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'I'm sorry for apologising': Czech and German apologies and their perlocutionary effects

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Abstract. This article inquires into the effects of public apologies. It argues that the focus of most scholars of public diplomacy or conflict resolution on the conflict solving capacity of public apologies is limited and prevents an open and responsive analysis of empirical apology processes. Drawing on speech act theory as developed by John L. Austin and some of his critics it suggests that existing apology theory should broaden its perspective and also take the perlocutionary, that is, the unintended social effects of public apologies into account. The article illustrates its theoretical argument with the example of the Czech-German apology process. The apologies issued between these countries since 1989 suggest that the conflict solving performance of the apologies was exceeded by the unintended social consequences in both, the apologising country as well as the country receiving the apology.

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Introduction

> Apologizing. A very desperate habit, one that is rarely cured. Apology is only egotism wrong side out. Nine times out of ten, the first thing a man's companion knows of his shortcoming is from his apology.
>
> Oliver Wendell Holmes, Sr., *The Professor at the Breakfast-Table*

If the only foreseeable effect of an apology was the disclosure of one's secret faults and shortcomings, nobody would apologise. People do apologise however and in the last couple of years we have witnessed an unseen popularity of apologies particularly in the public sphere. Politicians, managers and clergymen have been eager to apologise and atone for the wrong-doings of their countries or institutions and social scientists have been similarly keen to turn this trend into an issue on their research agenda. The scientific inquiry into the meaning and effects of public apologies has thereby been accompanied by optimism, as most scholars are

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convinced that the trend to public apologies reflects a desire for and a contribution to a more peaceful, harmonic and morally integrated international environment. As a consequence, much of the latest research has focused on the conflict solving capacities of public apologies and discussed the issue in the broader context of transitional justice or public diplomacy.

Empirical research on several cases, such as the public apologies issued between Japan and Korea or the Czech Republic and Germany, suggests, however, that apologies do not necessarily contribute to the containment of conflict and the end of the difficult debate on the past but that they perform in rather unexpected ways. In this article I contend that the focus on conflict resolution and reconciliation is not unproblematic as it has too high expectations of apologies and prevents apology research from theoretically accounting for the variety of unexpected and maybe problematic effects public apologies can have. Apology research needs a more flexible understanding of public apologies, if it wants to be able to account for their empirical effects. Such an understanding, I suggest, can be reached by drawing on speech act theory as developed by John L. Austin and some of his critics. Speech act theory, as I argue in section three of this article, makes it possible to refine apology theory in two respects: Firstly, it directs attention not only to the illocutionary, that is, the intended conflict resolving capacities of public apologies but also to their perlocutionary, that is, their unintended and indirect social effects. Secondly, it points at the importance of the context and the audience for the effects of public apologies and suggests broadening the concept of audience to include the political elite and society of the receiving *and* the apologising state as well as the international community. Based on these theoretical insights, the fourth section of the article offers an analysis of public apologies using the Czech-German apology process as an illustrative example. The point of this case study is not to produce generalisable results on the general effects of public apologies. Instead, the case study aims, on the one hand, to show that public apologies can, and in this case, do indeed have unexpected and partly problematic consequences as, for example, they put the difficult issue of material restitutions on the bilateral agenda. Insofar the case study is meant to strengthen my plea for a more open and flexible research on public apologies. On the other hand, the Czech-German case study points at the importance of the historical context for the effects of public apologies. The remainder of the article therefore expands on the issue of historical context and argues that the strongest and most controversial effects can be expected from pioneer apologies which break the taboo of silence and introduce a new and provocative interpretation of the past into the national and international discourse.

Minding the gap – theory and practice of public apologies

A number of scholars have recently acknowledged the growing importance of public apologies in the political realm. According to Roy L. Brooks for instance 'we have clearly entered what can be called the "Age of Apology"'.[1] Robert R.

[1] Roy L. Brooks (ed.), *When Sorry Isn't Enough. The Controversy over Apologies and Reparations for Human Injustice* (New York: New York University Press, 1999).

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Weyeneth witnesses 'a flurry of intense apologizing today',[2] and Elazar Barkan and Alexander Karn state that 'a wave of apology continues to work its way through global politics'.[3] While few critical voices have been raised against apologies in the public sphere,[4] most authors welcome the apology trend and consider apologies as a welcome contribution to a more peaceful, reflexive, and morally integrated national and international political environment.

Following sociologist Nicholas Tavuchis's 1991 seminal work on apologies, an apology is essentially a statement of regret and an admission of guilt issued in the hope of gaining forgiveness and reaching redemption. 'To apologize is to declare voluntarily that one has no excuse, defense, justification, or explanation for an action (or inaction) that has "insulted, failed, injured, or wronged another" [. . .] one who apologizes seeks forgiveness and redemption for what is unreasonable, unjustified, undeserving, and inequitable.'[5] Authors working on public apologies expect a number of positive effects from public apologies. According to Janna Thompson for instance, apologies essentially contribute to restorative justice as they reaffirm the dignity of victims and function as amends for past wrongdoing: 'Injustice, whatever form it takes, always involves disrespect for the victim; thus, reparation must include "an acknowledgment on the part of the transgressor that what he is doing is required of him because of his prior error" [. . .] apology fulfils this function.'[6] Melissa Nobles argues that domestic apologies issued to national minority groups reaffirm or broaden national membership. According to Nobles, public apologies enhance the democratic membership of minority groups by reinforcing and upgrading their rights and political claims.[7] Elazar Barkan and Alexander Karn suggest that apologies can help two countries to renegotiate their common past and get over their bilateral tensions. 'Practiced within its limits, apology can create a new framework in which groups may rehearse their past(s) and reconsider the present [. . .] Especially at the group level, apology has emerged as a powerful negotiating tool for nations and states eager to defuse tensions stemming from past injustices.'[8]

A particularly optimistic but nevertheless widespread hope which is placed in public apologies, and which is also more or less implicit in most of the texts mentioned above, is that apologies lead to rapprochement and reconciliation between two estranged parties. In particular in the fields of public diplomacy, conflict resolution and restorative justice apologies are considered as a valuable means of accommodation and reconciliation. In international diplomacy, apologies

[2] Robert R. Weyeneth, 'History, Memory, and Apology. The Power of Apology and the Process of Historical Reconciliation', *The Public Historian*, 23 (2001), pp. 9–38.
[3] Elazar Barkan and Alexander Karn, 'Group Apology as an Ethical Imperative', in Elazar Barkan and Alexander Karn (eds), *Taking Wrongs Seriously. Apologies and Reconciliation* (Stanford, California: Stanford University Press, 2006), pp. 3–32; Michael R. Marrus, 'Official Apologies and the Quest for Historical Justice', *Journal of Human Rights*, 6 (2007), pp. 75–105.
[4] See, for example, Barkan and Karn, 'Group Apology as an Ethical Imperative'; Stanley Cohen, *States of Denial. Knowing About Atrocities and Suffering* (Malden, MA: Blackwell Publishers Inc., 2002).
[5] Nicholas Tavuchis, *Mea Culpa. A Sociology of Apology and Reconciliation* (Stanford, California: Stanford University Press, 1991).
[6] Janna Thompson, 'Apology, Justice, and Respect: A Critical Defense of Political Apology', in Mark Gibney et al., (eds), *The Age of Apology. Facing Up to the Past* (Philadelphia: University of Pennsylvania Press, 2008), pp. 31–44.
[7] Melissa Nobles, *The politics of official apologies* (New York: Cambridge University Press, 2008).
[8] Barkan and Karn, 'Group Apology as an Ethical Imperative'.

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are considered as a possibility to strategically ease the tensions between states and to contribute to a peaceful settlement of conflicts. As Girma Negash points out apologies can function as a 'catalyst in crisis management. State officials pronounce apology not simply out of diplomatic courtesy, but they often use them and accept them from their counterparts as a matter of strategy'.[9] The contribution of apologies to crisis settlement is seen in their ability to reaffirm the wronged state's dignity and help it maintain the validity of its interests while at the same time incurring relatively low costs to the societies involved.[10] As such, as Richard B. Bilder contends, apologies help the involved governments 'to put the matter behind them and move on'.[11]

While authors of international diplomacy emphasise rather the strategic role of political apologies, scholars writing on conflict resolution and transitional justice focus on their moral and therapeutic capabilities and argue that apologies represent a powerful tool of restorative justice and reconciliation. Daniel Bar-Tal and Gemma Bennink argue for instance that apology can contribute to conflict resolution and reconciliation as it is a means to address the past and reduce the negative feelings of the victim. Thereby, the apology 'allows the victims to forgive and be healed so that eventually their negative feelings toward the past enemy will change'.[12] Trudy Govier and Wilhelm Verwoerd provide an even more detailed analysis of the restorative power of apology and argue specifically that 'it is through *acknowledgment* that the importance of apologies to victims, and their power as a step toward reconciliation, can be explained'.[13] According to these authors, an apology is cathartic for the perpetrator and therapeutic for the victim. It can restore the self-respect and human dignity of the victims by acknowledging their suffering and it can relieve the perpetrator from feelings of guilt and self-contempt by paying respect to the victim and acknowledging his own wrong-doing. A wholehearted apology is thus expected to lead to reconciliation, as it offers 'benefits of moral reform and self-acknowledgment to the perpetrator, benefits of moral recognition and reparation to the victim, an improved relationship to both, and positive ripple effects to the broader community'.[14]

[9] Girma Negash, *Apologia Politica. States & Their Apologies by Proxy* (Oxford: Lexington Books, 2006).

[10] Ibid.

[11] Richard B. Bilder, 'The Role of Apology in International Law and Diplomacy', in *University of Wisconsin Law School: Legal Studies Research Paper Series* (Wisconsin: 2006); Sir Arthur Watts, 'The Art of Apology', in Maurizio Rogazzi (ed.), *International Responsibility Today* (Leiden & Boston: Martinus Nijhoff Publications, 2005), pp. 107–16.

[12] Daniel Bar-Tal and Gemma Bennink, 'The Nature of Reconciliation as an Outcome and as a Process', in Yaacov Bar-Siman-Tov (ed.), *From Conflict Resolution to Reconciliation* (New York: Oxford University Press, 2003), pp. 11–38; Raymond Cohen, 'Apology and Reconciliation in International Relations', in Yaacov Bar-Siman-Tov (ed.), *From Conflict Resolution to Reconciliation* (New York: Oxford University Press, 2004), pp. 177–95.

[13] Trudy Govier and Wilhelm Verwoerd, 'The Promise and Pitfalls of Apology', *Journal of Social Philosophy*, 33 (2002), pp. 67–82. See also, Marrus, 'Official Apologies and the Quest for Historical Justice'.

[14] Ibid., p. 79; see also, Barkan and Karn, 'Group Apology as an Ethical Imperative'; Jean-Marc Coicaud and Jibecke Jönsson, 'Elements of a Road map for a Politics of Apology', in Mark Gibney et al., (eds), *The Age of Apology. Facing Up to the Past* (Philadelphia: University of Pennsylvania Press, 2008), pp. 77–91; Aaron Lazare, *On apology* (Oxford, New York: Oxford University Press, 2004), pp. 306; Robert I. Rotberg, 'Apology, Truth Commissions, and Intrastate Conflict', in Elazar Barkan and Alexander Karn (eds), *Taking Wrongs Seriously. Apologies and Reconciliation* (Stanford, California: Stanford University Press, 2006), pp. 33–50; Thomas J. Scheff, *Bloody Revenge. Emotions,*

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While settlement and reconciliation are certainly desirable effects of public apologies, presupposing them as an outcome is a very high expectation and at least three criticisms can be advanced against the apology-reconciliation model. Firstly, it can be generally questioned whether there is such a thing as reconciliation at all, in the sense of an ultimate closure of conflict and resentments. Some authors caution such expectations and suggest focusing on more moderate outcomes, as '[i]n the best cases the negotiation of apology works to promote dialogue, tolerance, and cooperation between groups knitted together uncomfortably (or ripped asunder) by some past injustice'.[15]

Secondly, it can be questioned whether apologies can and do contribute to an improvement of bilateral relations or whether they have an effect at all on a political relationship. Some authors argue that apologies can be potentially dangerous, as they can 'divide and unsettle communities trying to forge a common future'.[16] At the same time, some empirical cases seem to suggest that a single apology has rather little impact on a bilateral relationship. In the historic conflict between Japan and Korea for example, Japan has by now issued 36 apologies, and yet the Korean wounds and feelings of injustice are still open.[17]

Thirdly, the focus on reconciliation, healing and harmony draws attention only to these expected effects of public apologies but leaves their unexpected empirical effects underexplored. In the Czech Republic, Belgium or Poland it appears, for example, that the major effect of public apologies was not their contribution to bilateral settlement but the ignition of protest and a domestic debate on the past, its evaluation and the (in)appropriateness of the apology.[18] In Germany, as will be demonstrated below, the first Czechoslovakian apology moreover led to insistent restitution claims by the Sudeten German organisations which continue to burden the bilateral relationship until today. While these examples do not confute the possibility that apologies can lead to some kind of reconciliation and rapprochement they yet suggest that this is not always the case and that apologies can also perform in completely different ways.

Overall it seems that there is a gap between the general theoretical expectations and the actual empirical performance of public apologies and that the theoretical lens of apology research should be rendered more flexible in order to see and account for these empirical effects. One way to do that, as will be demonstrated below, is to draw on speech act theory which is already implicit in much theoretical work on public apologies. Building on speech act theory makes it possible to distinguish between the *illocutionary* force of apologies, that is, their intended and conventional effects on the one hand, and their *perlocutionary* force, that is, their social (extra-linguistic) and often unintended effects that cannot be steered by the apologiser, on the other hand. Speech act theory moreover suggests focusing on the *audience* and the context of a public apology in order to assess its effects.

Nationalism, and War (Boulder & Oxford: Westview Press, 1994); Thompson, 'Apology, Justice, and Respect'.

[15] Barkan and Karn, 'Group Apology as an Ethical Imperative'.

[16] See, for example, ibid.

[17] Marrus, 'Official Apologies and the Quest for Historical Justice'; Jane W. Yamazaki, *Japanese Apologies for World War II, Routledge Contemporary Japan Series* (New York: Routledge, 2006).

[18] Barkan and Karn, 'Group Apology as an Ethical Imperative'; Paul Kerstens, '"Deliver Us from Original Sin": Belgian Apologies to Rwanda and the Congo', in Mark Gibney et al., (eds), *The Age of Apology. Facing Up to the Past* (Philadelphia: University of Pennsylvania Press, 2008), pp. 187–201.

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Bringing together speech act theory and apology theory

An apology, as acknowledged by most authors, is first and foremost a speech act and it is therefore important to understand the theoretical base of speech acts in order to understand apology.[19] Speech act theory as developed in particular by John L. Austin builds upon the assumption that by saying something we do not merely describe a situation or a phenomenon but we also perform an action.[20] In a marriage ritual for example the statement 'I do' is not merely a description of a person's will but also performs the act of marrying.[21]

If utterances are conceived of as actions, they can be analysed not only in terms of the 'truth' underlying them but also in terms of their specific performance. Austin distinguishes between three aspects of a performative statement, locution, illocution and perlocution, the combination of which constitutes the total speech act. *Locution* refers to the very act of saying something, that is, to the 'uttering of noises' which, within a certain language system, can be recognised as having certain sense and reference. *Illocution* refers to the particular act implied in and performed through the statement, such as promising, praising, or cursing. *Perlocution*, finally, refers to the intended or unintended social consequences of the statement, that is, its extra-linguistic effects.[22] The utterance 'you are a generous man', for instance, contains a locution, an illocution and a perlocution. It is locutionary as it can be understood in the English language system as referring to a person and his property, namely his generosity. It is illocutionary as it functions as a means to praise the person for his generosity, and it is perlocutionary if it is uttered, for instance, by a beggar who, as an effect of the utterance, receives some coins from the person he praised. Locution, illocution and perlocution are, in this case, all performative components of one and the same speech act.

According to Austin, illocution and perlocution can not only be distinguished in terms of their relation with the utterance (that is, as being internal or external to speech), but also in terms of their conventionality and expectability. Illocutions are conventional acts, that is, in order to be successful they have to conform to certain linguistic and cultural rules. As Masaki Yoshitake points out, 'in order to perform an illocutionary act, the speaker must rely on the socially accepted convention without which the speaker cannot inspire a social force into his or her utterance'.[23] If we take apologies as an example, which Austin explicitly classified

[19] Ibid., 'Group Apology as an Ethical Imperative'; Govier and Verwoerd, 'The Promise and Pitfalls of Apology'; Sandra Harris, Karen Grainger, Louise Mullany, 'The Pragmatics of Political Apologies', *Discourse & Society*, 17 (2006), pp. 715–37; Lisa Storm Villadsen, 'Speaking on Behalf of Others: Rhetorical Agency and Epideictic Functions in Official Apologies', *Rhetoric Society Quarterly*, 38 (2008), pp. 25; Tavuchis, *Mea Culpa*; Thompson, 'Apology, Justice, and Respect'.

[20] John L. Austin, *How To Do Things With Words* (Cambridge, Massachusetts: Harvard University Press, 1962).

[21] Ibid.; Masaki Yoshitake, 'Critique of J. L. Austin's Speech Act Theory: Decentralization of the Speaker-Centred Meaning in Communication', *Kyushu Communication Studies*, 2 (2004), pp. 27–43.

[22] Austin, *How To Do Things With Words*; Thierry Balzacq, 'The Three Faces of Securitization: Political Agency, Audience and Context', *European Journal of International Relations*, 11 (2005), pp. 171–201; Walter Cerf, 'Critical Review of How to do Things With Words', in K.T. Fann (ed.), *Symposium on J. L. Austin* (London: Routledge & Kegan Paul, 1969), pp. 351–80; Anna Trosborg, *Interlanguage Pragmatics. Requests, Complaints and Apologies*; Mey, *Studies in Anthropological Linguistics*, ed. Florian Coulmas and L. Jacob (Berlin & New York: Mouton de Gruyter, 1995); Yoshitake, 'Critique of J. L. Austin's Speech Act Theory'.

[23] Yoshitake, 'Critique of J. L. Austin's Speech Act Theory'.

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as illocutionary utterances,[24] the realisation of the expected outcome, for example, the accommodation of a conflict and the termination of feelings of guilt and revenge, is subject to certain requirements: (i) there must be a convention of apologising rooted in culture and language; (ii) there must be a given pattern *how* exactly one apologises, that is, what needs to be said and done in order to apologise and, (iii) the speaker must be sincere about the apology – he has to feel sorry. Following Austin, only if all those conditions exist and are met by the speaker can apologies be expected to be successful in performing their illocutionary act. Perlocutions, in contrast, are not conventional. While perlocutions are also effects of (illocutionary) statements, they are contingent and often indeterminate and cannot be predicted. As Balzacq points out, perlocution 'includes all those effects, intended or unintended, often indeterminate, that some particular utterances in a particular situation may cause'.[25] A perlocutionary effect depends on the specific circumstances of issuance and cannot be predicted by reference to conventions.

The conventional distinction between illocutionary and perlocutionary acts and the therewith established predictability and expectability of illocutionary effects is criticised by Masaki Yoshitake,[26] who argues that any effect of a speech act depends on how the speech act is interpreted by the listener. Yoshitake holds that the model of speech acts as proposed by Austin and others is too speaker-centred and neglects the active participation of the listener in a conversation: 'For these philosophers, making an utterance to perform an act is always involved in speaker's strategies to fulfil his or her intention [. . .] Although the existence of the listener is considered [. . .], this listener is defined as if it were an object that is supposed to respond to S's [speaker's] utterance like a machine, not a subject like the speaker.'[27]

Against this Yoshitake emphasises the 'limit of the speaker's ownership of meaning' and holds that once a speaker has uttered his statement he cannot determine its meaning anymore but the meaning depends on how the listener interprets the statement.[28] Depending on the listener's predispositions, the context and the relationship between speaker and listener, the effects of a statement might vary.[29] While Yoshitake's account, on the one hand, renders the illocution and perlocution of speech acts essentially contingent and independent from conventions and the intentions of the speaker, it is, on the other hand, a plea to shed more light on the context and the audience of a speech act in order to comprehend its actual outcome. If the speaker cannot control the interpretation and meaning of his or her statement despite its conventionally determined illocution, then the audience and the context are the decisive variables which determine a speech act's actual empirical meaning and impact.

Coming back to the theory of public apology, speech act theory as outlined above offers a base from which the perspective of apology theory can be refined.

[24] Austin, *How To Do Things With Words*; John L. Austin, *Wort und Bedeutung. Philosophische Aufsätze* (München: List Verlag, 1975).
[25] Austin quoted in Balzacq, 'The Three Faces of Securitization'.
[26] Yoshitake, 'Critique of J. L. Austin's Speech Act Theory'.
[27] Ibid., p. 34.
[28] Ibid.
[29] Yueguo Gu, 'The Impasse of Perlocution', *Journal of Pragmatics*, 20 (1993), pp. 405–32; Yoshitake, 'Critique of J. L. Austin's Speech Act Theory'.

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In fact, two short-comings of apology theory concerning the speech act of apology can be observed:

(1) Firstly, it can be criticised that apology theory focuses predominantly on the *illocutionary force* of apology while widely neglecting its *perlocutionary* effects. As mentioned above, scholars of public apologies focus largely on the conflict solving and crisis settling potential of apologies which they often take as given. The conflict solving potential of apologies corresponds to their illocutionary, that is, their (probably) intended and conventional effects, as scholars from a linguistic background confirm. Anna Trosborg points out, for instance, that apologies are 'expressive illocutionary acts' with the social goal of maintaining harmony between speaker and hearer.[30] Similar arguments are generally made by scholars of public diplomacy and conflict resolution as outlined above. This focus, if implicit, on the illocutionary aspect of apology is not unproblematic however, as it does not take the perlocutionary effects into account. It assumes, as Thierry Balzacq points out (in a different context), 'that a part – the illocutionary act – represents the whole – the total speech act situation – that includes locution, illocution and perlocution'.[31] The focus on illocution leads to a limited research perspective that can only account for the success or the failure of a public apology in regard to its conflict solving potential,[32] but neglects its unintended, unexpected, and maybe even problematic effects in empirical situations. What needs to be done by apology theory from the point of view of speech act theory is to acknowledge and be aware of the contingent nature of the effects of public apologies and to take them seriously in theory and empirical analysis.

(2) The second criticism that can be advanced towards apology theory from the perspective of speech act theory supplements the argument made above and holds that apology theory not only neglects the perlocutionary force of apology but also the power of the audience to interpret the apology and the influence of the context on this interpretation. Based on Masaki Yoshitake's critique it can be argued that once the apology is uttered it is up to its audience to interpret the apology and react to it. The importance of the audience seems particularly high in the case of public apologies, where the traditional speaker-listener relationship is opened up and made more complex through the involvement of collectivities. In fact, the audience of public apologies is extended twice in comparison with interpersonal apologies: On the one hand, a public apology is not only addressed to one single person but to a collectivity, that is, either a whole nation as in the case of Germany

[30] Trosborg, *Interlanguage Pragmatics*. See also, Steven J. Darley, John M. Scher, 'How Effective are the Things People Say to Apologize? Effects of the Realization of the Apology Speech Act', *Journal of Psycholinguistic Research*, 26 (1997), pp. 127–40.

[31] Balzacq, 'The Three Faces of Securitization'.

[32] This is indeed what many scholars do. The failure of a public apology to contribute to conflict resolution (its illocution) is usually traced back to its failure to correspond to the required cultural or linguistic conventions and expectations, such as a certain form, wording and content, or signals that prove its sincerity. Some scholars, such as Michael Marrus or Mark Gibney and Erik Roxstrom, have therefore developed 'style guides', that is, catalogues of cultural and linguistic conventions for public apologies that are supposed to enhance their success in conflict resolution. See, for example, Mark Gibney and Erik Roxstrom, 'The Status of State Apologies', *Human Rights Quarterly*, 23 (2001), pp. 911–39, Marrus, 'Official Apologies and the Quest for Historical Justice' for the style guides and Govier and Verwoerd, 'The Promise and Pitfalls of Apology', Barry O'Neill, *Honor, Symbols, and War* (Ann Arbor: The University of Michigan Press, 1999) for the demand for sincerity.

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and Israel or an (ethnic) group as in the case of Germany and the Hereros/Namas. The possibility to interpret their meaning and modify their impact is therefore given to a number of people, for example, political parties, NGOs, individuals, and last but not least the media. On the other hand, the audience of a public apology consists not only of its receiver, that is, the state or society to which the apology is addressed but it also includes the parties, media and lobby groups of the apologising nation itself as well as the international community. As a consequence, the audience of a public apology and thus the constituency that can influence its perlocutionary effects is extremely multifaceted and the effects of public apologies become even more variable and contingent.

Overall the reflections presented above suggest that the existing body of apology theory should be refined so that it can more flexibly account for empirical effects of public apologies. The coupling of apology theory and speech act theory suggests that an analysis of public apologies should not focus so much on illocution, but that it should remain open and responsive to the particular empirical cases it explores. It suggests in particular that what is necessary in an empirical study of public apologies is to take into account the unintended social consequences of apologies and, thereby, to pay particular attention to the reactions of the audience and to the context in which the apology is issued.

The next section presents one such analysis using the Czech-German apology process as an illustrative example. It examines the effects of each of the four apologies issued between these countries by: (a) looking at its illocutionary, that is, its apologetic achievements and, (b) taking into account the perlocutionary force, that is, the social effects of the apology. Following Yoshitake's account it will thereby take the audience and the context of the apologies seriously and fan out the potential audience of the apology to include the apologiser as well as the apologee. In order to assess the illocutionary force of each apology, that is, its ability to reduce the feelings of hurt and injustice and to contribute to a better relationship between the countries, two indicators will be used: Firstly, expressions of satisfaction and acceptance by the politicians, society and the media of the receiving state and secondly, the development of the bilateral relationship after the apology. In order to assess the perlocutionary effects, all further social consequences of the apology will be examined. The empirical material that is reviewed consists of scholarly work on the Czech-German relationship on the one hand, and on the other hand of articles from German and Czech newspapers in order to capture the direct reactions of the respective societies.

Taking perlocution seriously: Czech and German apologies and the significance of the historic context

Since 1989, three apologies have been issued by Czechoslovakia/the Czech Republic[33] for the transfer of Sudeten Germans from Czechoslovakia after World

[33] The Czechoslovakian Federation was dissolved in June 1992 and separated into two sovereign states, the Czech Republic and Slovakia. The leading politicians of the Czechoslovakian-German reconciliation process, Vaclav Havel and Vaclav Klaus remained influential figures in the Czech Republic.

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War II and one apology has been issued by Germany for the atrocities committed to Czechoslovak citizens by the National Socialists during the German occupation of the country. While it remains debatable whether or not the apologies in the end contributed to a process of rapprochement between the countries, the analysis clearly shows that in particular the first apology issued by Vaclav Havel in 1989 entailed some unexpected consequences which, at least temporarily, led to an increase of the bilateral tensions as it ignited a heated debate over the common past, its evaluation, and the effects and problems arising from it and brought the difficult issue of compensations on to the bilateral agenda. The particularly unsettling impact of Vaclav Havel's 1989 apology highlights the importance of the historic context for the effect of public apologies. In the conclusion I therefore expand on the issue of historical context and show that, just as in the Czech-German case, other pioneer apologies were similarly disputed and unsettling for their domestic constituencies.

Vaclav Havel's apology from 1989

In 1989, the prominent dissident, intellectual, and later Czechoslovakian President Vaclav Havel expressed his personal regret for the expulsions of Sudeten Germans from Czechoslovakia after World War II. In November 1989, shortly before being elected as the president, Havel sent a letter to the German President Richard von Weizsäcker, in which he apologised for the expulsions:

> I personally condemn the expulsions of Germans after the war – and so do many of my friends. I consider them as a deeply immoral act which did moral as well as material harm not only to Germans but also, and maybe even more so, to Czechs. If malice is answered by malice this means that malice is not eliminated but that it can spread.[34]

Weizsäcker mentioned Havel's words in his Christmas speech on 22 December[35] and the Czechoslovakian TV made Havel repeat his words in an interview, so the apology was communicated to a broader audience.

The illocutionary force of Havel's apology was rather moderate. The apology could hardly soothe existing feelings of injustice and hurt in Germany, because it went largely unnoticed by the German media with the national newspapers overwhelmingly paying no attention to the gesture. Neither the *Süddeutsche Zeitung* (SZ) nor the *Frankfurter Allgemeine Zeitung* (FAZ) nor the tabloid *BILD* mentioned the apology in late December.[36] German politicians also largely failed to appreciate the apology as an effective attempt of symbolic redress and moral settlement.[37] Influenced by the Sudeten German community, representatives of the

[34] Maria Cornelia Raue, 'Doppelpunkt hinter der Geschichte: Die Prager Deutschlandpolitik 1990–1997' (Humboldt-Universität, 2001).

[35] Sueddeutsche Zeitung (23/24/25 December 1989), p. 8.

[36] In January, the *SZ* and *FAZ* loosely referred to Havel's 'openness' in regard to the Czechoslovakian past. Only one article explicitly mentioned and praised the apology; see *FAZ* (17 January 1990), p. 10.

[37] The apology must have been noticed by German politicians however, as two debates of the German parliament Bundestag on the Czech-German relations five years later reveal. In both special sessions from 1995 and 1996, several delegates, in particular from the left opposition parties, referred to Havel's apology, praised it as a very mature political gesture, and complained that Germany had not

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conservative government continued to call upon the Czechoslovakian representatives to show a 'gesture' towards the Sudeten Germans. On 20 November 1990 at the CSCE summit for example, German Chancellor Helmut Kohl asked President Havel for 'some gesture towards the expellees' and State Secretary Dieter Kastrup repeated this request shortly afterwards to the Czechoslovakian ambassador Grusa.[38] These calls would have been idle if Havel's apology had been perceived and accepted as an adequate kind of satisfaction. Nevertheless, the apology was followed by a phase of dynamic rapprochement between the countries. In March 1990, the German President Richard von Weizsäcker visited Prague and delivered a conciliatory speech in which he praised Havel for his brave words. The initiation of a bilateral history commission in February 1990 and a number of reciprocal visits and speeches of German and Czechoslovakian politicians in the following months indicate that the apology opened a historical debate between Germany and Czechoslovakia and triggered a dialogue between the countries.[39]

This conciliatory atmosphere was only short-lived however, as the perlocutionary effects of Havel's apology soon began to impede its illocutionary achievements. On the side of Germany Havel's apology contributed to the generation of insistent restitution claims by the Sudeten German organisations. In March 1990 the Sudeten Germans began to associate the apology with demands to be permitted to return to their former homes.[40] A few months later, when the Czechoslovakian government began to implement a larger privatisation initiative of public property for which a final clarification of Sudeten German property claims was needed, the spokesperson of the 'Sudetendeutsche Landsmannschaften' (SdL), Franz Neubauer, used Havel's apology in order to enforce the Sudeten German property claims towards Czechoslovakia:

> If Vaclav Havel declares that the expulsion of Germans was a deeply immoral act, it would be a contradiction if he further said: but we won't change the consequences of this immoral act.[41]

Neubauer explicitly referred to Havel's apology in order to establish and justify his material claims and the 1989 apology thus marked the beginning of a long-lasting and tense bilateral dispute in which moral and legal aspects became closely intertwined. As the association of moral and legal/material aspects initiated by the apology remained a particularly difficult aspect of German Czech(oslovakian) relations for a long time, analysts overwhelmingly evaluate the apology as a 'mistake' concerning the bilateral relationship. Timothy Ryback for instance sarcastically observes that '[t]here is no small irony in the fact that it was the Czechs themselves who first placed the Sudeten German issue on the bilateral agenda'.[42] Jacques Rupnik even considers Havel's gesture as a 'failure' and holds that it was 'interpreted by the Germans as a weakness (giving the false impression

reacted in an adequate way at the time. See, *28. Sitzung des Deutschen Bundestags, 13. Wahlperiode, 17. März 1995, 82. Sitzung des Deutschen Bundestags, 13. Wahlperiode, 31. January 1996*.

[38] Raue, 'Doppelpunkt hinter der Geschichte', pp. 95–6.

[39] Ibid., p. 90ff; Michaela Witte, *Entfremdung, Sprachlosigkeit, Aussöhnung?* (Norderstedt: Books on Demand, 2002).

[40] Witte, *Entfremdung, Sprachlosigkeit, Aussöhnung?*.

[41] Jan Pauer, 'Moral Political Dissent in German-Czech Relations', *Czech Sociological Review*, 6 (1998), pp. 173–86; Raue, 'Doppelpunkt hinter der Geschichte'.

[42] Timothy W. Ryback, 'Dateline Sudetenland: Hostages to History', *Foreign Policy* (1997), pp. 162–78.

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that Czech guilt is stronger than German guilt)'.[43] The insistent bilateral problems motivated by the 1989 apology suggest that apologies do not necessarily lead to a solution of bilateral problems but instead can and do have unexpected consequences which impede their potentially positive effects and add new problems and tensions to an already difficult relationship.[44]

The perlocutionary effects of Havel's apology were not restricted to the bilateral level, however, but are further illustrated by looking at how Havel's apology was received back home in Czechoslovakia. As mentioned above, public apologies are representative speech acts and, consequentially, the audience of an apology comprises not only its addressee but also the members of the apologising nation. In other words, the possibility to interpret and react to Havel's apology was given not only to Germans but also to politicians, societal groups and the media from Czechoslovakia. Here, the perlocutionary force of Havel's apology manifested in a public debate and heated protest over Havel's particular interpretation of the Czechoslovakian past. Among Czechoslovakia's political elite, Havel's apology was heavily criticised and the chairperson of the Communist Party, Ladislav Adamec, for example declared that he and his party did not and would never agree to any apology to the Sudeten Germans 'for their deportation from our homeland'.[45]

The apology moreover stirred up public opinion in Czechoslovakia as mirrored by the two newspapers *Rudé právo* and *Svobodné slovo*.[46] Starting shortly after Havel's TV interview and continuing throughout January 1990, a heated debate unfolded in the Czechoslovakian press on how the past should be interpreted and evaluated and what problems and effects might arise from the apology. Most arguments advanced by readers concerning the interpretation and evaluation of the past challenged and relativised Havel's moral stance as expressed in the apology. One letter writer for instance argued that '[e]ven though the expulsions were not easy for German citizens, their enforcement was yet less drastic than, for example, the transports to the concentration camps'.[47] Another writer wrote: 'I think that the deportation of the Germans, even though they were certainly painful for most

[43] Raue, 'Doppelpunkt hinter der Geschichte'; Jacques Rupnik, 'Europe's New Frontiers: Remapping Europe', *Daedalus*, 123 (1994), pp. 91–105.

[44] In the Czech-German case, the call for financial restitutions might also be linked with the fact that the expulsion of the Sudeten Germans happened in the not too distant past and so the interest group to which the apology was addressed was still alive and moreover very well politically organised. In cases in which the apology is issued for more distant historical wrongs and hardly anyone of the victim group is still alive, such effects of apologies will probably be weaker.

[45] Reiner Beushausen, 'Die Diskussion über die Vertreibung der Deutschen in der CSFR', *Dokumentation Ostmitteleuropa*, 17 (1991), pp. 1–176. Havel's apology received support only from few persons within his party Civic Forum and from parts of the Catholic Church. See Beushausen, 'Die Diskussion über die Vertreibung der Deutschen in der CSFR'.

[46] With a circulation of 1 million, the *Rudé Právo* was the most widely read newspaper in Czechoslovakia. Before the Velvet Revolution, the *Rudé Právo* was the official newspaper of the Czechoslovakian Communist Party, after the revolution it was transformed into an unaffiliated paper but maintained most of its existing reader base. The *Svobodné Slovo* was the daily newspaper of the Czechoslovak Socialist Party and had a circulation of 260,000. During 1968, *Svobodne Slovo* acquired a considerable degree of popularity, especially among white-collar, non-Communist strata in larger communities.

[47] Jaroslav Kucera, 'Zwischen Geschichte und Politik. Die aktuelle Diskussion über die Vertreibung der Deutschen in der tschechischen Gesellschaft und Politik', in Robert Streibel (ed.), *Flucht und Vertreibung. Zwischen Aufrechnung und Verdrängung* (Wien: Picus Verlag, 1994), pp. 174–87.

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of them, were not an act of revenge but a necessity which arose out of the disastrous experiences we have had with this large national minority, and also out of the need to ensure the security of our country in the future.'[48]

The debate in the Czechoslovakian press and media is important for three reasons. Firstly it points at another unexpected effect of Havel's apology as, after decades in which the expulsions were treated as a national taboo, the apology triggered a public awareness of this part of the country's past and polarised the public around the issue. Subsequent to the apology numerous historical essays, interviews, and round-table debates were published in the daily press and the media sought to provide 'objective' information on the expulsions to the Czechoslovakian public. Secondly, it highlights the tensions that can exist between the perlocutionary and the illocutionary effects of public apologies. Protests against an apology by the nation that is supposed to apologise reduces the apology's credibility as an expression of regret and hence its effectivity and power as a means of reconciliation and rapprochement. Here, the particularity of apologies on the collective level becomes apparent as an apology can hardly credibly signal collective remorse as long as it is domestically contested. Thirdly, Havel's apology indicates that apologies can be highly provocative statements as they introduce a new and critical interpretation of a country's past into the public discourse. The 1989 apology was particularly controversial within Czechoslovakia because the country's socialist leadership had for a long time prevented an open public discussion about the expulsions. They used them as a means to legitimise their regime and presented them as an act of justice and as part of a social and national revolution.[49] A critique of the expulsions thus remained a national taboo for a long time and no public debate on the issue had been led within the country until the break-down of the communist regime in 1989.[50] In this historical context, Havel's apology, which was issued right after the break-down of the communist regime and during the so-called 'velvet revolution' was interpreted as an assault on the national history and identity and thus provoked public protest and dispute.

The reciprocal apology from 1997

After the decrease of reconciliatory tunes between the countries in the early 1990s a second apology was issued to Germany by the Czech Republic in 1997, simultaneously with a German apology issued to the Czech Republic. Compared to Havel's 1989 apology, the 1997 apologies gained more attention and appreciation in both countries while being less revolted against. Nevertheless, they could not end the bilateral dispute over the common past.

[48] Beushausen, 'Die Diskussion über die Vertreibung der Deutschen in der CSFR'.

[49] Karl Cordell and Stefan Wolff, *Germany's Foreign Policy Towards Poland and the Czech Republic. Ostpolitik Revisited, Routledge Advances in European Politics* (London: Routledge, 2005); Claudia Kraft, 'Der Platz der Vertreibung der Deutschen im historischen Gedächtnis Polens und der Tschechoslowakei/Tschechiens', in Christoph Cornelißen, Roman Holec and Jiri Pesek (eds), *Diktatur – Krieg – Vertreibung. Erinnerungskulturen in Tschechien, der Slowakei und Deutschland seit 1945* (Essen: Klartext Verlag, 2005), pp. 329–54.

[50] According to Raue, the later Czech President Vaclav Klaus even said that he did not learn about the expulsions before 1994 Raue, 'Doppelpunkt hinter der Geschichte', chap. 6.

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The reciprocal apologies were part of the *German-Czech Declaration on Mutual Relations and their Future Development* and the result of a secret negotiation process that lasted for two years and was marked by several problems and caesuras.[51] In the declaration, the German apology is issued in Article II:

> The German side admits Germany's responsibility for its role in a historical development which led to the Munich Agreement from 1938, to the flight and expulsion of people from the Czechoslovakian border area and to the invasion and occupation of the Czechoslovakian Republic. It regrets the suffering and the injustice which has been inflicted on the Czech people by the National-Socialist crimes committed by Germans. The German side acknowledges the victims of the National-Socialist despotism and those who offered resistance to this despotism. The German side is also aware that the National-Socialist despotism towards the Czech people has contributed to paving the way for the flight, expulsion and forced deportation after the end of the war.[52]

Subsequently, in Article III, the Czech side issues an apology:

> The Czech side regrets the heavy suffering and injustice that have been inflicted on innocent people by the post-war expulsion and compulsory deportation of Sudeten Germans from former Czechoslovakia, as well as their expropriation and expatriation and the collective allocation of guilt. It regrets in particular the excesses which violated elementary humanitarian principles as well as the then valid legal norms, and it regrets moreover that the law No. 115 from 8 May 1946 made it possible that these excesses were not considered as illegal and that, as a consequence, the acts were not punished.

The illocution achieved by the two apologies is hard to evaluate. On the one hand, both apologies were relatively well accepted in the receiving societies. In the Czech Republic, the German apology received a largely positive echo. According to the articles published by the daily newspaper *Lidové Noviny*[53] in December 1996 and January 1997, the German side eventually and unambiguously admitted that the National-Socialist crimes were the catalyst that prepared the ground for the post-war expulsions.[54] With this, the German side showed its willingness to consider the expulsions as a result of their particular historic context to which Nazi Germany itself had contributed considerably – an issue that had been utterly controversial before.[55] In Germany, the Czech apology was comparatively more appreciated than Havel's statement from 1989. Most German politicians welcomed the apology and on 30 January the majority of the German Bundestag accepted the declaration.[56]

On the other hand, the apologies' overall conciliatory impact on the bilateral level seems rather moderate. While the declaration had important political effects in that it paved the way for the Czech EU membership, the apologies nevertheless could hardly settle or ease the tensions arising from the common past, and neither did they save the bilateral relationship from problematic political and legal issues from the past.[57] Instead, the past came to overshadow the present again about

[51] Ibid., chap. 6.
[52] The text of the Czech-German Declaration is available at: {http://www.bundestag.de/geschichte/gastredner/havel/havel2.html} accessed on 16 July 2008.
[53] The *Lidové Novin*y is a daily paper which reaches a print run of 70,000.
[54] *Lidové Noviny*, (11 December 1996), p. 8; *Lidové Noviny* (21 January 1979), p. 8.
[55] Raue, 'Doppelpunkt hinter der Geschichte', chap. 4.
[56] Miroslav Kunstat, 'Czech-German Relations After the Fall of the Iron Curtain', *Czech Sociological Review*, 6 (1998), pp. 149–72.
[57] Claus Hofhansel, *Multilateralism, German Foreign Policy and Central Europe* (Abingdon: Routledge 2005), p. 47.

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three years after the apology, in the context of the Czech EU accession process.[58] Initiated by the German expellee groups, a discussion about the still valid Benes decrees began which provoked a revival of the old debate about the nature of the expulsions. The climax of this debate was an utterance of the Czech Prime Minister Milos Zeman in 2002, in which he called the Sudeten Germans 'Hitler's fifth column' and held that they 'should be happy that they were only "transferred"'.[59] According to Emil Nagengast, these utterances demonstrate that the apology had not been able to divert the problems arising from the past: 'Zeman's remarks reflected mainstream Czech attitudes concerning the Sudeten Germans [and] swept away all of the apologies for the expulsions that, from the German perspective, were the foundation of the 1997 declaration.'[60] The debate on the Benes decrees threatened to become a difficult political challenge. Both the German and the Czech parliaments felt obliged to discuss and criticise the issue in their sessions. In February 2002, the German Chancellor Gerhard Schröder cancelled a trip to the Czech Republic which had been meant to symbolise the positive development of the Czech-German relations after the 1997 declaration. In April of the same year, EU commissioner Günter Verheugen intervened in the debate and issued a joint press statement together with Zeman in which they announced that the EU did not judge applicant states on their past performance and that the Benes decrees were not part of the accession negotiations.[61] Overall, while the debate in the end did not impede the Czech accession process, it nevertheless signals the continuous potential of past issues burdening the present relationship between both countries.

As for the apologies' perlocutionary effects, the Czech apology, just as Havel's apology in 1998, provoked some protest in the Czech Republic. This time, the protest was weaker, however, and uttered in particular by the political elite, not by the wider society. Communist and Republican politicians called the declaration a 'national disgrace' and a 'national tragedy'.[62] The Republicans (SPR-RSC) uttered the harshest criticism. The chairperson of the Republicans, Miroslav Sladek, revolted against the apology:

> [i]t is absurd that the nation which unleashed the Second World War, the most dramatic and most cruel conflict in the history of manhood, now claims an apology and restitution from those, who were the victims of their aggression.[63]

He cynically remarked: 'we can only regret that we stroke dead so few Germans [during the wartime]'.[64] These remarks and the hesitation of the strongest coalition party in the Czech Parliament, the Social Democrats, inhibited the acceptance of the apology in Germany.

The SdL and some German newspapers criticised the apology and uttered doubts concerning its authenticity and sincerity. The daily national newspapers *SZ* and *Frankfurter Rundschau* complained for example that both, the Czech and the

[58] Pavla Kozáková, 'Czechs, Germans Clash Again Over Postwar Expulsions', *Transitions Online*, 7 (2003); Emil Nagengast, 'The Benes Decrees and EU Enlargement', *European Integration*, 25 (2003), pp. 335–50.
[59] Nagengast, 'The Benes Decrees and EU Enlargement'.
[60] Ibid., p. 341.
[61] Ibid., p. 342; Hofhansel, *Multilateralism, German Foreign Policy and Central Europe*.
[62] *Sueddeutsche Zeitung* (11 December 1996), p. 1; *Hospodarske Noviny* (10 December 1996), pp. 1, 3; *Lidové Noviny* (10 December 1996), p. 1.
[63] Raue, 'Doppelpunkt hinter der Geschichte', p. 149.
[64] Ibid, p. 149.

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German apologies, lacked gestures of sincerity and remained rather empty and cold.[65] The newspaper *Die Welt* criticised the Czech apology as a statement of 'half-hearted regret about the expulsion of the Sudeten Germans' which was already 'too much' for the majority of the Czech political elite. The newspaper therefore wondered what 'such an aggravated declaration [can] be worth politically and morally, if it does not reflect a broad democratic consensus'.[66] The reactions of the German press show one more time, that tensions can exist between the illocution and the perlocution of a speech act and that a lack of political support for or public protest against an apology can impede the apology's credibility and therefore its efficacy as a reconciliatory gesture. Nevertheless, the 1997 apologies entailed considerably less perlocutionary effects on the national as well as on the bilateral level. The coverage of the Czech press suggests that the 1997 apology was perceived not as a provocative statement anymore, but rather as part of the overall 'balanced' text of a political declaration which contained Czech as well as a German words of regret and was hoped to pave the way for a more cooperative future between the countries.

The government apology from 2005

After the reciprocal 1997 apologies, a third apology was issued by the Czech Republic, and this time the apology seems to have been fairly successful in terms of acceptance and appreciation. On 24 August 2005 the Czech Government unanimously passed a statement in which it apologised to those Sudeten Germans that were 'active opponents of Nazism who suffered wrongs as a result of measures applied in Czechoslovakia after the end of World War II against so-called enemy population'. In the statement,

> [t]he Government of the Czech Republic expresses its deep recognition to all former Czechoslovak citizens, in particular those of German nationality [. . .] who remained loyal to the Czechoslovak Republic during World War II and actively participated in the struggle for its liberation or suffered under the Nazi terror. The government of the Czech Republic at the same time expresses its regret that some of these persons did not live to see the recognition they deserved after the end of World War II. Instead, at variance with the then operative legislation, they suffered wrongs as a result of measures applied in Czechoslovakia after the end of World War II against the so-called enemy population. The Government of the Czech Republic expresses its apology to all the active opponents of Nazism who suffered such wrongs, irrespective of their later citizenship and residence.[67]

In addition to the statement, the Cabinet approved 30 million Crowns (around 1 million euros) to be invested in projects that document the history and the fates of German resistance fighters.[68]

[65] See, for example, *SZ* (21 January 1997), p. 11; *FR* (23 January 1997), pp. 1–2.
[66] *Die Welt* (21 January 1997), p. 4.
[67] The text of the statement is available at the website of the Czech Ministry of Foreign Affairs: {http://www.czechembassy.org/wwwo/mzv/default.asp?id=34187&ido=13797idj=2&amb=1} accessed on 6 August 2008.
[68] Radio Prague News (24 August 2005), available at: {http://www.radiocz/print/de/nachrichten/69965} accessed on 6 August 2008.

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The 2005 apology is the first gesture that seems to have been successful in its demonstration of regret. The German reactions to the apology mirror comparatively strong support and indicate an illocutionary success of the apology, as the apology was largely welcomed and accepted as a positive and remorseful act. Chancellor Gerhard Schröder and the new German ambassador to the Czech Republic, Helmut Elfenkämper, praised the statement as a great contribution to the bilateral relations,[69] and even the SdL found approving words for the gesture. The chairperson of the 'Bund der Vertriebenen' (BdV), Erika Steinbach, called the apology a 'good step into the right direction',[70] and in the regional Sudeten German newspaper *Nachrichten der Sudetendeutschen in Baden-Württemberg*, Horst Löffler commented on page one:

> they [the former resistance fighters] cannot buy anything for this apology, as any kind of financial restitution was precluded. It is exclusively about the moral evaluation of the former events – but this is already an aspect which deserves regard'.[71]

The Sudeten German representatives avoided the association between the moral statement and their material claims this time. The two national newspapers *SZ* and *FAZ* interpreted the gesture positively as a 'formal apology and an expression of regret'.[72] The *SZ* emphasised the explicitly *moral* character of the apology and called the initiative 'a moral obligation'.[73]

The Czech reactions to this third apology of their government were comparatively moderate, and only a few cautious reservations were uttered.[74] Most commentators welcomed the apology in the daily press, however, and politicians such as Vladimir Lastuvka, the chairperson of the foreign committee of the Parliament, praised the gesture in an interview with the *Hospodarske Noviny (HN)*.[75] Overall, the 2005 apology entailed hardly any unintended consequences and gained a high degree of support in the apologising as well as in the receiving country.

Conclusion: the unsettling effect of pioneer apologies

The analysis of the Czech and German apologies and their effects allows for three conclusions. Firstly, they demonstrate that public apologies can at the same time

[69] Interview with the German ambassador to the Czech Republic, Helmut Elfenkämper. Available at: {http://www.deutschebotschaft.cz/de/politik_presse/ARCHIV/ARCHIV_2005/09_elfenkaemper_hn_interview.htm} accessed on 5 August 2008.
[70] *Frankfurter Rundschau* (25 August 2005), p. 5.
[71] *Nachrichten der Sudetendeutschen in Baden-Württemberg* (Folge 3/2005) (15 September 2005). Available at: {www.sudeten-bw.de/?download=2005_03.pdf} accessed on 6 August 2008.
[72] *Sueddeutsche Zeitung* (25 August 2005), p. 7.
[73] *Sueddeutsche Zeitung* (25 August 2005), p. 7.
[74] Criticism against the apology was raised by President Vaclav Klaus as well as the Civic Democratic Party (ODS). See: *Lidové Noviny* (25 August 2005), pp. 1, 2; *Hospodarske Noviny* (23 August 2005), p. 9. Importantly, however, criticism was only raised against the particular shape of the apology as a government declaration, not against its content or against the general necessity to apologise for the expulsions, as in 1989. Insofar, the message of regret communicated by the apology was not impeded and accordingly the apology was not challenged or denounced by the protest.
[75] *Hospodarske Noviny* (24 August 2005), pp. 1, 2. *Hospodarske Noviny* is a leading economic and political daily newspaper in the Czech Republic with a daily average circulation of approximately 90,000 copies.

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do more and also less than they are generally expected to by scholars of public diplomacy, conflict resolution and transitional justice. Overall, most of the apologies issued between Germany and the Czech Republic/Czechoslovakia did not convincingly and lastingly perform the illocutionary act they were supposed to do, that is, help to solve the bilateral problems and lead to reconciliation. Instead, they entailed a variety of unintended consequences within the apologising country as well as in the country receiving the apology.

Secondly, the Czech and German apologies suggest that, in particular on the collective level, the illocutionary force of an apology can go hand in hand with the particular kind of perlocution it entails. The 2005 apology that was passed unanimously and nearly without critical voices by the apologising nation was the one that reached most support in the receiving state. Here, no domestic protest against the apology compromised the credibility and impact of the apology and the apology was well received in Germany, even by the representatives of the expellee organisations.

Finally, the analysis of the Czech and German apologies suggests that the context in which the apology is issued has an influence on the way it is interpreted and received, as the most intensive and problematic perlocutionary effects were produced by Vaclav Havel's apology in 1989. This apology, on the one hand, reinforced the material demands advanced by the SdL in Germany while, on the other hand, igniting a heated debate and public protest in Czechoslovakia. Havel's apology was the first to be issued in the Czech-German case and its conspicuous performance can be traced back to the apology's pioneer character: with his apology, Havel *for the first time* broke with the taboo imposed on the issue of the expulsions within Czechoslovakia and brought the topic on the national agenda. As the apology advanced a new and critical perspective on the country's recent past, it led to protest and contestation.

A similarly unsettling effect of such pioneer apologies can be observed in other cases, for example for the Belgian apology issued to Congo in 2002 or for the Polish apology issued to Germany in 1995. When the former Polish Foreign Minister Wladyslaw Bartoszewski for the first time issued words of regret for the expulsions of Germans at the German Bundestag in 1995 he provoked waves of protest and a public discussion in the Polish society. Polish politicians as well as the majority of the public did not support the idea of a Polish apology to Germany and a public debate started on whether an apology was appropriate or necessary. The daily newspaper *Rzeczpospolita*[76] started a discussion forum on the topic and several articles and comments were published from July until September 1995.[77]

Another example for the effect of pioneer apologies is the public apology issued by the Belgian government to the Congolese in 2002 for the 'responsibility' of the former Belgian government for the 1961 assassination of the first democratically elected President of Congo, Patrice Lumumba.[78] As Paul Kerstens reports, the apology was of minor importance for the Belgian-Congolese relations[79] and was

[76] The *Rzeczpospolita* is the second biggest national newspaper in Poland after the *Gazeta Wyborcza*. It reaches a circulation of about 200,000 and is read by about 1.3 million people.
[77] The German translation of these articles can be found in Klaus Bachmann and Jerzy Kranz (eds), *Verlorene Heimat. Die Vertreibungsdebatte in Polen* (Bonn: Bouvier Verlag, 1998).
[78] Kerstens, "Deliver Us from Original Sin".
[79] Ibid.

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'received rather coolly by the Congolese public'.[80] However, one more time the apology ignited a domestic debate in Belgium, led among politicians and in the media, about the country's colonial past and its wrongdoings in Congo during colonisation but also about the appropriateness of the apology. During the debate, criticism against the apology was raised and right politicians voiced the need for a Congolese apology to Belgium 'for the harm Belgians had been done [by the Congolese]'.[81]

The perlocutionary effects of these pioneer apologies stand in contrast, for example, with the moderate reactions to the third Czech apology issued in 2005. This apology was given at a time when the Czech Republic had become Germany's NATO ally and EU partner, calls for the annulment of the Benes decrees had largely been silenced and the inner-Czech debate on the expulsions had been led for more than sixteen years. In this political and discursive context the apology was hardly perceived as a provocation anymore and only weak protest was issued against it.[82]

Overall, the analysis of the public apologies demonstrates that apologies, while they might as well propel a process of rapprochement, can also entail very different, unexpected, and potentially difficult and unwanted consequences in both the apologising and the receiving societies. It is important that apology theory acknowledges this potential of public apologies and does not leave these aspects underexplored.

[80] Barkan and Karn, 'Group Apology as an Ethical Imperative'.
[81] Ibid.; Kerstens, "Deliver Us from Original Sin".
[82] The limited scope of the apology might have also contributed to its relative acceptance. The 2005 apology did not refer to the expulsions or excesses during the expulsions in general, but only addressed those expellees who had actively opposed the National Socialists.

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