

## The hearing of 'sorry'

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It should, I think, be apparent to all well-meaning people that true reconciliation between the Australian nation and its Indigenous peoples is not achievable in the absence of acknowledgment by the nation of the wrongfulness of the past dispossession, oppression and degradation of the Aboriginal peoples. That is not to say that individual Australians who had no part in what was done in the past should feel or acknowledge personal guilt. It is simply to assert our identity as a nation and the basic fact that national shame, as well as national pride, can and should exist in relation to past acts and omissions, at least when done or made in the name of the community or with the authority of government.

[Former Governor-General Sir William Deane, *Bringing Them Home*, 1996.]

In my view, we have no responsibility to apologise or take ownership for what was done by earlier generations. Our generation cannot take personal or generational responsibility for the actions of earlier ones which in most, but not all cases, were done with the best of intentions. ... Our generation will look back with a sense of shame in some of those outcomes, but we don't own them.

[Opposition Leader Dr Brendan Nelson, 29/11/2007]

It is now ten years since the release of *Bringing Them Home*, the report of the national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families. Prime Minister Rudd now intends to apologise to members of the Stolen Generation, in contrast to former Prime Minister John Howard's response, which the Labor Party has always considered to be inadequate.

On August 26, 1999, after two years' discussion and consideration of the report, Howard brought a motion before the Federal Parliament expressing

deep and sincere regret that indigenous Australians suffered injustices under the practices of past generations, and for the hurt and trauma that many indigenous people continue to feel as a consequence of those practices ...

The motion sought to function as a national affirmation of the grief and sorrow that indigenous people felt about what had been lost. But Howard notoriously stopped short of saying 'sorry', on the view that 'sorry' can only be said by those who were directly responsible for the injustices, and because the practices behind the Stolen Generation were well intentioned.

I have frequently said, and I will say it again today, that present generations of Australians cannot be held accountable, and we should not seek to hold them accountable, for the errors and misdeeds of earlier generations. Nor should we ever forget that many people who were involved in some of the practices which caused hurt and trauma felt at the time that those practices were properly based.

[*Hansard* 26/8/1999 p. 9207]

Eight years later, Dr Nelson holds the same view, and debate rages again over the 'logic' and symbolism of 'sorry'. For distinguished Aboriginal elder Professor Lowitja O'Donoghue, who is also a member of the Stolen Generation, Rudd's actual form of words will be important. 'Don't use apology,' she says. 'We want sorry ... that's what we're saying. We want him to say sorry.'

Why was an expression of regret so inadequate for many indigenous people? What makes it seem imperative for them to hear the word 'sorry'? What is so important about this word? In this extended briefing, we will try to understand why it seems so important for 'sorry' to be heard from the lips of the nation's leader, and we will consider the sticking-points against saying it. We will confine our attention to the issue of the Stolen Generation, although some of what follows may apply to other ways in which white colonials harmed indigenous people.

**1. Irrelevant considerations.** At the outset, we may immediately set aside some ‘red herrings’.

Firstly, this matter cannot simply be consigned to ‘past generations’—an observation made in 1999 by then Opposition Leader Kim Beazley in reply to John Howard’s parliamentary speech. Many of the people removed as children are still alive, as are some of the government officials who removed them.

Secondly, intention never guarantees performance. Whatever good intentions lay behind the practice of forcibly removing children from their families, they do nothing to diminish the tragic outcome. We often hold people accountable for neglect, carelessness, incompetence, poor planning, inadequate knowledge or faulty ideology when they hurt someone. These failures do not absolve people of responsibility and culpability. We may choose not to *punish* them if no malice was intended. We may even *have mercy* upon them, in sympathy with their human weakness and brokenness that we know ourselves to share. But we do not pretend that their actions had nothing to do with whatever went wrong. The good intentions of government officials are only a mitigating factor in their actions. (In any case, the forcible removal of children from their families was not simply the misguided activity of a few well-meaning workers in the field. It was a government sanctioned practice aimed at absorbing aboriginal children into the white population, made possible by state and territory ‘protection’ acts.)

Thirdly, the fact that some Aboriginal people experienced some positive outcomes from these past practices is not very relevant. An issue at stake is the suspicion, prevalent at the time, that Aboriginal parents were inherently poor at parenting their own children. No one would have accepted such a view of white parents, and what was ‘stolen’ was the opportunity of indigenous people to be raised by their own kin. It is incredible that officials were so blind to this basic human need, which would have been integral to their own experience as children and as parents.

**2. The power of repentance.** In Christian thought, ‘repentance’ describes a kind of total capitulation, a complete surrender—a change of mind, heart and practice that completely concedes the wrongfulness of what we once were.

Its foremost instance in the New Testament is to recognise our aversion to the one who made us, and then to honour, trust and follow the Son sent to rescue us. God very beautifully meets such repentance with forgiveness, taking the hurt and pain of our evils upon himself, and granting us a bright new future together in a renewed relationship.

The word ‘sorry’ is, in a sense, the continuation of such repentance into human affairs. Repentance is the recognition that we are such flawed, broken, and self-serving creatures as to deserve the title ‘evil’; and ‘sorry’ states and accepts that we have been like this in various actions at specific moments in our relationships with one another.

But why might people so badly need to *hear* that we are ‘sorry’? Christian thinking suggests that when someone hurts us we experience, in a flash, something of the great preciousness with which God has made us. Our outraged reaction, and our demand for justice, spring finally from our being made in God’s very own ‘image’. We often over-react; we often forget our own injustices against others; but in these moments, we glimpse the same impulse as makes it right and proper for God to hold humans to account for evils against himself.

In the Christian gospel, we see the way repentance and forgiveness is the only known ‘fuel’ by which broken relationships can be empowered into a new future. This truth is writ large in the relationship between God and humanity, and in myriad smaller daily moments when someone says ‘sorry’ and another forgives them.

A kind of confirmation for these Christian claims is evident when we find that various jurisdictions around the world have enacted ‘sorry’ laws that free officials and professionals to apologise for mistakes, injustices and foul-ups. These laws have been based on research data confirming what we all know to be the case: that sometimes, ‘sorry’ is what is needed, and is enough.

Indeed instances of litigation have sometimes been found to decrease where the practice of saying sorry is taken seriously. It is not hard to guess why. Apart from considerations of just compensation, litigation enforces a respect for the victim's God-given preciousness. But 'sorry' gives this same respect more satisfyingly. It also makes possible a renewed relationship with the offender, in a way that no litigation can.

**3. Individuals and collectives.** But all that we have said so far only seems to apply to interpersonal relationships, where one person has hurt another and then apologises. For the Liberal leadership, the story of the Stolen Generation seems more complicated than that: few currently living Australians committed those actions, and the few that did meant well. If 'sorry' is basically individual-to-individual, and if good intentions absolve people of responsibility, then it follows that 'sorry' makes no sense. All that can be done is what Howard did and Nelson still does: to stand alongside indigenous people, weeping with those who weep and mourning with those who mourn.

We have already rejected the argument about intention. But we should acknowledge that the individual-to-individual complaint is very understandable. It is also consistent with a more general liberal perception that 'society' essentially consists of transactions between individuals. On this view, it makes no sense to point to any bigger view of society, where 'society' is also about the life of a past, present and future collective.

Is there any sense in which today's Australians can or should identify with those of another generation? Of course, we already do so. We imaginatively empathise with what Australian soldiers did in two world wars. We are appreciative of their deeds and glad of the benefits they won for us. In relation to the future, we frequently think of ourselves in some kind of solidarity with future generations, who will directly praise or blame us for our decisions and practices in relation to the environment, infrastructure, or economics.

This participation with others is summarised in the name of our country, which is a 'Commonwealth'—the traditional term of description for a group of people who share with each other in the present, and who pass on what is good from a past to a future, to create 'common weal', or common good.

It is neither silly nor fanciful, then, to do something similar with bad decisions and wrong practices from the past. In the wider indigenous debate, the goods our Commonwealth currently enjoys descend in part from the murders, thefts and injustices committed in the past.

Today's Australians are not being asked to say sorry for anything we ourselves have done. We are being asked to say sorry for what our forebears did. But why can we even attempt to say it for them? Because we received the benefits of their actions; we are heirs of their culture; and we are the first in their line of succession to have a terrible dawning awareness of their folly. We are the most obvious bearers of their mantle. While people walk among us who were hurt by them and who need to hear 'sorry', there is no one else than us who *can* say sorry. Lowitja O'Donoghue and others see the nature of this collective participation very clearly, in a way that some white Australians have lost sight of, when they straightforwardly ask for an apology from one collective to another.

Christian people are well-positioned to understand collective participation. The same God who deals with each of us as individuals also addresses us as 'churches' and as 'a people'. We are encouraged to think of ourselves in solidarity with a great 'cloud of witnesses' who have gone before us (Heb. 12:1). Just as we are expected to take our individual relationships seriously, so also are we expected to take the collective nature of God's people seriously. In this way we learn to know ourselves as members of a fellowship, and as 'brothers' and 'sisters' 'in Christ'.

This view enables us to sympathetically affirm the more temporary associations of people, nation and kin that make up human affairs. We are well placed to show individualist Australians that it is not foolish for an Aboriginal person to expect my *community* to accept some kind of connection to what my *communal forebears* did.

**4. The power of representation.** Our participation in a collective is also reflected in our political practice of *representation*. Leaders in a parliament ‘represent’ their people, and act in various ways on their behalf and in their name. We do not often think very much about this political representation, which deserves a fuller treatment than can be given here. (Andrew Errington presents an excellent summary of it in a recent CASE journal; see reference below.)

We imagine that representation is established by our *choice* of an elected leader, who must then *reflect* our wishes. But both claims are only partly true. No leader can or should reflect all their people’s wishes all the time. Prior to our choices, representatives simply emerge from communities. Representatives have always been a straightforward feature of human social function. In Christian thought, they are a gift. The representation by Jesus of his people is God’s gracious gift to them. Community leaders are also gifts from God, called to serve their people.

Why is this esoteric matter of representation relevant to the ‘sorry’ question? Because even if not all the people of Australia agree with Rudd’s apology, in his representative role he speaks authoritatively at least for the *present* Commonwealth. That much John Howard knew. But if we are right to imagine that we are also connected to a *former* Commonwealth, then Rudd may speak of the wrongdoing by officers of that former Commonwealth. Indeed, there is no one else who *can* do so with authority.

The argument we have presented so far is:

1. ‘Sorry’ affirms an individual’s preciousness.
2. People function not just as individuals, but as collectives, which also bear the mantle of their forebears.
3. Representatives act for the whole people (even when they do not all agree), and can speak authoritatively in response to the wrongs (and rights) of our forebears.

These simple facts of human affairs are not lost on Aboriginal people or on the Stolen Generation, and are what drive their call for an apology. Hurt people need to hear ‘sorry’; they can only hear it from the descendants of the offenders; and the representative of those descendants needs to be the one who speaks it.

**5. Final concerns.** A cluster of ancillary concerns tend to muddy the waters in this discussion.

*What about compensation? Won’t ‘sorry’ open the floodgates?* Perhaps the most immediate response should be—‘so what?’ If due to past injustices some of the most disadvantaged Australians benefit from the nation’s record surplus, does it matter? But on further consideration, we might decide that in a complex and broken world, it is wiser to decouple the saying of ‘sorry’ from compensation issues.

That is precisely what jurisdictions have done that have enacted so-called ‘sorry’ laws: officials and professionals are safe to say ‘sorry’ in the knowledge that any litigation will be pursued on the basis of the facts of the case, not on the basis of the word ‘sorry’. To decouple ‘sorry’ from compensation forces us still to deal seriously, in courts and tribunals, with the wrongs committed and with questions of appropriate compensation. A ‘sorry’ delivered in bad faith, with no interest in a proper compensation process, destroys all hope of reconciliation. But true sorrow can enhance the proper negotiation of appropriate redress.

Another response will be to address the economic and social deprivations that created the poverty triggering many childrens’ removal—conditions which, appallingly, still exist today.

*What about forgiveness?* The problem with ‘sorry’ is that whoever says it has no control over the response. We are humiliated, and subjected to the grace and mercy (or not) of the other. We have no grounds upon which to expect or require or demand forgiveness.

Christianity does teach that victims do well to learn from the God who mercifully forgives. But we have to be realistic: it has taken decades to hear ‘sorry’. It may take decades more for the hearers and their communities to say ‘we forgive, and want to go forward with you.’

*Andrew Cameron, Andrew Ford & Lisa Watts, for the Social Issues Executive, Anglican Diocese of Sydney*

## **Sources/Further Reading:**

Brendan Nelson's comments:

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[http://www.humanrights.gov.au/pdf/social\\_justice/bringing\\_them\\_home\\_report.pdf](http://www.humanrights.gov.au/pdf/social_justice/bringing_them_home_report.pdf)

Official Hansard, House of Representatives, 26 August, 1999:

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Lowitja O'Donoghue, 30 November, 2007:

<http://www.crikey.com.au/Politics/20071130-Mean-diminished-and-out-of-touch-Why-wont-Nelson-say-sorry.html>

NSW Ombudsman – Information sheet on Apologies:

<http://www.ombo.nsw.gov.au/publication/PDF/factsheets/Information%20Sheet%20Apologies%20March%202006.pdf>

'Rudd pressured into definite sorry,'

<http://www.abc.net.au/news/stories/2007/11/27/2101961.htm>

Andrew Errington, 'Representation and Good Government,' *CASE Magazine* no. 13 (2007), pp. 9-10. <http://www.case.unsw.edu.au>

*We are very appreciative of some links and leads provided to us by Beth Mickelthwaite, Researcher for the Australian Christian Lobby.*

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