I. Introduction

For years, I was a connoisseur of public apologies. As a moral philosopher, I have been decidedly pro-apology, arguing at length that wrongdoers have a moral obligation to make amends for their misdeeds and that apologies play a key role in the reconciliation of morally healthy relationships.¹ I believe in the importance of accountability for wrongdoing, and public apologies seem to involve a weightier kind of accountability than those that are kept private between a wrongdoer and her victim. However, as public apologies have become more common and more widely accessible through social media, I have become uncomfortable. I often have to force myself to watch the videos or read the texts of high profile public apologies. Two questions often trouble me: Why is this act of apology my business? and What am I being asked to do?

One underlying fear is that, if there is not some sensible and constructive role for third parties to play, then when we listen in on public apologies, we are simply voyeurs. We are merely being nosy, indulging in schadenfreude, or basking in a sense of our own comparative virtue. Another concern is that the presence of third parties may highjack public apologies. Wrongdoers may well be more concerned with how their apologies play with the crowd than

with their actual victims. Recall here the adulterous politicians who have their spouses to stand next to them at press conferences like human shields.

In this essay, I explore my discomfort with public apologies by considering the various kinds of roles the public might play in these moral dramas. Audiences to public apologies include lots of different people who are related to the transgression in lots of different ways. I will focus on those parties in front of whom public apologies are intentionally performed but who are neither victims nor wrongdoers. Do such third parties add something of value to the apology and the project of moral repair? If so, how? How might they play their role well? How might things go poorly? I argue that the very multiplicity of possible roles creates problems. The purpose of this paper is not to argue that we should never call for public apologies or that we should never view them as third parties. I simply argue that these events are morally complicated in ways that we often overlook.

Before turning to the various interpretations of the role of the public in public apologies, I briefly introduce the theoretical frame in which I am working. I clarify how I’m using the terms ‘moral repair,’ ‘reconciliation,’ ‘forgiveness,’ ‘apology’ and ‘public apology.’ I also point to some issues involved in classifying someone as a third party to wrongdoing.

II. Theoretical Frame

Let’s use the term “moral repair” to refer to the end-state in which the blame, alienation, and guilt, which were fitting reactions to a wrongful action, come to an end in an appropriate way. When a wrong has been fully morally repaired, the wrong can be safely left in the past. The labels of “victim” and “wrongdoer” should no longer shape how the parties regard
and relate to one another. Moral repair is a matter of degree. Some wrongs, such as the minor and common mistakes of everyday life, can be completely repaired. Other, more severe wrongs admit of only partial moral repair. In addition to this end-state of moral repair, we can also talk about various processes of moral repair. Among these I include forgiveness, reconciliation, atonement, and punishment.

As this audience knows, theorists debate how to best define forgiveness. I use ‘forgiveness’ to refer to the overcoming or forswearing of negative reactive attitudes, such as resentment, for moral reasons. Forgiveness is uni-directional in that it extends from the forgiver to the forgiven. Many theorists claim that only victims can forgive, But I think this is an unnecessarily narrow view of things. For one thing, the victims-only view would deny the possibility of self-forgiveness. Furthermore, it is clear that third parties too can form negative reactive attitudes towards wrongdoers. Third parties can also forswear or overcome these attitudes for the same sorts of reasons that victims do. They acknowledge efforts at amends. They separate the “sin” from the “sinner.” They take a compassionate leap of faith in the wrongdoer’s favor. But if you disagree with me here and insist that only victims can forgive, I don’t think much will turn on this. There are other processes of moral repair that clearly accommodate the participation of more people than just the victim.

2 This “standard view” of forgiveness is articulated in Murphy’s chapters in Jeffrie G. Murphy and Jean Hampton, Forgiveness and Mercy (New York: Cambridge, 1988).

I use the term ‘reconciliation’ to refer to the normalization of the various relationships that have been damaged or threatened by wrongdoing. This involves a broad range of beliefs, emotions, attitudes and behaviors. Whereas forgiveness is uni-directional and primarily involves an internal change of heart in the forgiver, reconciliation is mutual and includes both internal and external changes. In a simple, two-person case, reconciliation involves the relationship between the victim and the wrongdoer, but also the victim’s relationship to himself and the wrongdoer’s relationship to herself. Talking about damage and threats to relationships highlights the psychological and social consequences of wrongdoing, such as resentment, distrust, loss of cooperation, loss of self-esteem, or guilt. But it also draws our attention to other forms of harm as well. For example, uncompensated damage to property is a material form of harm, but it also provides a continuing reason for a victim to distrust or refuse to cooperate with the wrongdoer. A physical injury is painful, but it also provides the victim with a reason to fear and resent the person who injured him. When parties reconcile, they re-establish—or perhaps establish for the first time—a relationship of mutual respect and a normalized degree of trust and good will for the domain of interaction in question. This means that two people who do not reconcile as friends may nevertheless reconcile as co-workers, neighbors, or simply fellow members of the moral community.

On my view, then, forgiveness and reconciliation are related but distinct forms of moral repair. Forgiveness is typically a step towards reconciliation. But it is possible to forgive without reconciling, as well as to reconcile to a significant degree without forgiving. Other processes of moral repair are punishment that is imposed on a wrongdoer by others and atonement, which refers to the wrongdoer’s own efforts to make amends for the wrong. Apology is one means of
atonement, as are the payment of compensation or reparations, the moral improvement of the wrongdoer, and self-punishment.⁴

For our purposes, we do not need to define ‘apology’ in terms of necessary and sufficient conditions. Typically, the point of doing so is to identify apologies that are so inadequate that they don’t even deserve to be called apologies. But in this essay, I am equally interested in audiences to both good and bad, genuine and fake apologies. Still, it is helpful to have at least of a paradigm of an apology in mind.

Let us say, then, that an apology is an overt spoken or written communication by someone who is responsible for a wrong or harm—or by someone standing proxy for the responsible party. The communication acknowledges responsibility for the wrongful or harmful action and expresses a fitting negative reactive attitude, such as regret or remorse. Apologies might also provide explanations for how the transgression came about and promises of better behavior in the future. Apologies typically include explicit or implicit requests for forgiveness and reconciliation.

When apologies are performed well, they ameliorate the various kinds of harm the wrong may have caused to the victim, the wrongdoer and their relations with one another. For example, the wrong may have given the victim reason to fear repeated mistreatment in the future. In apologizing, the wrongdoer gives him some assurance that she will not repeat the wrong. Ideally, the wrongdoer also listens to whatever the victim might wish to say about the wrong, its consequences, or his terms for forgiving or reconciling. This willingness to listen and

respond appropriately gives the victim additional evidence of the wrongdoer’s renewed respect and trustworthiness.

Sometimes, victims’ relationships with themselves are damaged or threatened. Their self-respect, self-esteem, or trust in their own judgment may be affected. They may suffer from shame. By showing the victim respect and taking responsibility for the wrong, the apologizer may contribute to the restoration of the victim’s sense of self. At least part of the power of an apology is found in the wrongdoer’s willingness to place herself in a humble position vis-à-vis the victim. In apologizing, the wrongdoer puts the victim in a position to make a decision that matters to the wrongdoer—the decision to forgive and reconcile or to refuse to do so.

Additionally, apologizing can help repair the wrongdoer’s relationship to herself. It can help restore her sense of herself as competent and trustworthy in moral matters. It can assuage her feelings of guilt. The ordeal of having to humbly approach victim might serve as a deterrent against future wrongdoing, strengthening her resolve to do better or making it harder to backtrack.

III. What are public apologies?

Now that we have a sketch of the value of apologies for moral repair in a simple two-party case, let’s move on to our main topic: public apologies. Again, I don’t think we need a formal definition. I can imagine several types of events that we might well call “public apologies.”

One version is an apology where the wrongdoer addresses a sizable group of people because everyone in the audience was victimized in one way or another by the wrongful action.
Trudy Govier and Wilhelm Verwoerd distinguish between primary, secondary, and even tertiary victims, depending on how directly or indirectly people were wronged. What we’ve already said about the value of apologies for moral repair in the two-party case extends easily to this sort of apology to a group. It is pretty clear what the role of the audience is when they are all victims to one degree or another.

A second kind of public apology is one where the audience is made up of a group of both victims and fellow wrongdoers. Imagine a spokesperson for a bank who addresses a written apology to customers who have been harmed by the bank’s corrupt practices, but who also sends the text of the apology to the employees who were complicit in those corrupt practices. When a wrongdoing group is large, they are unlikely to coordinate on the content of the apology. They are also less likely to share all the relevant beliefs, attitudes, and intentions. So, the one delivering the apology often plays the role of recruiting her fellow wrongdoers into the project of atonement. This is an important aspect of political apologies, such as apologies delivered by political leaders for historical injustices. Here, the members of the wrongdoing group are being asked to confront their group’s shared responsibility for the past, to join their own remorse to that of the spokesperson, and to commit themselves to a more just future. Although these sorts of cases—where the audience is composed of both victims and fellow wrongdoers—are complicated in many different ways that have been explored in the literature,

it is still fairly clear how to adapt the standard story about the value of apologies and the project of moral repair.

The sorts of public apologies that most interest me in this paper are a third kind: where the apology appears to be, not just knowingly, but intentionally performed in front of third parties. In these cases, the apology is addressed to the victims. Fellow wrongdoers may or may not be part of the intended audience. But the apology is performed before people who don’t fit in either of those categories; they are onlookers or spectators. Sometimes the audience is still limited to a particular community, as when a boss apologizes to a specific employee in an email to all and only the employees of the firm. But other apologies are performed in front of more general audiences, such as when apologies are sent out as press releases or posted on public Twitter feeds. Those audiences purposefully include thousands of onlookers.\(^6\)

As I use the term here, third parties are simply people who are neither victims nor wrongdoers—or, at least, the apology does not represent them as being either victims or fellow wrongdoers. I add this clause about how the apology “represents” various members of the audience in order to acknowledge how ambiguous and morally fraught the category of third

\(^{6}\) Public apologies might also have unintended spectators, of course, and sometimes these parties are known to be present. For example, a mayor who intends to televise an apology to his spouse in view of his electorate must expect that people in other cities will have access to the footage. For the sake of simplicity, I leave unintended spectators out of the rest of the discussion. It is complicated enough to figure out what the role of third parties is when they are meant to be part of the audience.
parties is. Consider a case where a police chief apologizes for patterns of police violence committed against black citizens. The apology is addressed both to the direct victims of specific violent actions (or their survivors) and the black citizenry, who were indirect victims. The apology is intentionally performed in front of the entire community, however, including the white citizenry. Now, there is good reason to classify these audience members as fellow wrongdoers, insofar as these particular abuses by police are manifestations of a white supremacist political system in which they participate and from which they benefit. But suppose that the text of the apology and the apparent intentions of the police chief only attribute responsibility for the abuses to the police force specifically. Hopefully, members of the broader white community will be moved to consider the extent to which they are complicit in the violence and what they need to do in response. But the apology itself doesn’t ask them to do this. In this case, the white citizens in the audience may in fact be fellow wrongdoers, but they are addressed as third parties.7

IV. Possible Roles for Third Parties

My question in this paper is, what is being asked of audience members qua third parties in public apologies. In this section of the paper, I propose and evaluate several possible interpretations of the role of spectators to public apology. I do not believe that there is a

7 Other cases that present ambiguities are those in which the apologizer explicitly addresses the apology “to anyone who may have been offended by my actions.” Are the people who took offense best categorized as (indirect) victims or as third parties?
uniquely correct interpretation that fits all cases. Instead, it seems to me that there are variety of possible roles that spectators might sensibly play, depending on the details of the case.

**a. Proxy for Victims**

One possible role for third parties to public apologies is to serve as proxies for the victim or victims. We might see this, for example, in a case where the victims are dead, incapacitated, or otherwise beyond reach. If the third parties are proxies, then this means that they may decide to forgive or not on behalf of the actual victims.

Depending on how we theorize forgiveness, it may not really be possible to forgive on another person’s behalf. I cannot literally overcome my child’s resentment for her. Yet, perhaps it is possible for me to forswear it for her—that is, to renounce her entitlement to resent the wrong. I would thereby give the person who mistreated her (say, her brother) a kind of permission to treat the past as resolved or to let go of his own guilt.

It is easy to see how this kind of practice could go wrong. Earlier I rejected the view that only victims can forgive, but I do agree that victims have a special sort of standing or authority. The wrongs in question were wrong because of how the victim was treated. She is the one who was disrespected. She is the one who was harmed most directly and probably most severely. To take the decision about whether she forgives away from her risks wronging her a second time.

Proxy forgiveness requires a transfer of authority. The proxy must be entitled to make this particular decision on behalf of this victim. Third parties certainly do not gain the authority to act as proxy forgivers simply by being addressed as such by the wrongdoer. There must be
some very good reason for taking proxy powers in the first place. In order to play their role properly, proxies also need some sort of substantive connection to the victims and understanding of the victims’ values. Ideally, their decisions should be guided by whether the victim would have forgiven.

b. Independent Party to the Project of Reconciliation

The second possible role for third party audience members asks them to make their own decisions about their own relationships with the wrongdoer. That is, they are not being asked to forgive on behalf of victims, but instead to decide about whether to forgive or reconcile with the wrongdoer themselves.

Wrongs committed against a victim sometimes damage or threaten the relationship between the wrongdoer and other members of a community. These third parties may experience negative reactive attitudes like anger, indignation, disappointment, or grief. The transgression may provide them with reasons to fear or distrust the wrongdoer and so to avoid him. I do not mean to suggest here that the wrong was an indirect wrong against the community as a whole. We can continue to see these audience members as third parties rather than as secondary or tertiary victims if they are indignant over what the wrongdoer did to the victim rather than to themselves. Yet even though the victim remains the focus of their concern in this way, third parties’ own relationships to the wrongdoer have been negatively affected, perhaps seriously so.

The fact that community members stand in relation to wrongdoers is reflected these days in calls to “cancel” public figures who have been caught doing something wrong. Canceling
involves widespread social withdrawal. The community works together to deny this person a public platform—they will no longer listen to the wrongdoer’s music, watch his TV show, or follow him on Twitter. It is a refusal by the community to continue their previous relationship with the wrongdoer in light of the wrong.

A public apology may help to repair the relationship between the wrongdoer and the community even though the apology is addressed to the victim. The apology provides some evidence that wrongdoer is once again willing to respect the victim and conform to moral rules. It provides at least some reason to let go of anger and to believe that he can be trusted once more. Interestingly, calls to “cancel” someone typically occur when the wrongdoer’s public apology has been deemed inadequate by the audience.

A public apology is also a moment through which the third parties might be invited to repair their relationship with the victim. The wrong may have damaged the community’s attitudes towards or interactions with the victim. Cases of bullying provide helpful examples here, because most bullying itself takes place in front of an audience. The bully publicly humiliates the victim. Too often, the witnesses walk away viewing the victim as a lower sort of person who deserved what she got. At other times, they avoid the victim out fear of attracting

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the bully’s attention to themselves or in shame over their own passivity. In publicly apologizing, the bully acknowledges that his treatment of the victim was wrong. Third parties are thereby encouraged also to see the victim as deserving respect and good will and to act accordingly.

In interpreting the third parties as independent parties to the project of moral repair, we see their task as one of coming to their own conclusions about the wrong, the wrongdoer and the victim. They are not deciding whether to forgive on the victim’s behalf, as in the proxy case. Instead, they pay attention to public apologies in order to make decisions about their own relationships. Should I let go of my indignation? Can I vote for this politician again? Should I rethink my view of the victim?

I think this kind of role for third parties can be not just coherent but also a valuable part of the project of moral repair. Yet it too can go wrong. Sometimes, my relationships with the wrongdoer and victim are simply too thin. For example, I frequently see stories in mainstream news outlets about celebrities getting into some sort of trouble and then issuing public apologies. I often have no idea who these people are. I was never likely to interact with them in any way in the first place (not even by watching their YouTube videos, or what have you). I wouldn’t say that I have no relationship with these people. We are all part of a shared moral community. But there is no significant sense in which I need to come to my own conclusion

9 In these cases, the witnesses to bullying may cross the line from being third parties to being complicit in the wrong itself.
about how I will interact with these people in the aftermath of the transgression and apology. I wasn’t going to interact with them before and I have no reason to now.

Another source of concern is that the wrongdoer might be far more interested in repairing his relationship with the community than with the particular wrongdoer. The apology may be more closely tailored to winning their reconciliation than the victim’s. And one can well understand why the wrongdoer might do this. A celebrity, politician, or CEO may have far more to lose if the general public retains a bad view of him than if his particular victim does.

Similarly, the victim may have good reason to be concerned about how the community responds to the apology and whether they reconcile with the wrongdoer. If the community is conciliatory, it would be difficult not to experience this as a source of pressure to reconcile as well. This might interfere with the victim’s ability to evaluate the apology on her own terms. Yet, on the other hand, if the victim and the community agree that the apology is inadequate, this can strengthen the victim’s demands for more substantive forms of atonement.

In response to these worries, one might recommend that the community’s responses simply be guided by the victim, out of respect for her special standing in the case. Perhaps they should only forgive or reconcile when the victim does. Yet this recommendation may be overly idealistic. For one thing, victims do not always make good choices. They may be either too quick to forgive or too slow. But another issue is that there is a cost to the community in allowing their relationship with the wrongdoer to remain impaired. Perhaps it would be best for me to avoid doing business with every wrongdoing corporation that hasn’t made things right with its victims. But I suspect we are now in the realm of supererogatory action rather than duty.
There are some interesting and difficult issues here about how third parties should come to their own conclusions about whether to forgive or reconcile in response to public apologies. The most important point for this paper, though, is simply this: by entering into the dynamic of public apologies as independent parties who are entitled to make their own decisions, third parties tend to affect how both wrongdoers and victims play their own roles. So, here too, we might think that third parties would need some form of authority (or standing or entitlement). To see oneself as an independent party to reconciliation is to see the original transgression as, somehow, one’s business. But surely not all wrongs are our business.

c. Advisors or Referees

Other possible roles for third parties are to serve as advisors or referees. Here, their work is largely epistemic. They would form judgments about whether the apology was an appropriate response to the victim—whether it correctly identified the nature and severity of the wrong, whether it is sincere, whether it is expresses the proper emotions, etc. The spectators’ position here is more modest than in our first two categories, and so, intuitively, would require a weaker form of authority or standing. They are not making decisions about forgiveness and reconciliation; they are instead forming judgments about the quality of the apology.

When third parties voice these judgments they may thereby provide advice to victims, who must then make their own decisions about how to respond to the apology. The third parties may also advise the wrongdoers, for example, by recommending that they rephrase their apology or offer some other form of amends (such as restitution). In addition to thinking
of the third parties as serving as advisors (which sounds like a rather friendly, helpful sort of role), we might also think of them as referees. They might call foul when an apology is insincere or misidentifies the wrong, or when a victim is either too quick or too slow to forgive. In other words, they might cross the line from advising to something more like criticizing or subtly pressuring the main parties to the interaction.

Theorists often speak favorably about the role third parties can play in strengthening the victim’s position. For example, Margaret Urban Walker describes the community as providing the “social scaffolding” that makes forgiveness a reasonable option.\textsuperscript{10} Victims need their community to clarify and maintain norms of behavior—the norms that both define what counts as a wrong and what moral repair requires. It is only in such a context that a victim can choose to forgive or reconcile in a way that is consistent with her safety and self-respect.

Moral theorists are often notably less enthusiastic about the possibility of communities criticizing victims. Some view forgiveness and reconciliation as things that can never be earned by a wrongdoer. They are instead gifts that victims give to wrongdoers—or that they choose not to give. On this model, any pressure from third parties is inappropriate. In my view, this “free gift” view is over-stated. While victims of significant wrongs should typically be given a wide degree of latitude, they do make mistakes. They can be too hard-hearted or too lax. They

can be hypocritical or lacking in self-respect. If victims can make mistakes, then the advice and
even the criticism of third parties could be constructive.

How might things go wrong when third parties act as advisors or referees? Well, the
third parties might have poor judgment. They may not have enough information about the
situation as a whole, or they may have corrupt values. There is also a risk that the advisors’
voices will drown out or intimidate the victims in the ways we mentioned in the previous
section. We might also worry about the wrongdoer who apologizes in public so that the
witnesses will have his back. This might be a way of perpetuating the conflict with the victim
rather than of making a good faith effort to repair the relationship.

d. Witnesses or Publicizers

Thinking of third parties to public apologies as advisors or referees suggests that the
importance of their role is to be found in their actively responding to the apology by voicing
opinions about it. But perhaps some value can be found in their simply serving as passive
witnesses. This might provide a way of getting around some of the worries I have raised about
spectators high-jacking public apologies.

Apologizing in front of witnesses creates a kind of external memory or official record. In
cases of political apologies for the state’s transgressions this will be particularly important,
since so often those wrongs are initially compounded by official denials of wrongdoing. When
there is a public record and memory of the apology, it is more difficult for wrongdoers to
backtrack. A victim’s sense of self-esteem may get a boost simply from knowing that he is being
shown respect in public and that his decision to forgive or reconcile is the one that matters. He
may feel safer when the wrongdoer publicly acknowledges that he has been telling the truth about the past and that he deserved better. Apologizing in front of witnesses, even silent witnesses, also likely intensifies the experience of apologizing for the wrongdoer. She may feel more humbled simply by being seen taking a humble position by more people. This might be an aid to her efforts at reform.

It is also possible that the third parties themselves gain something simply by acting as silent witnesses to a public apology. For example, public apologies provide moral lessons about what actions are permissible and who deserves respect. This can be particularly valuable when the spectators are at risk of committing similar sort of wrongs. When I read the apology of Amy Cooper (the white woman who called the police on a black birdwatcher in Central Park and falsely accused him of threatening her life11), I am made to reflect on my own forms of privilege and the moral hazards they present.

This contribution to the moral education of the public can even be considered a means by which a wrongdoer makes amends. I think this is a plausible defense some of the #MeToo apologies. The wrongdoers partially atone for their past insofar as they help create a greater recognition of the wrongfulness of sexual harassment and assault. Insofar as simply witnessing a public apology supports moral education, perhaps third parties also make a contribution

11 Sarah Maslin Nir, “White Woman is Fired after Calling Police on Black Man in Central Park,”

*New York Times*, online edition, May 29, 2020,

when, rather than remaining silent, they publicize news of an apology that was already performed in public to a still wider group of witnesses—say by reporting on or reposting the apologies on social media.\(^\text{12}\)

Passively witnessing a public apology can be valuable, then, and perhaps publicizing can be as well. Intuitively, merely witnessing would require a lesser degree of authority or standing than the other roles we have considered. The bar for something counting as “my business” is lower when I am merely watching than when I respond in some way (such as publicizing or advising).

How might the roles of passive witness or publicizer go wrong? Well, it may be unrealistic to expect third parties to stay silent, and, as we’ve already mentioned, they don’t always respond in constructive ways. But, on the other hand, the audience’s silence might also convey a lack of caring about the victim or the fact that he was wronged. Finally, we should acknowledge issues of privacy. The victim might experience the wrongdoer speaking about the transgression in public as a violation of his (the victim’s) privacy, and joining in the audience might make things worse. Although an apology may have been appropriately viewed in one community, publicizing it to other communities may violate either the victim’s or the wrongdoer’s privacy.

\(^\text{12}\) This point was made by an audience member at the Kulturwissenschaftliches Institut in Essen.
e. Punishers and Implements of Punishment

So far I have put a lot of emphasis on apology as a kind of communication—as sending all kinds of messages about norms of behavior, comparative trustworthiness, and respect among wrongdoers, victims and third parties. But it is also possible to view apologies—and especially public apologies—through the lens of punishment. Apologizing in public is an unpleasant, humiliating experience. And that very unpleasantness might serve the purposes of retribution or deterrence, both the specific deterrence of the wrongdoer and the general deterrence of the community. The more extensive the audience, the more intense their gaze, the greater the suffering for the one apologizing.

My interpretation here is not that the wrongdoer apologizes in public view and that the public then decides whether and how much to punish her. That could happen. But what I am suggesting at the moment is that the exposure to the gaze of the public is the punishment. I’m reminded of a case in my hometown. The weatherman on the local station apologized on air and then resigned without ever clarifying what it was he had done. Presumably his victim and co-workers knew, but the audience at home wasn’t clued in. It seems to me that the best way of making sense of his public apology is as a case of punishment. The point was to accept suffering, and his taking a humble posture under the gaze of the audience was the means through which this suffering was imposed.

This punitive aspect of public apologies is one of the bigger sources of my growing discomfort with public apologies. In joining an audience, I am recruited into the task of social punishment. My very attention is turned into a tool for imposing suffering. I think this should be
disconcerting, even for people who may be more comfortable with punishment in general than I am.

One source of worry has to do with questions of desert. People often wander into the audiences of public apologies rather uninformed. Was this person really in the wrong? Was he really responsible? You are already part of a punitive scheme before knowing if it is deserved. One might reply that guilt can be assumed in these cases. After all, the person is apologizing; he is admitting guilt. Yet, public apologies are sometimes coerced and apologizers are sometimes mistaken about the nature of their own actions.

A second set of concerns has to do with the proportionality of punishment. Again, many third parties may join the audience without knowing the scope of culpability and so without being in a position to judge whether a public apology is an excessive punishment or not. Furthermore, when apologies are recorded in electronic media, the scope of the audience and so the intensity of the punishment are literally uncontrollable. No one is in a position to limit how many times texts and videos will be shared or how those viewers will respond.

If you followed the Central Park birdwatching case this summer, then you might have read that the victim, Christian Cooper, voiced concern over the public’s reaction to the wrongdoer, Amy Cooper (no relation). He worried that the intensity of the response, and her
being fired from her job, may have been excessive. “I’m not excusing the racism,” he said. “But I
don’t know if her life needed to be torn apart.”

Interestingly, the way that audiences might attempt to tailor the amount of suffering imposed on the wrongdoer is by actively responding to the apology. If they voice their recriminations or further publicize the apologies, they increase the punishment for the wrongdoer. But if instead they praise the apology, saying that the wrongdoer has learned her lesson or has been punished enough, or if they show a willingness to reconcile with the wrongdoer themselves, then they reduce her suffering.

In addition to these concerns about desert and proportionality, we might also add questions about the authority or standing to punish. A third party witness to the apology might ask himself: why is this wrongdoer answerable to me? In virtue of what is it appropriate for me to participate in punishing the wrongdoer? The philosophical literature gives us almost no guidance on how to answer this question: which wrongs are accountable to whom?


But I’m not even sure that posing the problem as one of the authority or standing to
hold the wrongdoer accountable actually gets the dynamic right. When I’m not the victim of the
wrong, but merely a third party spectator to a public apology, is the wrongdoer answering to
me? Am I one to whom she is held accountable? Or am I merely the means of holding her
accountable? Am I just the hammer being brought down upon her head?

VI. Mission Creep

I opened this talk with two questions that bother me when I watch or read public
apologies: why is this my business, and what am I being asked to do? I have offered several
possible roles that third parties might play when they listen to apologies. They may be proxies
for victims, independent parties to the project of moral repair, advisors, referees, passive
witnesses, publicizers, punishers, or implements of punishment. This is a long list, and I doubt
that it is exhaustive. My point in going through these possible interpretations isn’t just to show
that the context is ambiguous—that it is unclear exactly what we are being asked to do. I think
the situation is worse than that. These roles are unstable in a problematic way, as I will now try
to explain.

In asking whether a particular apology is “my business” as a third party, I am asking
whether it is permissible for me to take up one of these roles. I am asking whether my
connection to this wrong, this wrongdoer, or this victim is strong enough to legitimate this level

Standing to Hold Accountable,” Kennedy Institute of Ethics Journal 27, no. 2 Supplement (2017):
1-22.
of involvement by me. Otherwise, in viewing the apology, I am simply being nosy or worse. As I’ve emphasized above, some of these roles appear to require a higher form of standing or authority than others. The standards for granting me the entitlement to act as a proxy should be much more demanding than the standards for permitting me to passively witness an apology.

But I have suggested that even simply acting as passive witnesses makes us complicit in a kind of social punishment of the wrongdoer. Our gaze is the means by which the wrongdoer is made to suffer for her misdeed. The witnessing role transforms into the punitive role. Surely, if we are going to allow ourselves to become the implements for imposing harm on the wrongdoer, then we need to take responsibility for what we are doing to her. We need to be attentive to questions of desert and the proportionality of punishment. We should also be attentive to what else the wrongdoer has done, in addition to apologizing, to make amends. The degree of deserved punishment should reflect, not just the wrongdoer’s original degree of culpability, but also her efforts to put things right.

But the way to take responsibility for what we are doing to wrongdoers qua punishers (or implements of punishment) is to take a more active role. We must take care to form proper judgments about the case, perhaps by collecting more information and consulting with others. We must decide when enough is enough and speak out when we think things have gone awry. Notice, at this point, we have become something more like referees or independent parties to reconciliation, roles which presumably require stronger forms of standing or authority than mere witnesses do.
This is what I meant by saying that there is a kind of instability in these third party roles. More specifically, I suggest that what we have here is a problem of mission creep. The term ‘mission creep’ comes from military contexts, where armed forces enter a situation in a relatively innocuous role (say, military advisor or peacekeeper), but then, given the exigencies of the situation, are drawn into more and more active roles (e.g. combatant). Similarly, being involved at all in these moral dramas of public apology seems to provide reasons for getting more and more involved, taking on bigger roles—roles that, considered initially, would not have been appropriate.

V. Conclusion

What should we make of the ambiguity of the role of the public in public apologies and the risk of mission creep? My goal in this paper has been to draw attention to a set of moral concerns rather than to solve them—which, you have to admit, is a brilliant strategy for a forum like this. Now the conversational pressure is on Martha Minow and Burke Hendrix to provide solutions for me!

When I think about how to respond to these worries, I find myself drawn in two opposite directions. Part of me says that, in cases of public apologies, I should first ask myself whether there is a sensible role for me to play. If there isn’t one, I should avert my gaze. If there is, then I should be mindful of the limitations of that role and be careful not to overstep. A similar sort of caution should also guide our behavior in calling for public apologies in the first place.
But the other part of me is inclined to embrace the messiness of these moments. Christian Cooper, the birdwatcher from our earlier example, apparently feels this same tension. In the interview I quoted earlier, where he worries that the public response to his abuser has been too harsh, he also says, “If this painful process...helps to correct, or takes us a step further toward addressing the underlying racial, horrible assumptions that we African-Americans have to deal with, and have dealt with for centuries, that this woman tapped into, then it’s worth it.”

Public apologies inspire public debates. These are moments when the communities in which we live wrestle over what our values should be. What is acceptable behavior? What isn’t? Who deserves respect? Who is answerable to whom? It isn’t surprising that public apologies are most controversial on precisely those issues where either there hasn’t been a clear consensus on appropriate norms (e.g. Aziz Ansari’s #MeToo moment) or where the norms to which we give lip-service are repeatedly violated (e.g. the harassment of black people like Christian Cooper or police brutality). Constructing and regulating a moral community is messy, but we can’t simply avert our eyes from it.


16 In 2018, comedian Aziz Ansari was accused of pressuring a date to have sex with him. The debate raised the question of when persuasion becomes coercive.