

What Do Apologies Really Change?  
Andrew Cohen's *Apologies and Moral Repair*

Cindy Holder  
University of Victoria

**1. Introduction**

In *Apologies and Moral Repair: Rights, Duties, and Corrective Justice*<sup>1</sup> Andrew Cohen offers a fruitful and sophisticated account of apologies as reparative offers. The starting point of analysis is that an apology is an offer of repair from a transgressor to parties the transgression has harmed or wronged (pp. 13–16). Apologies contribute to moral repair through their effects on relationships, understood either as patterns of interactions or as modes of interacting. Apologies can affect relationships because of their pragmatics (in the linguistic sense), that is, because of what an apology invites those hearing it to infer in virtue of the context in which it is expressed, the semantics of the words and/or behaviors used, and the conventions and practices on which it draws and within which it is embedded (pp. 24–25).<sup>2</sup>

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<sup>1</sup> Andrew I. Cohen, *Apologies and Moral Repair: Rights, Duties, and Corrective Justice* (New York: Routledge, 2020). All subsequent references to *Apologies and Moral Repair* will be cited by page number parenthetically in the text.

<sup>2</sup> Pragmatics is sometimes defined as the study of context as a source of meaning. See, e.g., Kepa Korta and John Perry, “Pragmatics,” in *The Stanford Encyclopedia of Philosophy* (Summer 2024), ed. Edward N. Zalta and Uri Nodelman, accessed online at: <https://plato.stanford.edu/archives/sum2024/entries/pragmatics/>. In this essay I follow Yan Huang in conceptualizing pragmatics as attention to language use as a source of meaning. Yan Huang, *Pragmatics* (Oxford: Oxford University Press, 2014), pp. 2–3. For an overview of different conceptions of pragmatics as a dimension of language and language studies, see Kent Bach, “The Semantics-Pragmatics Distinction: What It Is and Why It Matters,” in *The Semantics/Pragmatics Interface from Different Points of View*, ed. Ken Turner (Oxford: Elsevier, 1999), pp. 65–84; and Yan Huang, “Introduction: What Is

Cohen's account of how offering repair effects change emphasizes that apologies are interactions and that their contributions to repair are produced dynamically and in concert with those who hear them. However, it confronts a puzzle: How can merely offering repair, on its own and without that offer being either accepted or followed through upon, effect change? An offer puts something on the table, but it does not itself guarantee that what is on the table will be taken up or that what is offered will actually be provided. Cohen's answer, which is simple, powerful, and persuasive, is that the practices and context that apologizers and those to whom they apologize draw upon enable apologizers to communicate beliefs, attitudes, and intentions in addition to and alongside the literal meaning of the words and behaviors used (p. 14). Apologies make (and unmake) parts of the world within which the relationships of parties to the apology play out; they reconfigure the parties' situation and, in so doing, bring about changes in their relationships.

In what follows I give an overview of how, according to Cohen, apologies go about their reparative work. I argue that Cohen does not have to commit to apologies being in themselves reparative for the book's insights to pay dividends and I suggest that his account might be stronger for letting go of that commitment. I further argue that Cohen's emphasis on the pragmatics aspect of apology would be more powerful if the model of communication it relies on were more social. I also suggest that his account of apologies by state entities takes on commitments that it does not need and would be better off avoiding. For reasons of space, the discussion below only nods to Cohen's rich and thoughtful treatment of apologies for historical injustice. However, that chapter is well worth the read and I encourage readers to seek it out.

## **2. Apologies and Repair**

Cohen follows many other analyses of apologies in holding that they do not only contribute to moral repair, but in themselves constitute reparation. Because apologies constitute repair and do not only enable it, improving relationships in some measure is among an apology's success conditions; it is a condition that must be met for an offer to count as an apology at all (p. 25). If the changes effected by an apology are in themselves reparative, then the post-apology situation must in some regard be an improvement.

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Pragmatics," in *The Oxford Handbook of Pragmatics*, ed. Yan Huang (Oxford: Oxford University Press, 2013), pp. 1–18.

It is important to note that this claim—that an apology’s effects constitute repair and do not only set the table for it—is not necessary for the argument that apologies produce change through pragmatics. Limiting the changes that apologies effect directly to modifications of the context(s) within which relationships develop and treating changes to relationships as indirect effects that may but do not necessarily result, would not undermine the value of Cohen’s insight that the inferences that an apology’s specific type of offer licenses are key to understanding how apologies advance moral repair. Much of what the book sets out to do can be accomplished without the expansive claims that apologies are inherently reparative or that the changes they effect improve relationships.

For example, one of the book’s most important arguments is that an apology can be necessary for repair in some instances and that, when this is the case, the right to repair may ground both a right to receive an apology and a duty to provide one (pp. 86–95). This argument can successfully be made with the more limited claim that an apology may be a necessary precondition for repair to be possible. If an apology is a precondition to undertaking reparation, then any duty to provide that reparation will entail a duty to secure the precondition.

Another important argument is that, contrary to skeptics, apologies for historic injustice can be more than cheap talk; they can be a valuable and necessary element of moral repair (pp. 178–82). This argument is not only possible without apologies constituting reparation, but it would actually be strengthened by accepting that the changes apologies effect do not necessarily improve relationships. One of critics’ main worries about apologies for historic injustice is that these offers of redress take the place of other, more effective remediation and divert attention away from persistent and ongoing effects on injustices (p. 180). Stopping short of the claim that apologies are inherently reparative would enable Cohen to buttress his explanation of why apologies and other reparative measures are not mutually exclusive with recent work on apologies as a spur to dialogue and an opening point for more thorough and comprehensive examination of events and actions that a historical apology addresses.<sup>3</sup>

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<sup>3</sup> See, e.g., Matt James and Jordan Stanger-Ross, “Impermanent Apologies: On the Dynamics of Timing and Public Knowledge in Political Apologies,” *Human Rights Review* 19 (2018): pp. 289–311; Melissa Nobles, “The Long View of Transitional Justice: Apologies and History,” *Social Research* 87, no. 4 (2020): pp. 943–63.

Stopping short of the claim that apologies are inherently reparative would also allow Cohen to acknowledge and positively intervene in discussions of apologies—typically, political apologies—that were successful and accepted at the time they were offered but did not mitigate or lessen injustice in the relevant relationships.<sup>4</sup> Were Cohen to let go of the claim that apologies necessarily improve relationships, the book’s analysis would be unaffected by instances in which an apology succeeds without mitigating injustice. Doing so could also positively explain how, in the instance of an apology that did not improve relationships, the inferences an apology could license may have been necessary for repair in a way that grounded a right to apology, but those inferences may have failed to be licensed because of either the details of the offer or post-apology intervening factors. Letting go of the idea that apologies inherently improve relationships would further allow Cohen’s account to explain how apologies might be valuable and even necessary as spurs to dialogue and investigation despite failing to repair, as the pragmatics of apologies offers a clear account of how an apology’s implied acceptance of responsibility for the specific transgression named could generate momentum toward investigation and reflection on its characterization of the transgression.

### 3. Apologies as a Source of Change

How, then, *do* the pragmatics of an apology effect change? According to Cohen, apology as a form casts the person making an offer as a transgressor and presents what is offered as reparation. To use an apology is to self-identify as the violator of a norm or perpetrator of a wrong who owes repair for that violation or wrong. One of the distinguishing features of apology as a category of

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<sup>4</sup> See, e.g., Jeff Corntassel and Cindy Holder, “Who’s Sorry Now? Government Apologies, Truth Commissions, and Indigenous Self-Determination in Australia, Canada, Guatemala, and Peru,” *Human Rights Review* 9, no. 4 (2008): pp. 465–89; Michael Wohl, Michael Hornsey, and Catherine Philpot, “A Critical Review of Official Public Apologies: Aims, Pitfalls, and a Staircase Model of Effectiveness,” *Social Issues and Policy Review* 5, no. 1 (2011): pp. 70–100; Judith Renner, “‘I’m Sorry for Apologizing’: Czech and German Apologies and Their Perlocutionary Effects,” *Review of International Studies* 37 (2011): pp. 1579–97; Matt James, “Degrees of Freedom in Canada’s Culture of Redress,” *Citizenship Studies* 19, no. 1 (2015): pp. 35–52; Tom Bentley, “The Sorrow of Empire: Rituals of Legitimation and the Performative Contradictions of Liberalism,” *Review of International Studies* 41 (2015): pp. 623–45.

reparative practice is that it is an offer *from* a person who has caused damage through or in the course of a transgression (the transgressor) *to* the person(s) subject to that transgression (the transgressed). Cohen captures this aspect of apologies in a distinction between offers of compensation and offers of reparation (pp. 17–19). Offering compensation accepts responsibility for correcting or alleviating the wrong's effects. Offering reparation accepts responsibility for the breach or wrong. Apologies are offers of reparation. If the offer does not include acceptance of the speaker's own agency in the breach or wrong—their role as a transgressor and not (or not only) as a vehicle of transgression—it does not count as an apology.

An offer taking the form of an apology licenses certain inferences; this is key to explaining how an apology can both be successful when offered and negated and undone by subsequent behavior. Cohen is skeptical of the idea that failing to live up to the commitments an apology implies (for example, by reoffending) can retroactively nullify an apology that met the criteria for success and had the effects of a successful apology at the time of offering. This skepticism is supported with the example of Lee, who sincerely and successfully apologizes to Pat for forgetting an anniversary, but then forgets the same anniversary one year later (p. 33). Cohen rightly notes the strangeness of including what Lee does 365 days later in assessing whether the apology is felicitous in meeting the conditions that make it a successful apology. Yet, strange as it may be to suggest that whether Lee's apology is a good one depends on what happens the next year, it is just as strange to suggest that Lee's failure to remember the anniversary has no implications for the value of the original apology. Although Cohen does not note this, Pat would surely be justified, in the face of Lee's failing to follow through on the implied commitment to remember their anniversary the following year, in concluding that Lee's original apology was no good.

How can Lee's apology both meet all the necessary success conditions at the time and also be nullified by actions one year later? An apology effects changes through its implicatures, which are the intentions, attitudes, or beliefs that the apologizer must be assumed to have to make sense of what is expressed as an attempt to communicate.<sup>5</sup> Apologizing invites inferences that the apologizer has certain intentions, beliefs, and attitudes and those inferences, in virtue

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<sup>5</sup> For a good summary of the role of inference and context in linguistic communication, see Robert Harnish, "Meaning and Speech Acts," *Lingua* 49 (1979): pp. 331–54, esp. pp. 333–35.

of producing beliefs, attitudes, and predictions, effect the changes that contribute to repair. Failing to follow through—by reoffense or by not providing what has been offered—calls into question the soundness of the inference(s) that produced new beliefs, different attitudes, and different assessments of probable outcomes and, in so doing, effected change. The problem this causes arises precisely because the original apology succeeded; the apology brought about the effects typical of apology through the mechanisms that apologies leverage. Had the apology not effected the changes apologies typically effect (for example, of producing beliefs that the transgressor accepts responsibility and will not reoffend), there would be nothing to undo or compromise. Had the changes not been effected via an apology's ability to spur inferences through what it communicates, failing to follow through would not raise any questions.

In raising questions about whether the inferences the original apology invited were sound, failing to follow through poses the possibility that the original apology was used in bad faith. That is, the transgressor may have used the apology to achieve the effects of this form of offer without having or committing to the beliefs, attitudes, or intentions that those hearing the apology were invited to infer. This is why failure to follow through by reoffending or by not providing what was offered is typically read as a betrayal and why the consequence of failing to follow through is often a reversal of any repair that has been achieved. When, one year later, Lee forgets the anniversary again, Pat may reasonably wonder whether Lee's communication in the previous year's apology was honest. Lee communicated a belief that forgetting the anniversary is a big deal. Did Lee actually have that belief? Lee communicated an intention to remember the anniversary in the future. Did Lee actually have that intention? In raising questions about the truth of what was previously communicated, Lee's current behavior raises the possibility that the use of apology was a manipulation, that apology as a vehicle of communication was used to invite false inferences or conclusions and thereby secure effects that would otherwise have been foreclosed or more difficult to obtain.

Lee's lack of follow-through raises the question of whether apology was abused, but that does not, in itself, answer that question. As Cohen notes, it does not follow from the fact that Lee forgets the anniversary a second time that the apology was made in bad faith. That Lee genuinely intended to remember and that Lee forgot the anniversary a second time can both be true. Lee can accept a duty to remember the anniversary, believe it wrongs Pat not to remember it,

and yet not remember the anniversary. Lee can forget the anniversary despite believing that forgetting the anniversary is a big deal (p. 33).

Cohen's insight in this regard is important. Whether an apology succeeds in the sense of effecting the changes that apologies effect in the ways typical of apologies is a fact that obtains or does not obtain regardless of subsequent behavior. This points to another important insight that Cohen does not—but could—embrace, namely, whether an apology is a good example of apology in the sense of unambiguously exhibiting all the features necessary for it to be an offer of its type (to count as an apology) is distinct from whether an apology is a good example of apology in the sense of unambiguously exhibiting the features that make offers of its type valuable. An apology can succeed as an apology without being used in the way or for the purpose that is supposed to make apologies worthwhile as a practice or communicative form.

#### 4. Modeling an Apology's Communicative Effects

To accept that an apology can succeed without being used for the purpose for which it was intended or in the way it is supposed to be used, it is necessary to let go of the claim that apologies are in themselves reparative. One barrier to Cohen's doing so is an insufficiently social conception of communicative effects. As Cohen notes, apologies typically take the form of a communicative interaction—"two or more parties knowingly communicating" (p. 9)—and the apology's effects are produced by that communication. Like many in the apologies literature, Cohen moves from the fact that the apologetic interaction in itself is dyadic, constituted by an apologizer (the speaker) and someone apologized to (the addressee[s]), to the conclusion that the communication gets its content and produces its effects from and within this dyad. Communication, on such an account, is modeled as a two-part relation between speaker and addressee.

However, communications, especially moral communications and speech acts, get their content and produce their effects within and through a three-part relation: speaker, addressee, *and audience*.<sup>6</sup> Speakers and addressees rely on an at least imagined and in most cases actual community of language speakers that vindicates their uses and interpretations of a communication's elements through and in responses to the interaction. Communications bring worlds into being

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<sup>6</sup> Jürgen Habermas, *Moral Consciousness and Communicative Action*, trans. Christian Lenhardt and Shierry Weber Nicholson (Cambridge, MA: MIT Press, 1990).

not only *for* but *through* all of those who share the world that is drawn upon and made.<sup>7</sup>

Modeling how apologetic interactions produce their effects as issuing from only a two-part relation treats the community within which apology is offered as a (fixed and static) context that the apologizer and apologized to presuppose and draw upon in their construction, interpretation, and response to the (malleable and dynamic) content of the apology. On this conception, communities may be active in the development and construction of the normative space within which apologies happen—for example, in setting the stage of the meanings and possible moves within which the interaction between apologizer and apologized to plays out. However, the community's role in apologetic interactions themselves is very limited. The community maintains a “stock” of meanings and possible moves and may modify that stock in response to any new meanings and moves emerging from the interaction between apologizer and apologized to. However, the community does not actively shape, direct, or constrain the effects of the apologetic offer or the world that the interaction creates. The community appears as a repository and witness, but not as a party to the interaction or independent site of change and resistance.

This role of repository and witness lets communities off the hook for the effects of not only the apology but also the transgression that makes apology apt or necessary. The importance of transgressors is thereby inflated in both the generation and the repair of harm, and there is a naïve inattention to the role of power in both transgression and accountability. Insofar as the apology's meaning—what it communicates, whether it counts as good, how the world it applies to is shaped or re-made—is conceptualized as entirely owing to the relation between the apologizer and the apologized to, momentum, agency, and capacity with respect to repair and transgression is disproportionately allocated to transgressors. Transgressors initiate the need for repair by their transgression and initiate the possibility of repair in their apology. Transgressors, all on their own, introduce moral inequality, compromise moral standing, and create insecurity; they, all on their own, restore moral equality, shore up moral standing, and alleviate insecurity in their offer of repair. Transgressors are in charge of the symbolic effects of their transgression, even in their petition to fix their

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<sup>7</sup> Habermas, *Moral Consciousness and Communicative Action*; Maria Pia Lara, *Moral Textures: Feminist Narratives in the Public Sphere* (Berkeley, CA: University of California Press, 1998).



wrongdoing. Social responses to the transgression, the transgressed's predictions of social responses, and the positioning of the transgressor and the transgressed in and with respect to the community is not part of the equation. The transgressed appears as a passive recipient of harm and wrong, activated by the transgression to demand repair and empowered to assess the adequacy of what is provided by the transgressor, but not to shape or reshape the standing or equality the transgression impeded. The transgressor is at the center and holds most of the power to determine what happens.

However, power is not an individual quality; it is a social effect. Transgressions do not compromise moral standing or introduce moral inequality, but responses to transgressions may. To see this, consider Cohen's thought-provoking discussion of Megan Ganz's successful insistence on a revised, full, and specific apology from Dan Harmon for sexually harassing her and abusing his position of power when he was a television producer supervising her work as a writer (pp. 29–30, 96–98). In 2018 Harmon offered a vague and cursory apology via then-Twitter, now-X for his conduct, which had included threatening Ganz and undermining both her employment and her career. Ganz publicly rejected this apology, insisting that for Harmon's response to be adequate he must give a full, explicit, and detailed description of the actions for which apology was due. When Harmon subsequently provided this full, explicit, and detailed description in an extended podcast monologue, Ganz attributed her experience of catharsis and a feeling of relief in part to having public confirmation of the accuracy of her characterization of Harmon's actions (p. 97).

In discussing Ganz's description of experiencing Harmon's full and adequate apology as a relief, Cohen offers an extremely important insight, namely, as a party to the interaction that spurs a claim or offer of apology, transgressors' empirical situation is such that their descriptions of what happened are afforded special epistemic weight or importance as compared to those not party to the interaction (for example, the community). Cohen argues that this weight gives transgressors a unique capacity that is relevant to understanding how apology contributes to repair: the power to *confirm* the history or description of events and activities of the transgressed (p. 98). This description of the unique capacity is not quite right or is only right if one assumes and adopts the perspective of a powerful transgressor. For a transgressor and the transgressed *both* stand in a special empirical position with respect to the transgression and the description provided by the transgressed is an instance of *testimony*.

Ordinarily, in everyday practices of conversation the default response to testimony, like the default response to perception, is to trust unless or until there is reason for skepticism.<sup>8</sup> There is debate within epistemology as to whether this tendency to treat testimony as prima facie trustworthy is epistemically justified or a “mere” fact of human psychology.<sup>9</sup> However, for purposes of understanding the distinctive power that a transgressor’s position as a participant to interaction gives them, it does not matter which side of the academic debate about default acceptance of testimony’s epistemic status is correct. What matters is that ordinarily, as a matter of human psychology and everyday practices of conversation, *a transgressed person describing what happened does not need confirmation for that description to be treated as trustworthy*. Insofar as confirmation is required—insofar as confirming the description of the transgressed is part of how an apology does its work—*there must be some intervening factor that has undermined or defeated the trust in the transgressed’s description that would otherwise have been extended*.<sup>10</sup> This is what transgressors are uniquely placed to do, namely, to intervene in and disrupt the default acceptance of testimony that would otherwise be afforded to the person(s) affected by that transgression.

This suggests that the unique capacity that the transgressor’s empirical relationship to the interaction establishes is not a power to confirm, but to call into doubt. Transgressors are uniquely situated to raise doubts and undermine trust in the description that the transgressed asserts. This unique situation explains why acknowledgment of transgression, adoption of the position of transgressor, and acceptance of responsibility for transgression that an apology’s pragmatics communicate are especially well-suited and, in some instances, necessary for certain types of repair. When a person acknowledges transgression, self-situates as a transgressor, and accepts responsibility,

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<sup>8</sup> Patrick Rysiew, “Beyond Words: Communication, Truthfulness, and Understanding,” *Episteme* 4, no. 3 (2007): pp. 285–304; Jennifer Lackey, *Learning from Words: Testimony as a Source of Knowledge* (Oxford: Oxford University Press, 2008).

<sup>9</sup> For a concise overview of this debate, see Jennifer Nagel, *Knowledge: A Very Short Introduction* (Oxford: Oxford University Press, 2014), pp. 80–87.

<sup>10</sup> For a good discussion of how default distrust is both cultivated and masked by injustice, see Karen Jones, “The Politics of Credibility,” in *A Mind of One’s Own: Feminist Essays on Reason and Objectivity*, 2nd ed., ed. Louse Antony and Charlotte Witt (Boulder, CO: Westview Press, 2002), pp. 154–76.

they are understood as countering a false characterization that has previously been articulated and/or forswearing future use of their unique capacity to raise doubts and undermine trust in the description that the transgressed asserts. In contrast, raising doubts about the description provided by the transgressed forces the community within which the interaction plays out actively to decide whether to suspend trust in one or both parties to the interaction. This is why refusals to apologize and inadequate apologies can magnify the intensity of threat, such that subsequent repair requires a more explicit and specific apology than would otherwise be required. Refusals to apologize and inadequate apologies challenge the credibility of the transgressed, inviting the community to pronounce on whether testimony that indicates an apology is warranted is trustworthy. This invitation puts the status of the transgressed into play, so that trustworthiness that otherwise would be assumed becomes subject to review and confirmation.

Note, however, that for transgressors to succeed in undermining or defeating trust, their (the transgressor's) description of what has happened must be treated as more trustworthy than that of the transgressed. The transgressed has the same special relationship, empirically, to the events described as the transgressor. The description provided by the transgressed has the same claim to special weight, epistemically, as that provided by the transgressor. To return to the example of Ganz's insistence on a full, explicit, and specific description of the events and actions that made apology necessary, Harmon's admission was important and necessary in large part because of his previous history of denial and minimization of transgression *and Ganz's perception of that denial as having been accepted by their shared community*. Note, too, that for the transgressor's confirmation of the transgressed's account to be necessary without the transgressor having previously raised doubts, the community must antecedently be disposed to distrust the transgressed or reject negative information about the transgressor because of antecedent attitudes regarding the transgressor, the transgressed, or the transgression.<sup>11</sup> This last possibility explains why power imbalances or impunity enjoyed by other transgressors may make explicit and detailed apology necessary, even without the transgressor having actively denied the transgressed's description.

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<sup>11</sup> For an illustration of this dynamic, see Jones, "The Politics of Credibility."

The power of confirming an apologized-to person's account and forswearing use of the capacity to raise doubts about it cannot fully be appreciated without taking into account the role played by the community within which an apology is offered in endorsing or rejecting the world a transgressor or transgressed asserts. The antecedent standing of transgressor or transgressed, qualities the community attributes to different constituents and constituencies, differences in expectations to which constituents and constituencies are held, and communal attitudes toward specific transgressions are all key to explaining the effects of a specific apology and to understanding how apologies, generally, effect change.

### **5. Apologies and States**

Cohen rightly notes that the empirical characteristics of states matter when assessing who (if anyone) is acknowledging transgression and accepting responsibility in a state entity's apology as well as assessing what form of repair it is possible for a state entity to offer. States wielding direct and pervasive coercive power over people within a defined territory and demanding overriding loyalty from those subject to this power distinguishes state entities from nonstate groups (p. 147).

Cohen presents states' empirical characteristics as significant because they make states a distinct type of group agent as compared to nonstate groups. This conflates groups with the vehicles through which they act. States as empirical phenomena are mechanisms; they are complicated constructions through which action is undertaken. People participate in these mechanisms as the persons they are; they also participate in the mechanism as avatars for the collectivity whose vehicle of action the state is imagined to be. The mechanism existing and having particular characteristics shapes activities by both those who participate in it and also those upon whom it acts, pooling, channeling, and combining what individuals expect and what they do. One feature of states as mechanisms through which people act is that their activities are described as having "final and comprehensive authority" (p. 152), making what they decide and what they ask normative for everyone within a territory.

Therefore, wielding direct and pervasive coercive power and demanding overriding loyalty are distinctive characteristics of the mechanism through which states act. It is plausible that these characteristics make what is done by state entities—as well as the reasons they give for what they do—different from nonstate groups.

However, the distinctness of the mechanism implies neither that there is something different about the groups that act via states as collective actors nor that the relationship between these groups and their constituents is special or different in a way that is relevant to analysis of apologies.

Those who act through a state have extensive and wide-ranging coercive capacities at their disposal and describe themselves as having a rightful claim on the loyalty of everyone within a defined territory. These facts about states generate reasons for action for individuals within the territory of a state much in the way that facts about mountains, butterflies, trees, and bears generate reasons for action. States are features of the environment whose characteristics have consequences for the likelihood of various outcomes that must be factored into planning and decisions about what to do. When states generate reasons in this way, they may be a source of moral reasons insofar as actions taken through the state have effects with respect to which there are moral obligations or when there are effects with respect to which there are moral obligations that a state could be used to achieve.

Cohen, like many others, argues for another way that at least some states generate reasons: by meeting conditions that make preserving, supporting, and advancing their empirical characteristics—including the claim to final and comprehensive authority—normative (p. 152). According to this argument, there are conditions a state can meet that make its empirical characteristics of such overriding value that its coercive capacities and claims to exclusive loyalty become not just features to be borne in mind and factored into assessments of what ought to be done, but also objects of duty whose directives and requirements are inherently compelling. States generating reasons in this way may be sources of moral reasons to support and advance their activities. Cohen argues that the moral reasons that a normative state's directives and requirements provide introduce distinctive issues when considering apologies by state entities. A normative state must maintain the status of authorized agent for the population with respect to which it wields power and from whom overriding loyalty is demanded. This constrains what such a state can commit to in offers of repair, when such a state can accept responsibility for transgression, and whether such a state owes duties of repair.

Clearly, a state's empirical characteristics need not be normative for it to be in relationships, to transgress, to owe repair for transgressions, or to be in circumstances that make it necessary to offer

that repair through apology. As Cohen notes, any argument establishing the coherence, appropriateness, and possible necessity of apologies by a corporation will be sufficient to establish the coherence, appropriateness, and possible necessity of apologies from state entities (p. 147). The empirical characteristics of states are more than sufficient to establish a capacity for transgression of the sort for which apology may be appropriate and required. Moreover, the distinctive capacities of a state for control and its claims of overriding authority establish a capacity for transgression on a scale over a period of time and in service of purposes such that it is easy to see how the symbolic and threat-defusion work of apologies may be essential for concrete, material repair of the damage they cause to be fully effective. The empirical characteristics of states also establish a capacity to communicate through apology on a scale and with an effectiveness that makes them apt vehicles for discharging both duties of redress for the original transgression and also “linked duties” of redress for transgressions that followed from and intensified the damage of the initial transgression (pp. 177–78). The sheer capacity of states for transgression, the complexity and scope of the damage their transgressions cause, and the challenges that states’ claims to overriding loyalty introduce to attempts to demand an account distinguish them from other groups and suggest that special considerations may be in play when assessing their capacities and duties of apology.

Although Cohen may have independent reasons for exploring arguments for the normativity of some states’ empirical characteristics, doing so is not necessary to justify separate attention to apologies by states. Both historically and in the present day many gross and systematic abuses perpetrated by state entities are motivated and defended by the perceived need to establish and enforce comprehensive authority within a territory and to secure overriding loyalty to a state-based community.<sup>12</sup> A standard move in response to demands for repair of state transgression is to invoke the state’s duty to undertake the activities in question and deny that characterizing the resulting damage as the result of transgression is appropriate.<sup>13</sup> Given

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<sup>12</sup> Cindy Holder, “Self-Determination as a Universal Human Right,” *Human Rights Review* 7, no. 4 (2006): pp. 13–15; Cindy Holder, “Transition, Trust, and Partial Legality: On Colleen Murphy’s *A Moral Theory of Political Reconciliation*,” *Criminal Law and Philosophy* 10 (2016): pp. 161–63.

<sup>13</sup> Cindy Holder, “Reasoning Like a State: Integration and the Limits of Official Regret,” in *On the Uses and Abuses of Political Apologies*, ed.

all of this, it would have been better for the treatment of state apologies to focus on states' empirical characteristics and leave to one side arguments for and from states as authorized agents.

## 6. Conclusion

*Apologies and Moral Repair* is a careful, comprehensive engagement with apology as both an interpersonal and social phenomenon. Cohen's focus on the fact that apologies are offers and his account of how, as offers, they effect change through communicative effects is insightful and invites a new way of thinking about the role of apology in moral repair. I have argued that the decision to characterize apologies as in themselves reparative shortchanges the power and potential of Cohen's insights, that the emphasis of states as authoritative agents is misguided, and that the account would be improved by a more social model of communication. However, at least some questions I pose are possible only because of the shift in attention that Cohen's treatment of apologies invites.

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Mihaela Mihai and Mathias Thaler (London: Palgrave Macmillan, 2014), pp. 211–17.