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# The promise of reconciliation

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## The promise of reconciliation

### **Abstract**

Bringing them home, The Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families concludes that "The Australian practice of Indigenous child removal involved both systematic racial discrimination and genocide as defined by international law" (266). This conclusion raises a number of questions that the Report takes up and contextualises with reference to a developing jurisprudence focused upon the nation's relationship to its human rights violations. In particular, for the Report, this relationship is central to current Australian debates about, and concerns with, the history of its treatment of Indigenous peoples. Knowing and remembering the violence of the nation's past, acknowledging, commemorating and so coming to terms with it, is, for the Report, a precondition of national reconciliation.

# ***The Promise of Reconciliation***

***Colin Perrin and Scott Veitch***

one is obligated, before the Law, in debt

—Lyotard 1990: 3

*Bringing them home, The Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families* concludes that “The Australian practice of Indigenous child removal involved both systematic racial discrimination and genocide as defined by international law” (266).<sup>1</sup> This conclusion raises a number of questions that the Report takes up and contextualises with reference to a developing jurisprudence focused upon the nation’s relationship to its human rights violations. In particular, for the Report, this relationship is central to current Australian debates about, and concerns with, the history of its treatment of Indigenous peoples. Knowing and remembering the violence of the nation’s past, acknowledging, commemorating and so coming to terms with it, is, for the Report, a precondition of national reconciliation.

There is, the Report says, no reconciliation without truth (284). And, in this respect, it is the truth given in testimony to the Inquiry that must be recognised, not repressed, that must be remembered, not forgotten (4). If the violence of the past remains unrecognised, if it is not remembered, then the past does not pass. It remains unsettled and it remains unsettling. It is for this reason that the demand for reconciliation is the demand for a settlement. In the varied metaphors employed by the Report, it is the

demand for a wound to be healed, a damage to be repaired, a debt to be repaid. Separated in itself by the injustice of the policy and the practice of separating Aboriginal and Torres Strait Islander Children from their Families, the nation is thereby enjoined to reconciliation as something like a national atonement, which is always also a national at-one-ment.<sup>2</sup>

This conception of reconciliation as dependent upon a knowledge, a memory, and a truth that would be settled as they are completed, provides the focus for our argument. Even intuitively, shouldn't the knowledge and the memory of 'systematic racial discrimination', and of 'genocide', leave one at least a little unsettled? And couldn't one then discern, in this intuition, the provisional case for a reconciliation that would somehow recognise, and would somehow include, this unsettlement? This possibility is, we will argue, discernible in the Report itself: as its referent may be identified less as that truth which is told in testimony, and more in the "difficulty" and the "distress" which accompanies its telling (3).

Pursuing this contention, we will argue that reconciliation has to be reconceived if it is to be just. The truth of that testimony given to the Inquiry problematises what it would mean to acknowledge, and what it would mean to commemorate, the violence of the past: "Sometimes the past is just too hard to look at" (177). And one must ask, therefore, whether it would be in the interests of an acknowledgment and a commemoration to acknowledge and to commemorate what, for those who have been removed, is too distressing to know and too difficult to remember. One must ask whether the healing to which the Report is committed would consist in the coming to terms with a wound which is, for those who have been removed, exactly that with which they can never come to terms: "It's like a hole in your heart that will never heal" (177).

When "[t]he stolen years that are worth more than any treasure are irrecoverable" (3), wouldn't one's memory serve only to forget that which can only be remembered as what cannot be remembered? Wouldn't an

acknowledgment only fail to acknowledge what, if it is to be acknowledged, must remain unacknowledgeable?

How, then, might it be possible to come to terms with the past, to come to the terms of a reconciliation, and of some kind of settlement, without forgetting?

One must remember. What else can one do if one is to avoid forgetting? One must remember but, we will argue here, one must not forget that there is what cannot be remembered. This is, we will argue, an obligation. It is an obligation to what Jean-Francois Lyotard calls the *immemorial*: to that which can only be remembered as forgotten. And it is an obligation which will, for us, open up another prospect, another promise, of reconciliation: a reconciliation which, whilst forgetting, nevertheless remembers that it forgets..

As the Report attests, the truth given in testimony is not an easy truth to live with. It is not an easy truth to tell. One can hear, one must hear, the struggle in these words. And one must hear, in this struggle, what the Report repeatedly emphasizes: what can only come to language with "great difficulty and much personal distress" (3). With, that is, a reluctance and a pain which marks all of these words, opening them, in what is told, onto that experience which one can only begin to imagine, and to which these words can only begin to do justice. It is according to this difficulty, this forcing of words, that one reads them, one must read them, not as the steady and confident recounting of events but as, at every point, the struggle to squeeze the trauma of experience into some kind of expression.

It is according to this difficulty, this force, that one discerns the resistance of the truth to its telling: a resistance to which the Report attests in its 'reference' to those who did not give testimony to the Inquiry because they "were not ready to speak of their experiences" (21). Truth is the condition of justice, but what is this truth that cannot be told? How, in the terms of the acknowledgment and the commemoration which the Report demands, can it be counted if it has not already been recounted? And how can the

'truth' which resists its telling be accounted for within the terms of that oppositional economy - of recognition and repression, of memory and forgetting - according to which the Report is structured?

This unspeakable violence, this untold suffering, resists these oppositions, disrupting this economy, as that which can neither be added to that truth which has been told nor taken away, as that which can neither be remembered nor forgotten. Untold, its 'truth' is incalculable. But, with it, we will argue, one must calculate (see Derrida 1992: Part I).

This obligation is already familiar if one considers the demand for, and indeed the very role of, compensation as, for the Report, the concretization of a knowledge and a memory of the violations which have been suffered. It is clear enough, and the Report emphasises, that "*no measures can fully compensate for the effects of these violations*" (278, emphasis added). But if the effects of these violations are immeasurable, if, as one discerns here, the suffering is incalculable, then how might one understand the rationale of compensation? How might one understand its "healing power" (278)?

What is at stake here is exactly the acknowledgment of a certain unacknowledgeability: the acknowledgment, in economic terms, not only of a debt, but of a debt that cannot be repaid, of a debt that one cannot settle.

In the absence of compensation, in the absence of any calculation, one would, of course, acknowledge nothing. Not even this debt. One must calculate but if one presumes the adequacy of this calculation, if one presumes that one could acknowledge the full extent of the truth and its suffering, then, in this acknowledgment, one of course fails to acknowledge what is essential to the very nature of this debt. Namely, that it cannot be repaid. One seeks to do justice to this debt, and one seeks, in settling it, to acknowledge and to compensate for it fully. But it is exactly as one supposes the possibility of a comprehensive calculation, facilitating a complete acknowledgment, that a certain injustice is discernible in the

presumption that one has been able to compensate fully, that one has been able to achieve a complete settlement.

One discerns here that this resolution, the supposed clearing of this debt, seeks to foreclose the fact that it cannot be repaid, the fact of its essential unpayability. Such a payment would constitute no more than a pay off: impelled by a memory which sought nothing other than to forget; as if, one might say, an apology was enough. In the injustice of this settlement, one discerns that this memory *ought* to remain unsettling. One must remember. One must calculate. But one must not forget the incalculable and, here, the deficiency of all accounting: “Compensation would help. It doesn’t take the pain away. It doesn’t take the suffering away... But it has to be recognized” (277).

Compensation ‘helps’, it ‘heals’, but not by virtue of its adequacy, nor by virtue of its settlement of the debt, but on the condition that it is - emphatically - not enough. As, that is, it recognizes, not only the debt, but that the debt is not, and cannot be, repaid. ‘In’ compensation, then, it is this ‘not enough’ which is essential and which, moreover, must “be acknowledged as such” (Danieli, 1992: 206). With this ‘not enough’, one can discern that compensation is compensatory only because it does not, it cannot (fully) compensate. It must, therefore, acknowledge its own lack of knowledge, its own lack of compensation, as a debt which always remains to be repaid, which always remains to be settled. And it is only in *this* knowledge, in the explicit inadequacy and in the essential incompleteness of compensation, that compensation can begin to compensate. Concretizing, in the ‘failure’ of its calculation, its own struggle, its own difficulty, compensation betrays the incalculable, the unacknowledgeable, as one discerns, in this betrayal, not only the demand for compensation, but its insatiability.

As compensation must take account of the incalculable, so one can only acknowledge and commemorate the truth to which the Report attests if one takes account of that violence which has not been spoken and that suffering which has not been told. Compensation concretizes the

impossibility of fully compensating. And this is, we suggest, how one must understand the Report's injunction, not just to 'listen' to the words of the testimony that it relays, but to 'understand' it (3).

As one must compensate, so the truth must be told. But, as with compensation, the truth which is told is essential, indeed, it is true, only by virtue of its incompleteness. Because what it says can only begin to be imagined. And because the words it is compelled to use - however terrible they are - can only convey the trauma and the pain which insists upon them by virtue of "the suffering and the courage" which has forced them into language (3). It is this force, this difficulty of expression, which marks each of these words as less than whole, as less than the true expression of that which lies behind them. They can only speak as they struggle haltingly, to tell the whole story, to tell their own story, of what has happened. And it is for this reason that the truth which is told opens onto that which remains untold. It opens onto what it cannot say, onto that experience, that trauma, which does not, which cannot, speak but which, remaining unpoken, can be discerned *in* the presence of these words, *as* the absence of those others. And, finally, beyond every economy, it opens onto that which, as incalculable, inexpressible and immemorial, "persists not so much at the limits but rather at the heart of every representation." (Lyotard 1990: 5).

It is, therefore, as one reads the inadequacy of these words, as one reads 'in' them that trauma which insists upon them, that they inspire "sensitivity and respect" (3). And it is only with this inspiration that one could do justice to (what remains beyond) them, that one could do justice to the untold truth of this suffering and the unspeakable violence that has been suffered. Truth is the condition of justice. But it is the essential incompleteness of this truth which ensures the deficiency of a justice founded upon it and its remembrance.

The problem of historical trauma, as it is posed by the Report, is a problem of coming to terms (Danieli, 1992: 199). One must come to terms. And one must come to the terms in which one might know and remember what



has happened, the terms in which one might re-establish a continuity, re-joining that narrative from which one has become separated. But, as the testimony reproduced in the Report indicates, this going back is simply not possible. These are stories of lost, or rather stolen, time. And, as such, any recovery 'rarely has the meaning of 'going *back* to normal'... as if one could resurrect one's previous (destroyed) fabric of life' (Danieli, 1992: 200). As if, that is, the trauma never happened.

This time cannot simply be recovered, it cannot simply be remembered: the loss is irrecoverable, incalculable, immemorial. And it is according to this incalculability, in testimony, in compensation and in memory, that one must question the possibility of any terms which, recovering this loss, would not lose it as *irrecoverable*. If truth is the condition of justice, how can one tell that truth, the truth of which is that it cannot be told? How, that is, can one remember this history of forgetting, this history of the forgotten?

Doing justice to *this* memory cannot, in this respect, be an attempt to re-instate the memory of that which was once forgotten; for that would be to forget its essential character. It would be to forget it *as* forgotten. As, in the name of reconciliation, the past would be recovered, so this past would, in fact, be re-covered. In the becoming whole, the becoming home, of the nation, *its* wound would have been so healed that it is as if it had never been wounded. As if memory served only to forget.

Against the background of what Jean-Francois Lyotard describes as "a politics of absolute forgetting" (1990: 25) - a politics that might be named here as *terra nullius* - one must remember. One must remember but one must not forget that it is in the nature of the truth which this memory would recover that it is only true if it remains irrecoverable.

It is exactly this irrecoverability which must not be covered up. And this, as we have argued, is an obligation. It is an obligation of memory to the immemorial: to that which "must be remembered as something that never ceases to be forgotten" (1990: 3).

One cannot acknowledge the unacknowledgeable, but one can acknowledge that *there is* what one cannot acknowledge: the fact of the unacknowledgeable. And it is in this knowledge that the promise of reconciliation must be reconceived if it is to (begin to) do justice, if it is to (begin to) be just.

One is obliged 'in' memory to the immemorial. And, as such, one is obliged to the incompleteness of a memory which has to remain incomplete if it is not to forget (again). This obligation is the limit of every economy and it is the limit of a reconciliation that proceeds in the terms of economy. The debt cannot be settled. One cannot atone. One cannot be at one. This settlement cannot be accomplished. "Ordinary memory accomplishes forgetting, covers up the promise. But the promise is not gone, it is always there. It is this always there that must be reserved in the forgetting that conceals it" (Lyotard 1990: 38). The immemorial: reserved *in* memory *as* what remains to be remembered; reserved *in* reconciliation *as* what remains to be settled. This is the promise of reconciliation. And it is always there.

### **Notes**

- <sup>1</sup> References to page numbers only will be to the Report. Thanks to Sarah Pritchard for help with references and materials
- <sup>2</sup> We are indebted to Peter Fitzpatrick for pointing out this etymology.

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