even if only indirectly.”³⁰ Instead, it appears that Clinton gave the speech on a brief but rather routine tour of Africa. It was neither the only apology he gave nor the only uncontroversial one during this trip. In addition to his apology in Rwanda, Clinton gave another speech in Uganda, in which he apologized for the slave trade, despite the fact that, as at least one journalist noted, most “slaves who were shipped to North America came not from Uganda but from West Africa.”³¹ Together, these two apologies (not to mention the one that Clinton would give five months later, in which he admitted that he did, in fact, “have sexual relations with that woman, Miss Lewinsky”), happened in quick succession. With several important missteps in such a short time, Clinton’s apology may seem insincere, trivial, or even insulting.

In addition to these problems with *kairos*, Clinton’s appearance in Rwanda happened very quickly. Paul Rusesabagina, the author of *An Ordinary Man* (the autobiography upon which *Hotel Rwanda* was based) noted precisely how much energy Clinton devoted to his trip. Rusesabagina recounts that “President Bill Clinton stopped over in Rwanda on March 25, 1998, and offered an apology for America’s failure to intervene. He stayed for approximately three hours and did not leave the airport.”³² Rather than traveling to a more central location or spending more time with survivors and policymakers, Clinton delivered his entire speech from the tarmac at the Kigali airport. To critical observers, Clinton’s quick visit signaled that he once again lacked time to devote to Rwanda, just as he had in the months leading up to and during the genocide.

Ironically, despite the speech’s temporal transgressions, the importance of timing is one of Clinton’s central messages. He explains that leaders of the international community “did not act quickly enough after the killing began.”³³ He recalls the efficiency of the *genocidaires*, who, “armed mostly with machetes and clubs, nonetheless did their work 5 times as fast as the mechanized gas chambers used by the Nazis.”³⁴ He even notes, along with some of his critics, that “events here show how urgent the work is” as “attacks by those responsible for the slaughter in 1994 continue today.”³⁵ Although

the speech did not mark a significant anniversary of any part of the genocide, it is full of urgency for the present moment and the linking together of past, present, and future.

Clinton also underscores the urgency of bringing *genocidaires* to justice. He argues that “to help ensure that those who survived, in the generations to come, never again suffer genocidal violence, nothing is more vital than establishing the rule of law.”³⁶ However, “establishing the rule of law” both inside and outside of post-genocide Rwanda has been neither easy nor quick. Although the Rwandan *gacaca* courts have introduced an innovative and faster approach to adjudication, lawyer Christine M. Carroll has pointed out some significant obstacles to legal remedies in Rwanda. For starters, she notes that “of the 800 lawyers and judges of the national and provincial courts, only 40 were alive and in the country after July 1994.”³⁷ Many of these individuals were killed, and many others left the country as refugees. Consequently, the legal system within the country slowed down drastically. In 2000, Carroll explained that “if the Rwandan courts continued at their current pace, it would take 150 years to try all of the accused.”³⁸ As late as 2010, nearly 800,000 individuals were still awaiting trial.³⁹ Needless to say, the urgency Clinton placed on the Rwandan legal system was undermined by his oversimplification of its many problems and by how slow this restoration actually has been.

Outside of Rwanda, international law has been slow to respond as well. In November 1994, the U.N. Security Council approved the International Criminal Tribunal for Rwanda (ICTR) to handle the cases of high-level *genocidaires*. Clinton notes in his speech that “the United States is the largest contributor to this tribunal” and that the United States is “frustrated, as you are, by delays in the tribunal’s work.”⁴⁰ Only in 2015, more than twenty years after the genocide, did the ICTR’s work draw to a close, and even so, the original work of the ICTR may never be complete since, at the time of writing, eight of the accused still remain at large.⁴¹ For both Rwandan and international law, Clinton promised expedient reforms that have not been delivered.

Despite the delayed timing of Clinton’s speech, one still could argue that an apology is better late than never. In fact, Clinton actually was the first of several heads of state to issue a statement to the Rwandan people. Many world leaders independently (and collectively through the United Nations) contributed indirectly to the events in Rwanda, but Clinton made the United States the first to apologize. Following his lead, Belgian prime minister Guy Verhofstadt issued an apology in 2000. Meanwhile, despite the evidence against France under François Mitterrand, French leaders had continued to deny their role as late as 2010, when Nicolas Sarkozy visited Rwanda and issued an apology of his own. Given the chronological order of these

apologies, one could argue that Clinton's speech not only aimed to repair relations between the United States and Rwanda but also set a precedent for other nations to follow. By setting other nations up for subsequent collective apologies, Clinton may have helped other world leaders continue to build upon his words and attempt to do what his speech alone could not.

Nevertheless, the temporal problems in Clinton's speech point to major obstacles that could impede collective apologies for events like genocide. Despite the speed of how quickly genocide can take place (in Rwanda it was about one hundred days), the recovery from events of this caliber is typically very slow. This slow recovery in the aftermath of genocide is often at odds with the immediacy that an apology implies. The healing process typically takes generations. Attempts to rush that healing process may interrupt said healing or even slow it down. The many temporal issues affecting both Clinton's speech and its context suggest that those who make collective apologies for genocide should be particularly sensitive to matters of timing in order to demonstrate a clear sense of commitment to survivors and to avoid causing additional harm.

AGENTIAL PROBLEMS WITH APOLOGIES FOR GENOCIDE

Beyond matters of timing, Clinton's speech raises important questions about agency for both those who deliver collective apologies and those who receive them. For those who make collective apologies, the speech calls into question what exactly an apologizer *qua* apologizer can do. First, from a genre perspective, we must ask whether Clinton's speech should appropriately be called an apology. After all, nowhere in the text does Clinton say "I am sorry," "I apologize," or anything of that nature. Perhaps the closest he comes to doing so is when he said that "the international community, together with nations in Africa, must bear its share of responsibility for this tragedy, as well"⁴² or when he admits the bureaucratic challenges that contributed to the U.S. government's inaction.⁴³ However, his address includes no formal expression of apology on either an individual or collective level. For victims who seek an explicit statement of remorse, the lack of such a statement may undermine its fit within the genre and its overall message.

Despite the lack of an explicit apology statement, one could argue, using Smith's criteria, that an explicit "I am sorry" statement is an important gesture but only one of many elements that make up a collective apology. One also could point out that Sarkozy did the same thing when he visited Rwanda in 2010. The closest that Sarkozy came to an explicit statement of apology was to say that the French government had made "errors of judgment."⁴⁴ In

their analysis of the "promises and pitfalls" of collective apologies, however, Trudy Govier and Wilhelm Verwoerd insist that an explicit statement of "I am sorry" or "I apologize" is crucial because it acknowledges "the *human dignity and moral worth of victims* as well as *respect for their feelings of resentment* [italics original]."⁴⁵ Although they recognize that "no apology can undo a wrongful act," they also warn that "there is a further insult to, and harm of, victims/survivors when acknowledgement is lacking" and that "it further damages these vulnerable people because *moral contempt can be as devastating as the original wrong itself* [italics original]."⁴⁶ For these reasons, an explicit apology statement can be one of the most, if not the most, important components of moral repair within collective apologies.

Nevertheless, by engaging in legerdemain similar to those who justified nonintervention in the first place, Clinton uses vague collective abstractions to minimize his personal accountability. Rather than apologizing for the only person for whom he could apologize, himself, Clinton delves into abstraction with the plural "we" whenever he addresses specific moral harms. By doing so, he shifts the burden of responsibility into that strange collective space in which both everybody and nobody is responsible. It was through this same logic that the United States and other governmental organizations justified nonintervention in the first place. Consequently, if a good apology is meant to reestablish moral relations as a basis for future conduct, Clinton's failure to take personal responsibility simply implies more of the same.

Furthermore, with this shift from individual to collective culpability, Clinton attempts to apologize on behalf of individuals other than himself, once again without ever explicitly uttering an apology using "I'm sorry" language. Engaging in what Smith, Negash, and others have termed "apology by proxy," Clinton includes several others as morally culpable for their inaction.⁴⁷ Because others in his administration and elsewhere did contribute to nonintervention, efforts to apologize for others make sense to a certain degree. However, when Clinton tries to apologize for others, it deflects attention away from himself by pushing it onto them. Through apology by proxy, Clinton exercises authority that extends beyond his power by attempting to apologize on behalf of others.

Clinton nevertheless does attempt to apologize on behalf of several collectives, but apologizing for larger groups comes with problems of its own. One collective for which Clinton attempts to apologize is the people of the United States. Early in the speech, he explains that he has "come today to pay the respects of my Nation to all who suffered and all who perished in the Rwandan genocide."⁴⁸ However, Clinton's ability to "pay the respects of [his] Nation" is a strange move. Although many U.S. Americans feel guilty about the Rwandan genocide, must live with the consequences of their government's nonintervention, and desire to rectify the harms done in Rwanda, only

a handful of individuals were directly involved in the decisions that led to this inaction. For the vast majority of U.S. Americans who were not, Clinton cannot apologize.

Furthermore, despite the fact that they did not partake in these decisions directly, some U.S. citizens actually might agree with those decisions and feel little to no remorse. Even though these decisions helped catalyze the genocide, some individuals might believe that it would have happened anyway and that it is not the job of the United States to try to stop it. In the age of American imperialism, isolationists might argue that the United States need not, and should not, serve as world police. Although these individuals might not express Wisner's sentiment about "all these silly humanitarian issues on lists" per se, isolationists might argue for U.S. nonintervention in even the most serious of foreign crises if the United States faces domestic problems or if intervention requires serious financial and military commitments, as it did in Somalia a year before the Rwandan genocide. Such a position might be questionable in the case of genocide, but these individuals, whether civilians or government officials, nevertheless contend that it is a reasonable one.⁴⁹ Nevertheless, if isolationists do not regret their position and are unlikely to change it, and if they continue to influence U.S. foreign policy, then an apology on their behalf does not make much sense.

A second collective for which Clinton attempts to apologize is the international community. Once again, as subsequent apologies from other heads of state indicate, Clinton cannot apologize for the (in)actions of other nations. Furthermore, how Clinton chose to address "the international community" is also curious. As he talked about global politics, Clinton said that "the international community, *together with nations in Africa* (emphasis added), must bear its share of responsibility for this tragedy, as well."⁵⁰ This odd phrase raises the questions of whether Clinton sees Africa as a homogeneous continent, as he appeared to do in his speech in Uganda, and whether he views African nations as part of or separate from "the international community." In other words, it reinforces a belief that the Western community is the "real" international community, which must "save" developing nations in Africa and elsewhere. Not only can Clinton not apologize on behalf of "the international community," but the manner in which he tried to do so was problematic, particularly as the other side of that coin is the mentality that problems in Africa and elsewhere do not concern the United States.

Finally, Clinton does not apologize, nor could he apologize, for the people whose apology Rwandan victims needed most, the *genocidaires*. Clinton acknowledges that "these events grew from a policy aimed at the systematic destruction of a people. The ground for violence was carefully prepared, the airwaves poisoned with hate, casting the Tutsis as scapegoats for the problems of Rwanda, denying their humanity. . . . Lists of victims, name by name,

were actually drawn up in advance."⁵¹ However, Clinton did not prepare the lists of people to be killed, engage in hate speech over the RTLM airwaves, or raise a machete. Although *genocidaires* can and sometimes do offer apologies, Clinton cannot apologize for them.

All of these instances point to what Smith refers to as the problem of "standing." Borrowing a term from legal theory, Smith argues that "only . . . the person causally responsible for the injury, [has] authority to accept blame for the harm and apologize accordingly."⁵² Through his role as president, Clinton can and does symbolically represent the U.S. government, U.S. citizens, and even in some ways the international community. However, in his role as apologizer, Clinton cannot accept blame, learn lessons, (re)commit to moral principles, or repent for others. Because these collectives extend beyond Clinton himself, his efforts to engage in moral repair will be rendered moot if these individuals do not partake in these actions themselves and commit to change.

In addition to asking *for* whom Clinton can apologize, another interesting question is *to* whom he can apologize with a collective apology. After all, genocide has many direct and indirect victims. Clinton attempts to apologize "to all who suffered and perished in the Rwandan genocide."⁵³ In any sense that his apology could be matched with forgiveness, Clinton obviously cannot apologize to the dead. However, as Smith notes, "the death of your victim does not discharge you from the duty to apologize," and "even if an apology to the dead cannot achieve certain kinds of meaning, others are not only possible but also quite important."⁵⁴ Even if the dead cannot accept an apology, they still deserve respect.

One way in which Clinton does attempt to honor the dead, even if he cannot apologize to them directly, is to take on characteristics of another genre, the national eulogy. In their treatment of this genre, Karlyn Kohrs Campbell and Kathleen Hall Jamieson argue that the national eulogy "enables the president to transform symbols of destruction into symbols of resurrection and renewal . . . [and] explains how the president and the government will ensure that the tragedy will not be repeated."⁵⁵ Indeed, Clinton does insist that "we owe to those who died and those who survived and loved them, our every effort to increase our vigilance and strengthen our stand against those who would commit such atrocities in the future, here or elsewhere."⁵⁶ This commitment is likely the closest Clinton can get to apologizing to the dead, and following through on it could mean that he, or other leaders down the road, will not have to apologize for or to the dead. However, given how he evades his personal responsibility for the genocide and cannot control the attitudes and beliefs of others, the obligation to the dead could easily turn into an empty promise, as it already has in Darfur.⁵⁷

Meanwhile, in addition to the dead, Clinton also attempts to apologize to Rwandan survivors. Here, with people who can decide whether to accept

or reject his apology, he is at least able to apologize in a more traditional sense. However, given the sheer number of survivors, the time constraints of a presidential career, the timing of his visit, and the inconsistencies between his words and his actions, it is difficult for him to apologize to all of them in a meaningful way.

Yet, there is another audience to whom Clinton does not apologize: U.S. citizens. Clinton apologizes on behalf of the United States but not to the United States. However, the inaction of Clinton and other government officials in Rwanda did not just affect people there. They affected people in his country as well. Most U.S. citizens were not involved in the decision-making process, but the decisions made on their behalf and the consequences of those decisions constitute a different moral harm of a lesser but not insignificant degree against U.S. citizens. Not only did U.S. inaction in Rwanda hurt the national character, but the problems that caused it and the problems that it caused have not been redressed. Consequently, this group, like the others, remains vulnerable to repeat offenses without their consent. Without apologies to U.S. citizens or efforts to change their government's behavior, Clinton's speech implies a model of citizenship grounded in acquiescence rather than consent.

Like the problems of agency regarding who Clinton can apologize for by proxy, the problems of agency with the recipients of this apology are many. Although it is ultimately up to these individuals (with the exception of the dead) to determine whether an apology is sufficient, issuing apologies to individuals who cannot accept them, issuing bad apologies, or not issuing apologies at all can disrespect the agency of those whom the apology is trying to help. Although some good can come out of such apologies, these issues from Clinton's speech beg the questions of whether such apologies are necessary at all and, when they are, how they might be done differently.

Whether warranted or not, collective apologies for genocide appear to have become something that survivors of genocide and citizens from implicated countries have come to expect. As collective apologies from world leaders have become more common, domestic and international expectations for such speeches might make it difficult for leaders to avoid giving them, imperfect as they may be. Edwards has noted that, for better or worse, many "political, religious, and community leaders [have] apologized for injuries caused years, decades, and even centuries earlier."⁵⁸ Citing examples from Clinton in addition to George H. W. Bush, Jacques Chirac, Tony Blair, Pope John Paul II, Australian prime minister Kevin Rudd, Canadian prime minister Stephen Harper, and others, Edwards argues that political leaders' "collective apologies have the potential to unlock doors separating communities, laying the groundwork for productive associations in the present and the future."⁵⁹ Although these speeches have drawn a wide range of praise and criticism,

they offer a unique way to address moral harm through a high-profile figure making a collective apology in front of a large audience.⁶⁰

Given many other examples of world leaders apologizing for past atrocities, it is not surprising that Clinton chose to offer an apology for the moral harm that took place under his leadership. Although it is highly unlikely that one speech can singlehandedly complete the process of moral repair for such a massive and injurious offense as genocide, speeches from prominent world leaders that admit wrongdoing and attempt to restore moral relations can be a good starting place. From prominent international figures like Clinton, the public collective apology can be a powerful tool. Due to the potential harms of both not issuing an apology and issuing a bad apology, the question of whether to apologize seems less important than how to apologize better in those times when a collective apology for genocide may be appropriate.

MAKING COLLECTIVE APOLOGIES LESS "STRANGE"

Clinton's admission that "it may seem strange" that the United States chose not to intervene in the genocide also may apply to how his Rwandan audience and others might view his (arguably pseudo-) apology for said genocide—or any genocide at all, for that matter. Despite this speech's problems, there are, nevertheless, a number of possible benefits to collective apologies for genocide more broadly. As one available mechanism of moral repair, collective apologies can be at least a partial step toward healing and reconciliation. Clinton's speech, problematic and inadequate as it may have been, did break U.S. silence about the Rwandan genocide, attempt to repair moral harms, and promise many types of aid for a suffering nation. In these respects, collective apologies could be productive. When done well, collective apology can be an important step in the healing process.

It is important to keep in mind that even the best collective apology for a crime as large and complex as genocide likely can provide, at best, only some of the work necessary for moral repair. By looking at both this speech's strengths along with its weaknesses, we might imagine a different version in which he took more responsibility for moral harms that he personally caused and showed greater respect for the Rwandan people. The context of Clinton's speech suggests that collective apologies may be inadequate to account for globalized problems, but given expectations for leaders to issue them, they nevertheless still might have to deliver them. Within the realms of possibility for collective apologies, Celermajer and Smith's criteria suggest that there are better and worse ways of doing so.

With this in mind, world leaders who wish to engage in collective apologies, and rhetorical critics who analyze them, can learn much from both the

strengths and the weaknesses of Clinton's speech. Returning to Villadsen's proposition that rhetorical critics should ask not whether a particular apology was "successful" but instead what such an apology says about the communities on whose behalf it is delivered, Clinton's speech indicates more of a continuance than a change from the attitudes of his administration during the genocide. Despite its messages of hope, unity, and healing, the speech's problems with context, *kairos*, and agency suggest a certain passivity and indifference that resemble the attitudes that enabled U.S. nonintervention in the first place. Perhaps it will always "seem strange" when presidents apologize for genocide, especially if such apologies happen regularly, but perhaps, by learning from this speech and others like it, an occasional, well-done apology for genocide could be a useful tool of moral repair.

NOTES

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2. David Heaps, "Clinton's Rwanda Apology Wasn't So Candid," *The New York Times*, March 29, 1998; John Ryle, "A Sorry Apology from Clinton," *The Guardian*, April 19, 1998; Jacob Weisberg, "Sorry Excuse: Rules for National Apologies," *Slate*, April 4, 1998.

3. Jason A. Edwards, "Apologizing for the Past for a Better Future: Collective Apologies in the United States, Australia, and Canada," *Southern Communication Journal* 75, no. 1 (2010): 71–72.

4. Lisa Storm Villadsen, "Beyond the Spectacle of Apologia: Reading Official Apologies as Proto-Deliberative Rhetoric and Instantiations of Rhetorical Citizenship," *Quarterly Journal of Speech* 98, no. 2 (May 2012): 232.

5. Edwards, "Apologizing," 71.

6. Margaret Urban Walker, *Moral Repair: Reconstructing Moral Relations after Wrongdoing* (New York: Cambridge University Press, 2005).

7. Edwards, "Apologizing," 58.

8. Villadsen, "Spectacle," 231.

9. *Ibid.*, 244–45.

10. Walker, *Moral Repair*, 6.

11. *Ibid.*, 11.

12. Danielle Celermajer, *The Sins of the Nation and the Ritual of Apologies* (New York: Cambridge University Press, 2008), 10–11, 252–54.

13. Nick Smith, *I Was Wrong: The Meanings of Apologies* (New York: Cambridge University Press, 2008), 141.

14. Michael Bernard-Donals, *Forgetful Memory: Representation and Remembrance in the Wake of the Holocaust* (Albany: State University of New York Press, 2010), 103–4.

15. Clinton, “Remarks,” paras. 7–8.
16. Smith, *I Was Wrong*, 28.
17. Clinton, “Remarks,” para. 10.
18. Quoted in Jared Cohen, *One Hundred Days of Silence: America and the Rwandan Genocide* (Lanham, MD: Rowman & Littlefield, 2007), 115.
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20. Quoted in Samantha Power, *A Problem From Hell: America and the Age of Genocide* (Basic Books, 2002), 363–64.
21. Clinton, “Remarks,” paras. 7–8.
22. Linda R. Melvern, *A People Betrayed: The Role of the West in Rwanda’s Genocide* (New York: St. Martin’s, 2000), 180.
23. “Convention on the Prevention and Punishment of the Crime of Genocide” (United Nations, 1948).
24. Cohen, *One Hundred Days*, 137.
25. Daniela Krosiak, *The Role of France in the Rwandan Genocide* (London: Hurst & Co., 2007); Melvern, *A People Betrayed*; Andrew Wallis, *Silent Accomplice: The Untold Story of France’s Role in the Rwandan Genocide* (New York: L.B. Tauris & Ltd. Company, 2006).
26. Melvern, *A People Betrayed*, 233–34.
27. *Ibid.*, 64–65.
28. Michael Barnett, *Eyewitness to a Genocide: The United Nations and Rwanda* (Ithaca: Cornell University Press, 2002), 19.
29. Girma Negash, *Apologia Politica* (Lanham, MD: Rowman & Littlefield, 2006), 154.
30. *Ibid.*, 85.
31. Ryle, “Sorry Apology.”
32. Paul Rusesabagina, *An Ordinary Man* (New York: Penguin, 2006), 186.
33. Clinton, “Remarks,” para. 10.
34. *Ibid.*, para. 6.
35. *Ibid.*, para. 16.
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37. Christina M. Carroll, “An Assessment of the Role and Effectiveness of the International Criminal Tribunal for Rwanda and the Rwandan Justice System in

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38. *Ibid.*, 190.

39. Nicholas A. Jones, *The Courts of Genocide: Politics and the Rule of Law in Rwanda* (New York: Routledge, 2010), 8–9.

40. Clinton, “Remarks,” para. 19.

41. United Nations International Criminal Tribunal for Rwanda, “The Cases” (Arusha, Tanzania, 2019), <https://unictr.irmct.org/en/cases>.

42. Clinton, “Remarks,” para. 10.

43. *Ibid.*, para. 13.

44. Anjan Sundaram, “Sarkozy Tries to Mend Rift with Rwanda,” *New York Times*, February 26, 2010.

45. Trudy Govier and Wilhelm Verwoerd, “The Promise and Pitfalls of Apology,” *Journal of Social Philosophy* 33, no. 1 (2002): 69–70.

46. *Ibid.*, 70–71.

47. Smith, *I Was Wrong*; Negash, *Apologia Politica*.

48. Clinton, “Remarks,” para. 3.

49. Contrary to the isolationist position, consider, for example, the more interventionist position taken by Madeline Albright and William S. Cohen as articulated through lessons they learned in part through the aftermath of the Rwandan genocide. They argue that nonintervention and delayed intervention in genocide produces “spillover effects,” including but not limited to “[political] instability . . . terrorist recruitment and training, human trafficking, and civil strife . . . refugee flows . . . [and] growth in humanitarian needs. . . . And the longer we wait, the more exorbitant the price tag.” Madeleine K. Albright and William S. Cohen, *Preventing Genocide: A Blueprint for U.S. Policymakers* (Washington, DC: U.S. Holocaust Memorial Museum, American Academy of Diplomacy, and the Endowment of the United States Institute of Peace, 2008), xx.

50. Clinton, “Remarks,” para. 10.

51. *Ibid.*, paras. 8–9.

52. Smith, *I Was Wrong*, 52.

53. Clinton, “Remarks,” para. 3.

54. Smith, *I Was Wrong*, 76.

55. Karllyn Kohrs Campbell and Kathleen Hall Jamieson, *Presidents Creating the Presidency: Deeds Done in Words* (University of Chicago Press, 2008), 80.

56. Clinton, “Remarks,” para. 11.

57. Cynthia E. Smith and Tony Pipa, “The Politics of Genocide: U.S. Rhetoric vs. Inaction in Darfur, 7 April–26 September 2004,” *Kennedy School Review* 6 (2005): 131–41.

58. Edwards, “Apologizing,” 57.

59. *Ibid.*, 58.

60. Moreover, as many of these speeches are now recorded by various media, those not included in the original audience can partake in their messages.

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Chapter 3

Audiences and the Normative Dimensions of Official Apologies

Kevin Coe

Official apologies issued by heads of state, political leaders, and other public figures have increased markedly during the past several decades—and scholarship analyzing this unique rhetorical form has expanded as well.¹ One approach employed in this growing body of literature is to describe the key components of an apology. Often, this happens inductively. Scholars isolate a key apologetic text or series of texts and identify common features.² This approach has the advantage of offering rich description and of drawing out patterns that might otherwise be missed. Another approach, however, is to work deductively, beginning with a conception of what constitutes an apology and then applying that understanding to interpret apologetic texts. This latter approach has the potential advantage of engaging an important normative question: What *should* be said for an apology to be considered adequate? Take, for instance, former president Bill Clinton’s speech expressing regret for his affair with White House intern Monica Lewinsky. Gronbeck argued that Clinton “undoubtedly apologized,” whereas Glinert felt that, despite some apologetic tendencies, the speech was ultimately a “nonapology.”³ These opposing claims might both have value. But a more definitive judgment about the nature of Clinton’s speech would require having a clear normative standard against which to judge the content. Indeed, such normative standards often play an especially important role in research about political issues.⁴

With this in mind, this chapter engages the normative dimensions of official apology. As a starting point, I synthesize previous work that has described an array of key components of apology. These conceptions come from fields such as psychology, sociology, and linguistics, and are derived from diverse approaches, including clinical observation,⁵ close monitoring of individual and institutional-level social action,⁶ and detailed semantic

analysis of apologetic statements.⁷ Through this synthesis, I argue for a four-part normative framework of apology that includes *acknowledgment* that the act occurred, was harmful, and was immoral; full or partial *acceptance* of responsibility for the act; *assurance* that the act will not happen again; and a statement of *explicit apology*.

Certainly, this study is not the first to engage the normative elements of apology.⁸ I therefore take a second analytic step, leveraging this framework to briefly evaluate the normative dimensions of two U.S. Congressional apologies that happened in relatively rapid succession: the 1988 Civil Liberties Act, which apologized for the incarceration of Japanese Americans during World War II, and the 1993 Apology Resolution, which apologized to Native Hawaiians for the overthrow of their monarchy in 1893. Taking seriously the mutuality of apology—the reality that an apology without a response is incomplete—this portion of the analysis also considers the responses to these apologies among the intended recipients.⁹ It is the combination of these three components—providing a normative framework, applying that framework to two key cases, and considering audience reception—that helps this chapter contribute to the extant apology literature. In particular, focusing on two major U.S. Congressional apologies that occurred just five years apart but differed in some important ways allows the chapter to highlight an additional feature of official apology—amends—that was not present in the normative framework but that was nonetheless clearly desired by those who encountered these apologies.

UNDERSTANDING OFFICIAL APOLOGY

People use various techniques to account for, excuse, or apologize for behavior perceived as harmful.¹⁰ Scholars of rhetoric have focused their attention primarily on two forms of such discourse: accounts and apologia. An account, according to Scott and Lyman, is “a statement made by a social actor to explain unanticipated or untoward behavior.”¹¹ Under the rubric of “concessions,” Schönbach has conceptualized apologies as a subset of accounts because both forms seek to respond to untoward action.¹² The two forms are importantly distinct, however, in their handling of responsibility: Apologies are offered when the actor has accepted responsibility for the act, whereas accounts are generally offered to rationalize or lessen the actor’s responsibility for the act. A similar distinction can be made between apologies and apologia.¹³ Apologia is traditionally a speech of defense; an apology, on the other hand, is offered without defense. Thus, in contrast to those who offer an account or an apologia, apologizers do not seek to explain or defend, but rather willingly accept a degree of “vulnerability” as they seek

to symbolically atone for the act.¹⁴ As Tavuchis explains, “To apologize is to declare voluntarily that one has no excuse, defense, justification, or explanation for an action.”¹⁵

Apology, then, is a distinct but meaningful rhetorical form. Substantial scholarship has suggested the value of apology in the interpersonal sphere.¹⁶ Official public apologies can serve a similarly crucial function. Lazare claims that apology “is one of the most profound interactions of civilized people. It has the power to restore damaged relationships, be they on a small scale . . . or on a grand scale, between groups of people, even nations.”¹⁷ Similarly, Howard notes that public apologies “can bring the clear ring of truth to our national and global discussions of dominance.”¹⁸ Brooks also discusses the importance of official apology, saying it “improves the national spirit and health. It raises the moral threshold of a society.”¹⁹ Lind provides a helpful reminder that, especially on the international stage, the effects of official apology may not be uniformly positive.²⁰ Even when apology is not necessarily a positive experience for all involved, however, the act itself is consequential. Given the importance of official apology, it is no surprise that there exists an ample body of scholarly writing on the subject.²¹

Two existing models of official apology are particularly relevant here. The first is Abadi’s five-part model of political apology. Drawing “mainly from political life in Israel during the years 1985–1987,” Abadi describes five binaries that illustrate the possible choices a politician might make when delivering an apology.²² Specifically, Abadi suggests that a political apology is likely to include a full or partial acknowledgment of responsibility; a renunciation or no renunciation of the act; a promise to refrain from the act in the future or no such promise; an offer of amends or no offer of amends; and an either implicit or explicit expression of apology. The Abadi model is a valuable tool for considering the communicative choices a political actor might make when apologizing, but it does not offer a normative standard at which an utterance can be considered a complete apology. For example, according to the Abadi model, it would be possible for a speaker to offer an “implicit apology” by doing nothing more than acknowledging partial responsibility for an act. Further, the five parts of the model are quite ambiguous. It is unclear, for example, what words or phrases would qualify as an “explicit apology” according to the Abadi model, what exactly would need to be acknowledged about an act to have it be considered “full” rather than “partial” acknowledgment, or what a speaker could offer that would constitute amends. In sum, the Abadi model is a helpful means of considering apologetic choices but leaves key normative considerations unaddressed.

Dodds, though not citing Abadi’s work, offers a similar but more detailed conception of political apology than does Abadi. Dodds discusses a series of considerations important in political apologies, including who is offering

the apology, what body the apologizer represents, the amount of contextual information included, the relative power of the offender and the offended, the timing of the apology, and the tangible compensation that might accompany the apology. Although Dodds occasionally suggests that an apology “must” do something, such as personify a larger entity in a single individual or small group, it remains unclear exactly which of the various considerations must be included—and in what way they must be included—for an apology to be normatively complete. For example, Dodds claims that Germany has not explicitly apologized for the Holocaust but also indicates that some German statements and actions “may be considered as *de facto* apologies or other ways of seeking forgiveness and reconciliation.”²³

These two works, then, offer useful conceptions of apology. Two more recent works help flesh out one other particularly noteworthy element of official apology: its mutuality. Smith points out the importance not just of the apologizer but also of the victim. In an ideal case, the victim’s interests are weighed and accounted for in the apology, such that the victim is recognized as a “moral interlocutor.”²⁴ Nobles’ “membership theory” of official apology highlights similar thinking but focuses more on structural elements. For Nobles, an official apology is an opportunity to reshape membership in a political community along “legal, political, and affective” lines.²⁵ This reshaping plays out largely through a negotiation among state actors, the victimized group, and public intellectuals (whose scholarship helps clarify the historical record). Smith’s and Nobles’ perspectives help underscore the value of, when analyzing an official apology, considering the response of the group that has been apologized to. It is, after all, in such responses that the group’s interests might be directly observable.

In what follows, I build from the work of Abadi, Dodds, Smith, and Nobles by pairing a focus on the normative dimensions of official apology with an interest in the audiences for such rhetoric. Toward this end, the next section offers a deductive synthesis that clarifies what must be said for an utterance to constitute a complete official apology.

A NORMATIVE FRAMEWORK OF OFFICIAL APOLOGY

The following framework of official apology has four components: acknowledgment, acceptance, assurance, and explicit apology. These components can be thought of as the criteria that must be met for an official apology to be considered normatively desirable. Because an official apology likely will not be issued for a minor offense, the framework assumes the act that is being apologized for is severe. Specifically, it assumes two things about the act in question. First, it assumes the act has negative consequences or effects that are still felt at the time the apology is

offered. This is not to minimize the injustice of acts perpetrated long ago; instead, it reflects the reality that certain acts will likely never be apologized for because they no longer have any noticeable negative impact. Second, the model assumes that the act is generally thought to be both harmful *and* immoral. This is an important distinction because a variety of acts exist that, though indisputably harmful enough to warrant an official apology, will likely never be apologized for because there is disagreement as to their morality. For example, the United States' use of the atomic bomb in World War II clearly caused tremendous harm. Nevertheless, the United States will likely never apologize for the act because many people do not believe that it was immoral. With these assumptions about the severity of the act in mind, I now present the framework.

Acknowledgment

Acknowledgment, the first component of the model, is the realization of three things: the act occurred, the act was harmful, and the act was immoral. These criteria are adapted from Wagatsuma and Rosett, who question "whether a person can meaningfully apologize without acknowledging that the hurtful act happened, caused injury, and was wrongful."²⁶ Each realization will be considered in turn.

Most fundamentally, a rhetor might acknowledge that the act occurred. If an apologizing body does not believe—or refuses to recognize—that the act occurred, then there is nothing for which to apologize. For example, the Turkish government is not in a position to apologize for the Armenian genocide because they have as yet refused to even acknowledge that it took place. Such acknowledgment is an important criterion because it serves as an official record that the act occurred. As Tavuchis explains, the "ultimate task of collective apologetic speech is to put things on record, to document as a prelude to reconciliation."²⁷ Second, acknowledgment requires a realization that the act was harmful. Tavuchis states that an apology must remember what has been "lost by virtue of our offensive speech or action."²⁸ Implicit in Tavuchis's statement is the concept of harm, in that if someone has lost something, she/he has been harmed. The cognition of the harm the act caused is important because, as noted above, there would be no reason to apologize for an act that was harmless. Third, there must be a realization that the act was immoral. One of the "integral elements" of an apology, according to Lazare, is to "acknowledge that a moral norm . . . was violated."²⁹ In this vein, Goffman notes that an apology should contain "verbal rejection, repudiation, and disavowal of the wrong way of behaving,"³⁰ and Smith points out that "categorical regret" is necessary to indicate that the actions in question "constitute a moral failure."³¹

In many ways, acknowledgment is a necessary first step in an official apology. Any apology acknowledges implicitly that the act occurred but making

explicit the harm and immorality of the act is often the most symbolically meaningful component of the apology. Indeed, given that history is written through such symbolic acts, having an account of the act by the perpetrator of the wrong can be a meaningful way to illustrate the historical importance of the act.³²

Acceptance

In the acceptance component, the apologizer must “accept responsibility” for the act.³³ Others have called this concept “acknowledgment of responsibility.”³⁴ As Abadi points out, this acceptance of responsibility can be full or partial. However, as discussed above, it must be offered without defense—something that distinguishes it from apologia. It also may be for either action or inaction. As the philosopher John Stuart Mill noted many years ago, “A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury.”³⁵

Notably, the apologizing body will sometimes be in a position to accept responsibility for the act, even though it is not directly to blame for it. For example, although the current U.S. government is not to blame for slavery *per se*, it is able to accept responsibility for the act since it is the current version of the body that once sanctioned slavery. The current representatives readily use “we” when referring to the nation in a positive context (e.g., “we” defeated the Nazis), thereby accepting kudos for it. Consequently, they must be willing to frame national evils similarly (e.g., “we” sanctioned slavery and segregation; thus “we” can apologize).

As noted above, a key component of apology that accompanies acceptance of responsibility is a certain amount of vulnerability; however, this need not equate to weakness, though it frequently does. For example, regarding Bill Clinton’s statement of regret over the United States’ historical mistreatment of Africa, Rep. Tom DeLay (R-Texas) said, “It just offends me that the president of the United States is, directly or indirectly, attacking his own country in a foreign land.”³⁶ DeLay’s statement reveals his assumption that to accept responsibility is to attack—thereby weakening—the accepting body. Lazare, on the other hand, holds that apologizing need not necessarily weaken the apologizing body: “We tend to view apologies as a sign of weak character. But in fact, they require great strength.”³⁷

Assurance

Assurance, the third component of the model, requires an indication—either explicit or implicit—that the apologizer will not repeat the act in the future. This component is similar to the third part of Abadi’s model of political

apology, which suggests an apology may come with or without a promise to refrain from the act in the future. To be considered complete, however, an official apology must involve “pledging henceforth (implicitly or explicitly) to abide by the rules.”³⁸ Indeed, as Tavuchis notes, this may be explicit or implicit. In some instances, the apologizer may explicitly state that one of the purposes of the apology is to ensure that the act is not repeated. Often though, assurance will be implicit in a promise to work to improve future relations. Wagatsuma and Rosett question whether an apology can be meaningful if it does not offer assurance that “the act will not happen again” *and* that “the apologizer intends to work for good relations in the future.”³⁹ In practice, however, assurance that the act will not happen again is implicit in an explicit promise to work toward better future relations because repeating the act would certainly damage those relations. Thus, a promise to improve future relations is also a promise that the act will not be repeated. This is akin to Goffman’s fourth element of apology: the “espousal of the right way and an avowal henceforth to pursue that course.”⁴⁰ If an apologizer is pursuing the right course, she/he is necessarily avoiding the sort of untoward action that led to the apology.

Explicit Apology

Explicit apology is the fourth and final component of the model. To be complete, the apology must use the performative form. That is, it must use the term “apologize,” in phrasing such as “I apologize” or “Congress apologizes.” Other variants common in the interpersonal sphere can be problematic in public apology because they lack clarity. For example, “I’m sorry,” perhaps the nearest in meaning to “I apologize,” is not truly performative but what Austin calls “half descriptive.”⁴¹ This is clear in that a person can be sorry without intending to apologize (e.g., a parent says to a child, “I’m sorry you had a rough day at school”). The performative form is required in public apology because, as Fraser points out, it is the only form of apology where speakers inform the audience explicitly that they are apologizing.⁴² This type of explicitness is necessary so there is no question as to whether or not an utterance is intended as an apology. Indeed, in the public sphere “everything counting as the apology must be spelled out; nothing can be taken for granted or remain ambiguous.”⁴³ Owen states that the performative is used when “formality or absolute unambiguity is required” and that through use of the performative the “addressees’ interpretation of the utterance as an apology is guaranteed.”⁴⁴ Both considerations are necessary in the context of official apology.

Additionally, the apology must be for the act itself, as opposed to the harmed group’s reaction to the act or something similarly imprecise.

Newspapers that have offended readers in some way frequently print apologies that do not directly address the act. For example, a paper might “apologize for any confusion or offense caused by the article.” This sort of apology puts the onus on the harmed group, since it is the body that registered confusion or offense regarding the article. The paper has not apologized for printing the article, only for causing a certain reaction. As Gill notes, such a statement is “a classic non-apology.”⁴⁵ Because these types of apologies do not directly address the act, they are insufficient to meet the criteria of a complete official apology.

APPLYING A NORMATIVE FRAMEWORK OF OFFICIAL APOLOGY: TWO CASE STUDIES

Having offered a normative framework for assessing official apology, I turn to two brief case studies that might illustrate the heuristic value of the framework. My approach in both cases was to read the official apology itself and the available responses to the apology, letting the four components of the framework serve as what Blumer calls “sensitizing concepts”—considerations that guided my focus as I examined the texts, but did not preclude the possibility of other themes emerging.⁴⁶ In examining the texts in this fashion, I had two goals. The first was to assess whether each text met the normative threshold to constitute a complete apology. The second was to get some sense of how those to whom the apology was addressed evaluated the apology. In presenting these two cases, I begin with the more recent and proceed to the earlier one. Setting aside chronological order in this way better highlights the importance of providing tangible amends, which were offered in the Civil Liberties Act but not in the Apology Resolution.

The Apology Resolution

On January 17, 1893, a group of conspirators calling themselves the Committee of Safety forcibly, though bloodlessly, seized control of Iolani Palace in Honolulu. There, they forced Queen Liliuokalani, the head of the Hawaiian monarchy, to relinquish her power to them. Supporting the conspirators was the U.S. minister to Hawaii, John L. Stevens, and “one hundred sixty-two fully armed troops” from the USS Boston whom Stevens had mobilized to intimidate the Queen.⁴⁷ Stevens’s plan worked, as the Queen yielded her power to the conspirators. President Grover Cleveland disapproved of the takeover and sent U.S. minister to Hawaii Albert Willis to speak to the provisional government that the conspirators had established. Willis informed the leaders of the provisional government that Cleveland wanted them to

relinquish their seized authority and reinstate the Queen. Nevertheless, they refused. Realizing that annexation would not be immediately possible, the provisional government declared itself the Republic of Hawaii. Native Hawaiians failed in an attempt to reinstate the monarchy. On January 24, 1895, Queen Liliuokalani signed a document officially abdicating her throne, under threats that the captured leaders of the counterrevolution would be killed if she did not. Any hope of restoring the monarchy was lost when, in 1896, William McKinley—an ardent annexationist—defeated Cleveland to win the presidency. McKinley signed the Newlands Joint Resolution on July 7, 1898, which officially annexed the Hawaiian Islands to the United States. Sixty-one years later, on August 21, 1959, Hawaii became the fiftieth state.

On November 23, 1993, President Bill Clinton signed Public Law 103-150, informally referred to as the “Apology Resolution.”⁴⁸ This document first recounts the overthrow of the Native Hawaiian monarchy at some length and then offers a formal Congressional apology on behalf of the United States. In doing so, it meets the criteria laid out in the normative framework.

Acknowledgment entails three realizations: the act occurred, the act was harmful, and the act was immoral. Acknowledgment that the act occurred is important as a necessary precursor to apology but is also important because it provides an official record that the act took place. The fairly detailed retelling of the act that occurs in the preamble to the Apology Resolution, as well as the statement that “acknowledges the historical significance of this event,” places on the official record both the details and the significance of the act, meeting the first criterion of the acknowledgment component. The realization that the act was harmful is present in the previous statement regarding the long-term effects of the act, as well as in another statement found in the preamble, which reads: “Whereas the Republic of Hawaii ceded 1,800,000 acres of crown, government and public lands of the Kingdom of Hawaii, without the consent of or compensation to the Native Hawaiian people of Hawaii or their sovereign government.” This acknowledgment that the land was stolen is coupled with the acknowledgment that “the health and well-being of the Native Hawaiian people is intrinsically tied to their deep feelings and attachment to the land.” Together, these statements constitute a realization that the act was harmful because stealing land that is so valued by a group of people is an inherently harmful act. The realization that the act was immoral is perhaps implicit in the statement that the overthrow was “illegal,” though illegality does not necessarily presume immorality. The immorality of the act is more explicitly realized in the relaying of President Cleveland’s feeling that the situation should be ameliorated if there existed “due regard for our national character.” To indicate that the act harms the national character is to make a moral judgment about it. The inclusion of this statement in the preamble qualifies as a realization that the act was immoral

and is the final criterion that must be met in the acknowledgment component of the model.

Acceptance, as discussed, may be full or partial. In the Apology Resolution, the United States accepts full responsibility for the overthrow of the Hawaiian monarchy. This is revealed in the statement, “Whereas, without the active support and intervention by the United States diplomatic and military representatives the insurrection against the Government of Queen Liliuokalani would have failed for lack of popular support and insufficient arms.” This statement constitutes full acceptance of responsibility because it acknowledges that without the U.S. troops and representatives, for whom it is assuming responsibility, the act could not have occurred. The full acceptance of responsibility is repeated in the inclusion of James Blount’s findings in the preamble to the resolution. Shortly after the overthrow, Cleveland sent Blount to Hawaii to examine the situation and report back to him. The preamble includes Blount’s finding that “the United States diplomatic and military representatives had abused their authority and were responsible for the change in government.” Again, since the U.S. government is responsible for its personnel, and its personnel were responsible for the overthrow, the U.S. government is in a position to accept responsibility for that act. As noted previously, acceptance can be for both action and inaction. In this case the United States accepts responsibility only for its action, though it could certainly also be held accountable for its inaction—failing to return Queen Liliuokalani to power after the overthrow. Finally, acceptance is offered without defense. Though the preamble to the resolution provides the history and context of the act, it does not do this to defend the act. To the contrary, it repeatedly states that the act was illegal, immoral, and impossible to undertake without the active support of U.S. personnel.

The third component of the framework is *assurance*. In the Apology Resolution, the assurance that the act will not recur is not explicitly stated, but is rather implicit in the statement:

The Congress . . . expresses its commitment to acknowledge the ramifications of the overthrow of the Kingdom of Hawaii, in order to provide a proper foundation for reconciliation between the United States and the Native Hawaiian people; and urges the President of the United States to also acknowledge the ramifications of the overthrow of the Kingdom of Hawaii and to support reconciliation efforts between the United States and the Native Hawaiian people.

The commitment to acknowledge ramifications in order to create a sound base for reconciliation constitutes assurance that the act will not recur because reconciliation would undoubtedly be stalled if a similar act were to

be perpetrated in the future. A call for reconciliation is a call for acts in the future to be beneficial to both parties and is therefore an implicit assurance that the act will not be repeated in the future.

Finally, true to its name, the Apology Resolution offers an *explicit apology*, which reads:

The Congress . . . apologizes to Native Hawaiians on behalf of the people of the United States for the overthrow of the Kingdom of Hawaii on January 17, 1893 with the participation of agents and citizens of the United States, and the deprivation of the rights of Native Hawaiians to self-determination.

As required by the model, the apology uses the performative form, saying “apologizes.” This is necessary due to the formality of the situation and to ensure that there is no question as to whether what is said is meant as an apology. The apology comes from Congress, one of the bodies sufficiently powerful to offer a formal apology in the United States and is “on behalf of the people of the United States,” as required. Note also that, as required, the apology is for the act itself, rather than the offense the harmed parties took. Congress apologizes for the “overthrow” and the “deprivation of rights.”

Having described how the Apology Resolution met the criteria of framework, the question becomes: How did Native Hawaiians—the very people being apologized to—react to the apology? These reactions were somewhat difficult to gauge due to the dearth of mainstream media coverage the apology received. However, the responses that were available in the media indicate a key point: not offering some kind of tangible amends hurt the overall effectiveness of the apology. For example, Mililani Trask, head of the Hawaiian sovereignty group Ka Lahui, said, “This is very little too late. An apology is not going to make whole what was torn apart. It does not restore the sovereign nation and does not repair the injury.”⁴⁹ A similar, though less pointed, response came from a representative of the Office of Hawaiian Affairs, who said, “I’m glad to hear that they have apologized but what is better for all of us is to address the issues with substance.”⁵⁰ Both of these responses express a feeling that the apology lacks tangible benefits for Native Hawaiians. Such tangible amends were carefully avoided in the language of the Apology Resolution, which included this disclaimer: “Nothing in this Joint Resolution is intended to serve as a settlement of any claims against the United States.” Though by including this disclaimer, the U.S. attempts to avoid being held legally accountable for payment of monetary reparations, it is conceivable that the efforts to reconcile could include a voluntary offer of monetary or nonmonetary reparations in the future. Indeed, even Sen. Daniel Akaka (D-Hawaii), one of the sponsors of the resolution, indicated his desire for eventual amends, saying, “Though the goal of this specific resolution is to

secure a formal apology, I am also committed to seeking redress for wrongs committed against Hawaiians by the federal government.”⁵¹ In sum, it is clear that the absence of amends limited the apology’s appeal within the harmed group. As we will see, The Civil Liberties Act, offered several years earlier, avoided this fate.

The Civil Liberties Act

On February 19, 1942, President Franklin Roosevelt signed executive order 9066, which empowered Secretary of War Henry Stimson and other military officials to detain, evacuate, and imprison Japanese Americans living on the West Coast of the United States. Over 100,000 Japanese Americans were evacuated from the prohibited and restricted zones along the West Coast. The evacuated masses were allowed to bring to the camps only that which they were able to carry, forcing many to leave property and possessions behind or sell them off quickly at a substantial loss.⁵² Initially, the evacuees were placed in “assembly centers,” located in California, Oregon, and Washington. They remained there for an average of three months before being shipped under armed guard to concentration camps throughout the country.⁵³ The conditions in the camps were poor, with families crowded into tight spaces that offered limited educational or medical facilities.⁵⁴ The camps outlasted the war, with the last one shutting down in 1946. No Japanese Americans were ever found to be involved in any acts of espionage or sabotage, the supposed justification for the incarceration.

On August 10, 1988, President Ronald Reagan signed Public Law 100-383, the Civil Liberties Act of 1988.⁵⁵ In the Act, Congress offered a formal apology to Japanese Americans who were interned during World War II. Further, Congress promised to “make restitution” by establishing a fund to provide education about the incarceration and similar acts, and also by providing \$20,000 payments to each former prisoner. The Civil Liberties Act did not recount the incarceration in great detail. Rather, it listed seven purposes of the Act, and then spent one paragraph briefly discussing the incarceration and apologizing for it. The majority of the Act specified how and to whom the money was to be distributed.⁵⁶ Despite the brevity of the apology, the Civil Liberties Act does meet the standards set forth in the normative framework.

In terms of *acknowledgment*, the Civil Liberties Act reads in part, “The Congress recognizes that, as described by the Commission on Wartime Relocation and Internment of Civilians, a grave injustice was done.” This statement officially recognizes the Commission’s report as accurate and legitimate, thus placing the details of the act on the official record and acknowledging that it occurred. The harm of the act is also realized. This is seen in the statement, “The excluded individuals of Japanese ancestry suffered enormous

damages, both material and intangible . . . which resulted in significant human suffering.” Along with this realization of harm is the concurrent realization that the act was immoral. This is clear in the act being termed a “grave injustice” and in the statement, “The actions were carried out without adequate security reasons and without any acts of espionage or sabotage . . . and were motivated largely by racial prejudice.” This acknowledgment that the act was based on speculation and driven by racism displays a realization that the act was immoral.

Acceptance in the Civil Liberties Act was partial: “These actions . . . were motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership.” The use of the modifier “largely” makes the acceptance of responsibility partial rather than full. The acceptance of responsibility is also, as required, offered without defense. Although the use of “largely” in the previous statement could potentially indicate that the act was in some sense appropriate or necessary, this potential is squelched by the frequent inclusion of statements that explicitly support just the opposite. In the Civil Liberties Act, the federal government accepts responsibility not for inaction, but for action—actions carried out under its orders and via its military representatives. The federal government is in a position to accept this responsibility because it is the body whose representatives at the time were directly responsible for the act.

The Civil Liberties Act offers explicit *assurance* that the act will not recur by stating that one purpose of the act is to “discourage the occurrence of similar injustices and violations of civil liberties in the future.” This statement that one of the apology’s purposes is to discourage similar acts is an unequivocal indication that the act will not be repeated.

The *explicit apology* in the Civil Liberties Act reads, “For these fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry, the Congress apologizes on behalf of the nation.” As required, the apology is in the performative form, using “apologizes.” Also of importance is the fact that the explicit apology is for the act itself, not for the harmed group’s response to it. The apology is for the “violations of the basic civil liberties and constitutional rights.” Thus, the apology is sufficiently specific, applying directly to the act in question.

Having seen that the Civil Liberties Act meets the framework’s normative criteria, I turn again to the question of response. In contrast to the Apology Resolution, the Civil Liberties Act received ample media coverage—perhaps because it involved money, making it more newsworthy. On the whole, the reactions reported in the media were positive. According to former prisoner Rep. Robert Matsui (D-California), the Civil Liberties Act “lifted the specter of disloyalty that hung over us for forty-two years because we were incarcerated. We were made whole again as American citizens.” He went on to say

the bill resulted in a “wonderful feeling” in the Japanese American community.⁵⁷ Another former prisoner said, “I’m so relieved. I have my faith and dignity back,” and also, “You feel like you’re at fault. That’s why today is such vindication.”⁵⁸ Yet another said, “This is a day when I can see the country again offering what it stands for. . . . It is acknowledging that it wants to set things right.”⁵⁹

Among the generally positive reception was some disappointment that it had taken so long to obtain redress. For example, one former prisoner said, “I have mixed emotions. I’m elated that congress passed this, but I feel saddened that so many have not lived to see this day.”⁶⁰ Also evident in the reactions was the sense that the money was necessary to make the apology feel concrete. *The New York Times* summed up this feeling: “Restitution has become a symbol in the Japanese American community. The \$20,000 payments will not come close to compensating for the loss of property, much less the loss of freedom, say advocates for the internees. They view the payments as a concrete expression of the apology.”⁶¹

As this statement indicates, the payments were able to compensate for neither the tangible (i.e., material) nor the intangible losses suffered by the former prisoners. According to Sen. Pete Wilson (R-California), “The \$20,000 award is in no way an exaggeration of what was lost. In most cases where property loss occurred, \$20,000 is a small fraction of what occurred.”⁶² A former prisoner offered similar sentiments regarding the money, saying, “It’s better than nothing but it’s not enough to make up for the damages.”⁶³ Further attesting the fact that the money was more symbolic than debt-settling is the statement of one former prisoner who said, “It’s not the money that counts” and indicated his intention, along with his six family members, to donate the money to Loma Linda University as a “gift back to the country.”⁶⁴

The responses of the former prisoners also suggested that the Civil Liberties Act had finally vindicated Japanese Americans by officially acknowledging their innocence. Iko expresses this feeling: “I do believe our battle to reverse the judgment of previous generations was in deep measure an act of atonement. So perhaps my mother and so many others like her could at last face their gods with a calm heart and laugh with pleasure, reaffirmed at last—publicly and legally—that they were, after all, who they always thought they were.”⁶⁵ This statement speaks to the desire to “publicly and legally” be reaffirmed as the wronged rather than the wrongdoer, something that true formal apology is able to do.

Ultimately, the former prisoners’ responses to the Civil Liberties Act reveal its positive impact. Though the apology itself was paramount, the amends were necessary to give the apology the tangibility that might have otherwise been lacking—as it proved to be in the Apology Resolution. Further, the apology officially cleared the former prisoners’ names and, in so

doing, restored their faith in the country to some degree. The Civil Liberties Act thus did what the apologizers hoped it would: it improved their standing with those they had wronged. Taken together, the Apology Resolution and the Civil Liberties Act demonstrate both the promise and the pitfalls of official apology. Even when the formal elements of the apology adhere to reasonable normative standards, the words alone may be insufficient in the eyes of those who have suffered. This lesson was apparently not learned, or perhaps willingly ignored, in the years that passed between the Civil Liberties Act and the Apology Resolution.

CONCLUSION

In presenting this normative framework of official apology, I have argued that such apologies are a unique rhetorical act and that certain criteria must be met for an utterance to constitute a complete apology. Notably, official apology is a deeply symbolic act. Because of this, it has at times been derided as meaningless—as something that stands in opposition to substantive reform or concrete restitution. Apology is symbolic, but it is not meaningless. Official apologies have in the past played an important role in the collective healing of societies that have experienced or perpetrated acts of injustice.⁶⁶ Nor must apology be the end of the healing process. What the above analysis of response texts has clearly indicated is that amends—that is, some type of concrete compensation for the loss suffered due to the act—are a very useful complement to official apology. And, indeed, some descriptive models of official apology note that amends are occasionally included when a public apology is offered.⁶⁷ Such amends, according to Brooks, might be monetary (e.g., cash payments) or nonmonetary (e.g., programs designed to better the conditions of the harmed group, such as affirmative action). Further, they might be compensatory (given to the individual), or rehabilitative (given to the group).⁶⁸

Apology and amends need not be conceived as at odds with one another. Rather, amends can serve as a concrete expression of the apology, and the apology can be as emotionally meaningful as the amends are tangibly meaningful. It bears keeping in mind, however, as the analysis of the Apology Resolution suggested, that the absence of amends can engender a feeling that the apology is insincere or hollow. Bishop Desmond Tutu has said, “If you take my pen and say you are sorry, but don’t give me the pen back, nothing has happened.”⁶⁹ When dealing with human injustices, as is the case with formal apology, it is usually impossible to return the metaphorical pen. But even without fully returning what has been lost—or even coming close—amends can serve as a concrete expression of the apology that has been offered. As

President Ronald Reagan said after signing the Civil Liberties Act, “No payment can make up for those lost years. So what is important in this bill has less to do with property than with honor, for here, we admit a wrong.”⁷⁰ Had the Apology Resolution also offered tangible amends, it is possible the reaction would have been considerably more positive.

The normative framework of official apology offered here might serve as a point of departure for scholars interested in how nations, politicians, or other public figures apologize for their actions. Future scholarship could apply the model as a tool for engaging close readings of past statements to determine to what extent they constitute complete official apologies. Further, the model might prove useful to those crafting official apologies. Indeed, it seems probable that apologizing as completely as possible would be the most effective rhetorical approach—that is, the most likely to result in a more favorable response from the harmed group. Future scholarship in this area could consider audience responses to various official apologies to determine if this is indeed the case. In doing so, seeking cases where there is a wide array of response texts available would be useful, given that the present analysis was somewhat limited in this respect. These and other approaches would continue to usefully expand our understandings of this meaningful rhetorical form.

NOTES

1. Michael Cunningham, “Saying Sorry: The Politics of Apology,” *The Political Quarterly* 70 (1999): 285–93; Graham G. Dodds, “Political Apologies and Public Discourse,” in *Public Discourse in America: Conversation and Community in the Twenty-First Century*, ed. Judith Rodin and Stephen P. Steinberg (Philadelphia: University of Pennsylvania Press, 2003), 135–60; Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner, eds., *The Age of Apology: Facing up to the Past* (Philadelphia: University of Pennsylvania Press, 2008); Jennifer Lind, *Sorry States: Apologies in International Politics* (Ithaca, NY: Cornell University Press, 2008); Mihaela Mihai and Mathias Thaler, *On the Uses and Abuses of Political Apologies* (New York: Palgrave Macmillan, 2014); Lisa Storm Villadsen, “Speaking on Behalf of Others: Rhetorical Agency and Epideictic Functions in Official Apologies,” *Rhetoric Society Quarterly* 38, no. 1 (2008): 25–45; Robert R. Weyeneth, “The Power of Apology and the Process of Historical Reconciliation,” *The Public Historian* 23, no. 3 (2001): 9–38.

2. See, for example, Adina Abadi, “The Speech Act of Apology in Political Life,” *Journal of Pragmatics* 14, no. 3 (1990): 467–71; Joy Koesten and Robert C. Rowland, “The Rhetoric of Atonement,” *Communication Studies* 55, no. 1 (2004): 68–87.

3. Lewis Glinert, “Apologizing to the Nation,” *American Communication Journal* 2 (1999); Bruce E. Gronbeck, “Underestimating Generic Expectations:

Clinton's Apologies of August 17, 1998," *American Communication Journal* 2, no. 2 (1999).

4. See, for example, Scott L. Althaus, "What's Good and Bad in Political Communication Research? Normative Standards for Evaluating Media and Citizen Performance," *The SAGE Handbook of Political Communication* (Thousand Oaks, CA: Sage, 2012), 97–112; Joshua M. Scacco, Kevin Coe, and Lauren Hearit, "Presidential Communication in Tumultuous Times: Insights into Key Shifts, Normative Implications, and Research Opportunities," *Annals of the International Communication Association* 42 (2018): 21–37.

5. For example, Aron Lazare, "Go Ahead, Say You're Sorry," *Psychology Today* 28, no. 1 (1995): 40–46; Carl D. Schneider, "What it Means to be Sorry: The Power of Apology in Mediation," *Mediation Quarterly* 17, no. 3 (2000): 265–80; Claude Steiner, "Apology: The Transactional Analysis of a Fundamental Exchange," *Transactional Analysis Journal* 30, no. 2 (2000): 145–49.

6. For example, Erving Goffman, *Relations in Public: Microstudies of the Public Order* (New York: Basic Books, 1971); Nicholas Tavuchis, *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford, CA: Stanford University Press, 1991); Weyeneth, "The Power of Apology."

7. For example, John Langshaw Austin, *How to Do Things with Words* (Cambridge, MA: Harvard University Press, 1962); Bruce Fraser, "On Apologizing," in *Conversational Routine: Explorations in Standardized Communication Situations and Prepatterned Speech*, ed. Florian Coulmas (The Hague, The Netherlands: Mouton Publishers, 1981), 259–71.

8. For example, Melissa Nobles, *The Politics of Official Apologies* (New York: Cambridge University Press, 2008); Nick Smith, *I Was Wrong: The Meanings of Apologies* (New York: Cambridge University Press, 2008).

9. On the mutuality of apology, see Smith, *I Was Wrong*; Steiner, "Apology: The Transactional Analysis." Adopting this approach of evaluating responses to acts of official apology also helps address the critique that scholars should not be concerned with what makes for an "ideal" apology. See, for example, Alice MacLachlan, "Beyond the Ideal Political Apology," in *On the Uses and Abuses of Political Apologies*, ed. Mihaela Mihai and Mathias Thaler (New York: Palgrave Macmillan, 2014), 13–31.

10. William L. Benoit, *Accounts, Excuses, and Apologies: A Theory of Image Restoration Strategies* (Albany: State University of New York Press, 1995).

11. Marvin B. Scott, and Stanford M. Lyman, "Accounts," *American Sociological Review* (1968): 46–62. Quote on p. 46.

12. Peter Schönbach, *Account Episodes: The Management or Escalation of Conflict* (New York: Cambridge University Press, 2010).

13. On apologia, see Sharon D. Downey, "The Evolution of the Rhetorical Genre of Apologia," *Western Journal of Communication* 57, no. 1 (1993): 42–64; B. Lee Ware and Wil A. Linkugel, "They Spoke in Defense of Themselves: On the Generic Criticism of Apologia," *Quarterly Journal of Speech* 59, no. 3 (1973): 273–83.

14. Schneider, "What it Means."

15. Tavuchis, *Mea Culpa*, 17. On the distinction between apologia and official apology, see also Villadsen, "Speaking on Behalf."

16. See, for example, Laurie L. Couch, Warren H. Jones, and Danny S. Moore, "Buffering the Effects of Betrayal: The Role of Apology, Forgiveness, and Commitment," in *Handbook of Interpersonal Commitment and Relationship Stability*, ed. Jeffrey M. Adams and Warren H. Jones (New York: Kluwer Academic/Plenum Publishers, 1999), 451–69; Ken-ichi, Ohbuchi, Masuyo Kameda, and Nariyuki Agarie, "Apology as Aggression Control: Its Role in Mediating Appraisal of and Response to Harm," *Journal of Personality and Social Psychology* 56, no. 2 (1989): 219–27; Nancy Weinberg, "Does Apologizing Help? The Role of Self-Blame and Making Amends in Recovery from Bereavement," *Health & Social Work* 20, no. 4 (1995): 294–99.

17. Lazare, "Go Ahead," 40.

18. Gary R. Howard, *We Can't Teach What We Don't Know: White Teachers, Multiracial Schools* (New York: Teachers College Press, 1999), 79.

19. Roy L. Brooks, "The Age of Apology," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 3.

20. Lind, *Sorry States*.

21. For example, Cunningham, "Saying Sorry"; Gibney et al., "The Age of Apology"; Lazare, "Go Ahead"; Nobles, *The Politics of Official*; Smith, *I Was Wrong*; Tavuchis, *Mea Culpa*; Weyeneth, "The Power of Apology."

22. Abadi, "The Speech Act of Apology," 467.

23. Dodds, "Political Apologies," 141.

24. Smith, *I Was Wrong*, 64.

25. Nobles, *The Politics of Official*, 36.

26. Hiroshi Wagatsuma, and Arthur Rosett, "The Implications of Apology: Law and Culture in Japan and the United States," *Law & Society Review* 20 (1986): 469.

27. Tavuchis, *Mea Culpa*, 109.

28. *Ibid.*, 8.

29. Lazare, "Go Ahead," 43.

30. Goffman, *Relations in Public*, 113.

31. Smith, *I Was Wrong*, 68.

32. On this point, see Nobles, *The Politics of Official*.

33. Lazare, "Go Ahead," 43.

34. Fraser, "On Apologizing"; Tavuchis, *Mea Culpa*; Abadi, "The Speech Act of Apology"; Schneider, "What it Means."

35. John Stuart Mill, *On Liberty* (Wheeling, IL: Harlan Davidson Inc., 1947/1859), 11.

36. Clarence Page, "Why Not an Apology for Slavery," *St. Louis Post-Dispatch*, April 2, 1998, B7.

37. Lazare, "Go Ahead," 40.

38. Tavuchis, *Mea Culpa*, 8.

39. Wagatsuma and Rosett, "The Implications of Apology," 469.

40. Goffman, *Relations in Public*, 113.

41. Austin, *How to Do Things*, 79.
42. Fraser, "On Apologizing."
43. Tavuchis, *Mea Culpa*, 71.
44. Marion Owen, *Apologies and Remedial Interchanges: A Study of Language Use in Social Interaction* (Berlin: Mouton de Gruyter, 1983), 63, 65.
45. Kathleen Gill, "The Moral Functions of an Apology," *Philosophical Forum* 31, no. 1 (2000): 11–27. Quote on p. 13.
46. Herbert Blumer, "What is Wrong with Social Theory?" *American Sociological Review* 19, no. 1 (1954): 3–10.
47. Pat Pitzer, "The Overthrow of the Monarchy," *Spirit of Aloha*, May 1994, <http://www.hawaii-nation.org/soatext.html>. P. 4.
48. Apology Resolution, Pub. L. No. 103-150, 107 Stat. 1510 (1993).
49. Quoted in Associated Press, "U.S. Senate Apology Gets Cool Reception from Hawaiian Leaders," October 28, 1993. Lexis-Nexis.
50. Quoted in Associated Press, "U.S. Senate Apology."
51. *Ibid.*
52. Donna K. Nagata, *Legacy of Injustice: Exploring the Cross-generational Impact of the Japanese American Internment* (New York: Plenum Press, 1993).
53. I use the term "concentration camp" instead of the more common "internment camp" or "relocation center" because it more accurately describes the facilities in which Japanese Americans were held. See Mitchell Takeshi Maki, Harry H. L. Kitano, S. Megan Berthold, and Sarah Megan Berthold, *Achieving the Impossible Dream: How Japanese Americans Obtained Redress* (Urbana, IL: University of Illinois Press, 1999).
54. Nagata, *Legacy of Injustice*; Greg Robinson, *By Order of the President: FDR and the Internment of Japanese Americans* (Cambridge, MA: Harvard University Press, 2001).
55. Civil Liberties Act of 1988, Pub. L. No. 100-383, 102 Stat. 903 (1988).
56. The Civil Liberties Act also provided money to the Aleuts of the Pribilof and Aleutian Islands, who were relocated during the war as well. This money was offered without an apology, so falls outside the scope of this chapter.
57. Quoted in "Washington Talk; Pushing to Keep Pledge to Japanese Americans," *New York Times*, July 18, 1989, A16.
58. Quoted in Penelope McMillan, "Survivors of Internment have Mixed Emotions on Payments," *Los Angeles Times*, April 21, 1988, I24.
59. Quoted in Paul Houston, "Reagan 'Rights' a Wrong, Signs Internee Reparation," *Los Angeles Times*, August 11, 1988, I1, I18.
60. Quoted in McMillan, "Survivors of Internment," I18.
61. Quoted in "Washington Talk," A16.
62. Quoted in Josh Getlin, "Senate Votes to Pay W.W.II Internees; Quick House Concurrence Seen for Reparations to Japanese-Americans," *Los Angeles Times*, April 21, 1988, I11, I24, I25. Quote on p. I24.
63. Quoted in Gary Libman, "For Issei, Apology's Almost Too Late," *Los Angeles Times*, August 11, 1988, V16, V19. Quote on p. V19.
64. Quoted in Houston, "Reagan 'Rights' a Wrong," I18.

65. Iko Momoko, "Redress: Act of Atonement So They Can Face Their Gods," *Los Angeles Times*, August 11, 1988, II7.
66. Gibney et al., "The Age of Apology"; Mihai and Thaler, *On the Uses and Abuses*; Weyeneth, "The Power of Apology."
67. See, for example, Abadi, "The Speech act of Apology"; Dodds, "Political Apologies."
68. Brooks, "The Age of Apology."
69. Quoted in Schneider, "What it Means," 268.
70. Quoted in Houston, "Reagan 'Rights' a Wrong," II.

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Chapter 4

Between Sovereignty and Vulnerability

Reconciliation, Reparation, and Vexed Agency in Resolutions Apologizing for Slavery

John B. Hatch

On July 29, 2008, nearly 150 years after the end of the Civil War, the U.S. House of Representatives passed a resolution apologizing for slavery and segregation.¹ It was the first time an official apology had been made on behalf of the nation to African Americans for their enslavement and subsequent oppression—the fulfillment of a dream conceived by U.S. Rep. Tony Hall (D-OH) a decade earlier. Rep. Carolyn Cheeks Kilpatrick, Chairwoman of the Congressional Black Caucus, called the resolution “a milestone in our nation’s efforts to remedy the ills of our past.”² Not only did it convey an acknowledgment and apology, but it also could be taken to imply a warrant for reparations to the descendants of slaves. A year later, the Senate unanimously approved a concurrent resolution that was very similar but omitted phrases that might imply a warrant for reparations and appended a disclaimer against being used as a basis for any legal action against the United States.³ While the intention was for the entire Congress to pass this resolution, the reparations disclaimer provoked a negative reaction from members of the Congressional Black Caucus in the House. Ultimately, the two houses did not agree on a statement with the weight of the whole Congress behind it.

As acts of legislative bodies, these resolutions are distinctive exemplars of the official apology addressing historical wrongs; they also highlight the challenge of coming together to repair the legacy of an oppressive past and reconcile groups divided by that legacy. In *Race and Reconciliation: Redressing Wounds of Injustice*, I unpacked the complexity of this challenge

and proposed a rhetorical framework for analyzing and evaluating reconciliation discourse.⁴ A prominent genre of this discourse is the representative apology on behalf of an institution or group that harmed another group. To date, most rhetorical studies of the representative apology have examined speeches made by individual spokespersons, such as heads of state or leaders of institutions.⁵ In contrast to these speeches, legislative resolutions speak with a collective voice and employ quasi-legal language. In marginalizing the voice of an individual rhetor, legislative apology resolutions draw particular attention to text—how the language of an apology speaks (and doesn't speak) to collective wrongdoing, harm, rectification, and healing. When legislators wrangle over that language in the form of differing versions of a resolution, they expose both the complex contingency of rhetorical agency (in attempting to speak with one voice for a diverse and divided citizenry) and the vulnerability inherent in apologizing. As Richard C. Marback suggests, reconciliation and democratization entail accepting and managing vulnerability as an inherent part of the sovereignty granted to citizens. When fear of vulnerability gives rise to self-protective words within an apology, I argue, we are put on notice that the impulse to attain or maintain sovereignty at the expense of the Other has not been fully repudiated.

In this chapter, I examine the U.S. slavery apology resolutions to assess their strengths and weaknesses as measured against the ethical grammar of reconciliation and the goal of redress for slavery and its legacy. I begin by unpacking the broad context of the two resolutions. I then review the rhetorical theory of reconciliation I set forth in *Race and Reconciliation*, discuss relevant state resolutions, examine the two national resolutions, and take stock of them in light of this framework. I conclude with a brief reflection on the limits of legislators' rhetorical agency and the challenge of managing vulnerability in reconciliation.

A GROUNDSWELL OF RESOLUTIONS APOLOGIZING FOR SLAVERY AND RACISM

The origins of the two Congressional slavery apologies go back to 1997, when U.S. Rep. Tony Hall (D-OH) first introduced an apology resolution in the House. Its wording was minimalistic: “*Resolved by the House of Representatives that the Congress apologizes to African Americans whose ancestors suffered as slaves under the Constitution and the laws of the United States until 1865.*”⁶ Hall later recounted having gotten the idea after hearing two ministers say on television that the U.S. government had never apologized for slavery. Surprised by this, he went to the Library of Congress to see if any apology had ever been made, and his research confirmed that it had

not. He then introduced his simple resolution to rectify that omission. “What happened next,” he later explained, “was a complete surprise to me”:

It exploded on the political scene at about the same time President Clinton was conducting his “National Dialogue on Race.” And both conservatives and liberals, black and white dismissed it as “a meaningless gesture” or “an avoidance of trying to solve the problem.” I received hundreds of letters and phone calls about the apology. Most of the people I heard from opposed the idea; some were blatantly racist and hateful; very few people stood by my side and defended the idea or the necessity for it.⁷

Three years later, encouraged by his recent experience at a reconciliation conference addressing the historical legacy of the slave trade in West Africa,⁸ Hall introduced a much longer resolution.⁹ He did so on Juneteenth—June 19, “the historic day when the last group of slaves were informed of their freedom.”¹⁰ With civil rights veteran and fellow Congressman John Lewis, Hall held a press conference announcing the measure.¹¹ The new, expanded version provided warrants for the apology and other measures in the form of nine *Whereas* clauses about the history, nature, and impacts of slavery, as well as African Americans’ contributions to the nation. Its *Resolved* section—the resolution’s bottom line, as it were—was especially expansive. Not only did it acknowledge “the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies,” condemn these wrongs, and apologize to African Americans, but it also “recogniz[ed] the Nation’s need to redress these events,” “call[ed] for a national initiative of reconciliation among the races,” and “express[ed] commitment to rectify the misdeeds of slavery done in the past.”¹²

The proposed resolution put feet to these commitments by calling for two concrete actions. First, it recommended the establishment of a commission that would (1) study the institution of slavery and “the impact of slavery and such discrimination on living African-Americans,” (2) “issue a standardized, historical curriculum for use in public schools on the institution of slavery in the United States,” and (3) “explore the possibility of establishing a scholarship and research fund.”¹³ Second, it called for the creation of a national slavery museum/memorial.

Not surprisingly, given the references to redress, research funding, and the creation of a museum and memorial, the resolution died in committee. While the inclusion of these concrete measures would have satisfied black critics who criticized the original resolution as lacking meaningful substance,¹⁴ they would also have put off many white legislators and most, if not all, Republicans, by raising the specter of reparations and other government expenditures.

Nevertheless, by the middle of the new decade, legislators had begun to warm to the idea of collective apologies for past oppression of African Americans. In 2005, the U.S. Senate passed an apology for that body's decades-long blockage of anti-lynching legislation (which ended only in 1968).¹⁵ Then, in early 2007, the dam broke on apologizing for slavery, as the legislatures of four Southern states in succession passed resolutions expressing regret or even a direct apology for their role in the Peculiar Institution. Virginia led the way in February with a statement of acknowledgment and "profound regret."¹⁶ A week later, Rep. Steve Cohen introduced a slavery apology resolution into the U.S. House of Representatives, referring to Virginia's recent action as a precedent.¹⁷ However, the resolution did not gain passage until the following year (2008), after six more states had apologized for slavery. In March 2007, Maryland passed its own slavery resolution,¹⁸ North Carolina literally apologized for slavery and segregation in April,¹⁹ and Alabama did so in May (with a disclaimer that its resolution was not intended to "be used in, or be the basis of, any type of litigation").²⁰ Also in May 2007, the U.S. House of Representatives unanimously passed H. Res. 272 to commemorate the abolition of the slave trade and recognize the enormity of this "immoral and inhumane" trade, both for those directly impacted and for present-day African Americans who still experience its "profound impact."²¹ The next month, Arkansas's Legislative Council (the most powerful committee within the state's General Assembly) passed a resolution expressing "profound regret" and asking forgiveness for its role in slavery and segregation.²² In January of the following year, New Jersey became the first Northern state to apologize for its role in slavery, albeit with a disclaimer like Alabama's.²³ Two and a half months later, on March 26, 2008, Florida passed a resolution of regret for slavery by unanimous voice vote; while it did not convey a direct apology, neither did it include a litigation disclaimer.²⁴ Of especial note, Florida's Republican governor, Charlie Crist, visited the Senate chamber to watch this vote,²⁵ and afterward expressed openness to considering reparations, provided they were "reasonable, fair, and just."²⁶ It was four months after this that the U.S. House of Representatives passed its resolution apologizing for slavery and segregation.

Thus, it is evident that the passage of federal resolutions addressing America's Peculiar Institution and its legacy was the culmination of a wave of apology resolutions at the state level. Both of the federal resolutions alluded to this precedent as part of their justification.²⁷ In *Race and Reconciliation*, I identified five factors that help to account for the emergence of these apologies: (1) new historical awareness regarding slavery and its legacy; (2) recent incidents of racial slurs by prominent public figures (Trent Lott, Don Imus, etc.); (3) historical milestones and anniversaries pertinent to slavery; (4) America's post-9/11 concern about promoting democracy and respect for

human rights abroad as antidotes to terrorism; and (5) a growing global and local discourse of reconciliation, such the South African TRC and community reconciliation initiatives in Richmond, Annapolis, and Greensboro.²⁸ Another significant factor is the growing presence and influence of black legislators, who introduced some of the resolutions and worked behind the scenes to gain support from their colleagues.²⁹ Whatever the reasons for the emergence of these apologies, their texts invite rhetorical analysis and evaluation informed by an appropriate critical framework. Having previously applied the theory developed in *Race and Reconciliation* to key state resolutions on slavery,³⁰ in this chapter, I focus on the federal resolutions, with the benefit of additional historical perspective in the post-Obama era.

RECONCILIATION: A RHETORICAL FRAMEWORK

Unlike traditional *apologia* (rhetorical self-defense),³¹ the slavery apology resolutions confess grave collective wrongs, without excuse or rationalization, in hopes of helping to rectify those injustices and promote reconciliation with those who were wronged. In short, they are what Jason A. Edwards calls *collective apologies*, Lisa Storm Villadsen terms *official apologies*, and I refer to as *reconciliation apologies*.³² As such, I ground my analysis of these resolutions in a rhetorical theory of reconciliation.

In *Race and Reconciliation*, I propounded a theory of reconciliation as “*a dialogic rhetorical process of rectifying wrongs and healing relationships between parties, in ways that promote their common good.*”³³ To elaborate:

At its core, this rhetoric is epideictic: it shows forth agents’ actions and characters for better or worse against a backdrop of social values to be shared; it performs a kind of redemption and healing between these agents; it transforms (reconstitutes) their identities in(to) relation, and it establishes new or renewed commitment to their mutual and common good as the ground for subsequent decisions and policies.³⁴

The epideictic core of reconciliation takes shape in the speech-acts of apology and forgiveness. To make a substantive difference in the relations between divided parties, this epideictic and reconstitutive rhetoric must be informed by and inform other genres of discourse: forensic rhetoric commending a coherent, factual account of their past and present relations, and deliberative rhetoric concerning policies that would rectify wrongs, heal relationships, and promote the common good (e.g., changing laws, creating memorials, making reparations).³⁵ What transforms these discourses into a process of reconciliation, I argued, is hermeneutic and rhetorical work that (1) reconnects and

realigns a tetrad of values/goods comprising the cornerstones of an ethically coherent society; (2) (re)frames the task of reconciliation through the lenses of these four values; (3) attends to the Other in dialogue; and (4) engages in the internal and public processes of repentance and forgiveness.

Across literature on reconciliation, one finds recurring discussion of key values or goods that have been violated and need to be restored in practice if reconciliation is to occur. Four that stand out (often paired in dialectical tension) are *truth*, *agency*, *justice*, and *peace*—what I call the *tetrad*. Besides coming to the fore in reconciliation discourse, these values also operate in the background, shaping perception of the task of reconciliation. Informed by the work of Kenneth Burke,³⁶ I have noted that each of them may function psychologically and rhetorically as a tacit *frame* through which reconciliation is viewed (and potentially skewed).³⁷ For instance, former oppressors tend to see their present relations with the oppressed in a *comic* frame (highlighting *peace*-ful coexistence and common humanity, blurring lines of division, and making light of past wrongs). Those who were oppressed, by contrast, tend to see the relationship in a *tragic* frame (highlighting tension and conflict, the distinction between victimizer and victim, the heinousness of past wrongs, and the extent of present disparities—i.e., seeing through the lens of *justice*). Appropriating Northrop Frye's work on the four mythic forms in fictional literature,³⁸ I expanded Burke's array of rhetorical frames to correspond with the other two values in the reconciliation tetrad.³⁹ I proposed the *romantic* frame as a perspective valorizing the transcendent capacities of human agency and the *realistic* frame as a perspective privileging the truths of historical fact and material existence. Here, too, a divide is seen between those who were oppressed and their oppressors: while the former tend to see the unvarnished facts of past history and the ugly realities of present disadvantage, the latter tend to see through rose-colored (romantic) glasses, valorizing the power of the human will to transcend past wrongs and present disparities.

To be fully reconciled, a society must achieve a reasonable measure of ethical coherence, which requires concerted attention and commitment to the four values, considered separately and together, relative to the issue at hand. Thus, reconciliation is not just a matter of healing the divide between parties; it also entails bridging the gap between their ethical perspectives on reconciliation's exigency and task.⁴⁰ Ultimately, both parties must be willing to try on each other's glasses, to view the exigence and project of reconciliation through other frames, with the aim of seeing in the round and gaining depth perception on the task before them. Such a reconciliation of perspectives requires Other-centered dialogue, with attentive and respectful listening to the other party's stories. Yet this picture is incomplete, in that not all stories are equal in all respects, and the two parties—former oppressors and the formerly oppressed—typically do not share equal standing in society. While

victim/survivors certainly can exercise their agency to initiate a process of forgiveness and reconciliation, the onus is on the victimizers, who have both a greater moral debt and greater collective power, to engage in a process of *repentance*.

Repentance involves both hermeneutic and rhetorical work. Hermeneutically (and psychologically), it requires of perpetrating parties that they

- (1) face the truth of what they have done rather than trying to whitewash or wipe it from memory; (2) come to see their acts as violations of justice and the victims' rights; (3) develop appropriate emotions of regret and remorse, combining sorrow at their own loss of moral status or integrity with empathy for the victims who have suffered; and (4) resolve to rectify the injustice and heal the damage to the victims in the context of a relational exchange that respects the victims as moral agents with a rightful claim to justice.⁴¹

In other words, genuine repentance “rounds the bases”⁴² of the tetrad by facing the truth about the victimizer’s actions (looking at one’s past through a realistic frame), confessing the guilt of wrongdoing (tragic frame), grieving for the damage to Self and Other as fellow members of the human family (comic frame), and believing that a choice and commitment to (re)dress these wounds can rectify the damage from the past (romantic frame). It is not so much that one looks at the situation through each of these frames separately, in a particular sequence, but rather that one comes to “see in the round,” from all of these angles, such that each perspective is held in tension with and completed by the others. In practice, however, one often finds that one or more elements or angles of repentance is lacking.

Rhetorically, repentance takes the form of an apology, which likewise may be more or less full-orbed in its perspective-taking and the elements to which it attends. In previous studies of reconciliation apologies,⁴³ I argued that *apologizing* per se aims toward a different end from *apologia* or William Benoit’s umbrella genre of image repair.⁴⁴ Instead of aiming to restore the image of the apologist (whether individual or collective), genuine apologizing focuses on restoring the face/standing of the Other who was wronged, and as such aims to repair the relationship, reestablishing it on more just and moral grounds.⁴⁵ For instance, while *apologia* may use mortification (confessing guilt) as a strategy to redeem the social image of the apologist,⁴⁶ apologizing uses it mainly to ensure that the party receiving the apology experiences full acknowledgment of their suffering and the violation of their rights. I argue that apologies for egregious historical wrongs should be measured against this Other-centered standard. By this measure, the apologizer may request but cannot rightfully demand that the wronged party forgive, since such a demand would fail both to respect the victim’s agency (the right and capacity to *choose*) and

to recognize the weight of the victimizer's moral debt. Of course, apologies can accomplish multiple goals and often have mixed motives.⁴⁷ Be that as it may, nuanced assessment of a reconciliation apology not only considers how fully, accurately, and coherently the apology is informed by the four values of the tetrad but also measures how much the application of these values is shaped by attention to (and empathy for) the experience and perspective of the Other. These two questions/standards inform my analysis of resolutions apologizing for slavery.

While the ethical grammar of reconciliation and apology constitutes a rich framework for analyzing and evaluating the texts of collective apologies, it does not fully account for the contextual complications that vex these acts. One complication is the limited, contingent nature of rhetorical agency in making an apology (and making it matter). Villadsen notes that official apologies are sites where "the fluid nature of rhetorical agency" is especially evident, together with "the collective nature of rhetorical meaning making, and the interdependence of the speaker, the audience, and the historical as well as physical conditions."⁴⁸ The fact that most such apologies are offered by spokespersons who are not personally guilty of committing the wrongs in question "highlights questions of rhetorical agency with respect to issues of representation and personal commitment."⁴⁹ While an official apology claims to speak for a collectivity that has wronged some other group, many within that collectivity may not fully agree with the apology, thereby reducing its cultural and sociopolitical import.

A second complication is the inherently dialogic nature of apology. As I have argued elsewhere, it is impossible to achieve reconciliation monologically, no matter how robust an apology may be.⁵⁰ Jane W. Yamazaki regards the crafting of a collective apology itself as a process of "interaction, negotiation, and even cocreation" (through "multiple iterations" in some cases) and goes so far as to refer to the recipient of an apology as its "coproducer."⁵¹ Certainly, this was the case with legislative apologies for slavery in the United States, as black legislators often sponsored or cosponsored the resolutions, and it was the Congressional Black Caucus that refused to sign on to the Senate's disclaimer-laden apology.

This brings us to a third issue. To apologize is to expose oneself or the entity one represents. Fear of vulnerability often leads apologizers to hedge on apology or cover themselves with legal disclaimers. As Richard C. Marback emphasizes in his study of South Africa's transition from apartheid, the sovereignty associated with democratic citizenship is inescapably bound up with vulnerability, as citizens "share the burden and risk of belonging."⁵² Indeed, vulnerability is inherent in the human condition; therefore, "the quest to achieve sovereignty—understood as a freedom from constraints on willful action—does not eradicate vulnerability as much as it transforms

it.”⁵³ One way in which this is done is by “displacing vulnerability onto others.”⁵⁴ For instance, in the founding and expansion of the United States, the white citizenry sought to secure their rights to “life, liberty, and the pursuit of happiness” in part by depriving nonwhites of those same rights and appropriating their land or labor. To admit the injustice and culpability of these actions and grant freedom and full enfranchisement to those who were oppressed entailed a level of political and material vulnerability that many white citizens found intolerable, resulting in the rise of Jim Crow segregation and racial terrorism to protect white sovereignty after the Civil War. Conversely, to fully realize the promise of democracy “involves a reformulation of the sovereignty that comes with inclusion and an acceptance of the vulnerabilities that attend responsibility for contesting the limits of shared conditions and identities,” Marback argues.⁵⁵ As South Africa’s transition shows, reconciliation toward a more just and democratic society entails not the elimination of vulnerability, but its management through “sovereign vulnerability—a capacity for rhetorical agency grounded in openness to the anger and antagonism, frailty and suffering, hope and joy of others.”⁵⁶ Thus, when examining collective apologies for past oppression (such as the U.S. slavery resolutions), critics should consider the extent to which they bear the marks of “sovereign vulnerability” as versus a quest for invulnerability to the voice of the Other, the demands of redress, etc. This factor did not substantially figure into my earlier studies of state apologies for slavery, but subsequent cultural and political developments have exposed its salience, as embodied in the U.S. resolutions.

While the analysis below notes key political players and actions in the creation and negotiation of the legislative apologies, its primary focus is on the texts of the resolutions themselves. Close examination of the state and federal apologies reveals a remarkably consistent configuration of verbal acts addressing slavery and its legacy in light of enduring values (expressed in the founding documents), current race relations, and societal aspirations. In part, this consistency reflects the tightly constrained generic form of the legislative resolution: a series of *Whereas* clauses (providing context and warrants for the resolution) followed by a briefer *Resolved* section, which expresses the legislature’s attitudinal and aspirational response to the situation just described. Another reason for similarity among the statements is the degree to which later resolutions were modeled after (and partly copied from) earlier ones, both in terms of the ideas expressed and the phrasing of those ideas. Of course, there are significant variations among them; as we shall see, the U.S. senate’s slavery apology critically differs from the House resolution despite being largely copied from the latter. Before examining the texts of these national resolutions, I give a brief overview and comparison of the two state resolutions that most significantly foreshadowed and influenced them.

THE VIRGINIA AND ALABAMA RESOLUTIONS

As noted earlier, prior to the passage of the first national slavery apology by the House of Representatives, seven states approved resolutions apologizing for slavery. All of them acknowledged the historical evils of slavery and subsequent racist laws and practices, explained the need to apologize for these practices, and offered some form of apology or “profound regret,” usually accompanied by a recommitment to American ideals such as liberty and equality. However, only Virginia’s and Alabama’s resolutions significantly anticipated or influenced the wording of the national resolutions, and thus merit attention here.⁵⁷

Virginia was the first state to pass a legislative slavery apology, and it set the pattern for ensuing state and national resolutions in three ways: (1) it provided much of the wording they used (primarily from the first of its three versions); (2) it exemplified the messy evolution of a slavery apology as shaped by conflicting interests and perspectives; and (3) its differing versions presaged differences between the U.S. House and Senate versions. In an earlier study of the apology’s evolution, I showed that the Virginia resolution—originally proposed by black legislators⁵⁸—ultimately bridged *apologizing* to African Americans (with the aim of repairing damage done to the Other) and traditional *apologia* (aimed at repairing the apologist’s—in this case, state’s—image).⁵⁹ To wit, Virginia’s apology for slavery gained passage only after its acknowledgment of historical wrongdoing was placed within a positive frame of commemorating the 400th anniversary of the founding of Jamestown, reaffirming the state’s highest ideals, and celebrating its progress toward racial inclusion in recent decades. This move in the final version of the resolution constituted a compromise between the original resolution, which passed in the Virginia Senate, and a very different substitute version that was then offered to the House of Delegates by Republican delegate John O’Bannon III.⁶⁰

The change in framing was reinforced by other significant changes that shifted focus away from the sins and unjust gains of white Virginians to the virtues and accomplishments of Virginians of color. Unlike the original version, the final resolution makes no mention of the economic dimension of slavery or the broken promise of reparations. It does “call upon the people of the Commonwealth to express acknowledgement and thanksgiving for the contributions of Native Americans and African Americans to the Commonwealth and this nation, and to the propagation of the ideals of liberty, justice, and democracy.” While such other-ing of honor is commendable, it should also be noted that the final resolution expresses mere “regret,” not contrition or apology. This hedging on apology placated legislators who

had originally opposed the resolution, since regret does not necessarily indicate guilt or responsibility.⁶¹ It also helped to quiet fears expressed early on that the resolution was just an opening gambit from African American legislators seeking reparations.⁶² Three months later, Alabama's legislature would find a different way to head off such concerns.

While much of the Alabama resolution is copied from the original version of Virginia's resolution,⁶³ it departs from the latter in two major respects that anticipate the national resolutions. First, it apologizes directly. Second, and most important, it follows the apology with a disclaimer: "BE IT FURTHER RESOLVED, That it is the intent of the Legislature that this resolution shall not be used in, or be the basis of, any type of litigation."⁶⁴ This disclaimer was added because a Republican legislator, Sen. Charles Bishop, had twice blocked the resolution from being brought to the floor of the Alabama Senate, on the grounds that it could lead to reparations lawsuits.⁶⁵ Another Republican state senator, Steven French, had noted that the resolution would "pass overwhelmingly if Sanders [its sponsor] adds an amendment specifying that it has nothing to do with reparations."⁶⁶ In order to get the resolution to a vote, Sanders (who is black) eventually complied, evidently considering it a nonissue since "the time limit for filing any lawsuits over the wrongs of slavery has long expired."⁶⁷ The shadow of reparations would continue to haunt proposed apology resolutions, and the U.S. senate would emulate Alabama by including a disclaimer in its resolution.

THE NATIONAL RESOLUTIONS

Like Alabama's resolution, the apology resolutions from the U.S. House of Representatives and U.S. Senate almost entirely recapitulate the wording of the original Virginia resolution (not the version that eventually passed in the General Assembly).⁶⁸ In addition, they incorporate and adapt five clauses from the national resolution introduced by Tony Hall back in 2000. These include the opening clause of the 2008 House resolution (also appearing in the Senate resolution, albeit further down), which establishes the national and historical purview of the apology: "Whereas millions of Africans and their descendants were enslaved in the United States and the 13 American colonies from 1619 through 1865."⁶⁹ While the House and Senate resolutions are virtually identical, the few differences between them are significant. Below, I examine these two national resolutions in depth, measuring their attempts to address the evils of the past against the grammar of reconciliation and the aspirations of Tony Hall's proposed congressional resolution.

House Resolution

The House resolution was introduced on February 27, 2007, by Steve Cohen, a freshman Congressman and white Democrat representing a primarily black district in Tennessee,⁷⁰ with cosponsorship by thirty-six other representatives (all Democrats). Addressing the House, Cohen cited the apology resolution passed in Virginia the previous week and expressed hope for a similar outcome.⁷¹ On March 29, Cohen used the occasion of Passover to encourage the House to consider the resolution; on June 19, he noted the significance of Juneteenth and reiterated the need for the House to come together in support of the apology.⁷² As the months went on, the resolution gained more and more cosponsors. By July of the following year, it had 120 cosponsors, including forty-two members of the Congressional Black Caucus and only two Republicans.⁷³ The resolution passed by voice vote on July 29, 2008.

Like Alabama's resolution, the House resolution appears to have been substantially copied from Virginia's original resolution. At 730 words in length, the resolution consists of seventeen *Whereas* clauses followed by a four-part *Resolved* section.⁷⁴ For purposes of analysis, it readily divides into three sections. The first section recounts wrongs committed against African Americans under slavery and Jim Crow; this litany is presented in realistic and tragic frames. The middle section outlines and warrants the appropriate response to this history (again realistic and tragic, while adding a tempered romantic idealism). The *Resolved* section offers a verbal enactment of that response, combining tragic judgment on past wrongs with a commitment to work for a better future. Below, I examine each section in some detail and then take measure of the resolution as a whole.

While Hall's proposed 2000 resolution had included just three clauses on the nature and impacts of U.S. American slavery (and none on Jim Crow), the 2007 resolution begins with six *Whereas* clauses describing slavery, followed by three clauses about the racism, segregation, and oppression that occurred after abolition. It retraces the nation's mistreatment of African Americans with a depth perception that owes to a pairing of realistic and tragic lenses. Rather than a romantic account of America progressively realizing its destiny of freedom, it offers a gritty realism regarding ugly truths of slavery and racism; and rather than softening white America's moral culpability in comic terms of ignorance, misunderstanding, or misrecognized brotherhood (as was done in the second of the Virginia resolution's three versions), the House resolution presents these deeds in the glaring light of tragic judgment. As noted earlier, the first clause (adapted from Hall's resolution) encapsulates the human and temporal magnitude of American slavery: "millions of Africans and their descendants" held as slaves across two and a half centuries.⁷⁵ From here, its account of slavery runs on the track that was laid

in Virginia's original resolution. Specifically, it acknowledges that "slavery in America resembled no other form of involuntary servitude known in history, as Africans were captured and sold at auction like inanimate objects or animals," that they "were brutalized, humiliated, dehumanized, and subjected to the indignity of being stripped of their names and heritages," and that their "families were torn apart after having been sold separately from one another." The fifth clause acknowledges that this system, which depended on "visceral racism against persons of African descent," came to be "entrenched in the Nation's social fabric" and was not eliminated until a Civil War had been fought and the U.S. Constitution amended.

The tragic history lesson continues with three clauses on the aftermath of slavery, two of which are new to this resolution. First, following Virginia, the House recalls that "African-Americans soon saw the fleeting political, social, and economic gains they made during Reconstruction eviscerated by virulent racism, lynchings, disenfranchisement, Black Codes, and . . . officially sanctioned racial segregation in virtually all areas of life."⁷⁶ Then, in two new *Whereas* clauses, it recognizes a direct linkage between race-based slavery and the "separate and unequal" world of Jim Crow; recalls that federal action was required to eliminate segregation; and acknowledges that "its vestiges still linger to this day." Another clause notes that "African-Americans continue to suffer from the complex interplay between slavery and Jim Crow—long after both systems were formally abolished—through *enormous damage and loss*, both *tangible* and intangible, including the loss of human dignity, the frustration of careers and professional lives, and the *long-term loss of income and opportunity*" (italics mine). Adapted from Hall's resolution, this clause views present social reality through the lens of justice and expresses what might readily be taken as a warrant for reparations. It also serves as a hinge wherein the resolution pivots to the crucial work of framing a response to the past.

This framing occurs in a middle section consisting of seven more *Whereas* clauses. This section remains realistic and tragic, while also introducing a tempered romantic idealism in its second part. Nearly half of the material here is adapted from wording found in the original Virginia resolution (and adopted by Alabama); the rest, however, is new. Of the seven clauses, the first three speak to the need and precedent for *acknowledging* and *remembering* the destructive evils of slavery and segregation (i.e., facing the ugly truth under the spotlight of justice); the other four assert a need and precedent to *apologize* for these injustices. Like Virginia's original resolution, the first clause warns against excising or minimizing the story of these atrocities in the telling of U.S. history, and the second cites a model of properly acknowledging them: President George W. Bush's speech at the former slave port of Goree Island in Senegal. It quotes Bush's palpably tragic assessment of slavery ("one of the

greatest crimes in history”) and his assertion that “The racial bigotry . . . did not end with slavery or with segregation. And many issues that still trouble America have roots in the bitter experience of other times.”⁷⁷ Then, in a move new to this resolution, it crosses party lines for further precedent: “President Bill Clinton also acknowledged the deep-seated problems caused by the continuing legacy of racism against African-Americans that began with slavery when he initiated a national dialogue about race.” With this move, the resolution frames acknowledgment about the history and legacy of slavery as a broad moral obligation that transcends party.

Having provided warrants for acknowledging historical wrongdoing, the resolution uses four more *Whereas* clauses to justify apologizing for that wrongdoing. These clauses bring a tempered romantic lens to bear on the picture, emphasizing how the agency of speech, while not magically powerful, can turn the nation toward a better future. The first clause, adapted from Hall’s 2000 resolution, states that “a genuine apology is an important and necessary first step in the process of reconciliation.”⁷⁸ This statement opens the door to discussing reparations: apology does not *close the books* on the past but rather *opens up* a process of accounting and reconciling. (The word “first” was added before “step” to emphasize this idea.)⁷⁹ The second clause, found in Virginia’s original resolution, notes that an apology “cannot erase the past” with its “centuries of brutal dehumanization” but can “speed healing and reconciliation and help Americans confront the ghosts of their past.” The other two *Whereas* clauses are entirely new to this resolution. One of them cites the precedent set by Virginia and other unnamed states in “expressing appropriate remorse for slavery.” The final *Whereas* clause sums up the need for the nation to apologize: “Whereas it is important for this country, which legally recognized slavery through its Constitution and its laws, to make a formal apology for slavery and its successor, Jim Crow, so that it can move forward and seek reconciliation, justice, and harmony for all of its citizens.”

Having rehearsed the evils of the past and their destructive legacy in the present, and having established reasons for acknowledging and apologizing for those evils, the resolution now proceeds to take these actions in the culminating *Resolved* section. Here, the House of Representatives

- (1) acknowledges that slavery is incompatible with the basic founding principles recognized in the Declaration of Independence that all men are created equal;
- (2) acknowledges the fundamental injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow;
- (3) apologizes to African Americans on behalf of the people of the United States, for the wrongs committed against them and their ancestors who suffered under slavery and Jim Crow; and

- (4) expresses its commitment to rectify the lingering consequences of the misdeeds committed against African Americans under slavery and Jim Crow and to stop the occurrence of human rights violations in the future.⁸⁰

The core of this section (clauses 2 and 3) is taken from Hall's 2000 resolution, with the addition of references to Jim Crow. The other two clauses are new. Clearly, all of them are about justice that has been violated and needs to be restored; they also assume that human agency, expressed through speech and material action, can (re)dress the wounds of injustice. The legislature's judgment leaves no room for equivocation: slavery and segregation are contrary both to America's founding values and to fundamental human morals. As such, a mere sentiment of "profound regret" will not suffice; the nation, through its representatives, must take moral responsibility for these wrongs by apologizing and rectifying their "lingering consequences." Unlike falling subject to legal judgment, this would be a free and responsible exercise of agency. Both by using the "A-word" and committing itself to the task of rectification, the House here opens the door to reparations as a voluntary legislative act. Taken as a whole, this section shows how facing both the tragedy of wrongdoing/guilt and the romantic possibility of repair/renewal engenders the depth perception through which responsible action can emerge.

As an avowed "first step in the process," then, this resolution measures up well against the grammar of reconciliation; it is a well-formed apology. Incorporating all of the elements that make for a genuine reconciliation apology, it squarely faces the truth of U.S. mistreatment of African Americans and starkly highlights the injustice of these actions. It does not sugarcoat the past or try to burnish the nation's image, nor does it invoke a superficial notion of interracial unity or presume on black people's forgiveness. The goal of racial harmony is noted but not emphasized, as the fractures and dislocations of the body politic along racial lines must be reset before sound healing can occur. While the resolution does not express "profound regret" or "profound contrition" (as state apologies had done), it does apologize, and it clearly acknowledges and validates black Americans' continuing experience of psychic and material loss and suffering. In these respects, it qualifies as an Other-centered apology. Most significant, the House acknowledges its own agency to "rectify the lingering consequences" of slavery and Jim Crow and commits to doing so. However, the resolution gives no specific indication of what such rectification would involve. In this regard, it suffers in comparison to Hall's 2000 resolution, which called for a national racial reconciliation initiative, a commission to examine the impact of slavery and racism on African Americans, and a national slavery museum and memorial, as well other measures—all of which would have required funding and personnel.⁸¹

Given that the resolution gained only two Republican cosponsors over the course of a year and a half despite the lack of such concrete proposals, it is evident that it never would have passed had it named specific reparative measures. Rather, its general commitment to “rectify the lingering consequences” of slavery and Jim Crow implied a need to offer and discuss such proposals thereafter. Indeed, commenting on its passage, Cohen expressed his hope that “this is part of the beginning of a dialogue that this country needs to engage in, concerning what the effects of slavery and Jim Crow have been.”⁸² Undoubtedly, he was alluding to H.R. 40 (previously H.R. 3745), which cosponsor John Conyers had introduced into each new Congress since 1989 “to establish a commission to examine the institution of slavery, subsequent de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies.”⁸³ It is noteworthy that Conyers (who had opposed Tony Hall’s original apology resolution in 1997 as a superficial remedy for slavery),⁸⁴ spoke extensively on the floor of the House in support of Cohen’s resolution before it came to a vote, noting that “the apology is not the end of the story, but it does reaffirm our national commitment to understanding and addressing, in the words of the resolution, *how to rectify the lingering consequences* of the misdeeds committed against African Americans under slavery and Jim Crow” (italics added).⁸⁵

In this way, the House resolution puts the nation (via its representative body) in a position of vulnerability, open to African Americans’ claims on recognition and material redress. By leaving its commitment to rectification open-ended, the House resolution exercises what Marback calls “sovereign vulnerability”; it uses the agency of language to commit the Congress to voluntary actions to be negotiated through future deliberation. While retaining the power to determine action through the democratic process, the resolution does not move to render the government invulnerable to legal action. Doing so would have kept the burden of material vulnerability on the shoulders of African Americans—where it has been (dis)placed since the nation’s founding.

Despite the good intentions and well-formed reconciliation apology embodied in H.Res. 194, the resolution in no way signaled sufficient political will to make good on those intentions. Indeed, the House resolution was passed by voice vote without a quorum (i.e., with less than half of the representatives present), and the vote was not unanimous.⁸⁶ Thus, the successful passage of H.Res. 194 belied a lack of the groundswell that would be needed if the House were to proceed to meaningful dialogue about substantive measures to “rectify the lingering consequences” of slavery and Jim Crow. A dearth of political will to even entertain the need for such measures became

evident once the resolution passed from the House to the Senate, where several key emendations reduced the weight of its contribution to reconciliation. This process significantly recapitulated what had happened to Virginia's resolution when it passed from that state's Senate to its House of Delegates: capitulation to the impulse toward collective self-celebration and away from moral/material responsibility. It also emulated Alabama's move toward legal self-protection.

Senate Resolution

On June 11, 2009, Sen. Thomas Harkin (D-IA, a white man) introduced S.Con.Res. 26 on behalf of himself and eight cosponsors, including Republican senator Sam Brownback, a leading advocate for the measure.⁸⁷ By the time it was brought to a floor vote a week later, it had a total of forty-three cosponsors (thirty-eight of whom were Democrats), and the support of every senator had been secured behind the scenes. Following passionate speeches by Harkin, Brownback, and others on the necessity and import of the resolution, it passed by unanimous vote on June 18.

The Senate's slavery apology largely mimics the House resolution; seventeen of its clauses are identical to, or slightly adapted from, the text of the House resolution. However, there are a few highly significant differences that made unanimity possible.⁸⁸ Approximately 120 words longer, the Senate resolution includes three new *Whereas* clauses while omitting two clauses and a crucial phrase from the House version. From the outset, it bolsters the image of the United States with added clauses about admirable qualities of both the nation and its African American citizens, while eliminating an early clause about the uniquely cruel character of American slavery. In this way, it presents a slightly more romantic picture of the past. The Senate resolution also weakens any claim on reparations or other material corrective action by omitting clauses and phrases that might seem to serve as warrants for such action. Most important, its *Resolved* section appends a two-part disclaimer against any legal claims being warranted or settled by the resolution, thereby further softening the tragic edge of its historical acknowledgment.

The first significant change appears at the very beginning, where the Senate inserts two *Whereas* clauses that frame the rest of the resolution's content in a more positive light:

Whereas during the history of the Nation, the United States has grown into a symbol of democracy and freedom around the world;

Whereas the legacy of African-Americans is interwoven with the very fabric of the democracy and freedom of the United States.⁸⁹

Instead of starting in a tragic frame like the House resolution, the Senate begins with the kernel of a romantic narrative: a free nation growing to its potential. In this narrative frame, the United States is fundamentally good; freedom, not slavery, is its national DNA. As such, the nation has become a symbol of freedom (human agency) to the world. This framing mirrors what happened to the beginning of the Virginia resolution through a compromise between its Senate and House of Delegates.

To its credit, the U.S. Senate goes further than Virginia to recognize African Americans' contribution to the legacy of freedom. Lifting the face of the Other who was wronged is intrinsic to the shift from *apologia* to genuine apologizing.⁹⁰ If this apology is to function as more than a thinly veiled *apologia* bolstering the nation's image, it must honor those who were violated by the nation yet overcame evil with good. The evil they had to overcome is acknowledged in the next ten *Whereas* clauses (copied with very little change from the House resolution). After rehearsing this tragic history, the Senate resolution inserts the second Other-centered bolstering clause: "Whereas those African-Americans who suffered under slavery and Jim Crow laws, and their descendants, exemplify the strength of the human character and provide a model of courage, commitment, and perseverance."⁹¹ This clause simultaneously works to restore the honor due to the Other, reinforces the theme of the nation's growth into a model of freedom, and further encases the historical litany of racial injustice within a romantic frame. Compared with the House, then, the Senate could be faulted for somewhat romanticizing the nation and obscuring the shame of the past, while on the other hand, it could be credited with better honoring the victims of that past, restoring the face of a people who were subjected to the shame of dehumanization and the degradations of slavery and segregation. The Achilles' heel of this particular honoring is that it risks presuming upon black people's forgiveness and transcendence, hailing their ethical/spiritual resources (character) while leaving them deprived of material resources. Hall's 2000 resolution had indirectly alluded to this danger: "Although the achievements of African-Americans in overcoming the evils of slavery stand as a source of tremendous inspiration, the successes of slaves and their descendants do not overwrite the failure of the Nation to grant all Americans their birthright of equality and the civil rights that safeguard freedom."⁹²

There was good reason for the concern that the nation might paper over its material responsibility to African Americans; this is evident from several significant omissions in the Senate resolution. First, in the historical litany adopted from Virginia's original resolution, the Senate version drops a clause that had noted the uniquely heinous character of American slavery: reducing human beings to nothing more than property. Second, in the clause about the lingering effects of slavery and Jim Crow, the Senate resolution

eliminates two phrases referring to material consequences: “The frustration of careers and professional lives” and “the long-term loss of income and opportunity.”⁹³ Third, the Senate resolution omits the clause that referred to an apology as “an important and necessary first step in the process of racial reconciliation.” This omission makes it much easier for Americans and their representatives to treat the apology as a final reconciling act that closes the books on slavery and segregation, rather than an opening gambit for a discussion of how best to rectify residual racial injustice and heal the brokenness of racial relations.

A further omission in the *Resolved* section serves to reinforce this interpretation: where the House completed its apology by conveying a “commitment to rectify the lingering consequences of the misdeeds committed against African Americans under slavery and Jim Crow,” the Senate merely “expresses its recommitment to the principle that all people are created equal and endowed with alienable rights to life, liberty, and the pursuit of happiness” and “calls on all people of the United States to work toward eliminating racial prejudices, injustices, and discrimination from our society.”⁹⁴ Here, the Senate version undermines meaningful discussion of reparations in three ways. First, it again glosses over concrete consequences of past wrongs. Second, it deflects attention toward lofty abstractions in the present, basically reconfirming what has been established in the nation’s public consciousness since the Civil Rights Era: that black people, too, are human beings and equally endowed with human rights. In fact, this clause may readily be taken as a call to color-blindness in lieu of the House’s call to rectify the lingering disadvantages experienced particularly by black people as a consequence of race-based slavery and segregation. Third, it deflects responsibility for corrective action from the representative institution to the people of the nation. Rather than acknowledging the agency of the U.S. government to materially rectify lingering injustices derived from its original constitution and its past policies (and inactions), the Senate calls upon individual citizens to eliminate prejudice and discrimination. Similarly, in the *Whereas* clause affirming the importance of an apology for the promotion of “reconciliation, justice, and harmony for all,” the Senate replaced the House’s references to “this country . . . its Constitution and its laws” with “the people of the United States, who legally recognized slavery through the Constitution and the laws of the United States.” Individual citizens are not responsible for past generations’ misdeeds and do not have the authority to make determinations about redress for past wrongs by the government; as such, referring to “the people” rather than “the country” puts the Congress at a safer distance from reparations.

In this resolution, the Senate not only avoids potential warrants for slavery reparations (muting the claims of justice), it also goes out of its way to close the books on reparations. Following the examples of Alabama and

New Jersey, the Senate adds a disclaimer: “Nothing in this resolution (A) authorizes or supports any claim against the United States; or (B) serves as a settlement of any claim against the United States.”⁹⁵ This disclaimer was added to satisfy Brownback, without whose support the resolution would not have reached the floor of the Senate,⁹⁶ yet ironically, it was these clauses that effectively nailed the coffin on the resolution’s chances of being passed by the entire Congress. After the Senate unanimously approved it by voice vote and sent it to the House, members of the Congressional Black Caucus balked at the disclaimer, saying that it “takes away from the meaning of an apology” by trying to head off reparations claims.⁹⁷ The disclaimer can be taken to suggest that the Senate does not fully acknowledge the legacy of injustice experienced by African Americans, nor its own responsibility to rectify that injustice. Unlike the House apology, this one fails to be fully Other-centered; the Senate hedges its bets by bolstering the image of the nation, deflecting responsibility for corrective action, and defending the government against any legal claims to material compensation. What the apology gives, the disclaimer (together with key omissions) substantially takes away. While this need not have been fatal to the passage of a joint resolution—the Senate resolution could at least have committed the Congress to *rectifying the legacy of slavery and segregation by legislative means* (in lieu of a judicial process)⁹⁸—the Senate did not emulate the House in making such a commitment. A potential opening to sovereign vulnerability succumbed to a grasping for closure and invulnerability.

FEAR OF VULNERABILITY AND LIMITATION OF AGENCY IN LEGISLATIVE APOLOGIES

Although Harkin (the Senate apology’s sponsor) expressed hope that differences between the two resolutions could be worked out, the House resolution’s sponsor, Rep. Steve Cohen, decided to let some of his colleagues take the lead in this effort. In the end, the two resolutions were never reconciled, nor was a planned ceremony in the capitol rotunda ever held.⁹⁹ Thus, in the final analysis, despite the welcome admissions of wrongdoing and recognition of African Americans in these apologies, they exemplify (1) the limits of rhetorical and political agency in political apologies for collective wrongs and (2) the fear of vulnerability that shadows and undermines such apologies. These two factors are inextricably interwoven; for representatives’ continued tenure in office depends upon the votes of majority-group citizens whose vulnerability to losing some measure of privilege and security (advantages heretofore presumed/experienced as their birthright) may blind them to the greater vulnerabilities of the historically oppressed group to whom apology

is to be offered. As such, the Other-centeredness and open-endedness of an ethically robust reconciliation apology (exemplified in the House resolution) may readily become eclipsed by self-protective words that foreclose action and deliberation concerning further, substantive repair (as seen in the Senate resolution). Implicit in the Senate resolution is the assumption that apologetic sentiments and vague good intentions about avoiding overt racial discrimination in the future should be adequate to redeem the nation from centuries of racial oppression, finish the business of overcoming past injustice, and reconcile white and black Americans. Also implied (and therefore unquestioned) is the assumption that the government's vulnerability to claims of redress trumps the material vulnerability of those who still bear the brunt of a racist legacy.

Ironically, these assumptions held sway even as the nation elected its first black president: no serious legislative consideration was given to the possibility of reparative actions to redress the consequences of slavery and segregation. On the fifth anniversary of the House apology's passage, its sponsor found it necessary to remind his colleagues of what that resolution said: "That we needed to rectify the lingering consequences of slavery and Jim Crow."¹⁰⁰ Citing racial inequities in the criminal justice system, public health, public education, employment, and capital, Rep. Cohen appealed to "both sides of the aisle . . . to look toward the least of these—people who have been discriminated against and enslaved by our Nation's laws—and rectify those lingering consequences." His challenge went largely unheeded by a now Republican-controlled House that was much more concerned with resisting President Obama's agenda than redressing the festering wounds of racial oppression.

In *Race and Reconciliation*, I noted the remarkable fact that Florida's Republican governor, Charlie Crist, had expressed openness to consider reparations after his legislature passed a resolution apologizing for slavery in 2008.¹⁰¹ The hope that this might presage a wider shift in thinking among conservatives proved to be a chimera (much like the "post-racial era" ushered in by Obama's election); over the next four years, the Republican party shifted further to the right, Crist did not seek reelection, and he eventually switched sides, becoming a Democrat. Political polarization only grew during Obama's second term as president, culminating in Trump's election. Dismayed and embarrassed at Obama's "apologies" for the United States—his measured admission of the nation's imperfections and injustices on the world stage—conservative voters elected a man who projects the persona of the invulnerable male and never really apologizes. Encapsulated in the mythos of "The Wall," the ethos of "America First," and the pathos of feared invasion by "Bad Hombres," Trumpism represents a rejection of the kind of shared (and justly distributed) vulnerability that makes reconciliation possible and

apology meaningful. Although the vast majority of white Americans now disavow slavery and segregation, the impulse toward Eurocentric invulnerability that justified these wrongs is still powerfully present. This is seen in the fervor of many Trump supporters for regaining nationalistic sovereignty without any qualms about displacing vulnerability onto people of color and strange Others: black NFL players protesting racialized police brutality, undocumented migrants from Mexico, would-be immigrants from “shithole” countries, refugees from certain Muslim nations, asylum seekers from Latin America.

Trump’s ascent exposes the Achilles’ heel in my original appraisal of state slavery apologies a decade ago: I did not sufficiently take into account the vulnerability that many white Americans have felt and feared as their nation grew increasingly nonwhite and culturally non-Eurocentric. This fear has thwarted political agents’ best intentions for redressing the legacy of slavery, and it sheds greater light on the vexed nature of political agency in representative apologies. Any account of political apologies offered to peoples oppressed by a nation or state must consider the potential undertow of vulnerability felt by the group that has traditionally held power—knowing that their fear of losing economic, cultural, or political sovereignty may well undermine an apology’s (and legislators’) best intentions. That has certainly proved to be the case with the resolutions examined in this chapter.

NOTES

1. U.S. Congress, House, *Apologizing for the Enslavement and Racial Segregation of African-Americans*, H.Res. 194, 110th Cong. (2008), <https://www.govtrack.us/congress/bills/110/hres194>. See also Jim Abrams, “House Formally Apologizes for Slavery and Jim Crow,” *Associated Press State & Local Wire*, July 30, 2008, LexisNexis.

2. Abrams, “House Formally Apologizes for Slavery and Jim Crow.”

3. U.S. Congress, Senate, *A Concurrent Resolution Apologizing for the Enslavement and Racial Segregation of African-Americans*, S.Con.Res. 26, 111th Cong. (2009), <https://www.govtrack.us/congress/bills/111/sconres26>.

4. John B. Hatch, *Race and Reconciliation: Redressing Wounds of Injustice* (Lanham: Lxington, 2008).

5. For example, see Jason A. Edwards, “Community-Focused Apologia in International Affairs: Japanese Prime Minister Tomiichi Murayama’s Apology,” *The Howard Journal of Communications* 16, no. 4 (October–December 2005): 317–36, <https://doi.org/10.1080/10646170500326590>; Jason A. Edwards, “Apologizing for the Past for a Better Future: Collective Apologies in the United States, Australia, and Canada,” *Southern Communication Journal* 75, no. 1 (January–March 2010): 57–75, <https://doi.org/10.1080/10417940902802605>; Lynn M. Harter, Ronald J. Stephens,

and Phyllis M. Japp, "President Clinton's Apology for the Tuskegee Syphilis Experiment: A Narrative of Remembrance, Redefinition, and Reconciliation," *The Howard Journal of Communications* 11, no. 1 (January–March 2000): 19–34, <https://doi.org/10.1080/106461700246698>; John B. Hatch, "Beyond Apologia: Racial Reconciliation and Apologies for Slavery," *Western Journal of Communication* 70, no. 3 (July 2006): 186–211, <https://doi.org/10.1080/10570310600843496>; Joy Koesten and Robert C. Rowland, "The Rhetoric of Atonement," *Communication Studies* 55, no. 1 (Spring 2004): 68–87, <https://doi.org/10.1080/106461700246698>; Lisa Storm Villadsen, "Speaking on Behalf of Others: Rhetorical Agency and Epideictic Functions in Official Apologies," *Rhetoric Society Quarterly* 38, no. 1 (January 2008): 25–45, <https://www.jstor.org/stable/40232532>; Jane W. Yamazaki, "Crafting the Apology: Japanese Apologies to South Korea in 1990," *Asian Journal of Communication* 14, no. 2 (September 2004): 156–73, <https://doi.org/10.1080/0129298042000256776>.

6. "Apologizing for Slavery—What's the Fuss About?" *ABC Nightline*, June 18, 1997, ProQuest eLibrary.

7. See Hatch, *Race and Reconciliation*, 288, note #1. This speech transcript is no longer available online but can be obtained by contacting the author.

8. For more information about the 1999 reconciliation conference in Benin, see Hatch, *Race and Reconciliation*, chapter 8.

9. U.S. Congress, House, *Acknowledging the Fundamental Injustice, Cruelty, Brutality, and Inhumanity of Slavery in the United States and the 13 American Colonies, and for Other Purposes*, H.Con.Res. 356, 106th Cong. (2000), <https://www.govtrack.us/congress/bills/106/hconres356>.

10. Ibid.

11. "U.S. Representative Tony Hall (D-TX) [*sic*: should be D-OH] Holds News Conference on Having the Congress Apologize for Slavery," *Washington Transcript Service*, June 19, 2000, ProQuest eLibrary.

12. U.S. Congress, House, *Acknowledging the Fundamental Injustice*.

13. Ibid.

14. Prominent critics in this regard included Rep. John Conyers and Rev. Jesse Jackson. See "Apologizing for Slavery."

15. U.S. Congress, Senate, *Lynching Victims Senate Apology Resolution*, S.Res. 39, 109th Cong. (2005), <https://www.govtrack.us/congress/bills/109/sres39>.

16. Virginia General Assembly, *Acknowledging with Profound Regret the Involuntary Servitude of Africans and the Exploitation of Native Americans, and Calling for Reconciliation among all Virginians*, S.J.Res. 332ER, 2007, <http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SJ332ER>.

17. U.S. Congress, House, *Apologizing for the Enslavement and Racial Segregation; "Our Country Must Apologize for Slavery," Congressional Record—House*, 153, no. 33 (February 27, 2007), H1900, <https://www.congress.gov/crec/2007/02/27/CREC-2007-02-27.pdf>.

18. Maryland General Assembly, *A Senate Joint Resolution Concerning Slavery in Maryland*, S.J.Res. 6, 2007, <http://mlis.state.md.us/2007RS/bills/sj/sj006t.pdf>.

19. North Carolina General Assembly, Senate, *A Joint Resolution Expressing the Profound Regret of the North Carolina General Assembly for the History of Wrongs Inflicted upon Black Citizens*, S.J.Res. 1557, 2007, <http://www.ncleg.net/Sessions/2007/Bills/Senate/HTML/S1557v3.html>; North Carolina General Assembly, House, *A Joint Resolution Expressing the General Assembly's Profound Regret for the Institution and Lasting Effects of Slavery*, H.J.Res. 1311, 2007, <http://www.ncleg.net/Sessions/2007/Bills/House/HTML/H1311v1.html>.

20. Alabama Legislature, *Apologizing for the Wrongs of Slavery; Expressing Profound Regret for Alabama's Role in Slavery; and Expressing Intent That This Resolution Shall Not Be Used in, or Be the Basis of, Any Type of Litigation*, H.J.Res. 321, 2007, <http://alisondb.legislature.state.al.us/acas/>.

21. U.S. Congress, House, *Commemorating the 200th Anniversary of the Abolition of the Transatlantic Slave Trade*, H.Res. 272, 110th Cong. (2007), <http://www.govtrack.us/congress/billtext.xpd?bill=hr110-272>.

22. The text of the resolution was largely copied from Alabama's. See Seth Blomely, "State Legislative Council Voices Regret for Slavery: 17 Sign Resolution," *Arkansas Democrat-Gazette*, June 16, 2007, LexisNexis.

23. New Jersey Legislature, *A Concurrent Resolution Apologizing for the Wrongs of Slavery and Expressing New Jersey's Profound Regret for Its Role in Slavery*, ACR270, 212th New Jersey Legis (2007), http://www.njleg.state.nj.us/2006/Bills/ACR/270_11.HTM.

24. Josh Hafenbrack and John Kennedy, "Florida Legislature Makes Formal Apology for Slavery," *South Florida Sun-Sentinel*, March 26, 2008, <http://www.sun-sentinel.com>.

25. Shannon Colavecchio-Van Sickler, "Florida Apologizes for Role in Slavery," *St. Petersburg Times*, March 27, 2008, LexisNexis.

26. Crist added that the question of reparations would not be taken up that year, when Florida was facing a \$3 billion budget deficit. See Carol E. Lee, "Formal Apology for Slavery is Unanimous in Legislature," *Sarasota Herald-Tribune*, March 27, 2008, LexisNexis.

27. H. Res. 194 noted that "the legislature of the Commonwealth of Virginia has recently taken the lead in adopting a resolution officially expressing appropriate remorse for slavery and other State legislatures have adopted or are considering similar resolutions." A year later, the Senate version further named Maryland, North Carolina, Alabama, and Florida as states that had by then passed such resolutions. U.S. Congress, House, *Apologizing for the Enslavement and Racial Segregation*; U.S. Congress, Senate, *A Concurrent Resolution Apologizing for the Enslavement*.

28. See Hatch, *Race and Reconciliation*, 312–19.

29. For instance, Virginia Senator Henry D. Marsh reportedly worked behind the scenes for four years to win Republican support for his resolution before formally introducing it. Jenny Jarvie, "Formal Slavery Apologies Debated," *Los Angeles Times*, March 19, 2007, LexisNexis.

30. See Hatch, *Race and Reconciliation*, 324–34; John B. Hatch, "Rounding (out) the Bases of Racial Reconciliation: (Dia)logology and Virginia's Apology for Slavery," in *Transcendence by Perspective: Meditations on and with Kenneth*

Burke, ed. Bryan Crable (Anderson, SC: Parlor Press, 2014), 87–113; John B. Hatch, “Resolutions of Regret: The Other in the Evolution of a State Apology for Slavery,” in *The Philosophy of Communication Ethics: Alterity and the Other*, ed. Ronald C. Arnett and Pat Arneson (Madison, NJ: Fairleigh Dickinson University Press), 153–81.

31. B. L. Ware and Wil A. Linkugel, “They Spoke in Defense of Themselves: On the Generic Criticism of Apologia,” *Quarterly Journal of Speech* 59, no. 3 (October 1973): 273–83, <https://doi.org/10.1080/00335637309383176>.

32. Edwards, “Apologizing for the Past for a Better Future”; Villadsen, “Speaking on Behalf of Others”; Hatch, “Beyond Apologia”; Hatch, “Resolutions of Regret.”

33. Hatch, *Race and Reconciliation*, 9.

34. Ibid.

35. Similarly, Villadsen regards such “official” apologies as epideictic discourse with policy implications, or “proto-deliberative” rhetoric. Although they neither confess personal guilt nor make public policy, they are “a legitimate form of political discourse chiefly concerned with formulating and actualizing civic norms of a given community” (244). Lisa Storm Villadsen, “Beyond the Spectacle of Apologia: Reading Official Apologies as Proto-Deliberative Rhetoric and Instantiations of Rhetorical Citizenship,” *Quarterly Journal of Speech* 98, no. 2 (May 2012): 230–47, <http://dx.doi.org/10.1080/00335630.2012.663501>. See also Villadsen, “Speaking on Behalf of Others.”

36. For instance, see “Poetic Categories” in Kenneth Burke, *Attitudes toward History*, 3rd ed. (Berkeley: University of California Press, 1984).

37. Hatch, *Race and Reconciliation*, 145.

38. Northrop Frye, *Anatomy of Criticism: Four Essays* (Princeton University Press, 1957). (See third essay.)

39. Hatch, *Race and Reconciliation*, 145–49.

40. In Gadamer’s terms, there needs to be a *fusion of horizons*. Hans-Georg Gadamer, *Truth and Method*, rev. 2nd ed. (New York: Bloomsbury, 2013).

41. Hatch, *Race and Reconciliation*, 180.

42. Hatch, “Rounding (out) the Bases of Racial Reconciliation.”

43. Hatch, “Beyond Apologia”; Hatch, “Resolutions of Regret.”

44. William L. Benoit, *Accounts, Excuses, and Apologies: A Theory of Image Restoration Strategies*, SUNY Series in Speech Communication (Albany: State University of New York Press, 1995); William L. Benoit, “Queen Elizabeth’s Image Repair Discourse: Insensitive Royal or Compassionate Queen?” *Public Relations Review* 25, no. 2 (Summer 1999): 145–66, [https://doi.org/10.1016/S0363-8111\(99\)80159-3](https://doi.org/10.1016/S0363-8111(99)80159-3).

45. Hatch, “Beyond Apologia”; Hatch, “Resolutions of Regret.”

46. Benoit, *Accounts, Excuses, and Apologies*, 79.

47. For instance, the final version of Virginia’s slavery resolution indulges in substantial image repair as well as honoring oppressed Native Americans and African Americans and expressing regret. Hatch, “Resolutions of Regret.”

48. Villadsen, “Speaking on Behalf of Others,” 27.

49. Ibid.

50. Hatch, *Race and Reconciliation*.
51. Yamazaki, "Crafting the Apology," 156, 168.
52. Richard C. Marback, *Managing Vulnerability: South Africa's Struggle for a Democratic Rhetoric* (Columbia: University of South Carolina Press, 2012), 10.
53. *Ibid.*, 11.
54. *Ibid.*
55. *Ibid.*, 15.
56. *Ibid.*, 126.
57. Tracing the exact lineage, authorship, and process of drafting each resolution (including interactions among state and national legislators behind the scenes) is beyond the scope of this essay, which focuses instead on the finished texts of the resolutions (sometimes in multiple versions) relative to the task of racial reconciliation.
58. Henry D. Marsh sponsored the Senate resolution, and Donald McEachin sponsored the House version.
59. Hatch, "Resolutions of Regret."
60. Virginia General Assembly, *Acknowledging the Contributions of Varied Races and Cultures to the Character of the Commonwealth of Virginia, and Expressing Profound Regret for Slavery and Other Historic Wrongs Rooted in Racial and Cultural Bias and Misunderstanding*, H.J. Res. 728 Amendment in the nature of a substitute, 2007, <https://lis.virginia.gov/cgi-bin/legp604.exe?071+ful+HJ728H1>.
61. Bob Gibson, "Slavery Resolution Rewritten: Committee Passes Statement of 'Regret,'" *The Clover Herald*, February 1, 2007, LexisNexis. The original version introduced in the Virginia Senate by Henry Marsh had first stated "hereby atone," but when colleagues expressed concern that he was implying a commitment to reparations, he changed the phrase to "acknowledge with contrition." See Tyler Whitley, "Slavery Apology Language Altered: 'Contrition' Replaces 'Atone'; Potential for Reparations Is Issue," *Richmond Times-Dispatch*, January 30, 2007, LexisNexis.
62. Whitley, "Slavery Apology Language Altered."
63. Phillip Rawls, "Alabama Governor Says He Would Sign Slavery Apology," *Associated Press News Service*, April 21, 2007, NewsBank: Access World News.
64. Alabama Legislature, *Apologizing for the Wrongs of Slavery*.
65. Rawls, "Alabama Governor Says He Would Sign."
66. Phillip Rawls, "Alabama Senate Has Heated Debate but No Vote on Slavery Apology," *Associated Press News Service*, April 12, 2007, NewsBank: Access World News.
67. *Ibid.*
68. Virginia General Assembly, *Atoning for the Involuntary Servitude of Africans and Calling for Reconciliation Among All Virginians*, S.J.Res. 332, 2007, <http://lis.virginia.gov/cgi-bin/legp604.exe?071+ful+SJ332>.
69. Hall's version had specified "approximately 4 million." U.S. Congress, House, *Acknowledging the Fundamental Injustice*.
70. "Jewish Congressman Wins Landslide after Racially Divisive Primary," *The Forward*, August 22, 2008, LexisNexis.
71. "Our Country Must Apologize."

72. “Coming Together in Unity,” *Congressional Record—House* 153, no. 55 (March 29, 2007), H3282, <https://www.congress.gov/crec/2007/03/29/CREC-2007-03-29.pdf>; “Juneteenth,” *Congressional Record—House* 153, no. 99 (June 19, 2007), H6666, <https://www.congress.gov/crec/2007/06/19/CREC-2007-06-19.pdf>.

73. Darryl Fears, “House Apologizes to Blacks for ‘Cruelty’ and ‘Brutality’ of Slavery,” *Alameda Times-Star*, July 31, 2008, NewsBank.

74. U.S. Congress, House, *Apologizing for the Enslavement and Racial Segregation*.

75. *Ibid.*

76. *Ibid.*

77. *Ibid.*

78. *Ibid.*

79. On the other hand, Hall’s resolution included a clarifying phrase: “Because a sincere apology accompanied by an attempt at real restitution is an important healing interaction” (U.S. Congress, House, *Acknowledging the Fundamental Injustice*). This implied that steps toward reparation would accompany the apology, a sure deal-breaker for Hall’s 2000 proposal. Omitting this phrase and adding the word “first” before “step” allowed the 2008 House resolution to leave that debate for the future.

80. U.S. Congress, House, *Apologizing for the Enslavement and Racial Segregation*.

81. U.S. Congress, House, *Acknowledging the Fundamental Injustice*.

82. Fears, “House Apologizes.”

83. U.S. Congress, House, *Commission to Study Reparation Proposals for African-Americans Act*, H.R. 40, 110th Congress (2007), <https://www.govtrack.us/congress/bills/110/hr40>.

84. “Apologizing for Slavery—What’s the Fuss About?”

85. “Apologizing for the Enslavement and Racial Segregation of African-Americans,” *Congressional Record—House* 154, no. 57 (July 29, 2008), H7224, <https://www.congress.gov/crec/2008/07/29/CREC-2008-07-29.pdf>.

86. After the voice vote was taken, the Speaker pro tempore stated, “two-thirds being in the affirmative, the ayes have it.” However, Rep. Steve King (R-IA) objected to this vote because a quorum was not present. “Apologizing for the Enslavement” (*Congressional Record* 154, no. 57), H7227.

87. Brownback had floated the idea of a bipartisan apology for slavery back in 2007, when he was running for president. Before the floor vote in 2009, Sen. Harkin thanked Brownback for having worked tirelessly on behalf of the resolution over the previous two years. Jenn Abelson, “Brownback to Pitch Proposal Apologizing for Slavery,” *The Boston Globe*, October 16, 2007, LexisNexis; “Apologizing for the Enslavement and Racial Segregation of African Americans,” *Congressional Record—Senate* 155, no. 92 (June 18, 2009), S6762, <https://www.congress.gov/crec/2009/06/18/CREC-2009-06-18.pdf>.

88. U.S. Congress, Senate, *A Concurrent Resolution Apologizing for the Enslavement*.

89. *Ibid.*

90. Hatch, “Resolutions of Regret.”

91. U.S. Congress, Senate, *A Concurrent Resolution Apologizing for the Enslavement*.
92. U.S. Congress, House, *Acknowledging the Fundamental Injustice*.
93. Virginia General Assembly, Senate, *Atoning for the involuntary servitude of Africans*, S.J.Res. 332.
94. U.S. Congress, Senate, *A Concurrent Resolution Apologizing for the Enslavement*.
95. *Ibid*.
96. Bartholomew Sullivan, "Slavery Apology Not Reconciled—Cohen Decides to Let Others Take Lead in Resolving Differences," *The Commercial Appeal*, July 6, 2009, NewsBank: Access World News.
97. Sullivan, "Slavery Apology Not Reconciled"; William Douglas, "U.S. Senate Apologizes for Slavery," *Charleston Gazette*, June 19, 2007, NewsBank.
98. As law scholar Roy L. Brooks argues, with the goal of reconciliation in view, there are substantial advantages to legislative measures over court-ordered reparations. While the latter are backward-looking, imposed, and non-negotiable, the former are forward-looking, voluntary, and negotiated, bringing the parties together in a process of dialogue and debate about how best to repair the damage from past wrongs. Roy L. Brooks, *Atonement and Forgiveness: A New Model for Black Reparations* (Berkeley: University of California Press, 2004).
99. Sullivan, "Slavery Apology Not Reconciled."
100. "Anniversary of Apology for Slavery and Jim Crow Laws," *Congressional Record—House* 159, no. 108 (July 25, 2013), H5078, <https://www.congress.gov/congressional-record/2013/07/25/house-section/article/H5078-1>.
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Chapter 5

Apology Ad Infinitum

Colonialism and the Need for Repeated Apologies for Canadian Aboriginal Boarding Schools

M. Shivaun Corry

From the mid-nineteenth century until the late twentieth century, Canadian aboriginal children were forcibly removed from their families and communities to attend boarding schools. The purpose of this “Indian Residential School System” was to assimilate aboriginal children into the dominant Canadian culture. In 1990, the then-head of the assembly of Manitoba chiefs, Phil Fontaine, publicly revealed that he, as well as many indigenous children, had been physically and sexually abused at these schools. In an interview on the Canadian Broadcast Corporation prime time news program, *The Journal*, Fontaine stated, “In my grade three class . . . there were 20 boys, every single one of them . . . experienced some aspect of sexual abuse.” During the interview, Fontaine called for an investigation into the abuse at these residential schools.¹

Although the field of crisis communication has extensively discussed crisis management by apology most of this work has focused on corporate apologies and medical apologies.² There has been little attention paid to the fact that many government apologies are also initiated by a crisis. In the case of the Canadian apology for the residential schools, Phil Fontaine’s revelation of abuse opened the flood-gates: Canadian airwaves and newspapers were soon filled with stories of abuse and neglect from residential schools across the country. This emboldened the survivors of this abuse to bring law suits against the government of Canada and the churches involved in running the schools. In 1991, the government of Canada began a Royal Commission on Aboriginal Peoples in which many aboriginals told their stories of abuse in the residential school system. The report of this Royal Commission, published

in 1996, recommended a separate public inquiry into the residential schools,² but this recommendation was never followed.³ Although the government ignored the recommendation to conduct a public inquiry, in 1998, then minister of Indian affairs Jane Stewart offered an apology for the abuses at the residential schools and set up a 350-million-dollar “healing fund” with 250 million dollars in additional resources for the victims. This apology stated:

The government of Canada acknowledges the role it played in the development and administration of these schools. Particularly to those individuals who experienced the tragedy of physical and sexual abuse at residential schools, and who have carried this burden believing that in some way they must be responsible, we wish to emphasize that what you experienced was not your fault and should never have happened. For those of you who suffered this tragedy, we are deeply sorry.⁴

Despite the fact that this apology was commended by politicians and academics for its thoroughness in listing state abuses, it was not accepted by aboriginal peoples as the apology itself did not come from the head of the state. An article in *Windspeaker*, Canada’s largest aboriginal magazine, stated that survivors of the residential schools “have continually stressed the importance of hearing *the prime minister say he’s sorry in Parliament.*”⁵

In 2008, the then prime minister Stephen Harper, on behalf of the government of Canada, apologized for this system of schools in Parliament. However, this apology and subsequent financial compensation was not extended to those who attended residential schools in the province of Newfoundland and Labrador as these schools were established before the province joined Canadian Confederation and were not operated by the federal government. This omission led to class-action lawsuit started by the former students of these schools in Newfoundland and Labrador.

For many, an even more glaring omission from Harper’s 2008 apology was the lack of reference to colonialism. As Canadian rhetoricians Jennifer Henderson and Pauline Wakeham note, this absence facilitated a notion of the residential schools as “a discrete historical problem of educational malpractice” rather than part of “colonial oppression that persists in the present.”⁶ Adding insult to injury, just a year after this apology, at a press conference following the 2009 G20 summit, Harper stated that Canada had “no history of colonialism.”⁷ In November 2017, close to a decade after Harper’s apology, the current prime minister of Canada, Justin Trudeau, tearfully apologized to former students left out of Harper’s 2008 apology, repeatedly referencing colonialism.

The official apology is an instance of mortification: symbolic death through language. This chapter examines the repeated apologies by the

Canadian government for these residential schools using Kenneth Burke's "the cult of the kill": the cycle of the disturbance of the moral order, sacrifice, rebirth, and a restoration of the moral order.⁸ Danielle Celermajer's notion of official "recovenanting" as well as Seeger and Sellnow's "rhetoric of renewal" help further illuminate how apology can lead to rebirth, whether of an organization or a nation.⁹ This examination demonstrates how apologies are "rotten with perfection": no apology is perfect, it must be repeated infinitum.¹⁰

COLLECTIVE APOLOGY AND THE BURKEAN ORDER

For Kenneth Burke, one of the most fundamental characteristics of humanity is that we are "rotten with perfection."¹¹ As perfection, by definition, is unattainable, we are never satisfied with our present condition. This desire for perfection means that we are constantly drawn to create broader and broader ethical categories leading to a system of commandments so complex that it can never be perfectly followed. The result of this inability to follow all the commandments is a sense of "ubiquitous guilt": because we can imagine a perfect ethical system, we will always feel guilty for achieving anything less than this perfection.¹² As human beings, we tend to imagine that our present condition is the result of past events. We imagine that it is our disobedience of our perfectionist ethical system that has caused this feeling of ubiquitous guilt and disunity, we blame our feeling of ubiquitous guilt, not rightly on the characteristics of our drive for categorical perfection, but on an ancestral crime.¹³

The only way that we can reconnect with the time before we constructed this ethical system which causes us to live with ubiquitous guilt is through the cycle of "the cult of the kill": when the moral order is violated, a sacrifice must be made to restore the moral order.¹⁴ While war is the most obvious way to absorb collective guilt, the cycle can also be played out through language: we can transcend the cycles of physical conflict through symbolic action.¹⁵ In crisis communication theories, the breaking of the moral order causes a crisis of confidence in an organization. For the order to be restored, blame must be placed. Whereas victimage and scapegoating assign blame and guilt to external forces, mortification occurs when this guilt is accepted internally and the guilty party engages in symbolic self-sacrifice.¹⁶ In the act of mortification, an individual or community makes a symbolic sacrifice to restore the order. In crisis communication theories, mortification is referred to as an image restoration strategy and frequently includes acts such as resignation, public confession, and/or apology.¹⁷

PURGATION, SUBSTITUTION, AND RECOVENANTING

Burke connected his theory of “the cult of the kill” to notions of substitution: a stand in or representative can be “killed”—either physically or symbolically—to pay for the sins of the community.¹⁸ This is the process of scapegoating. He argues that vicarious sacrifice is a necessary component of the process of covenanting. In the *Rhetoric of Religion*, Burke explains,

We need an approach that, like the Bible itself, leads us from a first Adam in whom all vicariously “sinned” to a “second Adam” by whom all might vicariously make atonement. For we are trying to analyze the respects in which the ideas of both guilt and redemption by vicarious sacrifice are intrinsic to the idea of Covenant (which in turn is intrinsic to the idea of governance).¹⁹

In order to reconnect us with the moral order, we need a sacrifice—a “second Adam” to cleanse the population. This biblical language may be intimidating for secular academics, but it is important to understand that Burke saw these mythic-religious archetypes as helping us understand all human communication. As he states, “our purpose is simply to ask how theological principles can be shown to have usable secular analogues that throw light upon the nature of language.”²⁰ Contemporary scholars of apology such as the Canadian communications theorist Gary McCarron urge us to understand that processes such as apologies—“which seem on the surface to be pretty formulaic expressions of regret”—are actually “steeped in history” and “almost invariably drawn from various religious traditions.” We hear the echoes of these traditions “beneath the threshold of awareness.”²¹

Many scholars have drawn on Burke’s notion of scapegoating in regards to restoration or order in a community (ex. Becker, Girard).²² Rhetorical scholars such as Margaret Cavin recognize the importance of Burkean identification in the process of organizational scapegoating: shame can be accepted by a public figure through public confession and Burkean identification. The sins may be transferred onto a representative who can confess and accept shame on behalf of the community. She states, “symbolic structures indicate that the purgation of guilt can be achieved through universal mortification (i.e., repentance) in the form of shame and confession.”²³ After mortification, the process can continue to a rebirth in which the moral order is restored.

The work of Danielle Celermajer of the University of Sydney focuses on uncovering the structures that “underpin and sustain human rights abuses” and designing ways to transform these structures.²⁴ In her 2009 work *Sins of the Nation and the Ritual of Apology*, Celermajer discusses national apologies as an example of “recovenanting.” A covenant is an agreement between parties to abide by a set of principles. For Celermajer, political apologies

are “an acknowledgement of a collective failure to live up to an ideal ethical principle.²⁵ Through the process of “recovenanting” by apology “the historical community” is brought “back into alignment with the ideal community.”²⁶ Yet, it is not simply a return to an idealized past following transgression of an agreement; it is a step forward toward a more ideal relationship. The apology itself, with its promises of improvement, is “a new covenant for now and into the future.”²⁷

The narrative of recovenanting follows the cycle of Burke’s cult of the kill, substituting the humiliation of the apology for the sacrifice. The apology allows the nation to return to the unified state that existed before the moral order was polluted by the offence.²⁸ As Cavin explains, through the public confession of a symbolic representative “the offensive deed [is] extracted from the metaphorical body” so that there can be a return to the moral order.²⁹

Burke recognized that the restoration of order through the covenant is not permanent. He writes, “the cycle of terms implicit in the idea of worldly order continues, forever circling back upon itself, thus forever, “guilty,” thus forever demanding “redemption.”³⁰ In the idea of cycle, there is a recognition that the restoration of order through the covenant is not permanent. Though the apology attempts to restore the moral order forever, even apologies are “rotten with perfection.”³¹ Because we can always imagine a better apology, we must repeat the apology ad infinitum. Burke informs us that the cycle of order, pollution, sacrifice, and rebirth is an unending cycle: It must be repeated until perfection is achieved—which will, by definition, never occur.³² The catharsis of Prime Minister Trudeau’s tears during the 2017 apology hides the fact that, like the Greek cycles of drama which were repeated every year, the apology is only part of an unending cycle which will never transcend Canada’s original sin of colonialism. But the notion that an apology must be repeated ad infinitum does not mean that the initial cycle of recovenanting was a failure, it simply means that the cycle must continue due to our ability to imagine a more perfect state.

THE SINNING STATE AND THE PURIFIED STATE

Although we tend to think of epideictic rhetoric as articulating and affirming public morality, rhetorical theorist Lisa Storm Villadsen sees official apologies as an example of “contemporary epideictic rhetoric of censure” which offers the audience an opportunity to distance itself from particular “acts or beliefs.”³³ As political theorist Mihaela Mihai of University of Edinburgh notes, realist scholars have argued that apologies “allow political elites to take the higher moral ground against those who came before them—unfairly applying current standards to the past, thus committing the sin of

presentism.”³⁴ Such theorists argue that policies not seen as unjust or immoral at their time of implementation should not be apologized for now. There is a certain triumphalism in apologizing for the errors of past administrations: in paying attention to the mistakes of the past, politicians implicitly present their own administration as superior and able to stand outside of history in judgment of others.

For an organization like the nation-state of Canada, blame can be shifted to a specific period in the organization’s history without implying that there is a systemic problem. Scholars such as American rhetorical theorist Jason Edwards have rightly noted that an official apology can serve as a bridge between the past, the present, and the future: in addressing the wrongdoings of the past, in the present, societies hope to build a better future.³⁵ However, Celermajer argues that these same apologies are sometimes used as an attempt to separate the past from the present; specifically, to separate the “sinning” state of the nation from its current state. Celermajer gives the example of Chirac’s statement that the Vichy period was “an insult to our past and our traditions.”³⁶ Chirac was attempting to isolate this period of the past and juxtapose it with the current nation: which is implicitly closer to its ideal state or essence. Drawing on the work of Yamazaki, Edwards notes that the apology itself serves as evidence that the nation-state is different today from when the atrocities were committed.³⁷

Prime Minister Harper began the 2008 apology by stating that “the treatment of children in these [the Indian Residential] schools is a *sad chapter* in our history.”³⁸ Echoing this, Trudeau’s 2017 apology begins with the statement, “The treatment of Indigenous children in residential schools is a *dark and shameful chapter* in our country’s history.”³⁹ Harper uses devices such as anaphora to further separate this “chapter” from the present: He repeats “we *now* recognize” three times—stressing that the nation is only now able to see something it could not see during this “dark chapter.” Here, the past-state—blind to its crimes—is separated from the current nation which can see the harm. Near the end of his apology, Harper states that “there is no place in Canada for the attitudes that inspired the Indian Residential School System to *ever* again prevail” even further separating the present purified state from the former sinning state.⁴⁰ With Harper’s references to the residential school era as a “sad chapter” and Trudeau’s to a “dark and shameful chapter” in the history of Canada, the apologies attempt to rhetorically separate the past “sinning” nation, founded in colonialism, from the current nation, purified through apology.⁴¹

Both Trudeau’s and Harper’s apologies helped rewrite Canada’s historical narrative as existing in accord with the *Charter of Rights and Freedoms* (the bill of rights guaranteeing equality to all Canadians), in juxtaposition to its racist “chapter.” The covenant of upholding human rights and equality was

broken, so the symbolic sacrifice of the representative of that order, the prime ministers, occurred through the mortification of the apology. In doing this, the nation is ready to be reborn, cleansed, with a new identity.

THE ORIGINAL SIN OF COLONIALISM

It may be cynical, but fair, to guess that public apologies are usually related to a crisis: It is rare that a public figure will come forward to publicly admit wrongdoing if it is not to avoid or respond to crisis. Harper's 2008 apology and Trudeau's 2017 apology were preceded by class-action law suits. The apologies were parts of crisis narratives which included financial compensation and, in the case of the 2008 apology, a truth and reconciliation commission. Crisis communication theorists Seeger and Sellnow note that, in some cases, crisis narratives can facilitate denial or "cultural amnesia" rather than address systemic issues.⁴² Crisis responses can push certain narratives to the foreground and allow others to fade into the shadows. Whereas we tend to think of the persuasive element of narrative being what is said, it is also what is left out. In *Language as Symbolic Action*, Kenneth Burke writes,

Men seek for vocabularies that are reflections of reality. To this end, they must develop vocabularies that are selections of reality. And any selection of reality must, in certain circumstances, function as a deflection of reality.⁴³

We see this in the inclusion and exclusion of terms related to colonialism in the Canadian apologies. Though Mr. Harper gives a thorough explanation of the colonial mentality, he repeatedly refers to assimilation rather than colonialism. He states:

Two primary objectives of the residential school system were to remove and isolate children from the influence of their homes, families, traditions and cultures, and to assimilate them into the dominant culture. These objectives were based on the assumption aboriginal cultures and spiritual beliefs were inferior and unequal.⁴⁴

Why would Harper take such pains to explain the colonial mentality without actual using the term? Some have noted that an acknowledgment of colonialism could have implications for aboriginal land claims.⁴⁵ Henderson and Wakeham note that "the specter of sovereignty raised by Aboriginal redress consequently renders acknowledgement of any part or whole of the colonial enterprise in Canada risky terrain for the settler society status quo."⁴⁶ I see the problem as an even larger one in that there would be no nation of Canada,

or prime minister, without colonialism. Harper seems to be consciously not allowing the notion of colonialism to become part of the story; instead, he used words such as abuse, neglect and assimilation. Yet, in not using the word “colonialism,” Harper engaged in incomplete mortification. He did not accept that colonialism, the ideological foundation of the nation of Canada, was to blame and not just an isolated “chapter” in Canada’s history.

At a press conference at the Pittsburgh G20 summit in 2009, just over a year after his apology, Harper stated that Canada had “no history of colonialism.”⁴⁷ Across the country, many were shocked by what was a “particularly remarkable form of erasure” of Canada’s history and noted the prime minister’s hypocrisy in light of the apology for the residential schools.⁴⁸ Then-Assembly of First Nations Grand Chief Shawn Atleo noted that, in the apology, Harper had stated that “there is no place in Canada for the attitudes that inspired the Indian Residential Schools system to ever prevail again” yet these recent comments did not reflect a commitment to this statement.⁴⁹

For some, this statement fits in neatly with the apology’s denial of colonialism. Henderson and Wakeham argue that the “palpable absence” of mentions of colonialism in Harper’s 2008 apology “is not as far removed from Harper’s subsequent outright denial of the “history of colonialism” as it might initially appear.”⁵⁰ Referencing the apology’s separation of the past sins from the current nation, Henderson and Wakeham observe that “acknowledgement of past errors—when those “mistakes” are carefully circumscribed—does not threaten the global image of Canada as a progressive beacon.”⁵¹

American political rhetorical theorist Robert Ivie argues that for the rhetoric of peace to overcome the rhetoric of war, peace rhetoric must give a “compelling substitute” to the bellicose enemy. Ivie recognizes that there must be “a worthy adversary suitable for the slaughter.”⁵² In his examination of American Cold War rhetoric, Ivie examines the failure of antiwar “idealists” to provide an adequate substitute. He notes how these idealists attempted to substitute “metaphorical concepts including mad, pathology, sick and force” rather than specific people or policies such as Robert McNamara or Lyndon Johnson.⁵³ The pro-war side easily countered this with the precise image of the “savage” Viet Kong fighter.

Harper too, did not offer a well-defined substitute but only the undefined “mentality” and “policies.” For many, this was not a well-defined “adversary suitable for the slaughter.”⁵⁴ In Burkean fashion, it is easy for us to imagine a better substitute, and therefore the apology must be repeated with a more clearly defined sacrificial substitute. He failed to mention directly that it was the mentality and policies of *colonialism* which need to be slaughtered. Canadian correspondent for the *New York Times*, journalist Ian Austin, identifies Sir John A. McDonald, the first prime minister of Canada, as the “champion” of the residential school.⁵⁵ In the past several years, Sir John A.

McDonald has become the target of the anger of indigenous people and their allies, with his statue being removed in places such as Victoria, the capital city of the province of British Columbia. Neither apology mentions him specifically.

With the comments about the exclusion of the word “colonialism” in Conservative Party prime minister Steven Harper’s 2008 apology, and particularly following the outrage over Harper’s denial of Canada’s colonial history, it was necessary for Liberal Party Prime Minister, Justin Trudeau, to address this part of the story of Canada. In Trudeau’s 2017 apology, the sacrificial substitute is clear: the idea of colonialism is offered for the sacrifice. In a correction of Harper’s omission, Trudeau’s apology uses the word “colonial” once and “colonialism” thrice.⁵⁶ Near the beginning of the apology, Trudeau states that “to move forward with reconciliation, we must understand the role of residential schools in our history. We must recognize the colonial way of thinking that fueled these practices.” The fourth paragraph again mentions colonialism, stating that when the students returned to their communities, they found that “their own practices, cultures and traditions had been eroded by colonialism.”

Trudeau’s use of the word “colonialism” drew praise from the mainstream Canadian media including *MacLeans*—the largest Canadian weekly magazine. Jacqueline Romanow, chair of University of Winnipeg’s Indigenous studies program, notes that using the word “helps all citizens realize the colonial remnants of current policy (Indian Act) and attitudes (racism, unconscious bias) that linger.”⁵⁷ However, like Harper, Trudeau, too, attempts to separate this part of Canada’s narrative from the essential essence of the nation using time-denoting terms. He states:

This is a *shameful part* of Canada’s history—stemming from a legacy of colonialism, when Indigenous people were treated with a profound lack of equality and respect—a *time* in our country when we undervalued Indigenous cultures and traditions and it was wrongly believed Indigenous languages, spiritual beliefs and ways of life were inferior and irrelevant.⁵⁸

Such passages give a clear substitute for the bellicose enemy: it is the ideology of colonialism which did these terrible things and is responsible for the current problems such as substance abuse and domestic violence in aboriginal Canadian communities. Trudeau’s use of the past tense and these time-denoting terms assures us that this is not part of Canada’s essential character but just a sad chapter in our history.

The response to a crisis influences the future of an organization, whether a company or a nation. When the response, such as an apology, resonates with the ideals of the members of an organization, it reinforces and

encourages these ideals and the identity of the organization as being in alignment with these ideals. For crisis communication theorists such as Seeger and Sellnow, when this happens, there can be “meaningful change in society.”⁵⁹ Trudeau’s use of the term colonialism allowed the apology to come into alignment with contemporary macro-narratives, including the notion that Canada has entered an era of reconciliation with aboriginal peoples. This idea that Canada must confront colonialism resonates with greater ideas of Canadian identity. During the sesquicentennial year of Canadian Confederation, events such as the Walk for Reconciliation in Vancouver, which drew 50,000 participants, highlighted how the notion of reconciliation has permeated the identity of both aboriginal and nonaboriginal Canadians. Memory studies scholar Ann Rigney notes that even new immigrants to Canada who “never penetrated the wilderness in canoes . . . have in principle to assume responsibility for indigenous dispossession as part of their new civic identity.”⁶⁰

However, even Trudeau did not acknowledge that colonialism is the original sin of Canada: Canada was founded in colonialism and this ideology runs deep within our institutions. As Métis artist David Garneau states, “colonialism is not a singular historical event—the colonizer has not left.”⁶¹ Neither the 2008 apology nor the 2017 apology recognize that this was not merely a “chapter” of our history: it is still what defines the geographic borders of Canada, the Canadian system of government, and relations with the indigenous peoples within these borders. The apology ignored the fact that these residential schools existed for not just the majority, but almost 90 percent of the history of Canada as a nation.

Moreover, many have noted that Trudeau’s government has failed to live up to the recommendations of the Truth and Reconciliation Commission, displaying that the system of colonization continues with disproportionate number of aboriginal children taken by state child protective services and the expansion of energy projects on indigenous land. During a discussion of the Trans Mountain Pipeline project in Parliament, Romeo Saganash—a Cree Member of Parliament and residential school survivor—noted Prime Minister Trudeau’s statement that the pipeline project would continue “no matter what” and that a minister of Trudeau’s party added that “Canada will not be able to accommodate all indigenous concerns”—in violation of “constitutional duties and obligations.” Mr. Saganash asked the house of parliament, “Why doesn’t the prime minister just say the truth and tell indigenous peoples that he doesn’t give a fuck about their rights?”⁶² The comments went viral on indigenous social media such as the Facebook group for Idle No More (perhaps the most important grassroots indigenous movement in Canada), signaling that these comments resonated with a large number of indigenous peoples.

THE RHETORIC OF RENEWAL

Whereas scapegoating is a story of attack, accepting blame can present an opportunity for an organization to renew itself. In recent years, the rhetoric of renewal (also called renewal discourse) has become one of the dominant approaches to crisis management.⁶³ This framework encourages organizations to learn from crises and engage in positive, future-oriented discourse in the postcrisis phase. Like the notion of recovenanting, the rhetoric of renewal helps us understand how an organization can be reborn through apology. In their work *Narratives of Crisis: Telling Stories of Ruin and Renewal*, crisis communication theorists Timothy Seeger and Matthew Sellnow state that crises “create both a literal and symbolic space for change [which can be] filled with stories focusing on rebuilding, recovery, and renewal.” Seeger and Sellnow’s work reminds us that in “the cult of the kill” symbolic death is not the final stage of the drama: the drama begins again with rebirth.

Crisis communication theorist Robert Heath notes that the rhetoric of renewal must present a prospective rather than respective.⁶⁴ Ulmer and Sellnow argue that “issues of responsibility, harm, victimage, and blame may be subordinate to a more optimistic discourse that emphasizes moving beyond the crisis, focusing on strong value positions, responsibility to stakeholders, and growth as a result of the crisis.”⁶⁵ We see this future-oriented rhetoric in both Harper and Trudeau’s apologies. Nearing the end of the 2008 apology, Harper states that the Indian Residential School Settlement agreement “gives us a new beginning and an opportunity to move forward together in partnership.”⁶⁶ In the final paragraph, Harper again looks to the future, stating that the Truth and Reconciliation Commission (TRC) will be “a positive step in forging a new relationship between aboriginal peoples and other Canadians.”⁶⁷ The final phrase of Harper’s apology highlights his attempt at unification of the country through this apology stating that this process will make “a stronger Canada for all of us.”⁶⁸ Trudeau states that the Truth and Reconciliation Commission, as well as the events of Canada’s sesquicentennial celebrations, give us the “opportunity to pause—to think about the future we want to create, that we must create, that we will create, together, in the coming decades and centuries.”⁶⁹

Although both the apologies do mention the future, neither go into any detail as to what this future should look like. While both prime ministers mention the specific acts which are being apologized for (i.e., taking children from their families, physical abuse, depriving children of their culture, etc.), neither prime minister makes specific suggestion about how the future will be different. In the wake of the Trudeau’s tearful 2017 apology, he was mocked for his “crocodile tears.”⁷⁰ Toronto Sun commentator Lorrie Goldstein wrote that Trudeau’s tears were what we have come to

expect from “our drama teacher prime minister”—referring to the fact that Justin Trudeau had formerly been a high-school theater teacher.⁷¹ Goldstein argues that gestures such as apologies and the prospect of a National Day of Reconciliation do little to improve the lives of indigenous people.⁷² Goldstein cites the late indigenous activists Arthur Manuel who believed that “real reconciliation lies in a just resolution of land claims that recognizes indigenous sovereignty.”⁷³ Perhaps Canada would have been more fully transformed in the eyes of indigenous and nonindigenous peoples had these issues been addressed in the apology. Trudeau’s apology was specific in the harms of the past, but perhaps not specific enough its vision of the future.

WHO NEEDS TO HEAL?

Seeger notes that victims of a crisis have difficulty “moving on” before they see that the crisis has been acknowledged and steps are being taken to ensure that it will not reoccur.⁷⁴ For victims to “move on,” not only must they recover—or heal—personally, but they must see that the environment which created the crisis has changed. A large part of the rhetoric of renewal in Harper’s 2008 apology and Trudeau’s 2017 apology is the suggestion that aboriginal communities will be able to “heal” after the apology. Harper states: “The government recognizes that the absence of an apology has been an impediment to healing and reconciliation.”⁷⁵ Trudeau echoes this statement almost verbatim, stating that the government recognizes that “your experiences have impeded healing and reconciliation.”⁷⁶ The recognition that aboriginal Canadians were harmed is necessary; however, neither apology mentioned that the nation of Canada itself can begin to heal from colonialism. This implies that it is only indigenous people that need to recover, not that the colonial system itself is a disease from which the nation must heal. It should be noted that Trudeau’s apology does acknowledge that “*all* Canadians possess the ability to learn from the past and shape the future.”⁷⁷ Though not directly addressing the wounds that colonialism has inflicted, this second apology at least gives some recognition that with the apology, all Canadians, not just Aboriginal Canadians, are being given the chance to recognize the horrors of colonialism in the hopes that they will not be repeated.

As Robert Ivie writes, “Humans, living within language and defined through symbolic action, may hope to reform their identities and relations to one another by means of tragicomic narrative and ritual dramas.”⁷⁸ When one defines one’s identity anew through narrative and ritual, one is more likely to behave and relate to others in a manner more in tune with that new identity. Perhaps had the apology recognized that Canada continues to be a

nation benefiting from colonization, the government would have done more to recognize issues such as aboriginal sovereignty and settle land disputes.

IMPLICATIONS

Rhetorician Katherine Mack notes that at South Africa's Truth and Reconciliation Commission, Winnie Madikizela-Mandela invited her audience "to argue" about the meaning and effect of her words on South Africa's past, present, and future. Mack sees this gesture as an understanding that "when people stop arguing about how to interpret the past, memory ceases to be public."⁷⁹ She notes that though the intended purpose of the South African Truth and Reconciliation Commission was "to produce an official memory-history" that would enable South Africans to "leave behind the past of a deeply divided society," instead, it produced public memory, "thereby maintaining the past as a *topos* (place of argument) in contemporary South Africa."⁸⁰ It is not possible to "leave behind" the horrors of apartheid, but speaking, and arguing about it publicly gives us the hope that we can avert similar horrors.

Similarly, we should not see the fact that yet another apology was required for the Canadian aboriginal boarding schools to be proof of the failure of the first apology. The Truth and Reconciliation Commission did not close the "sad chapter" in Canadian history, instead, it maintained the "past as a *Topos*."⁸¹ For Margaret Cavin, the process gives us hope. She writes:

there is a language of identification that acknowledges guilt, a language of shame and confession that activates purgation, and a language of empowerment that creates redemption. The challenge today is to discover a language of peace that will make possible rebirth into a better life for all humankind.⁸²

Scholars from Aristotle on have noted the importance of epideictic rhetoric in forming public morality.⁸³ As Lisa Storm Villadsen explains, official apologies, as epideictic rhetoric, can serve as a "site for public ethical reflection."⁸⁴ Though epideictic rhetoric is often thought of as conservative the rebirth which comes in the process of recovenanting offers the possibility of growth.⁸⁵ Despite the incomplete mortification of the apologies, the processes alerted many settler-Canadians of an issue they previously had little or no knowledge of, and perhaps made them more understanding of the roots of issues such as youth suicide and substance abuse in aboriginal communities.

The purpose of this chapter is not to deconstruct the apologies given by the prime ministers. Even more, it is not to question the sincerity of the apologies. The difference between a public apology and a private apology is the

difference of posterity and sincerity.⁸⁶ It is not important whether the prime ministers were sincere, what is important is that they made a public admission of guilt as a nation. Although sociologists such as Singer note that “under a Burkean lens, a public request for a return to normalcy is a logical follow-up to the victimage ritual,” it does not mean that no change has occurred:⁸⁷ A new “normalcy” is created. The “cult of the kill” is better understood as a spiral than a circle, though we do not know its telos.⁸⁸

Henderson and Wakeham argue that the state apologies of the last twenty years, including Harper’s apology for the residential schools, “speak to the kinds of performances through which the sense of a post-ideological endpoint of history is secured in the West.”⁸⁹ However, unlike Harper, Trudeau explicitly recognizes that the apology is not the end, but part of a process. He states:

We understand that reconciliation between the Government of Canada and Indigenous peoples can be a difficult process and is ongoing—and we know it doesn’t happen overnight. But it is my hope that in apologizing today, acknowledging the past and asking for your forgiveness, that as a country, we will continue to advance the journey of reconciliation and healing together.⁹⁰

Trudeau’s apology does not come from the standpoint of the end of history, but recognizes decolonization as an ongoing process. In July 2018, less than a year after Trudeau’s apology, Federal Court Justice Michael Phelan agreed that day students of residential schools—indigenous students who were forced to attend the same schools, yet did not stay overnight—could proceed with a class-action suit. The students claim loss of language and culture as well as physical and sexual abuse from the nuns and priests who were charged with their care.⁹¹ In December 2018, the Canadian government reached “an agreement in principle” with these students.⁹² An apology to these former students now seems likely. There is no perfect apology just as there is no endpoint of history. All apologies are “rotten with perfection.”⁹³

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Chapter 6

Corporate Apologies for Slavery

Opportunities for the Rhetoric of History and Renewal

Jeffrey D. Brand

The contribution of historical perspective taking in the functioning of organizations can be significant at many levels. History can guide the mission and identity of organizations; it can inform and motivate employees, management, and customers; new products might be inspired from past ones; advertising and marketing campaigns can be developed and reinforced; and the reputation and credibility of the organization can all be built upon its history. For many corporations, their history can be a valuable asset for advocacy and identity.

Corporations have found a wide variety of ways to celebrate and use their history to promote their image and brand. The Coca-Cola museum in Atlanta attracts more than a million paying visitors each year. Wells Fargo, founded in 1852, manages nine museums that each tell stories of its history and provide reproduction stagecoaches for use in parades and community events. Volkswagen reintroduced and redesigned the popular Beetle automobile as a tribute to its historic contribution to automotive culture. In Milwaukee, Harley-Davidson opened a \$75 million museum celebrating its contributions to American culture and transportation. These organizations, and many more, have looked to their past to represent themselves to audiences, whether online, in advertising and marketing campaigns, through new twists on old products, or through museums and public displays.¹

For some organizations, “heritage management” can be an important investment in their organizational communication efforts. It has been defined as “the practice of taking the collective memory of an organization and systematically telling a story that is compelling, authentic, and relevant, to ensure the past remains a vital element in the collective identity of the organization’s

future.”² It can serve as a part of the communication strategy for an organization. It complements and supports other communication efforts. “For many companies, it is like the fourth leg of a stool: once in place, it makes the whole communications structure—advertising, public relations and public affairs—sounder. With heritage management in place, a company has more than a philosophy: it has a proactive communications process and methodology.”³ Such a strategy is important for both the positive and the negative historical elements in an organization’s life. This chapter explores how damaging or negative historical events may be addressed by contemporary organizations.

The past may contain secrets, potential embarrassments and threats for organizations as well as praiseworthy actions. When the past needs to be confronted by organizations, it can have an impact on their current reputation. As corporations are being held more accountable for their actions, even past events can have an impact on reputation, image, and brand. In Germany and Switzerland, for example, banks and corporations have been sued for past harms inflicted by associations with the Nazi party. As governments have changed in South Africa, South, and Latin America, activists have called for apologies and reparations to victims of oppressive regimes and by other organizations who supported their policies. The U.S. government in 1988 issued an apology and monetary awards for Japanese Americans interned during World War II. These efforts to hold companies and governments accountable for past conduct demonstrate that any organization with a past can find it a benefit or liability depending on the events and their interpretations by publics.⁴

A national movement for reparations for our country’s past role in slavery has motivated many efforts to use the historical record to respond to injustices since the ending of slavery. That movement has been ongoing for more than 150 years and continues as an issue discussed by Democratic presidential candidates running in the 2020 election. In early 2000, an effort to shape the reparations debate focused on local and state efforts. A number of states and cities in the United States have required companies to disclose their ties to slavery before they are allowed to conduct business with their government agencies. An historical tie to slavery will not prevent the companies from conducting their business, but a refusal or failure to reveal these ties can nullify contracts. These efforts are a part of a larger reparations effort to provide recognition, apology, and restitution to the descendants of slaves in the United States. The decision to seek out corporations for their involvement in slavery is designed to acknowledge the economic contributions that slavery has made to successful organizations such as banks, insurance agencies, universities, railroads, and others.

In this chapter, I will first explore some of the rhetorical and organizational communication challenges that historical events may impose on

companies. Second, the requirement by political entities, in particular the City of Chicago, for apologies and acknowledgments for slavery connections will be explained. Examples of corporations responding to the City of Chicago ordinances on slavery ties will be examined by looking at the organizational responses to the ordinance and their opponents' reactions to their messages. Finally, I will discuss the implications of these issues for the study of corporate history, rhetoric and the public communication practices of corporations.

HOW HISTORY IS RHETORICAL AND WHY CORPORATE COMMUNICATORS SHOULD CARE

The acknowledgment of the potential power of history as a source of influence is important for the study of organizational rhetoric. Part of the issue is connected to the role that collective memory plays. The reparations movement is, in part, attempting to focus our collective memory on slavery as an important influence in the development of our nation. They have opened up a debate on this influence and how slavery is to be perceived by the public. For some, like Alderman Dorothy Tillman of the Chicago City Council, revealing slavery in this way will “shine the light on this grim chapter of our history that continues to infect, poison, and divide us as a nation . . . I don't think American can heal without doing this.”⁵ For others, like Sean McManamy of the American Insurance Association, punishing companies today would be inappropriate, “trying to apply what we know now to be right to something that was perfectly legal 160 years ago does nothing to right the wrong.”⁶

These competing views illuminate the power that history might play. Rhetorical scholars have explored ways in which history has the potential to influence perceptions. David Zarefsky argues, “In general, a culture develops a collective memory—a storehouse of common knowledge and belief about history that forms the premises for arguments and appeals.”⁷ The role of slavery in the history of corporate America is not a prominent part of our collective memory or story of American history. In order for a reparations movement to present its case for restitution for slavery descendants and their interpretation of the state of race relations, they must reinforce and even prioritize this issue in the collective memory of our country's history. “The goal presumably is just to set the historical record straight, but the legislative intent is clear: Lay the foundation for a raft of costly lawsuits. Indeed, the justification for the Chicago disclosure law is to get ‘information as a preliminary form of discovery in an upcoming lawsuit.’”⁸

The study of corporate communication efforts to interpret and argue on the basis of an historical record is an important path to an understanding of

how that historical interpretation might lead to changes in the contemporary reputation of the organization and to the community's collective understanding of itself. To study history as a rhetorical force will acknowledge that the "purpose of history is to explain the present by connecting it to the past. It is used to confirm, justify, and occasionally modify behavior, but even as criticism, its ultimate aim is to affirm both collective identity and self-worth."⁹

These concerns are consistent with the expectations we have for organizations in other communication contexts such as organizational legitimacy, values advocacy, and crisis communication. The reparations debate insinuates itself into many of the assumptions that contemporary organizational communication present about the communicative role of organizations and their capacity to influence audiences. For example, organizational legitimacy requires organizations to be more than profitable; they must represent "important social goals and values" and help to solve "social problems that affect both society and the organization."¹⁰ The reparations debate forces organizations to confront their historical ties to slavery and the contemporary issues of race and equality in the workplace. Reparations efforts attempt to promote organizational compliance with these goals by revealing their complicity in the promotion of slavery in the past.

Since organizations may serve as a platform for the promotion of social values in a community, reparations reporting makes it possible to expect the corporation to serve as a values advocate and may motivate organizations to use the reporting requirement to support the goals of reparations activists. Bostdorff and Vibbert explain that advocating values serves three functions for organizations: "(1) It enhances the organization's image; (2) It deflects criticism of the organization and/or its policies, products, and services; (3) It establishes value premises that can be used in later discourse."¹¹ Those organizations that choose to, could make their historical record a cause for the renewal of their policies in areas such as race, and the opportunity to promote additional dialogue about such issues by their revelation of their history with slavery. Revealing the negative news about their organization could be reconfigured to a new positive pledge for a better organization, motivated by its understanding of its past. By capitalizing on the publicity of this issue, organizations may use this opportunity to promote future actions that would reflect positively on the organization.¹²

The reparations movement and the publicity surrounding these issues may not fit contemporary definitions of a crisis situation for an organization, "a specific, unexpected, and nonroutine event or series of events that create high levels of uncertainty and threaten or are perceived to threaten an organization's high-priority goals."¹³ Publicity about this issue has not reached the levels that would indicate a serious threat to organizations and it is usually the

failure to act on the issue that is likely to trigger more controversial criticism of the organization, not their initial response or acknowledgment.

Nevertheless, the crisis communication literature also helps to recommend strategies for the effective organizational response to the issue of slavery ties to a corporation. Current theory on model and antimodel argumentation in the face of corporate crises recommends that an “organization can retain its model status by shunning unacceptable practices. As such, an organization can reemerge as a model by stressing its unwillingness to conform to standards that are not acceptable.”¹⁴ Rejecting the historical antimodel legacy of slavery is an easy thing to do for these organizations. The new model response of a more racially sensitive and caring organization also would be an effective argument to construct. As such, organizations faced with criticisms over their policies, like Nike or Merrill Lynch, may use their “own model behavior to direct public attention to its reforms, not its past actions.”¹⁵ This provides these organizations a means to focus on the future of the organization and not a tainted past using this crisis communication strategy.

At this point the importance of considering the role of an organization’s history as a source of argumentation and advocacy should be evident. The reparations debate and the disclosure requirements of ordinances such as the one in Chicago have posed an important challenge to organizations. A critical examination of the disclosure statements by organizations facing the Chicago ordinances reveals some of the potential applications of historical organizational rhetoric and a response using model and antimodel argumentation.

Answering to Slavery and Chicago Ordinance 2-92-585

2-92-585 Slavery Era Business / Corporate Insurance Disclosure.

This section shall be known and cited as the “Business, Corporate and Slavery Era Insurance Ordinance.” The purpose of this section is to promote full and accurate disclosure to the public about any slavery policies sold by any companies, or profits from slavery by other industries (or their predecessors) who are doing business with the city.

Each contractor with whom the city enters into a contract, whether subject to competitive bid or not, must complete an affidavit verifying that the contractor has searched any and all records of the company or any predecessor company regarding records of investments or profits from slavery or slaveholder insurance policies during the slavery era. The names of any slaves or slaveholders described in those records must be disclosed in the affidavit. The chief procurement officer shall make the information available to the public and provide an annual report to the city council.

Failure to comply with this section shall deem the contract voidable on behalf of the city.¹⁶

Since 2000, when the State of California passed the first slavery disclosure law, similar requirements have been passed in Chicago, Los Angeles, Detroit, Oakland, and Philadelphia. It has been debated in other cities in the United States including New York, Cleveland, and New Orleans.¹⁷ Chicago's ordinance has generated press coverage due to the activism of its authors and its promotion by reparations supporters and detractors. The examples of three companies (Lehman Brothers, JP Morgan Chase & Co., and Wachovia Corporation) who have revealed slavery ties in answer to Chicago's disclosure requirements demonstrate the emotional and economic implications that the slavery ordinance has for organizations. They also demonstrate that history can still carry powerful meaning to individuals and institutions long after events have occurred.

The City Council of Chicago began discussing and promoting the importance of reparations for the damaging role of slavery in the United States in 2000 with proceedings and testimony concerning the legacy of slavery in the United States and for the citizens and community of Chicago. During a May 17, 2000, hearing, a joint committee including members of the Committee on Finance and Human Relations, submitted a report calling on the Illinois House and Senate and U.S. House and Senate to conduct hearings on reparations to descendants of African American slaves. The report included a resolution passed by the City Council calling for hearings at the state and federal levels on reparations. The resolution outlined the brutality of slavery, the exploitation of slavery to create wealth for slave owners, the lasting damages to slave descendants that continue to prevent their progress socially, economically, and educationally in the United States. The resolution recognized the use of reparations to respond to other injustices in the past but complained of the failure to pass and enact slavery reparations by the federal and state governments.

Mayor Richard M. Daley spoke at the meeting and announced his support for the resolution, future hearings, and the role that the City of Chicago might play in promoting this issue. In the hearing's transcripts, Mayor Daley is reported to have "noted that upon conclusion of the Civil War, America had shut its mind to the horror of slavery in a misguided and injurious attempt at closure." He also declared "that apology is a necessary and appropriate response to a wrong," and "that by the City Council's action today, Chicago had delivered its own apology."¹⁸

The resolution and action by the City Council generated national attention. Alderman Dorothy Tillman, who was one of the most outspoken advocates for the efforts, replied in an interview that "Americans have a shame that they

have to look at. We built this country. Can you imagine owning a business with free labor, 400 years of free labor and 150 years of Jim Crow?"¹⁹ These hearings and efforts have never been fully supported by the public and generate considerable resistance. Common opposition arguments coming from the Chicago efforts reflect the opposition shown by other individuals and organizations around the country. These objections continue today when the subject of reparations is discussed. The lone vote against the Chicago resolution was by Alderman Brian Doherty who argued that the residents in his ward did not participate in slavery and that "It's not their responsibility and they don't feel that it's their responsibility."²⁰ A local Chicago columnist, Neil Steinberg, echoed another frequent talking point, namely that a reparations plan would not accomplish an end to racism, that "this would not only not help things but reverse things."²¹

By 2002, the City Council was prepared to pass an ordinance to require companies to reveal slavery connections if they are to conduct business with the City of Chicago. This ordinance was not designed to exclude or punish companies who complied with the information gathering effort, the "ordinance was only to divulge information, not to take action," according to Alderman Toni Preckwinkle.²² But if an organization failed to adequately document this heritage, it could be used against them.

In addition to passage of the Business, Corporate and Slavery Era Insurance Ordinance, the City Council introduced and passed a resolution explaining their motives for the new ordinance. The resolution explained that many early American industries profited from the free labor of slaves; that slaves were insured as other assets of a corporation; denial of participation in the profit of their labor has contributed to the impoverishment of Africans to this day; and that these organizations need to be held accountable and disclose their role in the American slave trade.²³

The Council recognized that this local effort may have implications for "businesses outside Chicago that are not headquartered here. The city does business all over the world" according to Robin Brown, chief of staff for Alderman Tillman.²⁴ Many businesses and their representatives were not supportive of the effort. The Chicagoland Chamber of Commerce would not comment on the ordinance publicly. Sean McManamy, a spokesperson for the American Insurance Association said the companies would comply with the ordinance but doubted this was an effective way to address an historical injustice.²⁵

In November 2003, Lehman Brothers became the first company filing reports on the disclosure ordinance to reveal ties to slavery. Other companies had filed more than 2,000 reports to fulfill the city ordinance, but none had revealed any connection to slavery. At that time, Lehman Brothers' "filing states only that its namesakes purchased a slave and may have owned others,

but that no evidence has been found to show that the slaves played any role at the firm.”²⁶ Alderman Dorothy Tillman believed the company did not go far enough to investigate its past criticized this report. She attacked Lehman banker Carole Brown for speaking on behalf of slave owners and questioned her commitment to her own African American community. Despite Tillman’s strong personal attacks the Lehman information was accepted at the time by the Council.

This acknowledgment did not end the controversies over Lehman Brothers’ history. In September 2005, they again were brought before the Chicago City Council for failing to dig deeply enough into their history. The firm was part of a \$1 billion bond sale for the expansion of O’Hare International Airport. Later testimony revealed that the Lehman Brothers’ original partners had owned additional slaves. In addition to intending to amend its economic disclosure statement, the firm went further than their original report and apologized for its founders’ ties to slavery and their failure to disclose more earlier. “This is a sad part of our heritage. . . . We’re deeply apologetic.”²⁷ However, they did not admit to knowing any degree to which the partnership profited from owning the slaves.

As the first major firm caught up in this search, the Lehman Brothers’ response was to be expected for the requirements made by the ordinance. The apology was designed to indicate that the company is appropriately concerned and apologetic for its history that has been uncovered and laid out publicly. Like other firms caught up in this issue, Lehman Brothers does not indicate any willingness to pay reparations to African American slave descendants. Although this information was included in lawsuits, corporations refused to yield to the call for financial payments to the descendants of slaves as reparations. A lawsuit against Lehman Brothers and many other companies for reparations was dismissed in 2004 by a federal judge. The ruling dismissed the case “without prejudice.” This means that it can be refiled at another time with additional evidence.²⁸

Other companies that have filed disclosures after Lehman Brothers, have faced tough questions and challenges for their histories, they have issued apologies, and they have announced programs of grants, scholarships, or other donations to demonstrate their commitment to diversity and recognition for African American history in the economic development of the country. None have offered to pay actual reparations for their corporate histories.

In 2003, JP Morgan Chase & Co. initially denied allegations that they had slavery ties, but they were forced to change their position in 2005 after extensive third-party research did reveal slavery connections. These connections were revealed, in part, due to their merger with Bank One. The banks responsible for the slavery ties were a part of Bank One’s assets. In their statement, they revealed “between 1831 and 1865, two of our predecessor

banks—Citizens Bank and Canal Bank in Louisiana—accepted approximately 13,000 enslaved individuals as collateral on loans and took ownership of approximately 1,250 of them when the plantation owners defaulted on the loans.”²⁹ In addition to revealing their ties to slavery the company announced that they “apologize to the African-American community, particularly those who are descendants of slaves, and to the rest of the American public for the role that Citizens Bank and Canal Bank played.”³⁰

Unlike Lehman Brothers, JP Morgan Chase & Co. announced that they were setting up a \$5 million scholarship program for students living in Louisiana, which is where the historic slavery connection took place; the program was called “Smart Start Louisiana.” The program was designed to provide money over five years for full-tuition scholarships for African American students from Louisiana who attend college in their home state.³¹

Despite this additional step of a financial contribution to further demonstrate the organization’s commitment to their apology and interest in the issue, the program was strongly criticized. Viola Plummer, a national cochair for Million for Reparations, argued that the “scholarship fund is an insult.”³² Most reparations activists have deemed these financial offers insignificant in comparison to the reparations funds they seek. Scholarship programs like JP Morgan Chase & Co. are seen as symbolic or token gestures that fail to extend far enough to right the wrongs of slavery.

In another case, the slavery disclosures by Wachovia are the most typical of the full range of messages that corporations are using to apologize for and to explain their role in the history of slavery in America. On June 1, 2005, Wachovia chairman and chief executive officer, Ken Thompson, issued an apology for its legacy connections to slavery. “On behalf of Wachovia Corporation, I apologize to all Americans, and especially to African-Americans and people of African descent. We are deeply saddened by these findings.”³³

In addition to offering an apology statement, Wachovia went further to claim that this historical knowledge can help inform and improve today’s corporation. “But we can learn from our past, and begin a stronger dialogue about slavery and the experience of African-Americans in our country. Today Wachovia is a company that is committed to respecting individuals and building an inclusive work environment.”³⁴ Thus, Wachovia begins the transformation process from revealing an historic stain on their record caused by slavery to using this knowledge to change the organization and its community. Wachovia announced plans to make their report available on their website and to address this piece of African American history with the help of other organizations.

On July 28, 2005, Wachovia revealed a \$10 million partnership plan in support of African American issues to further extend their efforts to apologizing

after revealing their slavery ties. The partnerships focused on three areas: African American history and culture, educational advancement for African Americans, and economic opportunity for African American students.³⁵ By selecting and partnering with six highly credible African American organizations, Wachovia went further financially and in other ways to make the legacy of slavery an inspiration for innovation and change for the organization.

Corporations facing negative publicity and the potential for a loss of significant business have responded to ordinances like Chicago's in an effort to address their historic ties to slavery in a productive and least harmful way. Their responses have included an apology, a discussion of how the organization has changed or evolved, and their willingness financially and through leadership to help improve their communities for African Americans including descendants of slaves. Their responses have not included a willingness to pay for reparations and a commitment to fight such efforts in the courtroom.

These decisions reflect the purposeful application of an argumentation approach identified as model and antimodel rhetoric. For an organization accused of a harmful historical role related to slavery, that antimodel record is revealed by the organization through ordinances and requirements like the one passed by the City Council for the City of Chicago. Once identified, an apology rejects that history of past actions as unacceptable. This antimodel is corrected by the organization through model argumentation that utilizes a condemnation of slavery and past business practices through an apology; the recognition that the organization no longer endorses those past practices; and that the organization seeks internally and within the community to support efforts to educate the public about the history and legacy of slavery and to support cultural and economic reforms and support of African American communities. The organization argues that it has been transformed from one with an undesirable history to a more diverse, inclusive, ethical organization. Rather than allow the historical record to define themselves negatively, the identification of a slavery history is transformed as an opportunity to celebrate and praise the organization in the present as distinctive from the one it was in the past.

MAKING HISTORY WORK FOR ORGANIZATIONS

The reparations issue has certainly placed a number of major corporations in uncomfortable positions as they reveal their historical ties to slavery. But this is not the only historical challenge that an organization might need to respond to. A corporation's treatment of labor; whether slaves, immigrants, women, children, or other underrepresented populations could be embarrassing. A dangerous environmental record could be very costly. A leader's

involvement in political or social issues like abortion rights, the KKK, or bribery could damage reputations. There are skeletons in many organizational closets. This chapter has used the reparations movement to demonstrate some ways to respond to an attack on a company on the basis of historical actions and mistakes.

Kathleen Turner references E.H. Carr's assessment of the importance of history when he wrote that history is "an unending dialogue between the present and the past." She explains that it can serve "society's functional need to come to an understanding of itself through its past and poetic need to image the lives and experiences of generations gone by."³⁶ As reparations activists seek to change our present through their publicity about the past, they demonstrate that the past may be "appropriated, made into something useful for today, into a tool to solve some problems or block some proposal. The past can be hammered into stories that promise glory or shame, ease or difficulty, glorification or eternal damnation as we relive it again today."³⁷ For many in the reparations movement, these disclosures are a necessary part of the process of revealing injustice and making it a part of the national consciousness.

This analysis of organizations responding to pressure from the reparations movement to answer for their history demonstrates that it is possible to offer an apology for something you did not have control over; provide a suitable response to demonstrate shared corporate responsibility and guilt for the historical events; and to resist giving into the most excessive demands of movement. The limited and short-lived negative publicity about these historical events, especially for the general public, suggests that the corporations have handled the publicity threat to reputation well.

With the right opportunity and story, imagine some of the positive things that a well-planned heritage management campaign could do to an organization instead of having to address a dark legacy. "Since each company's history is unique, heritages can support claims to excellence, quality and service with vivid examples. Since heritage is real, it motivates and persuades where image campaigns cannot."³⁸ The lessons of the Chicago ordinance include the fact that history does matter to contemporary organizations. The past can be used to attack and/or to defend an organization. This realization can make history a valuable tool for organizational communicators in many fields and disciplines.

The lessons of this campaign for reparations against corporations may also have a more contemporary value in light of the public debate over reparations by presidential campaign candidates for the 2020 presidential election. At least a dozen Democrats endorsed or addressed some form of reparations during the primary run up. During June 2019, the House Subcommittee on the Constitution, Civil Rights, and Civil Liberties held hearings over a bill, HR 40, to establish a commission to study the issue and make recommendations

on the continued impact of slavery and racial discrimination. This renewed interest in reparations demonstrates and reinforces the notion that the earlier state and local level debates over reparations have never ended and that these issues remain an important part of our cultural debates.³⁹

NOTES

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Chapter 7

The Heavy Heart of a Soldier

Apology as Resistance

Claudia Janssen Danyi and Marita Gronnvoll

In April 2010, Wikileaks published leaked graphic video footage of a 2007 U.S.-led military mission in Baghdad. The video, entitled by Wikileaks “Collateral Murder,” showed U.S. soldiers of Bravo Company 2-16 killing and injuring Iraqi citizens in an attack from an Apache helicopter. A few days after the release of the video, two of the soldiers who were involved with the operation published an “Open Letter of Reconciliation and Responsibility to the Iraqi People” online in a show of resistance to their own government and military; they apologized to the victims of the attack and the Iraqi people for their roles in the Iraq conflict generally, and for the Baghdad massacre specifically.¹

Official apologies to right past wrongs on behalf of a collectivity by a representative are commonly issued after long periods of silence, ignorance, or even outright denials. They are often an outcome of long controversial struggles for recognition and reconciliation, which may include calls for official apologies.² This chapter theorizes public apologies issued by individual members of one group to another in the absence of official apologies and acknowledgments by representatives of their states as part of this struggle. We argue that these apologies function not only as symbolic acts by which members of one group seek reconciliation with another, but as rhetorical modes of resistance to the official policies, actions, and attitudes of one’s own collectivity toward another. More specifically, the genre of apology provides opportunities for rhetors to (re-)claim rhetorical agency in opposition to official silence and denials toward past or ongoing injustice as they reject the moral authority of their own leadership and speak for themselves.

The “Open Letter of Reconciliation and Responsibility to the Iraqi People” by U.S. soldiers Josh Stieber and Ethan McCord serves as an exemplar for an apology as resistance. The analysis illustrates that the apology altered

the apologists' subject position within the discourse; it helped establish a new positionality from which the rhetors could not only reach out to victims but also speak back to their own collectivity to disrupt official narratives, bear witness, and advocate for change. It further shows that an apology as resistance hinges on the rhetors' ability to turn the genre of apology toward advocacy and resistance and to navigate a complex web of identifications while emphasizing individuality and humanity on the backdrop of collective identities. This chapter concludes with a discussion of implications and directions for future research.

SEEKING FORGIVENESS: OFFICIAL APOLOGIES

Scholars from a variety of disciplines such as communication studies, sociology, political science, philosophy, and history have focused on studying apology as a central and even necessary element of reconciling relationships.³ This work is concerned with apology as a mode of interpersonal and collective apologies. Tavuchis specified four modes of public apology; from individual to individual, from individual to collectivity, from collectivity to individual, and from one collectivity to another.⁴ The latter are referred to as "official apologies," "political apologies," or "public apologies" issued by a representative on behalf of a group. Thompson conceptualized this kind of apology as "given by a representative of a state, corporation, or other organized groups to victims, or descendants of victims, for injustices committed by the group's officials or members."⁵ Examples of well-known and less-known studied official apologies range from President Clinton's apology for the Tuskegee experiments, French president Jacques Chirac's apology for the policies of the Vichy-regime, Pope John Paul II's apology for the wrongs committed by the Catholic Church, or the apology of the Bureau of Indian Affairs to American Indians, among others.⁶

Rhetorical studies on official apologies mostly focus on the rhetor who issues an apology. Scholars have, however, also emphasized that apology is an "interactional" process between offending and offended party.⁷ Hatch has more specifically defined reconciliation apology as a dialogue toward redemption, which includes apology and forgiveness.⁸ Consequently,

a satisfactory apology does not presume to engage in self-redemption through mortification or other means. Rather, it opens up the apologizer to the unpredictable response of the offended party, which may range from gracious acceptance or forgiveness to an expression of the depth of suffering caused by the offense, a request for a more thorough apology and perhaps other reparative actions, or some combination of the above.⁹

Because “apology remains incomplete” until the addressed party is willing to accept it, it may serve as a starting point for reconciling past violence and restoring broken relationships.¹⁰ With an apology rhetors thus aim to restore the “public image of the Other” and seek forgiveness, while not taking forgiveness for granted.¹¹

Tavuchis also noted that third parties typically get involved in public apologies. In a public forum, the offender and offended may have to address and consider external judgments, pressure, and interests.¹² These influences can even undermine “the possibility of a genuine apology.”¹³ At the same time, however, publicly apologizing is central to apologies between two collectives. The rhetor needs to reach the members of the addressed collectivity and restore the public image and dignity of victims by setting the public record straight; “once the call for an apology is heeded, its force and meaning reside in the very fact that it is recorded in a public domain.”¹⁴

Scholars generally distinguish true and “pseudo-apologies.”¹⁵ To apologize means “to declare voluntarily that one has no excuse, defense, justification, or explanation for an action.”¹⁶ Hence, it differs from utterances by which rhetors attempt to deflect responsibility for a wrongdoing or merely explain what happened.¹⁷ A “true” apology provides an account that allows victims to trust in its truthfulness and sincerity.¹⁸ As a respectful act, it offers victims “moral recognition or acknowledgement of their human worth and dignity.”¹⁹ According to Villadsen, public apologies also serve an inherently epideictic function, because they constitute “a renewed statement of commitment to those norms as it distances itself from its antidote.”²⁰

In his book *On Apology*, Lazare theorized apology as a “four-part” process, which includes acknowledgment, expression of remorse, explanations, and reparations.²¹ The author, along with other scholars, views acknowledgment and genuine expressions of remorse as essential features of apologies.²² Because in cases of historic injustice, victims’ humanity, dignity, and worth have been violated, Govier and Verwoerd argued that acknowledgments further function to confirm “the moral status of the victim(s)” and the “legitimacy of feelings of resentment and anger.”²³ More specifically, a complete acknowledgment includes (a) identifying the ones responsible; (b) addressing the “offending behaviors in adequate detail”; (c) addressing “the impact of the offending behaviors on the victim(s)”; and (d) confirming “that the grievance was a violation of the social or moral contract between parties.”²⁴ As examples for complete and effective acknowledgments, Lazare referred to Lincoln’s second inaugural address and German president Richard von Weizsäcker’s apology on the fortieth anniversary of the end of World War II.²⁵

While Lazare’s typology of acknowledgment is similar to other concepts, other authors additionally point to the importance of an expressed commitment to changing one’s behavior and preventing the past injustice from

happening again.²⁶ An acknowledgment also implies that the offender recognizes past behavior to be wrong and shows that his/her character and attitudes have changed. An apology can thus provide a sense of safety based on the promise that the offense will not repeat itself.²⁷ Finally, true apologies further sincerely express remorse, which requires taking responsibility for wrongdoing.²⁸ The expression “I’m sorry,” according to Tavuchis, comprises these aspects.²⁹ Attitudes of remorse, Lazare outlines, may further include shame, humility, and sincerity.³⁰

A THEORY OF PUBLIC APOLOGY AS RESISTANCE

While an official apology is delivered by a representative of a collectivity (offender), usually a president or prime minister, apologies as resistance are issued publicly by individual citizens to another collectivity or individual (victim) in the absence of an official apology. They allow individuals who lack access to the subject position of a political representative or leader within discourses about past or ongoing injustices to position themselves to reach out to the Other and to speak back to their own collectivity. In the midst of collective silence, the genre of apology hence provides a rhetorical resource for individuals to gain rhetorical agency as it allows the apologizer to start speaking publicly to those who have been and have harmed, while raising awareness for the injustice through acknowledgments, expressions of remorse and advocating for change.³¹

The genre of official apologies is tied to institutionalized structures and positions of power as they aim “to control relations with an exterior.”³² They may thus constitute what de Certeau defined as strategies.³³ Conversely, apologies as resistance can be characterized as tactics, namely, “calculated actions determined by the absence of a proper locus” and power.³⁴ As such, they need to seize on opportunities and discursive openings to be heard and recognized in the public arena.

Transforming and adapting the genre of official apology to resist official narratives, policies, and attitudes toward injustice, apologies can express, constitute, and make space for resistance in several ways. They first allow for breaking with common structures and norms of collective representation in international relations and redemptive discourses. Specifically, those who apologize in resistance contest and/or reject the (moral) authority of a collectivity’s leadership to represent and speak for them to(wards) another by publicly addressing the violated individual(s) or collectivity(ies) themselves. Second, apologies as resistance disrupt and contest official attitudes and policies of silence, denial, and/or ignorance toward injustice as they are issued at times when an injustice has not collectively been acknowledged, addressed,

and/or atoned for. They can thus be situated within contentious “struggles for recognition” that commonly precede reconciliation and official apologies for historical injustices and gross crimes against humanity.³⁵ Finally, apologies as resistance may constitute focal points around which activist communities can crystalize, form, manifest, and/or mobilize. They not only require that individuals step forward in dissent but present opportunities to reimagine relationships and futures along with making commitments to change and envisioning an alternative path forward.

Whereas an official apology unfolds its epideictic force with its collective moral and ethical recommitments based on a condemnation of and dissociation from unjust behavior and values, apologies as resistance call out immoral actions and policies as well as the collectivities’ continued failure to address them.³⁶ They thus remind members of norms and values their collectivity has departed from and violated. Doing so, they may also emphasize that official policies are not representative of the whole and seek to (re-)shape community by fostering collective identification around certain norms and values, justice as well as resistance to injustice as a ground for citizen activism.³⁷

When the genre of apology is adapted as a mode of resistance in the specific context of a reconciliatory discourse and the rhetors’ positionality(ies), it can serve as a “source for rhetorical invention.”³⁸ Hatch has defined reconciliation as a secondary genre, in which rhetors draw from, negotiate, and alter simple rhetorical forms, such as apology.³⁹ Rhetors who issue apologies as a mode of resistance might draw on all or some generic elements of apology and direct them toward the added purpose of resisting, disrupting, and advocating. Doing so, they face several unique challenges.

First, speaking in resistance, and not on behalf of a collectivity, a rhetor’s full acknowledgment not only needs to publicly affirm victims’ grievances and accounts but also must be persuasive to members of their own collectivity who may reject collective guilt and may not know and/or accept that the injustice has even occurred. Second, expressions of remorse may stem from the rhetor’s individual responsibility as a bystander or participant and/or, especially if the injustice occurred in a more distant past, their membership with the collectivity. Third, offers of symbolic or material reparations can generally serve different functions. They may affirm the sincerity of an apology, provide direct compensation for injuries and losses endured, and/or aim to alleviate present systemic inequalities that have been caused by past injustice (for instance, affirmative action).⁴⁰ While large-scale financial reparations can only be addressed at the state level, apologizers in resistance may still underline the sincerity of their sentiments by articulating specific commitments to victims. These might range from direct and indirect (material) support for victims to different forms of advocacy and activism that improve the situation of the Other. Finally, the apologizer can further hardly assure

victims that his/her collectivity's attitudes and behaviors have changed and that similar injustices will not repeat themselves. They may, instead, focus on their individual contributions to help pave a way toward reconciliation and justice, for instance, by vowing to devote themselves to effect change within their own collectivity.

Not unlike an official apology, an apology as resistance calls for a delicate balance of dissociations and associations as the rhetor(s) needs to establish and maintain identification with at least two audiences.⁴¹ They first need to dissociate themselves from the injustice, and those who (continue to) perpetrate, support, and/or deny it. This can, for instance, be accomplished by acknowledging (collective) guilt, wrongdoing, and suffering, and by expressing remorse. Against the backdrop of division and animosity between the collectivities, the apologizer further needs to seek identification with the Other. They might achieve this by emphasizing commonalities such as shared humanity, experiences, and values, as well as shared opposition to the injustice and continued silence. An apology as resistance thus ultimately makes salient the rhetors' individuality and humanity. Finally, however, the rhetors also need to establish their membership with and commitment to the perpetrator-collectivity and maintain identification with its members in order to effectively foster recognition of the injustice and advocate for change.

THE OPEN LETTER OF RECONCILIATION AND RESPONSIBILITY TO THE IRAQI PEOPLE

The apology signed by veterans Ethan McCord and Josh Stieber responded to leaked video footage of a 2007 U.S. military strike on a group of people and a van in a street in New Baghdad. Wikileaks published the video online with the title "Collateral Murder" on April 5, 2010. Filmed from a military helicopter, it showed the operation by Bravo Company 2-16 along with the communication of the soldiers who coordinated it. The attack killed twelve people. Among the dead were a Reuters photographer and his driver, and among the injured were two children who had been in a vehicle targeted by shooters in the helicopter. McCord and Stieber were deployed with Bravo Company 2-16 at that time. According to a press release that accompanied the apology, McCord "was on the ground at the scene of the shooting and is seen on the video rushing one of the injured children to a U.S. vehicle," while Stieber was not part of the operation.⁴²

Not unlike the revelations about torture in the Abu Ghraib prison in 2004, the leaked video once again brought international public attention to the cruelty of the Iraq War.⁴³ President George W. Bush had issued an apology for Abu Ghraib that Shephard identified as simulated atonement; "a strategy in

which wrongdoers appear to come clean in admitting their guilt, while simultaneously explaining the situation in a way that reduces their responsibility.”⁴⁴

In 2010, public approval for the war was already low, and in 2009, President Barack Obama had announced that “by August 31, 2010, the combat mission in Iraq will end.”⁴⁵ After the 2007 attack, the response from the Pentagon was that U.S. personnel had engaged “insurgents” and “claimed the helicopters had reacted to an active firefight.”⁴⁶ Upon the release of the video three years later, the Department of Defense released a statement that seemed to place the blame for some of the deaths upon the civilians themselves.

[T]he Reuters employees ‘made no effort to visibly display their status as press or media representatives and their familiar behavior with, and close proximity to, the armed insurgents and their furtive attempts to photograph the coalition ground forces made them appear as hostile combatants to the Apaches that engaged them.’⁴⁷

Photographs of weaponry that were said to have been found near the bodies accompanied the statement. The Department of Defense followed up on this statement several months later with a blistering attack on Wikileaks for having essentially cherry-picked footage that did “not tell the whole story.” The statement added that Wikileaks’ “unauthorized disclosure of classified information” amounted to a “security breach [that] could very well end up getting our troops and those they are fighting with killed.”⁴⁸ None of the statements from the Department of Defense or from the White House acknowledged any responsibility for the killing of civilians, much less offering an official apology. The official response from the U.S. military and government thus focused on criticizing the video for having been taken out of context and condemning Wikileaks. Investigations into the origin of the leak later resulted in the prominent arrest, trial, and conviction of Chelsea Manning.⁴⁹

The release of “Collateral Murder” and the subsequent public debate drew media attention to Bravo Company 2-16, which provided an opportunity for the individual soldiers McCord and Stieber to reach a broad audience. According to McCord, the soldiers initially wanted to write a letter to the families affected by the attack, “but then we decided we were going to make it for everybody in Iraq.”⁵⁰ In late April, a *Times* reporter visited family members of the men killed in the attack, and the newspaper later reported that Ahlam Abdelhussein Tuman, the mother of the two injured children and widow of the father who was killed in the attack, had accepted the apology “because they saved my children and if it were not for them, maybe my two little children would be dead.” The families of the two killed Reuters employees, however, “expressed their anger that the soldiers had not come forward earlier and called them to testify to an international court.”⁵¹

At home, the former soldiers became outspoken advocates against the war and for better mental health support for veterans. Before and after the release of the apology, they gave press interviews to *Democracy Now* and *Wired* magazine, among others.⁵² Additionally, they spoke at conferences and events, where they shared their perspectives on the events and the war in Iraq, worked with Iraq Veterans against the War, and McCord appeared in the short documentary “Incident in New Baghdad,” which received an Academy Award in 2012.

RHETORICAL ANALYSIS OF AN APOLOGY AS RESISTANCE

The “Letter of Reconciliation and Responsibility to the Iraqi People” was originally published in English on the website of Democracy in Action on April 15, 2010. A brief paragraph above the letter provides context for the reader; it references the video “Collateral Murder,” introduces the authors as members of Bravo Company 2-16, and provides links to Wikileaks and a press release. The latter includes more background information about the two veterans and the letter itself. It also signals to journalists that McCord and Stieber are available for interviews. Below the letter, readers could add their names and view the names of those who had signed the letter already; 2,125 people in total. Together, these features show that besides being addressed to the Iraqi people, the apology was a strategic campaign directed at the media and domestic audiences. The following rhetorical analysis focuses on the apology itself as it aims to identify key elements and characteristics of this apology as resistance.

A COMPLETE APOLOGY TURNS TOWARD RESISTANCE AND ADVOCACY

The authors directly address the apology “To all of those who were injured or lost loved ones during the July 2007 Baghdad shootings depicted in the ‘Collateral Murder’ Wikileaks video.” At the same time, the title “Open Letter of Reconciliation and Responsibility to the Iraqi people” communicates that this is also an individual-to-collectivity apology to “your community,” which recognizes the incident as the norm for “how US-led wars are carried out in the region” and not an exception.⁵³ Stieber and McCord’s letter then combines core elements of a complete apology and turns them toward advocacy and resistance as well as their American audience.

The most salient elements of the apology are an extended acknowledgment and commitment to change. The authors communicate as direct eyewitnesses

and refute previous U.S. military and government claims that the video had been taken out of context. The letter establishes McCord's credibility to speak about the events by recounting his experience on that day, when he "pulled your daughter and son from the van."⁵⁴ It further underlines the authors' credibility by emphasizing that while Stieber may not have been there that day, he contributed to the pain of the community "on many other occasions" as part of an occupying force "for 14 months."⁵⁵

Based on "our own experiences, and the experiences of other veterans we have talked to," they affirm that "the acts depicted in this video" are not just accurate, but "everyday occurrences of this war" that reflect "the nature of how U.S.-led wars are carried out in this region."⁵⁶ Their testimony thus disrupts official narratives put forth by the U.S. government and affirms victims' experiences, memories, and torment by recognizing "your pain, and the pain of your community," "deaths and injuries of your loved ones," and losses so grave they can never be restored.⁵⁷

Complete acknowledgments not only recognize wrongdoing and harm caused but also identify the offender and affirm that the offense was a violation of social norms and values.⁵⁸ Stieber and McCord confess, we "occupied your neighborhood for 14 months" and "acted with cold hearts far too many times."⁵⁹ Recognizing how their individual actions as soldiers contributed to injustices in Iraq, they "acknowledge our part in the deaths and injuries of your loved ones" and "our responsibility for bringing the battle to your neighborhood."⁶⁰

As they acknowledge their "part" within a large-scale military apparatus and mission, the soldiers frame U.S. military action in Iraq as an occupation and thus mirror and confirm criticisms of the war as imperialistic. Stieber and McCord further clearly place blame for the suffering of the Iraqi people on the "destructive policies of our nation's leaders."⁶¹ Emphasizing in passive voice that they were "trained" to deny the Others' humanity and to carry out these missions "in the name of 'god and country,'" the letter points to the U.S. government and military as a perpetrator who misguided them and their fellow citizens to break the Golden Rule shared by Christian and Islamic theology; "we did unto you what we would not want done to us."⁶² As the apology affirms victims' grievances, it thus also directs the credible alternative account of the realities of the war in Iraq toward its American audience and reminds them that their collectivity has violated their own (Christian) moral values.

Beyond acknowledging injustice and suffering, Stieber and McCord share that while they lack the formal power and authority to change their nation's policies directly, they are working to change attitudes and actions at home toward the Iraqi people. Emphasizing that they "will do everything we can," "have been speaking to whoever will listen," and "are doing what we can to

speak out,” they promise that they will continue to bear witness and advocate in resistance to official narratives advanced by their government and against “the wars and military policies responsible for what happened to you and your loved ones.”⁶³ “We are telling them,” the authors specify, “what we have done and are doing to you and the people of your country” and further “that what was shown in the Wikileaks video only begins to depict the suffering we have created.”⁶⁴ What’s more, the authors highlight that the letter itself is part of this effort as they asked their “fellow veterans and service-members, as well as civilians both in the United States and abroad, to sign in support of this letter and to offer their names as a testimony to our common humanity.”⁶⁵

With their commitment to achieving change, the former dutiful warriors also show their counterparts that they themselves have learned and changed. The evolution of the soldiers’ hearts, a metaphor that commonly represents a person’s core in Christian theology, comes to represent their path of redemption; they acted with “cold hearts,” acknowledge their sins with “heavy hearts” and actively seek reconciliation with hearts that “are open” to listen and respond to victims’ needs.⁶⁶

The final paragraph of the letter asks for forgiveness and, characteristic for reconciliation apologies, “opens up the apologizer to the unpredictable response of the offended party.”⁶⁷ First, however, the authors preface that “with such pain friendship might be too much to ask” and thus indicate that their apology and promises of advocacy and change are unconditional.⁶⁸ “Please accept our apology, our sorrow, our care and our dedication to change from the inside out,” they ask the Iraqi people and proceed to initiate a reconciliatory dialogue about what they can do to heal those broken relationships and ease the pain of the Other; “Our hearts are open to hearing how we can take any steps to support you through the pain that we have caused.”⁶⁹

ESTABLISHING AND NAVIGATING A COMPLEX WEB OF IDENTIFICATIONS

Throughout the apology, the authors speak from different subject positions as soldiers, veterans, fathers, and American citizens. Switching subject positions enables them to establish and navigate a complex web of associations and disassociations. “We are both soldiers,” the apology introduces McCord and Stieber.⁷⁰ Immediately, the authors create distance between themselves and the Iraqi people by establishing this position as one of a perpetrator who “occupied your neighborhood for 14 months” and “contributed to your pain.”⁷¹ “The soldier” appears again as a perpetrator when the apology references a comment that can be heard in “Collateral Murder”; “The soldier in the video said that your husband shouldn’t have brought your children to battle.”⁷² Using antithesis,

the authors then proceed by dissociating themselves from that soldier's sentiment and draw on their positions as soldiers-perpetrators to bear witness and affirm victims' experiences; "but we are acknowledging our responsibility for bringing the battle to your neighborhood, and to your family."⁷³ Continuing to frame the soldier as both a passive ("what we were trained to do," "that we were taught") and active ("we carried out in the name of 'god and country,'" "contributed to your pain") agent, the apology acknowledges individual responsibility, while placing blame on the larger system, the U.S. military, within which Stieber and McCord functioned as soldiers.⁷⁴ This distinction provides a base for their dissociation from the U.S. military and their own government.

Phillips has argued that rhetors can turn "tensions that exist between subject-multiplicity and subject-positioning into a rhetorical resource" by performing rhetorical maneuvers.⁷⁵ With a rhetorical maneuver, speakers transcend the constraints of a subject position occupied within a discourse by speaking from another and thus accessing the resources of that position to expand their rhetorical agency.⁷⁶ McCord and Stieber transcend their position of the soldier-perpetrator from Bravo Company 2-16 first by drawing on the position of a father; "Ethan McCord pulled your daughter and son from the van, and when doing so, saw the faces of his own children back home."⁷⁷ Speaking now from parent to parent, the authors humanize themselves and their Iraqi counterparts while establishing common ground with the Other without diminishing the pain they inflicted on the Iraqi people. Presenting the Iraqi addressees of the letter as parents whose families were harmed by U.S. forces, they further undermine the myth of the soldier as fearless American warrior who sacrifices to fight evil foes and foster identification of their American readers with the people of Iraq.⁷⁸

The apology continues to resolve tensions between difference and similarity by drawing on the position of the veteran. The authors first establish this position when they assure that their own experiences match those "of other veterans we have talked to."⁷⁹ Presented as a victim of the U.S. government the veteran then serves to foster identification through antithesis. "Our government may ignore you [. . .]. It has also ignored many veterans who have returned physically injured and mentally troubled by what they saw and did in your country."⁸⁰ Having set up the U.S. government as a shared enemy, McCord and Stieber complete their dissociation from "the value of our nation's leaders," which "no longer represents us."⁸¹ While raising awareness for the situation and treatment of veterans of the war in Iraq at home, the victimage posture may also weaken the apology as it could be perceived as serving the image and interests of the apologizers over the interests of Iraqi victims of the war.

Stieber and McCord dissociate themselves from the U.S. government and military. However, they do not fully detach themselves from their state.

Speaking as Americans, they invoke the creed of a government of the people, by the people, for the people, and outline a path toward justice while maintaining that each citizen bears responsibility; “More and more Americans are taking responsibility for what was done in our name.”⁸² Questioning their leadership’s moral authority, the letter then creates, shapes, and draws lines around a growing community of victims and opponents of U.S. leadership and policies for whom they speak; a community of veterans, service-members, and civilians “in the United States and abroad” based on “our common humanity.”⁸³

DISCUSSION

This chapter has theorized apology as a mode of resistance. We analyzed how two veterans drew on the genre of public apology to resist their own government’s policies, disrupt official narratives, raise awareness for the realities of the war, and reach out to those who have been harmed. Whereas a public apology issued by a head of state usually signifies an advanced state of collective recognition of injustice and guilt in a process of reconciliation, an apology as resistance aims to pierce through ignorance, silence, and denial as individual citizens reject the moral authority of those in power to represent them and speak for themselves. Doing so, it also draws attention to the lack of care and repentance of the collectivity’s leadership.

Beside reaching out to restore the dignity of the Other, heal broken relationships, and seek redemption, the “Letter of Reconciliation and Responsibility to the Iraqi People” shows that the genre of apology offers unique opportunities to raise awareness for injustice and to garner and mobilize a community of citizen activists to achieve change within their own collectivity. Stieber and McCord drew on their own experiences as soldiers to offer a full acknowledgment that affirms victims’ suffering and bears witness to the cruel reality of the war in Iraq. Providing a counternarrative to statements by the U.S. government and military, their acknowledgment raises awareness and provides a base for rallying domestic audiences around their cause. Instead of reparations and to underline the authors’ changed character, the apology as resistance further offered commitments to sharing the “truth” as well as to advocating and working for change. These promises outline specific actions that the apologizers need to follow up on to support the sincerity of their words. An apology as resistance may thus also mark an important step in the becoming of citizen activists and activism as it needs to envision and communicate an alternative path forward to promote justice and bridge division.

Our rhetorical analysis shows that an apology as resistance challenges rhetors to walk a rhetorical tightrope of multiple identifications and

dissociations. The letter played with the authors' subject multiplicity and subject positioning as it drew on the resources of their positions as soldiers, veterans, parents, and American citizens. Performing several rhetorical maneuvers, the apology ultimately came to construct a small community of citizen activists and victims in shared opposition to the U.S. government and military. The apology thus also shows how rhetorical maneuvers can serve as a rhetorical strategy to navigate and create complex webs of identifications.

Besides its well-crafted content, three noteworthy factors contributed to the effectiveness of McCord and Stieber's apology as resistance. First, the leaked "Collateral Murder" video attracted public and media attention, which in turn presented a *kairos* for Stieber and McCord to come forward as soldiers of Bravo Company 2-16. Lacking the position of an official representative, they needed an opportunity to gain public attention for the apology as resistance to be effective. This however presents a critical conundrum for apologies as resistance as the perception of opportunism may undermine expressions of sincerity in the eyes of those who have been harmed. Second, the internet provided a forum for the soldiers to not only issue an apology as a mode of resistance within a global public sphere but also to provide a simple way to encourage and mobilize fellow citizens to add their names to the letter. Finally, Stieber's and McCord's credibility as soldiers and veterans of the Iraq war adds weight and significance to their testimony; the apologizers defy common expectations toward soldiers as loyal, silent, and obedient servants, speak from the position of an eyewitness, having suffered for their country, and carry direct individual responsibility for the harm caused.

While soldiers and veterans of war may hold a particularly strong position to apologize for acts committed in wars, the genre of public apology has been adapted by civilians to protest and resist official policies, actions and attitudes toward victims of injustice and other collectivities. These include, for instance, apologies by American citizens to the people of Iraq and to the people of Japan and survivors of Hiroshima and Nagasaki.⁸⁴ In 2008, 200 Turkish intellectuals issued an apology for the Armenian genocide paired with a petition signed by more than 2,500 individuals.⁸⁵ When the Danish government published advertisements in Lebanese newspapers to discourage refugees from coming to Denmark, a group creatively adapted the original ad, transformed it into an apology for their own government's behavior, and published the apology in those same newspapers.⁸⁶ The ways in which individuals and groups use and have used public apologies to protest and advocate at moments when injustices toward other groups are not officially and appropriately recognized, addressed, and atoned for thus merit further analysis and attention. Conceptually, they provide particularly intriguing avenues for investigating how the genre of apology intersects with rhetorical agency and citizen activism.

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Chapter 8

Exceptional Histories and Obscure Gestures

The U.S. Government's Official Apology to Native Peoples

Jeremy Cox and Tiara Good

The scope and limits of apology, its agencies and capacities to reform communities split apart by strife and discord, has long been of interest to those concerned with human relations. How are we to face up to an unjust past that continues to condition our collective polity when words alone seem, to our great consternation, hopelessly inadequate to the task? This question is laden with significance for scholars of rhetoric since it brings the hope of our art face to face with the abrasions of harsh reality. Given that our language and the symbolic means at our disposal to atone for our wrongs are hopelessly entangled with the very rhetorical formations that once *justified* those same wrongs—these are issues we must confront, though they may yield unsatisfying conclusions. The entailments of this conundrum became readily apparent on December 19, 2009, when President Obama signed H.R. 3326, a defense appropriation bill that contained (under Section 8113), an “Apology to Native Peoples of the United States.”¹ There was no ceremony to mark his signing of this historic document; national media outlets provided but scant coverage of the event. In the following years, the apology has all but faded from public memory and has instead been replaced by darker images of Native protestors being removed from their sacred lands at Standing Rock, President Trump making light of the Trail of Tears, and white teens mocking Native elders in our nation’s capital. While any pronouncement on the apology’s failure (and thus the hypothetical limits of such apologies themselves) may seem facile, it is difficult to imagine a convincing argument for its success. Rather than signaling a new chapter in relations between Native peoples and the U.S. federal

government as its sponsors had hoped, the apology seems instead to mark yet another sad instantiation of a singularly troubled relationship.

In April 2005, during the 109th Congressional first session, Senators Brownback (R-KS), Dorgan (D-ND), and Dodd (D-CT) introduced S.J. Res. 15, a resolution to “acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.”² In his opening remarks before the assembled members of the committee, Senator John McCain acknowledged that “remembering our past wrongs is important,” but cautioned that “it is also important that we answer those wrongs with vigorous actions and policies that actively promote the well-being of Native Americans today.”³ In 2009, Senator Dorgan successfully attached the apology to a defense appropriation bill, which passed the Senate unanimously. Neither vigorous actions nor policies, however, have resulted from the apology.

Coming in at a crisp 220 words, the apology conforms to the generic expectations of such official statements: it acknowledges the wrongs of the past, takes responsibility for those wrongs, expresses regret, and hopes for a better future. Even so, it remains a troubled and troubling document that speaks to a deeper set of constraints working to limit the U.S. government’s very ability to atone for its past and ongoing treatment of Native Americans. John B. Hatch argues that, in the context of the United States, official apologies are “rhetorically necessary to help restore coherence [to] our historically, discursively conditioned race identities and relations.”⁴ Apologies like the one issued to Native Americans do indeed work to restore coherence to national identity, but one must keep in mind that the identity being “restored” is firmly situated in America’s inherited historical narratives of its own place and purpose in the world. What this means in practice is that the very coherence such apologies seek to restore instead acts as a constraining factor on the apologies themselves. By cohering to a historical narrative deeply rooted in inherently nationalistic mnemonic practices, the official apology to Native peoples was rendered yet a (further) example of America’s exceptionalist character.

In the following, we argue that the failures of the official apology can be attributed to a problem of collective memory, or more precisely the ways in which collective memory shapes and constrains the narrative possibilities upon which the apology rests. As such, our analysis focuses not on the language of the apology itself, but rather the rhetoric through which the apology was justified before the U.S. Senate’s Committee on Indian Affairs. In the rhetoric that Senator Sam Brownback used to explain the scope and purpose of the apology, we see that he—intentionally or not—framed it

as a symbolic act that reaffirmed the broader, exceptionalist drama of the (white) American national experience. Brownback's testimony is particularly worthy of attention for two reasons. First, he was one of the apology's most tireless apologists. Second, his words were entered (in only slightly amended form) into Congressional Record as accompanying context for the apology itself. Our analysis looks to the symbolic and temporal implications of the apology as they were articulated in Brownback's testimony during the Senate Committee on Indian Affairs' 2005 hearings on the subject. The committee's public discussion of the apology is particularly revealing of the habits of memory we hope to highlight. Brownback and the other Senators who proposed issuing the apology insisted that it signaled a moment of *natality*, or a "new beginning" in the ongoing saga of U.S. government-Native American relations. As Arendt explains, the inherent capacity to begin is a fundamental precondition for the political in human affairs.⁵ However, such beginnings are always conditioned by prior norms and habits, including the mnemonic practices of a given community. In this sense, natality is always a latent possibility of the political, yet it is one that is often constrained in practice. While the Senators expressed sincere hope that their efforts would begin the relationship anew, the rhetoric they used to frame the apology situated it firmly within the established norm typically used to contextualize America's role in the world, which is to say, American exceptionalism. These mnemonic constraints were brought to attention, saliently and poignantly, by three Native American leaders who were invited to provide testimony before the committee, and who collectively insisted that the apology could not stop at atoning for past crimes alone and must take into account the ongoing policies of the government that continue to damage Native communities. Unlike Brownback, however, their testimony was not included in the Congressional Record, and has been largely forgotten.

We begin our analysis by offering an overview of the literature on official apologies and the rhetoric of atonement. We then pivot to a close, critical reading of the Committee on Indian Affairs' 2005 hearing on the subject. Our focus on the mnemonic constraints of the apology responds to Jason Edwards' call for scholars to attend to "the rhetorical dynamics of collective memory within collective apologies and what they may add to the genre."⁶ Official apologies like the one issued to Native Americans represent, we argue, a problem of collective memory that tests the very possibility of beginning (again). We conclude with a discussion of the apology's reception—which serves to highlight the shortcomings that we point to in our analysis—and offer a brief consideration of the mnemonic constraints facing official apologies issued by the U.S. government.

APOLOGIES AND ATONEMENT

Apologies from one group or government to another have become so common a feature of our political discourse that scholars have begun to call our current moment an “age of apology.”⁷ Jason Edwards maintains that official apologies can “begin healing the fractured relationship amongst groups harmed by historical injustice” and “lay the groundwork for a new identity to be forged between the parties.”⁸ The potential of an official apology to heal historically damaged relationships is laudatory in and of itself. Even so, scholars who study official apologies insist that this is but part of their value as a political agency. As Roy Brooks explains, the outpouring of official apologies from across the globe is “more complex than ‘contrition chic,’ or the canonization of sentimentality” since sincere “contrition just might signify a nation’s capacity to suppress its next impulse to harm others.”⁹ The *telos* Brooks attributes to official apologies is seconded by Jean-Marc Coicaud and Jibecke Jönsson, who argue that official apologies are “a matter of humanization,” since it is only through a mutually affirmed humanizing rhetoric that reconciliation is made possible.¹⁰ These conclusions suggest that more is at stake in an official apology than a symbolic righting of past wrongs. Acknowledgment of the past, with its implied necessity of reshaping collective memory, can also potentially stay the hand of an aggressor/oppressor and thus “heal divisions and (re)constitute a more just unity across diverse groups.”¹¹

The humanistic potential of official apologies make them praiseworthy and worth pursuing. However, as rhetorical acts emanating from inherently self-interested actors, official apologies can also be used to serve the interests of institutional power. As Pablo de Greif explains, apologies can act to affirm norms, institutionalize particular values, and reduce resentment while increasing the trustworthiness of the apologizer.¹² The complications that necessarily attend such apologies are compounded further when the apologizing party is the state itself. As Sheryl Lightfoot explains the issue, “A state is not animate but is, rather, an abstract entity made up of nonhuman institutions. How could such a nonhuman entity, such as a state, even have or express human emotions such as penitence, remorse, or regret?”¹³ Furthermore, she continues, “how could one know that the totality of the state actor, who is delivering the apology, is reflected in the apology, and that the apology is not simply a statement given by the group in political power at the moment, for some type of political purpose?”¹⁴ In response to this rhetorical problem, scholars have proposed an emphasis not only on the act of apology itself but also on the potential of an apology to prompt genuine atonement and reconciliation.

Both the draft and final versions of the apology to Native Americans state reconciliation as an explicit goal of the gesture, thus situating it firmly within

an established framework for understanding official apologies. Scholars have long maintained that official apologies are meaningful to the extent that they signal a sincere effort toward reconciling conflicting communities.¹⁵ Apologies “can create a bridge to reconciliation between affected communities,” by offering “a means of breaking the spell of the past.”¹⁶ Breaking the spell of the past, however, requires more than the symbolic act of apologizing alone. Apologies must address two constraints if they are to signal a genuine effort at atonement: the material and the mnemonic.

In *Atonement and Forgiveness: A New Model for Black Reparations*, Roy Brooks argues that for an apology to effect reconciliation, it must be accompanied by some act of atonement in the form of reparations for past wrongs.¹⁷ While some scholars hold out the possibility of atonement free from reparations, scholars studying Native American relations with the U.S. government have been unwavering in their insistence that symbolic acts must be accompanied by changes in the material conditions of Native communities.¹⁸ This insistence on attending to the material entailments of official apologies is seconded by Kirt Wilson, who argues that official apologies that evade material considerations are, in the end little more than “cathartic experience[s]” that benefit those already in power.¹⁹ Sheryl Lightfoot—herself a member of the Keweenaw Bay Anishinaabe tribe—is particularly astute on this point, explaining that some form of material compensation must accompany state apologies to Indigenous peoples if they are to signal “a credible commitment to do things differently in the future.”²⁰ Absent a serious commitment to improve Native communities’ material considerations, state apologies are likely to ring hollow.

A second set of constraints on an official apology’s ability to signal genuine atonement (and thus a move toward reconciliation) are inherited patterns of remembering and narrating historical wrongs. This applies not only to how past atrocities have been memorialized through narrative but also to the ways in which more general patterns of memorialization necessarily fit into some prescribed mode of narrating national identity.²¹ As Bostdorff and Goldzwig argue, “Public memory . . . is an inherently rhetorical activity, for speakers must choose which stories from the past they desire to tell, how they wish to recount particular people and events, and what words from history they want to share.”²² Because collective apologies must, of necessity, make reference to the past, it is inevitable that the rhetorical-mnemonic practices of a community will work to constrain, or even foreclose, the political possibilities made available through the act of apologizing. Like collective memory itself, collective apologies are inherently “bivalent” in that they constantly maneuver back and forth between the past and the future.²³ Put differently, apologies are at once mnemonic and deliberative, pointing Janus-like toward the past and future simultaneously. The ways in which collective memory may act

as a barrier to meaningful atonement, therefore, lie to a certain extent in the narrative forms through which the past is given shape.

THE PROBLEM OF BEGINNING (AGAIN)

The perceived efficacy of a public apology depends, in part, on the apologizing party's ability to balance competing interests and interpretations of the past. How historical time is conceptualized and narrated by a polity imposes certain limits on how an apology will be understood and accepted as a legitimate act of reconciliation. According to Sacvan Bercovich (borrowing from Melville), the white American cultural imagination is characterized, in large part, by the balance it holds between two parallel notions of time: the "horological" and the "chronometrical." Horological time refers to the unimpeded, sequential forward march of history, which is to say human time. Chronometrical time, on the other hand, refers to "God's time," or the predetermined course of human events that must inevitably correlate with a divine plan.²⁴ When the former (inevitably) fails to correspond to the latter, Americans participate in various forms of ritualized rhetoric that provide coherence to the imbalance. Aberrations are rendered not as failures of the original vision so much as failures of the collective will at a particular moment in time. As Edward Said explains the phenomenon (which corresponds with nationalist ideologies beyond the United States), it is one of "the enduring attributes of self-serving idealism" to "view ideas [e.g., American exceptionalism] as pertaining only to a world of abstractions" that are "essentially perfect, good, uncontaminated by human desire or will."²⁵ As a result, powerful politicocultural rhetorics like those that comprise American exceptionalism continue on unimpeded by the patently *unexceptional* crimes that litter U.S. history, including the many notable examples of atrocities committed against Native communities. Mnemonically, such crimes are rendered as (at most) brief exceptions to American exceptionalism, rather than constitutive features of an ideology that allowed for the nation's rapid territorial expansion at the expense of Native communities and enslaved Black people. Any resulting tensions arising from this friction between horological history and the chronometrical idea of "America" are effectively erased through familiar rituals of national consensus that allow for its continuation. Events in the past about which white Americans ought to feel deep shame—and over which the nation rightfully owes restitution to its victims—instead become entangled in a prescribed employment that elides the brute reality through which "America" was made manifest in the world. In the end, the ideal is sustained at the price of genuine atonement and, thus, any real hope of a new beginning.

Claiming that an official apology marks a new beginning is only true in the banal sense of it being an inevitable consequence of human freedom.²⁶ Even so, scholars have maintained the possibility that an apology may allow communities to begin again by marking the arrival of a new time.²⁷ To claim that an apology is, or is even capable of, marking a new beginning in the relationship between an historical aggressor and an aggrieved party is, at best, a tenuous prayer for the future. As Arendt reminds us, “The light that illuminates processes of action . . . appear only at their end, frequently when all the participants are dead.”²⁸ To further complicate the possibility of beginning again, apologizers—particularly “official” apologizers—can (and often do) take advantage of pronouncements of a new beginning for their own purposes, treating the act of apologizing as “performative” in the narrow sense in which J. L. Austen uses the term.²⁹ In the case of the U.S. government’s official apology to Native Americans, the Senators involved in drafting the apology acted as if by articulating a reconciliation between the U.S. government and Native communities they were necessarily making it so, effectively putting the topic to rest so that “no more need ever be said about it.”³⁰ The result is doubly damning toward Native communities, who were offered no material reparations for their historical suffering yet were implicitly expected to “embrace [their] wrongdoer,” thus inflicting “a new victimization.”³¹ As a result, the government’s official apology was rendered little more than a new beginning to an old process: that of “solidifying the status quo.”³²

SENATOR BROWNBACK’S STATEMENT: “A SPECIAL COVENANT RELATIONSHIP”

On May 25, 2005, the Committee on Indian Affairs held a hearing on Senate Joint Resolution 15, an official acknowledgment and apology to the Native peoples on behalf of the federal government. Though not a member of the committee, Senator Sam Brownback (R-KS) provided testimony on what he saw as the *telos* of issuing such a statement: “Heal[ing] our land of division.”³³ While his testimony touched upon many aspects of the historic wrongs committed by the federal government, his articulation of the apology’s purpose was subsumed beneath an overriding commitment to a familiar narrative of American exceptionalism. His exceptionalist narrative is apparent in the cluster of *topoi* that worked together to perform important ideological work, namely, absolving the United States of responsibility for all but *historical* wrongs committed against North America’s indigenous populations. Present conditions, in Brownback’s testimony, are manifestations of past crimes, not current policies. In this way, Brownback refocused the plight of America’s Native peoples through the romantic lens of a broken covenant, which is to

say that they were rendered props in an (Anglo) American morality play. As Temin and Dahl explain, romantic narratives, in the context of official apologies, “are heroic . . . insofar as they employ characters in a sequence of events that emphasizes their ability to transcend the limitations of human experience.”³⁴ Brownback’s testimony effects just such a romantic narrative, in which the “hero” (the United States) is able to transcend its past crimes in pursuit of an “ultimate denouement” of salvation.³⁵ To grasp this overriding rhetorical effect, it is necessary to look at each of the *topoi* that, together, mnemonically situated the apology within an inherited, exceptionalist framework for understanding not only the United States’ historical relationship with Native peoples but also the nation’s unique, “chronometrical” purpose in the world.

The central *topos* around which Brownback’s testimony revolved was that of a covenant relationship between the federal government and Native peoples. The various treaties into which the government entered with Native peoples are, in Brownback’s telling, sacred oaths that represent more than legal agreements—they are the very substance of the United States’ word in the world. As Agamben explains, oaths are a sacramental guarantee of the “truth and efficacy of language itself.”³⁶ Brownback remarked as much during his testimony, stating, “Treaties, we know, are far more than words on a page. Treaties are our word, our bond.”³⁷ When entered into by the U.S. government and the various Native tribes, these treaties effected “a special covenant relationship.”³⁸ The rhetoric of covenant-making and maintenance have deep mnemonic roots in the history of American rhetoric, dating back to the earliest days of Puritan settlement in New England. Colonial Puritans understood their community as existing in “more or less direct contact with God concerning the people’s welfare.”³⁹ In this sociohermeneutical framework, the community’s purpose was to keep God’s commandments on Earth and, by so doing, effect his sacred vision for mankind on the temporal plane. This was their covenant, and they were judged by their religious and political leaders on the basis of their continued faith in keeping to this errand. As Bercovitch demonstrates, this rhetoric has remained a symbolically potent aspect of U.S. American rhetoric, where it is used to consecrate “the American present as a movement from promise to fulfillment” of this sacred mission.⁴⁰

As proof of the covenant relationship between Native peoples and the U.S. government, Senator Brownback chose to quote from Article 3 of the Northwest Ordinance of 1787, which states in part, “The utmost good faith shall always be observed toward the Indians.”⁴¹ The Northwest Ordinance was a legal “mechanism for settling and governing the new [Native] territory” that the United States had gained in negotiations with the British four years earlier.⁴² It is ironic that Brownback chose to identify as the founding moment of a sacred bond between the U.S. government and Native peoples

what historically amounted to a “massive land grab” by white settlers.⁴³ To rest at this conclusion, however, is to miss the larger, symbolic significance of the quote. The Northwest Ordinance represents not a legalistic framework for negotiating land disputes with Native peoples, but rather points to a deeper, mnemonically resonant narrative. Myths of “discovery” and settlement remain symbolically potent because they harken back to white America’s earliest self-conception as a nation of exceptional missionaries embarking on an errand from God. As Mark Lawrence McPhail explains, invocations of “discovery, civilization, progress, and advance provide whites with a history of positive self-representation that resists the encroachments and advances of . . . oppositional discourses” by focusing attention on the “principles and ideals” of American exceptionalism instead of its consequences.⁴⁴ Covenant rhetoric allows for speakers such as Senator Brownback to “repent” for what he framed as “past wrongs” without speaking to the deeper malaise of the ideology of American exceptionalism itself.⁴⁵ The underlying principles that not only allowed for but often encouraged the exploitation and persecution of Native Americans—then and now—were thus allowed to remain as unchanging, sacred ideals from which the United States had deviated, but to which it would return as a result of this act of repentance. While Brownback’s invocation of the Northwest Ordinance is revealing of the underlying ideology at work in the apology, his testimony relied upon a deeper, more sentimental framework for his covenant-based appeals: the land itself.

Invocations of the “the land” appear throughout Brownback’s testimony and serve an important legitimizing function. Understanding the structural claims implied by Brownback’s otherwise sentimental appeals to the land means considering the rhetorical import of historical priority to discourses of national legitimacy. Zerubavel argues that the perceived antiquity of one’s connection to a particular place is central to claims of national legitimacy. As he explains, “antiquity often implies *priority*,” which is typically associated with the political legitimacy of a claimant’s right to a territory.⁴⁶ This legitimacy is inverted, however, in rhetoric concerning indigenous populations, whose very indigeneity often serves a *de*-legitimizing function in colonial discourses. Qualifiers such as “native” can, in this framework, be used to present “their bearers as part of the *original* natural landscape of the lands they inhabit,” rendering them as scenic rather than agential beings.⁴⁷ While Brownback praises Native Americans’ “powerful physical and spiritual connection to the land itself,” he also notes that his “constituents in Kansas and myself have similar attachment to the land.”⁴⁸ Taken at face value, the sentimental attachments to the land exhibited by both Brownback’s Natives and his Kansas constituents would imply a level of consubstantiality between these peoples. However, such notions are soon laid to rest by an isolated—but rhetorically crucial—claim to U.S. legitimacy as the true inheritors of

the North American continent. After praising Native peoples for their love of the land, Brownback asserts that “We care for our Nation and the land of our forefathers so greatly that we, too, are willing to serve and protect it, as faithful stewards of the creation God has blessed us with.”⁴⁹ His use of the archaic “forefathers” coupled with an overt claim to a divine right of inheritance (there is little question who the “we” in this quote is) essentially negates his earlier assertions about Native legitimacy vis-à-vis the land. The narrative being subtly invoked is a mnemonically familiar one, and whether it is couched in the language of divine errand or Manifest Destiny the historical end result was the same: Native displacement. By yoking the historical reality such narratives were made to serve to the chronometrical time of God’s divine will, the many acts of displacement this apology are meant to atone for become no more significant than any other act of taming nature. Felling trees, damming rivers, and displacing indigenous peoples are all thereby justified in pursuit of the millennium.

Brownback softens these implicit claims of a divinely sanctioned U.S. inheritance of Native lands through tropes of kinship, in which Native peoples are framed as part of a larger U.S. American family. He refers to Native peoples as “our Native brothers,” and asserts that the apology may “affirm the brotherhood of this land between all people groups.”⁵⁰ Appealing to a vaguely defined notion of kinship elides clear distinctions between the histories and interests of the various communities being thus crudely lumped together. Such tropes are rhetorical acts of “historical assimilation” whereby separate identities are subsumed beneath a layer of uniformity in service to “an underlying agenda of national unity.”⁵¹ Brownback seems to recognize the appeal these tropes possess, remarking that he has “no doubt that citizens across this Nation share in this sentiment and know its unifying power.”⁵² Such quick conflation do indeed hold great unifying power, particularly in the framework of American exceptionalism, which subsumes all dissent beneath a mantle of chronometrical purpose.⁵³ Nonetheless, they also serve to perpetuate the power imbalances already set into motion by romanticized media portrayals of “the Old West” and the political exclusions Native peoples face daily.⁵⁴ This is the double-edged sword of tropes of kinship: one is welcomed into the family, but only so long as they affirm its inherent rightness. In the context of the American “family,” this means assenting to the nation’s journey toward its world-historical purpose, however vaguely defined.

To return to a claim forwarded above, Brownback presented the apology as a new beginning in the relationship between the U.S. government and Native peoples. As he states, “We cannot erase the record of our past, [but] I am confident that we can acknowledge our past failures, express regrets, and work toward establishing a brighter future for all Americans.”⁵⁵ The rhetoric of beginning performs a crucial role here, particularly in how it is used to

bracket the past from the future. This is an effect of rhetorical beginnings that has drawn much attention from scholars of the subject. Doxtader calls beginnings “a moment in which the veil between magic and talk is at its thinnest, an instant when the potential for dialogue is culled from pain and mistrust, a transition in which the talk of peace gathers strength from histories of violence.”⁵⁶ As Edwards explains, such transitional moments allow for an official actor to “begin rebuilding relationships with the victimized community.”⁵⁷ In both of these conceptualizations, beginnings are a moment of transition from something old to something new. Nonetheless, beginning, as Said argues, is not a “simple linear accomplishment” but rather a rhetorical act of “*making or producing difference*” between the past and the future.⁵⁸ While new beginnings can indeed be symbolically healing to communities torn by painful histories, they can also be used to “effect a temporal distancing of the past,” thus keeping it at bay rather than confronting it in any meaningful way.⁵⁹ By “trying to put things ‘behind us,’” we may establish “certain ‘phenomenological brackets’” that “relegate [past] events to social irrelevance.”⁶⁰ Insisting on a new beginning does not erase history, but it can render it inert and unaffacting. Brownback’s testimony is replete with instances in which the past is distanced from the present (and, by extension, the future) through tropes of beginning. He calls the apology “a potential foundation for a new era in positive relations between tribal governments and the Federal government.”⁶¹ The resolution, he continues, is meant to signal “the beginning of the end of division.”⁶² Metaphors of a journey and healing are similarly put to service in cleaving off America’s historical maltreatment of Native communities from the very real effects that such past and present policies continue to have. The apology, Brownback asserts, “is a first step toward healing the wounds that have divided us for so long,” which would work to “heal the land.”⁶³ These and similar statements imply that the act of apologizing itself marks a moment of discontinuity with the past. Yet, as Faulkner reminds us, “The past is never dead. It’s not even past.”⁶⁴ Artificially carving up history—“like cropping photographs”⁶⁵—does not, and cannot, put a stop to the injuries that past *and present* practices continue to cause. It does, however, serve to qualify white guilt while preserving American exceptionalism as a pure ideal, untainted by a past that is best left behind.

In issuing his testimony, Brownback made several statements qualifying the apology in terms of its scope and historical necessity. In speaking to the latter, Brownback focused on what he saw as the moral equivalencies between Native peoples and white U.S. settlers. “Both the Founding Fathers of the United States and the indigenous Tribes that lived here were attached to this land,” he claimed, and both “sought to steward and protect it.”⁶⁶ The force of this remark lies in the moral absolutism it implies, shuttling the ostensible motive behind U.S.-Native conflicts onto a shared desire to “protect” their

land. In a further remark on this topic, Brownback lamented the “numerous conflicts have ensued between our Government and many of these tribes,” and that in the course of these conflicts “warriors *on all sides* fought courageously and . . . *all sides* suffered.”⁶⁷ His use of passive voice combines with his insistence upon mutual suffering to diffuse any real blame for the historical reality of a U.S.-directed genocide. He insisted as much at one point in his testimony, stating plainly that the resolution does not “cast all the blame for the various battles on one side or another.”⁶⁸ As if this were not alarming enough in an official apology to Native Americans, Brownback goes on to praise the “valiance of our American soldiers who fought bravely for their families in the wars between the United States and a number of Indian tribes.”⁶⁹ The inclusion of such a statement in what is ostensibly an act of atonement for the many crimes committed against Native peoples is staggering in its ineptitude, and one is left to wonder whether these “valiant American soldiers” include those who served under Colonel John Chivington at Sand Creek. In any case, the moral propriety of such statements is beside the point. Brownback’s testimony, as we argue above, was hopelessly yoked to an exceptionalist narrative in which the United States—though it “sometimes . . . disregarded its solemn word”⁷⁰—is an essentially and fundamentally good enterprise for effecting God’s will in the world. In Brownback’s telling, it is merely unfortunate that the American ideal, when put into action, took on the “characteristics of brute reality.”⁷¹ It is no stretch to state that the apology, when considered in the context of the testimony used to justify it, seems less interested in reconciliation than in absolution—a purifying ritual in which “both sides” accept (some) blame so that an unfortunate past can be laid to rest.

NATIVE AMERICAN TESTIMONY

“Like Apologizing for Stepping on Someone’s Foot While You Continue to Stand on that Foot”

At the conclusion of Brownback’s statement, three Native American leaders—Negiel Bigpond, Sr., president of the Two Rivers Native American Training Center; Tex Hall, president of the National Congress of Native Americans; and Edward K. Thomas, president of the Central Council Tlingit and Haida Tribes of Alaska—were invited to present testimony before the committee and to have their statements (and other documents) entered into the official record. It should come as no surprise that the focus of these leaders’ rhetorical efforts diverged widely from Brownback’s exceptionalist narrativizing of the apology. While Bigpond, Hall, and Thomas’ statements varied in tone and argument, their shared testimony nonetheless centered around the issues of the

apology's timing and purpose. Contra Senator Brownback, the Native representatives focused on the immediacy of the U.S. governments' mistreatment of Native Americans, and its concomitant responsibility to go beyond a simple apology by addressing the inequities that continue to define life in many Native communities. This line of reasoning was sustained by a strain of second-order language that ran through the Native leaders' testimony, and which speaks directly to the *telos* of the apology as seen from a Native perspective.

In their testimony, Bigpond, Hall, and Thomas sought to situate the proposed apology within a shared framework for understanding the purpose of official apologies writ large. In each telling, the apology was treated as a conditional good, whose potential could only be realized if attended by other significant change. As Lightfoot argues, official apologies of the type before the committee are only meaningful if they "not only meet the needs of the offender, but . . . also meet the needs of the *victim*."⁷² For Bigpond, Hall, and Thomas, the apology was conditionally acceptable to their respective communities, so long as it was not understood by the committee as an end in-and-of itself. As Hall argued in his testimony, an apology "implies a recognition that an injustice occurred and the importance of this recognition cannot be underestimated." But, he continued, an apology "also implies . . . that there is a will to try to do something about the harms that caused that injustice."⁷³ Thomas concurred in his testimony, explaining that "Apologies are good; sincere apologies are better. Apologies joined with positive action that corrects and compensates for the problems and ills of the past are the best apologies."⁷⁴ In these and other statements throughout the testimony, Bigpond, Hall, and Thomas were engaging in what Pocock calls "second-order language," which he describes as the result of a "language's own users commenting upon its use critically."⁷⁵ In such instances,

language is objectified as part of the practical situation, and an author 'making a move' in response to some practical necessity may not merely be using some language in a new way, but *proposing* that it be used in a new way and commenting on the language uses of his [*sic*] society, or even on the character of language itself.⁷⁶

This is a crucial point to keep in mind since the use of second-order language represents a claim of agency on the part of the Native representatives, who were implicitly tasked by the committee with warranting the apology through their approval. Rather than simply accepting (or rejecting) the apology, however, the Native leaders instead reinscribed it with a purpose that met the needs of their respective communities, commenting upon the apology as they simultaneously shifted the context in which it—and other such apologies—should be understood.

As in Brownback's statement, most salient *topos* around which the Native leaders' testimony centered was time. Unlike Senator Brownback, however, who focused exclusively on the past crimes of the federal government, the assembled Native leaders employed a mnemonic framework that collapsed the temporal distance between past crimes and present policies. Hall was particularly insistent on this point, claiming that "the destructive policies addressed in this resolution are not a fading distant past for Indian people. They are present today and continue to be felt in very real ways every day."⁷⁷ In this and similar statements, Hall refused the mnemonic distancing that Brownback's testimony had sought to effect by bringing the past and present to a poignant and useful modality. To provide context for his claims, Hall reminded the committee that "Sand Creek is real, the Wounded Knee is real, the Trail of Tears, those are real. The various boarding school experiences where my own father was punished. This was not 200 years ago, it was one generation ago."⁷⁸ Bigpond similarly sought to reinscribe the mnemonic framework for the apology with a sense of immediacy by testifying that his Two Rivers Native American Training Center colleague, Dr. Jay Swallow, "is a direct descendant of the Sand Creek Massacre. His grandmother was one of the very few who escaped. . . . He is another witness that can speak of the deep generational pain that Native people still carry from the days of massacre and suffering."⁷⁹ The collective witnessing displayed by Bigpond, Hall, and Thomas elided the exceptionalist narrative that sustained Brownback's testimony, offering instead "a discursive window on the past" through which the committee was invited to "understand historical chronology" in a new way that could "potentially steer its trajectory toward the ends of symbolic, if not procedural, justice."⁸⁰ Doing so, however, would require the federal government to recognize, as Thomas stated, that an apology "ignoring the Third-World conditions of so many of our people somehow just doesn't seem genuine."⁸¹ By insisting that the apology must signal a commitment to improving Native communities' material conditions, Thomas, Hall and Bigpond invited the committee to recognize the ongoing nature of America's mistreatment of Native communities. Otherwise, as Hall explained, "the resolution [will] be like apologizing for stepping on someone's foot while you continue to stand on that foot."⁸² Only in the face of such recognition—and a concomitant commitment to alter *current* policies—would a new beginning truly be possible.

CONCLUSION

Despite the Native leaders' misgivings, the resolution passed without any commitment to improving the material conditions of Native communities, and no

additional commitments have been forthcoming as a result of the apology itself. President Obama made no public comment on the language of the apology at the time of its signing nor in a high-profile speech at the first White House Tribal Nations Conference after it had passed through the Senate. As in the case with an earlier official apology by the Bureau of Indian Affairs, some Native communities reacted to news of the apology “with more cynicism than praise,” noting the lack of ceremony surrounding its issuance.⁸³ For others, it passed without much notice at all and was soon forgotten altogether.⁸⁴ This was the experience of Erin Ramsey, a Nez Perce student at Lewis-Clark State College who agreed to comment on the apology for this chapter. As she explained:

I didn't hear about the 2005 apology. My Dad didn't either. The apology hadn't changed things. Out in Lapwei it is a bit better than on other reservations. Other places have it harder. Some places that do get big checks monthly tend to have more drug and alcohol problems and most people settle. Stereotypes that Natives do not leave reservations, are lazy, and lead people to say ignorant things like “I am paying your college through the casinos.”⁸⁵

For many Native peoples, the apology was merely a symbolic gesture with no effect on their lives, nor place in their collective memories. In both a materialist and a mnemonic sense, it is as if the apology never was. As Ms. Ramsey's interview revealed to us, more action is necessary. Ms. Ramsey added that she feels as though the Natives have been isolated and marked as different by being placed on reservations. Healthcare and education for Native peoples are still deplorable. Sovereignty is still an enormous struggle, another facet of Native life Ms. Ramsey stated her Tribal Council is grappling with, between tribes and the U.S. government. These are just a few of the issues upon which the apology was silent, but which have real impact on the lives of Native communities today.

There is a bitter irony in the collective act of mnemonic sublimation that ultimately characterizes the apology. Senator John McCain had assured a reticent Edward Thomas that “if this resolution were passed by this Congress of the United States, it would not fade into obscurity very soon.”⁸⁶ The reasons the apology failed to effect actual reconciliation are numerous, but as we have argued above, the rhetorical significance of its articulation within an exceptionalist framework cannot be overlooked. While scholars have (rightly) criticized the unceremonious nature of the apology's issuance, it must be remembered that the apology was essentially *epideictic*. It was a ritual, just not of the kind that met “the emotional needs of Indigenous peoples.”⁸⁷ Rather, it worked to subsume the genocide against Native peoples, and a history of damaging policies (past and present), beneath a narrative of national purpose and redemption.

NOTES

1. An Act Making Appropriations for the Department of Defense for the Fiscal Year Ending September 30, 2010, and for Other Purposes, Pub. L. No. 111-118, 123 Stat. 3409 (2009).

2. To Acknowledge a Long History of Official Depredations and Ill-conceived Policies by the U.S. Government Regarding Indian Tribes and Offer an Apology to All Native Peoples on Behalf of the United States, S. J. Res. 15, 109th Cong. (2005).

3. *Acknowledgement and Apology: Hearing on S.J. Res. 15, Season 1, Before the Committee on Indian Affairs*, 109th Cong. 1 (2005) (statement of John McCain, U. S. Senator from Arizona and Chairman of the Committee on Indian Affairs).

4. John B. Hatch, "Beyond Apologia: Racial Reconciliation and Apologies for Slavery," *Western Journal of Communication* 70, no. 3 (July 2006): 193.

5. Hannah Arendt, *The Human Condition*, 2nd ed. (Chicago: The University of Chicago Press, 1998), 8–9; 247.

6. Jason Edwards, "Apologizing for the Past for a Better Future: Collective Apologies in the United States, Australia, and Canada," *Southern Journal of Communication* 75, no. 1 (January 2010): 73.

7. Edwin Battistella, *Sorry About That: The Language of Public Apology* (Oxford: Oxford University Press, 2014); Roy L. Brooks, "The Age of Apology," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 3–11; Pablo de Greiff, "The Role of Apologies in National Reconciliation Processes: On Making Trustworthy Institutions Trusted," in *The Age of Apology: Facing Up to the Past*, eds. Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner (Philadelphia: The University of Pennsylvania Press), 120–36; Jean-Marc Coicaud and Jibecke Jönsson, "Elements of a Road Map for a Politics of Apology," in *The Age of Apology*, 77–91; Martha Minow, *Breaking the Cycles of Hatred: Memory, Law, and Repair* (Princeton: Princeton University Press, 2002).

8. Edwards, "Apologizing for the Past," 71.

9. Brooks, "The Age of Apology," 3.

10. Coicaud and Jönsson, "Elements of a Road Map," 90.

11. Hatch, "Beyond Apologia," 187.

12. de Greiff, "The Role of Apologies," 128.

13. Sheryl Lightfoot, "Settler-State Apologies to Indigenous Peoples: A Normative Framework and Comparative Assessment," *Native American and Indigenous Studies* 2, no. 1 (Spring 2015): 20–21.

14. Lightfoot, "Settler-State Apologies," 21.

15. Brooks, "The Age of Apology"; Roy L. Brooks, *Atonement and Forgiveness: A New Model for Black Reparations* (Berkeley: University of California Press, 2004); Eric Doxtader, "Making Rhetorical History in a Time of Transitions: The Occasion, Constitution, and Representation of South African Reconciliation," *Rhetoric & Public Affairs* 4, no. 2 (Summer 2001): 223–60; Edwards, "Apologizing for the Past";

Hatch, "Beyond Apologia"; Joy Koesten and Robert C. Rowland, "The Rhetoric of Atonement," *Communication Studies* 55, no. 1 (Spring 2004): 68–87; Lightfoot, "Settler-State Apologies"; Mark Lawrence McPhail, "A Question of Character: Re(-) Signing the Racial Contract," *Rhetoric & Public Affairs* 7, no. 3 (Fall 2004): 391–405; David Meyer Temin and Adam Dahl, "Narrating Historical Injustice: Political Responsibility and the Politics of Memory," *Political Research Quarterly* 70, no. 4 (December 2017): 905–17.

16. Edwards, "Apologizing for the Past," 58; Doxtader, "Making Rhetorical History," 247.

17. Brooks, *Atonement and Forgiveness*, ix.

18. Brooks, "Wild Redress?," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 233–37; Lawrence Armand French, "Native American Reparations: Five Hundred Years and Counting," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 241–47; Rick Hill, "Repatriation Must Heal Old Wounds," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 283–87; Lightfoot, "Settler-State Apologies"; Nell Jessup Newton, "Indian Claims for Reparations, Compensation, and Restitution in the United States Legal System," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 261–69; Robert A. Williams, Jr., "The True Nature of Congress's Power over Indian Claims: An Essay on *Venetie* and the Uses of Silence in Federal Indian Law," in *When Sorry Isn't Enough: The Controversy Over Apologies and Reparations for Human Injustice*, ed. Roy L. Brooks (New York: New York University Press, 1999), 273–79.

19. Kirt Wilson, "Is There Interest in Reconciliation," *Rhetoric & Public Affairs* 7, no. 3 (Fall 2004): 386.

20. Lightfoot, "Settler-State Apologies," 25.

21. David Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge: Harvard University Press, 2002); John Bodnar, *Remaking America: Public Memory, Commemoration, and Patriotism in the Twentieth Century* (Princeton: Princeton University Press, 1991); Stephen H. Browne, "Reading Public Memory in Daniel Webster's Plymouth Rock Oration," *Western Journal of Communication* 57 (Fall 1993): 464–77; Michael Kammen, *The Mystic Chords of Memory: The Transformation of Tradition in American Culture* (New York: Vintage, 1993).

22. Denise M. Bostdorff and Steven R. Goldzwig, "History, Collective Memory, and the Appropriation of Martin Luther King, Jr.: Reagan's Rhetorical Legacy," *Presidential Studies Quarterly* 35, no. 4 (December 2005): 661–62.

23. Edward S. Casey, "Public Memory in Place and Time," in *Framing Public Memory*, ed. Kendall Phillips (Tuscaloosa: University of Alabama Press, 2004), 17; Edwards, "Apologizing for the Past," 61.

24. Sacvan Bercovich, "Horologicals to Chronometrics," in *Literary Monographs*, ed. Eric Rothstein, vol. 3 (Madison: University of Wisconsin Press, 1970), 4–5.
25. Edward Said, "Zionism From the Standpoint of Its Victims," in *The Selected Works of Edward Said, 1966–2006*, ed. Moustafa Bayoumi and Andrew Rubin (New York: Vintage Books, 2019), 116.
26. Arendt, *The Human Condition*, 178.
27. Christopher Buck, "'Never Again': Kevin Gover's Apology for the Bureau of Indian Affairs," *Wicazo Sa Review* 21, no. 1 (Spring 2006); Doxtader, "Making Rhetorical History"; Edwards, "Apologizing for the Past."
28. Arendt, *The Human Condition*, 192.
29. J. L. Austin, *How To Do Things With Words*, 2nd ed. (Chicago: The University of Chicago Press, 1975), 12.
30. Minow, *Breaking the Cycles*, 18.
31. Ibid.
32. Lightfoot, "Settler-State Apologies," 19.
33. *Acknowledgement and Apology*, 9.
34. Temin and Dahl, "Narrating Historical Injustice," 908.
35. Ibid.
36. Giorgio Agamben, *The Sacrament of Language: An Archeology of the Oath*, trans. Adam Kotsko (Palo Alto: Stanford University Press, 2011), 4.
37. *Acknowledgement and Apology*, 9.
38. Ibid., 10.
39. Sacvan Bercovich, *The American Jeremiad. Studies in American Thought and Culture*, anniv. ed. (Madison: The University of Wisconsin Press, 2012), 36.
40. Ibid., 93.
41. *Acknowledgement and Apology*, 8–9.
42. George C. Herring, *From Colony to Superpower: U.S. Foreign Relations Since 1776* (New York: Oxford University Press, 2008), 41.
43. Ibid., 43.
44. McPhail, "A Question of Character," 368.
45. *Acknowledgement and Apology*, 9.
46. Eviatar Zerubavel, *Time Maps: Collective Memory and the Social Shape of the Past* (Chicago: The University of Chicago Press, 2003), 104.
47. Ibid., 105.
48. *Acknowledgement and Apology*, 8.
49. Ibid.
50. Ibid., 10.
51. Zerubavel, *Time Maps*, 87; Lightfoot, "Settler-State Apologies," 17.
52. *Acknowledgement and Apology*, 8.
53. Sacvan Bercovitch, *The Rights of Assent: Transformations in the Symbolic Construction of America* (New York: Routledge, 1993), 50.
54. See Danielle Endres, "American Indian Permission for Mascots: Resistance or Complicity within Rhetorical Colonialism?" *Rhetoric & Public Affairs* 18, no. 4 (Winter 2009): 649–89; Meta G. Carstarphen and John P. Sanchez, "The Binary

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55. *Acknowledgement and Apology*, 9.
 56. Doxtader, “Making Rhetorical History,” 253.
 57. Edwards, “Apologizing for the Past,” 63.
 58. Edward Said, *Beginnings: Intentions and Method* (New York: Columbia University Press, 1985), xvii.
 59. Zerubavel, *Time Maps*, 88.
 60. *Ibid.*, 94.
 61. *Acknowledgement and Apology*, 9.
 62. *Ibid.*
 63. *Ibid.*, 10.
 64. William Faulkner, *Requiem for a Nun*, First Vintage International ed. (New York: Vintage Books, 2011), 73.
 65. Zerubavel, *Time Maps*, 95.
 66. *Acknowledgement and Apology*, 8.
 67. *Ibid.*, emphasis added.
 68. *Ibid.*, 9.
 69. *Ibid.*
 70. *Ibid.*
 71. Said, “Zionism,” 116.
 72. Lightfoot, “Settler-State Apologies,” 21.
 73. *Acknowledgement and Apology*, 13.
 74. *Ibid.*, 15.
 75. J. G. A. Pocock, *Virtue, Commerce, and History* (New York: Cambridge University Press, 1985), 11.
 76. *Ibid.*, 15.
 77. *Acknowledgement and Apology*, 12.
 78. *Ibid.*, 18.
 79. *Ibid.*, 22–23.
 80. Bradford Vivian, “Witnessing Time: Rhetorical Form, Public Culture, and Popular Historical Education,” *Rhetoric Society Quarterly* 44, no. 3 (June 2014): 207.
 81. *Acknowledgement and Apology*, 28.
 82. *Ibid.*, 13.
 83. Buck, “Never Again,” 99; Lightfoot, “Settler-State Apologies,” 27.
 84. “Does a Silent Apology Really Say ‘We’re Sorry,’” *Indian Country Today*, December 3, 2011.
 85. Erin Ramsey, Personal interview, May 5, 2018.
 86. *Acknowledgement and Apology*, 17.
 87. Lightfoot, “Settler-State Apologies,” 22.

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Chapter 9

Reimagining Rhetorical Reconciliation in Australian Public Address

Kundai Chirindo and Jasper Edwards

In May 2017, the Aboriginal and Torres Strait Islander peoples came together at the Uluru-Kata Tjuta National Park in Australia's Northern Territory to deliberate about the future of their respective peoples. Together, they crafted the *Uluru Statement from the Heart*, a document that outlined the struggles of Indigenous peoples in Australia along with what would be needed to overcome them. At the bottom, the document calls for "power over our destiny" and "the establishment of a First Nations Voice enshrined in the Constitution."¹ In the *Statement*, leaders of the two nations point out that

Proportionally, we are the most incarcerated people on the planet. We are not an innately criminal people. Our children are alienated from their families at unprecedented rates. This cannot be because we have no love for them. And our youth languish in detention in obscene numbers. They should be our hope for the future. These dimensions of our crisis tell plainly the structural nature of our problem. This is *the torment of our powerlessness*.²

From the perspective of these Australian First Nations peoples, reconciliation efforts with the Australian colonial authority there stood incomplete. Those who had borne the burden of colonization remained on the margins of the systems of governance and self-determination. They, as the *Statement* made clear, had yet to attain the status of juridical subjects. Merely subjects of the law, they were there seemingly only to be imprisoned with little recourse to the levers of power. Any doubts about this were laid to rest by Prime Minister Malcolm Turnbull's flat refusal to grant the *Uluru Statements'* plea for self-determination proving yet again that in Australia the promises of reconciliation remained unfulfilled.³

The *Uluru Statement from the Heart* is remarkable for two reasons. First, it expressed in a unified voice—perhaps for the first time ever—the dissatisfaction of Australia’s indigenous peoples. As the *Australian Broadcasting Corporation’s Religion and Ethics* blog observed, the *Statement’s* unitary voice, “brought together the will of the people and the deliberative wisdom of the elders,” in a way that “affords the document a unique moral vernacular that is at once practical and passionate.”⁴ As Isabelle Auguste has shown, up to this point, efforts by Australia’s indigenous minorities at attaining justice had been be disjointed as many of the 250 Aboriginal subgroups and the Torres Strait Islanders sought recognition from Canberra separately.⁵ Because the *Statement* voiced the concerns of Australia’s largest indigenous groups along with those of the separate and much smaller Torres Strait Islanders, it stands as a tactical advancement in Australia’s quest for reconciliation. Second, the *Statement* made clear that reconciliation in Australia had to reach a point of finality. These two important constituencies remained under significant duress. Their quest for justice and equality remained unfilled. The *Statement* suggested that reconciliation in Australia remained incomplete despite the statements of apology offered by prime ministers Keating and Rudd. Considered as a rejoinder to Keating and Rudd, the *Statement* foregrounds a critical problem: what can the apologies issued from the highest echelons of Australia’s federal government on the one hand, and the discourse that insistently takes up the plight of Australia’s indigenous people tell us about reconciliation? The answer to that question, we believe, demands a rethinking of the rhetorical concept of reconciliation.

In his important essay on the rhetorical conceptualization of reconciliation, Erik Doxtader rightly suggests that language’s role at the beginning of the quest for reconciliation is figured in irony. For, “With what words,” Doxtader asks, “can we make the beginning of becoming?”⁶ The Australian case study, this chapter argues, suggests that the idea of self-determination is another paradox that marks the challenge of reconciliation. Understanding this point requires figuring reconciliation as metonymy—itself a paradoxical figure. Just as the existence of metonymy is suspended between two contexts—a prior context aspects of which metonymical expression expropriates to another context, and a new context one whose transformation is required to make the metonymic aspect find a home as the Dutch philosopher of history, Eelco Runia has argued, reconciliation expresses the contiguity of incongruous realities.⁷ This is a point on which we agree with Eric Doxtader who highlights the contiguities of different orders of temporality, different identities, and competing moral standards as three puzzles that animate reconciliation’s quest.⁸ Our goal in this chapter, however, is to draw attention to a fourth “puzzle” that is animated in reconciliation: that of self-determination. To demonstrate this point, we begin by outlining the challenge that leading

interlocutors in Australia's quest for reconciliation pose to rhetorical theories of reconciliation. We then attempt to solve the Australian challenge to rhetorical concepts of reconciliation by developing reconciliation's metonymical paradox of self-determination. We support our arguments through a reading of the *Statement* along with the speeches of two former labor prime ministers, Paul Keating and Kevin Rudd, and the words of Dr. Tom Calma, the former Aboriginal and Torres Strait Islander Social Justice Commissioner at the Australian Human Rights Commission and elder of the Kungarakan Aboriginal people.

The public transcript of Australia's reconciliation is a text dominated by three groups: the Australian Commonwealth, a colonial regime that violently subordinated the continent's Indigenous groups, the Aboriginal peoples of Australia and the Torres Strait Islanders. The Aboriginal and Torres Strait Islanders are two distinct groups of Indigenous people under the sovereignty of the Australian Commonwealth. One way to chart the ongoing saga of Australia's reconciliation is via the public statements made by representatives of each of these groups. Efforts toward reconciliation in Australia, on this view, started with Prime Minister Paul Keating's 1992 Redfern Address which was the first time a prime minister publicly committed to reconciliation with Indigenous peoples. Talk of Reconciliation stalled after Keating's term, but was brought back into the limelight by Prime Minister Kevin Rudd who gave another nationally recognized address on reconciliation sixteen years later in 2008. Another important national voice on reconciliation is Dr. Tom Calma, who spoke at a ceremony after Rudd's apology after the Stolen Generations report, and whose Charles Perkins memorial oration explained the challenges of Indigenous human rights. It is important to note at the outset that though Calma worked in the federal government, he is widely considered to have voiced the opinions of Australia's indigenous people; he approached reconciliation differently than did the two prime ministers.

We believe that these five statements: Keating and Rudd's along with Calma's two speeches and the *Statement* when considered together present a particular challenge to conceptions that have emerged in rhetorical studies' relatively recent uptake of reconciliation. We argue in what follows that the Australian case shows that reconciliation entails the challenge of addressing the difficult question of predication. In other words, as a condition of reconcilability, parties to reconciliation must settle on some authority or basis upon which their attempt at reconciliation is premised. The ability to be reconciled therefore comes at a steep cost: it is a pursuit of a mutual self-determination premised up on the suspension of at least one of the parties' claims to self-determination. Following Eric Doxtader, who conceived reconciliation as constituted by three puzzles, we think of this as reconciliation's puzzle of

self-determination. We therefore submit that self-determination constitutes a fourth puzzle that can be added to the three Doxtader originally suggested.

RHETORICAL CONCEPTIONS OF RECONCILIATION

In Brian Fehler's "Re-Defining God: The Rhetoric of Reconciliation," he asserts that reconciliation rhetoric is a genre. He thinks about rhetoric as dialogic and asserts that reconciliation rhetoric is "a pragmatic, action-oriented genre."⁹ Similarly, Barbara Sobczak provides a four-step outline of rhetoric's role in reconciliation in "The Rhetoric of Reconciliation." Her framework is as follows:

1) a given rhetorical situation that consist of an issue, a conflict situation that can be either viewed as something that has existed forever and therefore underlies the sources of any relation, or is treated as only a stage in the history of a relation that occurred after a time of agreement and unity; 2) the opening to dialogue that requires primarily self-definition, a definition of one's identity, demarcating boundaries and then, acknowledging the individuality (uniqueness) of the Other; 3) the language of empathy for reducing the degree of defensiveness in reaching an agreement; 4) the ethos of the speaker, based on knowledge, friendliness and openness. An important element of the rhetoric of reconciliation is opening gestures, i.e., such signs and conduct, both verbal and non-verbal, that express a readiness and willingness to dialogue and understanding.¹⁰

Sobczak's article is an outlining of her framework and an explanation of each of the points.

Doxtader's "rhetorical concept(ion)" of reconciliation differs in one important way from Fehler and Sobczak's approaches. His is a *descriptive* rather than normative/prescriptive account. Rather than enumerating components that should be part of reconciliation, Doxtader details the dimensions that constitute reconciliation. In Doxtader's telling, reconciliation is marked by paradox. This is because reconciliation's "promise of transformation places it in a deeply ambiguous relation to the law of noncontradiction."¹¹ He thus identifies three paradoxes that mark each attempt at reconciliation: the puzzles of time, identity, and teleology. The first puzzle is about reconciliation's struggle to manage the demands of competing regimes of temporality. It holds that reconciliation's "promise begins in a present that is not simply the intersection of past and future, but the problem of their meaning and relationship."¹² Here, reconciliation is a recognition of the insufficiency of the past to secure a hopeful future the appeal of which is anchored in and is motivated by catastrophes and

problems of the past. The second conundrum animated in reconciliation has to do with the ambiguities of identity because reconciliation “opposes and (re)makes identity-based relations into relationships that rest on the desire for intersubjective recognition.”¹³ Stated differently, this puzzle is about reconciliation’s struggle to forge new (and) shared identities while erasing the identity-based enmity of the past. The third puzzle expresses the complexity of defining, measuring, and upholding justice and virtue in as thoroughgoing a contingency as is wrought by reconciliation’s first two puzzles. It asks what is justice and the common good in light of reconciliation’s dissimulations of both time and identity? How can we contemplate justice and the common good in and through reconciliation’s ambiguous relations to the principle of noncontradiction? For Doxtader, these three questions define the rhetoric of reconciliation and foreground a reconceptualization of rhetoric itself for “reconciliation is a rhetorical memory made, an active re-membering of rhetoric’s making, and a remembrance of what rhetoricity might yet make.”¹⁴

The uniqueness of rhetoricians’ contribution to the study of reconciliation comes into bold relief from this view. A rhetorical study of reconciliation “contains and expresses the interplay of a conceptual account of rhetorical activity and a rhetorical mode of conceptualization.”¹⁵ Because “there is no reconciliation without (self) opposition,” as suggested by Doxtader’s second puzzle, and because reconciliation is “a relation that (up)sets the stability of presence with the contingency of potential, “thinking about reconciliation is a concern with “understanding what it means to begin (again).”¹⁶ Reconciliation’s concept of rhetoric is therefore a first-canon concept: it interrogates rhetoric’s potential for invention, and the potential for rhetoric within invention. Our argument here posits the question of self-determination as an ingredient to reconciliation’s multisided dialectic. If reconciliation is a determination of the relations that are going be, a determination of becoming, it is also a question regarding predetermination. As we will see, reconciliation’s prospect of catalyzing self-determination is bound up with questions about what predetermines the promises and potential of reconciliation. On whose precepts, on whose rules and laws, on whose moral sensibilities, and view of the world and the human within it are the terms of reconciliation premised? More practically, whose answers to these questions sanction reconciliation to begin with? Ignoring such questions, we suggest, risks prebaking the world views and moral sensibilities of the powerful (while foreclosing similar sensibilities of those who are less powerful) into reconciliation. In this sense, reconciliation is a (self-)determination of being that seeks after and strives against a (limiting) sanction of predetermination. This is why the *Statement* pointed to the constitution as the ultimate authority and pleaded for indigent self-determination to be enshrined therein.

We are not the first to link self-determination to reconciliation. Brenda L. Gunn in her “Moving Beyond Rhetoric: Working Toward Reconciliation Through Self-Determination” suggests a self-determination framework for understanding reconciliation. Gunn focuses on the First Nations in Canada, another case of a settler society with a minoritized Indigenous population. In her self-determination framework Indigenous people come to the table with all the legal abilities and rights of a political entity, thus putting them on a similar power level with federal governments.¹⁷ She argues that without the legal powers of self-determination outlined by the U.N. Declaration of Indigenous Rights that reconciliation between Indigenous people and a federal government is not possible. These powers include “economic, social and cultural development without outside interference” and “free, prior and informed consent; and self-government,” among other rights to land and resources.¹⁸

We think the Australian context shows that reconciliation is also a struggle for and about whose terms reconciliation is predicated upon. Reconciliation stands as a promise that in the future all subjects are subjects of the juridical *raison d'état* state. Yet this promise must contend with questions about what premise that promise is itself predicated upon. It is in this puzzle that reconciliation confronts the colonial and overrepresented genre of the human that Wynter associated with Renaissance and Enlightenment humanisms. This puzzle forces us to reckon with the fact that the Australian case was defined by two types of juridical subjects: one whose rights are underwritten by imperial *raison d'état* state, and the subject whose rights including especially the right to life, land, and resources were undermined by the colonizing state. This puzzle presents reconciliation as necropolitical to an extent.¹⁹ *Some* of the subjects of reconciliation must “die” first before they can live in a new(ly) reconciled dispensation. They must give up some of their claims as conditions of their reconcilability. What we are calling the fourth puzzle confronts this disparity between parties to reconciliation.

To date, most performances of reconciliation have served better as manifestations of the power imbalances in the various contexts. The parties with clear power and domination over other parties choose to symbolically and practically masquerade this power over the other group. This commonly takes the form of releasing political prisoners, granting rights, and speaking on the importance of the oppressed groups rights and freedoms. But these performances signify that dominant groups also give some things up to enable the oppressed group to have some input, and through this they create the potential for real partnership instead of tokenized representation. In the Australian context, the duality of this puzzle is made clear in what Calma and the *Statement* call for. In all contexts, the rights and powers of self-determination serve as a prerequisite for reconciliation. The self-determination puzzle calls into question the paradigm that Keating and Rudd advance because their formulations

presume the priority, indeed the singularity of the government as the holder of the levers of power.

Since the second and fourth puzzles seem rather similar, we must underline how the fourth puzzle recognizes a different puzzle in reconciliation. In short, it is the paradox of predication. This puzzle asks “on what is reconciliation’s promise predicated?” It recognizes that reconciliation’s subjects come differentially endowed. Some come protected and with the sanctions of a very powerful nation-state machinery, while others must be made reconcilable through the sacrifices demanded by necropolitics. By contrast, the second puzzle is about managing forging (a new) identity while arguing against erasing a totalized politics of identity. How are two groups supposed to reconcile if one group denies the other the rights afforded by self-determination?

A METONYMIC STORY OF AUSTRALIAN RECONCILIATION

Reconciliation was not something the federal government had actively engaged in until 1992. On December 10 of that year, Prime Minister Paul Keating of the Labor Party gave the Redfern Park Address in which he committed the federal government of Australia to reconciliation. Just before Keating’s speech, the Australian High Court had rendered an important verdict in a case brought by Eddie Mabo, an Aboriginal man. Mabo challenged the constitutionality of two legal assumptions: that “Aboriginal and Torres Strait Islander peoples had no concept of land ownership before the arrival of British colonisers in 1788,” and that “sovereignty delivered complete ownership of all land in the new Colony to the Crown, abolishing any existing rights that may have existed previously.”²⁰ When English settlers first arrived in Australia they declared the land *terra nullius*, meaning that the land belonged to no one, which gave the English the right to settle there under international law.²¹ The Mabo decision was the first time that the Australian High Court declared *terra nullius* in Australia a human rights violation.²² From settlement in 1788 until 1992 Aboriginals were not recognized as a people, and, until 1967, Aboriginal and Torres Strait Islanders were not citizens. The Mabo decision was made on June 3, 1992, and the Redfern Park Address was given six months later when Keating was speaking in preparation for the year of Indigenous peoples, scheduled for 1993 by the United Nations. For this reason, we view the Redfern Park Address as the speech that began the government’s conversation around reconciliation.

As Sylvia Wynter has shown, *terra nullius* not only sanctioned the expropriation of indigenous peoples’ lands (the issue questioned in the Mabo case); it brought what J. L. Blaut called “the colonizers model of the world” and

the concept of juridical subjectivity to Australia.²³ That juridical subjectivity, extended to and secured the interests of the parochial “ethnoclass [of the hu]Man” which had emerged in Renaissance humanism and was consolidated in the Enlightenment. *Terra nullius* articulates Australia’s struggle for reconciliation to the broader global “ethnoclass Man vs. Human struggle” Wynter argues is the central struggle of the twenty-first century.²⁴ Rendering the struggle in this way highlights how Australian reconciliation was also a struggle about on which/whose “genre of the human” reconciliation could be predicated. As Keating, speaking from “just a mile or two from the place where the first European settlers landed” made clear, the goal of reconciliation in Australia was “to bring the dispossessed out of the shadows, to recognise that they are part of us.”²⁵ The implicit logic was that the Aboriginal peoples had been excluded from the bounty of Western-style citizenship, that reconciliation was about bringing dignity to the indigenous peoples through admission to the “social democracy.”

Keating was Prime Minister until 1996 when John Howard of the Liberal party took over. Howard’s government took a significantly different approach to indigenous policy. Howard “[did] not believe, as a matter of principle, that one generation can accept responsibility for the acts of an earlier generation.”²⁶ In 1997, the Australian Human Rights and Equal Opportunity commission published the *Bringing them Home* report, which detailed, in over 500 pages, the results of child removal policies put in place by previous governments. The report also made fifty-four recommendations for actions to be taken by the federal government in reparations for what it determined to be broad crimes against Aboriginal and Torres Strait Islander peoples.²⁷ One of the recommendations called for a government apology and another advised the Parliament “to implement the Genocide Convention with full domestic effect.”²⁸ Howard reflected on the report by stating that “I didn’t believe genocide had taken place, and I still don’t.”²⁹ Howard “warned that an apology also ran the risk of people thinking they had now ‘ticked the box’ on action to redress the problems of indigenous Australians, which included an unacceptably high mortality rate compared to nonindigenous Australians.”³⁰ Even though Howard’s Liberal government was given an opportunity to apologize to Indigenous Australians, the prime minister chose not to despite the recommendations of the *Bringing them Home* report.

Howard was prime minister until 2007, when Kevin Rudd of Keating’s Labor Party won the position. As a member of the opposing major political party in Australia taking the office of Prime Minister after eleven years of Liberal leadership, Rudd saw the opportunity to make some key changes. Roughly two months after he became Prime Minister, during the first session of Parliament, Rudd gave the apology speech that the *Bringing them Home* report called for on February 13, 2008. Rudd’s speech was

an apology that continued the work of reconciliation. In the speech, Rudd explained that he wanted “to remove a great stain from the nation’s soul and, in a true spirit of reconciliation, to open a new chapter in the history of this great land, Australia.”³¹ The speech, which Rudd delivered in Parliament, was televised live for a crowd just outside of the Parliament building. According to O’Brien, “tears, cheers and what seemed like an eternal, thunderous round of applause erupted when the speech ended. That day is now etched in the nation’s history as a pivotal turning point in achieving reconciliation.”³² The speech itself may have been a landmark moment for reconciliation, but that process did not end with Rudd’s speech. Despite labor leaders Keating and Rudd being vaunted for advancing Australia’s national conversation on indigenous affairs the work of reconciliation remained incomplete.

What work was not done by Keating’s and Rudd’s speeches? Answers to that question emerge in the indigenous voice of Australia’s reconciliation. Along with the *Uluru Statement*, Dr. Tom Calma’s 2008 speech, “Still Riding for Freedom” reveals that from the indigenous perspective, the question of which/whose genre of the human being (and therefore whose concepts of right and wrong) the path forward was going to be predicated upon had not yet been settled.³³ Calma’s “Still Riding for Freedom” was given in honor of Charles Perkins, an indigenous rights activist who participated in and was made famous by the Freedom Rides across Walgett, Gulargambone, Kempsey, Bowraville, and Moree, all rural areas.³⁴ The rides exposed the vitriol and racism directed at Indigenous people, shocking a large portion of the nonindigenous population. Calma’s speech was given just a year after Rudd’s apology to the Stolen Generations, when government had just transitioned back to the Labor Party, reanimating the federal government’s sympathies toward First Nations peoples. In response to Rudd and Keating’s speeches, Calma argued that the conditions the prime ministers had apologized for were still ongoing and that the government was not meeting the needs of the Indigenous peoples on a systematic level.

The conversation between these three speeches and the refusal of the Liberal Party to address these issues is the official dialogue in the Australian story of reconciliation. First, Keating had the opportunity or imperative to respond to the Mabo ruling and the United Nations’ year of Indigenous peoples. But then Howard took office and refused to apologize denying the findings of the *Bringing them Home* report. After eleven years in office Howard lost to Rudd who took the opportunity for a symbolic first act in Parliament to deliver an apology speech that satisfied one of the recommendations of the *Bringing them Home* report. Eight months later at the Charles Perkins Funeral Oration, Dr. Calma emphasized that the two apologies notwithstanding, the quest for reconciliation was not yet complete.

PIECES OF THE PUZZLES

We think that Australia's public discourse on reconciliation illustrates Doxtader's first and third puzzles along with the fourth puzzle we are suggesting. Keating's and Rudd's speeches are vital for reconciliation because they offer significant acts of recognition in the Australian rhetorical tradition. Recognition is a vital step toward reconciliation because without it a group cannot realize that the past is not sufficient for the future. Before Keating's speech, Australian prime ministers had not publicly recognized the history of colonialism's deadly effect on indigenous people. In the speech, he talks about "the report of the Royal Commission into Aboriginal Deaths in Custody," which "showed with devastating clarity that the past lives on in inequality, racism, and injustice."³⁵ He acknowledges the unjust colonial policies and tells Australians that they have something to gain by fully accepting Indigenous people into government, business, education, and so on. Keating also talked about the Stolen Generations, but this was before the public call for a specific apology for the Stolen Generations brought about in the *Bringing them Home* report. Keating's speech opened up the federal government to conversation around Indigenous issues and started to publicly value the contributions of Aboriginal and Torres Strait Islander people.

Rudd's Apology to the Stolen Generations does similar work to Keating's Redfern Address in that Rudd also successfully addresses the first puzzle. While Rudd's speech does similar work to Keating's, it was necessary as there was still an unmet call to respond to the *Bringing them Home* report and to apologize for the Stolen Generations. Rudd starts to address how "the past is sufficient, but will not suffice for the future" by briefly reflecting on history, offering an apology, and then moves to start thinking about a better future.³⁶ Rudd begins by saying,

We reflect in particular on the mistreatment of those who were Stolen Generations—this blemished chapter in our nation's history. The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and so moving forward with confidence to the future. We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.³⁷

After reflecting on the past, he explains his optimism for the future,

For the future we take heart; resolving that this new page in the history of our great continent can now be written. We today take this first step by acknowledging the past and laying claim to a future that embraces all Australians. A future

where this Parliament resolves that the injustices of the past must never, never happen again. A future where we harness the determination of all Australians, Indigenous and non-Indigenous, to close the gap that lies between us in life expectancy, educational achievement and economic opportunity.³⁸

Rudd's speech does similar work to Keating's in that it is primarily concerned with recognition. Rudd addresses the Stolen Generations head on and gives a simple but impactful apology. Hamm, a member of the Stolen Generations, said that Rudd's apology "moved past a critical point" and that "there stopped being a debate around is there or isn't there a stolen generation, except for people in the fringes."³⁹ Dr. Calma gave a speech in direct response to Rudd, and in it he said that Rudd's apology is,

the day our leaders—across the political spectrum—have chosen dignity, hope and respect as the guiding principles for the relationship with our first nations' peoples. Through one direct act, Parliament has acknowledged the existence and the impacts of the past policies and practices of forcibly removing Indigenous children from their families. And by doing so, has paid respect to the Stolen Generations. For their suffering and their loss. For their resilience. And ultimately, for their dignity. . . . By acknowledging and paying respect, Parliament has now laid the foundations for healing to take place and for a reconciled Australia in which everyone belongs.⁴⁰

Both Calma's and Hamm's commentary points to this speech successfully offering recognition. Rudd has brought up the past, talked about the Stolen Generations, and earned praise both from members of the Stolen Generations and from Dr. Calma. Rudd and Keating's speeches are notable because of their acts of recognition. Doxtader's first puzzle thus proves useful for understanding the speeches and the rhetorical problems they attempted to address. Their speeches are primarily lined up with how Doxtader describes the first puzzle, but they also have elements that sound reminiscent of the other puzzles.

THE THIRD PUZZLE

The text of Keating's speech confirms Doxtader's theory by illustrating the third puzzle. The third puzzle asks "what is the good to which reconciliation strives?" to which Keating has some response.⁴¹ He argues that Australians have "to give meaning to 'justice' and 'equity'" and that "we will only give them meaning when we commit ourselves to achieving concrete results."⁴² Keating then defines concrete results as improved living and health conditions,

We have to give meaning to “justice” and “equity”—and, as I have said several times this year, we will only give them meaning when we commit ourselves to achieving concrete results. If we improve the living conditions in one town, they will improve in another. And another. If we raise the standard of health by twenty per cent one year, it will be raised more the next.⁴³

This commitment to concrete results makes sense coming from Keating, as these are all the responsibilities of government that he has to think about. While Keating’s intentions are positive, this commitment to concrete results warps the third puzzle. Keating’s actions do not invite Indigenous people to construct what justice and the common good should look like. The third puzzle is concerned with fostering “friendship, standing, grace, peace, and understanding,” but here Keating is more concerned with concrete results.⁴⁴ This commitment to concrete results centers government as the apparatus that solves reconciliation, it pushes away the need to incorporate Indigenous voices, and it warps what reconciliation actually about.

Similar to Keating’s speech, Rudd’s begins to touch on the third puzzle by committing to concrete results. Rudd is committed to concrete, pre-determined, measurable goals of justice, “But the core of this partnership for the future is to close the gap between indigenous and non-indigenous Australians on life expectancy, educational achievement and employment opportunities.”⁴⁵

The core of what makes reconciliation worth it for Rudd is these concrete results, not the spirit of “friendship, standing, grace, peace, and understanding” that Doxtader says the third puzzle typically presents.⁴⁶ Rudd also firmly places reconciliation as an issue to be handled by government, which at this point has no Indigenous representation.

The mood of the nation on Indigenous policy and politics is now very simple. The nation is calling on us, the politicians, to move beyond our infantile bickering, our point-scoring and our mindlessly partisan politics and to elevate this one core area of national responsibility to a rare position beyond the partisan divide.⁴⁷

Rudd calls Indigenous policy and politics an issue that should be elevated to a central status. Reconciliation cannot be seen as a government’s prerogative and be solved successfully under Doxtader’s conception because that does not invite Indigenous voices into the conversation. Rudd attempts to address the third puzzle, but, like Keating, ends up committing to a framework that cannot solve reconciliation.

THE FOURTH PUZZLE

Recall that the latest major act in reconciliation in Australia is the *Uluru Statement* which declares that reconciliation is still stalled despite these attempts. To understand what is lying in the way of reconciliation, we turn to Calma. His speech comes from another perspective on reconciliation, one that must be included to locate the fourth puzzle. Dr. Calma's speech is distinct from Keating's and Rudd's in that it addresses the fourth puzzle. Calma begins by noting what the federal government has done to address questions of power, "We see limited engagement with Indigenous peoples in the setting of policy and programs, with no formal mechanism for Indigenous national representation at present, or a formal commitment to self-determination."⁴⁸ Calma is calling attention to the lack of power, visibility of Indigenous people, and space for them to express what they need to the government. Currently, what justice looks like is determined by the government alone. This outlook makes reconciliation impossible, but the idea that government must be the sole entity responsible for uniting people has been a pervasive theme in Keating's and in Rudd's speeches. While both talk about uniting for the future, neither created a space in which Indigenous people got to make demands about what justice must look like. Because there is no representation or self-determination, Indigenous people cannot force the government to do anything, instead they have to wait until the government decides to act. Calma makes the point that government is not allowing Indigenous voices into deciding what justice should be, proving that the government is not addressing the third puzzle.

Calma advocates for a human rights framework that will empower Indigenous people. His framework has three major points. First, he argues that poverty needs to be thought about as a human rights issue,

Issues of entrenched and ongoing poverty and marginalisation of Indigenous peoples are human rights challenges. And we need to lift our expectations of what needs to be done to address these issues and of what constitutes sufficient progress to address these issues in the shortest possible timeframe so that we can realise a vision of an equal society.⁴⁹

Second, he argues that there needs to be a stronger commitment to Indigenous people's rights in the legal system,

There are two main challenges here—first, is the lack of protection provided for many basic human rights; and the second, is the vulnerability of the protection that does exist . . . we have very limited enshrinement in our legal system of the rights contained in the two main international human rights treaties, on economic, social and cultural rights and civil and political rights.⁵⁰

Calma then elaborates on how the rights that Indigenous people do have are easily trespassed. His third argument is that Australia must adopt the U.N. Declaration on the Rights of Indigenous Peoples to protect these rights, which Australia then adopted in 2009. Calma is asking the government to give Indigenous people a voice, a seat at the table, and for the dignity of self-determination,

For governments, you have to stop seeing Indigenous people as problems and recognise our role as the solution brokers to the problems that debilitate us. For Aboriginal communities the challenge is to seize back your role in determining your futures; determine what measures are needed in your community to ensure the basic functioning of the community.⁵¹

Calma calls for concrete legal protections, a conception of poverty as a human right, the adoption of the U.N. declaration, and representation and self-determination in his speech. Calma is asking the government to balance power, and in doing so is addressing the fourth puzzle. The *Uluru Statement* calls attention to the “torment of our powerlessness,” and Calma is echoing the sentiment in his calls for more Indigenous power.⁵² His speech directly addresses the power imbalance between Indigenous people and the federal government. It is within this call for an equalization of power heard throughout Indigenous reconciliation rhetoric that we locate the fourth puzzle.

This section has established a few key points. Keating and Rudd’s speeches are both important because they manifest Doxtader’s first puzzle in different contexts, but they are also interesting because they both only solve the first puzzle. They both also conceive of the government as solving these problems and do not do enough to include Indigenous conceptions of justice to address the third puzzle. Any attempt either of them make to solve the second puzzle is ineffective because they do not reconstitute identity with Indigenous people, they simply seek to assimilate them to Australian citizenship. Their attempts at the third puzzle are too concerned with concrete results, not with “friendship, standing, grace, peace, and understanding.”⁵³ Their speeches embody Australia trying to continue with reconciliation, but being unsuccessful because they have not solved the fourth puzzle. Dr. Calma’s speech offers a solution to the fourth puzzle. He calls for better legal protections, a reconceptualization of poverty, a paradigm shift from the government that can begin in progress toward self-determination.

TOWARD AN END?

From tracking the development of reconciliation speeches in Australia to theorizing a new puzzle of reconciliation, this chapter has addressed where

reconciliation is coming from, where it is going, and what isn't being paid attention to. Native title and treaties both deserve more rhetorical analysis, like the work done by Isabelle Auguste, and it could also be illuminating to continue this research in a paper that does not focus on speeches.⁵⁴ What we have tried to offer in this chapter is more attention to the material manifestations of power in reconciliation. Doxtader does an excellent job theorizing puzzles that attend to reconciliation's discursive dimensions, but he does not attend enough to the material bounds that can halt reconciliation. This chapter has asserted a few points: the national significance of Keating's and Rudd's speeches are derived from their respective solutions to the first puzzle, reconciliation is still stalled in part because Keating and Rudd both reinforce the paradigm that is up to the government to solve reconciliation, Aboriginal and Torres Strait Islanders need self-determination rights because without them they cannot participate fully in reconciliation, and that the fourth puzzle of reconciliation is finding the time when power is redistributed to create self-determination.

The *Uluru Statement from the Heart* caught our attention because it is such a clear call for Reconciliation through the leveling of power. Indigenous people know that their communities are being destroyed because they do not have a voice in how they are governed. When they formally requested it, it was quickly denied. This current of events so clearly demonstrates the need for a fourth puzzle. When considering reconciliation, it is not enough for both groups to want to reconcile. They must commit to being equals, and going through the reconciliation process together. They cannot tell one another how reconciliation will or will not happen. The process is a human one, and the outcomes of "friendship, standing, grace, peace, and understanding"⁵⁵ are experienced on a person-to-person basis. They cannot be legislated, agreed upon in a treaty, or otherwise prescribed. They may be necessary in achieving the end goal, but are not the cause. It seems to us that Indigenous people are fed up of not being listened to while governments are happy to legislate their way to reconciliation. When will be the time when these people can listen to one another, can reconstitute their relationship and dynamic, and come to know and respect the other?

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Afterword

Jason A. Edwards and Lisa S. Villadsen

The end of the Cold War seemed to create a moment for a renewing of relations between communities. Rather than it being the “end of history” as Francis Fukuyama suggested, it allowed communities to reflect on their past and how it shaped their present and future. An important part of this included consideration of what is sometimes called “dark chapters,” that is, practices and policies that in light of the Human Rights Declaration and growing social and political awareness were recognized as discriminatory and unjust due to what was now recognized as their racist, violent, or otherwise discriminatory underpinning.¹ Political, corporate, and religious leaders in many countries apologized for past policies and particular programs or actions that, regardless of their purported purpose, had victimized different groups and underwritten social structures which had socially marginalized and economically and culturally deprived specific groups. More than forty countries, including South Africa, East Timor, Chile, and Guatemala, set up Truth and Reconciliation Commissions to uncover and investigate past wrongdoings to heal and rebuild communal bonds. This relatively sudden emergence of the new genre of official apologies and what Jeffrey Olick calls “politics of regret” were noted by observers and, as discussed in the Introduction, soon sparked controversy and a skepticism reflected in Lee Taft’s comment that “apology mania” had struck the world.² Fast forward twenty years and it seems that much of the promise of that post–Cold War environment has been lost. Instead of improving global relations and fostering inclusive politics, it seems the world is moving toward more nationalism, tribalism, and xenophobia. There are still official apologies being given by the likes of Dutch prime minister Mark Rutte, Belgian prime minister Charles Michel, and Canadian prime minister Justin Trudeau, but the rise of this new environment of nationalism, tribalism, and xenophobia seems to suggest the moment for

official apologies may be over or less of a global phenomenon, and one tied to particular political contexts.

That is the backdrop upon which we began to think about this book. As we write this, massive protests in the United States and across the world have been sparked by the murder of George Floyd, an African American man killed by the Minneapolis, Minnesota police. Floyd's death served as a catalyst for activists to call for police reform and for the urgency of confronting the deep roots of systematic racism in the United States and other countries. Activists around the world demand that nations acknowledge their sins of slavery, colonialism, and genocide. If or when these historical transgressions are talked about such conversations, it is argued, will have to build on the groundwork of apology and atonement.³

The past two decades' several official apologies and related reconciliation processes have not done away with systematic racism or discrimination on the basis of class, ethnicity, gender, religion, ablebodiedness or sexuality, and they have not hindered governments from perpetrating crimes against humanity. But that does not necessarily mean that they are meaningless or worse than nothing. They offer a rich material from which we can learn about the many aspects—historical, philosophical, sociological, and political—of what it means to apologize collectively, and as we shall return to below, the argument can also be made that they have contributed to a greater awareness of and development of a collective language about institutionally sanctioned wrongdoing against particular groups and the need to collectively reflect and act on it for the sake of a better future.

One of the objectives in this book was to provide a rhetorical perspective on official apologies. A rhetorical approach not only discusses the context of particular apologies but digs deeper into specific wordings to reflect on both potential opportunities and the limits of the genre. The words that leaders use and do not use matter in moving any reconciliation process forward. For example, Bradley Serber's chapter explores President Clinton's apology for America's nonintervention into the Rwandan genocide. Serber notes that President Clinton's remarks were well-intentioned and that he attempted some form of moral repair but also that he never actually apologized for the Rwandan genocide. For Serber, Clinton's nonapology indicates the delicate nature of official apologies and how these kinds of rhetorical acts may be inadequate to solve global problems. What Serber's analysis might actually suggest is that the lack of a full apology by Clinton means that more words were and are necessary to truly deal with some of these problems. This line of thought is evident, too, in Shivaun M. Corry's chapter on the impossibility of ever apologizing "once and for all." Instead, she suggests, official apologies partake in a Burkean cycle of guilt and redemption and thus the recovenanting they aspire to can, although it is partially achieved, never be complete.

Studies such as these and several others in this book thus contribute to a greater understanding of the “promise and pitfalls” of official apologies as a rhetorical genre.⁴ A rhetorical perspective on official apologies thus allows readers to see the complexity involved with their wording and the messiness that is often characteristic of these rhetorical acts. Much of the literature on the apology phenomenon discusses the reasons why official apologies are called for, and given, and the requirements they must meet in order to be considered a proper apology. However, when rhetors create and perform these apologies ideals are not always met, or only partially so. They may for example lack sufficient specificity regarding the nature of the wrongdoing, the precise nature of the responsibility the authority is now claiming, or be marred by a less than unanimous political backing. Several of the chapters in this book discuss how the promise of official apologies and reconciliation efforts they are a part of can be compromised such that the “proof of the pudding” is, in the end, disappointing. John Hatch’s chapter on Congress’s slavery apologies is a case in point. While both chambers of the U.S. Congress were able to agree on the need for apologies for slavery they differed in what they covered. Differences were not overcome between the two apology resolutions and Congress never spoke with one voice on the subject, thus diluting the importance of these rhetorical acts. Similarly, Jeremy Cox and Tiara Good’s study of President Obama’s 2009 “Apology to Native Peoples of the United States” reminds us of the vulnerability of official apologies buried in documents with a different purpose and which, while apparently meeting typical expectations of an apology, do not profoundly confront the underlying values and power structures that brought about the wrongdoing in the first place. Such scholarship helps improve the critical attention and inventional care necessary for official apologies to be effective.

It also speaks to the second main objective of this volume, namely to initiate a conceptualization of official apologies that theorizes their close connection with political rhetoric. Such a reconceptualization is critical for a more accurate understanding of official apologies and a constructive public debate about them. The case studies in this book provide analytical and critical input for making the argument that official apologies have significance for the wider community in which they are presented. This significance is symbolic, it is social, and it may even be characterized as political. These functions are, we suggest, key to understanding not only much of the resistance against official apologies but also why they continue to hold appeal and meaning in some settings. We agree with Hasmath et al. when they suggest that intergroup apologies seek to accomplish two things, namely “an acknowledgement of responsibility for wrongdoings committed against a group in the past, and a commitment to some form of rectification” and second, the “improvement of intergroup relationships and positive sentiment between the apologizer and

apologized, often by establishing, or improving, mutual trust,” but we think they overlook a third purpose, namely a redefinition of or recommitment to the societal norms holding the community together,⁵ in other words, the function of rearticulating the meaning of citizenship. In this we follow political scientist Melissa Nobles who productively conceptualizes official apologies as a primarily political (rather than moral or historical) phenomenon and who argues that “apologies are desired, offered, and given in order to change the terms and meanings of membership in a political community.”⁶ We consider Nobles’ focus on how official apologies can be significant elements in the redefinition of a community’s self-understanding, for example, by providing a language for rights, obligations, and responsibilities very helpful both for the understanding of the functions of official apologies and for the further theoretization of this rhetorical phenomenon as one that serves ceremonial and deliberative functions. Writes Nobles, “Apologies . . . help to bring history into the conversation, providing justification for political and policy changes and reforms” and continues, “Political ideology and moral reflection drive their [governments’] interpretations of history and its political and moral obligations. . . . Big ideas and moral judgments matter in political life.”⁷

Official apologies, then, are best understood as communication that also addresses and involves the surrounding community. A similar point has been argued by Mihaela Mihai who suggests that in the case of liberal democracies “living up to the principles that define ‘us’ as liberal democrats implies acknowledging wrongs done to specific groups among ‘us.’ ‘We’ are the best that ‘we’ can be when ‘we’ look to our fundamental normative commitments and take responsibility for past suffering.”⁸ On this view, the general public is, in a sense, a party to an official apology: as civic witnesses to the apology and as citizens in the society that is revisiting its values and how they are reflected in public policy. In this sense the public is an important, and multifunctional, audience to the apology: it, too, needs to hear not just the acknowledgment of blame and responsibility, but just as importantly also the reasons for the apology, because in the long run, the support and commitment of the public will be decisive for honoring the apology and its more or less implicit promises of improved collective behavior. In this vein we saw (in the Introduction) the Dutch prime minister Rutte not only bringing home the horror of the Holocaust and the complicity of the Dutch authorities and general population but also admonishing his listeners that anti-Semitism still exists and must be acknowledged and actively and continuously combated. This is an argument directed toward the general public, reminding the Dutch that norms of human equality and dignity, anti-discrimination, and freedom of religion are core principles in their self-understanding as a nation and therefore call on the continued and collective active protection by the population.

We find interesting variations of the role of official apologies in relation to a greater public in the chapters by Jeffery Brand and Claudia Janssen Danyi and Marita Gronnvoll. Professor Brand's study of corporate apologies for slavery does not only provide an interesting study of the organizational communication challenges historical events may impose on companies and examples of corporations responding to city ordinances on acknowledging slavery ties. It also exemplifies a more general sociological and cultural phenomenon, namely that the continued rhetorical efforts of social, academic and political actors to put the issue of the institutional aspect of slavery on the public agenda have, albeit slowly, controversially, and as yet incompletely, succeeded: ignoring the fact that contemporary companies and their wealth to a large extent are built on the institution of slavery is no longer possible. And while acknowledging it does not begin to amend for it or do away with the systemic racism that still permeates both civic and commercial culture, the fact that this awareness has been created and is taken increasingly more seriously is a testament to the power of rhetorical advocacy for civil rights in general and for official apologies specifically.

Claudia Janssen Danyi and Marita Gronnvoll's essay takes a different angle on this theme of the discourse of human rights becoming part of the public's mindset. Their analysis of two U.S. soldiers' open letter of apology for a war crime (in which they were involved and for which the U.S. government was not willing to apologize) and the significant support it got from both United States and international civilian audiences suggests that the notion of collective responsibility has gained recognition and is so compelling to some that they opted to use the genre of official apology as a form of resistance against their own government and a gesture of solidarity with people on the other side of the war. We venture so far as to suggest that the letter of apology written by these soldiers can be considered a particular instantiation of the accumulated effect of the past three decades' recognition of the official apology as one form of symbolic action in the interest of reconciliation.

Ultimately, we maintain, official apologies as a rhetorical phenomenon are an important part of the reconciliation process and a constructive tool in a society's process of critically reassessing its value commitments. Janna Thompson perhaps put it best when she described the purpose of collective apologies as, "to bring about a reconciliation between communities, to facilitate healing, to improve relationships between groups, to demonstrate a determination to act more justly in the future, to build an interpretation of the past that descendants of victims and perpetrators can share."⁹ This implies that official apologies can be considered a form of collective identity work that serves as a meditation on the past, present, and future and thus spans the functions of what rhetoricians call the deliberative (political) and epideictic (ceremonial) genres. Official apologies have the potential to serve as lessons

on proper civic interaction and reflections on the values that undergird a community and how they are honored, and not. In addition to reaching out to victims in a gesture of remorse and reconciliation a rhetor making an official apology seeks to remedy a blind spot in the community's self-perception, to signal a new direction in the interaction with the harmed community based on the values taken for granted in other parts of society, and to reshape the relationship between victimizer and victim to a more equal and respectful one.¹⁰ This is primarily bringing justice to those who have been mistreated, but it also has significance for the greater community. As Jane Yamazaki argued, "in facing the past squarely and understanding its 'darker chapters,' the nation can immunize and inoculate itself against repeating the mistakes of a 'bad past.' Thus, apology is a mechanism for claiming a new identity and new direction. Although our forefathers did bad things, we are different today and we can claim a new identity."¹¹

In a world that confronts a time with more nationalism and tribalism than in recent memory the moment of official apologies has not passed, but remains as necessary as ever because they are going to be needed as communities continue to confront their dark past. We believe they will remain an important tool in processes of healing community relations torn asunder by injustice.

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