

A Plea for Apologies

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Social relations benefit from the practice of apologising—apologising functions as a social lubricant. At the same time, it is also heard that there is too much apologising, both in public and private life. In *The Man Upstairs*, P.G. Wodehouse (1914) writes, “It is a good rule in life never to apologise. The right sort of people do not want apologies, and the wrong sort take a mean advantage of them.” One might retort that there are not too many apologies, but rather too few *genuine* apologies. “A stiff apology is a second insult,” the saying goes. (Chesterton: 1950) What makes an apology a genuine apology? There is a cognitive, an affective, a conative and an attitudinal component to a genuine apology. Each of these components raises some puzzling features concerning the practice of apologising. My discussion of the attitudinal component will lead us back to Wodehouse’s *dictum*.

1. The Cognitive Component

A genuine apology expresses a recognition that one’s action (or omission) was an instance of wrongdoing. Now apologies are not due for actions that are wrong *in hindsight*, for actions that turned out badly. If all the medical evidence points in favour of one treatment and the patient died when the treatment was pursued, whereas

she would not have died with an available alternative treatment, then no apologies are due. The doctor might say that she is sorry for what happened, for how things turned out, but she does not need to apologise for what she did.

This distinction can be exploited in an apology or an expression of regret that comes short of a genuine apology. For a genuine apology, it is not sufficient that the offender admits that her action turned out badly—she must also recognise her culpability. This issue is in the forefront of two recent controversies.

Jylland Aftenposten published satirical cartoons on the subject of the Muslim faith and the person of Muhammed in September 2005. There was an outcry in the Muslim community since many Muslims considered these cartoons to be highly offensive. Carsten Juste, the editor of *Jylland Aftenposten*, offered apologies, but did not apologise for publishing the cartoons since this action, he says, is protected by freedom of press. Rather, he apologised for having hurt the feelings of Muslims. Many Muslims did not accept these apologies. Carsten Juste apologised for the fact that his action has in some respect turned out badly, but denies that there is culpability in the action itself.ⁱ

There was a similar reaction to the statement of Pope Benedict after his public lecture in the University of Regensburg in September 2006. In his lecture, Pope Benedict discussed the incompatibility of faith and violence and quoted the 14th century Byzantine Emperor Manuel II Paleologus: “Show me just what Mohammed brought that was new, and there you will find things only evil and inhuman, such as his command to spread by the sword the faith he preached.”ⁱⁱ In response to the outrage in the Muslim world about the use of this quotation, the Vatican made the following statement: “The Holy Father (...) sincerely regrets that certain passages of his address could have sounded offensive to the sensitivities of the Muslim faithful,

and should have been interpreted in a manner that in no way corresponds to his intentions.”ⁱⁱⁱ But once again, to say that one regrets having caused offence and having been misunderstood is not the same as admitting culpability for one’s actions. The Turkish State Minister Mehmet Aydin puts the point as follows: “You either have to say this ‘I’m sorry’ in a proper way or not say it at all—are you sorry for saying such a thing or because of its consequences?”^{iv}

There is also the mirror image of this phenomenon, viz. genuine wrongdoings that happen to turn out well. Suppose that a doctor maliciously administers what she takes to be an overdose of a medicine to rid herself of a patient, but that the dosage cures the patient of a debilitating disease. Clearly the doctor is culpable. Is an apology due? If the patient is aware of the doctor’s intentions, then yes. But what if the patient was not even aware of the doctor’s ill intentions? In this case there are still *pro tanto* reasons for an apology, but there are conflicting moral considerations—viz. that the apology itself may inflict harm on the patient. Sometimes it is, all things considered, better to let bygones be bygones. We will return to this case below.

The subject of moral dilemmas also raises some special challenges for apologies. I will distinguish between *hard*, *tragic*, and *authentic choices*. Let a *hard choice* be a choice in which there are good reasons on both sides of the fence but nonetheless there is a right answer. Hard choices come in various shapes and forms. First, there are agent-centred permissions, e.g. when I decide to save my own child from drowning rather than another child. Second, there are cases of conflicting duties, but one duty is clearly more compelling, e.g. when my professional integrity forces me to fire a befriended colleague. Third, there are cases when moral demands are equally strong and only a random choice can deliver the right answer, e.g. when I decide to help one of two equally deserving beggars and am not in the position to help

both. Do I owe an apology to, say, the parents of the child whom I do not save? Do I owe an apology to my friend? Do I owe an apology to the beggar whom I did not help?

Let a *tragic choice* be a choice in a situation in which there simply is no right moral answer. Reasons on both sides of the fence are incommensurable and deeply compelling and there is no choice—not even randomising—that constitutes the right choice. Let us assume here that there are indeed such cases. What comes to mind is Agamemnon's choice to let Iphigenia be sacrificed (assuming that his fatherly duties were equally strong as his duties as a statesman).^v Does Agamemnon owe an apology to Iphigenia or to anyone who is negatively affected by his choice?

Let an *authentic choice* be a case in which moral considerations unequivocally point to one course of action, but there are conflicting non-moral considerations that point in a different direction. What comes to mind is giving back native-American artefacts for burial or refraining from doing radiocarbon and DNA tests on the Kennewick man in order to respect native-American wishes.^{vi} The actual cases are complex, but one could envision a case in which moral considerations conflict with the value of a gain in anthropological knowledge (assuming that little of moral value is gained in satisfying scientific curiosity in such matters). Considering how a person conceives of herself, say, as a committed scientist, it may be the case that she genuinely ought to do one thing—in the sense that it is constitutive of living her life well—though she recognises that she would thereby be violating what morality demands from her. Arguably, morality may not provide overriding reasons for how one ought to live one's life. An authentic choice may violate the demands of morality. Let us assume that there are indeed such authentic choices. Should our dedicated scientist apologise to native-Americans?

One might say that apologies are due in moral dilemmas just in case there is culpability. In hard choices, there is a right answer and, arguably, pursuing this course of action releases you from culpability. In tragic choices, there is no right answer and, arguably, no matter what one does, there is some kind of culpability. In authentic choices, one turns one's back to moral demands, and again, arguably, there is some kind of culpability. These claims would need more argumentation, but this would require an extensive discussion of the nature of moral dilemmas. So, I take this to be a working position on the backdrop of which we will think about when apologies are due. So, one might say, apologies are due in tragic and authentic choices, but not in hard choices.

But this may be too simple. First, one might argue that even in the absence of culpability, an apology is due. In hard choices, there may be no culpability, but, following Williams, there is still a *moral remainder*.^{vii} If I miss an appointment with you because my child suddenly became ill, I certainly chose to do the right thing by attending to her, but nonetheless, I owe it to you to inform you and maybe even to make reparations if my failing to honour our appointment was costly to you in some way or other. If there is indeed such a moral remainder, might it not be reasonable to say that I owe you an apology? And if it is indeed reasonable, then apologies could be fitting and even obligatory for non-culpable agency. But maybe this would be asking for too much. Indeed, alternatively, one might say that what I owe to you is an expression of regret about having been placed in this situation and about the consequences of my actions. This takes care of the moral remainder, but a genuine apology for what one did would be misplaced when there is no culpability.

Second, one might argue that, even in the presence of culpability, an apology would not be fitting in moral dilemmas. As we will see below, there is a conative

component to apologising. What is required for an apology is a commitment that if one will be placed in a similar situation, one will act differently. Tragic and authentic choosers may admit that they are culpable for transgressing some moral boundary, but they may not want to say that they will act differently in similar situations. Agamemnon may stand by what he did while admitting that he is culpable. And the same holds for our dedicated scientist. But if this is the case, could it be meaningful for them to offer a genuine apology? How could one accept an apology if one were to know full well that the offender stands by her actions and will do the same in relevantly similar situations? An expression of regret not for what one did, but for having been placed in the tragic or authentic choice or an expression of sympathy for the suffering caused by the choice might be more fitting in this case than a genuine apology.

This tension is present in Zidane's statement about the infamous headbutt on Materazzi in the World Cup final of 2006 after a provocation. Zidane states: "I reacted and it of course is not a gesture that one should do. I must say that strongly." He apologises, not to Materazzi, but to fans and educators saying that "it was an inexcusable gesture". But at the same time, he claims that he has no regrets for what he did, since to have regrets "would be like admitting that [Materazzi] was right to say all that." Zidane's action can be interpreted as an authentic choice in which the moral demand not to engage in un-sportsmanlike actions is outweighed by what his honour demands of him. He recognises that what he did was *morally* wrong and that provides sufficient reason to apologise at least to the world, though not to the offending party. Nonetheless, the fact that he says that he does not have regrets can be interpreted as an affirmation that if the clock were turned back, he would not act differently, because his conception of a good life stipulates that moral demands are trumped by a sense of

honour in such situations.^{viii} But it remains questionable that an apology that is not accompanied by regret for what one did is indeed a genuine apology.

2. The Affective Component

A genuine apology expresses certain *emotions*. There is the emotion of remorse about one's wrongdoing and there is the emotion of sympathy with the harm or hurt that may have been caused by one's wrongdoing. (It may of course be the case that my agency did not have any harmful or hurtful consequences, as in the case of the patient for whom an overdose became a cure for her disease.)

The sincerity of an apology is often measured by one's willingness to make amends, or more concretely in some cases, to pay reparations. This willingness can be thought of as a proxy for the presence of the emotion of sympathy. If one really cares about the harm or hurt one caused then one ought to be willing to take steps to alleviate this suffering. It can also be thought of as a proxy for the emotion of remorse. If one genuinely feels bad about the wrongness of one's agency, then one must desire to undo one's agency in so far as possible. But the past cannot be undone. The next best thing is to undo the harmful or hurtful consequences of one's agency. So an unwillingness to make amends is a sign that one's apology is not genuine, since it indicates the lack of emotions of remorse or sympathy. Of course, the willingness to make amends does not warrant the presence of these emotions—one could make amends begrudgingly because one is under pressure or one could make amends because restoring social interaction opens up interesting business opportunities.

Making amends can have a healing function for the wrongdoer as well. Yet sometimes there just is no room for making amends. The victim may be unreachable

or dead. Or the victim may reject apologies and overtures to make amends because she prefers the sweet revenge of leaving the wrongdoer feeling unredeemed to the benefits of receiving amends. Sometimes a proxy for the victim can be found—e.g. think of the support that Germany provides to the state of Israel extending well beyond reparations to Holocaust survivors.

The willingness to make amends rides on the emotions of remorse and sympathy. How much is required in the way of making amends? I take it that this would be a function of the amount of remorse and sympathy that is fitting in the case at hand. It may be difficult to determine how much remorse and sympathy would be fitting and how this is to be translated into a proper measure of amends. But a special problem comes in when the turpitude of one's wrongdoing does not match the size of the harm or hurt that is caused. The turpitude of the wrongdoing may be either greater or smaller than the size of the harm or hurt.

In the lucky overdose case the turpitude of the wrongdoing was greater since no harm or hurt was done. It's not clear to me that amends could meaningfully be made—the victim is better off than she would have been had the wrongdoing never occurred. Similarly, Samantha Geimer says that she never felt angry at Roman Polanski for having sex with her when she was thirteen.^{ix} Or children who fled the holocaust in World War II might say that they doubt that they would have had better lives had their families not fallen victim to Nazi persecution so that they would not have moved to Brooklyn. In all such cases, is it meaningful to ask from the perpetrators that they make amends, say in the form of reparation payments? One possible solution is that the wrongdoer be asked to make amends to causes that support victims of the *types* of crimes they committed who *were* genuinely harmed.

What if the size of the hurt or harm is greater than the turpitude of the crime? These are cases of ‘moral bad luck’ and are discussed under the headings of negligence, strict liability, felony murder, ... in jurisprudence. The *legal* question is the question of what the proper measure of punishment should be in such cases. In the context of apologies, the question is whether a genuine apology requires that the willingness to make amends be proportional to the limited turpitude of the crime or to the extensive harm or hurt thereby caused. This is a puzzling question. One would certainly expect some sympathy from the offender for the extensive harm or hurt caused and it is hard to believe that this sympathy is genuine if it does not translate into a willingness to make amends that provide relief for the harm or the hurt. But then again, it does seem excessive to impose substantial reparations for wrongdoings of limited turpitude as a requirement for a genuine apology.

3. The Conative Component

A genuine apology expresses a commitment to change one’s ways. The wrongdoer should recognise the culpability of her past agency and due to her increased moral awareness she should be able to affirm confidently that she will act differently in the future.

But how does this square with resilient cases of weakness of the will (*akrasia*)? Suppose that I genuinely recognise my culpability for a past weak-willed action. But I also know that, being the *akratic* person that I am, I expect that, sadly enough, I will act in precisely the same way if I will find myself in a similar situation. Would an apology then be disingenuous? I do not think so—people in loving

relationships continually apologise to one another for very similar types of wrongdoing, knowing full well that virtue is not easily come by.

One might respond that I need not be confident that I will act differently—it suffices that I *intend* to act differently. However, can I intend something, when I know full well that I will fall victim to *akrasia*? This brings us to Kavka's toxin puzzle (1983). I can obtain a certain sum of money now merely by intending to drink a toxin tomorrow. If I know full well that I will not drink the toxin tomorrow, then how can I intend today that I will drink it tomorrow? Similarly, a resiliently *akratic* person who has self-knowledge would be unable to even form an intention to change her ways. Does this block her from apologising? Is it the case that a resilient *akratic* who has the epistemic virtue of self-knowledge is not capable of offering a genuine apology, but her counterpart who lacks this virtue would be capable? Is ignorance bliss in the practice of apologising?

There is a further problem about the scope of commitments to change one's ways. Suppose that I swindle an elderly woman out of her savings. I offer my apologies. What kind of commitments does a sincere apology impose on my future actions? Clearly, I cannot be plotting to swindle another elderly person out of her savings while making a sincere apology. So a minimal condition is that I commit myself to improve my agency in types of choices that are similar in all morally relevant respect. But this minimal condition does not seem to be enough. Clearly it would not do any good if I were at the same time trying to devise another crooked moneymaking scheme. So a sincere apology does bring with it a commitment to mend one's way over and above mending one's way in choice types that are similar in all morally relevant respects. At the same time, it would not commit me, say, to stop

drinking. So, in general, it does not commit me to refrain from unrelated vices. A sincere apology requires moral renewal in relevantly similar areas.

4. The Attitudinal Component

A genuine apology expresses a certain *attitude*. It is delivered in a humble manner. There is a curious ritual of an offender apologising for her wrongdoing and the victim of the wrongdoing accepting the apology. Why is humility on the side of the offender required in this ritual?

There are three aspects to the attitude of humility. First, I may proverbially or literally bow my head as an expression of shame for my wrongdoing. Second, in bowing my head, I attribute special respect to you and I thereby try to make up for the deficit of respect with which I treated you through my wrongdoing. Third, in bowing my head, I relinquish power to you in that I let you be in charge of restoring my moral stature, of awarding me the respect that is due to me on grounds of my personhood. Let us look at each of these aspects.

We start with the first aspect. An apology is an admission of a moral failing. Now I think that admissions of failings sometimes engender shame, but not always. For instance, I don't think that it is shameful to say that I did not pass the exam for the Foreign Service—considering the low success rate for these exams. Common failings do not engender shame. But then why would common moral failings engender shame? Of course, one might say that the particular failing that I apologise for does not need to be a common failing. Clearly, if I apologise for a rape or a murder then this is not an apology for a common failing. And shame would be in order. But we also apologise for losing our temper, for forgetting to do chores etc. and our apologies

for such common offences are not any less genuine for it. So I don't think that shame tells the complete story of why we bow our heads when apologizing.

This brings us to the second aspect. Apologies are admissions that I did not treat you with the respect that is due to you. I bow my head to make up for the deficit of respect in my earlier treatment of you. In *The Philosophy of Law* (49, E, I), Kant describes a case in which the offender must not only verbally apologise, but also kiss the hand of the victim. So my humility expresses an excess of respect and this excess is meant to put the scales of respect back into balance.

This brings us to the problem of apologising amongst offenders. David Stancliffe, the bishop of Salisbury, demanded an apology from Prince Charles to Camilla's former husband Andrew Parker Bowles for breaking up his marriage to Camilla.^x This was considered ludicrous by some considering that Andrew Parker Bowles had not been a picture of faithfulness himself during his marriage to Camilla. By sleeping with a philanderer's wife, one does not violate the respect that is due to him, since no such respect is due to a philanderer. When one engages in a certain type of wrongdoing, then one can't appeal to respect when one becomes the victim of the very same wrongdoing.^{xi}

Furthermore, if there is no reason for Charles to apologise to Andrew Parker Bowles, then why should the parties to a row apologise for blowing up at each other? Why should spouses apologise who both had extra-marital affairs apologise to each other? Did they not forfeit their claim to respect by their own culpable agency? In response, I think that this is entirely correct and that no apologies *are due* in such cases. Why would I need to apologise to a person for a wrongdoing when she has foregone the respect that is owed to her by engaging in a similar wrongdoing, assuming that there is no clear first offender? There is no deficit of respect in my

wrongdoing. But although apologies *may not be due*, one could nonetheless offer each other apologies with an eye to *restoring* the mutual respect in the relationship.^{xii}

Third, there is something risky about offering an apology. Note that the victim is put in a position to either accept or not to accept the wrongdoer's apologies. What is it to accept an apology? Let us think about why a person may not want to accept an apology. She may think that there is no reason to apologise or she may think that the apology is not genuine. That is fair enough. But could a person not refuse to accept an apology that she considers both in order and genuine? One might suggest that she does not accept the apology because she does not want to return to the way things were. But I don't think that the acceptance of an apology commits one to doing that. A date rape victim might accept an apology for the offender who once was a trusted friend, but the last thing she might want to do is to go back to the way things once were. So then why would I not accept an apology that I consider to be in order and genuine?

A person who offers apologies not only shows humility by correcting the deficit of respect that she has shown to the victim in her wrongdoing. Just as, within a religious context, there is humility in letting God be my judge, there is also humility in giving the victim of the wrongdoing the power to restore my moral stature, to award me the respect that is due to me on grounds of my personhood. To put this colourfully, if I accept your apology, then I can no longer believe and proclaim that you are a *schmuck* (though I can continue to believe and proclaim that what you did was a *schmuck*-like thing to do.) The victim may refuse to restore the offender's moral stature because she does genuinely continue to believe that the offender is a *schmuck* and she wishes to continue saying so.

There is a complex economy in the simple social interchange of ‘Apologies offered’ and ‘Apologies accepted’. The victim of the wrongdoing was not treated with due respect. The offender pays excess respect to the victim to restore this deficit and transfers power to the victim as a form of respect to the victim. This increases the self-respect of the victim. The offender acknowledges a loss of moral stature due to her wrongdoing. She can regain this moral stature only if the victim freely awards her the respect that is due to her on grounds of her personhood. It is sometimes said that being able to apologise is a sign of strength. Now this is consistent with my analysis. A person with strong self-confidence is not hurt by paying some special respect to a person in order to make up for the deficit of respect and can afford taking up the gamble of her apology being turned down.

This casts light on P.G. Wodehouse’s quote. Why is it that ‘the right sort of people’ do not need apologies? I can see two reasons. First, they may have a deep awareness of their own shortcomings and hence they tend to say ‘no need for apologies’ in the same way that Andrew Parker Bowles *should* say ‘no need for apologies’. If one realizes that one is not without sins then one refrains from casting the first stone. Similarly, one refrains from demanding an apology. Second, their self-confidence may be sufficiently strong that offences do not affect their self-respect all that much. So they see this excess respect and transfer of power in the apology game as a needless charade.

Why is it that ‘the wrong sort’ of people will ‘take a mean advantage’ of apologies? First, smugness makes people all too eager to see moral deficits in others and hence overly eager to receive apologies. Second, insecurity makes people perceive minor offences (or even alleged offences) as major threats to their self-respect and so they will insist on excessive amends before granting an apology. And

finally, people who are money grabbing or power-crazed will exploit the opportunity of setting unreasonable conditions on granting an apology.

5. Conclusion

When an apology is not genuine, the victim has good reason not to accept it. We examined a cognitive, an affective, a conative, and an attitudinal component on a genuine apology. The offending party should recognise her wrongdoing, show remorse or sympathy, be committed to changing her ways and display an attitude of humility.

A genuine apology requires that the agent recognise her wrongdoing, but the link between apologies and culpability is complex. An apology may be in place to fill in the moral remainder in hard choices, even though the agent chose to do what was right and does not acknowledge any culpability. In tragic and authentic choices, an agent may acknowledge the moral culpability of her agency and yet rightfully stand by her agency—and this may stand in the way of a genuine apology.

Emotions of remorse for one's agency and sympathy for the harm or hurt caused are essential to genuine apologies. These emotions should find their expression in a willingness to make amends. It is particularly difficult to determine the proper size of amends when the turpitude of the wrongdoing is not in line with the harm or the hurt caused.

Genuine apologies require a commitment to change one's ways. But does this imply that self-knowledge and resilient *akrasia* stand in the way of a genuine apology? And what is the scope of the moral renewal that should accompany a genuine apology?

Genuine apologies are made in a humble manner. First, I bow my head in shame for serious wrongdoings. Second, I try to make up for the deficit of respect with which I treated you. This explains why an apology may not be due to someone who has squandered her claims to moral respect in some moral matter. Third, I relinquish power to you to restore my moral stature. The attitudinal component of genuine apologies casts light on the strange ritual of offering and accepting apologies and helps us see the kernel of truth in P.G. Wodehouse's injunction never to apologise.

References

“Charles must apologise for adultery, says top bishop” *The Sunday Times*, March 27, 2005.

(<http://www.timesonline.co.uk/article/0,,2087-1543274,00.html>)

Chesterton, G.K. (1950) *The Common Man*

(http://www.dur.ac.uk/martin.ward/gkc/books/Common_Man.txt)

CNN Larry King—Interview with Samantha Geimer

(<http://transcripts.cnn.com/TRANSCRIPTS/0302/24/lk1.00.html>)

Kant, I. (1987) *The Philosophy of Law: an Exposition of the Fundamental Principles of Jurisprudence as the Science of Right*. Translated by W. Hastie. Edinburgh, T and T. Clark.

(<http://onlinebooks.library.upenn.edu/webbin/book/search?author=kant&amode=start&title=philosophy+of+law&tmode=start>)

Kavka, G.S. (1983) “The Toxin Puzzle,” *Analysis*, 43, 1, pp. 33-6.

“Pope sorry for offending Muslims” BBC News, September 17, 2006

(<http://news.bbc.co.uk/1/hi/world/europe/5353208.stm?ls>)

“Pope’s statement in full” CNN.com, World, September 16, 2006

<http://www.cnn.com/2006/WORLD/europe/09/16/pope.statement/index.html>)

“Pope’s statement fails to end anger” BBC News, September 18, 2006

<http://news.bbc.co.uk/2/hi/europe/5354862.stm>)

“Scientists finally study Kennewick man” BBC News, 6 July 2005

<http://news.bbc.co.uk/2/hi/science/nature/4651831.stm>)

“The Editor’s Dilemma” Internetavisen *Jyllands-Posten*, February 10, 2006

<http://www.jp.dk/udland/artikel:aid=3544960:fid=11328/>)

Williams, B. (1987 [1965]) “Ethical Consistency,” in *Moral Dilemmas*, edited by C.W. Gowans, Oxford University Press: Oxford, pp. 115-37. Reprinted from Williams, B. *Problems of the Self: Philosophical Papers 1956-72*, Cambridge University Press: Cambridge, 1973. An earlier version of the essay appeared in *Proceedings of the Aristotelian Society*, supp. vol. 39 (1965): 103-24.

Wodehouse, P.G. (1914) “The Man Upstairs”

<http://wodehouse.thefreelibrary.com/The-Man-Upstairs-and-Other-Stories/1-1>)

“Zidane explains” BBC Sport, 12 July, 2006-09-21

http://news.bbc.co.uk/sport2/hi/football/world_cup_2006/teams/france/5174758.stm)

End Notes

ⁱ “The Editor’s Dilemma” *Internetavisen Jyllands-Posten*, February 10, 2006

ⁱⁱ “Pope sorry for offending Muslims” BBC News, September 17, 2006

ⁱⁱⁱ “Pope’s statement in full” CNN.com, World, September 16, 2006

^{iv} “Pope’s statement fails to end anger” BBC News, September 18, 2006

^v Williams, B. (1987) p. 123.

^{vi} “Scientists finally study Kennewick man” BBC News, 6 July 2005

^{vii} Williams, B. (1987) p. 129.

^{viii} “Zidane explains” BBB Sport, 12 July 2006

^{ix} This is her first response to Larry King, but the case is more nuanced. Later, she says that she cannot assess whether she was angry or not because she was deeply harmed by the publicity of the case.

(“CNN Larry King—Interview with Samantha Geimer”) So, to make our example work, we have to imagine a paedophilia victim who sincerely claims not to have been harmed in any way. And even so, the lucky overdose makes a cleaner case, because it is more plausible to say that no actual harm was done.

^x “Charles must apologise for adultery, says top bishop” *The Sunday Times*, March 27, 2005.

^{xi} This is also the intuition that underlies the *lex talionis*. Thieves forego the right to property.

Murderers forego the right to life. Now this does not need to be a justification for capital punishment or for a spiral of revenge, but certainly there is some limited application of this principle that we can all agree on. For instance, it would be hard to object to at least some forms of killing in self-defence or to the confiscation of property as a punishment for theft.

^{xii} What is especially upsetting is when apologies are unilateral and the apologising party considers the offences from the non-apologising party to be weightier.