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Decolonising testimony: on the possibilities and limits of witnessing

ROSANNE KENNEDY, LYNNE BELL AND JULIA EMBERLEY

When Shoshana Felman and Dori Laub published their foundational text, *Testimony: Crises of witnessing in literature, psychoanalysis and history*, in 1992, they claimed that the twentieth century was ‘the era of the witness’. They focused specifically on the Holocaust and the ‘crises in witnessing’ to emerge in its aftermath. In the past 20 years, witnessing has achieved broad international relevance for truth and reconciliation commissions and national inquiries—notably in contexts in which nations are reckoning with the legacies of a divided past. The late twentieth century and the early twenty-first century have therefore been marked by an unprecedented rise in the production and circulation of and demand for testimony. In contexts such as truth commissions, testimony functions to authenticate claims of historical injustice, it enables survivors to tell their stories, and it potentially engages the public as a collective witness to histories of violence. In 1996, for instance, personal testimonies of traumatic experiences played a formative role in the South African Truth and Reconciliation Commission, in the Australian National Inquiry into the Separation of Indigenous Children from their Families and Communities and in the Canadian Royal Commission on Aboriginal Peoples. While personal testimony has brought hidden histories of violence and abuse into the public domain, in recent years, commissioners, participants, commentators, psychologists and cultural critics have become concerned with the limits as well as the possibilities of testimony. What are the effects of giving testimony on those who have suffered personally from traumatic events? Does giving testimony, as Rebecca Devitt and

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1 This issue of *Humanities Research* has been supported by an Australian Research Council International Linkage Award. This grant enabled Rosanne Kennedy (The Australian National University), Lynne Bell (University of Saskatchewan) and Julia Emberley (University of Western Ontario) to develop this project over several years, at conferences, symposiums and forums. Several of the papers were offered and discussed at a symposium on the Uses and Abuses of Testimony, which was hosted by Professors Len Findlay and Lynne Bell of the Humanities Research Unit at the University of Saskatchewan in October 2008. Other contributors participated in a forum on Testimony and Witness at the Research School of Humanities, The Australian National University, in November 2007. We would like to thank the Australian Research Council, the Humanities Research Unit at the University of Saskatchewan and the Research School of Humanities at The Australian National University for their support of this project.

Adrian Stimson discuss in this issue, re-traumatise already vulnerable individuals, without necessarily providing justice? Under what conditions can the process of bearing witness contribute to a sense of relief and assist in a healing process, a moving on from the traumatic past?

The aim of this issue is to explore the possibilities and limits of testimony and witness in contexts of old and new imperialisms. This issue of Humanities Research, which explores a range of sites in which testimony is produced and consumed, joins other recent initiatives to move the field of trauma studies beyond its European origins. A particular feature of this issue is the gathering together of several essays that explore the forms and multiple dimensions of testimony and witness in the settler-colonial nations of Australia and Canada. Much of the recent work aimed at decolonising trauma studies is described as an initiative to bring post-colonial sites and texts into the field. We hesitate to use the term ‘post-colonial’ to describe nations such as Australia or Canada because these nations have not yet ‘decolonised’ their institutions and knowledge practices, although we recognize that the term can also connote an important shift in how the oppressive conditions of colonial relations are reconfigured by subsequent nation-building. Several of the essays in this issue, read together, illuminate the specific conditions under which testimony is gathered, framed and presented for witnessing publics in Australia and Canada—nations in which the national memory of settlement/dispossession is still in dispute. The essays reveal the subversive ways in which testimony can be used not only to document harms, but as a powerful strategy for decolonising national histories. They suggest that the testimonial arts promote an Indigenous cultural memory that is simultaneously a challenge to the nation to decolonise national memory. Another aim of this issue is to explore the role of literary and artistic practices in documenting and responding to the challenges posed by the call for testimony. As the following essays demonstrate, the field of testimonial studies is expanding to include artistic and literary practices and visual and textual modes of production in an effort to bear witness to violence. Importantly, these essays are also concerned with acknowledging, locating and finding positive ways to heal from such violence. Working across a range of testimonial sites and from a variety of theoretical and methodological approaches, these essays contribute to widening debates in trauma and testimony studies to include a consideration of the history of colonial violence and the meaning of decolonisation in diverse geopolitical, national and transnational arenas of contestation and reconciliation.

Testimony, witnessing and the institution

In *The Era of the Witness*, historian Annette Wieviorka charts the conditions under which testimony, and the social figure of the witness, have emerged from the shadows of the Holocaust to become a significant force in contemporary culture. She analyses the changing conditions under which testimony has been produced and received, and how these conditions have legitimated the position of the witness and authorised the survivor’s testimony. She usefully answers some pressing questions about how Holocaust survivors, in the past five decades, have risen to a position of considerable authority to become the bearers of ‘the truth of history’. Her analysis poses a range of questions regarding the uses and effects of testimony in contemporary contexts such as trials, human rights and truth commissions, in collections of video testimonies, in documentary and memoir. She discusses the institutions, such as courts, that authorise the witness’s testimony. For instance, in war-crimes trials, the survivor’s testimony is authorised by the institutions of law, which are backed by the symbolism and power of the State.

In his essay, ‘Can the institution speak?’, Len Findlay grapples with the problem of the academic institution and its relationship to testimonial discourses. As a discourse, testimony is based on a representational politics that subjects the witness to an identity—for instance, as ‘subaltern’, ‘victim’ or ‘survivor’. For testimony to function as representation, it has to be ‘recognised’ and legitimated by the appropriate state institutions. How do we read testimony that seeks to elude the field of representation—for instance, the testimony of silence? The testimony of embodied acts that do not speak directly but bear witness to what is unspeakable, and must remain unspoken, in a given context? Findlay explores the possibilities and limits of academic institutional sites when they knowingly take up the role of arbitrator in political contestations. Specifically, he examines how a proposal to boycott Israeli universities was received among Canadian universities in order to illustrate the contradictory position of the ostensibly ‘unified’ university space and the realities of difference and subalternity that disrupt any such claims to intellectual universality. Findlay argues for the promotion of universities as meaningful sites in which to empower diversity, rather than to celebrate or pay lip-service to the representational politics of difference. He charts a course for institutional questioning that demonstrates the possibility of testimonial discourse as a register of diverse voices and as an exemplary site for registering diversity within the limits of the university. Findlay’s essay serves as a cautionary reminder that critics should be aware of and interrogate the institutions that enable, legitimate and authorise testimony.

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and the political interests they serve. In the essays that follow in this section, Roxanna Waterson and Rebecca Devitt consider the institutions and discourses that authorise reconciliation processes in various national contexts.

As Waterson points out in ‘Reconciliation as ritual’, there are two dimensions to truth and reconciliation processes (TRCs): finding ‘truth’, often through testimony, and bringing about reconciliation between estranged parties. She asks, from an anthropological perspective, what symbolic or ritual practices can aid the reconciliation dimensions of TRC processes? She argues that TRCs must function on two levels simultaneously: legal and ritual. Legal authority is essential for a commission to do its work of getting at the truth. The work towards reconciliation, however, requires the creation of an appropriate ritual setting. Waterson draws on the insights of anthropology to consider the innovative and performative dimensions of TRCs, particularly the workings of ritual (1). To demonstrate the culturally variable but specific range of rituals that may be drawn on in a given national context, she takes a comparative approach, exploring TRCs in South Africa, Indonesia and Timor-Leste. She contends that reconciliation processes differ from legal processes in drawing on symbolic and ritual practices that are culturally familiar to the parties involved in the reconciliation process. These ritual and symbolic dimensions can infuse the TRC with gravity and respect, smooth over tense moments between perpetrators and victims, encourage the parties to reach agreement on reparations and otherwise aid the healing process. Ritual aspects of TRCs can therefore aid the moral work of reconciliation. As Waterson reminds us, there is no guarantee that TRCs will produce reconciliation, nor is it appropriate to expect those who have suffered violence and other harms to forgive perpetrators. In contexts in which TRCs have been carried out, such as South Africa and Timor-Leste, reconciliation is a continuing process rather than a state that has been achieved.

In “‘Healing the heartbreak’?: the role of testimony in the Australian inquiry into the separation of Indigenous children from their families’, Devitt draws on a range of archival sources to show that the Human Rights and Equal Opportunity Commission (HREOC), from the outset, has conceived of testimony as ‘a personal and political tool’ for healing individuals and the nation. The HREOC, she demonstrates, has been influenced by popular psychotherapeutic notions of storytelling as a means for individuals to recover from the trauma of past experiences of abuse, and is committed to giving individuals the opportunity to tell their stories. At the same time, personal testimonies enable the nation to confront the effects of its past racist policies, and if publicly embraced, to move towards reconciliation. As Devitt points out, however, the claims made for testimony were overly simplistic: while some individuals welcomed the opportunity to tell their stories, and felt enormous relief in the aftermath, for others, reliving the trauma of the past had negative consequences. Perhaps the
most serious limitation of the inquiry’s focus on personal testimony was that it placed witnesses in the position of ‘victims’. As Devitt suggests, the inquiry’s focus on testimony was most successful in soliciting an empathic response from the public, but least successful in securing other forms of reparation such as monetary compensation.

The testimonial arts: challenging national memory

In their psychoanalytical reframing of testimony, Felman and Laub showed that psychological blockages often prevented individuals from giving ‘direct’ testimony of their experiences during the Holocaust. The psychotherapeutic encounter, however, allowed for and gave rise to a rich body of testimonial literary narratives that critics had to learn to read as such. Felman and Laub proposed that testimony should not be thought of as knowledge that was transparently accessible to ourselves, but as the process of coming to knowledge that we did not consciously possess. Their approach to testimony was valuable for addressing an event as unprecedented and inassimilable to Western frames of cognition as the Holocaust. Literary and filmic materials and psychoanalytical methods provided alternative avenues of access to that of ‘direct witnessing’. Rather, they made room for indirect testimony—testimony that could not be stated directly because the witness could not come face to face with the truth of that past. Thus, the testimony of literature, of film, of art, of the psychoanalytical encounter, of the interview—all of these, whether taking aesthetic or non-aesthetic forms, were available to be read as testimony. In recent years, art critics such as Jill Bennett and Kyo Maclear have developed frameworks for analysing the ways in which artworks bear witness to historical traumas.

The essays in this section, including two essays by Canadian artists, extend that work to settler-colonial contexts. In particular, these essays explore the ways in which artworks bear witness to traumatic events, produce challenging cultural memories of events that have been ‘forgotten’—such as the extermination of the bison and the impact of that event on First Nations peoples—promote healing and engage audiences actively as witnesses. The artwork’s ability to engage non-Indigenous audiences is crucial as a strategy to promote reconciliation since non-Indigenous people often respond to claims of Indigenous suffering with denial and a shrugging off of responsibility.

Adrian Stimson is an artist from the Siksika Nation in Alberta. In his essay, ‘Used and abused’, he discusses his own and his father’s responses to the request that they give testimony to support their applications for redress through the Common Experience Program, which is administered by the Indian Residential Schools Resolution Canada. Stimson regards the demand for personal testimony to substantiate the individual’s claim as intrusive and perhaps ‘another layer of ethnocide within the colonial project—a layer more insidious as it provokes individuals to relive painful experiences…in the name of “healing”’. Stimson discusses several of his art-events (including an installation and a performance), which reframe artefacts and archival photographs from Old Sun Residential School, which both he and his father attended. He also incorporates the site of Old Sun, and the buildings themselves, into his works of cultural memory. Through this reframing, he seeks to mediate his experiences and engage audiences in decolonising acts of cultural memory. He regards his art practice, in contrast with the re-traumatising effects of testifying in a juridical context, as ‘a way to exorcise and transcend the colonial project, a way to forgiveness, healing and obtaining a state of grace’. His essay is an act of personal testimony and an explanation of art as both testimony and healing practice.

Lynne Bell’s essay, ‘Buffalo Boy testifies: decolonising visual testimony in a colonial-settler society’, reads two visual projects by Adrian Stimson as sites for considering the possibilities and limits of the testimonial arts in bearing witness to the toxic legacies of colonial violence in a post-apology—yet far from post-colonial—Canada. In her essay, Bell explores how Stimson’s two art-events—Old Sun and Buffalo Boy’s Confessional: Indulgence—work with the elliptical, affective and interrogative possibilities of the visual language to testify to the national crime of the residential school and Canada’s apartheid histories of education. Her essay considers the questions: how can the immersive and multi-sensory environments of installation and performance art illuminate and interrogate the multifaceted ways in which settler-colonialism inflicts trauma—in the past and the present? What is the affective and critical force of Stimson’s visual acts of witnessing and how do they engage the spectator? What decolonising testimonies and pedagogies can his visual projects perform in the ‘now’ of the art-event (and beyond)? In considering these questions, Bell argues that Stimson’s visual testimony on the residential school system achieves historical and contextual agency in Canada within the wider framework of meaning provided by the Report of the Royal Commission on Aboriginal Peoples (1996), the court-ordered Settlement Agreement (2006), the five-year Truth and Reconciliation Commission (2008–), the Day of Apology in the House of Commons (2008) and the United Nations Declaration on the Rights of Indigenous Peoples (2007). The convergence of these (and other) events in the past few years,
she notes, has enabled new speaking positions and new public frameworks of visibility within which survivor testimony across a range of genres and media can be witnessed by the wider Canadian public.

In her essay, entitled ‘Ancestors rising: Aboriginal art as historical testimonials’, Mary Longman notes that acts of testimony—legal and personal—have been a critical tool for Aboriginal peoples in the pursuit of land claims and the reclamation of history, identity and personal experience. Aboriginal art, in the past and the present, has served as valuable testimony to major historical events, territorial maps, cultural customs and values, treaty signings and personal and mythological stories located in a particular territory and time. For thousands of years, she notes, Aboriginal people have told their stories orally and visually to document their history and teach the values, beliefs and traditions of their cultures. She points out that contemporary Aboriginal artists continue to produce work documenting recent history, important historical and political events and the social realities and experience of coexistence in a colonised country. In the past 40 years, she argues, most contemporary Aboriginal art has served two primary purposes: first, to deconstruct the colonial narrative and its stereotypical representations of Aboriginal peoples; and second, to rebuild and reclaim the Aboriginal narrative. As an Aboriginal artist, Longman has created a significant body of work that seeks to raise awareness of past and present Aboriginal issues. In this essay, she focuses on her sculptural work *Ancestors Rising* (2006), located on the edge of Wascana Park in the centre of Regina. In this site-specific work, Longman creates a testimonial to the submerged and interlinked histories of the bison, the local Cree and Saulteaux people and the earliest colonists in the Wascana area. In this living memorial, Longman honours the history and territory of her people and the silenced spirits of the wild bison that lived on this land only 200 years ago—before their extermination. She also bears witness to a new vision of Aboriginal renewal.

The first three essays in this section consider the direct and indirect ways in which First Nations art in Canada bears witness to continuing personal and collective legacies of colonial violence. These essays demonstrate and explore how Indigenous cultural memories challenge national narratives of colonisation. While sharing a framework that regards art as a powerful form of witness, Rosanne Kennedy’s essay shifts the focus from Canada to Australia, and from Indigenous cultural memory to the issue of denial of colonial trauma among white Australians. In her essay, ‘In an era of stalled reconciliation: the uncanny witness of Ray Lawrence’s *Jindabyne*’, Kennedy reads the film

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6 Artworks have also played a fundamental role as ‘evidence’ of continuous connection with the land in Aboriginal and Torres Strait Island native title cases in Australia. See, for instance, Bradley, L. with Mellor, D and Rose, D.B. (eds) 1999, *Claiming title: Australian Aboriginal artists and the land*, Carleton College Art Gallery, Northfield, Minn.
as a national allegory of a traumatic colonial past that continues to haunt the present. Lawrence’s film (2006) was produced 10 years after the national inquiry of 1996, and two years before Prime Minister Kevin Rudd’s historic apology to the Stolen Generations. Reading the film in the context of what she calls ‘stalled reconciliation’, Kennedy argues that it dramatises ‘white’ responses to the violence and dispossession of colonialism, and more particularly, to the Bringing Them Home report. By dramatising ‘white’ denial and liberal guilt, the film acts out the psychological blockages to reconciliation and provides insight into psychological dimensions of stalled reconciliation. At the same time, she argues that the film invites a psychoanalytical reading that goes beyond the socio-political context of current race relations to explore themes of denial and trauma in relation to subjectivity and personal history. She introduces the concept of ‘uncanny witness’ to read the film’s indirect testimony to the unspeakable traumas of the past. ‘Uncanny witness’ brings together analytical insights regarding the value of the Freudian concept of the uncanny in a settler-colonial context, with Felman and Laub’s psychoanalytical framework for reading aesthetic texts for their indirect testimony. Kennedy explores the ways the film brings to the surface what cannot be spoken directly about relations between Indigenous and non-Indigenous Australians in the political arena in Australia. She draws on a range of critical frameworks on forgiveness, mourning and reconciliation to consider possible readings of the film’s dramatisation of a scene of rejected apology between Indigenous and non-Indigenous Australians, and what the scene suggests about the possibilities and limits of reconciliation in the present.

Testimony and cultural memory: from the national to the transnational

Jamelie Hassan’s and Julia Emberley’s essays investigate the political consequences of transnational testimonial sites that ‘speak’ within and beyond the nation’s boundaries. Linking testimonial and aesthetic practices, their essays attend to a diversity of witnessing positions between Canada and the Middle East. In ‘Other echoes in the garden’, Hassan explores the confluence of environmental problems in Saskatchewan, Canada, with those in the southern marshlands of Iraq. Hassan uses visual materials to tell stories of place and land. In her billboard project Linkage, which was originally produced for the Post-Colonial Landscape exhibit held by the Mendel ArtGallery in Saskatoon, Canada, in July 1993, Hassan drew these seemingly disparate sites into a transnational dialogue over

7 For an insightful discussion of the concept of the Freudian uncanny in the context of a post-colonial Australia, see Gelder, Ken and Jacobs, Jane 1998, Uncanny Australia: Sacredness and identity in a postcolonial nation, Melbourne University Press, Melbourne.
the ways and means that uranium toxicities travelled across the globe. *Linkage* reminds its viewers of the disastrous environmental effects to Iraq’s gulf region of 1991’s ‘Operation Desert Storm’, caused by the use of radioactive bullets and shells recycled from nuclear waste. The presentation of the billboard in Saskatoon prompted anti-nuclear community activists to support the artwork. Hassan’s work became a catalyst for linking the transnational complicities of environmental violence between Saskatchewan’s uranium industry and its effects on indigenous lands and the nuclear waste left in Iraq after the Gulf War.

Emberley’s essay, ‘This is not a game: testimony and the making and unmaking of the child as a political subject’, begins with a discussion of Deborah Ellis’s book, *Three Wishes: Palestinian and Israeli children speak*, which, in May 2006, became an object of controversy when the Canadian Jewish Congress protested its availability to junior elementary students in the Canadian school system in Toronto. Ellis’s book belongs to an increasing number of published books in the field of testimonial studies charged with endowing the child with the role of bearing witness to traumatic events. In considering what enables this newly authorised voice, Emberley proposes a number of questions that might be addressed, such as: in what institutions and forms do children’s testimonies appear and how are they circulated? Who authorises these ‘minor’ voices to appear in the public domain? And who listens, reads and responds to them? With regards to the child, there is also a specific theoretical problem to address, which is that of distinguishing between whether a child is testifying to a real event or just playing, in the sense of investing people, places and things with fears, fantasies and desires. In examining *Three Wishes*, therefore, the question of how the child is made a political figure in a transnational framework of testimonial production must also be open to the question of how the child has already been ‘unmade’, in the sense that the political subject positions opened up for children are already circumscribed and over-determined by specific cultural, institutional and discursive constructions of childhood. The essay examines further two texts that support and resist such constructions. The first is Freud’s study ‘“A child is being beaten”: a contribution to the study of the origins of sexual perversion’ (1919). In this work, Freud contributes to a modern conception of childhood as a site of psychoanalytical knowledge that privileges fantasies of violence over their physical realities—and not just their physiological effects. The second text discussed is the comic-strip novel by Marjane Satrapi, *Persepolis: The story of a childhood*. In this semi-autobiographical account of the Iranian religious coup in 1979, Satrapi constructs the child as the narrator of her experience of repression and its effects on her, her family and her family’s friends. By positioning, ironically, the child as narrator and by using the graphic, black-and-white comic-strip form, Satrapi redraws the lines between childhood innocence and the problem of ignorance and global responsibility in addressing violence towards children and youth.
With a special emphasis on artistic and literary materials, and institutional sites of learning and unlearning, this collection of essays contributes to furthering interdisciplinary debates in trauma, testimony and witnessing studies. The editors are particularly concerned to highlight colonial and postcolonial geopolitical contexts, with the hope that while the geopolitics are specific the questions are relevant to the broader field of studies, especially in non-European contexts.
Can the institution speak?  
The university as testimony in Canada today

LEN M. FINDLAY

This article has two parts, each exploring the possibility and effectiveness of testimony. In the first part, I take up Gayatri Spivak’s endlessly exacting question, ‘Can the subaltern speak?’ The essay so entitled connects testimony to postcolonial studies and to the politics of voice and script inside and outside the ‘semiotic stockade’—a place of meaning making where the colonised other is and was so often confined but could always, at least somatically, remain resistant because inassimilable. In the second part—and stimulated especially by Spivak’s considerations of institutional and disciplinary politics—I offer an assessment of the current capacity of Canadian universities to nurture and legitimate testimony. Here I will use the proposal to boycott Israeli universities—a proposal considered and then rejected by the professoriate in the United Kingdom—to illustrate some of the limits to testimony within institutions ostensibly dedicated to that very activity.

Can the subaltern speak (yet)?

When it appeared in 1988, in a collection featuring some of the most eminent cultural theorists working in English, Gayatri Spivak’s long, dense, brilliantly contrarian essay gave testimony about testimony. She posed a question that seemed to many readers to have a self-evident answer and therefore to be a rhetorical question appealing confidently to a pre-existing consensus on a particular matter. The answer to her question seemed to go something like this: ‘Of course, the subaltern can speak, even though no-one may be listening.’ As she de-naturalises this deceptively simple question in a welter of complex preliminaries, one comes to realise that Spivak’s critical attention has expanded

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1 Spivak, Gayatri Chakravorty 1988, ‘Can the subaltern speak?’, in Cary Nelson and Lawrence Grossberg (eds), Marxism and the Interpretation of Culture, University of Illinois Press, Urbana.
from a report on the receptivity of the dominant as listeners to a meditation on the category of the subaltern as such. For Spivak, this latter subject position will silence anyone entitled to occupy it, even when their identity is not reducible or confinable to subalternity itself. Accordingly, no subaltern qua subaltern can speak. In proffering a question as the primary product or outcome of intense and wide-ranging deliberation, Spivak opens up to interrogation the First World, its reluctantly embedded academics and their host institutions as being committed to coyly self-interested answers pursued under the aegis of disinterestedness and objectivity. In attesting to the complexities of testimony, this implacable postcolonial scholar suggests to her peers that academic speech and writing might be more problematic than the subaltern’s silence.

As hinted at above, however, a question can also be an answer. A rhetorical question aims to silence pre-emptively those who might otherwise be disposed to respond to it. Spivak’s theoretical and logical strategies usually entail at least a double gesture and raise the prospect of aporia rather than ready consensus. Accordingly, her question is unconfinable to the condition of not requiring an answer. Instead, she reclaims it for the self-evident’s polar opposite—namely, unanswerability—and this binary arrangement is then complicated by the answering of the unanswerable in inconvenient ways, ways meticulously contextual and attentive to the social relations of exchange and its endlessly asymmetrical outcomes. The epideictic morphs into its other, the inscrutable enigma, and in so doing opens space for further reflection. As a result, there is no answer to the question because there is no-one in a position to answer it; but there are also several versions of the wrong answer designed to leave Spivak’s primary audience of Euro-American radical scholars unsettled and defensive. The doubleness of Spivak’s no/yes gesture combines with the doubleness of the ‘session of representations’ she mentions, and the role of proper names in processes of grammatical abduction, catapheresis and mistranslation, to underwrite her provocative alignment with Derrida, who remained in 1988 the most ostensibly apolitical of high theorists. This Derridean alignment, ironically enough, adds spine and bite to Spivak’s exposure of the self-serving inscriptions perpetuated by the proponents of discourse analysis in the name of emancipative critique. The academic vanguard gets its comeuppance from an authority who is both in concert and at variance with that vanguard’s self-congratulatory ‘radical practice’.

By the end of the first section of her four-part essay, Spivak has identified as sites of unfinished critical business the intellectual and his institution. Both

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3 Spivak, ‘Can the subaltern speak?’, p. 279.
5 ‘Can the subaltern speak?’, p. 279.
purvey fictions of transparency while functioning as sources of co-opted decolonisation. This account of complicitous scholarship opens onto the essay’s second section, in which epistemic violence is exposed as ‘remotely orchestrated’. Spivak counters this disingenuous detachment by insisting on physical proximity to the subaltern as a precondition for even speaking for or of her non-coercively. Testimony, in its wary intimacy and vulnerable oneness, speaks to the scandalous homogeneity of the human, the very possibility of which—outside sentimental and paternalistic versions of it—offers hope of discursive justice that might tie testimony, beyond efforts at recognition and advocacy, to redress and redistribution. In advancing this claim, Spivak resorts to self-consciously ‘schematic summary’ and to the interpretation of the colonial archive in India with the same rigour that she has already brought to bear on Foucault and Deleuze. Hence, when we first encounter within the text the question that gives her essay its title, it is already thoroughly embedded in colonialism. This arrangement allows for radical notions of the collective to be ‘persistently foreclosed’ by vanguard manipulations of the collective feminine. In the Indian context, Spivak redeems the monolith of ‘the people’ from the long-distance simplifications of post-colonialists and neo-colonisers, but also from the homogenising of the underclass by Ranajit Guha and the Subaltern Studies group. In differentiating the native Indian intellectual predicament from the First World one, however, Spivak lets neither world off the hook. Ideology connects to testimony in ways that require reading for silences and contradictions. Gendering the subaltern creates gradations of silence and obscurity. Meanwhile, at the heart of this racialised masculinity is ‘the’ university—an institution that remains crypto-imperialistic even in its most progressive national settings and faculties. It is an institution that speaks only with forked tongue, and while subjecting subalterns to elision or disfigurement.

The next short section of the essay shifts back to the dominant in the form of Derrida so as to theorise more fully the category of speech and the problematic presence of the speaking subject to herself and others. Only now are we ready for the concerted coming into possibility of the essay’s key question and its re-problematising answers. Here, the notorious practice of sati is engaged with in an estranging philological analysis and guarded affirmation of Hindu communalism’s gendered asymmetries. In the course of Spivak’s careful reading there are abundant challenges for even the best-intentioned outsider, as when she takes on E. P. Thompson’s father’s attempt to violate and dismiss the interiority of the Hindu widow, the allure and unruliness of her affect:

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6 Ibid., p. 280.
7 Ibid., p. 281.
8 Ibid., p. 283.
9 Ibid., p. 286.
A look at the pathetically misspelled names of the *satis* of the artisanal, peasant, village-priestly, moneylender, clerical, and comparable social groups in Bengal, where *satis* were most common, would not have yielded such a harvest... Or perhaps it would. There is no more dangerous pastime than transposing proper names into common nouns, translating them, and using them as sociological evidence. I attempted to reconstruct the names on that list and began to feel Hervey–Thompson’s arrogance. What, for instance, might ‘Comfort’ have been? Was it ‘Shanti’? Readers are reminded of the last line of T.S. Eliot’s *Wasteland*. There the word bears the mark of one kind of stereotyping of India—the grandeur of the ecumenical Upanishads. Or was it ‘Swasti’? Readers are reminded of the *swastika*, the Brahmanic ritual mark of domestic comfort (as in ‘God Bless Our Home’) stereotyped into a criminal parody of Aryan hegemony. Between these two appropriations, where is our pretty and constant burnt widow? The aura of the names owes more to writers like Edward Fitzgerald, the ‘translator’ of the *Rubayyat of Omar Khayyam* who helped to construct a certain picture of the Oriental woman through the supposed ‘objectivity’ of translation, than to sociological exactitude. (Said’s *Orientalism*, 1978, remains the authoritative text here.) By this sort of reckoning, the translated proper names of a random collection of contemporary French philosophers or boards of directors of prestigious southern U.S. corporations would give evidence of a ferocious investment in an archangelic and hagiocentric theocracy. Such sleights of pen can be perpetuated on ‘common nouns’ as well, but the proper name is most susceptible to the trick. And it is the British trick with *sati* that we are discussing. After such a taming of the subject Thompson can write, under the heading ‘The Psychology of the “Sati”’ ‘I had intended to try to examine this; but the truth is, it has ceased to seem a puzzle to me.’

10 Ibid., p. 306.
deconstruction allows Spivak to mount an offensive against ‘perfect’ exemplars of colonial presumption while also revealing the unidirectional nature of their patronising onomastics.

Spivak, after arguing for the residual unreadability of subaltern names by the colonial expert, underscores the implications of European appropriation with damming force:

Between patriarchy and imperialism, subject-constitution and object-formation, the figure of the woman disappears, not into a pristine nothingness, but into a violent shuttling which is the displaced figuration of the ‘third-world woman’ caught between tradition and modernization. These considerations would revise every detail of judgements [like Foucault’s] that seem valid for a history of sexuality in the West: ‘Such would be the property of repression, that which distinguishes it from the prohibition maintained by simple penal law: repression functions well as a sentence [condemnation] to disappear, but also as an injunction to silence, affirmation of non-existence; and consequently states that of all of this there is nothing to say, to see, to know.’ The case of suttee as exemplum of the woman-in-imperialism would challenge and deconstruct this opposition between subject (law) and object-of-knowledge (repression) and mark the place of ‘disappearance’ with something other than silence and non-existence, a violent aporia, between subject and object status.12

The intimidating density of this passage demands especially careful reading, as Spivak follows Said in seeing the East in the West in ways more unsettling than subservient, while she follows Derrida in seeing a politics of the undecidable where Foucault locates decisive processes of external and internal censorship. Foucault is cited, allowed to speak in his own (textualised) voice as distinguishing between legal prohibition and the repression that causes something to disappear. This is a ‘sentence’ meted out in no formal court or repressive state apparatus but in a triple injunction to be invisible, mute and effectively non-existent. In this fashion, repressed sexuality is condemned to a black hole. Sati, however, shifts with Spivak’s assistance from being a fixture on the margin to effectively undoing the text of Western sexuality. The institutional location of subject formation—in this case, in the law—cannot be separated from the psychological instruments of self-repression in the way Foucault proposes. For Spivak, the sanctions of the law consort with the sanctuaries of the psyche in dalliance without a duenna, and enforced absence testifies, albeit inadvertently, to a presence in the guise of a violent undecideability.

12 Spivak, ‘Can the subaltern speak?’, p. 306; Foucault’s French term added (Foucault, Michel 1976, Histoire de la Sexualité I. La volonté de savoir, Gallimard, Paris).
So, apparent absence becomes an aporia understood as a signifier of power not powerlessness—indeed of power held in reserve beyond the discursive reach of the letter of the law and the disciplined psyche’s still-small voice. This aporia claims the subaltern interstice for process beyond fixity and refuses the binary of outside/inside as it does so. From the bleakest of situations, the possibility of recuperatory resistance appears, but what form can it possibly take beyond an effect of abstrusely theorised language? How can human flesh and blood and agency be restored to that which has been figured in turn as ‘displacement’, ‘violent shuttling’ and ‘violent aporia’, as if readable only as a matter/energy notation in the scopes and scripts of subatomic physics?

Spivak has an answer to this question—a historically grounded and strategically brilliant one. After reaffirming via the mythic provenance of sati that ‘there is no space for the sexed subaltern to speak’, Spivak brings back from India’s prodigious archive the figure of the menstruating suicide. It is a memorable, even shocking moment, which in its economy outdoes the painstaking reclamation of marginal figures by Foucault himself and the New Historicists he inspired.

A young woman of sixteen or seventeen, Bhuvaneswari Bhaduri, hanged herself in her father’s modest apartment in North Calcutta in 1926. The suicide was a puzzle since, as Bhuvaneswari was menstruating at the time, it was clearly not a case of illicit pregnancy. Nearly a decade later, it was discovered that she was a member of one of the many groups involved in the armed struggle for Indian independence. She had finally been entrusted with a political assassination. Unable to confront the task and yet aware of the political need for trust, she killed herself.

Bhuvaneswari had known that her death would be diagnosed as the outcome of an illegitimate passion. She had therefore waited for the onset of menstruation. While waiting, Bhuvaneswari, the brahmacārini who was no doubt looking forward to good wifehood, perhaps rewrote the social text of sati-suicide in an interventionist way. (One tentative explanation of her inexplicable act had been a possible melancholia brought on by her brother-in-law’s repeated taunts that she was too old to be not-yet-a-wife.) She generalized the sanctioned motive for female suicide by taking immense trouble to displace (not merely deny), in the physiological inscription of her body, its imprisonment within legitimate passion by a single male. In the immediate context, her act became absurd, a case of delirium rather than sanity. The displacing gesture—waiting for menstruation—is at first a reversal of the interdict against

a menstruating widow’s right to immolate herself; the unclean widow must wait, publicly, until the cleansing bath of the fourth day, when she is no longer menstruating, in order to claim her dubious privilege.

In this reading, Bhunasveri Bhaduri’s suicide is an unemphatic, ad hoc, subaltern rewriting of the social text of sati-suicide as much as the hegemonic account of the blazing, fighting, familial Durga. The emergent dissenting possibilities of that hegemonic account of the fighting mother are well documented and popularly well remembered through the discourse of the male leaders and participants in the independence movement. The subaltern as female cannot be heard or read.14

This account is not offered as a ‘model’ for ‘some violent Hindu sisterhood of self-destruction’ but rather as an example drawn from the body of ‘objects of discourse analysis for the non-self-abdicating intellectual’.15 This modest goal doubles as brazen ambition, for it is chosen to conclude the most emphatically ambitious essay in a collection with little time for self-effacement. Spivak’s essay is not, however, confidently programmatic, except—as will become clearer in what succeeds it—in its alignment with Derridean deconstruction against the more directly political discursive practices of Foucault and Deleuze.

The example of Bhuvaneswari is presented in a style quite different from that of the two earlier extended citations from Spivak’s essay. This last passage is not recondite theoretical discourse. It speaks straightforwardly to, rather than for, an exemplary subaltern whose act of self-silencing is carefully located in time and space. A lot is going on here, despite the relative plainness of the language. The suicide is a ‘puzzle’, according to Spivak, who reuses the very term that Thomson disavows in abandoning his interest in the ‘psychology of the sati’. Bhuvaneswari’s death is aligned with anti-colonial politics, within which a quandary about killing another human being leads to her own act of self-determination through self-erasure. She is an intelligibly embodied subject who wishes to avoid becoming a burden on the independence movement and a danger to her own insurgent group. She is a Hindu Hamlet, if you will, who prefers the ‘bare bodkin’ to an ‘almost blunted purpose’. But how is she to testify to multiple and discrete audiences? In which court of opinion will she choose, if she can, to be tried? The account transforms confinement into capacity, but capacity without triumphalism precisely because the somatic domain has been used so often to confine and punish female agency. Bhuvaneswari’s power lies in part in intellectual analysis of the interpretative practices of her society. Her power is also ethical, deriving from a principled refusal to kill. And her power is decisively somatic, enabled by her intimacy with cycles of her own body and

15 Ibid., p. 307.
the fact that such complementary knowledge can help locate her death in the overlapping zones of testimony, mystery and conjecture while excluding the possibilities of romantic guilt or heartbreak.

This young freedom fighter chooses to die at home, and to be found and tended by her family. She is a young person moved in two apparently incompatible directions by the power of an idea—a political idea. She traumatises her intimates, who find her lifeless, clearly suicidal body hanging in that ‘modest apartment’ and she subjects them to this horror so as to protect her political associates—affiliation thus trumping filiation, and all of this occurring within the imbricated matrices of tradition and modernity. She is a test case of the female disappearance of which Spivak writes earlier in her essay, an absence that shuttles violently between two poles, and she incarnates too the violence of the resultant aporia. Bhuvaneswari proves Spivak’s theory of subaltern disappearance while also proving it by exceeding it. She cannot speak, yet she speaks figuratively in her life and from beyond the grave. She is silent—permanently. Yet her management of time and space and bodily placement speaks volumes, over time, for those who care to investigate and reflect on her passing. She ‘self-abdicates’ but not intellectually or ethically or somatically. She is named, but not as a prelude to presumptuous onomastics. Her name is not a name to conjure with, but—for some—to be forgotten in the wake of ‘real’ female accomplishment in her family. Spivak retrieves a ‘voice’ from quasi-oblivion through ‘family connections’\textsuperscript{16} and against the grain of gossip and nativist shame where tradition and modernity are invested in professional self-advancement rather than political martyrdom. In other words, both tradition and modernity accommodate a derivative bourgeois feminism, which is also not feminism in the Spivakian sense. Bhuvaneswari is misrepresented by her ‘nieces’, not rescued by radical theorists such as Foucault and Deleuze, who are unconsciously bent on ‘appropriating the other through assimilation’.\textsuperscript{17} The implacably self-subverting Derrida and the bracing non-identity of feminism and deconstruction are the sole sources of hope that Spivak’s ‘problematic’ can be addressed at all, in a shifting, difficult space between colonial condescension and radical solidarity, the over-determined, voluble self-muting of Bhuvaneswari as politically charged, ethical agent.

This essay comes to (un)rest, finally, between two acts of allegiance: to the woman subaltern and the male deconstructionist, and to the discursive discipline that goes with a particular professional territory: ‘The subaltern cannot speak. There is no virtue in global laundry lists with “woman” as a pious item. Representation has not withered away. The female intellectual as intellectual has

\textsuperscript{16} Ibid., p. 308.
\textsuperscript{17} Ibid., p. 308.
a circumscribed task which she must not disown with a flourish.’\textsuperscript{18} The ‘female intellectual’ must speak without bravado or presumption and from within the rigorous confines of responsible scholarship and teaching, responsible to the intellectual as such beyond the vagaries of righteous posturing and unthinking appropriation. In a typically dense and combative note to this passage,\textsuperscript{19} Spivak argues that chains of signification make possible regimes of representation that imprison the subaltern in malevolent and benevolent ways. The example can be exemplary only insofar as it refuses to purvey composite fictions such as ‘third-world-woman’ or endure reduction to an item in a ‘laundry list’. And the preservation and promotion of this refusal, this apparent complicity with the silencing of the subaltern, are paradoxically but importantly intellectual work. A contrarian dissonance in the work of giving voice to those made silent by disadvantage and oppression leaves no-one feeling good because, while the gendered international division of labour continues unabated and in tandem with the First World plundering of the imperial archives of ‘representation’, no-one should feel good.

Bhuvaneswari was not to know how long it would take for India to achieve political independence. Moreover, neither she nor Spivak could know how much the figure of the suicidal female as suicide bomber would become in some quarters \textit{sati} with a twist—the most potent signifier of female self-abasement within the patriarchal systems of the terrorist other so denominated in the ‘civilised’ West. Even as contexts change, however, Spivak’s contrarian text and the sexed subaltern’s defiant self-inscription still bear witness to testimony as a vexed and vexatious possibility in the shadow of avoidable enormity.

\textbf{Can the institution speak?}

We have seen how the subaltern’s silence performs the blocking of testimony as speech and the facilitation of testimony in the conflicted idiom of embodiment. A subaltern female body is compliant but also a residually resistant site of displacement and counter-inscription of the social text of \textit{sati}. Now let us test this communicative model a little more to see if it can add to our understanding of the nature and legitimacy of testimony. Let us try to change the power relations, flipping from subaltern to elite status, and from the withholding of full humanity from the sexed subaltern to the attribution of gender and generosity to the figure of the institution as \textit{alma mater studiorum}—the ‘nourishing mother’ of masculine intellectual progeny at the University of Bologna and its many First World successors. Spivak sees universities, even in their most progressive

\textsuperscript{18} Ibid., p. 308.
\textsuperscript{19} Ibid., p. 313, n. 90.
faculties, as sources of a problematic distance and of appropriating the voice of difference only to misrepresent it. But how do universities act on their own turf with their own people? What happens to their capacity to model and nourish unencumbered testimony when the university becomes the focus rather than simply the locus of inquiry?

From this self-scrutinising perspective can any institution of advanced education speak? The answer would seem to go something as follows: ‘Of course it can, though never with one voice.’ After all, ‘the university’ is a formula containing within itself a constitutive tension between sameness and diversity, the unitary and the multiple (and still multiplying) ways of organising knowledge. The distancing of the university in time and/or space from what it studies is often seen as a guarantor or strong signifier of democratic values, a source of its own robustness and of the political health of the society that houses it, through the provisions of institutional autonomy and academic freedom. Independent research and reflection, and the ‘free and fearless’ dissemination of their results, function then as loose synonyms for ‘speaking truth to power’. The integrity of this process helps promote the notion of the university as apolitical, despite the challenges of a dropout with a doctorate such as Karl Marx or a critical insider such as Henry Giroux, who dares to speak of the ‘military industrial academic complex’. Consequently, any ad hoc or systematic attempt to subvert the university as a safe place for the productive performance of difference, or even as a temple dedicated to the preservation, dissemination and eliciting of testimony, imperils some of the most cherished ideals of modern democratic states and their current commitment to a public culture of redress.

So what happens when a particular issue appears to galvanise institutions otherwise increasingly competitive with each other for market share of students, funding and repute, gathering rivals into quasi-unison so that they seem to speak internally and externally with one voice and as if of one mind? A threat to core values is thought to be the usual trigger for such a system-wide response. And one such trigger would seem to be the boycott of Israeli universities proposed in Britain in May 2007 by the University and College Union (UCU). When this proposal was made public there was a firestorm of controversy in many parts of the world. In Canada, for instance, there was a rush of responses that in their sequence and substance illustrated how readily Canada could take its cue from the United States. As a member of the Academic Freedom and Tenure

23 For background, a substantial archive and regular updates, see the BRICUP web site.
Committee of the Canadian Association of University Teachers (CAUT), I am regularly informed by association staff about international as well as domestic events that impact, or threaten to impact, the ability of Canadian academics and their colleagues elsewhere to exercise their academic freedom individually or in various formal or informal groupings. I was accordingly provided with testimonies from across Canada purporting to represent institutional positions vis-a-vis the boycott proposal not yet debated, far less ratified, by delegates to the first UCU annual assembly.

Throughout the 24 such statements I have studied, one finds evidence of hierarchy and a remarkable approximation to unanimity, a show of ethical internationalism and guild solidarity with sister institutions in Israel—a state both beleaguered and belligerent, hemmed in by enemies while also the recipient of carte blanche and massive military and financial assistance from the two-term Bush Administration in the United States whose most favoured proxy Israel became. As a consequence of the convergent exceptionalism of the Bush and Olmert administrations, and the unilateral and bilateral consequences of such convergence, the State of Israel acted in Lebanon, the West Bank and Gaza as one might expect. Ruthlessly self-interested and disproportionately punitive actions were undertaken by Israel, with effects that included the violation of academic freedom in Palestinian institutions. The relative lack of criticism within Israeli universities (the 407 academic signatories to a 2008 petition notwithstanding) and their deep entanglements with the military, surveillance and policy needs, and settlement expansion of their national security state, seemed to some to undermine academic solidarity in unforgivable ways. This was what the UCU proposal was designed to address, but it did not meet with favour in high places in North America where the ‘Israeli lobby’ seems most powerful. The situation is complex, the resultant chill and ethical challenges disturbing, but one is entitled to at least wonder and debate how the supposedly staunchest defenders of free speech and unencumbered inquiry—namely universities—with their avowals of objectivity based on thorough research, can act in such remarkable concert. More specifically, how can one account for the pre-emptive speed and sameness of response from Canadian institutions to a proposal to consider discussing an optional reaction—a proposal aimed at institutions rather than individuals? Surely this results from the imperilling of a core value in an unequivocal way?

To be more pointed still, do free scholarly association and exchange trump all other considerations or is high-level concern about a possible boycott inconsistent and hypocritical, restricted to defending the ‘free market’ in

certain hegemonic ideas and indifferent to the casual or concerted proscription of others? The UCU proposal is a principled and unsurprising response to a humanitarian and educational catastrophe. Is, then, the resultant barrage of counter-testimony consistent with how universities conduct themselves in their use of institutional autonomy to defend every exercise of academic freedom via contact with particular colleagues here and elsewhere? Exactly how is such elite speaking to be understood, and by whom? What weight can we give to such testimony, and why?

In the chronology of responses from 19 June to 13 July 2007 in my mini-archive, Canada’s two leading universities, McGill and the University of Toronto, were first out of the gate, followed by less illustrious institutions from Nova Scotia to Vancouver Island. The tone of righteous protest being set by the most powerful members of an institutional hierarchy is strong in these statements, with excellence (at least in the sense most popular with educational leaders today) at the forefront. The impression of top-down leadership on core values is reinforced by the opening gambit of McGill’s Principal and Vice-Chancellor, Heather Monroe-Blum, who appeals to ‘the fundamental value of academic freedom…[and to] the values which form the foundation, and progressive evolution, of civil society’. She concludes on a note of cross-border, ivy-league solidarity (or cultural cringing) to supplement the allegiance to key academic and democratic ideas:

I join in solidarity with President Lee Bollinger of Columbia University [where of course Spivak is a long-time faculty member] and Chancellor Robert Birgenau of the University of California, Berkeley in support of unfettered interaction with Israeli scholars and institutions and in saying to those members of the UCU who would pursue this deplorable action: if you choose to isolate Israeli universities, you should add McGill to your boycott list. We will stand steadfast against those who seek to undermine academic freedom.

Dr Monroe-Blum speaks (over-)confidently on behalf of her entire institution, seeks legitimacy by association with presidential peers in the United States, strikes a bring-it-on note made notorious by a president even more powerful than she is and ends by reiterating her ‘own’ and other right-thinking academic communities’ resolve to defend a noble tradition against a generalised threat from those who neither share nor wish to perpetuate ‘our’ values. Alas, this is righteous posturing not rigorous intellectual work. You can just imagine how the threat of a McGill boycott would strike terror into the hearts of British academics! Then there is her absolute silence on the matter of academic freedom for Palestinians, or about the public statement less than a month earlier by six of Dr Monroe-Blum’s fellow presidents in Palestinian institutions about the grievous plight of their faculty and students. This presidential tribune
follows a quasi-Huntingtonian script about the clash of civilisations and does so without ever naming the unspeakable other lent unwarranted succour by a few misguided British academics.

The University of Toronto’s response is roughly twice as long as, and more nuanced than, McGill’s. It is a personal message from President Naylor to the General Secretary of the UCU—an astute performance of the power of personal contact that the message wishes to promote. President Naylor explicitly connects the UCU’s proposed boycott to similar actions aimed against apartheid in South Africa two decades ago. He claims an objection in principle that is consistent with his university’s policy of contact rather than avoidance. Moreover, he buttresses this claim with a valid (but arguably exaggerated) claim for the solidarity of Israeli academics with their Palestinian colleagues and a (definitely exaggerated) claim on behalf of ‘professors and university teachers world-wide’. Having objected ‘strenuously’ earlier in his statement to ‘boycotts as broad-brush politicization of academic discourse’, Dr Naylor then insouciantly politicises his own discourse broad brush, re-characterising scholarship and teaching ‘world-wide’ as ‘the global academic enterprise’, part of a larger ‘human enterprise’. The term ‘enterprise’ is, however, currently a loaded one in Canadian debates about the commodification of knowledge and the casualisation of teaching within the increasingly corporate university, where only the academic comprador and entrepreneur seem truly welcome. Indeed, one might argue that free-market fundamentalism hides here within talk of academic fundamentals (along with a silently demonised Islamic fundamentalism), with free trade underlying and justifying academic freedom while corporate enterprises discreetly call the shots.

Such an interpretation is especially appealing in the case of the University of Toronto, ‘home’ to two of the most notorious recent cases involving institutional violations of academic freedom for fear of offending corporate donors—the cases involving Nancy Olivieri and David Healy.26 So, when its president testifies on behalf of the University of Toronto, shuttling between the poles of the personal and the universal as he does so, his speech is subverted by smugness and the public record. The dominant cannot find a voice or tense in which to speak, as it desires to do. No single voice can profess to speak for any academic community without resorting to amnesia while endeavouring to silence other voices that will inevitably stray ‘off message’, reclaiming from subaltern silence for complexity and critique a proposal portrayed unilaterally by academic leaders as self-evidently abhorrent.

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Other administrators take their cues rapidly from Monroe-Blum and Naylor, responding more succinctly but covering much of the same ground. These statements generally attend to their institutional brand, whereas only two of the 24 examples (those from Toronto and Victoria) mention the statement by Palestinian university presidents—or mention Palestinians at all. Here is a case of wilful bias or culpable ignorance on behalf of leaders who claim global antennae and connections but a convenient aloofness too. Here, perhaps, is disdain that dare not speak its name. In these testimonies from the top there is no linking of the Shoah and al-Naqba. The plight of Palestinian academics—apparently unworthy of a flood of testimony on its own—is lost within a larger lip-service to generic freedoms in universities across the world. The subaltern institutions of the West Bank and Gaza have spoken, but with very uneven results. Moreover, North America appears especially impervious to such speech, at least at the institutional level, while pre-emption and erasure do their lethal work within the eager emission of outrage in both of Canada’s official languages in the name of publicly funded institutions.

Of course, opposition to those who increasingly thought of themselves as CEOs speaking for everyone in the institutions they led was not long in coming—from faculty and students who could not be treated openly as subalterns without threatening the university brand. The proposed boycott remains a complicated and unfinished story, but for my purposes here it must suffice to note how some of those who sprang to the aid of academic freedom when they thought it threatened by the UCU have handled the exercise of that freedom on their own campuses. Consider, for instance, the controversy surrounding Israeli Apartheid Week (IAW), which has occurred in the first week in March every year since 2005 in Canada. As its name indicates, IAW is an explicit attempt to counter mainstream media coverage and a conservative government’s arguable bias in favour of Israel. Supporters of IAW would seem to have a point when Canada’s Minister of Citizenship, Immigration and Multiculturalism was reported thus in Haaretz while on a recent visit to Israel: ‘I very acutely understand the nature of the new anti-Semitism, and I think it’s even more dangerous than the old European anti-Semitism.’ What Minister Kenney is responding to in a broad-brush way is what he sees as a ‘coalition of the far left in the West with extreme currents of jihadi Islam that seek the destruction of the Jewish nation’. Remember this minister’s key portfolio within a poster democracy and then ask yourself about his reading of history. But of course Kenney is a member of the cabinet of Stephen Harper, admirer and plagiarist of John Howard, the same Harper who declared the Israeli action in southern Lebanon in 2006 to be ‘measured’ and links his government’s foreign policy to a domestic stance of being ‘tough on crime’. And another member of this federal cabinet, Gary

Goodyear, recently asked the Social Sciences and Humanities Research Council of Canada (part of his ministerial portfolio) to review the funding it granted through its independent peer review process to organisers of an international conference promoted jointly by York and Queen’s Universities on the theme of ‘Israel/Palestine: Mapping models of statehood and paths to peace’.  

Among the figures speaking out pre-emptively against the proposed boycott of Israeli universities were the presidents of York, McMaster and Carleton Universities. At York, which has a rich history of internal and often rancorous debate, the president invoked ‘the autonomy of universities’ as the ground on which to deplore the proposed boycott. Institutional autonomy, however, functions increasingly in Canada as a pretext for the violation rather than the support of academic freedom for faculty and students. The York administration reacted to this year’s organisers of IAW’s programming by ‘suspending the club-status for thirty days’, fining them $1250 for staging a preliminary rally on 12 February 2009 and demanding that they issue a “letter of apology” to the York community’. The rally was deemed offensive because it bore witness noisily and because of the size and substance of some of the banners on display. My apparently inflammatory phrase, ‘the semiotic stockade’, gains new meaning from such censoring and from analogous actions at McMaster, where the very expression ‘Israeli apartheid’ was first banned by the Director of Human Resources and then permitted—but only in restricted font size and small lettering on banners. Orwell wert thou living at this hour! The contradictions continue to proliferate as the right to speak for, or as, the institution is asserted from above and contested from below. At York, the president declared that institutional autonomy meant universities were not and never should be ‘an arm of their national government’ and that ‘the idea that individual universities should operate some kind of foreign policy is anathema to everything that, as academics, we stand for’. Yet those ‘individual universities’ seem through their presidents to have abandoned their individuality for a generic response almost indistinguishable in its self-righteous one-sidedness from the Canadian Government’s position.

Can the institution speak? It cannot speak *qua* institution, but it can be misspoken for—in monologic forms that seek to re-corral academics as Bourdieu’s  

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29 ‘Students against Israeli apartheid fight York University censorship’, News and commentary on the Middle East, Arabist.com, posted 27 February 2009.  
30 Solidarity for Palestinian Human Rights (SPHR) 2008, A Public Forum: Rights and responsibilities in political discussion on campus. Who speaks for McMaster?, 15 February 2008, <sphr.mcmaster@gmail.com>  
31 YorkU, President’s statement on the autonomy of universities, <http://www.yorku.ca/presidnt/news/autonomy%20of%20universities.html>
‘dominated fraction’ of a dominant class\textsuperscript{32} via severe internal policing and self-censorship. So the answer to the question is no/yes in a domain of elite as well as subaltern activity. I hope that the question ‘Can the institution speak?’ will enjoy a little of the longevity and impact of Spivak’s question, because the power to provoke is one we need to retain and use often in the current convergence of hegemony and homogeny, the yearning after total information awareness and its panoptic campus satellites, the Argus Project\textsuperscript{33} and Minerva Consortia led by the former president of Texas A & M University and Bush and Obama’s Secretary of Defence, Robert M. Gates,\textsuperscript{34} in the world’s most powerful national-security state.

Insofar as universities are considered beacons of democracy in democratic societies, or as canaries in the mineshafts of freedom, they are especially revelatory of the enabling and limitation of power sharing, and the need to promote internal activism and vocal intervention on the part of the ‘non-self-abdicating intellectual’. To this end, research centres, disciplinary departments, schools, faculty associations (unionised and not) and student organisations need to recognise and act on the discursive and justice implications of their ‘own’ power structures and individual and collective distributions of elite and subaltern status. In this way, academic institutions can disrupt the fraudulent pretensions to unity and representativeness that prevail inside and outside their notional borders. And that can in turn lead to the transformation of the academy’s semiotic stockade into an ‘information commons’ in more than an information technology form bearing a corporate logo, or even into a ‘knowledge mobilisation’ commons with activism ‘of the intellect, optimism of the will’ as its\textit{ modus operandi}. ‘The university’ need not be merely a hotbed of cold feet, an ivory or irony tower or a corporate multiversity; it can also be an open-access multi-contrarian haven for optimally unencumbered inquiry and exchange, but only then will it be a safe place for performing and eliciting testimony:\textit{ alma mater testimonia}. In such an exercise of capacity without triumphalism, while valuing difference rather than managing diversity, perhaps scholars can make their gifts and privileges work more effectively for the rights of those called selectively, more or less coercively, and always belatedly, to speak beyond and against subalternity—to speak about the invasive injustices that have made them in part who they are and how they are.

\textsuperscript{32} See, for example, Swartz, David 1997,\textit{ Culture and Power: The sociology of Pierre Bourdieu}, University of Chicago Press, Chicago, p. 223.
\textsuperscript{33} National Association of Scholars, Argus Project, <http://www.nas.org/pol/PressReleases.cfm>
\textsuperscript{34} See Jaschik, Scott 2008,\textit{ A Pentagon Olive Branch to Academe}, <http://insidehighered.com/news/2008/04/16/minerva>
Reconciliation as ritual: comparative perspectives on innovation and performance in processes of reconciliation

ROXANA WATERSON

In the past three decades, extraordinary developments have taken place in a number of countries making a transition from authoritarian regimes to democratic governments.¹ This has given rise to the emergent field of study of transitional justice.² As for the best means of achieving such transitions, debates are still vigorous about the relative merits of truth and reconciliation commissions (TRCs) versus criminal proceedings, whether in the context of the International Criminal Court at The Hague or of hybrid national/international special courts such as the Extraordinary Chambers in the Courts of Cambodia (ECCC) in Phnom Penh, which is currently trying five former high-ranking members of the Khmer Rouge. TRCs are relatively new political and legal phenomena. Patricia Hayner lists 21 truth commissions formed since 1974—the most successful of which to date appear to have been those in Chile and South Africa.³ She provides an excellent analysis of how these commissions have differed from one another and what they have achieved. Still, many urgent questions remain about how best to ensure the efficacy of the process.⁴

¹ An earlier version of this article was presented in the Seminar Series at the Centre for Cross-Cultural Research, Research School of the Humanities, The Australian National University, Canberra, on 26 October 2007. I am grateful to the audience on that occasion for their feedback and especially to Rosanne Kennedy and to the journal’s two anonymous readers for their further editorial suggestions.
Questions of social memory—deciding how to remember the past, in order to deal with the future—lie at the heart of all these endeavours. The efforts to enact transitional justice have focused on the felt need to uncover hidden memories of past traumas and to break the culture of silence and impunity created by terror. The question of how people are to continue living together after atrocities have been committed is of profound moral import, but the drive towards reconciliation is complicated by many factors: the political fragility of a new regime, the extent to which those who constituted or benefited from the old order remain in positions of power, the continuing power relations between groups who have come to see one another as enemies, or the hindrances even to establishing what really happened, and thus what it is that a nation should be coming to terms with. In each case, the particular socio-political context is unique. Furthermore, processes of transitional justice generally depart in significant ways from already established legal procedures. TRCs, for instance, even when established by law, typically have a somewhat ambiguous relationship with the justice system, and it is not a foregone conclusion that they will 'work' or their outcomes be considered binding. They are formed in response to specific events and are aiming to achieve something that has never been tried before in that society. Hence they demand a great deal of innovation, and their outcomes are necessarily uncertain. When people innovate, however, they can also find it useful to seek legitimacy in certain ideas, models or precedents that are already available to them within their own cultural repertoire.

A factor that as yet has not received all the attention it deserves, therefore, is the question of how, in each context, the cultural resources that people have to draw on in processes of reconciliation must be different.\(^5\) What I want to argue here is that TRCs must function on two levels at once: the legal and the ritual. Legal authority, and an articulation with an existing system of justice, is essential for a commission to do its work of getting at the truth (or at least, in the words of historian John Lukacs, to contribute to ‘the reduction of untruth’) and for its findings to be taken seriously.\(^6\) The work towards reconciliation,

\(^5\) The same applies in the closely related field of conflict resolution. This is by now an internationally recognised technique for working with disputants—for instance, in workshops designed to help them find ways to communicate with each other or to train third-party negotiators. Its development has followed various models, not necessarily paying significant attention to cultural factors, and sometimes deliberately attempting to set them aside. Kevin Avruch, a professor of anthropology at George Mason University and faculty member of its Institute for Conflict Analysis and Resolution, is one of those who, on the contrary, has argued forcefully for the inescapable need to take account of culture in such dealings if they are to succeed (see Avruch, Kevin 1998, Culture and Conflict Resolution, United States Institute of Peace Press, Washington, DC).

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...however, requires the creation simultaneously of an appropriate ritual setting—and it is here that the insights of anthropology into the workings of ritual might usefully be applied.

Rituals—as has often been observed by anthropologists—sometimes serve the conservative purpose of reinforcing the status quo, and they tend to gain dignity and efficacy through repetition. In contrast, a recent paper by Leo Howe stresses the high degree of risk entailed in the staging of some ritual performances, the very outcomes of which are the result of political struggles between the participants. Clearly, in the case of reconciliation procedures, we are at the extreme end of the risk continuum, since these are rites in which the stakes are high, there are no comforting precedents to fall back on, some might be at best reluctant participants and efficacy cannot be determined in advance. Insofar as a TRC sets out to help a community move out of a place of cultural trauma and barbarity towards the re-establishment of moral decency, it might usefully be viewed as a sort of rite of passage. Passage to where is here a difficult question; the road is long and it is naive to suppose that ‘reincorporation’, in van Gennep’s terms, can be achieved fully within the time frame of a commission. Moreover, even if some elements of ritual structure and sacredness might be crucial to success, this still has to be held in balance with a certain necessary openness. Reconciliation cannot be forced, and the most genuine gestures in this direction, if they occur at all, are likely to be spontaneous and unpredictable. If the ritual were to become too choreographed, it might seem to offer nothing but hollow rhetoric and thus defeat its own purpose. The question I therefore wish to pose is this: within the unique social context in which each TRC must operate, what sort of resources might be available to participants, in the form of culturally salient ideas and values that they can bring to bear on the process—ideas that can help to invest it with meaning, even a degree of sanctity, and that might assist people in ‘knowing what they are doing’ and feeling their way towards the difficult goal of reconciliation? Problematic as the process of reconciliation clearly is, I want to argue that such cultural resources can indeed vary quite markedly, and that they might have a very distinct bearing on outcomes. I will illustrate my discussion by drawing on three contrasting examples: South Africa, Indonesia and Timor-Leste.

7 Bloch, Maurice 1974, ‘Symbol, song, dance, and features of articulation: or is religion an extreme form of traditional authority?’, Archives Européennes de Sociologie, vol. 15, pp. 55–81.
While truth might be a goal that can to some degree be measured in terms of the documentation achieved by a commission and the contents of its final report, its partner, reconciliation, is bound to be much more elusive. Not all truth commissions even set out to concern themselves with reconciliation—although the South African one specifically did so. Where reconciliation is a goal, however, it cannot be detached so easily from the issue of truth. Evidence is anecdotal, but survivors in whatever social context appear to want most of all that perpetrators should explain what they did and their motivations for doing it, accept responsibility for their deeds and show genuine remorse.\textsuperscript{12} Without that, reconciliation is hardly meaningful, but there is no guarantee that perpetrators will come to it; they might, on the contrary, seek ways to paint themselves as victims or even as heroes of the nation. No-one, not even a TRC, has the right to demand that victims reconcile with or forgive those who have harmed them. As Archbishop Desmond Tutu said of the South African TRC, which he headed, its stated aim could only be the promotion of reconciliation, not its achievement, for anything else would have been unrealistic and morally invalid. Interestingly though, this position was one that he reached somewhat far into the process, for from the beginning much had been made of the commission’s moral goal of reconciliation.\textsuperscript{13} In a searching assessment of what the TRC did achieve, the authors in a subsequent book of reflections made the point that this could be regarded only as the beginning of a process.\textsuperscript{14} Addressing the structural injustices brought about by apartheid’s long-term skewing of the South African economy remains the biggest challenge to be met—one that threatens continuing progress towards reconciliation if it should be too long delayed.\textsuperscript{15} Frustration about continuing poverty and deprivation did indeed boil over into violent protests in Johannesburg in May 2008.

While TRCs must have some legal basis in being formally established by an act of parliament or presidential decree, it is interesting to note that their relations with the justice system are likely to be ambivalent. From a comparative point of view, the examples I am considering also vary in the nature of this relationship. In the South African case, de Lange noted that the commission was empowered to bypass the justice system in granting amnesty to those it felt had made full disclosure and also in naming perpetrators before they had been convicted.


\textsuperscript{13} Hayner, \textit{Unspeakable Truths}, p. 156.


The threat of prosecution remained for those who were deemed not to have disclosed fully to the TRC. Some prosecutions were held during the life of the commission and this ‘fed directly into the TRC process by convincing many wavering perpetrators that they were on their own and that it would be in their best interests to testify’.\(^{16}\) Given that there was a high degree of continuity in the personnel of state institutions after the transition, however, that meant handing prosecutions to the perpetrators, because those who had been deeply implicated in the apartheid regime, in its police and security forces, would now be responsible for investigating their own human rights offences. Besides being slow and expensive, therefore, there was no guarantee that these trials could secure convictions—and indeed some of them did fail.\(^{17}\)

If de Lange could say of South Africa that ‘the whole legal order suffers from a serious crisis of credibility, legitimacy, and efficiency’, how much more is this the case in Indonesia, post-Suharto? Under the government of Abdurrahman Wahid, a law was tabled in 2000 to mandate the setting up of a truth commission to examine the events of 1965–66, but it was not passed until close to the end of Megawati Sukarnoputri’s presidency, in 2004.\(^{18}\) The government of Susilo Bambang Yudhoyono got as far as appointing a panel to select candidates to serve as commissioners, but in 2006, the validity of the new law was contested by a group of non-governmental organisations, some of whom objected to the idea of amnesty for perpetrators. In a shock verdict, the Constitutional Court then annulled the law in December 2006.\(^{19}\) The Law on Human Rights Courts of 2000 also led to the establishment of an Ad Hoc Court to hear cases relating to Timor-Leste. Only 18 individuals have been tried as a result of this process; there have been 16 acquittals, one acquittal on appeal and only one person convicted—a Timorese militia leader, Eurico Guterres, who received a 10-year sentence for crimes against humanity. Not surprisingly, the Indonesian trials have been the subject of strong international criticism.\(^{20}\)

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17 For instance, Magnus Malan, the former Minister of Defence, was tried unsuccessfully after he refused to apply for amnesty.
18 The counter-coup that brought Suharto to power was accompanied by massacres in which between 500 000 and 1 million suspected communists and alleged communist sympathisers were brutally murdered (see Cribb, Robert [ed.] 1990, The Indonesian Killings of 1965–66: Studies from Java and Bali. Volume 21, Monash Papers on Southeast Asia, Centre for Southeast Asian Studies, Monash University, Clayton, Victoria; Robinson, Geoffrey 1995, The Dark Side of Paradise: Political violence in Bali, Cornell University Press, Ithaca; Zurburchen, Mary [ed.] 2005, Beginning to Remember: The past in the Indonesian present, NUS Press, Singapore).
While the Indonesian judiciary remains weak and ineffectual, the situation in Timor-Leste itself has been much more difficult. Its judicial system was staffed almost in its entirety by Indonesians; all the judges and nearly all the lawyers left after the population voted overwhelmingly for independence from Indonesia in 1999. Hence the decision to adopt a hybrid system in pursuit of truth and justice—one that involved efforts to pursue criminal justice through the Serious Crimes Unit and the setting up of a Commission for Reception, Truth and Reconciliation (Comissão de Acolhimento, Verdade e Reconciliação, CAVR), whose task was to focus on documentation and efforts at reconciliation between victims and perpetrators of less grave offences. The CAVR ran for 39 months from April 2002, submitting its final report in March 2006. The prosecution procedures utilised national and international personnel, although, by Reiger’s account, the interactions between them were far from sufficient, the operation was haphazardly planned and hampered by inadequate funding and no money was available for public outreach to inform a largely non-literate and widely scattered population of the results of the proceedings. Another obstacle was the continuing condition of lawlessness after the separation; the fledgling justice system they were trying to rebuild was soon overwhelmed with hundreds of new cases at the same time as it attempted to address the past. The Special Panels of the Dili District Court set up by the UN Transitional Administration for East Timor (UNTAET) in mid-2000 to try ‘serious criminal offences’ from the 1974–99 period eventually did succeed in indicting 400 people, but since 339 of them remained at large in Indonesia, the results hardly did much to satisfy Timorese desires for justice. It is in this context that one must consider the innovative attempts of the CAVR to facilitate some level of reconciliation between victims and lesser perpetrators at the level of local communities. A particularly interesting feature of this commission was its drawing on indigenous traditional methods of dispute settlement to create a meaningful, ritual framework for the enactment of reconciliation. Although Timor-Leste is a staunchly Catholic country, the cultural resources deployed in this instance thus belonged to traditions older than the world religions.

South Africa

Arguably by far the most effective TRC to date has been South Africa’s, which ran from 1996 to 1998 and heard evidence from 20 000 victims of apartheid and more than 7000 perpetrators. Yet, remarkable as it was, even this commission has not been judged an unqualified success. In 2006, Tutu, who had presided

over the commission, declared his regret that it had let perpetrators off too lightly and had not done enough to end the culture of impunity that was the legacy of apartheid. In particular, there was some bitterness in South Africa that many more black than white perpetrators were prepared to testify, and a feeling that white South Africans did not pay as much attention to the work of the TRC as they should have, even though its hearings, televised daily, reached an audience of millions. All the same, after the TRC, it is impossible for white beneficiaries of apartheid to claim ignorance or disbelief about the violence by which the system had been maintained. This in itself is a great achievement for South Africa, since a number of earlier TRCs in other countries had not dared to hold their hearings publicly for fear that they would be too inflammatory and would invite military retaliation.  

The establishment of the TRC offered great political and legal advantages in that, by offering amnesty only on condition of full disclosure, it provided an incentive for perpetrators to admit as fully as possible what they knew. If they had been tried in a court of law, they would have been entitled to a defence lawyer whose task would have been to deny the guilt of his client and ensure that as little information as possible about past atrocities was revealed. The TRC, in contrast, produced a large volume of new testimony, breaking the culture of silence and enabling many victims’ relatives finally to find out what had happened to their loved ones. The felt need to address wider social distress in a way that criminal proceedings cannot is well expressed by De Lange, who notes that ‘the most important human factor is the hurt and humiliation that many have suffered, and the inability of courts or inquests to bring some relief to that hurt’. The performative possibilities for the commission to address and acknowledge the hurt in a way that a trial could not are among its most interesting features.

A TRC, unlike a legal trial, grants agency not only to those who are invited to testify, but to the audience, who must become engaged as witnesses to the testimony. The structure of such events is designed to create a space conducive to testifying—by survivors and perpetrators—and to appropriate acknowledgment by an audience. Martha Minow stresses the importance of solidarity and ‘a moral, sympathetic, and politically attentive stance’ on the part of the witness in the testimonial, just as in the therapeutic relationship. Proceedings in a court of law do of course share in the performative, as the very

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25 Because of its ability to capture performance in a way that text cannot, film here becomes an important and vivid medium for preservation and study of such proceedings. Deborah Hoffman and Frances Reid’s remarkable film *Long Night’s Journey into Day* (Iris Films in association with Cinemax Reel Life, 95 mins, 2000) enables viewers to grasp how the commission was supposed to work, as well as offering visual clues about the relative sincerity of particular perpetrators.
26 Minow, ‘The hope for healing’, p. 245.
existence of the genre of courtroom drama serves to demonstrate. The public hearings of a TRC can likewise be viewed at one level as a form of theatre in which the audience becomes the recipient of testimony. Minow and Marlin-Curiel have indeed argued that the presence of the audience, and its empathetic attention (what Marlin-Curiel has dubbed its ‘response-ability’), is an essential precondition for such proceedings to have any hope of efficacy—either for the survivors or for the society as a whole.

How much might the cultural imagery that the commission was able to draw on have contributed to the difficult goal of reconciliation? Ebrahim Moosa and Piet Meiring both noted the strongly Christian and religious framework that gave resonance to the workings of the commission. This was possible because a majority of South Africans adhered to some denomination of Christianity, or to other religious communities, including Muslims, Hindus, Buddhists, Bahais, Jews and African traditionalists. Besides Archbishop Tutu, four of the 16 commissioners were pastors, while others were activists with close ties to ecumenical bodies. The ‘faith communities’ were involved from the very beginning in discussions about how the TRC should be constituted; they had a special hearing within the TRC in November 1997, in which representatives were invited to contribute their own insights and beliefs with regard to defining reconciliation, justice, accountability and restitution, and how these might be achieved. They were also asked to speak about their own experiences of apartheid, and many of their proposals were incorporated into the final report.

So much overtly Christian or religious reference did not work for everybody, however, especially some members of the South African Communist Party who


30 Meiring, ‘The Baruti versus the lawyers’, p. 130.
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had played committed roles in the anti-apartheid struggle. Even one of the commissioners, Fazel Randera, objected as a lawyer to the religious tone of the proceedings, which he felt ought to be conducted in a style more in keeping with the fact that the TRC was intended to be a legal process. He asked that the hearing at the Johannesburg office in 1996 should begin, not with prayers, but with half a minute's silence. Although Tutu agreed, when it came to it he found this so uncomfortable that he was unable to begin until he had led the audience in prayer.\footnote{Ibid., pp. 123–4.} Meiring noted that there were many occasions when in moments of great anguish, the proceedings were eased by singing or praying.\footnote{Ibid., p. 126.} Tutu himself played a major role in guiding the entire process, insisting on the spiritual necessity to re-establish a moral order through confession, mercy and forgiveness—ideas with profound resonances in Christianity. He repeatedly urged perpetrators and organisations to apologise for injustices and pleaded with white political, professional and business leaders to express remorse.\footnote{Amstutz, Mark 2005, \textit{The Healing of Nations: The promise and limits of political forgiveness}, Rowman and Littlefield, Lanham, pp. 204–5.} Beyond the Christian framework, he furthermore maintained that ‘restorative justice was consistent with the African social tradition of \textit{ubuntu} that placed a premium on harmony, friendliness, and community’.\footnote{Ibid., p. 112.}

These accounts give us a vivid sense of how strongly the TRC’s effectiveness was to rest on its performative elements and how the participants at times were feeling their way in uncharted territory. Symbolic and ceremonial elements of the meetings, carefully chosen to create a space in which order, calm and a sense of emotional support might prevail, acted here, as in any ritual, to condense meanings and to channel and focus emotions. These arrangements included even incidental details such as flowers and white tablecloths.\footnote{Bozzoli, ‘Public ritual and private transition’, p. 170.} Arguably, the newness of the event made these qualities especially crucial. There was no precise script to follow, so the commission had to create the right atmosphere of solemnity, empathy and authority as it went along. Moosa stresses this performative quality—a quality of ‘as if’:

Can one say that the TRC fulfilled the role of ‘as if’ (that is, as if it were some kind of court of justice). ‘As if’ it performed the function of Nuremberg. As if reconciliation between antagonistic racial groups had occurred. As if the truth were disclosed. The motif that repeatedly comes to mind is that of ‘as if’: a simulacrum? The TRC played the role as if it were taking confession and offering redemption.\footnote{Moosa, ‘Truth and reconciliation as performance’, p. 117.}

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By this account, the commission had to will itself to succeed. Reflecting on what the TRC dared to achieve through its own drama, one could see even more clearly the significance of a charismatic and authoritative figure such as Tutu, one who was able to guide and draw meaning from what was happening, with all of its unpredictable outpourings of emotion, which as Moosa stated, made it ‘an awesome experience, one that made people truly tremble’. He declares the commission to have functioned as a sort of ‘secular Eucharist’, offering a miracle (of negotiation), a mystery (the uncovering of the hidden past), the ‘Word’ (the report) and even the power to grant redemption to those sinners who offered full confessions. It created a theatre in which South Africa’s disenfranchised made the sacrifice of dramatising or re-performing their own suffering in an effort to enable ‘a redemption of the sins of apartheid’. As incomplete as the process has inevitably remained, he concludes, the commission’s final report will continue to be a powerful element in social memory, to be drawn on and invoked as a landmark and reminder in the continuing development of reconciliation.

Indonesia: *islah* and the case of the Tanjung Priok massacre

Clearly, Christianity provided South Africans with a source of resonant moral concepts and shared imagery that had the potential to infuse the workings of the TRC with sacredness and solemnity. Reconciliation is too important, however, and perhaps too universal an idea to exist within only a single framework. In fact, the International Centre for Transitional Justice (ICTJ) in its web site article on this subject stresses the importance of not tying reconciliation to any particular set of religious ideas. It therefore chooses to articulate it in terms of the practical necessity of re-establishing basic security and a more culture-neutral model of ‘civic trust’ as something that has to be developed (or re-established) between citizens of the same political community, who might not know each other personally. This includes both ‘horizontal’ trust among citizens and ‘vertical’ trust between the citizens and their institutions. The latter means being able to know that participants in the institution share rules, values and norms that they are prepared to regard as binding.

This expectation of a commitment to shared norms and values returns us, however, to the cultural element. Where commissions are held in countries that are not predominantly Christian, what other symbolic languages and frameworks can be brought to bear in the effort to lend weight to what they are doing? The example of predominantly Muslim Indonesia presents itself as a potentially

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37 Ibid., p. 117–19.
interesting one. Are there any specifically Muslim ideas that might resonate with enough people to be put to use in the quest for truth and justice about past atrocities there? Indonesian scholars Wahyudi and Fadjar Thufail offer insights into the recent pursuit of justice by victims of the Tanjung Priok massacre of 1984, including an analysis of the concept of islah and its deployment by members of the military to reach a settlement with victims.\(^3\)

I have not found it easy to trace the background of the term ‘islah’ (literally, ‘to repair’) in Islam, or to get a sense of how widely or deeply this concept resonates with Muslims generally. The situation is complicated by the fact that it is also (more commonly) used in the sense of ‘reform’. Wahyudi offers the following account:

The word islah is from the Arabic…Islah literally means to restore or to reform. In the Koran and Hadith, islah is usually used to refer to making peace between two people who are fighting or in dispute with each other…islah means the effort to achieve reconciliation. According to Islamic law, islah is a procedure that can only be used in civil cases, and not criminal cases…In addition, the term islah is sometimes used to mean ‘to reform’…The point of this reformation movement was to return Islam to its original, genuine message.\(^4\)

There is an emergent quality to the idea of islah in Indonesia, such that it has the potential to mean different things in different contexts. This is both a strength and a weakness. Priambudi Sulistiyanto and Rumekso Setyadi record its positive use in a workshop called the Victims’ Forum held in Semarang, Central Java, in 2003.\(^5\) This event was organised by Syarikat, a non-governmental organisation formed by younger members of Nahdlatul Ulama with the goal of reaching out to ex-TAPOL, victims of the 1965–66 purges of alleged communists.\(^6\) Some of the Kyai or religious teachers who spoke at this forum were at pains to stress

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\(^3\) I mentored Wahyudi when he visited the Asia Research Institute, National University of Singapore, as a regional visiting scholar in 2007, and am indebted to him for permission to cite his work in the following account: Wahyudi 2007, ‘Sakralisasi Ideologi Memakan Korban: Kuasa dan Ritus Kekerasan Orde Baru di Balik Tragedi Tanjung Priok 1984’, in Zainal Rahman (ed.), Pergumulan Negara Bangsa Yang Tak Kunjung Usai, Politea, Yogyakarta; and What’s the point of remembering? Islah as the altering of memory among the victims of the Tanjung Priok massacre in the post-Soeharto era in Indonesia, Paper presented at the Asia Research Institute Graduate Seminar, 28 July 2007. See also Fadjar, Thufail 2007, Transactions in the reconciliatory forum: Islah and the legacy of state violence in Indonesia, Paper presented at the Conference In Search of Reconciliation and Peace in Indonesia and East Timor, ARI, National University of Singapore, Singapore, 18–20 July 2007.

\(^4\) Wahyudi, What’s the point of remembering?, n. 1.

\(^5\) Sulistiyanto and Setyadi, Civil society and grassroots reconciliation in Central Java, Indonesia, p. 6.

\(^6\) Nahdlatul Ulama is the country’s largest Muslim association. Some of its members played an as yet little examined role in carrying out the massacres of 1965–66. This initiative of today’s younger generation within the organisation is designed to open a dialogue and begin to offer some redress. TAPOL is an acronym for Tahanan Politik, or political detainees from this period, more than 1 million of whom were held for years without trial; their families were also stigmatised.
the more than 30 verses of the Koran that advocate mercy and forgiveness and
denounce revenge. K. H. Syamsudin was one of those who explained that *Islah*
meant ‘peace’—not just a mechanism for making peace but a feeling that must
start in the heart before reaching out to society as a whole. In the context of
continuing efforts to investigate the Tanjung Priok massacre, however, it was
deployed very differently.

As Wahyudi describes, on 10 September 1984, police arrested four Muslims
of Kampung Koja, Tanjung Priok, after an altercation between them and
neighbourhood security officers, one of whom had disrespectfully entered a
local mosque without removing his shoes. Two nights later, when residents
demonstrated for the release of those arrested, the military opened fire on the
demonstrators and killed more than 300 people. Others were held without trial
for years, including some innocent bystanders. Non-governmental organisations
claim that more than 100 people are still missing or unaccounted for.43
Twenty-eight of the demonstrators were tried and sentenced in 1985–86 on
charges of ‘provoking’ street demonstrations, attacking security officers,
spreading a radical Islamic agenda and challenging the State’s ideology of
*Pancasila*. For the Suharto regime, the trials provided a useful means of
silencing opposition in subsequent years, and no further investigation was ever
permitted.44 Therefore, the families of those who had died or been arrested were
unable to make any inquiries about what had happened to their family members
or bring any charges against the government concerning its responsibility.
Indeed, they were themselves stigmatised as subversives.

As soon as Suharto fell from power, however, survivors organised to lobby
for an investigation into the massacre. President B. J. Habibie swiftly released
many of Suharto’s political prisoners, including those associated with Tanjung
Priok, and a coalition was formed between former political prisoners, the
victims and their relatives, and human rights organisations. They called on the
government to reopen the case and bring the perpetrators to trial.45 A number
of high-ranking military figures, including Generals Benny Moerdani and Try
Soetrisno, as well as Golkar Party members, had been involved in the massacre
and were understandably unenthusiastic about such a possibility. A proposal
by the National Commission of Human Rights to establish a TRC instead only
strengthened the victims’ determination to press for a trial.

On 1 September 1998, the Indonesian Legislative Assembly decided to
constitute a joint fact-finding commission with members drawn from different

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43 Fadjar, Transactions in the reconciliatory forum, p. 1.
44 For a fuller discussion of this aspect of the affair, see Burns, Peter 1989, ‘The post Priok trials: religious
*Journal of Contemporary Asia*, vol. 37, no. 1, pp. 73–94.
political factions. In the meantime, the victims had also been collecting evidence themselves, which they presented to the National Commission of Human Rights in October. In March 1999, the commission recommended to the government that the case should go to court. By September 2000, the commission’s fact-finding team had interviewed 90 witnesses and called on high-ranking members of the military to give testimony. The survivors became distrustful, however, when the team surveyed, but failed to excavate, the sites of mass graves. Furthermore, in their final report, they claimed that the massacre had happened because Muslim residents of Tanjung Priok were themselves resisting the troops. This led to protest demonstrations, prompting President Wahid to order the Attorney-General’s Office to renew investigations. A new team then proceeded to exhume a number of graves in cemeteries throughout Jakarta. The forensic experts’ preliminary report indicated that the number of victims was much greater than the military’s estimate.

In the meantime, a new development occurred that caused a split between the survivors. Some of them accepted an offer of reconciliation made by members of the military, led by General Soetrisno himself. An islah agreement was held on 1 March 2001 at the Sunda Kelapa Mosque, at which the 86 victims and survivors were represented by only seven individuals. What sorts of language or concepts were deployed around this event? According to Fadjar, Soetrisno is on record as saying that ‘[i]slah helps resolve the Tanjung Priok case. Then both parties [to the agreement] will strengthen their family ties [hubungan kekeluargaan] and sustain silaturahmi [‘good relations’], which has its roots in a meaningful social solidarity.’ In Fadjar’s analysis, ‘[w]hether or not…islah really applies Islamic norms is entirely a different question’, for what he finds significant about Soetrisno’s statement is its emphasis on the desired result—silaturahmi (‘harmony’, ‘friendly or familial relations’). The statement thus exploits the language of a fictitious kinship. Fadjar appeared to see the framing of the islah agreement as entirely opportunistic: the invocation of Islamic norms served largely to make the event look ‘less political’, but he pointed out that representatives of major religious organisations were conspicuous by their absence. The only prominent Muslim figure to be present was the late Norcholis Majid, a well-known progressive Islamic intellectual. He, however, appeared to be there as an observer and played no active part in the proceedings apart from signing his name to the Piagam Islah (Islah Charter) drawn up by the military and signed by those present. This absence of participating religious figures presents a strong contrast with the South African case, as does the lack of an audience to represent the public. Nor did the survivors themselves have much of a role to play, since no negotiation took place during the meeting and all the speeches were made by the military. Their subsequent declarations that

46  Fadjar, Transactions in the reconciliatory forum, p. 1.
47  Ibid., p. 3.
the *islah* agreement was successful must therefore be taken in context. This case has produced legal ambiguities of a different kind from those observed in South Africa. Notably, the *Islah* Charter is not in itself a legal process; yet, it has already had legal consequences, since a judge at the Ad Hoc Human Rights Court on Tanjung Priok has subsequently cited it in his judgment acquitting the military defendants.

The *islah* forum caused a dramatic rupture between the two groups of survivors. Those in favour of *islah* became known as the ‘Pros’, while those who opposed it were called the ‘Cons’. Soetrisno and some of the other perpetrators set up a foundation called *Yayasan Penerus Bangsa* (a vacuous title roughly translatable as ‘Association of Heirs of the Nation’), which distributed R300 million (approximately US$30,000) and six trucks to the survivors. They also paid R2 million (approximately US$200) to each victim’s family. This money was disbursed without any consultation with the Tanjung Priok people themselves, and was termed at Soetrisno’s insistence ‘uang tanda kasih’ (‘goodwill money’) and not ‘uang ganti rugi’ (‘compensation money’).\(^48\) Since most of the survivors were living in poverty, the offer was sufficient temptation to some of them to make a settlement. ‘In short,’ writes Wahyudi, ‘they were prepared to sell their memories to the perpetrators.’\(^49\)

Just a week after the *islah* agreement, President Wahid issued a presidential decree (no. 53/2001) on the establishment of Ad Hoc Human Rights Courts for Timor-Leste and Tanjung Priok. This created contestation among the victims. The ‘Cons’ group met with the president and told him that the *islah* agreement should not be used as a pretext to stop the trial; but the ‘Pros’, accompanied by Soetrisno, asked for it to be cancelled, since they now regarded the case as closed. They suggested that the Tanjung Priok *islah* agreement should even become a model for dealing with other human rights abuses in Indonesia. The president himself was ambivalent, but eventually he gave the order for the court to continue its work.\(^50\)

Evidence given by the ‘Pros’ during the subsequent trial differed from what they had said in the Report of Judicial Investigation carried out by the National Commission of Human Rights. Now they attempted to protect the perpetrators’ position or even retracted their earlier testimonies. When the Chief Justice questioned the victims about these retractions, they replied that they had already reconciled with the perpetrators through *islah* and asked that they be absolved. Even one of the ‘Cons’, Yusron Zainuri, ultimately retracted his testimony. His mother had fallen sick; lacking the money to pay her hospital bills, he accepted

\(^{48}\) Ibid., p. 4.

\(^{49}\) Wahyudi, What’s the point of remembering?, p. 16.

\(^{50}\) Sulistiyanto, ‘Politics of justice and reconciliation in post-Suharto Indonesia’.
a loan from the perpetrators. Subsequently, he was no longer in a position to assist the prosecution, and he even asked the Chief Justice to strike off his earlier testimony in the Report of Judicial Investigation. Wahyudi learned from his interviews that a week before the trial opened, each of the survivors who had agreed to the *islah* settlement was presented with a new motorcycle. They would receive further payments if their testimony was satisfactory, and were even promised continued monthly support, on top of the sums they had already received in the *islah* agreement.

Thus the ‘Pros’ were motivated to perjure themselves and even to collude with the perpetrators by trying to intimidate the ‘Cons’ during the proceedings. The ‘Cons’, in Wahyudi’s view, have consequently suffered four layers of trauma. First, they have suffered as a result of the past tragedy itself; second, from the stigmatisation that the State has inflicted on them for years; third, they feel terrorised by their fellow victims. Fourth, and most ironically, their years of struggle to prosecute the perpetrators in the end led to some of the victims themselves giving evidence that protected the perpetrators from being found guilty. The prosecution also failed the victims in that the case it presented was full of flaws and failed to establish the responsibility of the highest-ranking members of the military. Ultimately, only four convictions were obtained, all of which were overturned on appeal.51

The Ad Hoc Human Rights Court for Tanjung Priok represented the first possibility ever in Indonesia to bring to court a case of past rights abuses. As such, there were great hopes that this trial would lend momentum to the development of democratisation in Indonesia’s era of transitional justice. Regrettably, *islah* seems instead to have been deployed cynically as a device to avoid any acknowledgment of wrongdoing. In sharp contrast with the South African case, here we see perpetrators, still in positions of power and influence, exploiting a superficially religious language in a move that has clearly been calculated to buy off enough of their victims to derail the movement that has been pressing for them to be held accountable. Effectively, they offered themselves an amnesty, conveniently avoiding any embarrassing requirement for disclosure, while the judiciary proved itself still too weak to prevent them.

The deployment of traditional resources for reconciliation in Timor-Leste

Pat Walsh, one of those closely involved in setting up the Commission for Reception, Truth and Reconciliation (CAVR) in Timor-Leste, has described the

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51 Ibid., pp. 86–8.
commission as ‘an original, pioneering contribution to peace-building studies by the people of East Timor’.\(^{52}\) CAVR was established in April 2002 and its final report, *Chega!* (‘Enough!’ in Portuguese) was published in March 2006.\(^{53}\)

After the appallingly brutal decolonisation of 1999, the population of Timor-Leste was left even more traumatised than before. According to Antonio Lopes, author of the CAVR’s 2003 interim report, people were carrying a heavy burden of hidden grievances, pain and anger.\(^{54}\) The CAVR had no mandate to grant amnesties or to deal with serious crimes such as murder, rape or torture, but was planned to work in conjunction with the Serious Crimes Unit, to which such cases were to be referred. Some 250 Timorese staff members were employed in teams all over the country and collected 1541 statements, which were entered into a specially designed database and coded for systematic analysis. This was accompanied by ‘community profiling’ to map and record events of the 24-year period since decolonisation by the Portuguese (1974–99). As a community exercise, this served to draw people together to compile a common narrative, while helping to create a record for the future.\(^{55}\) Public hearings of the CAVR were held in Dili, concerning forced displacements, famine, political prisoners, women’s roles in conflict, the roles played by international actors, conflicts between political parties and the effects on children. The hearings were televised, though it was relatively problematic to reach out to a scattered, remote and largely non-literate population. A Retrospective Mortality Survey was conducted in an effort to establish with greater accuracy how many people had died. The CAVR also organised a Healing Workshop, held in Dili in June 2003, with the help of civil society groups. This brought together 40 survivors from 11 districts (20 men and 20 women) and invited them to share their experiences through a mixture of painting, stories, drama, song, dance, prayer and reflection. Here we see an innovative attempt—even if on a small scale—to draw survivors together and create a supportive setting in which they could express their testimony in a variety of media.

\(^{52}\) Walsh served as an advisor on transitional justice to President Xanana Gusmao. The comment was made in a lecture he gave at the National University of Singapore in January 2007.


\(^{54}\) Lopes, Aniceto Guterres 2003, Report on the work of CAVR (Commission for Reception, Truth and Reconciliation in East Timor), Paper presented at the Institute for South-East Asian Studies, Singapore, 5 September 2003, p. 5. (At this point the CAVR was still in process.)

\(^{55}\) That a common narrative was still problematic was dramatised by the renewed crisis in Timor-Leste in 2006, and the assassination attempts of 11 February 2008. These events show that divisions—some of which date back to before the Indonesian invasion—have continued to fester not far beneath the surface. In particular, demobilisation of former independence fighters was not carried out in a way that was satisfactory to all parties, leaving many former fighters dangerously disaffected.
The main work of the CAVR was to carry out Community Reconciliation Procedures (CRPs) in every district, with the aim of reintegrating low-level offenders. The framework chosen to shape these meetings was the adat (customary law) ceremony called ‘biti bot’ or ‘unrolling of the mat’. The mat is laid out in a public space and the occasion is dignified by the display of sacred heirloom objects. The meeting is presided over by elders and spiritual leaders, who arrive dressed in ceremonial attire of traditional textiles, silver breastplates and headdresses of feathers or silver horns. They open the proceedings by chanting ritual verses, then take their places and share betel-nut—a gesture symbolic of good relations all over South-East Asia. The participants arrange themselves around the four sides of the mat, with the CRP panel on one side, facing the community members, and the deponents and victims to the panel’s left and right respectively. The hearing requires a full admission and apology in the presence of the community. The victim confronts the perpetrator, is entitled to question them closely and must eventually say what will help them feel better. Perpetrators must then undertake redress as directed. According to Lopes, a major reason for the success of the CRPs has been this creative combination of traditional and formal procedures. The spiritual and cultural practices of particular regions deployed in each case ‘give additional meaning and force to the process, in addition to giving the relevant communities a larger sense of ownership and participation’.\textsuperscript{56} This sensitivity to locally embedded traditions was combined with Catholic imagery in the exhortations that came from Nobel Peace Prize winner Bishop Carlos Belo (whose highly respected position in Timor-Leste somewhat paralleled that of Archbishop Tutu). He urged parishioners to ‘go to the CAVR to confess their sins’, and promoted a message of forgiveness based on religious beliefs, which could have contributed to some people’s willingness to consider reconciliation.\textsuperscript{57}

\textsuperscript{56} The authors of \textit{The Revival of Tradition in Indonesian Politics: The deployment of adat from colonialism to indigenism} (Davidson, Jamie and Henley, David [eds] 2007, Routledge, London) record some parallel instances of the creative deployment of adat traditions in current Indonesian politics. Many areas suffering the after-effects of the ethnic conflicts of 1999–2000 have tried to find means of creatively drawing on adat procedures for reconciliation. Birgit Brauchler provides a particularly fascinating and complex example from Maluku (\textit{Kunci Perdamaian} or mobilising tradition for peace: the Moluccan case, Paper presented at the Conference In Search of Reconciliation and Peace in Indonesia and East Timor, ARI, National University of Singapore, Singapore, 18–20 July 2007). Alcida Honwana provides a comparative example from rural Mozambique, where the mending of social divisions after 15 years of war has revolved around the use of traditional healing rituals. Within the Mozambican cosmology, health is defined as dependent on harmonious relations between humans themselves, between humans and nature, and between the communities of the living and the ancestors. Where psychiatric professionals are not in any case available, the role of traditional healing and purification rituals in helping individuals and communities come to terms with traumatic distress (whether as victim or perpetrator) can hardly be overestimated. Further, the spirits of those who died in the conflict and never received proper burial are believed to be vengeful and liable to torment the living; rituals can help to settle them peacefully in the spirit world. Many Mozambicans might have had recourse to a combination of ritual, religious and medical practices in the search for healing (Honwana, Alcida 1998, ‘Sealing the past, facing the future: trauma healing in rural Mozambique’, Conciliation Resources, <www.c-r.org>).

Ultimately, the CAVR exceeded its planned goal of hearing 1000 cases. By the end, it had received a total of 1541 statements from deponents requesting to participate. Some 1371 of these cases were completed successfully through CRP hearings; 85 were retained by the Office of the General Prosecutor as potentially too serious to be dealt with by CRP; 32 further cases were adjourned during the hearings when evidence came to light that they too might involve ‘serious criminal offences’. Thus, nearly 90 per cent of all cases were completed. This is an impressive achievement, especially given the CAVR’s limited funding. Was its success perhaps due partly to the fact that in this instance (unlike South Africa) victims and perpetrators were not so polarised, being of the same community? Or was it because these, after all, were the smaller cases (though still quite serious), while bigger perpetrators remained unpunished—a fact that must also be seen as a limitation? While these procedures were still continuing, Lopes wrote optimistically:

Perpetrators of past wrongs also report that by publicly admitting their participation, apologizing and asking forgiveness, the limits and resentments in their relationships with their communities are lessened. As victims are given the right to accept or reject this request for forgiveness it reverses the power dynamic. This gives victims the first opportunity they have experienced to feel honoured and to have their pain and suffering honoured. We hope and believe that the combined effect of Community Reconciliation Procedures, public hearings, statement-taking, victims’ hearings and community mapping exercises is to draw the community together to resolve past differences. In this way there is less likelihood of recurrence.  

A key feature of the biti bot is that once the mat has been unfurled, it cannot be rolled up until the disputes have been settled. Community members often showed themselves willing to remain at the hearing all day and far into the night, even going without dinner, until a reconciliation agreement had been reached. Some instances of community reconciliations recounted by Lopes illustrate a number of other features of the process: the importance of admitting responsibility and apologising; the rather mild requirements for compensation or community service; and the dramaturgical force of traditional sacrificial rituals accompanied by communal meals, by which the ‘unrolling of the mat’ is concluded. Non-Timorese members of the panels often expressed their surprise

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60 Lopes, Report on the work of CAVR, pp. 8–9. Lopes gives examples of the outcomes of several cases, of which the following extracts serve to illustrate both the sorts of crimes committed, and the nature of the penalties agreed to: ‘30 June 2003: Bobonaro – Odomau: 3 Deponents, Victims, community. Reasons for Hearing: Militia membership, performing ceremonies for militia, involvement in Indonesian police service, house burning, destruction of property. Community Reconciliation Act: Community service cleaning church 1 day a week for 3 months, payment of one sacrificial pig. Apologise, bound not to repeat.’ ‘5 July 2003:
at the very minor reparations requested by victims. These often amounted to only a symbolic payment of rice, salt, palm wine or a pig or goat to be sacrificed for the communal meal, or two or three months’ community service. Not all reconciliations, however, were successful. One thing that had not been fully anticipated at the beginning of the CAVR’s work was that according to the biti bot tradition, the consent of victims was required for any settlement. The law did not strictly require the victim’s consent, but adat did. The deponents understood the adat principle and did not raise complaints in instances where the victim would not be reconciled. Those cases were referred back to the Office of the General Prosecutor. 61

Community Reconciliation Procedures continued until March 2004. By that time, the final report estimated, 30–40 000 community members had attended and participated in the hearings. The feedback from those interviewed was generally very positive about the social effectiveness of the CRPs. Many victims said that they valued the hearings chiefly because they had given them the opportunity to question perpetrators closely and to understand the motivations and circumstances surrounding their actions; they were generally less interested in punishment than in whether the perpetrator showed signs of remorse and their apology was considered to be heartfelt. They also said that the incorporation of traditional ritual procedures had reinforced the agreement to reconcile and that forgiveness and repentance were taken more seriously within this ceremonial context. 62 That the CAVR managed to process so many cases quickly, cheaply and with this degree of community involvement is a very considerable achievement. The main objection to the proceedings seems to have come from those whose cases were still outstanding after the commission was closed; some communities have subsequently continued such events on their own initiative. As Burgess points out, whatever its shortcomings, ‘the “quasi-legal” program of CRPs has been the only visible face of the justice system at village level’ in Timor-Leste. 63

**Conclusion**

Each of my three examples illustrates a certain imaginative use of concepts having a bearing on reconciliation, in very different cultural contexts. All point to the ritual, performative or dramaturgical qualities of reconciliation processes, even where these are at the same time quasi-legal processes, established by

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63 Ibid., p. 191.
legal authority. Religion or the sacredness of traditional adat rituals is invoked in order to lend solemnity or effectiveness to the proceedings, to make them morally binding and to effect (or so it is hoped) a change of heart in those participating. The degree of success that each procedure can claim clearly differs widely. I have argued that while truth commissions might not always concern themselves with reconciliation, reconciliation is unlikely to be genuine unless it is accompanied by truth telling and admission of guilt. Success will also be greatly affected by external factors and the power relations prevailing at the moment of the staging of events of reconciliation. Whereas the South African TRC was a national organisation, sanctioned by law, and the Timorese CAVR was organised with international cooperation, each body acting as a third party in the proceedings, the example of the Indonesian islah agreement differs in that it was organised privately by the perpetrators, had no legal authority and was notable for its lack of either a third party to intervene between perpetrators and victims or an appropriately wide audience who might have assisted, in the manner I have discussed above, in achieving any genuine social transformation. In spite of its dubious status, however, this did not prevent it from having some impact on the legal proceedings that followed it.

Yet, even in spite of the failure of those proceedings to punish any of the perpetrators, Sulistiyanto manages to maintain a note of optimism. With regard to the recent efforts to try perpetrators of the Tanjung Priok massacre, he suggests that the fact that trials have been held at all—even if the few convictions obtained have been promptly overturned on appeal—still might have helped in some small measure to strengthen the shaky rule of law in Indonesia. As for the still-emergent concept of islah, its cynical deployment in the Tanjung Priok case should not, he proposes, lead us to dismiss altogether its future potential to assist in processes of reconciliation. Even if in this case the islah agreements failed to produce any convincing reconciliation ‘because of their focus on forgetting the past instead of dealing with [it] in a comprehensive manner’, the possibility remains, in a religious society such as Indonesia, that such ideas could come to play a useful role in future procedures for reconciliation.64 This will not happen, however, unless there is a greater commitment to disclosure, to breaking the culture of impunity and filling in the painful silences that remain in the national narrative. Those who opposed the idea of a truth commission because they preferred to see perpetrators sent to trial must be disillusioned by the inability of the courts to uphold convictions, while the hope of having a truth commission in conjunction with such trials has been dashed by the unexpected decision of the Constitutional Court in December 2006 to annul the 2004 Law on Truth and Reconciliation Commissions as unconstitutional. If there is to be further truth telling or reconciliation with regard to the traumas of the

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Suharto era, Indonesians will be obliged, for the time being at least, to find it through their own grassroots initiatives.\textsuperscript{65} Such initiatives, which to date have taken a variety of forms, including forums, exhibitions, documentary films and theatre workshops, are themselves culturally innovative and worthy of further study.

I have stressed the importance of the performative quality of these events as intrinsic to what they can achieve, but we have to recognise that whether the performers are acting in good or bad faith is an open question in any instance of reconciliation proceedings. The meaning of reconciliation will be to some extent dependent on context, and as the Indonesian example shows, we should not simply assume that every ‘alternative’ procedure devised to achieve it is necessarily benign. Nor should it be taken for granted that every recourse to traditional processes will necessarily be empowering or fair.\textsuperscript{66} In each new case where a TRC might be proposed in future, however, more innovation will be required, and the process will surely work best if its qualities and potentials as ritual are recognised. Above all, it must be flexible enough to respond to particular local conditions and to draw creatively on appropriate concepts that already have cultural resonance for the participants. As a transnational paradigm of truth and reconciliation commissions slowly becomes established, it remains important, therefore, not to assume that one universal model will ever work for everybody, but rather to pay attention to the local dimensions of what must always, in any particular instance, be a cultural process.

\begin{footnotesize}
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\item Sulistiyanto and Rumekso, Civil society and grassroots reconciliation in Central Java.
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‘Healing the heartbreak’?: the role of testimony in the Australian inquiry into the separation of Indigenous children from their families

REBECCA DEVITT

The Australian Human Rights and Equal Opportunity Commission’s (HREOC) inquiry into the separation of Aboriginal and Torres Strait Islander children from their families provided a forum for Aboriginal and Torres Strait Islander people and others to speak of their experiences of removal in a national public setting. The testimony provided to the inquiry fulfilled a number of functions and operated at a number of levels. The telling of individual stories of removal was important to Indigenous people in terms of representing their experience and contributed to a level of ownership of the inquiry by those who participated. David Frances, chairman of the Kimberley Stolen Generations Steering Committee, for example, explained that the report was important in telling the ‘true story’ of what happened to Indigenous people ‘because future generations will read it to understand what happened to us’. In their work on Stolen Generations testimony, Rosanne Kennedy and Tikka Wilson point out that in the inquiry report, Bringing Them Home, testimony is used as evidence of the harms of removal, as part of the construction of a history of removal and as an address to the Australian community to solicit an active engagement from readers.

1 Aboriginal Legal Service of Western Australia (ALSWA) 1996, Telling Our Story: A report by the Aboriginal Legal Service of Western Australia on the removal of Aboriginal children from their families in Western Australia, July, Perth, p. v. I would like to thank Tim Rowse and Rosanne Kennedy for their comments on an earlier draft of this article.
2 Letter from David Frances to Mick Dodson, 26 February 1997, held in the National Inquiry into the Removal of Aboriginal and Torres Strait Islander Children Papers (hereafter, Inquiry papers), National Archives of Australia (NAA), Chester Hill, New South Wales.
3 The term ‘Stolen Generations’, coined by historian Peter Read in 1981, is a political term used to describe the widespread removal of Aboriginal and Torres Strait Islander children from their families to be brought up in missions, institutions or foster and adoptive families. The term has since been used commonly in Australian politics.
In this article, I want to consider how testimony functioned throughout the inquiry to facilitate healing. At the beginning of the inquiry, the HREOC announced its aims to ‘assist the healing process of those who have been affected…by past policies of assimilation’ and to play a significant role in ‘healing the nation’ and to ‘help prepare the way for reconciliation’. My analysis focuses on the practice of testimony as a personal and political tool engaged to heal individuals and the nation. The discussion draws on the international literature on victims of trauma and truth commissions and particularly ideas that testimony can achieve healing. I will also discuss the limits to the healing potential of testimony through the inquiry, including the implications of soliciting testimony from certain Indigenous witnesses. More broadly, I will consider how a focus on healing impacted on the achievement of other goals, including adequate forms of redress. I argue that processes of healing are more complicated and contingent than is recognised in the discourse of healing adopted by the inquiry.

Background to the inquiry

The Australian inquiry into the separation of Aboriginal and Torres Strait Islander children from their families followed years of political agitation by Indigenous organisations. From the early 1990s, Indigenous organisations including the National Secretariat for Aboriginal and Islander Child Care (SNAICC), Link-Up (New South Wales) and the Aboriginal Legal Service of Western Australia (ALSWA) called for an inquiry into the damaging effects removal policies and practices had had on many Indigenous Australians’ lives. The organisations were concerned that the harm suffered by Indigenous

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6 While the Stolen Generations inquiry in Australia was not set up as a truth commission and differed in some important respects from other truth commissions, it adopted several elements in common with truth commissions, including its emphasis on rectifying past injustices, its collection of victims’ testimonies and its aim to repair relationships between different groups of a nation-state. For a discussion of the central elements of truth commissions, see: Hayner, Priscilla 1994, ‘Fifteen truth commissions—1974 to 1994: a comparative study’, Human Rights Quarterly, vol. 16, no. 4, pp. 597–655; Hayner, Priscilla 1996, ‘Commissioning the truth: further research questions’, Third World Quarterly, vol. 17, no. 1, pp. 19–29; Minow, Martha 1998, Between Vengeance and Forgiveness: Facing history after genocide and mass violence, Beacon Press, Boston, pp. 52–90. I thank Robert Manne for pointing out reasons for distinguishing the work of the inquiry from other truth commissions, including that, in contrast with truth commissions held in other countries, in the Australian inquiry, the facts of the removal of Indigenous children from their families, the widespread negative impacts of such practices and the roles of victim and perpetrator through acts of removal were not widely accepted within the Australian community at the time of the inquiry and no perpetrators of specific acts of violence or injustice were called to speak before it.

7 The HREOC documented various policies and practices, instituted by state, territory and Commonwealth governments across Australia, which led to the separation of Indigenous children from their families between
people separated from their families was not widely known and had not been adequately recognised or appropriately redressed by governments and others involved in the implementation of removal policies. At the influential Going Home Conference held in Darwin by the Northern Territory Stolen Generations (NTSG) in 1994, which brought together more than 600 Indigenous people who had experienced removal and/or institutionalisation, the then Minister for Aboriginal and Torres Strait Islander Affairs, Robert Tickner, announced that he would push for some form of inquiry.

On 2 August 1995, the Attorney-General, Michael Lavarch, issued revised terms of reference to the HREOC to trace the laws, practices and policies under which Aboriginal children were removed from their families by duress or by force and to trace their effects. With an allocated budget of $1.5 million, the inquiry operated from December 1995 to April 1997, travelling to more than 32 Aboriginal communities, towns and regional centres and to every capital city across Australia. Some 535 of the 777 oral and written submissions received throughout the inquiry were from Indigenous witnesses who had experienced separation. The evidence of Indigenous organisations, government and church representatives, former mission staff, foster and adoptive parents and other professionals made up the other 242 submissions.

Healing and the inquiry

In articulating the aims of the inquiry—at the beginning and throughout the process—the HREOC defined the inquiry in terms of healing. Inquiry staff adopted the discourse of healing to explain what might be achieved through the inquiry and to engage governments and the wider community to support the inquiry and its eventual recommendations. There were two levels of healing promoted through the inquiry: healing the individual and healing the nation. The basis of the former involved the invocation of notions of trauma and recovery, and the latter notions of reconciliation.

One of the earliest expressions of healing as a goal of the inquiry was written in an information paper developed in the planning process to inform organisations and the public about the inquiry. The HREOC wrote:


8 The revised terms of reference included examining principles relevant to determining issues of compensation for people affected by separation.

9 The HREOC also identified a number of other goals for the inquiry, including justice, reparations and a shared history for Aboriginal and Torres Strait Islanders affected by removal.
The holding of a national inquiry into the removal of Aboriginal and Torres Strait Islander children can, and should, provide an opportunity to assist the healing process of those who have been affected either directly or indirectly by past policies of assimilation...What this inquiry provides is an option to bring to light the anguish and suffering associated with being a victim of the actions of past governments, and to engage present governments in addressing the issues and suffering which affects peoples today.10

The inquiry process was to provide an opportunity for victims of removal policies to tell their stories. In documenting their suffering, the inquiry was meant to elicit an appropriate response from governments and the broader public to help heal the harms of removal. Ronald Wilson, HREOC president and co-chair of the inquiry, reiterated this sentiment at a briefing with Catholic agencies on 9 February 1996. Wilson explained that '[t]here is a healing role in the Inquiry in telling, hearing and acting on the stories’ of Indigenous witnesses.11

The influence of Indigenous organisations, such as Link-Up,12 ALSWA and SNAICC—all of whom were represented on the inquiry’s Indigenous Advisory Council, discussed below— influenced the inquiry process and its promotion of healing.13 These organisations emphasised the importance of healing for members of the Stolen Generations. For example, Link-Up saw a significant role for the inquiry in providing an ‘opportunity for our people to tell their stories, recall their experiences and hopefully work towards a positive healing process’.14 In its submission to the inquiry, ALSWA explained that by expressing their pain as a result of removal policies and practices, Indigenous people provided an

10  HREOC, National Inquiry into the Separation of Aboriginal and Torres Strait Islanders from their Families, p. 3.
11  Human Rights and Equal Opportunity Commission, Briefing notes, meeting with Catholic agencies, 9 February 1996, Inquiry papers, NAA.
12  Link-Up provides one of the strongest and most developed theories of healing in relation to members of the Stolen Generations with its adoption of notions of trauma and recovery to explain the impacts of removal and the needs of those who were removed. Rosanne Kennedy and Tikka Jan Wilson (‘Constructing shared histories’, pp. 119–39) provide an analysis of Link-Up’s work in terms of its adoption of the discourses of trauma and recovery. See also Kennedy, Rosanne and Wilson, Tikka Jan 2001, Reading testimonies of the Stolen Generations: the search for a critical methodology, Unpublished manuscript; Link-Up (NSW) and Wilson, Tikka Jan 1997, In the Best Interest of the Child? Stolen Children: Aboriginal pain/white shame, Aboriginal History Monograph 4, Australian Centre for Indigenous History, Research School of Social Science, The Australian National University, Canberra.
13  A number of non-Indigenous organisations also expressed the need for healing for Indigenous people in their submissions to the inquiry. For example, law firm Phillips Fox, Victoria, wrote in its submission, ‘It is our hope that the Inquiry will recognise the importance of a healing process, and will strongly recommend ways to start to break these cycles [of despair and destruction]. A clear message is that the victims of the assimilation policies of the past seek apologies and explanations’ (1 February 1996, p. 8), held in Inquiry Archive, NAA. Also see: Letter from Bruce Grafton, Bishop, Anglican Church, to Jim Brooks, 4 April 1996, Inquiry papers, NAA.
14  Carol Kendall, Speech, Launch of the National Inquiry into the Removal of Aboriginal and Torres Strait Islander Children from their Families, 2 August 1995, p. 1, Inquiry papers, NAA.
opportunity for non-Indigenous people ‘to acknowledge an obligation and a resolve to come together with the Aboriginal community in effecting a genuine process of healing’. The discourse of healing, Minow points out, has developed through the popularisation of psychological ideas during the course of the twentieth century and the public exposure of the experiences of survivors of atrocities who themselves have emphasised the need for healing. As Bain Attwood has argued, the language of trauma has been crucial to the acceptance of the Stolen Generations’ narrative at this time, ‘when accounts of sexual abuse and incest—and trauma more generally—have been widely circulated and have commanded enormous audiences’.

HREOC staff saw the inquiry, as well as contributing to individual healing, providing an opportunity for societal healing. In his address to the State Aboriginal Mental Health Conference in Perth on 21 November 1995, Wilson discussed this role for the inquiry in terms of ‘healing the nation’ as part of the Australian reconciliation process. After discussing the impacts of removal on Indigenous Australians—including a disproportionate incidence of mental illness among those who had experienced removal, and stressing first the importance of healing for Indigenous Australians—Wilson then linked national healing to reconciliation, through an honest acknowledgment of the past policies and practices of the removal of Indigenous children from their families by non-Indigenous Australia. Wilson explained:

While our primary focus must obviously be on the Indigenous people, non-Indigenous Australia is also both implicated in, and affected by these events…It is perfectly clear to me that there can be no reconciliation without honest confrontation of the past. And there can be no reconciliation unless non-Indigenous Australia is willing to honestly acknowledge the devastating effect of its past policies. Only then can we hope to heal this nation.

By documenting Indigenous people’s experiences of removal and the impacts such experiences still have on Indigenous people’s lives today, the HREOC aimed to encourage ‘awareness and acceptance of historical events and continuing

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15 Buti, Toni (ed.) 1996, After the Removal: A submission by the Aboriginal Legal Service of Western Australia (Inc) to the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families, May, ALSWA, Perth, p. ii.
16 Minow, Between Vengeance and Forgiveness, p. 63.
18 Ronald Wilson was deputy chairman of the first Council for Aboriginal Reconciliation for a three-year term from 1991.
impacts’ by non-Indigenous Australians, and governments, and create an ‘acceptance of responsibility for current issues facing Indigenous people and the restitution of these issues’. 20

By affecting such acceptance and acknowledgment, HREOC staff, including Wilson, intended to mend the broader cultural harms—the misunderstandings and racism leading to mistreatment—associated by Indigenous Australians with past removal policies and practices and with their current treatment by non-Indigenous Australians. In his November 1995 address, Wilson explained:

In the past, when Indigenous people acted in ways which disrupted our concepts of normality, we labeled them unhygienic or in moral danger; today we label them criminal. Perhaps today, the State no longer removes such children to homes or mission schools. But nor, I am afraid to say does it perceive them as children in distress requiring assistance and support. 21

In a planning document for the inquiry written in December 1995, the HREOC explained the effects of this mistreatment from an Indigenous perspective, writing: “The racial and cultural significance of this Inquiry, borne out by anger and hurt still carried by Indigenous peoples, must be given due justice if the healing and reconciliation processes are to continue.” 22 Wilson clearly saw a role for the inquiry in dispelling cultural misunderstandings, stating: ‘In this Inquiry, we must do what we can both to heal old wounds, and to remove these racist assumptions.’ 23

The Australian reconciliation process that underpinned Wilson’s statements on national healing promoted the idea that coming to terms with Indigenous history and experience were fundamental to the moral health of the nation. The 10-year Australian reconciliation process, instituted by the Hawke Government in 1991, was to provide ‘a tangible framework for a change in relations between Indigenous and non-Indigenous Australians’. 24 Enjoying wide community and cross-party support, the Council for Aboriginal Reconciliation Act 1991 set up a 25-member council of prominent Indigenous and non-Indigenous Australians to lead the reconciliation process. The reconciliation process aimed to facilitate

22 HREOC, Draft Document B.
23 Ibid., p. 5.
mutual understanding within the Australian community of the unfair treatment experienced by Indigenous people and provide a way forward for relations between Indigenous and non-Indigenous Australia.

The process of reconciliation followed earlier calls for a treaty or negotiated settlement with Indigenous Australians based on the idea that the nation would remain diminished without the adequate acknowledgment of the ill treatment of Indigenous Australians. Tim Rowse documents the introduction of the concept of a treaty in the late 1970s in his book about Nugget Coombs, a prominent administrator and advocate in Indigenous affairs. According to Rowse, Coombs’ arguments for a treaty included that the unjust taking of land and the aggression meted out to Indigenous people affected the legitimacy and legality of Australian sovereignty. As Rowse explains, ‘Coombs wanted to persuade non-Indigenous Australians that they badly needed a treaty because, without it, their nationhood was morally flawed and increasingly subject to hostile international scrutiny.’ The Hawke Government’s promotion of ‘reconciliation’ was its alternative to implementing a treaty.

The argument for the importance to the moral health of the nation of acknowledging Australia’s Indigenous past, as championed by Coombs, continued to be relevant to the reconciliation process. For example, delegates at the Australian Reconciliation Convention held in Melbourne in 1997 affirmed the statement: ‘Reconciliation between Australia’s Indigenous peoples and other Australians is central to the renewal of this nation as a harmonious and just society which lives out its ethos as a fair go for all; and until we achieve such a reconciliation the nation will remain diminished.’

In documenting the experiences and effects of removal on Indigenous Australians, the HREOC aimed to provide an opportunity for non-Indigenous Australia to recognise that removal policies and practices were harmful and wrong and to remedy the effects of removal in the name of reconciliation. As Jim Brooks explained: ‘The Commission expects that the Inquiry will deal with much that is painful in relations between indigenous and non indigenous Australians, but that it offers an important opportunity to advance the process of reconciliation.’

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26 Ibid., p. 178.
27 Michelle Grattan explained that the reconciliation process grew out of ‘a failure to agree on grander gestures’, such as a compact or treaty (Grattan, Michelle [ed.] 2000, Reconciliation: Essays on Australian reconciliation, Black Inc., Melbourne, p. 7).
28 Quoted in Tickner, Taking a Stand, p. 46.
29 Letter from Jim Brooks to Phillipe Allen, President, Tasmanian Council of Social Service, 8 November 1995, Inquiry papers, NAA.
Testimony and the inquiry

The HREOC went to great lengths to ensure Indigenous people would feel comfortable coming to the inquiry to tell their story. The inquiry included the significant involvement of Indigenous people, including Mick Dodson, the then Aboriginal and Torres Strait Islander Social Justice Commissioner, as joint head of the inquiry; Indigenous women in every state as co-commissioners to provide a gender and racial balance among staff presiding over hearings; and an Indigenous Advisory Council, which was established to advise the commission throughout the inquiry. The inquiry also sought to provide a more flexible and sympathetic environment in which to hear the testimony of those who experienced removal by enacting a suppression order for the hearing process to ensure the confidentiality of these oral submissions, by holding hearings in private and less formal settings, such as buildings used by Indigenous organisations, and by not cross-examining witnesses. Before hearings had started, staff conducted research to help them ‘work sensitively and appropriately’ with people providing their testimony to the inquiry. They looked, for example, to the work of the Survivors of the Shoah Foundation with Jewish survivors of the Holocaust, which they saw as having parallels with the inquiry.

Despite adopting such methods to encourage Indigenous participation, before the hearings process had begun there was an understanding by commissioners that the number of individual stories of removal that the inquiry could hear would be limited. Organising and conducting hearings were resource-intensive processes and had to be limited due to the inquiry’s inadequate funding. Commissioners also believed many stories had already been told in other forums and considered the need for hearing individual testimonies less important. Elizabeth Hastings, Commissioner for Disability Discrimination, asked ‘if there was a way of setting up the Inquiry so that it would not be replaying the same stories’.

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30 Letter from Elizabeth Moore to Toni Buti, 11 December 1995, Inquiry papers, NAA.
31 Ibid.; Letter from Elizabeth Moore to Eva Scheinberg, Regional Coordinator, Survivors of Shoah Foundation, Sydney, 11 December 1995, Inquiry papers, NAA. The Survivors of Shoah project, established by Steven Spielberg, documented on video individual stories of survivors of the Holocaust, including the impacts of these events. The interviews were conducted in people’s homes and tailored to individual needs and circumstances to ensure survivors were as comfortable as possible to recount their stories (The Sydney Morning Herald, 27 September 1995, p. 17).
32 Draft Notes, Meeting with SNAICC, 9 June 1995, Inquiry papers, NAA.
In a planning document, the HREOC’s initial approach is explained:

A great deal of work has already been done by Indigenous communities and organisations to trace the stories and to put the pieces together. The Inquiry will not attempt to cover the same ground, but, it is hoped, will at last bring together the full picture...Information can be put to the Inquiry orally in hearings which will be held throughout the country. But hearings are expensive. They will necessarily be limited.  

Indigenous organisations had already published research based on their collection of testimonies of Indigenous people affected by removal within their communities. Link-Up first published stories of Indigenous people who had contacted them to reunite with their families and communities in the 1989 book *The Lost Children*, edited by Coral Edwards and Peter Read. The ALSWA published its book, *Telling Our Story*, based on hundreds of firsthand accounts of removal, in July 1995. Because such work had already been done, the commission underestimated the number of Indigenous people who would want to tell their story before the inquiry.

The commission also received advice from other Indigenous groups that enough research had already been done and that what they needed were outcomes rather than to relay their stories. The NTSG, for example, argued in October 1995 that ‘Aboriginal people have undergone many years of “investigation” and now require tangible outcomes rather than the commissioning of further academic research’. The HREOC’s position, set out in a December 1995 information paper, reflected such views: ‘Many Indigenous people are tired of being researched and do not consider it to be a cost-effective use of Indigenous monies.’

The Northern Territory group also disagreed that talking before the inquiry would help their members heal. In a letter to the inquiry, their views were explained: ‘Stolen Generations members do not wish to place their individual suffering and distress on public display...the business of the Inquiry Tribunal should be to assess the problems of the Stolen Generations group as a whole, rather

35 ALSWA, *Telling Our Story*.
36 Letter from Wes Miller, Director, Katherine Regional Aboriginal Legal Aid Service, to Ronald Wilson, 24 October 1995, Inquiry papers, NAA.
than investigate specific case histories.’ Wilson agreed, arguing at a meeting with Indigenous Advisory Council members in November 1995 that ‘the job of the Inquiry would be to establish the effects of removal and to...make recommendations to government to ease some of those effects rather than hear everyone’s story.’ Such views neatly resolved the inquiry’s problem of limited resources for hearings.

Members of the Indigenous Advisory Council, however, had a different view. As Nigel D’Souza, a SNAICC representative on the council, pointed out, ‘not all stories had been heard’ and ‘[p]eople would want to talk on an individual basis and that regardless of the collective situation, not all have the same experiences’. Kendall and McNaughton, Link-Up members on the council, explained that ‘knowledge of what happened to individuals is essential for understanding by non-Aboriginal people and it is the right of Aboriginal and Torres Strait Islander people to be heard’. Link-Up and SNAICC were angry that the commission would be unable to hear the stories of all those who wanted to participate in the inquiry. Dodson agreed, suggesting in a memorandum to Wilson that ‘the Inquiry provides an opportunity for recording [Aboriginal and Torres Strait Islander] experiences’ and ‘[t]he success of the Inquiry will depend in part on the Inquiry’s capacity to hear those stories’.

Once the hearings process began, the importance to Indigenous witnesses of giving their testimonies became obvious to inquiry staff. Wilson, for example, recounts one of his own experiences:

I mean the most vivid picture I retain of the process was one woman, she had the blackest face that I’d ever seen, jet black, and she came in and took a seat and we were only the two of us sitting at the small table, about three feet apart, and I just cast my eyes down, waited for her to start talking and she didn’t say anything for what seemed an age, quite a long time, and I looked up and tears were coursing down this black ebony face and they were shining. It was such a sight and it wasn’t until she was able to dry those tears that she really could tell her story. And after about an hour of talking, her face was still stained where the tears

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38 Letter from Wes Miller to Ronald Wilson, 24 October 1995, Inquiry papers, NAA. The view that the inquiry was not the appropriate forum to hear Stolen Generations’ stories was reiterated by the Northern Territory group throughout the inquiry. For example, in March 1996, they wrote: ‘The exercise of healing is one that is private and most effectively done within communities by those who have survived those policies’ (Stolen Generations Reference Group, Northern Territory 1996, Proposal to the Council for Aboriginal Reconciliation from Stolen Generations, NT, 29 March 1996, p. 2, Inquiry papers, NAA).

39 HREOC, Notes, Indigenous Advisory Council meeting, 7 November 1995, Inquiry papers, NAA.

40 Ibid., p. 3.

41 Email from Jim Brooks to Mick Dodson and Ronald Wilson, Subject: Link-Up, 9 November 1995, Inquiry papers, NAA.

42 Memorandum from Mick Dodson to Ronald Wilson, 20 October 1995, Inquiry papers, NAA.
had been, she gave a warm smile, she got up to go, and said I feel better. Which I thought was a lovely testimony to the value of telling the stories. And if it had been a formal process she’d never have spoken.\(^{43}\)

Through his experiences at hearings, Wilson became a strong advocate of the healing potential of storytelling. Wilson explained:

[I]t’s been recognised that the way to healing is through telling the story…[T]he worst thing would be if they never had an opportunity of drawing out those memories, and if they’re bad memories then it’s healing to get it off your chest. If they’re good memories then it can leave you with a good feeling. So I’m very persuaded in the value of storytelling.\(^{44}\)

The evidence of psychiatrists and other health professionals, as expert witnesses to the inquiry, also supported the view that an opportunity to tell their story was crucial for many people affected by removal. For example, after describing the traumatic effects of separation in her oral submission, Professor Marie Bashir, child, adolescent and family psychiatrist and Director of the Centre for Mental Health, argued that ‘there are many people who actually have a clinical need to talk about’ their experiences of removal.\(^{45}\)

By February 1996, the inquiry’s management committee, including commissioners and the inquiry secretary, acknowledged that ‘there is a great demand from individuals to have their stories heard and it is essential that the Commission handle these stories with sensitivity as well as feed the issues they raise into the evaluation and report writing process’.\(^{46}\) Because of its limited resources, the HREOC did, however, rely on Indigenous organisations to collect additional testimonies, support witnesses and provide other assistance during the course of the inquiry. Without this help, the inquiry would not have had the reach that it did. Still, the HREOC was unable to accommodate all those wishing to participate because of its limited resources and timetable. In its final report, the HREOC recommended that governments fund a further process to record and preserve the stories of Indigenous people affected by forcible removal in acknowledgment that many stories had not been heard.\(^{47}\)

\(^{43}\) Ronald Wilson, Interview with Rebecca Devitt, Perth, 9 March 2004.
\(^{44}\) Wilson, Interview, 9 March 2004.
\(^{45}\) Transcript of proceedings, Sydney, 2 July 1996, Inquiry papers, NAA.
\(^{46}\) HREOC, Notes, Management Committee meeting, 6 February 1996, p. 5, Inquiry papers, NAA.
\(^{47}\) HREOC, Bringing Them Home: Recommendation 1, p. 22. The National Library of Australia was subsequently funded by the Australian Government to collect and record a wide range of accounts of the separation of Indigenous children from their families through the Bringing Them Home Oral History Project.
Testimony as a tool for individual healing

In its attempts to progress healing through hearing the testimonies of people who had experienced removal, the HREOC adopted certain psychological understandings of the effects of trauma on the individual and accepted ways to heal that trauma. These included psychological theories that traumatic experiences did not simply pass with time but continued to have emotional consequences and that talking about these experiences could alleviate some of that suffering. Through its testimonial practice, the inquiry affirmed the assumption that talking about the experience of separation, in a sympathetic and official setting that enabled the validation of the victims’ stories, facilitated healing.

The idea that speaking about trauma has a healing effect on the individual has developed internationally through the work of therapists working with survivors of political torture, who have found developing and revising testimony useful therapeutic tools. As Sangster argues, the use of testimony in these contexts has a ‘critical advantage over other forms of therapy in that it directly links personal trauma with its origins in political oppression’. The acknowledgment of the political basis to the harm experienced by individuals allows individual and societal healing, by providing an avenue to identify the reasons behind particular acts resulting in harm, and a basis to condemn the actions and to look for ways to ensure they do not happen again. The assumption that the act of speaking about trauma in a setting such as the inquiry facilitates healing is supported by its similarities to private therapy. Tina Rosenberg finds parallels with the collection of testimony by truth commissions and the private therapeutic process, including the emphasis on the healing value of victims telling their story; having that story validated and officially acknowledged; providing an opportunity for understanding the broader political significance of their experience; and reintegrating the ‘narrative of atrocity into their whole life stories’.

While the experience of speaking before truth commissions has aspects similar to private therapy, the differences between private therapy and participating in a process such as the inquiry cannot be overstated. As Brandon Hamber argues, the ability of such inquiries to provide the necessary support to remedy the ‘myriad…psychological needs’ of individuals who have suffered human rights

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50 Cited in Minow, Between Vengeance and Forgiveness, p. 62.
abuses is bound to be insufficient.\textsuperscript{51} Hamber goes on to say that the optimism accompanying the ability of truth commissions to facilitate healing encourages the ‘drawing of simplistic conclusions about trauma and its treatment (typified by the notion of post-traumatic stress disorder)’ and the healing of victims ‘portrayed as a linear task requiring only particular interventions such as counseling and public testimony to ensure resolution’.\textsuperscript{52} The inquiry’s claims to facilitate healing, underpinned by simplistic theories of trauma and recovery, and the rehabilitation of victims through public testimony and counselling, can be read in these terms. In the light of such criticisms, others have argued a more modest claim—that truth commissions can have a cathartic effect or provide ‘therapeutic moments’ and that public testimony is often a first step in a more protracted and involved healing process.\textsuperscript{53}

**Individual healing through the inquiry**

Anecdotal evidence from the inquiry supported the claim that it provided opportunities for healing moments or the beginning of healing for some witnesses. Feedback from an Indigenous witness who gave her testimony before Commissioner Dodson confirmed this:

> I never had the chance to thank you personally for hearing my evidence…To have a fellow Indigenous Australian listen to my story and to be comfortable knowing that you understand, made it easy for me to express all of my pain and suffering…There is some good news I would like to pass on to you. Everyone I have spoken to has said it is like the world has been lifted off their shoulders, because at last we have been heard. For me I have grown stronger and now am able to move forward. You have played a significant part in my journey back, you are always in my thoughts and I shall never forget what you have done for me.\textsuperscript{54}

After expressing some reservations about the inquiry, an Indigenous witness from South Australia spoke with inquiry staff to say that the experience of talking as a family group was a ‘helpful and healing’ experience, and that the family was planning to get back together shortly to build on that experience.\textsuperscript{55}

The inquiry became a catalyst for a number of community and family reunions.

\textsuperscript{51} Hamber, ‘Does the truth heal?’, pp. 160–1.
\textsuperscript{52} Ibid., p. 168.
\textsuperscript{53} Hayner, ‘Commissioning the truth’, p. 19; Nigel D’Souza, Interview with Rebecca Devitt, Melbourne, 24 February 2004; Minow, *Between Vengeance and Forgiveness*, p. 70. Hamber, ‘Does the truth heal?’, p. 158.
\textsuperscript{54} Email from Jim Brooks to Jim Wright, ATSIC Commissioner, NSW East, 14 February 1997, Inquiry papers, NAA.
\textsuperscript{55} Email from Jim Brooks to Commissioners, 22 March 1996, Inquiry papers, NAA.
in which people could work through their grief. Link-Up, for example, reported that people were ‘getting together as part of the healing process’ and these gatherings provided opportunities for working through personal and community grief.\footnote{HREOC, Notes from meeting with Link-Up: Michael Stewart, Carol Kendall, Lola McNaughton and Tom Whelan, May 1996, Inquiry papers, NAA.}

Opportunities for healing provided by the inquiry were, however, limited by the lack of continuing support for witnesses to overcome their experiences of trauma. As Joyleen Koolmatrie, an Indigenous psychologist who provided counselling assistance to witnesses before the inquiry, observed, ‘while there appeared to be a palpable sense of relief (and this was expressed verbally by some) after giving their testimony, ‘there were also unresolved issues that were painful and that needed ongoing counseling’.\footnote{Joyleen Koolmatrie, Written submission, September 1996, p. 3, Inquiry papers, NAA.} Inquiry staff members were also concerned about the emotional impacts for Indigenous witnesses of telling their stories.\footnote{Letter from Elizabeth Moore, Senior Inquiry Officer, to Toni Buti, ALSWA, 11 December 1995, p. 1, Inquiry papers, NAA. The impact on those listening to the testimony of Indigenous witnesses was also an issue raised throughout the inquiry. See, for example: Link-Up 1996, \textit{Interim Report to the Indigenous Advisory Council}, Teleconference, 21 February 1996, Inquiry papers, NAA.} Marjorie Thorpe, a co-commissioner of the inquiry, explained that ‘sometimes people were telling their stories for the first time and hadn't recognised within themselves how that unresolved issue was going to affect them’.\footnote{Marjorie Thorpe, Interview with Rebecca Devitt, Melbourne, 24 February 2004.}

The concern about the possible damaging effects of giving testimony before the inquiry was supported by the negative impacts this appeared to have on some witnesses. Toni Buti, senior lawyer with the ALSWA, explained that in Western Australia ‘there were a couple of stories where people after, whether it was because they came out and told their story or not, but they certainly went downhill after’.\footnote{Toni Buti, Interview with Rebecca Devitt, Perth, 8 March 2004.} A dramatic example of Buti’s point was the death by suicide of Robert Riley, a prominent Australian Indigenous activist who had been removed from his mother as a 6-month old and sent to Sister Kate’s Home—a well-known Indigenous children’s home in Perth, Western Australia.\footnote{Quentin Beresford documents Riley's life in his 2006 biography, \textit{Rob Riley: An Aboriginal leader’s quest for justice}, Aboriginal Studies Press, Canberra. The Australian Broadcasting Corporation (ABC) Four Corners program ‘Telling his story’ (reported by Liz Jackson and aired on 15 July 1996) also detailed Riley’s life and death.} As Executive Officer of the ALSWA, Riley had been lobbying governments to recognise the trauma of removal. As mentioned, the ALSWA conducted its own inquiry, collecting hundreds of stories of Indigenous people who were removed, to put pressure on governments to provide appropriate forms of redress. At the launch of the final report of that inquiry, Riley told his own story of being removed, and for the first time, talked publicly about sexual abuse he had suffered while living
at Sister Kate’s. Riley had viewed the telling of his story as part of the healing process; however, he appeared to friends and others to experience difficulties in coming to terms with that disclosure and what had happened to him. Before his death, Riley had booked himself into the psychiatric unit at Royal Perth Hospital and was diagnosed as suffering clinical depression. Riley spoke to friends about not knowing where he belonged, of being empty, exhausted and sad. In his biography of Riley, Beresford notes several layers to Riley’s depression, including: unresolved trauma as a result of the physical, emotional and sexual abuse he experienced at Sister Kate’s; his inability to come to terms with his sense of loss; and his sense that, despite his years of activism, nothing had changed or was likely to change in Indigenous politics in Australia. Beresford also points to personal problems as significant to Riley’s mental state including drug use, the emotional demands of political disputes within the Aboriginal community and relationship problems. Riley committed suicide days before the HREOC inquiry was due to conduct its hearings in Perth. Beresford argues that Riley felt pressure to give evidence to the inquiry because of his political commitment to the issues, but he ‘did not have the strength to face a new round; to keep re-opening the wounds’. While a number of causes could be associated with mental illness suffered by members of the Stolen Generations, the experience of providing testimony to the inquiry, or in other forums, was perceived as having negative effects for some.

The constant call for more counselling resources by mental health professionals and inquiry staff illustrates the strength of their concern for individuals providing their story to the inquiry. As Jim Brooks, the inquiry’s secretary, wrote:

The issue of availability of culturally appropriate mental health services for those affected by removal has emerged as an acute issue. Firstly, the very existence of this Inquiry has caused many people to think about issues and experiences previously unaddressed. Secondly, many of those who contribute to the Inquiry become distressed and require immediate and long term support. It seems that there is currently an extreme shortage of appropriate services, especially in rural and remote areas. We have heard anecdotally that the Inquiry’s visit to Victoria last month

62 Riley had given his story as part of the ALSWA Stolen Generations project resulting in Telling Our Story. Riley’s story is excerpted in ALSWA, Telling Our Story, pp. 109–16.
64 Ibid., p. 15.
65 Beresford, Rob Riley, pp. 324–5, 327.
66 Ibid., p. 327.
sparked a rush on the already stretched resources of the Aboriginal Health Centre. The Commission is gravely concerned about the apparent lack of available, appropriate services.\(^{67}\)

The commission relied on state governments, Indigenous and other organisations to provide counselling support, arguing that it had neither the expertise nor the resources to provide this support itself. The commission did, however, make efforts to ensure such counselling was available through these other channels. Joyleen Koolmatrie was employed by the West Australian Government to provide support for participants who gave their stories at the hearings in Brisbane, Sydney, Canberra, Darwin and Alice Springs. In South Australia, the state government supported Link-Up to provide additional counselling services required throughout the inquiry process.\(^{68}\) Still, the somewhat ad hoc counselling provided was thought by inquiry staff, Indigenous Advisory Council representatives and others as inadequate for the task of supporting what was for many an emotional and difficult process. The inability of the HREOC to provide a more systematic and comprehensive support service for witnesses can be seen to undermine, at least in part, the inquiry’s public claims to effect healing for individual witnesses.

Indigenous organisations and HREOC staff were also concerned that the healing value of witnesses sharing their story through the inquiry would be diminished if the inquiry did not evoke an adequate response. The importance of an appropriate response to testimony for a person’s healing is explained in the literature on truth commissions. Minow, for example, argues that ‘[a]cknowledgment by others of the victim’s moral injuries is a central element of the healing process…Re-establishing a moral framework, in which wrongs are correctly named and condemned, is usually crucial to restoring the mental health of survivors’.\(^{69}\) The inquiry raised expectations among witnesses that their needs would be appropriately responded to. As Buti explains in the West Australian context, ‘there were problems because there were expectations of people who gave their stories that something would happen’.\(^{70}\) Also Link-Up representatives expressed concern about the participation of Indigenous witnesses because of ‘the fear that the Inquiry will achieve nothing’ and that ‘people will be opening themselves up’.\(^{71}\)

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67 Letter from Jim Brooks to Beverly Raphael, Department of Psychiatry, University of Queensland, 7 March 1996, Inquiry papers, NAA; Notes from Indigenous Advisory Council teleconference, 24 November 1995, Inquiry papers, NAA.

68 Letter from Richard Deyell, Chief Executive, Family and Community Services, to Syd Sparrow, Chairperson, Aboriginal Legal Rights Movement Inc., Adelaide, 23 February 1996, Inquiry papers, NAA; Email from National Inquiry Notebook to Ian Clyde, 15 May 1996; Email from Jim Brooks to Commissioners, 28 March 1996, Inquiry papers, NAA.

69 Minow, *Between Vengeance and Forgiveness*, p. 71.

70 Buti, Interview, 8 March 2004.

71 HREOC, Notes from meeting with Link-Up representatives, May 1996, Inquiry papers, NAA.
While the inquiry provided a sympathetic environment acknowledging the suffering of Indigenous people who experienced removal, the HREOC was unable to ensure the same reception from the broader community. In its response to the final report of the inquiry, a newly elected conservative Federal Government rejected several central recommendations, including a public apology and compensation for members of the Stolen Generations.72 In his speech after the launch of the report—at the Reconciliation Convention in Melbourne in May 1997—Australian Prime Minister, John Howard, famously refused to apologise on behalf of the nation. He maintained that people today should not ‘be required to accept guilt or blame for past actions and policies over which they had no control’.73 The government’s refusal to provide official acknowledgment of the harms of removal undermined the Indigenous witnesses’ testimonies and impacted on their healing. As the NTSG group explained, ‘our Government’s refusal to apologize and frankly acknowledge the past has damaged individual self-esteem’.74 The government’s refusal to apologise also impacted on the HREOC’s ability to contribute to national healing.

Healing the nation

As introduced above, the HREOC viewed the acceptance and acknowledgment of the harms of removal by the wider Australian community as essential not only to further the reconciliation process, but to heal the nation of its unjust past. Similarly, truth commissions have been described as promoting reconciliation by developing a framework for a particular nation to deal with its past. Minow explains that ‘[a] truth commission is charged to produce a report that recounts the facts gathered, and render moral assessment…In so doing, it helps to frame the events in a new national narrative of acknowledgment, accountability, and civic virtues’.75 The success or otherwise of such processes rests on their ability to achieve legitimacy in the broader society.

The HREOC continually attempted to engage the wider community to understand the experiences of Indigenous people forcibly removed and to garner support for the inquiry and its recommendations. The commission did this by adopting a media strategy, including the publication of a number of personal stories, to elicit interest in and educate the general community about the issues. By April 1996, Lorena Allam, the inquiry’s media officer, assessed the media coverage as

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72 The Coalition Government was elected on 2 March 1996.
73 John Howard, extracted speech in ‘I am an optimist, but this optimism cannot be blind’, The Australian, 27 May 1997, p. 4.
75 Minow, Between Vengeance and Forgiveness, p. 78.
‘widespread and comprehensive’ and generally ‘positive and informed’.

Allam noted that ‘[p]hrases like “Stolen Generations” and “genocide” seem to have seeped into public consciousness’ and that ‘there is a growing awareness of what these things mean to Indigenous people’.

By July 1996, however, Wilson suggested the inquiry was finding it difficult convincing the non-Indigenous community to understand that even where separation has meant growing up in a good home or institution with all the advantages of education and employment prospects, there remains a sadness and sense of loss from having been denied the joys of growing up in one’s own culture and surrounded by one’s own family, extended family and community.

Inquiry staff members were anxious that the final report gained a supportive reception. They encouraged the public to engage openly and compassionately with the report—which contained verbatim extracts of Indigenous witnesses’ testimonies—and its recommendations. The oft-quoted passage from the final report, *Bringing Them Home*, asks ‘the whole community to listen with an open heart and mind to the stories of what happened and, having listened and understood, commit itself to reconciliation’.

The ability of the inquiry to effect understanding and acknowledgment in the wider community was, however, limited. The inquiry report led some people to change their view of the past actions and future responsibilities of non-Indigenous Australians. Some people recognised their own implication in the harms suffered by Indigenous Australians who experienced removal. The outpouring of letters and acts of support for members of the Stolen Generations after the release of *Bringing Them Home*, as well as unprecedented participation in the reconciliation walks in 2000, showed the inquiry had some level of success in garnering support in the wider community.

For others, however, the stories of the Stolen Generations did not resonate in this way, and instead fed into earlier understandings or prejudices that Indigenous people received preferential treatment. Others rejected outright the claims of mistreatment and

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77 Ibid.
78 Letter from Ronald Wilson to Lowitja O’Donoghue, Chair of the Aboriginal and Torres Strait Islander Commission, 16 July 1996, Inquiry papers, NAA.
81 Ibid.
injustice or otherwise denied the existence of a systematically racially motivated process of removing Indigenous children from their families and Indigenous cultural environments.\textsuperscript{82}

The inconsistent reception of the inquiry report and its recommendations reflected a range of opinions in the wider community on the removal of Indigenous children, and Indigenous issues more broadly. Public opinion polls gauging national support for an apology after the release of Bringing Them Home, for example, had conflicting results. Murray Goot and Tim Rowse analysed three such polls after the inquiry—one offering widespread support for an apology, one suggesting widespread opposition and a third poll providing a division of opinion.\textsuperscript{83} As Goot and Rowse explain, the three polls ‘revealed an unstable pattern of opinion, with contradictory potentials for political persuasion’.\textsuperscript{84} In choosing not to apologise publicly, the Coalition Government supported sentiments in the community against accepting responsibility for the harms of removal policies and practices, rather than supporting those sympathetic to an apology.

A major criticism of the inquiry and its report was the focus on Indigenous Australians as victims of previous policies and practices of removal. The Federal Government, for example, argued that the report left out the views and experiences of field officers, welfare workers, missionaries and other groups associated with the implementation of removal policies.\textsuperscript{85} Similarly, the focus on ‘victimhood’ of truth commissions has been criticised for providing a limited account of events and being antithetical to the achievement of justice. Jean Bathke Elshtain, for example, argues that ‘claims to victimization carry special rhetorical resonance’ in modern liberal culture, which in turn promote a politics of resentment and grievance seeking that can be antithetical to a full accounting of events, and a fuller form of justice.\textsuperscript{86} As Minow has pointed out, a focus on the experiences of victims of abuses might deter the participation of those who do not see themselves in these terms, and ‘may tilt the writing of history in terms of victimhood rather than rights in a democratic, political order’.\textsuperscript{87} Indigenous

\textsuperscript{82} See, for example, Senator John Herron, Minister for Aboriginal and Torres Strait Islander Affairs, Federal Government submission to the Senate Legal and Constitutional References Committee Inquiry into the Stolen Generation, March 2000, p. 23.

\textsuperscript{83} The authors see these conflicting results, in part, in terms of the different information provided by pollsters to respondents to frame the question of whether the government should offer an apology (Goot, Murray and Rowse, Tim 2007, Divided Nation? Indigenous Affairs and the Imagined Public, Melbourne University Press, Carlton, pp. 3–5).

\textsuperscript{84} Ibid., p. 9.

\textsuperscript{85} Herron, Federal Government submission, p. 23.


\textsuperscript{87} Minow, Between Vengeance and Forgiveness, pp. 69, 80.
groups such as the ALSWA and the NTSG argued that the inquiry’s emphasis on victims meant those who had positive experiences of removal or who viewed themselves as survivors rather than victims of past removal practices were not represented.\textsuperscript{88} In its successful efforts to ensure the participation of Indigenous witnesses negatively affected by removal, the inquiry left itself open to such criticisms. The counterargument is that without this emphasis on and sensitivity towards the victims of removal practices Indigenous people might have been less inclined to participate and opportunities for assisting the healing process for some, and documenting these experiences, would have been lost.

Another criticism of the focus on victimhood of forums such as the inquiry involves difficulties with targeting forms of redress. Marie Smyth describes difficulties associated with what she terms ‘cultures of victimhood’ in which harm done to one member of a group is ‘perceived as a harm to every member of that community’.\textsuperscript{89} This in turn, Smyth argues, affects issues of response in that there is no ‘coherent and manageable group’ to ensure that resources and the development of social policy are appropriately targeted—an issue that can create further grievance in such communities.\textsuperscript{90} These issues arose in the aftermath of the inquiry, which found not one Indigenous Australian had been unaffected by removal. The NTSG argued that the inquiry ‘became too wide, straying from the central focus of an inquiry into children forcibly removed to dealing with the entire Aboriginal and Torres Strait Island community’ and that this in turn affected the targeting of services.\textsuperscript{91} The Federal Government also dismissed inquiry recommendations for a reparations tribunal, including monetary compensation, arguing the impossibility of accurately determining the numbers of Indigenous people affected by removal.\textsuperscript{92}

\textbf{Conclusion}

Ultimately, the inquiry’s goals to facilitate individual and national healing were overly ambitious. As I have argued, healing the nation—contingent on non-Indigenous Australians accepting the stories of Indigenous witnesses and a responsibility to redress the injustices of former policies and practices—was

\textsuperscript{88} ALSWA, \textit{Telling Our Story}, p. 58; Jacqui Katona, speech given at the National Press Club, Canberra, 13 February 1996, p. 12, Inquiry papers, NAA.


\textsuperscript{90} Ibid., pp. 127–8.

\textsuperscript{91} NASGAC and CASGFAC, Submission to the Senate Legal and Constitutional References Committee Inquiry into the Stolen Generations, p. 12.

\textsuperscript{92} Herron, Federal Government submission, pp. 2, 13–18.
challenged by certain prevailing attitudes towards Indigenous Australians and by a government that did not accept that those policies were wrong. Healing individual trauma is also a more complex task, with the testimony and limited counselling offered through the inquiry process providing relief for some witnesses but appearing to have negative impacts on others. Without adequate research into the longer-term effects of providing testimony to the inquiry it is impossible to determine whether this experience contributed to any permanent improvement in participants’ wellbeing. Nevertheless, the inquiry contributed to an acknowledgment of the personal pain suffered by Indigenous people because of removal practices, bringing the issues of Indigenous child removal to widespread public attention. It also brought additional resources for some needed services in counselling, and for linking Stolen Generations’ members back to their families and communities.

The work of the inquiry in effecting individual and national healing was renewed on 13 February 2008 when the new Labor Prime Minister, Kevin Rudd, acted on his election commitment to offer an official apology to the Stolen Generations.  

The Prime Minister delivered the apology, arguing that ‘it is time to recognise the injustices of the past’ and ‘put right this most outrageous of wrongs’. Rudd called on Australians to ‘fully confront the truth’ so we can become ‘a fully united and fully reconciled people’. The apology provided some relief in the campaign for the Stolen Generations, providing, as it did, recognition of the ‘deliberate and calculated’ policies of forcible removal to deal with ‘the problem’ of Aboriginality and the pain and suffering removal practices caused. The emotional importance of the apology to Indigenous Australians was significant. Many stories published in the media of Indigenous responses to the apology illustrated the relief they felt. For example, Cathy Freeman, former athlete and Olympic gold medallist, whose mother was a member of the Stolen Generations, explained that for her family, the apology ‘allows some kind of healing and forgiveness to take place where there is less anger and bitterness in the hearts of people. It takes away the pain.’ Michael McLeod, a Stolen Generations member, said he was moved by the apology, explaining: ‘I never expected to hear that in my lifetime. Personally, this is part of my healing process—just the recognition on that level.’ After the apology, Mick Dodson said, ‘I am inspired by this apology as an act of true reconciliation towards indigenous Australia.’ Public opinion polls conducted by The Australian newspaper before

93 The Rudd Labor Government was elected on 26 November 2007.
95 Ibid.
98 In an online poll published in The Australian on 13 February 2008 (p. 4) before the apology, 34 per cent of respondents thought the apology would not help and 20 per cent thought it would not help very much towards achieving reconciliation. The results of a second poll after the apology, published in The Australian
and after the apology also indicated a significant increase in support for the apology in the wider community.\textsuperscript{99} Still, more than one year on, the questions of whether the apology will lead to longer-term improvements in health outcomes for Indigenous people or whether it has created a more reconciled Australia continue to be asked.\textsuperscript{100} As I have illustrated in this article, achieving individual and national healing is a complicated and long-term process.


\textsuperscript{100} See, for example, Peatling, Stephanie 2009, ‘PM checks targets a year after apology’, \textit{The Sydney Morning Herald}, 27 February 2009, p. 5.
There is an image of my father that sticks in my mind: he is a child about six years old attending the Old Sun Residential School.¹ As he tells it, he was extremely lonely and wanted to go home. The residential staff would not allow this and would punish him. One day while showering, he decided to go. He ran naked from the school towards North Camp, where his family lived, about 20 miles away. I have this image of my father as a child running naked through the tall grass leaving Old Sun School behind him. This is only one of many incidents that occurred for my father, one that he will tell among many that he won’t—until now, forced through a semi-legal process of recounting residential school experiences cloaked in the ‘healing’ paradigm and financial gain.

As I write this, my father is undergoing his formal interview regarding his experience at the Old Sun Residential School.² It has been a stressful time for him, remembering experiences that he has kept within his being for most of his life. While I can see and have experienced the damage these experiences have caused him, I can only imagine the pain, suffering and psychological damage these experiences have created within him and the intergenerational effects that form a continuum of dysfunctional being. To relive these experiences has not been that easy for a man who is deeply private and suspicious of institutions.

My father questioned the interviewers during the interview: ‘Why do we have to go through this process? The Japanese Canadians did not have to do this as a part of determining their settlements.’ This is a question that comes to my mind and I wonder whether this is yet another layer of ethnocide within the colonial project—a layer more insidious as it provokes individuals to relive painful experiences over and over again in the name of ‘healing’. If you receive a settlement, some funds are set aside for ‘counselling’, which are accessible only should the individual determine to seek psychological help. Isn’t this yet

¹ Old Sun, an Anglican School founded in 1890, was located on the Siksika reserve near Gleichen in southern Alberta.
² This interview is required of individuals who apply for the Common Experience Payment (CEP). The CEP is part of the Indian Residential Schools Settlement Agreement, which recognises the experience and continuing effects of residing at an Indian Residential School.
another way in which the government is telling Aboriginal people ‘how to be’? It seems that the ‘Indian Agent’ ethos of controlling the lives of Aboriginal people is alive and well.

As I was a day-school student for four years, I apply to the Common Experience Program to consider my case. Even though I have heard that day students will not be considered, I am encouraged to apply by many statements including those made by officials in the program and the Assembly of First Nations. After filling out the government forms, then sending more information at their request, I receive months later in the mail a standardised letter from Indian Residential Schools Resolution Canada: ‘We regret to inform you that after reconsideration of your Common Experience Payment application, we are still not able to confirm your residence at the Indian Residential Schools indicated on your application.’ For many people who attended day school—having had the same common experience as residents—their applications have been denied. The loss or inaccurate recording of information has been a problem for verification; for many people, their experiences have been invalidated or put into question, creating another class of residential school survivor—one that might never realise their place in the residential school experience commons.

I am not a supporter of the ‘Common Experience’. I recognise that the process might be good for some. I suspect that, in the end, many will not realise its touted benefits. For instance, a physician on my reserve indicates that he has never seen things so bad, that the stress resulting from the reliving of these past experiences has brought about suicides, attempted suicides, depression, alcoholism/drug abuse and violence within the community. It is a new epidemic that furthers the destruction of a people. I am personally frustrated, angered and sad as I see the toll this process has taken on many people, including family and friends. While I understand the intention of the process—to bring closure and a forum in which to expose the horrific stories these schools produced—I cannot help but feel that a new wound is being inflicted.

**Testimony**

In correspondence between J. D. MacLean and Reverend R. MacKay on 4 July 1907, it was noted that ‘Old Sun school [was] founded in 1890...[and] had a death rate of 47 per cent, with the possibility of it being higher’. Historian John Milloy describes abuse at the school:

In 1919, Graham alerted Departmental headquarters to yet another incident of abuse...George Baptiste...had run away from the Anglican Old Sun’s school. On being brought back, the boy was shackled to the bed, had his hands tied, was stripped and was ‘most brutally and
unmercifully beaten with a horse quirt until his back was bleeding’… the accused gentleman who got off, defended by Cannon S. Gould, indicated that ‘such a beating was [the] norm, more or less in every boarding school in the country’.

A slap across my face stuns me. I look into the bus driver’s eyes as he yells at me, scolding me for my behaviour on the bus. For a six-year-old, an adult slap seems like the end of the world. Not really knowing why, I walk home crying in the shadow of Gordon’s Residential School. Slaps across the face become a regular occurrence in the classroom and dorms.

Why some people develop DID [dissociative identity disorder] is not entirely understood, but they frequently report having experienced severe physical and sexual abuse, especially during childhood. Though the accuracy of such accounts is disputed, they are often confirmed by objective evidence. Individuals with DID may also have post-traumatic symptoms (nightmares, flashbacks, and startle responses) or Post-Traumatic Stress Disorder. Several studies suggest that DID is more common among close biological relatives of persons who also have the disorder than in the general population.

At age seven, my personality splits: male and female. Adrian attends Lebret Residential School; Adrianne stays home, allowed to come out only when Adrian goes home. The signifier a white-leather fringed jacket, she flirts among the boys in the playground.

Sexual abuse was not simply visited on the individual child in school; it echoed in the lives of subsequent generations of children. A 1989 study sponsored by the Native Women’s Association of the Northwest Territories found that eight out of 10 girls under the age of eight were victims of sexual abuse and 50 per cent of boys of the same age had been sexually molested.

On transformations in society…That future must include making a place for those who have been affected by the schools to stand in dignity, to remember, to voice their sorrow and anger and to be listened to with respect…So as Thomas Prince encouraged…so that they can trust each other and...can walk together side by side and face this world having faith and confidence in one another.

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5 Milloy, A National Crime, p. 298.
6 Ibid., p. 305.
Art as voice: testimony

While the Canadian Government works through its process and further bureaucratises Aboriginal suffering, I seek another way to reconcile my experience: I do it through my art making.

For this article, I have decided to speak of one installation and of a performance that can be considered testimonies on the residential school experience. The installation at the TRUCK Gallery was called Old Sun and included three pieces: Old Sun, Sick and Tired and Inhumation. The performance was at the Banff Centre, called Desperate Commons: Gym Acts.

‘Old Sun’ or Natusapi was a chief of the Blackfoot and a distant relative of mine. My family has told me that he was a respected leader and distrusted the newcomers greatly; he did not want to sign Treaty 7, preferring war to what at the time he considered the end of our way of life. The Blackfoot Reserve No. 149—or what is today called the Siksika Nation—was divided in half for conversion: the east to the Catholics and the west to the Anglicans. My family camped on the western end of the reserve and by happenstance was claimed by the Anglicans. The school that was built was named Chief Old Sun Residential School. I find it ironic that Old Sun’s name was used, as it ensured the end of a way of life for many of his descendents—my family members. The institution now called Old Sun College has made the transition from residential school to college yet remains a colonising symbol for many of my nation. Over the years, various renovations have created fragments of material culture; I have been privileged to collect many of these fragments.

Old Sun

Old Sun is a sweat lodge replica constructed of metal, with bison-fur fragments arranged in a circle within the lodge; a residential school light is illuminated over the lodge. To represent the reconstruction of cultural icons, I have used the design of the sweat lodge. I had it manufactured from steel—an industrial material that drove imperial expansion.

It is a skeleton, a cage that shadows the struggle most Aboriginal people face in reconciling traditional ways with contemporary Western culture. I often use the bison as a symbol representing the destruction of Aboriginal peoples’ way of life. I have pieced bison-fur fragments together in an attempt at putting things back together, or trying to hold on to something that is rapidly changing. It is placed inside the sweat lodge—the womb—for protection, yet it is also caged. I have placed the Old Sun light fixture above the sweat lodge. It shines downwards interrogating the rest of the piece. As I believe that objects hold energy, this light that once shone above the heads of many children within the
school is a witness to genocide. The shadow created on the fragments of bison fur is the Union Jack. Shadows of history haunt us; illumination of our history can enlighten us and bring us out of the shadow. *Old Sun* is a sculpture that contemplates layers of history, shadows of the past and tension between light and dark.

**Sick and Tired**

*Sick and Tired* (Figure 1) is an installation that explores identity, history and transcendence through the reconfiguration of architectural and natural fragments. It is homage to colonial history. Its elements are three *Old Sun* Residential School windows, filled with feathers and back lit, and an old infirmary bed from the same school with a bison robe folded into a human shape placed on its springs. The bed is illuminated from the top to create a shadow beneath similar to a stretched hide. This work references material culture and post-colonial issues in Aboriginal art. *Sick and Tired* is a continuation of my explorations into my Siksika (Blackfoot) identity and the reality of cultural genocide. Combined, these elements speak to fragmentation, re-signification and counter memory—ideas that are a part of colonial or post-colonial discourse.

Residential schools were instruments of genocide; they created isolation, disorientation, pain and death and ultimately broke many human spirits. I can imagine many children peering out of these windows, longing to be home with their families. Their reality, however, was confinement similar to being smothered by a pillow. Sickness and disease were and still are a reality for First Nations—a legacy of illness represented by the infirmary bed. How many people lay sick, tired, dying or dead on this bed is not known, yet I feel the heaviness of its presence, a state that exhausts me physically, mentally, emotionally and spiritually. The bison robe configured like a mummy lies on the bedsprings; it is a cultural reference that speaks to another fragment, that of a historically decimated mammal analogous to the people and their culture. A light shines down illuminating robe and bed; the shadow beneath represents a stretched hide and speaks to the duality of life and death or the yet known.

I believe that objects hold energy; the combination of elements—windows, feathers, light, shadow, bed and bison robe—forms objects and ideas that speak to history, culture, genocide, absence, presence and fragmentation. Together they form a space in which to contemplate our present being. In doing so, we can examine our selves and our relationship to the past, present and future. For me, creating this installation has been a way to exorcise and transcend the colonial project, a way to forgiveness, healing and obtaining a state of grace.
**Inhumation**

*Inhumation* (Figures 2 and 3) is the act of placing a person or object into the ground. I created a facsimile of a traditional Blackfoot death platform and inverted it with a small black coffin attached to the ceiling and a small childlike sarcophagus placed on the underside of the platform; a light shines from the coffin creating a shadow on the floor. A banner reading ‘All One in Christ Jesus’ is placed upside down on the wall behind the platform. A video full of historical Old Sun images of children in the school intermixed with recent video of the exterior of the school projects through the platform onto the wall under the banner. The sound of digging resonates throughout the space. This installation speaks to the act of burying, an act that is in opposition to historical Blackfoot burial practices. In burying, we cover up the past; in placing on a platform to deteriorate, we see a natural process occur—the dispersal of human remains into the environment. It would seem our world has become upside down, where looking up is looking down, our perspective skewed in a world of Christian and governmental doctrine—to ‘kill the Indian in the child’.

**Desperate Commons: Gym Acts**

*Desperate Commons: Gym Acts* begins to examine residential school histories and my experiences in these systems. The first 12 years of my life were spent in and around residential schools. My parents met at the Shingwauk Residential School in Sault Ste Marie, Ontario, where my father worked as a supervisor and my mother worked in the laundry. After I was born, my family moved and worked at the school in Fort George, Quebec. After four years, we moved to the Gordon First Nation, Saskatchewan, where I started to attend the day school with the students of Gordon Residential School. We then moved to Lebret, where I attended the day school until grade four. In 1975, we moved back to my home nation of Siksika.

My father was a student of William (Bill) Starr at Old Sun Residential School on the Blackfoot Reserve and was invited by Starr to work as a boys’ supervisor once he was an adult. Adrian senior followed Starr around the country as he moved between schools, as a result of their friendship. Starr became my godfather.

Starr was charged and convicted on several counts of sexual assault on the boys who attended these schools. As is the case with paedophiles, his actions were secret until allegations were brought forward in the late 1970s and early 1980s. Many associates of Starr, including my parents, were shocked and felt betrayed
by his actions—indicating that they never suspected or had any evidence that this abuse was going on. It is a history that adds to the legacy of abuse these schools have come to represent.

Recently, my family received a package in the mail; it was from Starr. The package contained many photos taken in the 1950s of students at the Old Sun Residential School on the Blackfoot Reserve and various trips around Canada and the United States. Many of the photos were of my father, as well as of various family members and school activities, taken by Starr or an unknown photographer. Needless to say, these images are historically interesting yet haunting. I am in the process of researching and speaking to these images. *Desperate Commons: Gym Acts* is the first performance that examines a group of images from a Christmas play at the Old Sun School gym.

This performance is a process of exorcising history, letting go of the hurt; in essence, it is a process of truth and reconciliation. The majority of my family, including my father, attended Old Sun Residential School, which was run by the Anglican Church—a common experience that continues to negatively affect my family. More recently, with the implementation of the Common Experience Payments through the Indian Residential Schools Resolution Canada, I was informed that I was entitled to apply and seek compensation, which I did not want to do for personal reasons. I did apply, however, after consulting with elders. My case was reviewed and I was informed that I had been rejected as a result of the lack of records.

While the Indian Residential Schools Resolution Canada is a start in addressing the history of residential schools, the Common Experience evaluation process has its problems. Many records were lost or destroyed, leaving many former students of these schools without proof they attended, and as a result, they are now in a position of having to find evidence of their existence in these schools. It is a complex, psychologically troubling and disillusioning process, leaving many frustrated and feeling re-victimised as they relive and have to prove their past experiences.

One aspect of my art practice is to re-signify history and in doing so exorcise the negative energies that exist. I am in the process of coming to terms with my history. It is a process of personal transcendence, telling stories that expose the desperate nature of these experiences yet also demonstrate our common resilience.
Figure 1, Adrian Stimson, *Sick and Tired* (2004) in Old Sun exhibit (2008). Courtesy of Truck Gallery, Calgary, Alberta.


Figure 4, Adrian Stimson, *Buffalo Boy’s Confessional Indulgence*. Red Shift Gallery, Saskatoon, Saskatchewan. Courtesy of Lynne Bell.
Figure 5, Adrian Stimson, *Buffalo Boy’s Confessional Indulgence*. Red Shift Gallery, Saskatoon, Saskatchewan.Courtesy of Adrian Stimson.
Buffalo Boy testifies: decolonising visual testimony in a colonial-settler society

LYNNE BELL

Introduction

In this article, I will examine two visual projects by the artist Adrian Stimson: an installation entitled *Old Sun* (2008) and a performance-art event entitled *Buffalo Boy’s Confessional: Indulgence* (2007). These works reveal and give shape to a particular chapter in Canada’s history of colonialism: the long and unfinished story of the residential school system. This colonial system of schooling was founded and operated through a state–church partnership for more than a century until the final school closures in 1986. In its attempts to ‘kill the Indian in the child’, the residential school subjected Indigenous children to a Euro-Canadian curriculum designed to obliterate generations of Aboriginal culture. This type of assimilative educational practice is clearly identified in the *United Nations Declaration on the Rights of Indigenous Peoples (2007)* as cultural genocide. In my focus on Stimson’s two projects of visual testimony, I consider the questions: how can contemporary installation and performance art illuminate and interrogate the multifaceted ways in which settler colonialism inflicts trauma—in the past and present? What is the affective and critical force of Stimson’s visual acts of witnessing and how do they engage the spectator? What decolonising testimonies and pedagogies can his projects perform in the ‘now’ of the art event (and beyond)?

On 11 June 2008, the Prime Minister of Canada made a long-awaited public apology to the country’s Indigenous peoples for the pain, suffering and hurt inflicted on them by the residential system of schooling. Responding to the apology from the floor of the House of Commons, Phil Fontaine, National Chief of the Assembly of First Nations, opened his remarks by remembering and honouring ‘all of the generations who had never heard an apology, never

received compensation, yet courageously fought assimilation so that Aboriginal people could witness this day’. Noting that the Government of Canada had taken full responsibility for the racist policy that created the residential school, Fontaine stated:

For the generations that will follow us, we bear witness today in this House, that our survival as First Nations peoples in this land is affirmed forever...Never again will this House consider us the ‘Indian problem’ just for being who we are. Never again will the awesome power of government attempt to destroy us, to obliterate our cultures and languages from this land—the land we have occupied since time immemorial. Never again will there be an attempt ‘to kill the Indian in the child’...Brave survivors, through the telling of our painful stories, have stripped white supremacy of its authority and legitimacy.4

In concluding, Fontaine notes that Indigenous people are—and always have been—an indispensable part of the Canadian identity. He then issued a challenge to all peoples living in Canada: ‘We must not falter in our duty now: emboldened by this spectacle of history, it is possible to end our racial nightmare together.’5

Two years before this day of apology in the House of Commons, a court-ordered Indian Residential Schools Settlement Agreement (IRSSA) was reached between Survivors, churches and the Canadian Government. This agreement has five major components: a Common Experience Payment (CEP) providing a lump-sum payment to former residential school students; an Independent Assessment Process (IAP) providing compensation for students who suffered serious sexual, physical or psychological abuse; funding to support the creation of memorials and community healing initiatives; and a five-year Truth and Reconciliation Commission (TRC).6

As the cornerstone of the Settlement Agreement, the independent body of the TRC will focus on listening to the oral testimony of Survivors and former employees of the residential school system. Survivor testimony—the ‘truths’ of the previously silenced speaking subject—is central to the work of the TRC. During its five-year mandate, the TRC will travel the country, generating a public archive of testimony that will provide ‘a comprehensive historical record on the policies and operations of the schools’ and describe ‘what happened to

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4 Ibid.
5 Ibid.
6 On 10 June 2009, the TRC appointed the Honourable Justice Murray Sinclair as chairman and Marie Wilson and Chief Wilton Littlechild as commissioners (http://www.trc-cvr.ca/index_e.html).
First Nations, Métis and Inuit children who attended those schools’. In his comments on the launch of the Canadian TRC, Georges Erasmus, President of the Aboriginal Healing Foundation, noted that ‘[t]he Truth and Reconciliation Commission, in bearing witness to what has gone before, will help to create collective memory and shared hope that will benefit Aboriginal and non-Aboriginal peoples in Canada long into the future’.

In recent years, as Rice and Snyder point out, many governments have turned to truth and reconciliation commissions in order ‘to heal broken relationships within society’. Based on principles of restorative or transitional justice with ‘broad political goals of reconciliation’, these commissions ‘highlight the importance of healing individuals and society after the trauma of mass violence, such as the violence perpetrated in Indian Residential Schools’. In discussing the international genre of the truth commission, Deborah Posel points to a central tension or dilemma in the workings of restorative or transitional justice: ‘Truth commissions have been fashioned to grapple with the challenge of producing robust and authoritatively objective truth in the midst of contending subjectivities associated with competing perspectives on bitterly divided and contested pasts.’ The attempts to resolve this dilemma, Posel notes, have differed. South Africa’s TRC, for example, was the first to install personal testimony at the heart of its project in an attempt to avoid the confrontational encounters of the legal trial. While South Africa’s truth commission attempted to provide a supportive forum for the telling of traumatic personal stories, its model of transitional justice was, however, equally intent on verifying these stories as much as authenticating them. Hence, while there is no single formula for the composition of the truth commission, these quasi-judicial institutions all share the common problem of having to address the question: what constitutes truth?

In turning to Adrian Stimson’s two projects on the residential school, we see that personal testimony in the context of the art event engages its audiences in differing understandings of this question of the truth. As Kyo McClear

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10 Ibid.
11 Posel, Deborah 2008, ‘History as confession: the case of the South African Truth and Reconciliation Commission’, *Public Culture*, vol. 20, no. 1, Duke University Press, p. 120. Posel (p. 137) notes that in the South African TRC: ‘Prior to each hearing the researchers within the relevant investigative bureaucracies were responsible for investigating the pending case so as to equip commissioners with information pertinent to a process of inquiry and cross-checking, alongside the activity of listening and validating the pain of the experiences.’
12 Ibid., p. 137.
13 As Rosanne Kennedy notes: ‘One of the tensions in how testimony is received in different contexts concerns the contested issue of “truth”, and differing understandings of what constitutes the truth.’ (Kennedy,
notes, ‘[a]rt cannot supplant courtroom proceedings and judicial procedure, nor should it’.\textsuperscript{14} What expressive culture does offer, however, is its ability ‘to open up new sites of possibility by providing opportunities to see and hear what has become familiar, differently’ and ‘it may provoke memories that could not be generated elsewhere’.\textsuperscript{15} In \textit{Old Sun} and \textit{Buffalo Boy’s Confessional: Indulgence}, Stimson’s methods of testifying are not aligned symmetrically with those of the law or the quasi-juridical forms of testimony that occur in truth and reconciliation commissions. Indeed, quite the opposite. In the immersive, multi-sensory environments of Stimson’s art events, we see a deliberate crossing of media and genres that makes it impossible for viewers to decide whether we are witnessing the fictional, the dreamt, the fantastical, the invented or effects of ‘realness’ in oblique self (and collective) portraiture. In stark contrast with the truth commission or the law, Stimson’s visual testimony is concerned not with a central problem of ‘truth’ or ‘accountability’. Rather, the force of his visual testimony lies in its ability to surprise and defamiliarise what it is we think we know. In Stimson’s installations and performance events, the viewer encounters another way of telling whose value does not lie in any juridical analysis (by that standard his work can appear quite demented) but in art’s ‘infinite power to keep undecidable’.\textsuperscript{16} In breaking with the visual language of ‘realism’, Stimson uses multiple viewpoints, broken narratives, an elastic sense of time and surprising juxtapositions in his art events to unsettle meaning and to trouble the mind. His visual strategies of counterpoint and montage shift the viewer’s attention from any received notions of ‘truth’ in the dominant society to the process of ‘truth telling’ itself, asking whose ‘truths’ make it into the archive in the first place and under what conditions. In \textit{Old Sun} and \textit{Buffalo Boy’s Confessional: Indulgence}, Stimson asks us to reflect on differing regimes of intelligibility and visibility, bringing into play the very question: what is truth?

\textbf{Buffalo Boy testifies: Adrian Stimson}

Adrian Stimson is a Saskatoon-based artist and a member of the Siksika Nation in Alberta. His installation and performance projects belong to a tradition of art making that is intent on developing Indigenous and place-centred visual testimony that puts the apartheid memory work of Canada’s colonial-settler

\begin{thebibliography}{9}
\bibitem{15} Ibid. McClear’s work is among the rapidly growing archive of critical literature on the testimonial arts, which also includes, among others, Bennett, Jill 2005, \textit{Empathic Vision: Affect, trauma, and contemporary art}, Stanford University Press, Stanford, California.
\end{thebibliography}
cultures into crisis. In the past four decades, as Mary Longman notes in her essay in this collection, contemporary Indigenous artists in Canada have worked with persistence, courage and the decolonising power of the imagination to create an extensive archive of visual testimony that has two primary purposes: first, to bear witness to Canada’s colonial past and its stubborn multifaceted legacies in the present; and second, ‘to rebuild and reclaim the Aboriginal narrative’. This Indigenous-centred tradition of art making is deliberately ‘worldly’ in the sense that it seeks to be in conversation with its audience about the concerns of Indigenous people living in Canada’s colonial-settler society.\textsuperscript{17}

In the past decade, Stimson’s multimedia work has addressed two major rhetorical silences in colonial-settler discourse: the situation and experience of Aboriginal peoples in the settlement era of the Canadian West and the genocidal policies of the residential school. In addition, his work has focused on Indigenous and queer issues of social and cultural justice. With the assistance of Buffalo Boy—his outrageous and sensational performance persona—he has developed a double axis of witnessing that sets out to Indigenize and queer the terrain of the national imaginary. We encounter, in Buffalo Boy’s persona, the instrumental energy and play of a visual deconstructor at work. The multi-gendered Buffalo Boy—neither human nor beast, neither boy nor girl—is a master of improvisation, always on the move. In one moment, he is a brooding shaman exterminator; in another, he is a campy cowboy wearing a bison G-string, buffalo corset, disco cowboy hat and black fishnets.\textsuperscript{18} Mixing satiric spectacle, camp aesthetics and anti-colonial critique, Buffalo Boy restages and re-signifies various colonial encounters (in the past and present) as high-camp theatre, in which everything is done in ‘quotations’ and nothing is what it seems to be.

Active as an Indigenous politician for eight years, Stimson notes that he finds the arts to be a gentler place in which ‘to deal with issues of residential schools, racism and homophobia’.\textsuperscript{19} Working at the site of a number of cultural crossroads, Stimson articulates multiple subject positions in his work: he is a historian/ethnographer of colonial culture and an anti-colonial activist producing resilient performances of Indigenous-centred agency; he is a Survivor intent on making

\textsuperscript{17} In Canada, as Rice and Snyder (‘Reconciliation in the context of a settler society’, p. 45) point out, any societal reconciliation that emerges from the \textit{Indian Residential Schools Settlement Agreement} must address three major structural issues unique to a settler society—namely, ‘the legacy of colonialism that impacts the political, social and economic life of Aboriginal people; historical and contemporary myths prevalent in Canadian society that rationalize Canada’s policies and practices towards Aboriginal people; and the impact of colonization/residential schools on Aboriginal identities and mental health that adds an additional layer of healing to the reconciliation process’.

\textsuperscript{18} Buffalo Boy as the campy cowboy is a character parody of Buffalo Bill (aka William Cody) and his touring Wild West shows, which in the late nineteenth century created ‘living pictures’ of frontier life, including such spectacles as ‘The Indian Races’, ‘Custer’s Last Stand’ and ‘The Buffalo Hunt’ (see Bell, Lynne 2007, ‘Buffalo Boy: camp, mourning and history in the work of Adrian Stimson’, \textit{Canadian Art}, vol. 24, no. 2 [Summer], pp. 44–8 at p. 47).

\textsuperscript{19} Ibid.
recovery narratives to ‘exorcise the negative energies that [still] exist’ and a critical educator who uses ritual play as a site of decolonising resistance and pedagogy; and he is an inhabitant of Indigenous and Western cultures.

Decolonising visual testimony

In *Old Sun* (Figures 1, 2 and 3) and *Buffalo Boy’s Confessional: Indulgence* (Figures 4 and 5), Stimson testifies to the experience of the residential school and its continuing legacies as a ‘primary witness’, as Dominic LaCapra puts it, ‘who has lived through events and remembers them in a certain manner’. In his residential school projects, Stimson’s restless testimony works with the elliptical, affective and interrogative possibilities of the visual language. As Chilean-born artist Alfredo Jaar notes, however, ‘it is difficult’ to create effective testimony in the visual arts. It is about finding a strategy to bear witness that is suited to the specificities of the particular situation and moment out of which the art event emerges. It is always about the attempt to bear witness and the struggle to find adequate strategies to represent particular experiences and understandings. It is not about creating a topography of mastery. As McClear notes, the significance of the testimonial arts lies not in the generic truths they reveal but in what they ask of us, the viewer. In *Old Sun* and *Buffalo Boy’s Confessional: Indulgence*, Stimson seeks to engage audiences in acts of indirect or secondary witnessing using dialogic, performative and participatory modes of address to get people to think about how colonialism inflicts trauma. As viewers, we are asked ‘to become midwives to memories still caught in the throes of becoming. Our viewing presence—our intentions, blindness and sight—becomes part of the witnessing activity’.

As Roger Simon notes, to be ‘touched’ or moved by another’s testimony is to feel ‘a form of human connection, an empathic response to another’s story, involving such feelings as sorrow, shock, elation, rage’. In his visual testimony, Stimson works with the affective and embodied impacts of installation and performance art to engage his viewers emotionally and critically. In discussing these forms of doing and making art, critics Gill Perry and Kristine Stiles stress

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that they require the active embodied involvement of the viewer. In these media, viewers are asked to respond kinaesthetically, to move in and around the works, to explore tensions between shifting viewing positions and (frequently) to engage with a wide range of sensory experiences. When information is spread across the sensory spectrum in the fleeting moment of the art event, it not only ensures its survival in memory, it increases its affective and embodied impact. In discussing the performance-based cultures of Aboriginal jurisprudence, Sa’ke’j Henderson notes that in the moment of the performance, every sensory experience or media becomes ‘a hook from which the thread of memory can hang’. Thus, if people do not immediately remember hearing something, they might remember seeing or feeling it. In addition, if ‘several different media are used to transmit exactly the same message, the power of that message as a whole is reinforced to the point where the audience may have so much sensory input that distraction or passivity, and hence forgetting becomes impossible’.

Stimson’s use of visual counterpoint in Old Sun and Buffalo Boy’s Confessional: Indulgence creates moments of provocative dissonance that rely on the viewer to complete the meaning of the work as an active participant. In assembling images, objects, texts and performances together in the gallery space, he creates an inventory of traces of Indigenous and settler-colonial histories, revealing their interconnecting and overlapping existence in the Canadian West. It is a praxis of visual counterpoint that echoes Edward Said’s critical practice of ‘contrapuntal ethics’—a practice of reading the world and cultural texts, which involves a way of thinking ‘comparatively, expansively and non-coercively’. Stimson’s art events presume a viewer to whom the responsibility of remembering can be passed. As McClear states: ‘Testimonial art survives when it is taken on, when it enters dialogue—not when it is passively accepted. Because its messages are inherently unfinished, it is disruptive and demanding.’ If viewers are willing to share in the responsibility of meaning making in Stimson’s art events, we become participatory witnesses, engaging in moments of testimonial exchange. As Roger Simon explains, a testimonial exchange is a transitive moment that carries information from one time and space to another. This transitive character of testimony means that its arrival in the gallery demands, as Simon puts it, ‘doubled moments of attentiveness—one informational the other reflexive’, in which viewers are challenged to learn about previously unheard

26 Ibid.
28 McClear, Beclouded Visions, p. 188.
29 Simon, The Touch of the Past, p. 98.
or unseen histories, facts and stories and, at the same time, to engage in a critical self-reflexive practice of remembrance that makes us think about what it is we think we know and how we know it. In Stimson’s art events, we encounter an aesthetics of participation in which we are addressed individually yet feel part of a larger group that is beckoned to reconsider and remake ‘what constitutes the character of public life’.

**Old Sun**

Walking into the spectral half-dark of Stimson’s exhibit *Old Sun* in the Truck Gallery in Calgary, Alberta, the visitor encounters three installations: *Old Sun* (2005), *Sick and Tired* (2004) and *Inhumation* (2008). This installation trilogy is lit by internal points of light that illuminate the dim gallery. The sound of a shovel beating on the ground is as regular as a heartbeat or breathing.

The title, *Old Sun*, links Stimson’s exhibit in downtown Calgary with Old Sun School, an Anglican residential school founded in 1890 on Stimson’s home reserve of the Siksika Nation, just an hour’s drive south-east of Calgary. Many of Stimson’s family members were forced to attend Old Sun School, where many children died of tuberculosis, mumps, cholera, smallpox, influenza, measles and malnutrition—all in the name of civilisation. In successive government reports, Old Sun School became infamous for its high mortality rates; its buildings were condemned as unsanitary and its overcrowded dormitories were described as providing ideal incubators for the spread of disease. As Stimson notes in his essay in this collection, Old Sun School was named after ‘Old Sun’ or Natusapi, a chief of the Blackfoot and Stimson’s distant relative:

> I find it ironic that Old Sun School was named after this respected leader who did not want to sign Treaty 7, preferring war to what, at the time, was seen as the end of our way of life. Old Sun School did ensure the end of a way of life for his descendants, including my family.

The focus of Stimson’s exhibit is on the child’s experience of the residential school and its processes of dehumanisation. Moving back and forth between the three installations that make up the exhibit brings together an accumulation of

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30 Ibid., p. 100.
31 Ibid., p. 187.
32 For instance, Dr P. H. Bryce’s *The Story of a National Crime* (1922) informed Canadians in graphic detail of what was being done in their name. As Milloy and Churchill point out, however, the deaths and conditions in these schools pricked no national conscience. Instead, the fates of First Nations people—and children—were not discussed in polite circles of ‘Good Canadians’. Indeed, there was a withdrawal of empathy from these targeted groups (Churchill, Ward 2004, *Kill the Indian, Save the Child: The genocidal impact of American Indian residential schools*, City Lights Books, San Francisco, p. 44; Milloy, *A National Crime*, pp. 99–102).
33 Stimson, Adrian 2009, ‘Used and abused’, *Humanities Research*, vol. 3.
images: a steel-ribbed sweat lodge lined with scraps of buffalo hide; a classroom light casting shadows that mimic the ‘double-cross’ of the Union Jack; a sleeping figure lying on an infirmary bed wrapped in buffalo fur; the phantom shadow of a flayed buffalo hide; a tall sketchy structure resembling a traditional burial platform of the Siksika Nation and a wooden coffin; a small fur sarcophagus suspended in front of a projection of flickering black-and-white images of Old Sun School; and an inverted Anglican church banner reading ‘All One in Christ Jesus’. In the upside-down world of this installation event, we see the clash and juxtaposition of heterogeneous materials (such as fur and steel) and images (such as the sweat lodge and the Union Jack) testifying not only to the violent imposition of the colonial educational system on the Indigenous child, but to the continuing coexistence of Indigenous religious ceremonies alongside the compulsory Christianity of the residential school system, despite the colonial government’s attempts to suppress Aboriginal traditions, rituals and social and political organisations that it perceived as obstacles to Christianity and civilisation.34

Stimson’s three installations start from and continually return to an archive of physical traces or found objects: small fragments of material culture salvaged from renovations at Old Sun School, including windows, classroom lights, an infirmary bed and an instructor’s album of 1950s black-and-white photographs of children at Old Sun School. Stimson notes:

These fragments bear witness to the trauma of these schools. They also invoke my relationship to the history of the residential school. I went to residential school until grade four as a day student. From a very early age I was aware of what was going on. I have a lot of vivid memories of things that occurred and I draw on them when I work with these fragments. The works are about forgiveness, forgiving yourself, recognizing that your mind has been programmed and foregrounding a way to release this. This is how I release it—through my art practice.35

Throughout Stimson’s installation event, the figure of the child and the figure of the buffalo are palpable presences. In bringing these differing visual elements and signifying systems into juxtaposition, Stimson allusively yet insistently draws connections between two colonial crimes that are normally kept apart in the national imaginary: the cultural genocide inflicted on Indigenous children in the residential school system and the buffalo genocide and its devastating impact on the lifestyles of the Indigenous peoples of the Plains. In the Settlement Agreement, the figure of the child and the residential school system is seen to be powerfully symbolic of the flawed relations between Aboriginal and non-
Aboriginal peoples in Canada. The realisation that children were harmed and children continue to be harmed now has the power to move Canadian society at large, although this was not always the case.  

In the third installation, entitled *Inhumation*, viewers encounter a small bison-fur sarcophagus hanging from a tall structure resembling a traditional burial platform of the Siksika Nation. A residential school light sits on the platform, shining a cone of light upwards onto a small wooden coffin. The back wall of the installation is animated with a video loop of flickering black-and-white images of Old Sun School, including aerial views of the school’s graveyard with row upon row of small white crosses; intense close-ups of the building’s monotonous brick walls; rapid movement through tall prairie grasses mimicking the gaze of a runaway child; and images of Buffalo Boy as the campy cowboy wearing angel wings and dancing in an act of coup in front of the huge cross dominating the skyline of Old Sun School. We see in this spectre of Buffalo Boy the figure of a haunting that involves a calling to account for Canada’s apartheid culture of colonial education and its continuing legacies. This haunting is about a critical praxis of remembrance that involves, as Derrida puts it, learning to live with ghosts. It is a haunting that involves a return to the ‘now’ of the present and the urgent need to decolonise the policies and practices of Canada’s contemporary educational institutions, as outlined in the *Report of the Royal Commission on Aboriginal Peoples* in 1996.  

Stimson’s exhibit *Old Sun* is a site-specific event that makes the familiar space of the Truck Gallery seem unfamiliar. The Truck Gallery is housed in Calgary’s Grain Exchange Building—a tall, handsome building that was built in the early 1900s as a major landmark in the early settler society of Alberta. Few non-Aboriginal people (then or now) know that the Grain Exchange Building and the city of Calgary are built on traditional Blackfoot territory. As many critics have noted, the spatial boundaries of a society’s built culture reveal the ‘others’ it fears. The map indicating the location of residential schools in the Canadian West is thick with black dots yet the existence of these schools is rarely mentioned in settler histories of the West. In *Old Sun*, Stimson makes visible the public secret, or blind spot, in the structure of Canada’s colonial-settler society and its centennial discourses of modernity, progress and development; the residential school is a public secret that is both remembered and forgotten in the same moment. Refusing this settler culture of denial, Stimson’s exhibit *Old

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36 Castellano-Brandt et al., *From Truth to Reconciliation*, p. 404.
39 The residential school remains ‘a significant part of Canadian history that is still unknown to most Canadians’ (*Indian Residential Schools Settlement Agreement*, p. 15).
Sun assembles a compelling theatre of visual testimony that testifies to Canada’s apartheid histories of education. In this exhibit, the material fragment salvaged from the residential school is at once a marker of history invested with personal and communal significance and a visual interruption that counters the amnesia of Canadian public memory about its colonial history and the ‘national crime’ of the residential school.

Old Sun engages in the exhausting work of remembrance and mourning yet it also tells a story of survival, resistance and resilience. In his practice as an artist, Stimson repeatedly returns to the figure of the buffalo as a metaphor for spirituality, creativity and rebirth. In this exhibit, the figure of the buffalo is at once witness, mourner and survivor. As Stimson tells it:

I use the bison as a symbol representing the destruction of the Aboriginal way of life. But it also represents survival and cultural regeneration. The bison is central to Blackfoot being. The bison as icon and food source, as well as the whole history of its disappearance, is very much a part of my contemporary life.

Old Sun is a memorial for the children subjected to the assimilative and genocidal culture of the residential schools; the missing children who still lie in unmarked graves in the corners of residential school graveyards; and the children yet to be born whose future will be impacted by the intergenerational legacies of residential school trauma. In conjuring up the absent presence of the residential school system, Old Sun creates a personal space for viewers directly affected by this colonial institution and a larger space of cultural memory for the non-Aboriginal Canadian public.

**Buffalo Boy’s Confessional: Indulgence**

In 2007, Stimson had a solo show entitled *Buffalo Boy’s Confessional: Indulgence* at the Red Shift Gallery, a contemporary Aboriginal art gallery in Saskatoon, Saskatchewan. As the title signifies, this exhibit involves a parodic restaging of the Catholic technologies of the confessional and the indulgence in a performance project in which Stimson expresses—in visual and dramatic form—his strong feelings about the culpability of Western religions in Canada’s colonial order as well as his doubts about the testimonial structures of the government-funded reconciliation project of the *Indian Residential School Settlement Agreement*.

The centrepiece of *Buffalo Boy’s Confessional: Indulgence* is a double-chambered outhouse standing in the middle of the gallery. Close inspection reveals a marked

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40 Milloy, *A National Crime*.
41 Bell, ‘Buffalo Boy’, p. 48.
contrast in the decor of the two chambers of this weathered biffy: one is all stark simplicity with a small stone angel sitting on the ‘throne’, the other is as opulent as a baroque church with rich fabrics, buffalo hides, faceted mirrors, religious bric-a-brac and a rotating mirrored disco ball hanging over a ‘throne’ fit for a king. On opening night, Stimson transforms this double-stalled outhouse into a Christian confessional in a performance starring Buffalo Boy in the role of priest, pastor or commissioner, whose act of listening is crucial to the Christian practice of confession, forgiveness and absolution. In the billing for the performance, Stimson states:

*Buffalo Boy’s Confessional: Indulgence* is an installation and performance that seeks to re-signify or in this case exorcise the Colonial Condition [in] which Religion was complicit…Buffalo Boy has always found it funny that confessing your sins can absolve, in the eyes of God, individuals and their unacceptable acts. And more so when history shows that the wealthy were more likely to be absolved as opposed to the poor, setting up a hierarchy of salvation…The outhouse, more commonly known as the ‘shitter’ is a place of release. The act of using the toilet is in many ways similar to confessing: the act of getting rid of the bad. In parodying the confessional and the indulgence, Buffalo Boy creates a space where questioning ideas of spirituality can happen…The recent Indian Residential school settlement process reminds him of the confessional process, yet in an odd reversal, through the common and independent review process, survivors relate their residential school experiences, a confession of sorts, in return a cash settlement is given, thus absolving the government and the church of their sins. Survivors are both confessor and absolver, as if it were that easy…For Buffalo Boy, *Confessional Indulgence* seeks to expose the shit, explore the outhouses of religion. It seeks to cleanse our need to seek and ask for absolution.

At the start of the performance, Buffalo Boy enters the gallery, resplendent in buffalo robes, holding his orb and sceptre—signifiers of high office. He delivers a ritual prayer intoned in Latin before locking himself into the cubicle filled with quasi-religious iconography. After filling in a petition for an indulgence, audience members enter the cubicle with the stone angel and stuff their petitions through a small glory hole fringed with dark buffalo fur. Sitting on his throne, Buffalo Boy reads each petition into a microphone and then pushes a signed indulgence and a shot of sacral vodka back through the glory hole. In this scatological and irreverent performance, Stimson opens up an interactive public space for personal revelation, confessional testimony and serious play that takes on a life of its own. In filling out the ‘regrets’ section of Buffalo Boy’s petition for an indulgence, viewers are given a chance to publicly confess their regrets for leaving things undone, for not loving with their whole heart and for
not loving their neighbours as themselves. This live event is simultaneously a
form of play and a form of social critique that opens up a space of reflection in
which to question the role of the Roman Catholic Church and other religions
in the conception, design and management of the residential school system,
asking: how did the residential school system happen? How were Christianity
and responsibility perverted? Why did it happen?^42

In this live event, Buffalo Boy’s sumptuous robes, imperial insignia and
magnificent throne deliberately invoke the age of imperial religion in which
the Catholic Church used the figure of God and three fifteenth-century papal
bulls (edicts) to sanction and promote imperialism, European colonisation and
the colonial project of subjugating and converting all non-Christian Indigenous
populations. Decolonising memory work is, however, forward looking, engaging
with history in order to deal effectively with its legacies in issues of social
justice in the present. In this performance, Stimson addresses the racist and
paternalistic attitudes of the Catholic Church in the past and the present. For
instance, while Stimson was assembling his ideas for *Buffalo Boy’s Confessional:
Indulgence*, Pope Benedict XVI, in a startling replay of imperial religion, noted on
a trip to Latin America in June 2007 that Catholicism had ‘purified’ Indigenous
peoples and that the contemporary resurgence of Indigenous religions was a
step backwards.\(^{43}\) In *Buffalo Boy’s Confessional: Indulgence*, Stimson also draws
attention to the Catholic Church’s persistent homophobia.\(^{44}\) Invoking the
power of the trinity of St Bison Bison, Buffalo Boy and the Glorious Hole in the
written text of his indulgences, Stimson refuses the Catholic Church’s current
prohibitions against active queer lifestyles. He also challenges assumptions that
two-spiritedness is excluded from Indigenous culture. Instead, he installs a
particular Indigenous and queer-centred imaginative space at the very centre
of this live testimonial project and its understandings of history, sexuality and
identity.

In this live event, Stimson deactivates the sacred space of the confessional by
linking it with ‘the shitter’ and the profane act of defecation. As philosopher
Giorgio Agamben notes, ‘[t]o profane means not simply to abolish and erase
separations’ between the sacred and the profane, ‘but to learn to put them to a
new use, to play with them’.\(^{45}\) In this live event, Stimson puts the confessional
to new uses, filling it with a campy carnival that testifies to the heterogeneity
of difference and diversity in everyday life. In petitioning for an indulgence,

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^44 On 22 December 2008, Pope Benedict, in an end-of-year speech to senior Vatican staff, stated that ‘saving
humanity from homosexual and transsexual behaviour [is] as important as protecting the environment’ (*BBC
News Online*).
viewers confess to a multiplicity of ‘regrets’ that test the limits of the Roman Catholic Church’s hierarchical distinctions between good over evil, sacred over profane, purity over impurity, heterosexual over homosexual and serious over frivolous—to name a few key oppositions. In appropriating and re-signifying the confessional and the indulgence, Stimson unsettles the Catholic Church’s constructed system of values, revealing all that it still excludes and casts outside the temple.

Another way of reading the serious play of Buffalo Boy’s Confessional: Indulgence is in terms of a serious critique directed at the testimonial structures of the CEP, IAP and the TRC in the Settlement Agreement. It has been argued by a number of cultural critics that the emphasis on Survivor testimony in national reconciliation projects such as truth and reconciliation commissions works to install the Christian confessional as the most powerful discursive paradigm through which these projects operate. Indeed, the emphasis on reconciliation and not retribution in Canada’s Settlement Agreement foregrounds not only a Christian discourse of forgiveness but a therapeutic discourse of healing, bringing together the symbolic spaces of the couch and the confessional, as opposed to the more combative antagonistic space of the courtroom.46 In conversation, Stimson notes:

I see an absolute correlation between the common and independent review processes and the Roman Catholic Church’s Indulgence system. Only the CEP and IAP twist this process. Instead of the perpetrators having to confess their sins it is Aboriginal peoples who have to confess their pain. We confess our pain and the government assumes the role of the church and gives us an Indulgence, or not, depending on the criteria they have developed. The burden of proof is on us. Shouldn’t they be seeking absolution from us? It makes me angry. The performance is a way to exorcise all of this.47

The Christian confessional is a space in which ‘truths’ are supposedly given freely, yet as Foucault points out, power is in operation in the confessional just as much as in the inquisition torture chamber with its ‘forced’ truths.48 Thinking about the operation of power in the confessional raises a host of questions about the use of personal testimony in the CEP, IAP and the TRC, including: will survivor testimony in these contexts lead to healing and catharsis or will it lead to more trauma, reopening and reinfecting old wounds? Will people feel pressured to revisit buried trauma in order to receive compensation? If a Survivor’s testimony is deemed invalid according to the criteria of the Settlement Agreement will

47 Unpublished conversation with the artist, June 2008.
48 Moon, Narrating Political Reconciliation, p. 93.
these Survivors feel excluded from the apology and re-victimised as second-class witnesses? Does the focus on individual testimony in the various processes of the Settlement Agreement deflect attention from the collective struggle for Aboriginal post-secondary education in Canada?49

The testimonial arts in a colonial-settler society

Stimson’s visual testimony opens up a conversation about the right of Indigenous peoples to have rights in colonial-settler societies. As many critics have noted, the dominant focus of government-funded national reconciliation projects such as truth and reconciliation commissions has been the exploration of human-rights violations.50 Few critics, however, have noted that until 2007, the paradigm of international human rights did not specifically include the rights of the world’s Indigenous peoples. This situation was rectified in 2007, when member states of the United Nations voted overwhelmingly to endorse the United Nations Declaration on the Rights of Indigenous Peoples. As Henderson notes in his book Indigenous Diplomacy and the Rights of Peoples, this declaration sets a new standard in international human rights by extending human rights and fundamental freedoms to Indigenous people. As Henderson points out, it is significant that the declaration on the rights of Indigenous peoples was opposed in the United Nations by the settler states of Australia, New Zealand, the United States and Canada.51 He further notes that the Indigenous diplomacy movement that worked for 30 years at the United Nations to get this declaration passed did not receive ‘any substantial help from these powerful colonial settler states’, yet it did receive the support of ‘the postcolonial nations in the General Assembly and their 21st-century sensibilities’.52

50 Kennedy, Uses and abuses of testimony.
51 As Henderson notes, the Aboriginal peoples of Canada have ratified the declaration under their existing Aboriginal and treaty rights. Also, on 8 April 2008, the House of Commons passed a motion in favour of implementing the declaration: ‘This resolution expresses the will of the House and of Canadians, and should override the executive decision of the [Conservative] government to reject the Declaration’ (Henderson, James [Sa’ke’j] Youngblood 2008, Indigenous Diplomacy and the Rights of Indigenous Peoples: Achieving UN recognition, Purich Publishing Ltd, Saskatoon, Saskatchewan, p. 95). He continues, however, that this resolution has not resolved the need for continuing political action on implementing the declaration (p. 97).
52 Ibid., p. 12. Henderson argues that if the colonial-settler state of Canada is to become a fully postcolonial nation with twenty-first-century sensibilities, continual political action is required to ensure that the standards contained in the declaration are implemented (p. 95). In the declaration, the State is required to ‘respect the inherent rights and treaty rights of Indigenous peoples, [to] recognize their self-determination and their institutions, and [to] displace colonial legislation with the rights affirmed in the Declaration’. The declaration further requires ‘every state to represent all of the people within its borders without discrimination, [to] establish new collaborative and co-operative relations, and [to] reaffirm that the assimilation or exploitation of any people constitutes a violation of their human rights’ (ibid., p. 96).
Stimson’s visual testimony on the residential school system in *Old Sun* and *Buffalo Boy’s Confessional: Indulgence* achieves historical and contextual agency within the wider network of meaning provided by the *Report of The Royal Commission on Aboriginal Peoples* (1996), the court-ordered Settlement Agreement (2006), the TRC (2008), the Day of Apology in the House of Commons (2008) and the *United Nations Declaration on the Rights of Indigenous Peoples* (2007). The convergence of these (and other) events in the past few years has created a ‘discursive threshold’, which enables new speaking positions and new public frameworks of visibility and intelligibility within which Survivor testimony across a range of genres and media can be witnessed by the wider Canadian public. These testimonial events have created ‘communities of memory’ in the public sphere that are educating all Canadians not only about the urgent need for practices of critical remembrance that do not erase or camouflage the violent colonial history of Canada’s apartheid culture of education, but in the urgent need to decolonise the current educational system. In bringing people together to engage in a conversation about the residential school system, Stimson’s art events offer opportunities for social bonding—and the formation of communities of memory and affiliation in the public sphere based on new cultural understandings and connections. Stimson’s visual storytelling for social and cultural justice within the space of the art gallery (and beyond) is making a distinctive and important contribution to the mobilisation of public opinion and the power it has to demand radical change.

Ancestors rising: Aboriginal art as historical testimonials

MARY LONGMAN

Testimony—the attesting to the truth of a matter—is often thought of in legal terms as a form of evidence based on fact or perceived opinions, though there is as well the personal testimony, the bearing of one’s truth or personal experience for all to witness. For Aboriginal people, acts of testimony in the legal and personal sense have been a critical platform in the pursuit of reclamation of land, history, identity and personal experience. In the past two decades, many Aboriginal people have taken the legal stand for land claims to protect their traditional territories from further encroachment from governments and commercial enterprises by providing physical evidence of their historical territorial use. They have also had to ‘prove’ their painful, personal accounts of abuse in residential schools in order to bring forth justice and closure. The overlapping generation will soon testify to their personal accounts of the ‘Sixties Scoop’—the apprehension of thousands of Aboriginal children who were placed in foster care by Canadian Social Services, many of whom experienced abuse and exploitation as child labourers, mirroring the residential school experience. The Sixties Scoop term is in fact a misnomer, given that apprehensions began in 1951 and remain today in a staggering amount of apprehensions, with Aboriginals in foster care averaging 40 per cent of all children in foster care in Canada, even though they make up only 3–4 per cent of the Canadian population.

Given that Aboriginal peoples did not have the proof of written historical documents, oral accounts are being considered as admissible evidence in the courts. Aboriginal peoples do, however, have physical records of their history that have been overlooked: their historical art. Their artwork visually recorded major historical events, territorial maps, cultural ideology and customs, and personal and mythological stories—all of which were tied to a specific territory and period. This article explores how Aboriginal art in the past and present has served as a valuable testimonial of history and cultural identity.
Aboriginal art as historical records

For thousands of years, Aboriginal peoples have told their stories orally and visually to document their history and to teach the values, beliefs and traditions of their culture. Oral accounts, legends, songs, dances, ceremonies and art communicated experience and metaphors of life to the physical and the metaphysical realm. From these accounts, we have learnt about history and cultural customs and learnt to make meaning of the lessons of life. Aboriginal art—in representational forms or codified visual imagery—preserved this cultural and historical information for generations to come. The physicality of art, in and of itself, can be dated and placed within a specific area, though the content of the work points to specific stories. Pictographs and petroglyphs throughout Canada are good examples of visual records that document hunting practices, wars and colonial contact and provide large territorial maps on significant water passages. Works in stone, such as carved sculptures from the west coast and plateau regions, or tipi rings and medicine wheels from the plains, provided permanent markers for identifying communities that occupied sites thousands of years ago. Early palaeo-Arctic ivory engravings integrated images of everyday activities with the supernatural. Robe paintings and ledger drawings from the plains nations visually documented ceremonial custom and protocols, narrated wars and major political, historical or personal events.

A recently repatriated sketch done by Chief Pasqua of the Pasqua First Nation, Saskatchewan, was created some time between 1874 and 1882 and is a fine example of visual art documenting history (Figure 1). The illustration became the possession of William Henry Barneby in 1882 and remained with his family in London, England, for 124 years.

The graphite sketch shows the negotiations and trade agreements leading up to Treaty Four. The 1874 signing of Treaty Number 4 involved 13 separate Cree and Saulteaux Nations, and later Assiniboine Nations of Saskatchewan. The treaty promised to share 195,000 square kilometres of land as well as annuity payments, tax exemptions, medical services, schools, farming equipment and a variety of other treaty rights. By 1894, however, promises began to disappear and much of the land was transferred to the Department of the Interior, denying access to Aboriginal peoples. This drawing is the only historical document known to show a treaty from the perspective of First Nations people in Canada.

The left panel, drawn in representational form, outlines various forms of trade agreements: two men, in a shaking-hand position, the furthest left with a pair of glasses beneath him and the man on the right with a goose behind him, which is being shot by a gun from a man in a boat. The second illustration below depicts a white man standing in front of a chair holding a round vessel, while facing
An Aboriginal man, who is presenting a war club while standing in front of a table. The third image shows possibly a fir tree and a poplar tree beside a table on which there is a kerosene lamp and book, with a shot bag or bandolier bag to the farthest right. The fourth image appears to be a knife sheath attached to a belt with a ceremonial pipe. The fifth image shows a fir tree alongside a trimmed tree with a horse and a riding quirt. The bottom image depicts a man on a pedestal—possibly a priest or auctioneer—with an Aboriginal man to the right shooting a duck with a bow and arrow. Surrounding these illustrations is faint handwriting that was done at a later date by a priest from Winnipeg who attempted to interpret the images for Barneby, though the Pasqua band states that these are misguided interpretations. The right panel of this sketch is done in codified visual imagery and is therefore much more difficult to interpret, although it appears to present the specific accounting of trade agreements that include a variety of items such as clothing, feather staffs, steers, pipes and pitchforks. Currently, Pasqua elders are working on its complete interpretation.

Figure 1 Historical sketch by Chief Pasqua, 1874–82. Graphite, 33 x 42 cm.
Contemporary Aboriginal art

Today, artists continue in this role, producing work that documents recent history, important historical/political events, cultural practices, social realities and experience of the dynamics of coexistence in a colonised country. For the contemporary Aboriginal artist, however, the neo-colonial circumstance required that they not only reflect their current realities, but deconstruct the colonial narratives of the past that were overshadowing their realities. Therefore, in the past 40 years, much contemporary Aboriginal artwork has served two primary purposes: to deconstruct the colonial narrative that has represented Aboriginal people and to rebuild and reclaim the Aboriginal narrative.

The colonial narrative has a long history of conditioning the public mind-set about Aboriginal peoples. Since colonial contact in North America in 1492, Aboriginal identity, history and culture have been displaced, erased and fictionalised by dominant colonial representations. Significant portions of colonial history have been submerged, such as massive genocide and assimilation of Aboriginal peoples. The colonial strategy of territorial takeover involves ‘direct force’ and ideological force—termed ‘cultural imperialism’ by Edward Said,1 which substitutes the Aboriginal narrative with European interpretation, creating a massive web of myth making. The long-term impact of this strategy effectively suppresses and controls Aboriginal history, culture and identity, which have made myth making concrete in the collective unconscious.

Fuelled by the building and collective empowerment of political activism in the 1960s, First Nations artists sought to retell history from their perspective and expose government injustices towards their people. The 1970s revealed a significant movement in Aboriginal art that set out to reclaim their history and evolved into several themes of critical analysis of the colonial narrative and assertions of the Aboriginal perspective, such as themes that addressed colonisation, stereotypes, cultural appropriation, identity and the Western art-history framing and exclusion. Through their deconstructive work, they have paved the way for this current generation of artists to reclaim their history, identity and culture through their own artistic testimonials rooted in Aboriginal experience and tribal knowledge. Ultimately, this process is providing a new space in the literary canon for the representation of Aboriginal people directly from the voices of the people themselves.

Ancestors rising

As an Aboriginal artist within this milieu, I have also created several works that seek to raise awareness of past and present Aboriginal issues through the exposure of myths and their retelling from an Aboriginal perspective. The retelling often involves a combination of speaking from direct experience and researching from resources of tribal knowledge and visual and written archives.

An example of a work that serves as a testimony to Aboriginal history in Saskatchewan is the sculptural work *Ancestors Rising* (2006), located at the MacKenzie Art Gallery in Regina. This site-specific piece researches the Wascana Park area in the context of the shared history of Aboriginal peoples and early settlers with the bison. Since the earliest existence of palaeo-Aboriginals in this territory (approximately 27,000 years ago), they have coexisted with the bison—first hunting the giant bison alongside the mighty mammoths and, in later years, hunting the bison we know today. The bison not only contributed food for the survival of the people. Their hides, bones, horns and hooves contributed to many aspects of cultural production, including ceremonial items such as headdresses and sun-dance items, narrative hide paintings and utilitarian items such as tipis, clothing, blankets and implements.

This history is central to the site of Wascana Park, formerly known as Wascana Creek (Figure 2). The term ‘Wascana’ was a variation of a Cree word that meant ‘pile of bones’, which referred to the piles of bison bones that were viewed by early settlers on this prairie landscape. The bones were placed there by the local Cree and Saulteaux people, who believed that the bison would return to the bones of their dead ancestors, therefore always bringing subsistence for their people.

*Figure 2* North-West Mounted Police barracks and Wascana Creek, Regina, 1885. Photograph by Oliver B. Buell, no. R-B4525.
When Colonel Palliser arrived in 1857, he named the settlement Pile-o-Bone. Shortly thereafter, new piles of bison bones were made by the colonists—but for different purposes, such as the export industry and sport hunting. Bison bones were sold for fertiliser and chinaware, and colonial sport safaris killed off large numbers as they rode through the prairies on their trains. As well, government policy encouraged the death of all bison in order to starve Aboriginal people, who were viewed as a hindrance to colonial expansion. Several archival photographs reveal early settlers posing beside massive piles of bones ready for manufacturing and export (Figure 3). The combination of the bison industry with sport hunting culminated eventually in the extermination of wild bison from the prairie landscape. This extermination marked a significant change of life for the Aboriginal peoples of the plains. Their main food staple was gone, bringing much hardship, and the long history of cultural production of bison materials ceased.

Figure 3 Piles of bison skulls awaiting shipment at Saskatoon, ca. 1890, no. R-B677-2. Saskatchewan Archives.

Today, ‘pile of bones’ has a different meaning to the people of Regina; it marks the annual celebration of colonial settlement. This celebration highlights early 1900s-style costumes and enacts stage shows of singing and dancing. Curiously absent for many years were any sign of Aboriginal people in these historical re-enactments—until very recently when some Aboriginal cultural shows began to appear. Perhaps one day, ‘Pile of Bones Day’ will truly reflect the original history of this land, though for now, bones from past millennia lie silently beneath the soil that unaware Reginans dance and sing on.
To address the silence of this submerged history, *Ancestors Rising* (Figures 4 and 5) becomes the symbolic metaphor for the voice of the silenced spirits, and calls to their resurrection from the soil so their presence is known. The bison horn, in and of itself, was a powerful symbol for plains Aboriginals. Its symbolism referenced respect, strength and courage. In the old days, bison horns could be seen on prestigious head regalia that attested to the wearer’s status as a respected leader.

*Figure 4 Ancestors Rising, 2006. Bronze, diameter: 20’; each horn: 54” x 228”.*

*Figure 5 Ancestors Rising, detail.*
The four life-size horns stand in a circle, one each in the position of the exact direction of north, south, east and west, referencing the ultimate power of the balance in life. From each horn’s tip flows a braided rope, all of which meet in the centre of the circle to suspend and cradle a woven net of rocks, which hovers just above the ground. These braided ropes of copper patina refer to the ancestors’ power as conduits of energy who combine their energies to help heal the people. The stones recall early burial sites made of stone mounds and red ochre pigment. The stones also reference a long history of their use in plains culture. The permanence of stones traced the history and cultural practices and documented important places, events, commemorations and memorials. They were used for their practical physical properties and for their spiritual and metaphysical properties. The dense, physical properties of the stone served well for utilitarian purposes such as tipi rings, fire pits, burial sites and caches, and in items used for tools and in warfare. The metaphysical properties of the stone served as a medium of communication with the spiritual realm, which could be seen in the remnants of medicine wheels, pictographs, petroglyphs, petroforms, sacred boulders, amulets and carved figures and pipes.

In conclusion, the sculpture Ancestors Rising serves as an urban historical marker that memorialises the Aboriginal people and bison that lived off of this very land only 200 years ago. This work is a testimonial to the history and territory of my people. Through this work, I ask the reader and the community of Regina to bear witness to this history, to acknowledge it and give this place and its spirits the respect and commemoration they deserve.

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Figure 6 The artist with her son, Art Longman, and Ancestors Rising (detail of work in progress), 2006.
In an era of stalled reconciliation: the uncanny witness of Ray Lawrence’s *Jindabyne*

ROSANNE KENNEDY

Ray Lawrence’s Australian film *Jindabyne* is a powerful national allegory about the denial of historical responsibility and the politics of post-colonial apology across a ‘traumatic contact zone’ of historical injustice. Released in 2006, *Jindabyne* was produced during a period of stalled reconciliation in Australia. Like many nations in the past 20 years, Australia has been engaged in a painful and uneven process of coming to terms with historical injustice—a process that remains incomplete and unsettling. In 1991, the Council for Aboriginal Reconciliation, inaugurated under a federal Labor government, anticipated that reconciliation would be achieved by the centenary of Federation in 2001. In 1996, in what subsequently became a landmark event in the nation’s attempt to respond to the divided legacies of settler-colonialism, a national inquiry was conducted into the forcible removal of Indigenous children from their families and communities. The final report, *Bringing Them Home*, found that the removal of children of mixed descent, with the aim of alienating them from their culture and assimilating them to white Australian culture, breached Australian common law and international human rights conventions. The national inquiry did not address issues of justice or responsibility. Instead, it documented Indigenous suffering and solicited an affective response from non-Indigenous Australians. By May 1997, when the national inquiry tabled its report calling for a national apology to the Stolen Generations, there had been a change of government. The then Liberal Prime Minister, John Howard, did not believe the current generation of Australians should be made to feel responsible for the past and notoriously refused to offer a national apology. Instead, he expressed his ‘personal regret’ for the suffering and hurt caused by past policies of child removal. For the next 11 years, no apology was forthcoming, and by the new

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1 The phrase ‘traumatic contact zone’ is used by Kaplan, E. Ann (ed.) 2005, *Trauma Culture: The politics of terror and loss in media and literature*, Rutgers University Press, New Brunswick, NJ.


3 Ibid, pp. 249–76.
millennium, the reconciliation process had stalled. In a climate of widespread support for reconciliation generated by the national inquiry, Howard’s refusal to apologise became a stain on the nation. In 2008, the first order of business for the new Labor government of Kevin Rudd, after opening Parliament on 13 February, was to offer a national apology to the Stolen Generations and their families and communities.

Rudd’s and Howard’s responses to a national apology were symptomatic of opposing tendencies that marked the reception of Bringing Them Home: on the one hand, an affective response grounded in empathy and identification, and on the other, denial and forgetting. The former response was expressed through the signing of ‘Sorry Books’, Bridge Walks for Reconciliation in 2000 and support for a national apology. The latter resulted in criticisms of the report and of the ‘black-armband view of history’, outrage at the claim of genocide and an insistence that ‘the past remain in the past’. These opposing responses are not, of course, surprising. As Dominick LaCapra reminds us, nations dealing with the unfinished business of the past must confront the problem of how to acknowledge and work through ‘historical losses in ways that affect different groups differently’. What is striking, however, is how little explicit discussion there has been of what is involved in working through the divided legacies of colonial dispossession, violence and forced assimilation in Australia. Indeed, the long-awaited apology was viewed widely as a necessary and uncomplicated matter of acknowledging the suffering caused by past policies, which would move the nation towards reconciliation. At the same time, the government rejected the national inquiry’s recommendation for reparations such as monetary compensation, and Stolen Generations cases repeatedly failed in court. These events raise a number of questions: what is the value of apology without justice or reparation? Is an apology without reparation simply a one-sided acknowledgment and expression of regret for suffering caused by past policies? Is an apology a performative act that allows the nation to forgive itself and achieve closure on a troubling past, while at the same time divorcing the past from continuing issues of Indigenous disadvantage?

Viewed in the context of the long decade of stalled reconciliation in Australia, and the issues raised by Bringing Them Home, Jindabyne is an especially rich film for analysis. Literary critic Mary Poovey argues that the value of cultural objects lies in their capacity to ‘express an imaginary relation to a past that

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In an era of stalled reconciliation: the uncanny witness of Ray Lawrence’s Jindabyne can be remembered and a future that can be anticipated’. Jindabyne, through its production of uncanny effects, brings to the surface what remains buried and unspeakable in ‘white’ Australia. The film explores the dominant white responses—denial and guilt—to historical injustice through parallel narratives, characterisation, shifting perspectives, repetition and mood. In particular, the film acts out the blockages and blindness that prevent non-Indigenous Australians from recognising their implication in a historical legacy of colonisation and dispossession on the one hand, and the presumption of guilt that accompanies an over-identification with the victim’s pain and suffering on the other hand. By exploring these opposing ‘white’ subject positions, the film can be viewed as mediating the non-Indigenous public reception of the Bringing Them Home report and the issue of responding to historical injustice that it raises. By staging a climactic scene of rejected apology, the film invites viewers to consider the ideological, ethical and psychological assumptions underpinning the act of apology and the broader framework of reconciliation in a settler-colonial context.

Jindabyne achieves these effects by producing what I call uncanny witness: knowledge that is simultaneously familiar and strange. In Uncanny Australia, Ken Gelder and Jane Jacobs demonstrate that the uncanny is a particularly useful concept for exploring the contradictions and limits of national belonging in a settler-colonial nation such as Australia. For Freud, the anxiety of the uncanny was produced when a sense of familiarity and strangeness existed simultaneously. Living in post-colonial Australia might produce an uncanny sense of being simultaneously ‘at home’ and ‘unsettled’ for those who identify as ‘white Australians’—a condition that is played out in Jindabyne. Gelder and Jacobs proposed that the ghost story was a particularly rich genre for investigating the effects of the post-colonial uncanny. They noted that, as of the late 1990s, Australian writers and filmmakers had ‘not yet spectacularised the Australian ghost story’, which ‘remains a…marginal genre’. Jindabyne—a significant contribution to this genre—bears witness to the ways in which the imagined Australian nation is haunted by an unresolved past.

My analysis of Jindabyne’s uncanny witness is informed by a psychoanalytical understanding of testimony as a process of bearing witness to knowledge that we do not yet consciously possess. Shoshana Felman and Dori Laub drew on psychoanalysis to challenge the juridical conception of testimony as a transparent representation of the past. They introduced the notion of indirect testimony, productively proposing that

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8 Ibid.
psychoanalysis rethinks the concept of testimony...by recognizing...that one does not have to possess or own the truth, in order to...bear witness to it; that speech as such is unwittingly testimonial, and that the speaking subject constantly bears witness to a truth that nonetheless continues to escape him, a truth that is, essentially, not available to its own speaker.9

A psychoanalytical approach is particularly fruitful for analysing the uncanny witness of a layered aesthetic text such as Jindabyne. As James Penny argues, '[p]ostcolonial criticism can only benefit from a posthumanist theory that views cultural production as a complex, dynamic, and ultimately undecidable artifact of conscious and unconscious processes'.10 While Jindabyne can fruitfully be read in relation to debates about reconciliation and apology in Australia, the film also suggests that responses to trauma cannot be explained entirely in terms of a socio-political inscription of cultural conflict in contemporary race relations. The film suggests that there are psychic processes at work in the individual that shape responses to events, including whether an event is interpreted as ‘traumatic’. In terms of a psychoanalytic reading, it is worth noting that the film focuses on ‘white Australian’ responses to the past and to cultural conflict. The Indigenous characters are not developed and function primarily as a foil for the playing out of ‘white’ psychological and cultural dramas.

H(a)unttings: Jindabyne as post-colonial ghost story

Jindabyne is a post-colonial Australian adaptation of a Raymond Carver short story ‘So much water so close to home’.11 The film takes its name from a country town, Jindabyne, in the south-east of Australia. As the gateway to the Australian Alps, Jindabyne attracts tourists, who come to bushwalk, fish, ski and enjoy its man-made lake. Jindabyne is famous for the nearby Snowy Mountains Hydro-Electric Scheme—the largest and most complex engineering project in Australia. Undertaken in the postwar period, from 1949 to 1974, the scheme brought thousands of European immigrants to work on it and thus contributed to building a multicultural Australia. The Snowy Mountains web site provides a surprising and largely forgotten insight:

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The original town and its inhabitants were relocated in the 1960s when the Snowy River was dammed as part of the Snowy Mountains Scheme, with only a handful of houses being moved to their new location. The remains of the old town lie submerged under Lake Jindabyne and can occasionally be glimpsed when lake levels are low.\textsuperscript{12}

This uncanny tale is used to powerful effect in the film, providing a metaphor for historical dispossessions and repressed events that continue to haunt the present.\textsuperscript{13} Fishing at the lake, Stewart embellishes the tale, telling his wide-eyed young son, Tom, that the old town ‘exists whole’ at the bottom of the lake and the people still live there, rocking on their porches. A ‘factual’ version of this story—from a 1960s documentary about the town’s history—is later presented to the schoolchildren.

The film opens with the sounds of electricity—wires fizzing, radio static and buzzing—signifying the impact of the hydro-electric scheme on the region. The first scene stages the off-camera rape and murder of a young Indigenous woman by a white man—a repetition of racial and sexual violence. Susan sings as she drives along a lonely country road on a perfect summer’s day. An older man in an electrician’s truck lies menacingly in wait, tracking her movements through binoculars, as if he owns the country and all that it contains. The spectator is implicated in his voyeurism: we first see Susan’s face as it is framed by his binoculars, as he confirms that his prey is a lone, young Aboriginal woman. The scene unfolds through interlaced frames that build suspense: he spies on her, while she looks at him warily through the rear-view mirror. He speeds up aggressively, passes her and blocks the road with his truck. His method of trapping her references the violent colonial hunting of Aborigines off their land, as well as continuing racial and sexual violence. The racist nature of the sexual assault becomes clear later, when, in a parallel scene, the murderer nearly drives Claire off the road, but lets her pass. By figuring Susan as ‘Indigenous’ and the murderer as linked to the hydro-electric scheme, the narrative invites her murder to be read as an allegory of the violence that occurred in the process of dispossessing Indigenous people of their lands. The murderer, like the lake, is a figure that haunts the town, but he is never named, except through the name printed on his truck. As Ann Stoler points out, ‘[t]o be haunted is to be frequented by and possessed by a force that not always bears a proper name’.\textsuperscript{14}

The murderer’s violent act sets the post-colonial uncanny and its unsettling

\textsuperscript{12} Accessed at <http://www.snowymountains.com.au/Jindabyne.html> Water has multiple symbolic meanings in Australia: it is associated with drownings and disappearances, shark attacks, tidal waves and the things that lie unknown beneath the surface.

\textsuperscript{13} As Gelder and Jacobs (\textit{Uncanny Australia}, p. 23) note, ‘it is not simply the unfamiliar in itself which generates the anxiety of the uncanny; it is specifically the combination of the familiar and the unfamiliar—the way the one seems always to inhabit the other’.

consequences in train, but he is neither pursued nor prosecuted. The narrative’s
disinterest in the question of crime and punishment—of identifying the
murderer and bringing him to justice—parallels the national inquiry’s sidelining
of issues of guilt and responsibility. Unlike the national inquiry, however, the
film is interested in the murkier moral territory of responsibility for past events,
Inherited guilt, apology and the possibilities and limits of forgiveness and
reconciliation.¹⁵

After this disturbing opening, intensified by an elegiac musical score, the film
shifts to the intimate lives of the white community in Jindabyne—the residents
who identify as ‘white Australian’ regardless of their heritage, ethnicity or
skin colour. Four of the men, representing the multiethnic legacy of the Snowy
Mountains Scheme—Stewart, Carl, Rocco and the new initiate, Billy the Kid—
prepare ritualistically for their annual fly-fishing trip. The white community is
haunted by its silenced and disowned past. Stewart, Claire and Tom initially
appear as a happy unit, but the family has a troubled past. Stewart, an Irish
immigrant and former rally champion, is concerned about losing his sexual
attractiveness, which is exacerbated by Billy’s youthfulness and easy openness.
Claire, worried that she is pregnant, is inexplicably anxious. Her mother-in-law
taunts her: ‘It’s not me that’s ridden by the past.’ Only later do viewers learn
that Claire suffered from severe postnatal depression after Tom’s birth and that
she abandoned her baby and husband for 18 months, while Stewart’s mother
moved in to care for them. Claire’s fear that she might uncontrollably repeat her
past creates fragility in the family’s relations. While Claire is too close to her
past, Stewart is estranged from his. When his mother tells him that his sister
has just left her second husband, he refers to it as ‘women’s business’ unrelated
to him. The unspeakable past that haunts the marriage metaphorically evokes
the dislocated past of colonial violence and Indigenous dispossession. Whereas
the white families stick to themselves, Carmel—of mixed Indigenous descent—
mediates between the various factions in the town.

This dislocated past is witnessed also through the film’s representation of the
Australian landscape. Like the scenes of Lake Jindabyne, panoramic shots of the
majestic Australian Alps, which seem to roll on forever and be untouched by
humans, convey the landscape as mysterious and sacred. When the men arrive
in the isolated river valley, Billy stares in awe at the scene that unfolds in front
of him. His gaze lingers on a line of intrusive electricity pylons—a reference
to the hundreds of kilometres of tunnels and pipelines that run underground
through this landscape. Arriving in the mountains, Stewart sings, ‘In a hidden
valley, in a hidden river’, and Carl playfully interjects, ‘full of blood’. While Carl
refers to the fate of the fish, the song is ominously foreboding. When Stewart
goes upstream to find a ‘big one’, he discovers Susan’s nearly naked corpse face-

down in the river. As Julia Kristeva has observed, the corpse—simultaneously familiar and strange, human and non-human—confronts the witness with the limits of his own humanity.\textsuperscript{16} Stewart’s encounter with Susan’s corpse produces in him a feeling of dread. When he first sees the body, he intuitively responds with Catholic rituals: he takes off his hat, mumbles ‘Oh Jesus, oh Jesus’, crosses himself and summons his mates with screams that resound through the valley. When the men turn Susan’s body over, they see that she has been stabbed in the chest and presumably raped—desecrated like the landscape. After a brief exchange, they decide to leave her body in the river so it does not decompose and they tie her to a bush with fishing line so she will not float away. The fishing line, like the binoculars her murderer uses to trap her, is a potent signifier of her sub-human status. That evening, the men gather around the campfire eating, laughing and drinking, denying the uncanny effects unleashed by the presence of Susan’s corpse. When the others are asleep, however, Stewart visits Susan’s corpse, crossing himself and whispering a prayer, as if to ward away evil spirits.

The next day, the men continue fishing, relishing the remote location and the challenge of the catch. While they carefully preserve the fish, Susan’s corpse floats nearby, alone and unmourned. In her analysis of ‘grievable lives’, Judith Butler argues that mourning serves as an indicator of the differential value we place on various lives and indicates lines of belonging, value and community.\textsuperscript{17} In contrast with deaths that are properly mourned and treated with respect and dignity, unmourned lives are signified as less than fully human. Moreover, as a prerequisite for reconciliation in settler nations such as Australia, non-Indigenous people must show respect for Indigenous losses by ‘affirm[ing] the human worth and dignity of the persons who were harmed’.\textsuperscript{18} Although the men are not responsible for Susan’s murder, by virtue of finding her body, they inherit the responsibility for responding appropriately. In failing to report her murder promptly, they refuse to take responsibility, treating her death as a mere inconvenience to be dealt with later. Read as national allegory, the film suggests that contemporary Australians might not be directly responsible for past violence and injustice against Indigenous Australians. Nonetheless, we have inherited the responsibility to respond ethically to these historical injustices. It is this entrenched liberal position that Peter Sutton, an anthropologist in remote Australia, has recently questioned: ‘do all migrants acquire a guilty mantle as soon as they put a first step on Australian soil?’\textsuperscript{19}

\textsuperscript{18} Rice, Brian and Snyder, Anna 2008, ‘Reconciliation in the context of a settler society: healing the legacy of colonialism in Canada’, in M. B. Castellano, L. Archibald and M. DeGagne (eds), \textit{From Truth to Reconciliation: Transforming the legacy of residential schools}, Aboriginal Healing Foundation, Ottawa, p. 47.
The white men are blind to the cultural and moral significance of their actions and fail to recognise their complicity in having breached the fragile boundaries of the moral and social community. The encounter with Susan’s mutilated corpse, however, activates the uncanny. Susan’s corpse—symbolising Indigenous ownership of the land—renders the men’s beloved fishing spot ‘strange’ and forces them to retreat. When they return to town and report their find, they discover that their wives, girlfriends and other members of the community are horrified by their behaviour. While the local police officer scolds them, Carl invokes the protection of the white law, asking rhetorically: ‘Are you going to charge us with anything?’ The local newspaper outs them with the headline: ‘Men fish over dead body: Jindabyne outraged by cruel neglect of four local residents.’ In a reversal of the opening sequence, the men are hunted by young Aborigines, who deface their homes and businesses—trashing Rocco’s office and scrawling ‘white hate crimes’ in red paint on the windows. Even the white townspeople look at the men peculiarly. As a result of these unanticipated reactions, the men no longer feel at ease in their homes or the town; rather, they feel ‘in place and “out of place” simultaneously’.

The film explores the difficulty the white community has in acknowledging and mourning its own losses through a parallel narrative involving Stewart’s and Carl’s children. Caylin Calandria, the orphaned granddaughter of Jude and Carl, is grieving for her mother, who has recently died a stigmatised death. Jude, denying her need to work through her own grief for the loss of her daughter, tries to curtail Caylin Calandria’s mourning rituals. Resisting Jude’s imperative to forget her mother’s death, Caylin Calandria acts out her need to observe the process of death, by soliciting innocent Tom to help her kill the class’s pet guinea pig, and later, a small bird. The teacher, Carmel, recommends that Jude seek grief counselling for Caylin Calandria, herself and Carl, but Jude flatly rejects the suggestion. Jude, like Stewart, is suspicious of acknowledging the claims of the past. In a later scene, Caylin Calandria, simultaneously childlike and gothic, pretends to be drowning to encourage Tom—who she knows is terrified of the water—to swim in the lake. He nearly drowns, thereby drawing a parallel to Susan’s corpse: it could have been Tom floating there.

‘White’ Australia: between denial and empathy

Given my broader argument—that Jindabyne mediates public responses to Bringing Them Home and the history it brings into visibility—it is worth pausing, at this stage, to link the film’s representation of denial and affective identification to the report’s reception and responses to post-colonial injustice more broadly.

20 Gelder and Jacobs, Uncanny Australia, p. 23.
In an era of stalled reconciliation: the uncanny witness of Ray Lawrence’s Jindabyne

In an essay that is relevant for analysing public responses to *Bringing Them Home*, Canadian scholar Deena Rymhs considers the ideological underpinnings of reconciliation processes and the interests they serve. In Canada, reconciliation commissions such as the Marshall Inquiry have been criticised as offering only a ‘discursive balm for historical injustices that have profound, and potentially unsettling, political implications’. Reconciliation processes present personal testimonies of suffering, which produce tragic narratives of Aboriginal history; these narratives position Indigenous people as victims, thereby denying Indigenous agency. Rather than engage with Aboriginal political demands and conceptions of justice, reconciliation commissions solicit an ‘affective response’ from the national community. These affective responses ‘appropriate guilt’, which ‘is part of a larger cultural sensibility’. ‘What results,’ Rymhs argues, ‘is a discursive re-enactment of past roles that overlooks the distance that Aboriginal people are asserting as they redraw notions of governance, political identity, and nationhood.’ She contends that ‘[s]uch semiotics would prompt us to be wary of affective identifications with indigenous history promoted by the process of reconciliation’. Some of these same patterns—presenting a tragic version of Aboriginal history and soliciting an affective response from non-Indigenous Australians—are evident in the *Bringing Them Home* report.

The national inquiry into the Stolen Generations was not a truth commission. While it heard numerous testimonies from survivors, which broadly documented the harm, suffering and multi-generational trauma caused by child removal, it did not seek to corroborate testimony independently. Nor did it seek to identify individual perpetrators or hear testimony from those involved in the removal process. Rather, the national inquiry offered a limited opportunity for survivors to tell their stories and invited the Australian public to listen to these stories ‘with open hearts and open minds, and to commit themselves to reconciliation’. Thus, like the Canadian reconciliation commissions, it ‘elided notions of guilt and responsibility’ and instead focused on the need for the community to recognise and validate Indigenous suffering. While *Bringing Them Home* raised awareness of ‘a relatively unknown negativity in Australia’s

22  Ibid., p. 109.
23  Ibid.
24  Ibid., p. 118.
25  For a discussion of how the national inquiry differed from a truth commission, see Rebecca Devitt’s essay in this volume.
26  *Bringing Them Home* positioned the Stolen Generations as victims of racist assimilation policies. It positioned non-Indigenous Australians as belated witnesses to the history of colonisation and child removal, rather than as actively involved in executing assimilation policies, or in continuing colonising practices.
27  Wilson, *Bringing Them Home*, p. 3.
28  Ibid., p. 107.
past...at the same time it enhanced victimhood as a basis of positive regard for Indigenous people'.

Australians were encouraged to respond empathically to the tragic version of Indigenous history that emerged from the report. They signed ‘sorry books’ in great numbers, expressing their regret for the suffering and pain caused by past policies, long before Rudd offered the national apology. These apologies, no doubt deeply felt, exemplify an affective response to Australian Indigenous history. As Rymhs warns, an affective response to a tragic version of Indigenous history can prevent us from recognising Indigenous agency and a conception of reconciliation grounded in the concept of Aboriginal self-determination.

*Jindabyne* dramatises the various reactions of the white community to Susan's murder and the men's failure to report her death promptly. Read as national allegory, these responses—denial and affective identification—metonymically figure white Australian responses to a violent history of Indigenous dispossession, child removal and forced assimilation. In the film, however, these ‘white’ responses are gendered: they are signified as ‘masculine’ and ‘feminine’ in an oppositional framework, regardless of whether they are enacted by a male or female character. The ‘masculine’ response—distancing and denial—is blind to issues of gender and race. Thus, the white men (and the women who identify with the position of white male privilege) regard Susan's murder as an isolated event. Stewart, Jude and Carl exemplify the subject position of the ‘white Australian’ who denies the claims of the past. For instance, when the policeman tells Carl and Jude that he would have expected them, having recently lost their own daughter, to understand how Susan's family and community are feeling, Jude angrily responds: 'We do understand, but that does not make us responsible.' Similarly, when Claire asks Stewart, 'What if it was Tom floating out there, would you think it was okay to leave him there?', Stewart responds defensively: 'It wasn't Tom; it was a stranger.' On a conscious level, Stewart is simply asserting a common view: that his ethics are based on a narrow conception of obligation to family and neighbours, rather than a more expansive notion of community. Later, when Alyssia declares that the men should not have been fishing on land that was sacred to Indigenous people, Stewart and Jude react defensively. Stewart dismisses Indigenous beliefs that

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30 I have explored some of the diverse ways in which non-Indigenous Australians have responded to Stolen Generations testimony; see Kennedy, Rosanne 2004, 'The affective work of Stolen Generations testimony: from the archives to the classroom,' *Biography*, vol. 27, no. 1, pp. 48–77.

31 The explicit gendering of denial and identification in the film draws attention to the gendered dimensions of the reception of *Bringing Them Home*, and particularly the way white Australians were asked to identify with the position of the vulnerable mother and the suffering child. See Kennedy, Rosanne 2008, 'Vulnerable children, disposable mothers: Holocaust and Stolen Generations memoirs of childhood', *Life Writing*, vol. 5, no. 2, pp. 161–84.

In an era of stalled reconciliation: the uncanny witness of Ray Lawrence’s Jindabyne

the spirits of the dead float through the mountains as ‘superstitious’—a view that is questioned by the film’s representation of his own Catholic rituals and beliefs. Jude insists pragmatically that they all pay taxes to support the national park, and thus, they all have a right to enjoy it.

Whereas Stewart, Carl and Jude fail to connect Susan’s murder and the men’s disrespectful behaviour to a history of racial, sexual and colonial violence, Claire views these incidents primarily through a gendered moral and emotional framework. She exemplifies an affective response, which is grounded in her identification with Susan as a victim of male sexual assault, and in her guilt about Stewart’s disrespect. Claire suggests to Stewart that if Susan had been ‘a boy’, the men would have taken the body out of the river and covered it up. When she realises that Stewart made love to her before reporting Susan’s murder, she imagines that the sight of Susan’s naked corpse aroused him. She sees herself as a mere vehicle for him to act out his lust, rather than as desired in her own right. Thus, in her view, his disrespect towards Susan is passed on to her. Focused on herself, she ignores important differences in her and Susan’s subject positions as white and black women. These differences are manifested in a later scene: on her way to Susan’s funeral, Claire is pursued but spared by Susan’s murderer, and is thus not quite a victim. Claire’s misplaced identification with Susan causes her to breach the protocols of respectful mourning. Driven by her need ‘to know what happened’ to Susan, and her lingering suspicions that the men defiled her corpse, Claire goes to the morgue and inspects Susan’s body for evidence, as if it is simply an exhibit. In response to the men’s narrowly legalist conception of obligation, Claire aims to heal divisions in the community. Thus, she tells her son that ‘when something bad happens, we all have to do something good, no matter how little’.

Both of these positions—masculine distancing and feminine identification—ignore race. Carmel, of Aboriginal descent, brings the issue of race to the fore; she regards the men’s casual response to Susan’s murder as a repetition of a long history that normalises sexual violence against black women. When she finds out what happened in the mountains, she shouts angrily at Rocco, her boyfriend: ‘It was a black woman, you didn’t say that, why didn’t you say that?’ In contrast with Claire’s moralistic response, Carmel advocates racial and cultural respect. Horrified by Claire’s disrespectful act of going to the morgue to inspect Susan’s body, she admonishes her: ‘It’s not about you, Claire.’ Claire responds aggressively: ‘Isn’t it about all of us?’ Through Carmel’s criticism of Claire, Jindabyne shows the affective, ‘feminine’ response to be paternalistic and self-absorbed, rather than responsive to Indigenous desires. While Carmel is critical of Claire’s naive attempt to ‘do something good’, she also rejects the male approach to resolving issues through combat rather than negotiation. Thus,
when Rocco, provoked by Stewart’s dismissive comment about Indigenous beliefs, punches Stewart and breaks his nose, Carmel angrily tells Rocco that she can fight her own battles.

Through the figure of ‘the stranger’, which it is worth revisiting, the film bears uncanny witness to the imaginary relations that underpin notions of national belonging and exclusion. In response to Claire’s questions, Stewart unwittingly refers to Susan as a ‘stranger’—someone he does not know personally, but also, someone who is foreign, who does not belong. Of course, it is only as a consequence of the ideological work of settler-colonialism—the way it naturalises the Anglo-European as ‘belonging’ to Australia and Indigenous people as ‘strangers’ in their own land—that Stewart, an immigrant to Australia, is able to regard Susan, a native of Australia, as a ‘stranger’. Thus, his identity as an Irish immigrant—a ‘foreigner’—can appear entirely coincidental, simply a matter or his Irish accent. It uncannily signifies, however, the inversion of the positions of native and stranger. In the imagined settler-colonial nation of Australia, Indigenous peoples are ‘strangers’ and white ‘foreigners’ naturally belong. This, of course, is a post-colonial inversion that can only ever be unstable and unsettling. Claire, with her American accent, is also positioned as a foreigner, the stereotype of the ‘do-good’ American who naively wants to make things right in the community.

The film goes beyond simply dramatising the positions of denial and guilt; through its use of the figure of ‘the stranger’ it links Stewart’s denial to his psychic estrangement and alienation. The figure of the stranger, read through a Kristevan frame, invites viewers to interrogate the psycho-dynamics of relations of self/other as they play out across a boundary of cultural difference and historical injustice. Kristeva argues that the stranger is not simply the external ‘other’. Rather, ‘[s]trangely, the foreigner lives within us: he is the hidden face of our identity, the space that wrecks our abode, the time in which understanding and affinity founder’. As Kristeva points out, however, ‘the foreigner comes in when the consciousness of my difference arises, and he disappears when we all acknowledge ourselves as foreigners, unamenable to bonds and communities’.

The theme of Stewart’s estrangement from himself is explored in earlier scenes with his mother and Claire. It is only, however, when Stewart comes face to face with Susan’s ‘otherness’—signified not only through racial and sexual difference from him, but through her status as no longer living—that a series of unsettling events forces him to confront his estrangement from himself and his past.

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35 Kristeva adds that ‘[i]t is through unravelling transference—the major dynamics of otherness, of love/hatred for the other, of the foreign component of our psyche—that… I become reconciled with my own otherness-foreignness, that I play on it and live by it’.
Stewart’s home becomes ‘unhomely’ as Claire scorns him and refuses his touch. Stewart does not feel that he should have to explain or justify his behaviour to Claire. He regards her reaction to his behaviour as irrational and ‘hysterical’; she accuses him of ‘fucking like a robot’ and behaving as if he is on automatic pilot. He sees the breakdown of the marriage as a result of her insistence in turning the men’s failure to report Susan’s murder promptly into a moral crisis that must be talked through and resolved. From Claire’s perspective, however, Stewart’s failure to grasp the significance of his actions is a manifestation of his alienation from himself, his past, their past together and their marriage, which she cannot tolerate. For her, the crisis in the marriage can be resolved only through some gesture of atonement from Stewart to the Indigenous community, which she believes will help to heal the rift between them.

Stewart’s indifference to Susan’s murder, to the collective interest, to community and the past, enacts the estranged condition of black/white relations in the town and surrounding bush. Like Meursault in Camus’ *The Stranger*, Stewart is a ‘subject for whom history has no meaning’. Whereas Stewart presumes his innocence in relation to the past, Claire—perhaps with unresolved guilt in relation to her previous abandonment of her family—appropriates guilt. She sees herself, and other white Australians, as ‘guilty’, and thus attempts to atone for her husband’s failure to show respect. She collects money in town for Susan’s funeral, making the white townspeople uncomfortable, and delivers the money to Susan’s home. The Aboriginal women reject Claire’s gesture and the town’s money. Claire, exemplifying a common subject position in the broader white community, has ‘good intentions’ but she imagines moral community unilaterally, on her own terms. She does not ask the Aboriginal community what reparation or response would be welcome; she decides herself, and often offends through her actions. As Gelder and Jacobs propose: ‘Paradoxically, the former position casts non-Aboriginal Australians as “out of place”, uninvolved in those formative colonial processes: while the latter position would conceive of non-Aboriginal Australians as…too involved, too embedded in place.’ A recent immigrant, Stewart is ‘out of place’, refusing to recognise his implication in Susan’s murder by virtue of being a beneficiary of colonisation. He fails to see that, as a new Australian, he ‘automatically inherits the (mis)fortunes of Australia’s colonial past’.

The narrative of Claire and Stewart’s disintegrating marriage—characterised by distrust and alienation—mediates and reflects the narrative of tense relations between Indigenous and non-Indigenous people in small-town Australia.

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38 Ibid.
39 As Kristeva (*Strangers to Ourselves*, p. 190) points out, there can be a psychological cost to denying the uncanny: ‘Such an elimination of the strange could lead to an elimination of the psyche, leaving...the way
Jindabyne represents relations between Indigenous and non-Indigenous Australians as tense and hostile—like Stewart and Claire’s marriage. The Indigenous and non-Indigenous communities do not mix easily; they remain in their separate worlds, and when they meet, it is in a situation of conflict. Dialogue across cultures is engaged in with distrust and communication is severely limited. The film represents Australia as composed of two divided peoples—‘two separate nations’—living in one nation-state.

The limits of post-colonial apology: between mourning and justice

What makes Jindabyne especially relevant to contemporary debates about reconciliation is the staging of a climatic scene of apology, which takes place during an Indigenous mourning ceremony. Claire, who has left Stewart, goes to Susan’s funeral, which is held on sacred Aboriginal land. When Claire arrives, several young Aboriginal men angrily demand that she leave, making her aware that she is ‘out of place’. Susan’s aunts, however, intervene and allow her to stay. She stands at a distance, paying her respects. Carmel is also present, standing alone. In the centre of the circle, there is a tower constructed from branches and leaves, which shields a fire. The smoke from the fire wafts through the valleys and is believed to carry away the spirit of the dead person. The Indigenous men beat a rhythm with percussion sticks and sing in their language. A little later, Stewart, Carl, Rocco, Jude and their children arrive. In a scene of heightened tension, Stewart walks into the centre of the group of mourners and Susan’s father comes forward. Stewart identifies himself as the one who found Susan’s body and apologises. Rather than confer forgiveness, Susan’s father throws dirt in the air in front of Stewart’s face, slaps him across the shoulder and spits at his feet. He then returns to the mourning circle. Stewart quietly tolerates this humiliation before walking towards Claire, who joins him. A young Aboriginal woman eases the tension by singing a love song Susan had written shortly before she died. Meanwhile, Susan’s murderer lurks unseen behind rocks, watching the funeral from a distance.

As the woman sings, the camera pans to close-ups of groups of Aboriginal mourners whose characters have not been developed in the narrative. It then pans slowly from Carmel (the figure who mediates between black and white) and Tom (the innocent white child) around the white participants, moving from Rocco, to Jude, Carl and Caylin Calandria, and finally, to Claire and Stewart. As the singing continues, Caylin Calandria waves a branch and whispers ‘Be gone’, which Jude repeats—as if they are farewelling the spirit of their
own lost mother/daughter. The ceremony is clearly healing for the family, as Carl and Jude hold each other’s gaze meaningfully. As the singer stalls on the words ‘as I love you’, Stewart tells his wife: ‘I want you to come home, Claire.’ This scene, read in light of Rymhs’ critique of an Anglo-European discourse of reconciliation, offers an allegory of how apologies for past sufferings function: even when rejected by the Indigenous community, the apology has value in the moral economy of the white community. Although Susan’s father rejects Stewart’s apology, the mourning ceremony enables Carl, Jude and Caylin Calandria to put their own ghosts to rest and to become reunited and stronger as a family. It also seeds Stewart’s reconciliation with his wife.\(^4\) In short, a black woman’s murder and funeral becomes an opportunity for catharsis and healing in the white community.

This scene ironically recalls Carmel’s warning to Claire: ‘It’s not about you, Claire.’ Apparently, for the white community, it is about them in that the events stemming from Susan’s murder enable them to confront the unfinished business in their personal pasts, to grieve for their losses and move on with their lives. The black and white communities, however, remain separate and estranged and the film ends without redemption or closure. In the final scene, the presumed murderer, sitting in his truck, comes into view. A bee buzzes around inside the truck, repeating the opening soundtrack, and the murderer smacks it abruptly. Indigenous Australians may cringe at the film’s representation of Aborigines as unforgiving and resentful. It is therefore important to acknowledge that the film offers a non-Indigenous representation of an Indigenous response to apology. We should not assume that the ‘rejected apology’ scene represents an Indigenous perspective. Rather, it can be read more precisely as dramatising white anxiety about not being forgiven for dispossessing and disenfranchising Indigenous peoples, or as conveying a white view that Aboriginal people should not forgive without reparations or justice.

While I have argued that the apology functions cathartically for the white community, it is worth reflecting further on the significance of the apology scene in the broader context of debates about reconciliation and forgiveness. For viewers, the slap Stewart receives is unexpected; other films with similar scenes of apology, such as *Aussie Rules* and *Japanese Story*, lead the viewer to expect forgiveness. What other frameworks might be productive for teasing out the meanings of the slap and the rejection of apology? The refusal to confer forgiveness? In blogs about *Jindabyne*, some viewers regard the slap simply as a politically correct humiliation of the white man. The murderer’s lurking presence during the apology scene, however, reminds viewers that there is ‘unfinished

\(\text{\footnotesize{40 As Rymhs (‘Appropriating guilt’, p. 108) points out, ‘The success always implied by the act of reconciliation dissolves the wronged subject’s agency as the public, the government, and its institutions forgive themselves.’}}}\)
business’, and raises the issue of justice and retribution. As Nancy Kluger points out with regard to the Holocaust, ‘it would seem that some retribution, some “buying back” has to take place before forgiveness can set in’.\textsuperscript{41} The slap might express the Indigenous father’s attempt to avenge the white men’s disrespectful treatment of his daughter. The slap and the presence of the murderer prompt further questions: should non-Indigenous Australia expect forgiveness when justice has not been achieved? When reparations have not been offered? The slap reminds viewers ‘that asking for forgiveness does not imply the granting of it’.\textsuperscript{42} After all, the murderer is still at large, and ‘when the reconciliation process ignores the issue of responsibility, it forgets that forgiveness may not be granted’.\textsuperscript{43}

It is significant that the apology is offered during a mourning ceremony—a setting that invites viewers to reflect on the entanglements of apology, reconciliation and mourning. Heidi Grunebaum, writing in the wake of the South African Truth and Reconciliation Commission, suggestively reflects on the significance of ‘non-forgiveness’:

> Between understanding and retribution remains the disavowed process of deferral and of mourning. In this deferral, non-forgiveness can be installed, not as a threat of retribution or vengeance but as the reclamation of selfhood and dignity on one’s own terms. The moral defence of not forgiving lies in the fact that ‘the primary value defended by the passion of resentment is self-respect, resentment being tied to individual’s self-respect or self-esteem’.\textsuperscript{44}

In light of Grunebaum’s comments, we can read the Indigenous man’s slap of rejection as an assertion of his self-respect, rather than as vengeance or retribution. Susan’s father preserves his agency by refusing to forgive when justice has not been achieved. In rejecting Stewart’s apology, he refuses to let Stewart and his friends, and by extension the broader white community, absolve themselves of responsibility. On this reading, the slap can be viewed as an embodied act of testimony. Susan’s father does not speak; he communicates through the embodied actions of slapping and spitting. His silence, together with his actions, returns us to Gayatri Spivak’s question: can the subaltern speak, or, under what conditions can the subaltern be heard? Commenting on the implications of Spivak’s question for testimony, Len Findlay observes that ‘the subaltern’s silence performs both the blocking of testimony as speech

\textsuperscript{42} Rymhs, ‘Appropriating guilt’, p. 108.
\textsuperscript{43} Ibid.
\textsuperscript{44} Grunebaum, Heidi 2002, ‘Talking to ourselves “among the innocent dead”: on reconciliation, forgiveness, and mourning’, \textit{PMLA}, vol. 117, no. 2, p. 308.
and the fuelling of testimony in the idiom of embodiment’. Through his embodied testimony, Susan’s father resists being positioned as the victimised other and ensures that his words will not be appropriated within a Euro-Anglo framework of reconciliation. He stands as a figure of resistance to the colonising bureaucratic institutions that underwrite formal reconciliation processes and that seek to promote reconciliation without justice.

Grunebaum’s insights into forgiveness and reconciliation stem from her experience as a South African, exploring issues of mourning and forgiveness in the aftermath of the South African Truth and Reconciliation Commission. As Andreas Huyssen has argued in his reflection on contemporary cultures of memory, memory is always, ultimately, national memory. To explore the ways in which the apology scene anticipates and mediates national events, I will consider it in relation to Peter Sutton’s recent, controversial analysis of the ‘breakdown of liberal consensus’ regarding reconciliation and Aboriginal self-determination in post-apology Australia. He argues that a formal reconciliation process is presumed on the assumption of Indigenous and non-Indigenous peoples as divided and living in ‘two separate nations’ in one nation-state. In his view:

[T]he danger is that formal agreements [such as a treaty] will only serve to entrench the separation of Indigenous and non-Indigenous people, and would do so in an era when the fragile achievement of social cohesion is once again on the table as a precious thing to be shielded and fostered, not merely assumed.

He therefore favours practising reconciliation as a ‘personal conscience vote’, as something that individuals do, rather than as a formal state process. In *Jindabyne*, Stewart offers a personal apology, but it is not simply a ‘personal conscience vote’; rather, it functions symbolically as an analogy for a formal, national apology. The personal apology is offered in the context of a culturally specific mourning ceremony, which is both a public and an intensely private event. It is held on land of sacred significance to Indigenous people, but not publicly recognised as ‘Aboriginal land’. Thus, the land itself is marked as traversed by two cultures. Most significantly, Indigenous and non-Indigenous Australians constitute a ‘witnessing public’: they witness Stewart’s apology, making it a ‘public’ event.

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45 See Findlay’s essay in this volume.
Sutton outlines two views of a formal reconciliation process in Australia that provide contrasting frames for reading the rejected-apology scene. On the one hand:

[Reconciliation] offers the comfort of company and the strength of numbers. It offers a kind of mass Bridge walk, crossing off a painful chapter on behalf of all the citizenry...It also offers conjoint catharsis, an authorised shedding of guilt, possibly a sanctioned regaining of innocence. Confession followed by penitence and absolution.\(^{48}\)

Claire approaches reconciliation as an opportunity for a shared shedding of guilt and mourning losses. Keen to foster community, she invites the others to join her. When they do, the apology provides opportunity for healing and catharsis for the white community.

Sutton also identifies what he calls a ‘less lofty view’ in which ‘collective Reconciliation is about the politics of appeasement’:

[I]t is only by coming to some kind of compact between settler descendants and First People that the insistent negatives of Indigenous criticism, the culture of complaint...will be silenced. This view suggests that reconciliation is something the non-Indigenous have to do, while the Indigenous sit back gratefully silent or merely nod their acceptance or just don’t want to hear, or, in some cases, spit back our solicitude. But surely that is not Reconciliation, that is more an apology.\(^{49}\)

Is it this rather bleak view—‘apology as appeasement’—that Jindabyne predicts: a future in which an apology is offered but forgiveness is not conferred? In this view, Indigenous and non-Indigenous people do not come together to reconcile past differences. Rather, non-Indigenous Australians apologise, somewhat reluctantly, for crimes they do not feel equally responsible for, under the watchful moral gaze of their fellow white Australians. Indigenous people do not want to hear their apologies and spit them back. In practice, Rudd’s apology was well received, at least by those present at Parliament House on the day, and there was no sense of tension or bitterness. Indeed, many members of the Stolen Generations and their families expressed relief. Sutton points out, however, that in the wake of the apology, there has been no formal response or acceptance by Indigenous people. At the same time, it is important to note, in response to Sutton’s analysis of appeasement, that Jindabyne insists—through the disturbing presence of the murderer lurking on the edge of the funeral—that there can be no reconciliation without justice. In the final analysis, then, the rejected-apology scene invites several different readings: 1) as a cathartic act for

\(^{48}\) Ibid., p. 196.
\(^{49}\) Ibid., p. 195.
the white community; 2) as a means for the Indigenous community to preserve self-respect by refusing to confer forgiveness without justice or mourning; 3) as an act that seeks to appease and silence Indigenous grievance, and to enforce closure on an unsettling past.

**Conclusion: Jindabyne as uncanny witness**

In reflecting on how nations respond to the divided legacies of historical injustice and loss, Dominick LaCapra distinguishes between ‘acting out’ and ‘working through’. By working through, he refers to the need for nations to find some way of breaking out of a traumatic repetition of cycles of violence, retribution and complaint. These forms of ‘working through’ can range from truth commissions to artworks and memorials. Through a narrative structure that traumatically acts out and repeats the past, *Jindabyne* explores the blockages and failures of understanding that prevent Indigenous and non-Indigenous Australians from working through the gains and losses that divide them. The working through that is achieved is limited and partially blind, serving only to reconcile Stewart and Claire, but not Indigenous and non-Indigenous communities. Indeed, the mood of the apology scene is tense and unforgiving. The Indigenous men are hostile to the white folks, who appear contrite, but who naively fail to grasp the depth of Indigenous resentment and anger.

The apology scene in *Jindabyne* brings to the surface a future that awaits us when apology is offered without regard for justice. Given the events that have transpired in Australia in the three years since Lawrence’s film was released, the film’s representation of the refusal of justice on the one side, and the withholding of forgiveness on the other, is uncanny. While the national apology has been an important symbolic gesture, and has been welcomed by many Indigenous Australians, the work of achieving social justice remains. Indeed, despite the fact that Australia (belatedly) signed the *United Nations Declaration on the Rights of Indigenous Peoples* (2007), it has suspended some rights for Indigenous Australians in the name of a controversial ‘emergency intervention’ in the Northern Territory. The intervention is delivering some positive benefits for Indigenous communities and has been welcomed by many, particularly Indigenous women. Nonetheless, it has come at a cost, and has undoubtedly contributed to the demise of Indigenous rights and the principle of self-determination for Indigenous Australians. The Northern Territory intervention, and the impatience with rhetoric of Aboriginal sovereignty, might be symptomatic of the entrenched Australian habit of ‘forgetting’ the past—

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of forgetting that dispossession, loss and trauma continue to reverberate in the present, impacting particularly on Indigenous Australians with the fewest resources to respond.

We are now in a position to return to Poovey’s point: that cultural objects are valuable for how they imagine our relation to a remembered past and an anticipated future.\footnote{Poovey, ‘The twenty-first century university and the market’, pp. 1–16.} I propose that \textit{Jindabyne} anticipates a post-apology future, in which an apology is offered before justice for Indigenous Australians has been achieved. As a result of white Australia’s failure to confront issues of justice and responsibility, when an apology is offered, it is received passively. No formal acceptance is offered. No dialogue is entered into. Sutton argues that ‘[t]he trauma of raking over the past has to be compensated for by something truly significant, if it is to be taken on’. Apologies, however, require no more justification than ‘simple decency’ and ‘don’t seem to have changed anything much in the world’.\footnote{Sutton, \textit{The Politics of Suffering}, p. 196.} Simple decency is what Claire seeks when she tells the priest that she just wants her husband to ‘be a good man’. But the film suggests that decency is not an adequate response to the traumas and injustice Indigenous Australians have suffered. As \textit{Jindabyne} anticipates, in the aftermath of a national apology offered without reparation or compensation, the Australian nation remains in a condition of stalled reconciliation.

In closing, it is worth repeating Grunebaum’s observation that

forgiveness relate[s] to memory and recognition…not as a right, a claim, or a demand but as the deferred outcome of a long process that includes mourning the loss, honouring the dead, restituting the land, and reclaiming the language of resistance and survival over the silence of abjection, trauma, and despair.\footnote{Grunebaum, ‘Talking to ourselves “among the innocent dead”’, p. 308.}

The current silence towards reconciliation in Australia reveals considerable impatience with the long process required to work through the past.
Other echoes in the garden

JAMELIE HASSAN

I want to begin with a ‘narrative memory’—a term I borrow from Neil McLeod’s recent book Cree Narrative Memory—to introduce my billboard project Linkage. McLeod, speaking in reference to storytelling and indigenous peoples, notes that ‘it is a sense of place that anchors our stories; it is the sense of place that connects us together as communities. Indeed, it is the sense of space that connects us to other beings and the rest of creation’.¹

Thirty years ago, I had an opportunity to travel to Iraq. I was on an international scholarship for students of Arabic language at the University of Mustansyria in Baghdad. In March 1979, I travelled to the marshlands of southern Iraq where the Tigris and Euphrates Rivers meet. I had learned about this fragile ecological site while in Canada, where I had completed artwork on projects related to water plants and their environments. I made the trip to the marshes to learn more and document the area. I found that women were often the ones who gathered the reeds, making bundles that were used to construct the traditional guesthouses, called muthifs. Significantly, among the Cree, the bundle is also considered a metaphor for memory and storytelling.² The muthif was offered as a magnificent place of respite for travellers and guests. During the day, accompanied by a small group, I followed along the narrow pathways that led us by land and water through the marshes, our boat moving slowly through corridors of green reeds that dominated and shaped the landscape, passing isolated and temporary islands, with makeshift structures built from bundles of the same reeds. My host, the Iraqi matriarch of the marshland community, facilitated my movements. I wanted to document with my camera and in watercolour paintings. It was the slow act of doing watercolours that I believe gave me greater access. My slow and transparent act of painting—a constant—created an openness between myself and the community. Often I was directed by my host, a diminutive agile elder, wearing a black abiya, as to what she thought I should paint; I considered myself an answerable participant, and was in a state of considerable energy, continuously wanting to paint. I created a number of paintings, specifically as gifts, which remained with them as traces of my visit.

¹ McLeod, Neil 2007, Cree Narrative Memory, from Treaties to Contemporary Times, Purich Publishing Ltd, Saskatoon, Saskatchewan.
² Ibid.
Linkage was originally produced as part of a billboard project organised by the Mendel Art Gallery in Saskatoon, Canada, as part of the Post-Colonial Landscape in July 1993. Linkage presents reminders of the disastrous environmental effects to Iraq’s gulf region of 1991’s ‘Operation Desert Storm’. Coalition forces used radioactive bullets and shells recycled from nuclear waste. In an article published in the London Free Press in March 1993, Canadian Dr Eric Hoskins estimated that coalition forces fired 40 tonnes of nuclear waste into Iraq during the Gulf War:

In Iraq, the health authorities say that at least three times more children are being born with congenital deformities than before the Gulf War… During the 100-hour ground war of February 1991, coalition planes fired at least 1 million rounds of ammunition coated in radioactive material known as depleted uranium, or DU…According to the US Department of Defence, at least 40 tons of DU were left on the battlefields of southern Iraq.3

During the billboard’s first presentation in Saskatoon, community activists in the anti-nuclear movement came forward to support the artwork. As curator, Joyce Whitebear Reed, noted in her writing on this work:

A current article published in the Saskatchewan-based publication Briarpatch [May 1993] further suggests an unexpected link between the Saskatchewan uranium industry and the use of nuclear waste in the Gulf War. We are reminded that the post-colonial landscape is also a multi-national, post-industrial landscape.4

It is now believed that the figure is closer to 400 tonnes. Initially under reported, the serious environmental contamination of soil and water in Iraq became a news story when links were made to the Gulf War Syndrome, a debilitating condition that some of the coalition soldiers experienced. International medical personnel suspected that depleted uranium (DU) could have caused a mysterious increase in cases of leukemia among Iraqi children and a high rate of infant mortality and birth deformities.

Japan has dedicated $11 million towards the restoration of the marshlands of Iraq, which Saddam Hussein also targeted in an act of ‘ecocide’ when he ordered the draining of the marshes after the first Gulf War. This fabled wetland and probable site of the Garden of Eden had been a place of refuge and a base for rebel Shia forces fighting against Saddam. Further devastation of more that 90 per cent of the marshland has ‘changed the weather and turned a vast area into desert, releasing pollution into the Gulf’.5


4 Joyce Whitebear Reed, curator for the billboard project of the Post-Colonial Landscape catalogue published by Edmonton Art Gallery/Mendel Art Gallery, Saskatoon, Canada, 1997, pp. 8–9.

The ancient Iraqi marshland drained by Saddam Hussein as punishment against their occupants are back [to] almost 40% of their former level. According to the United Nations Environment Programme (UNEP)... the latest satellite imagery showed a ‘phenomenal’ recovery rate for the southern marshlands, back to almost 3,500 sq. km after dwindling to just 760 sq. km in 2002. Saddam began moving against the Marsh Arabs in the early 1990s accusing them of supporting a Shia Muslim uprising after the first Gulf War. A combination of dams and canals blocked water from the marshes, turning a pristine, wetland ecosystem into a semi-desert and forcing all but 40,000 of the area’s 450,000 inhabitants to flee. But after Saddam was toppled in 2003 residents began returning and breaking the barriers, letting water flow freely in a region where people had lived on small islands and moved wooden boats for thousands of years.6

I return to the Cree of the prairies where this billboard was first presented and acknowledge the linkages between communities, their survival and links to the land. Writing of a visit from a Cree elder, Neil McLeod recalls being told that the ‘land does not echo...that the land no longer had sound the same way it had before’.7

Figure. 1, Woman fishing, marsh land, southern Iraq, 1979. Photo credit: Jamelie Hassan

7 McLeod, Cree Narrative Memory.
Figure. 2, Woman carrying reeds for bundles, marsh land, southern Iraq, 1979. Photo credit: Jamelie Hassan

Figure. 3, Group photo with muthif in background; artist in white top standing on left of doorway with elder matriarch to her left. Marsh land, southern Iraq, 1979. Photo courtesy of Jamelie Hassan
Other echoes in the garden

Linkage, billboard by Jamelie Hassan, Saskatoon, Canada for Post-Colonial Landscape exhibition, 1993. Photo courtesy of Mendel Art Gallery, Saskatoon, Canada


In Canada in May 2006, Deborah Ellis’s book *Three Wishes: Palestinian and Israeli children speak* became an object of controversy when the Canadian Jewish Congress protested its availability to junior elementary students in the Toronto school system. The Ontario Library Association (OLA) had nominated the book for its Silver Birch reading program. The books chosen for this program are not mandatory texts on the school curriculum. Rather, the program is designed to encourage children in grades four to six (nine–twelve year olds) to read recreationally. School libraries distribute Silver Birch books and the children who read them can vote at the end of the school year on their favourite fiction and non-fiction works.

Under pressure from the Canadian Jewish Congress, the Toronto District School Board restricted access to the book and removed it from school libraries serving children below grade seven. PEN Canada, an association of national and international writers that exists to protect, among other things, freedom of expression, the House of Anansi Press, the Canadian publisher of *Three Wishes*, and Ellis herself protested the decision made by the Toronto District School Board.

In an article from the *Canadian Jewish News*, Paul Lungen explained that

the OLA describes *Three Wishes* as allowing ‘young readers everywhere to see that the children caught in this conflict are just like them, but living far more difficult and dangerous lives. Without taking sides, it presents an unblinking portrait of children victimized by the endless struggle around them.’

Critics, however, argue the book presents a uniformly negative image of Israel, provides little context for young readers about a conflict whose details are beyond their understanding, and introduces students to Palestinian youths who aspire to be suicide bombers and kill Israelis.¹

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In addition, a teacher in the Toronto school system was quoted as saying that ‘I didn’t feel, and neither did the other teachers, that the children here have the knowledge to understand the difference between opinion and fact’.²

The controversy over *Three Wishes* raises several important questions relevant to pedagogical issues and social policy about the kind of role educational institutions, political lobby groups, community and religious organisations, and book sellers should play in the regulation of extra-curricular reading practices for Ontario elementary school children. The oppositions of opinion and fact, the regulation of children who produce testimony and those who read it, and the targeting of children with or without the knowledge to comprehend the meaning of testimony or political conflict beg to be disentangled from one another. Also notable with regards to the controversy was how the politics of the debate straddled the ‘rights’ spectrum, from those in support of the right of free speech to those insisting on the right to participate in Canadian policy making on education as part of the multicultural grid work of ‘Canadian society’—the latter clearly achieving its objectives here.³ In order to comprehend these competing human rights’ discourses, it is important to reflect on how the controversy mobilised children as political subjects within a transnational framework of testimonial discourse. Of particular interest is how these competitive rights’ discourses generate notions of childhood, fantasy and the meaning of the Palestinian and Israeli conflict in the Canadian context.

*Three Wishes* belongs to an increasing number of published books in the field of testimonial studies charged with endowing the child with the role of bearing witness to traumatic events. In so doing, the child as testifier is empowered to produce historical truth and authentic, realistic representations of events. In considering what enables this newly authorised voice, we need to address the contexts in which children testify. In what forms, for example, do children’s testimonies appear and how are they circulated? Who authorises these ‘minor’ voices to appear in the public domain? And who listens, reads and responds to them? With regards to the child, there is also a specific theoretical problem to address, which is that of distinguishing between whether a child is testifying to a real event or just playing, in the sense of investing people, places and things with fears, fantasies and desires. In examining *Three Wishes*, therefore, the question of how the child is made a political figure in a transnational framework of testimonial production must also be open to the question of how the child has

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² Ibid.
³ Recent lobbying efforts announced by the Canadian Jewish Congress include ‘participation in Royal Commissions on Hate propaganda in the 1960s and the prosecution of Nazi War Criminals in Canada in the 1980s, as well as significant input into Canadian policy-making on education, freedom of religion, and other human rights issues’ (<http://www.cjc/ca/>).
already been ‘unmade’, in the sense that the political subject positions opened up for children are already circumscribed and over-determined by specific cultural and discursive constructions of childhood such as innocence.

Ellis’s collection of testimonial narratives provides an opportunity to explore how the shifting boundary between fantasy and reality contained within the testimonies informs the book’s controversial reception. This shifting boundary is discussed further in this chapter in relation to Freud’s study “‘A child is being beaten’”, in which the modern conception of childhood emerges as a particular site of knowledge that privileges fantasies of violence over their physical realities and not just their physiological effects. The concluding section turns to the comic-strip novel by Marjane Satrapi, *Persepolis: The story of a childhood*. In this semi-autobiographical account of the Iranian religious coup in 1979, a child narrates her experience of repression and its effects on her, her family and her family’s friends. By positioning, ironically, the child as narrator and by using the graphic, black-and-white comic-strip form, Satrapi redraws the lines between childhood innocence and the problem of ignorance and global responsibility in addressing violence towards children and youth.

By situating Ellis’s book and the controversy surrounding it in the context of the modern ideal of childhood as a site of psychoanalytical knowledge, I argue that the possibility of children testifying to trauma and the violence of war is over-determined by the production of competing fantasies about who or what lies at the origins of violence. From these competing fantasies emerge transnational complicities of innocence that disavow the narratives of trauma and wartime conflict as told by children.

The 1997 Italian film *La Vita e Bella (Life is Beautiful)* presents an exemplary text for working through the construction of ‘childhood innocence’ and the complicities of innocence under scrutiny in testimonial studies. The film is a tragi-comedy about an Italian Jewish man and his son who are sent to a Nazi concentration camp during World War II. The film mobilises ‘the child as witness’ to the Holocaust and it does so through a comic medium and the figure of the child’s father, Guido, played by the film’s director, Roberto Benigni. In a memorable scene, Guido pretends to ‘translate’ from German to Italian a Nazi corporal’s death threats and commands for his son, Joshua, but when he does so he changes the text into a series of rules for how to play a child’s game. The father appears to mediate his son’s limitations as a witness by teaching him the correct way of comprehending the Nazi’s words. While critics of the film might read this scene as the misguided transformation of fascism into a childhood

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game, there is, however, a deeper irony at work here. Through the trope of translation, the violence of fascism is mis-recognised as a children’s game. Thus, due to his apparent innocence, Joshua is unable to read the signs leading to his father’s death. It is one of the striking features of the film that Guido’s death comes as a horrifying surprise. This reaction exposes the degree to which the audience has been unwittingly drawn into a similar state of innocence—or more accurately, ignorance—largely through Benigni’s comic and childlike behaviour. The complicities of innocence explored in the film point to the desire to maintain a primary fantasy that no-one really dies. It’s only a game. It’s only a movie.

The criticism directed by the Canadian Jewish Congress and Toronto’s educational authorities towards what elementary Canadian schoolchildren were capable of understanding about *Three Wishes* also engaged in similar complicities of innocence. As in a *camera obscura*, the children who testified in the book were projected through the narrow lens of such contemporary orientalist tropes as the Palestinian suicide bomber and the desire for martyrdom. The cultural subjection of these children and their childhood to such cosmopolitan fantasies effectively overshadowed any conversation that might have taken place concerning the testimonial texts given by Palestinian and Israeli children as witnesses to death and suffering in the Occupied Territories.

It is tempting to think about these children as representing a potentially new political constituency for whom it is hoped that political orientation, rather than religious or national identity, for example, might determine a future resolution to the so-called Middle Eastern conflict. Ultimately, however, the kind of pedagogical claims that can be made for children’s testimonial practices in the teaching on ‘war’ in general or ‘the Middle Eastern conflict’ in particular is an open question. As is the question of what sort of transnational links between Canada and the Middle East can be forged in the circulation in the Canadian public domain of Palestinian and Israeli children’s testimony in *Three Wishes*. We might ask, for example, what mode of globalisation circumscribes the textual relations between reality and fantasy in this book? What are the political and social effects produced by the shifting boundaries of reality and fantasy in global digital media and in *Three Wishes* specifically? There will be no meaningful answers to these questions, however, if the rights of children to narrate their experience, what they see and what they know are subject to the censoring and self-censoring reactions of those who cannot and will not face the realities of death and suffering in children’s lives ‘here’ and ‘elsewhere’.

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6 Along with the expansion of transnational capitalism during the late 1950s to the mid 1970s, cultural imperialism shifted dramatically in its modes of meaning production with the notable commodity expansion of technologies of representation such as film, photography, computers and other digital media. ‘Globalisation’ is a term that signifies this effect of a one-dimensional homogenisation of meaning and value and it is also the process of putting it into place—as if globalisation is inevitable and ‘already in existence’, as it were.
The juxtaposition of the fairytale motif of ‘three wishes’ in the title of Ellis’s book with the testimonial speech acts of Palestinian and Israeli children seems somewhat incongruous, but as Ellis writes: ‘I asked the children I met to tell me about their lives, what made them happy, what made them afraid and angry, and how the war has affected them. They told me about their wishes for the future.’7 The notion of desire at work here confers what Wafaa Hasan notes as the limited but consequential ‘authorial agency’ on the children in this text.8 The engineers of the controversy, however, symptomatically reproduced, rather than called into question, this neo-liberal and post-colonial regime of representation.

How we situate the war on phantasms and ‘phantom’ war in relation to the ‘real’ war between the occupied Palestinian territories and the State of Israel might be considered by drawing out the complicities of innocence currently associated with the testimonial construction of childhood and the meanings attributed to children’s testimonial narratives. In other words, while the arbiters of public virtue do boundary maintenance work on the Fantasyreality Line™ another sort of ‘war’ is taking place in the field of representation between political and commodified re/presentations of children and childhood. Take a Ride on the Reading. Do Not Pass Go. Do Not Collect $200 (CAN). The ‘monopoly’ on the meaning of children’s reality is, however, far from a childhood game. Rather, it is a ‘game’ of borders that is being re-enacted by the debate, a game that involves policing the boundary between fantasy and reality as a way of securing property rights in the Occupied Territories, for example. Before exploring further the fantasy/reality divisions embedded in the debate and the book, I want to take a detour along the Fantasyreality Line™ by excavating Freud’s study “A child is being beaten”. The modernist use of fantasy in Freud’s construction of childhood, I argue, serves to regulate, as well as introduce, self-regulatory mechanisms for the control of the affective modes of desire, love, longings and violence in the figure of the child.

A child is testifying, or, taking a ride on the Fantasyreality Line™

Sigmund Freud took the production of fantasy seriously in the early twentieth century at a time when the French and the English were busy redrawing the cartography of the Middle East through the Sykes–Picot Accord (1916) and the Balfour Declaration (1917). Freud’s work is also relevant because—as readers familiar with the field of literature and trauma studies are aware—the

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approach to the field has been dominated, not surprisingly, by psychoanalytical theories and methods.⁹ My interests here, however, lie in developing other methodological approaches that attend to the material limits of the production of meaning and include psychoanalytical discourses as one of those limits rather than as an analytical trajectory for the study of the texts at hand.

While the bond between testimony and psychoanalysis might help to avoid the disciplinary mistake that occurs when the telling of life stories is presented as equivalent to historiography, psychoanalytical discourse creates its own problems when it disavows material reality in favour of fantasy as the basis for producing pathology. Fantasy is essential to psychoanalytical discourse and its transcendence of historical events. In order to establish the key role of fantasy over the problems of conflicting interpretations of reality, however, fantasy is positioned as supplemental to knowledge in Freudian discourse. Freud has his own interests in view when he uses the work of fantasy to discipline potential disciples of psychoanalysis. At the same time, I would argue, his disciplinary formation of psychoanalysis constitutes a form of epistemic violence that not only disciplines the agent of psychoanalytical discursive production, it sacrifices ‘childhood’ to knowledge by circumscribing the claims to truth that can be produced. Childhood constitutes a specific time that can best be retrieved through the memorialising practices of psychoanalytical intervention. As a result of this disciplinary and disciplining formation, the value of fantasy for the institutionalisation of psychoanalysis as a scientific discourse supersedes the real needs of the human subject for justice and healing. Nevertheless, even Freud must acknowledge that within the fantasy productions of childhood the seeds of an original experience recounted by someone, somewhere exist and point to a real event. It is the trace of this original experience that psychoanalytical testimony must manage if it is to maintain the epistemic hegemony of the science of psychoanalysis. If, however, we read this ‘trace’ as a residue of something productive for the subject we might begin to plot a different story about childhood—one that interweaves the conflicting experience of reality with the healing mechanisms of fantasy.

The epistemic basis for examining a child’s fantasy of violence in relation to the reality of his or her sexual development is provided for by Freud’s study “A child is being beaten”. Freud’s study distributed the coordinates of childhood

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along the lines of the Real and the non-Real, the latter circumscribed by such
One of the key articulations in the field of representation that circulated in the
general economy of infantilisation during the early twentieth century included
the child as savage—a configuration that was produced by and maintained
in the sedimentation of European imperialism.\textsuperscript{10} The mutually interrelated,
however distinct, figures of the savage child or the childish savage preserved
the child’s body as an object of violence, desire and narrative investments in the
domestication or the taming of a wild, untempered, pre-oedipal, semiotic flux.

Freud’s study of oedipalisation—what he calls ‘love’ in ““A child is being
beaten””—represents a key moment in the use of modern institutional and
epistemic violence to rewrite the residual materialities of economic and political
power in terms of the knowledge of the Real as distinct from the non-Real such
as fantasy. Freud’s method of policing a child’s relationship to the domain of
the Real involved constituting non-Reals as insubstantial or immaterial aspects
of everyday experience. Non-Reals or non-realities, however, were once
tangible and visibly concrete materialities that could have existed as a vestigial
materiality or as an emerging and potentially new materiality. The line between
the material and immaterial is therefore not as fixed as it appears; additionally,
the problem of regulating the unstable relationship between the material and
the immaterial calls attention to the materiality of signification, in which even
when an apparent ‘reality’ \textit{seems} to be outside language or symbolic codes
this is precisely what gives the apparent immateriality of the signification of
‘fantasy’ an illusive and mystical power, which, if it is to have any purchase in
the domain of science, must be embodied in or transmitted by a representative,
authoritative figure of knowledge such as a rabbi or a priest, a scientist, a
professor or a father.

In ““A child is being beaten””, Freud makes reference to real physical violence
but ultimately displaces it into a fantasy of violence. In order to displace the
reality of material violence, Freud puts into play a discursive method based
on the coercive use of reason with which to establish institutional forms of
authority such as the psychoanalyst or the father. Freud acknowledges that the
sentence ‘a child is being beaten’, although a fantasy, could be written on the
basis of an experience of ‘real corporal violence’;\textsuperscript{11} specifically with reference to
children who witnessed the very common use of the rod in the early twentieth
century in disciplining schoolchildren:

\begin{addmargin}[1em]{0em}
\textsuperscript{10} Further to this point, see Emberley, J. 2007, \textit{Defamiliarizing the Aboriginal: Cultural practices and
decolonization in Canada}, University of Toronto Press, Toronto (especially pp. 91–115), in which I discuss, in
Freud’s \textit{Totem and Taboo}, for example, the production of the varied deployments of the infantilised figure of
the Aboriginal.
\textsuperscript{11} Freud, ““A child is being beaten””, p. 181.
\end{addmargin}
When the child was at school and saw other children being beaten by the teacher...The influence of the school was so clear that the patients concerned were at first tempted to trace back their beating-phantasies exclusively to these impressions of school life, which dated from later than their sixth year. But it was never possible for them to maintain that position; the phantasies had already been in existence before.\textsuperscript{12}

Freud’s knowledge of the fantasy of a child being beaten beyond the sixth year is limited by the fact, he writes, that ‘the impressions that brought about the fixation were without any traumatic force. They were for the most part commonplace and unexciting to other people.’\textsuperscript{13}

The fantasy of being beaten presents Freud with a number of contradictory elements: the displacement between childhood memories of school life and the fact that the fantasy begins earlier than real experience would or could provide empirical proof of; the contrary registers of child beating are, in reality, ‘traumatic’ and yet, during the psychoanalytical investigation, the limits of knowledge are tested by the cause of the fantasy being a non-traumatic—that is, non-violent—impression. Freud establishes in his analytical framework a set of relations among knowledge, trauma (that is, violence) and fantasy. Within this framework, reality and memory are set at odds to each other; ‘reality’ is represented as a determinate fact locatable in the educational context and ‘memory’ is viewed as indeterminate, without a precisely locatable context (for example, a vague impression of an event). This conflict between the site of the production of knowledge and the everyday productions of traumatic fantasies constitutes for Freud the basis of the pathology of sadomasochistic repression.

What lies at the centre of this conflict is the problem of competing origin stories: the double origins of, on the one hand, memory’s first light and, on the other, the analytical remembering of a ‘reality’. The latter form of remembering emerges in the process of recounting a series of events that can be shaped to the oedipal narrative. It is only on the basis of the oedipal narrative that the psychoanalytical cure becomes possible. The struggle between these two origins is, in part, a struggle between the materiality of the body and Freud’s disciplining of the subject and text of psychoanalysis. Pathology excoriates the father’s disciplining of the child—with the rod, the stick, the cane, the case study, the phallus. Parental and pedagogical authority, as forms of power over the production of the child’s text and its meaning, are not questioned.

Reading the conflict of origin stories from a discourse-materiality perspective allows for the possibility of rethinking the question of the sentence ‘a child is being beaten’ as an instance of the hysterical child’s alienation from her own history and body—an alienation that is the subject-effect of the power of identity making: to make the child in the image created by the father, not the image

\textsuperscript{12} Ibid., pp. 179–80.
\textsuperscript{13} Ibid., p. 182.
‘of’ the father, but the father’s image, his making, unmaking, reproduction and re-presentation. Competing narratives between the father’s identity un/making and the mother’s subject making are also at stake in the struggle between dual origin stories. Here is an example of Freud’s born-again rhetoric:

The origin of the Oedipus complex itself, and the destiny which compels man, probably alone among all animals, to begin his sexual life twice over, first like all other creatures in his early childhood, and then after a long interruption once more at the age of puberty—all the problems that are connected with man’s ‘archaic heritage’—have been discussed by me elsewhere, and I have no intention of going into them in this place.14

The moves from animal to human, ignorance to knowledge, nature to culture, mother to father, primitive to civilised (outlined in his Totem and Taboo),15 account for the need for the dual origins of Man, born first into the immateriality of fantasy and ignorance—notably the bond with the mother—then into material culture and knowledge. That Freud takes time—the first six years of a human’s life—as the site of the psychoanalytical narrative construction of the oedipal self is very telling: it is a time little remembered, a time of ap/parent ‘loss’. It is therefore the role of the psychoanalyst to reconstruct this elusive period:

Strictly considered—and why should this question not be considered with all possible strictness?—analytical work deserves to be recognized as genuine psycho-analysis only when it has succeeded in removing the amnesia which conceals from the adult his knowledge of his childhood from its beginning (that is, from about the second to the fifth year). This cannot be said among analysts too emphatically or repeated too often. The motives for disregarding this reminder are, indeed, intelligible. It would be desirable to obtain practical results in a shorter period and with less trouble. But at the present time theoretical knowledge is still far more important to all of us than therapeutic success, and anyone who neglects childhood analysis is bound to fall into the most disastrous errors.16

Freud plays with the authority of his own disciplinary rod of reason when he says ‘strictly considered—and why should this question not be considered with all possible strictness?’.17 He is, of course, in the business of creating disciples in the newly emerging field of psychoanalysis. He disciplines his student child-analyst and tells him what is appropriate to observe and how important it is to remove the ‘amnesia’ from the adult subject’s knowledge of his childhood. Let’s hope the disciples don’t forget that this is their job. These crucial years in which memory

14 Ibid., p. 193.
16 Freud, “A child is being beaten”, p. 183.
17 Ibid., p. 183.
is apparently lost are returned to the subject fully explained and articulated through the analyst, perhaps in the same way the clerics interpreted the Bible for the illiterate before the European Reformation. But the rise of literacy among European children and the compulsory Education Acts of the nineteenth century in England, for example, meant that it was becoming increasingly difficult to locate a European subject who could not read or write for her or himself. Nevertheless, Freud found a period in childhood over which to assert his oedipal-narrative authority. The adult is thus born into the ‘long interruption’ in which the maternal force is dominant and then reborn under an oedipal and patriarchal narrative construction. The subject is, indeed, made through the sacrificial coercion of bi-ography and the narrative always concludes in the same way: with the incestuous love of the (female) child for the father. This love is, however, always already violent: ‘There can be no doubt that the original phantasy in the case of the girl, “I am being beaten (i.e. I am loved) by my father”, represents a feminine attitude.’ To be beaten in reality is to be loved (like a woman) in fantasy.

Whether the children are being beaten or not ‘in reality’ is not the only issue here. There is also the fact that their life story is narrated as one in which they have already been victimised by their own desires. It is the authorisation of their life story as a contractually agreed on story of victimisation that is enough to constitute them as subjugated and in need of the governing rationality of institutional authorities. The sort of counter-memorialisation that can take place in testimonial narratives is, of course, as much a strategic construction as psychoanalytical memorialisation and it is one that is directed towards dismantling the institutional powers of authority. When one claims one’s memories as one’s own, for example, institutional powers of authority are significantly challenged, if not displaced. This is why ‘testimonial narratives’ can make important interventions into the authoritative mediations of cultural knowledge. As noted in the case of Three Wishes, however, testimonial narratives can also be subject to the institutional regulation of their distribution and significance, to problems of ‘fantasy’ and ‘reality’ that displace the material realities of suffering, exploitation and oppression, not to mention physical violence and violent forms of death.

On the one hand, Freud’s modernist turn towards fantasies of violence promoted forms of self-regulation or self-censorship when it came to monitoring forms of physical violence. On the other hand, the focus on childhood fantasy, especially as a locus of knowledge, meant that the fantasy/reality opposition became a never-ending point of contention. It is one, however, that can be reconsidered, by focusing on competing fantasies and the cultural forms in which competing fantasies play themselves out. In testimonial discourses today, there is an increasing turn towards the construction of the child as witness and attention to memory as a site of childhood trauma. This turn towards the child extends the modernist problem of the child as a semi-autonomous subject attached to

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multiple institutional organs from the family to the school, from the State to its child-welfare agencies. It also opens up new contingencies of truth, power, representation and knowledge. In the next section, I return to *Three Wishes* in order to explore further the competing fantasies of ‘the martyr’ and ‘the suicide bomber’ and how these competing fantasies become the very basis for censoring the text and disavowing its testimonies of suffering and death.

**Transnational imaginaries (?)**

Each child in *Three Wishes* articulates his or her own desire to transcend the current predicament in which they find themselves: impoverished, dehumanised, demoralised and living with the constant fear of death for the Palestinian children, and living with the constant fear of violent interruption of an otherwise privileged daily life for the Israeli children. This latter situation generates fantasies of victimisation—notably the figure of the ‘Palestinian terrorist’ who is out to get them. There is no question about the psychological complexities of the children represented in this text, but any examination of them must be articulated with a critical account of the institutional forces and regulatory techniques that over-determine the cultural production of fears and fantasies in the figure of the child.

The fantasy that gives the critics of *Three Wishes* the most trouble is that of a young Palestinian girl’s desire to become a martyr. Salam, a twelve-year-old girl whose photograph is not included, gives the following testimony:

> Aayat’s [Salam’s sister’s] picture is everywhere, on walls and in newspapers. She is very famous. She is a martyr and is now in paradise, where it is supposed to be very beautiful. I would like to join her there. I would have to become a martyr like her, to be able to be in paradise with her.

> When I see her again in paradise, I will ask her why she didn’t tell me her plans.

> I don’t think it would hurt if I blew myself up. I don’t think it hurt my sister. I think she was very brave, not scared at all. I think she was probably very happy.

> I don’t know if the girl she killed had a sister my age or not. What does it matter? I don’t know any Israeli kids. Why would I want to?¹⁹

It is in reference to this passage that an anonymous source in Lungen’s article is quoted as saying: ‘One child talks about being a martyr. Is that what we want our children to be reading about?’²⁰

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Testimonials by the Israeli children also engage in creating fantasies. For example, Merav, who is thirteen and lives in a settlement near Efrat, says:

If you wander around on your own, a Palestinian with a gun might see you and shoot you. They wait to catch people who are not being careful, who are thinking of other things and not watching out. You can only relax if someone is there to watch out for you.  

The production of the fantasy of the ‘Palestinian with a gun [who] might see you and shoot you’ is a moment in the testimonial text where fear is fuelled by a terrifying phantasm, where a virtual ‘suicide bomber’ might emerge anywhere and at any time to set off a real bomb. The phantom bomber remains, however, as an unexplained presence there to disrupt birthday parties, school outings or shopping sprees.

Ellis’s text produces and unsettles a line between fantasy and reality, creating conditions in which the reader must make sense of the phantoms of terror in the paranoid fantasies of everyday life in Israel and the mystification of martyrdom and the desire for death in the occupied Palestinian territories. The fear of the phantom suicide bomber on the part of the Israeli girl Merav and the desire to become such a martyred phantom, or indeed a ‘ghost’, on the part of the Palestinian youth Salam represent contradictory and competing fantasies in *Three Wishes*. This contest over which phantom will be deployed and for what purpose triggers the very problem that will be symptomatically rehearsed in the controversy over the book when critics put forward a virtual Canadian readership to override the text’s real testimonial content.

Ellis’s collection of children’s testimonies from the Middle East tells us about the psychic costs that occur when reality ruptures the appearance of external certainties and creates new and sometimes self-destructive longings in the face of the only known certainty, which is death. In both cases, waiting for death, in all its torturous passivity, is exceeded by a trip on the Fantasyreality™ Line, where the active and imaginative creation of a transcendental figure of absolute destruction (the martyr/the suicide bomber) emerges as the ideal saviour and deliverer of death.

The problem therefore becomes one of competing fantasies that are manufactured, commodified and recycled even by such a reparative text as *Three Wishes*. These competing fantasies are produced through chains of substitution—martyrs, terrorists, phantoms—in order to secure lines of contact and dissociation among Palestinian and Israeli children, on the one hand, and Canadian and Middle Eastern children, on the other, with all the hyphenated permutations in between. In the final section of this essay, I consider a different approach to these competing fantasies of ontological victimisation, in Marjane Satrapi’s graphic novel *Persepolis: The story of a childhood*.

Redrawing the lines

Satrapi’s graphic novel redraws the line between political and cultural representations. *Persepolis* opens up the question of ‘representation’ as a site of the political contestation itself.

*Persepolis* can be read as, among other things, an allegory of the changing materialities of ‘dialectical materialism’. For example, Satrapi takes the principle of dialectical materialism (that is, history is the product of class struggle) as an instructional diagram and redraws its significance through the techniques of graphic narration. Not surprisingly, this graphic alteration generates a new *diagraphein* that draws attention to the materiality of the historical text—the fact that the so-called ‘Islamic Revolution’ is, for example, a visual or textual event dominated by certain forms of re-presentation and countered by others. While the materiality in the traditional definition of dialectical materialism resided in the male labouring body and its occupation in the class struggle, the *diagraphein* in *Persepolis* points to different materialities, including: technologies and techniques of visual or graphic representation, desire and the engendering of the female body, and the spatial organisation of meaning. Bodies, spaces and texts constitute new materialities that hold together a network of oppositions such as corporealities and incorporealities, territorialisations and de-territorialisations, significations and de-significations.

The central conflict in the rise of the Iranian Islamic regime, as Satrapi represents it, lies between religious fundamentalism and socialism. This antagonistic relationship is produced visually in the text in Satrapi’s satirical use of the black-and-white simplicity of the cartoon or comic-strip format. Her graphic use of black and white is, however, carefully articulated in the frames where black serves as the outside environment with people represented as white and white serves as the inside of the home with people filled in in black. In the following discussion of *Persepolis*, I want to focus on the interplay between the graphic use of representational technologies and the grammar of images positioned on the page. *Persepolis* sketches a traumatic historical event in which the female body collapses under the threat of rape and death during the Iranian struggle.

The opening chapter initiates the reader into the highly fashioned symbolism of the veil that takes place during the Islamic takeover in 1979. The second frame contains a class photo of identical-looking girls. Five and a half girls appear in the frame wearing the headscarves that have become mandatory in schools. A de-personalised figure is created when the cartoon frame abruptly cuts off the image of the sixth girl. What might have been a token of personal experience, such as a school photograph, becomes not just a sign of the loss of the individual experience, but rather the emergence of the new female Iranian citizen. In the next frame, the schoolyard games of the children mockingly transform the remnants of individual experience into sadomasochistic exchanges between masters and slaves: ‘execution in the name of freedom’ (see Figure 1). Clearly, this is not a conventional ‘children’s book’.
Pedagogical practices undergo other changes. What was once a secular praxis for intellectual development and learning changes into a disciplinary regime for the making of the new national citizens of Iran. Under Islamic rhetoric, bilingual schools become ‘symbols of capitalism...of decadence’\textsuperscript{22} and the children are,

Therefore, divided into Christian and Islamic schools. This religious distinction also catechises the Islamic female child into existence, as she is disciplined into a spectacle of submission by having to wear the veil. The intertwining of religious and gender differences provides the basis for citizenship candidacy in the new Islamic State.

While the symbolic value of the veil draws attention to the limits of the political struggle in Iran, it is a photograph of Marji’s mother protesting the veil and published in all the European newspapers that jeopardises her mother’s life. The conflict over the symbolic meaning of the veil is represented by the narrative attention given to photographs within the graphic frame of the comic-strip format. This layering of representational techniques and their technologies produces the diagrammatic tension between the forces of political and cultural representation. Both modes of re/presentation are figured by different modes of visual materialisation: the photograph as ‘political evidence’ and the cartoon as its cultural framework of intelligibility. The Rex Cinema massacre, referred to in the next chapter, titled ‘The Bicycle’, is another event in which Satrapi dramatises a collision between the antagonistic forces of cultural and political representation. Moviegoers were locked inside a cinema that was purposely set on fire. Police ‘forbade people to rescue those locked inside’ and the ‘firemen didn’t arrive until forty minutes later. Four hundred people died, according to the BBC and the Shah blames “religious fanatics”, although everyone knows it is his doing.’ Political satire is evident in Satrapi’s text, in which, in order to disarm the illusions of power and authority, the narrative voice of the child is permitted to say the unsayable.

Satrapi satirises the dialectical image in her juxtaposition of ‘God’ and ‘Marx’, where the mutual simulations of their authority are drawn in such a way as to bear an uncanny resemblance to each other (Figure 2).
The cartoon book that sought to popularise Marx for the masses in Mexico, *Marx para Principiantes*, translated into English as *Marx for Beginners*, is playfully incorporated into the text. Marji, the child narrator, reads the cartoon in her studies of Marxism, once she has abandoned her religious phase and desire to be a prophet. The education Marji receives at home begins to show signs of differing from her official education. This is a major theme in the story. Marji’s increasing tension with educational authorities is one of the motivations for her leaving Iran to continue her education in Austria and then France at the conclusion to the narrative.

One of the first pedagogical lessons the reader, along with Marji, receives—notwithstanding the lesson in Marxism and historical dialecticism disguised as the naive intellectual undertaking of a child—is a history lesson from her father on the political struggles of Iran. This history lesson also includes her family history, as Marji learns that her great-grandfather was overthrown by the Emperor Reza, who was supported by the British in their bid to capture Persia and its oil reserves before the Bolsheviks gained power in the territory in the early twentieth century. We also learn that Marji’s grandfather eventually became a communist. The nationalist history of Iran follows with the title chapter, ‘Persepolis’. In this chapter, the reader learns from Marji’s grandmother about the symbolic significance of Persepolis as the mythic foundation of the Persian Empire and how the Emperor Reza re-enacted the spectacle of Persepolis in order to secure its symbolic power for an emerging modern Iranian nation. The spectacle of Persepolis as a myth of power is juxtaposed in the visual field with photographs taken by Marji’s father at a demonstration in order to record and witness the political conflict: ‘He took photos every day. It was strictly forbidden, he had even been arrested once but escaped at the last minute.’

While the spectacle dominates the visual field of representation, photographic images of political strife are criminalised and hidden from view, and yet both appear equally proportioned in the comic-strip frame. The scaling down of the spectacle, and the drawing of illicit photos, reconfigures the political value of the respective images. It is at the conclusion of this chapter, when a dead man’s body becomes confused with the death of a political protestors, and, thus, a source of ironic humour, that the visual field becomes complicated by a multiplication of unstable identities, meanings and consequences. Not only is the visual field complicated by the indeterminacies of the meaning of this dead man’s body, in the next chapter, titled ‘The Letter’, the political scope of Marxism is tested and complicated by Marji’s relation to the family’s maid, Mehri.

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23 Ibid., p. 12.
24 Ibid., pp. 28–9.
‘The Letter’ exposes the gendered contradictions of class politics in the domestic sphere and its regulation of Mehri’s sexuality as well as her political authority in the public sphere. Although Marji points out with a self-conscious sense of embarrassment the fact that her father drives a Cadillac, it is the interception of Mehri’s love letters to a neighbouring young man that brings the contradiction to its breaking point. Mehri ostensibly pretends to be Marji’s sister and, because she is illiterate, has Marji write a love letter to the boy. Out of jealousy for Mehri’s love for this boy, someone snitches on her and, on Marji’s father discovering this narrative escapade, exposes Mehri to the neighbouring boy as merely ‘the maid’. Mehri came to Marji’s family when she was ten years old because her family had 15 children and couldn’t afford to feed her. At the conclusion of this chapter, Mehri and Marij are punished for going together to a political demonstration—the notorious ‘Black Friday’ when hundreds of people are killed. They are both slapped across the face and the burning marks of these facial slaps are left engraved on their faces in the final frame of the chapter. Mehri is denied the fulfilment of her desire in love and in politics. If the letter does not reach its destination, it is not simply because of an indeterminacy of meaning, but rather the result of class power that can no longer be understood simply in terms of ‘class’ without also recognising the gendered mediation of its positions.

After the meaning of Mehri’s love letter is opened up to the over-determinations of patriarchal class politics—and Mehri and Marij are exposed to physical violence—the conflict between the repressive regime of the Shah and the struggle for socialism is no longer a secure project for the dialectical unfolding of the material contradictions of reality. For Marji, it is the sexual politics of everyday life and her family’s violent treatment of Mehri’s political involvement that exposes the limits of socialism. It also unleashes the question of the impossibility of justice for women under a Marxist or Islamic regime of power.

In the post-Marxist narrative space of Persepolis, the social antagonism between ideological factions collapses into violence, massacres, executions, the unlimited use of young male bodies as fodder in the war with Iraq and the threat of death and rape to Marji and other young women who do not submit to Islamic law. One way to read this narrative is to note a developmental shift from ‘ideology’ to the administration of the violence of power. Another way is to read Mehri’s situation and the violent regulation of her sexuality and political practices as an already existing site of the violence of power that the ideology of dialectical materialism helps to contain and disavow. The rupture of violence in the public form of political struggle symptomatically rehearses the violence of everyday life for women and children.
The violent constitution of the ‘self’ in the name of the ‘nation’ that disavowed class segregation was, on the one hand, the alibi of the Islamic ‘cultural revolution’. The violent constitution of the counter-self in the name of a socialist revolution that disavowed the gendering of class segregation was, on the other hand, yet another political alibi.

There is a further image juxtaposition I want to mobilise in Satrapi’s text for the purposes of explicating the above comments and comparing it with Ellis’s testimonial format. It is the following two frames (Figure 3).
The juxtaposition of the subject of martyrdom, on the one hand, and a birthday party, on the other, uncannily mimics the passages I cited earlier from *Three Wishes*, in which the Palestinian and Israeli children are also distinguished by their positions within similar scenes. In *Persepolis*, however, the divisions between poor boys who become martyrs and middle-class Iranian youths enjoying a party are ones of class and male gendering. It is this analytical framework of the internal contradictions of the nation and how those contradictions are gendered in relation to poor male and female bodies that distinguishes *Persepolis* from *Three Wishes*. The simple binary ‘ideological’ logic of a Marxian dialectical materialism collapses in the wake of a complex network of contingencies that cuts across class, religion and gender. In Satrapi’s representation, the bodies being blown towards a heavenly paradise, where boys are promised all the women they can possibly desire, and those of the dancing punks on Earth appear remarkably similar—the one appearing to overdetermine the other. They are not, however, simply ‘similar’, but rather subject to a similar set of interrelated contingencies involving class, gender and age differences.

In the final image of the first volume, Marji’s mother has collapsed and her body is being held in the arms of Marji’s father. Marji sees this because she turns around to have one last look at her parents before departing Iran for Austria. She must leave because it is getting too dangerous for her, particularly at school and in the street. Marji must leave Iran because if she does not leave now, at the age of fourteen, there is every indication that her political beliefs will result in her arrest and execution. Since, under Islamic law she cannot be executed as a virgin, she will be ‘married’ off (that is, raped) and then executed. These are the historical realities of a politics of vulnerability, youth and innocence.

In all three examples—*Three Wishes*, “‘A child is being beaten’” and *Persepolis*—questions about where ‘education’ can and does take place and for whose benefit are central to the formation of children as political subjects under globalisation and in their respective national imaginaries. The disciplinary force of Freud’s psychoanalytical objectives through which he displaces the violent use of the rod in schools and the control over the readership of *Three Wishes* by the political lobby group the Canadian Jewish Congress demonstrate that the institutionalisation of education throughout the twentieth and twenty-first centuries has been and continues to be regulated by specific forms of epistemic violence. This pedagogical-epistemic violence includes the use of knowledge to coerce the child, similar to the ways in which the student of psychoanalysis is disciplined into the subject-hood of a male-centred and male-dominated oedipal framework to the exclusion of women and female children as producers and consumers of self and knowledge. This violence is also constituted by the use of formal educational institutions as sites in which to construct a national imaginary through the location of fantasy in the notion of ‘childhood’. This last
is especially important because it is through the notion of ‘childhood’ that the national imaginary is constructed and legitimated on the basis of a model of development and growth that mimics the advance of the nation economically and politically. Herein lies the significance of the child for the birth of the nation, as a political subject and as the repository of childhood.

Formal educational institutions are also used to rationalise political beliefs, whether in the context of Canada, Iran, the Palestinian Territories or Israel. Persepolis, however, takes us into the realm of multiple and counter-educational contexts such as the influence of adults in the home, children’s games in the schoolyard, political demonstrations in the street, as well as the products of popular culture such as the rock music of Kim Wilde, featured in Persepolis, and, of course, comic books. In Persepolis, education is produced in a variety of ‘non-educational’ places; although the educational institution might still be a site of education as justice, it is so only in spite of itself in post-1979 Iran. Even the repressive mandate of the institution, however, can be deployed for ‘educational’ purposes.

There are no guarantees about what events, within what places or under what specific political and social conditions the making of critical knowledge might occur. Creating the all-knowing child, as Ellis does, however, or deploying the modern undeveloped child in need of the guidance of Freud’s science of the self appears insufficient to address the current dilemma of children in today’s globalised and militarised economies. While the controversy about Three Wishes reminds us to accept the rights of the child to narrate her or his experience of war and violence, we also need to examine the modes of cultural production used to distinguish what is real and what is not and how such distinctions sanction complicities of innocence in national and transnational imaginaries.