**Impermanent Apologies:**

**On the dynamics of timing and public knowledge in political apology**

Matt James, Jordan Stanger-Ross, and the Landscapes of Injustice Research Collective

DRAFT

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Matt James, Political Science, University of Victoria [mattjame@uvic.ca](mailto:mattjame@uvic.ca)

Jordan Stanger-Ross, History, University of Victoria [jstross@uvic.ca](mailto:jstross@uvic.ca)

**Introduction**

This article offers a new perspective on the relation between public historical knowledge and political apology.[[1]](#footnote-1) Rather than seeing state acknowledgements of wrongdoing as moments of finality or closure that come when the record is complete, we analyze political apologies *within*—indeed in the middle of—broader processes of civic reckoning with historical injustice. We focus on two apologies in Canada that occurred amidst ongoing struggle and inquiry. In these two cases, apologies that had already been given appeared later to be undermined by an expansion in public knowledge; new historical findings and new civic narratives emphasized details and dimensions of causal and political responsibility ignored in the earlier regretful admissions. However, rather than taking as problematic what might seem an unfortunate relation between public knowledge and political apology, we suggest that our cases illuminate key characteristics of political apologies in general. Political apologies, we suggest, tend to occur within longer-run processes in which state admissions of wrongdoing interact dynamically with struggles over public knowledge. Thus, apologies might better be seen as moments within iterative processes of social memory and civic learning rather than their summative ends.

Within the growing scholarship on apologies there is some consensus that the timing of an admission of wrongdoing matters, although this has often been taken for granted, rather than explicitly analyzed. The founding text in the field, Nicholas Tavuchis’s *Mea Culpa* (1991), uses the classical Greek notion of *kairos* to denote the window of felicitous opportunity for apologizing; premature apologies may have their sincerity questioned, while late ones may seem irrelevant, their moment having passed (87-89; also see Smith 2008, 77-78). A more recent treatment by medical scholar Aaron Lazare (2005, 179) deflects concern about tardiness, arguing that, in principle at least, “it is never too late to apologize.” Nevertheless, these authors all treat timing primarily as a matter of chronological distance, that is, as a question of the interval between a malfeasor’s wrongdoing and subsequent apology (or non-apology), or between a victim’s call for acknowledgment and an eventual apology (or non-apology). Our analysis, by contrast, takes a less linear view of the timing of apologies.

The transitional justice literature, which is concerned with the measures and processes used to transform abusive regimes at times of significant change (Teitel 2000), draws the question of historical knowledge into the analysis of timing in political apology. A leading expert in the field, law scholar Ruti Teitel (2006), posits as the gold standard in official regretful utterance the so-called “transitional apology.” A transitional apology comes only after there has been an official governmental investigation, such as a truth commission, into the injustices. Standing upon and in a sense emanating from the official knowledge created by the investigation, the transitional apology morally reorients the polity by stamping the results of prior, state-sanctioned inquiry with the seal of penitent executive approval. Political scientist and transitional justice expert Robert Rotberg (2006) agrees, arguing that the authoritative knowledge and investigative detail bequeathed by truth commissions provide “unimpeachable grounds” (39) for apologies that promote accountability and change.

In the pages that follow, we take an alternative position. The two apologies with which we are concerned differed significantly in their political salience and visibility, as well as in the kinds of inquiry that surrounded them. Nonetheless, we argue that, taken together, they illuminate the dynamic interrelation between state acknowledgements of wrongdoing and broader socio-political processes of engagement with historical injustice. We certainly agree with Tavuchis that the *kairos* of apology matters: apologies can indeed come too soon or too late. We also agree with Teitel and Rotberg that state-mandated inquiry has a crucial role to play in informing political apologies. However, we suggest that the sequencing presumed in their accounts—in which the apology awaits the creation of a robust public record, which it then ratifies and ritualistically encloses—relies upon faulty assumptions about closure and underestimates the dynamic relationship between public knowledge and political apology.

In 2008, Prime Minister Stephen Harper apologized for Canada’s past policy of forcing Native children to attend residential schools. The schools were premised on the supposed inferiority of Indigenous peoples, whom the schools were designed to assimilate. This apology took place when Canada’s Indian Residential Schools Truth and Reconciliation Commission (2008-15) had just begun its inquiries. Seven years later, when the commission reported, it drew upon extensive research, including thousands of statements from residential school survivors. Drawing also on archival research, scholarly literatures, and the commission’s prior engagement with Indigenous communities, the final report situated Canada’s residential schools policy as part of a larger colonial project of cultural genocide. But the 2008 apology had said nothing about genocide, had made no reference to colonialism, and had instead presented the residential schools as products of religious prejudice and cultural disrespect.

In 2013, the City of Vancouver apologized for its complicity and inaction in the 1940s, when Canadians of Japanese descent, including many in the city, were uprooted and interned, dispossessed, and deported, measures which, although undertaken in the name of national security, made no one safer. Coming after predecessor apologies, first from the Canadian federal government in 1988, and later from the province of British Columbia in 2012, the Vancouver statement was not a watershed political moment in Canada. But Vancouver had been a significant actor in the dispossession of Japanese Canadians; subsequent to the apology, a community-engaged research project revealed that city leaders, staff, and resources had played a driving role in the forced sale of Japanese-Canadian-owned property—a role about which the Vancouver apology had been utterly silent. In each of our two cases therefore, the robustness of apology appeared to diminish in the fresh light shed by continued inquiry.

The available literature would seem to encourage us to regard these as examples of faulty apologetic timing, instances of infelicitous *kairos* in which failings of responsibility-taking reflected deficits of prior inquiry. We propose a different reading. Rather than seeing subsequent revelations or new public framings as undermining the significance of earlier, predecessor acknowledgements, we instead argue that the tension between apology and public knowledge is a defining characteristic, rather than a problem to be solved, in political apology. We develop this argument by situating our two cases in the contexts of knowledge production that surrounded each apology. In a concluding section, we explore the implications of our approach for conceptualizing political apologies and for understanding their place in processes of historical justice more broadly.

**Residential Schools, Canada’s 2008 Apology, and the 2008-15 Truth and Reconciliation Commission**

Over the course of the twentieth century, Canada’s residential schools policy (the last school closed in 1996) separated, often forcibly and for years at a time, over 150,000 children from their families (TRC 2015, Miller 1996, Milloy 1999). The schools instructed students that their communities and life-ways were inferior, prevented them from speaking their languages and practicing their spiritualities and cultures, and exposed them to disease-ridden environments with rampant levels of physical and sexual abuse. Although the residential schools were run by Canada’s major Christian denominations, they were mandated, funded, and regulated by the federal government. Long before the 2008 establishment of the TRC, expert reports and survivor narratives (Assembly of First Nations 1994; Claes and Clifton 1998) had indicated that the schools were responsible for a range of intergenerational problems, including family dysfunction, community conflict, poor health, and over-incarceration.

The federal government first addressed residential schooling in response to the 1996 report of the Royal Commission on Aboriginal Peoples (RCAP).[[2]](#footnote-2) RCAP was convened to address mounting Indigenous frustration with Canada’s failure to respect Aboriginal rights, treaties, and lands, a frustration symbolized in the summer of 1990 by the armed standoff between the Canadian military and Kanien'kéha:ka (Mohawk) warriors at Oka, Quebec, which had been prompted by that town’s decision to build a golf course on an unceded burial ground (Coulthard 2014; Simpson and Ladner 2010). RCAP’s core recommendation (Royal Commission on Aboriginal Peoples 1996) was for Canada to commit to a transformative program of nation-to-nation relations, land restitution, and sovereignty-sharing. It also provided a significant research report (chapter 10 in ibid) on residential schools and called in its recommendations for an official residential schools inquiry and apology. Although Ottawa ignored RCAP’s core recommendations on sovereignty and land, it elected to address the matter of residential schooling, which the activism of former students had begun to make a topic of heightened public and media attention.

Canada’s response to RCAP was a document called *Gathering Strength* (Canada 2000); its centrepiece was a “Statement of Reconciliation,” which featured a quasi-apology (James 2008) for the residential schools issued by then Aboriginal Affairs minister, Jane Stewart. The Statement apologized directly for the “tragedy of physical and sexual abuse” at the schools and admitted more broadly that Canada was “burdened by past actions that resulted in weakening the identity of Aboriginal peoples.” But it did not state directly that Ottawa was responsible for these actions, explain how or why they might have happened, acknowledge their continued negative effects, or indeed in any way “say sorry” for them.

Although there is disagreement in the literature, a categorical, authentic, or robust political apology is generally seen as one that identifies rather than euphemizes the wrongdoing that it purports to address, that expresses regret and takes causal and moral responsibility for that wrongdoing, and that does these things with dignity and ceremony (Bagdonas forthcoming; James 2008; Smith 2014). The Statement of Reconciliation fell well short of these requirements, as many Indigenous activists and leaders protested at the time (Barnsley 1998). They insisted that the injustices of residential schooling went beyond physical and sexual abuse, pointing out that the schools had been conceived deliberately as instruments of cultural destruction. They insisted that residential schooling was not just an injustice inflicted on the former students, but that entire communities continued to suffer intergenerationally from a policy that aimed to destroy the fundaments of Indigenous community, identity, and belonging. They insisted also that the Statement of Reconciliation, which was made in the absence of the prime minister in an obscure government meeting room, had severe symbolic limitations.

By 2005, a range of Indigenous organizations, including the Assembly of First Nations (AFN), BC Union of Indian Chiefs, and National Indian Residential School Survivors’ Society, was demanding a more narratively comprehensive and ceremonially robust residential schools apology (Assembly of First Nations 2005; “Native leaders” 2004). One notable contributor to the effort was Phil Fontaine, an Anishnabe leader who served two terms as AFN Chief (1997-2000 and 2006-09), and whose revelations in 1990 of his own residential school abuse sparked others to come forward. Another was Chief Robert Joseph of the Gwawaenuk First Nation, a residential school survivor who played key roles in the British Columbia (BC) and National Residential School Survivors’ Societies and served as Special Advisor to the TRC.

Although Ottawa at first resisted these calls for a more comprehensive response to the residential schools policy, its resolve weakened amidst the growing political and pecuniary pressure stemming from a series of court actions launched by former residential school students (Nagy 2014; Regan 2010; Thielen-Wilson 2014). Starting in the late 1980s, individual survivors of abuse had begun, with varying degrees of success, to demand that their former abusers be criminally charged and convicted. By the late 1990s, thousands of former students had coalesced around class action suits alleging liability on the part of Ottawa and the churches for, in particular, losses of culture, language, and family connection. By certifying these actions, which were unprecedented in Canadian civil litigation at the time, the courts clarified that the claimed wrongs were in principle actionable torts. Fearing what observers predicted could be the largest civil damages awards in Canadian history, Ottawa and the churches concluded a court-mandated settlement with the plaintiffs in 2005. Finalized in 2006, the Indian Residential Schools Settlement Agreement provided lump-sum compensation to all former students, an out-of-court Independent Assessment Process for students seeking compensation for specific abuses, and a TRC that would inquire into all aspects of residential schooling and hold a cross-country series of major public events.[[3]](#footnote-3)

Although the Settlement Agreement did not mandate an apology, it was a key milestone in bringing the federal government and churches closer to accepting the main residential schools narrative stressed collectively by survivors and Indigenous leaders and organizations. This narrative emerged in part from the attack on Canada’s 1998 Statement of Reconciliation; critics urged in particular that, by apologizing only for direct instances of physical and sexual interference with students, the Statement minimized Canadian wrongdoing by presenting as incidental sites of abuse what were in fact manifestations of a state-mandated policy of cultural destruction that was abusive in its very conception. For example, stressing that “people were victimized by a government policy that had an impact on entire communities,” Matthew Coon-Come (in Mofina 2001), AFN Chief from 2000-03 and a noted Cree leader, complained that Ottawa had evaded the “whole question of loss of language, loss of culture.” Similarly, Garnet Angeconeb (2008), an Anishnabe survivor and one of the first former students to make public his experiences of abuse, said that, although he approved initially of the 1998 Statement of Reconciliation, he came later to realize that it “did not look at the broader implications of the policy and how it fit into the government’s assimilationist agenda.” Calling for a more comprehensive apology, he urged that “now is the time for us to be honest with each other” (309-310).

The subsequent class action suits furthered these efforts to transform Canadian understandings of residential schooling in part because they claimed damages for abuses that Ottawa had failed consistently to admit were intentional outcomes of the residential schools policy: language loss, cultural disconnection, and family separation. The 2006 Settlement Agreement addressed these claims with a court-mandated program of blanket compensation for all living former students. Although it was certainly not an admission of guilt, the Agreement clarified that Ottawa and the churches would no longer contest the insistence of the mobilized survivors that the residential schools policy was a deliberate scheme to deprive them of their families, languages, and cultures and that the defendant entities had been causally and morally responsible for that deprivation.

The apology of 11 June 2008 announced and formalized Canada’s acceptance of this understanding.[[4]](#footnote-4) Broadcast live on national television, the 2008 apology was delivered in the House of Commons, was supplemented by separate apologies from the other federal party leaders, and was followed by responses on the House of Commons floor from the leaders of Canada’s main Indigenous organizations. In terms of content, it provided what its quasi-apologetic 1998 predecessor had not: an official sorrowful declaration that residential schooling was a deliberate assault on Indigenous families, cultures, and languages, and that grave individual and intergenerational suffering had been the result.

The 2008 apology was received positively by many Indigenous individuals, spokespeople, and communities. But there were criticisms (e.g. Chrisjohn and Wasacase 2009; Coulthard 2014, 105-109; Henderson and Wakeham 2009). These advanced in a sharper and more focused way a concern that, while certainly present, had been overshadowed by the more widely voiced complaints about the 1998 quasi-apology. As we have seen, the earlier complaints focused, in particular, on the failure of the Statement of Reconciliation to take responsibility for the policy of cultural, familial, and linguistic attack effected by the residential schools. But with these particular battles over responsibility settled, what had once been a minority concern became more widely voiced and evident.[[5]](#footnote-5) This concern was about the broader meaning and import of the policy pursued via the schools. As critics explained, although Harper’s 2008 apology took responsibility for the policy, it was silent about the policy’s underlying, colonial goal: to weaken the ability of Indigenous communities to resist the settler agenda of conquest and exploitation. Viewed in this light, the 2008 apology was less an act of meaningful responsibility-taking than an attempt to efface Canada’s reality as a colonial edifice resting on a history of state-directed dispossession.

These matters were addressed in the TRC’s Final Summary Report (2015), which lent its authority to the settler-colonial interpretation of residential schooling suggested above. The report declared in its very first pages that the policy’s systematic and sustained assault on Indigenous cultural and social reproduction was part of a larger scheme of cultural genocide. In its words: “The Canadian federal government pursued this policy of cultural genocide because it wished to divest itself of its legal and financial obligations to Aboriginal people and gain control over their land and resources. If every Aboriginal person [were assimilated via residential schools], there would be no reserves, no Treaties, and no Aboriginal rights” (3). In what was perhaps a coordinated effort to heighten the finding’s impact, Supreme Court Chief Justice Beverley McLachlin (Fine 2015) called residential schooling a cultural genocide in the week before the release of the Final Summary Report. Although the TRC’s qualifier, “cultural,” was clearly meant to soften its use of the international criminal law term, “genocide” (perhaps because the commission’s mandate barred it from pronouncing on matters of law [James 2010]), the cultural genocide finding also highlighted a key similarity with the main international twentieth-century cases (e.g. Jones 2010). Like the others, Canada had tried to neutralize by destructive means distinctive populations standing in the way of a national campaign of territorial consolidation and racist self-aggrandizement.

Taken in conjunction with the available wisdom on the timing of political apologies, the sequencing of events discussed here raises the question: was the 2008 apology premature? After all, had the apology been delivered after the TRC report, then the cultural genocide finding, as scholars such as Teitel (2006) and Rotberg (2006) might insist, would have been difficult to ignore. There would, at minimum, have been significant impetus for an apology that acknowledged that residential schooling was a politically motivated assault that aimed to destroy self-determining nations by eliminating their social reproductive basis: Indigenous languages, cultures, and family ties. An apology that wrestled with the TRC’s findings might therefore have provided a more useful basis than Harper’s 2008 statement for promoting well informed Canadian discussions about political transition in Indigenous-settler relations and self-determination (Holder 2014).

There is a significant irony in this counter-factual scenario: before offering the 2008 apology, the Harper government had itself insisted on awaiting the conclusions of the TRC (Curry 2007). The Assembly of First Nations and the National Residential School Survivors’ Society rejected the Harper position as an obfuscation tactic. Their sense of urgency was driven by the advanced age of many residential school survivors, which meant that even relatively minor delays would deprive large numbers of former students of the chance ever to receive an official apology (Murphy 2011, 66). Thus, rather than await the report of the TRC, these actors focused on securing a timely official declaration that would at least accept the core charges to which Ottawa had already come close to pleading “no contest” in the Settlement Agreement.[[6]](#footnote-6) It is not our intent or place to question the judgments of Indigenous organizations in these matters; instead, we are interested in the light this case may shed on the conventional wisdom about knowledge, inquiry, and the timing of political apologies.

**The Japanese-Canadian Internment, the 2013 Vancouver Apology, and the Landscapes of Injustice Project**

On 25 September 2013, Mayor Gregor Robertson rose in Vancouver City Council chambers to apologize to Japanese Canadians. In recounting the historical injustice of the 1940s, his resolution, seconded by Councillor Kerry Jang, focused in particular on a city motion of February 1942, in which Vancouver elected officials had called unanimously on the federal government to remove “the enemy alien population from the Pacific coast to central parts of Canada.” On behalf of the Council, Robertson apologized for their civic predecessors, whose 1942 motion had targeted “anyone of Japanese descent without any consideration for place of birth or citizenship.” The apology also noted that Japanese Canadians were unable (due to federal law) to return to coastal BC (including, of course, Vancouver) until 1949.

The mayor began his words by sketching the context for the apology. This context included the 1988 Canadian federal government acknowledgement of wrongdoing, the 2012 BC provincial apology, the conferral in 2012 by the University of British Columbia of retroactive diplomas on students who had been expelled during the internment, various antiracist initiatives then being undertaken by the City, and Vancouver’s designation of 2013-2014 as the “Year of Reconciliation” (Inouye 2016). The mayor then declared that, “the City of Vancouver does hereby take full responsibility for its actions. With humility and respect, the City of Vancouver formally apologizes for its complicity, its inaction, and for failing to protect her residents of Japanese descent.” He resolved further that the City would “do all it can to ensure that such injustices will not happen again to any of its residents, thereby upholding the principles of human rights, justice and equality now and in the future” (Vancouver 2013).

Many among his audience in council chambers that day remembered the events of the 1940s, which they had lived through as children. The uprooting and internment of Japanese Canadians reflected longstanding racism that found new expression at a time of war. Although the large majority (75 percent) of Japanese Canadians were British subjects and over 60 percent had been born in Canada, federal orders-in-council (which, in this case, were cabinet directives passed under the authority of the War Measures Act) required that they carry special registration cards, obey curfews, face restrictions on mobility and communications, and submit to arbitrary searches of their homes.[[7]](#footnote-7) After the government declared Canada’s west coast a “protected area” in January 1942, the 21,460 Japanese Canadians residing there (over 90 percent of the Japanese origin population in Canada) were uprooted. The internment resulted in the separation of families, forced labour for some, and incarceration in prisoner of war camps in northern Ontario for others. Over 12,000 Japanese Canadians were taken by train to live in hastily constructed shacks and abandoned buildings in various parts of the BC interior. Approximately 4,000 were sent to gruelling labour on sugar beet farms in Alberta and Manitoba. Slightly over 1,000 were able to establish so-called self-supporting camps where they paid for the costs of their own internment. Nearly 4,000 wound up being exiled to Japan (Adachi 1976; Sunahara 1981; Roy 2007; Stanger-Ross et al, 2016). Canada maintained the internment until 1949, when restrictions on Japanese Canadians were finally lifted. But by that point, all of their homes, farms, businesses and personal belongings had been sold without their consent.

A diverse population of varied circumstances, Japanese Canadians experienced and responded to internment in heterogeneous ways. Certainly, they had cause for longstanding grievance. In September of 1946, one victim of the policies, Tsurukichi Takemoto, made the case with particular force in a letter to federal officials:

Isn’t the method you’re using like the Nazis? Do you think it is democratic? No! I certainly think you’re just like the Fascists confiscating people’s property, chasing them out of their homes, sending them out to a kind of concentration camp, special registration cards, permits for traveling. Don’t you think this the method used in dictatorship countries[?] Democracy means no racial discrimination, or is it the very opposite[?]

In the years, and then decades, that followed, such individual grievances coalesced into sustained and organized political action, eventually prompting state reckoning with these wrongdoings (Stanger-Ross et. al, 2017; Miki 2004).

The Vancouver apology, in citing its federal and provincial predecessors, acknowledged that it was in some senses late in coming. Most victims of the policies had already died before the City’s “Year of Reconciliation.” A quarter-century earlier, after a protracted campaign led by the National Association of Japanese Canadians (NAJC), the federal government had apologized in 1988. Declaring that “the Government of Canada wrongfully incarcerated, seized the property, and disenfranchised thousands of citizens of Japanese ancestry,” Prime Minister Brian Mulroney offered “to Japanese Canadians the formal and sincere apology of this Parliament for those past injustices against them, against their families, and against their heritage.” In 2012, the British Columbia Minister of Advanced Education, Naomi Yamamoto—who was in an unusual position as both a public representative and a descendant of the Japanese-Canadian victims for whose internment she was now apologizing—expressed the remorse of the BC Legislative Assembly for “the events during the Second World War, when under the authority of the federal War Measures Act, 21,000 Japanese Canadians were incarcerated in internment camps in the interior of British Columbia and had their property seized.” Yamamoto voiced the legislature’s deep regret “that these Canadians were discriminated against simply because they were of Japanese descent” and stressed that “all Canadians regardless of their origins should be welcomed and respected.”

But while Vancouver seemed in this way a latecomer, a different perspective might suggest that its apology came too soon. Like its federal and provincial antecedents, the Vancouver apology was offered without any sustained official inquiry into the relevant wrongdoing. Although the city took “full responsibility for its actions,” officials were only dimly aware of what those actions might have been. The federal and provincial governments had been similarly under-informed. The sole official investigation of the mistreatment of Japanese Canadians, remembered as the Bird Commission, was created in the late 1940s amidst widespread outcry at the dispossession of Japanese Canadians (Royal Commission, 1951). Focused exclusively on the forced sale of Japanese-Canadian-owned property and circumscribed by deliberately narrow terms of reference, the Commission, which reported in 1950, was designed to sweep wrongdoing under the rug; rather than being tasked with exposing the extent of the injustice, its role was to offer modest compensation to Japanese-Canadian property owners for sales that had caused egregious economic harm.

For its part, the 1980s redress campaign had been informed by significant research, including Ken Adachi’s (1979) remarkable book, *The Enemy that Never Was*, and Anne Sunahara’s *The Politics of Racism* (1981). However, the former work was completed despite denial of access to federal records, while the latter represented one researcher’s best, but hardly complete, efforts within a massive state archive—comprised of hundreds of thousands of records—much of which still remained closed at her time of writing. In the course of the redress campaign, the NAJC commissioned an important study by the Price Waterhouse accounting firm into the economic impact of the internment and dispossession, but this too accessed only a limited number of federal government files and a small sample of land title records. Naomi Yamamoto, in representing the province in 2012, spoke movingly of her own family’s history and had conveyed knowledge of research that exposed the pivotal role of federal politicians from BC in the internment policies, but no in-depth research into the province’s role in the internment had then been undertaken. For its part, the Vancouver apology proceeded on the basis of a review of council motions, rather than a fuller examination of the city bureaucracy. The City’s wrongdoing, councillors and community-based consultants assumed, consisted in racist statements and inaction. This turned out to be a significantly mistaken assumption, particularly when it came to the dispossession of property.

As in the case of the residential schools apology of 2008, community activists urged that the City apologize before any more elderly victims of the policy could die. Vivian Wakabayashi Rygnestad (whose father Tadao had been one of three litigants in a 1943 legal challenge to the forced dispossession [Adams et al., 2017]) was among the representatives of the Greater Vancouver Japanese Canadian Citizen’s Association, an NAJC member organization, in negotiations with the city. Urging immediate action, Rygnestad emphasized that she wanted her mother and other community elders to have the opportunity to attend.[[8]](#footnote-8) While some factions within the Japanese-Canadian community urged that the apology be delayed, this was due to an interest in negotiating further concessions from the city, particularly with respect to present-day human rights issues in Vancouver (Masuda 2015). It was certainly not due to any perceived deficit of prior knowledge: city officials and community activists alike believed that the facts of the case were well established.

Within the larger ordeal of Japanese Canadians in the 1940s, the forced sale of property is a distinctive chapter. In January and February of 1942, amidst mounting public and political pressure for the uprooting and internment of Japanese Canadians, property was initially overlooked. The first drafts of Order-in-Council 1665, specifying the administrative aspects of the internment, omitted entirely the question of property (Draft Order in Council 1942).[[9]](#footnote-9) A last minute intervention by a leading administrator brought the question of property to the fore, and then, in just one day, a clause indicating that the government would be vested with the property of Japanese Canadians “as a protective measure only,” was hastily inserted (Taylor 1942; Mackenzie 1942). Subject to immediate criticism, both within the federal government and the Japanese-Canadian community, for vagueness (Read 1942, New Canadian 1942, 1942a), this insertion was further amended at the end of March 1942 to assure property-owners that the federal government would hold their land, homes, businesses, and belongings for the duration of the war, with “the purpose of protecting the interest of the owner” and would “release such property [back to its owners] upon being satisfied that [their] interests . . . will not be prejudiced thereby” (Canada 1942). Thus, the forced sale of property was not one of the measures undertaken to secure the coast in 1942; rather, a protective trust was established (Adams et al., 2017).

However, ten months later (once the Japanese-Canadian population had been interned) Ottawa reversed course. Acting on the basis of a new Order-in-Council (469) of January 1943, federal officials undertook the sale of everything that Japanese Canadians had left behind (Canada 1943). By this point, the furor over the alleged security threat had long passed. No one imagined a threat posed by the seized farms, houses, businesses, or personal belongings that Japanese Canadians had been forced to leave behind. Instead, other considerations encouraged a change in federal policy. These considerations included the interests of other British Columbians in acquiring the property, a scheme to settle returning soldiers on Japanese-Canadian-owned farms, the administrative difficulties of protecting the property of nearly 22,000 people, the mounting costs of the internment (which were to be defrayed by property sales), and the determination of key provincial politicians to exile permanently Japanese Canadians from BC (Sunahara 1981, ch. 8; Stanger-Ross and LoI, 2016). In spring 1943, officials began to solicit offers for hundreds of parcels of real estate and to organize auctions of personal belongings. While Japanese Canadians were credited with the funds realized in the sale of their property, they had no role in setting the (often highly unfavourable) sales terms and no power to refuse to sell. Those in government camps were forced to use the funds to pay for their own sustenance. The material losses of Japanese Canadians as a result of their uprooting and dispossession have been estimated conservatively at $1 billion (NAJC and Price Waterhouse, 1986).[[10]](#footnote-10)

Almost a year after Mayor Robertson voiced the City’s apology, a major research project began the first sustained inquiry into the dispossession of Japanese Canadians. In 2016, it published findings demonstrating that the City of Vancouver played an influential role in the forced sale of Japanese-Canadian-owned property. *Landscapes of Injustice* is a 7-year multi-sector research project funded by a Canadian federal government Social Sciences and Humanities Research Council Partnership Grant to unearth and tell the history of the dispossession of Japanese Canadians. Generously funded ($5.5 million CAD) and employing some 20 researchers every year, the project had the capacity to wade through much of the massive federal record of property loss and to uncover previously unknown details about the process. In 2016, *Landscapes of Injustice* published a paper, “Suspect Properties: The Vancouver Origins of the Forced Sale of Japanese-Canadian-owned Property, WWII,” which argued that the City played an overlooked role in the property losses of Japanese Canadians (Stanger-Ross and *LoI*, 2016). The paper received extensive media coverage and was presented directly to city planning staff and to Councillor Kerry Jang. The resources of the project allowed the paper to link federal to city records and to demonstrate the influence of City initiatives on federal policy decisions in the 1940s. By contrast, the apology of 2013 had been based on a reading of council resolutions that offered no hint of this connection.

“Suspect Properties” made two key and previously unknown claims about City responsibility for Japanese-Canadian losses. First, it argued that Vancouver provided a key rationale for overturning the 1942 federal policy to preserve internee property. This policy had required that Japanese-Canadian-owned property be protected and then returned to its owners after the war. Arguments for the shift to forced sales emerged from an initiative of the Vancouver city government, and its Town Planning Commission (TPC), in particular; this initiative focused federal attention on the historic Japanese-Canadian neighbourhood surrounding Powell Street in the East End of the city. Federal officials then seized upon the arguments of City staff and council, using the condition of a small number of deteriorating ‘‘slum’’ properties as a justification for wholesale dispossession. These arguments drew upon the notion, emphasized earlier by Vancouver voices and sources, that Japanese Canadians had undesirable ways of living in the city and that their real estate was uninhabitable by ‘‘white’’ British Columbians. As these arguments traveled through bureaucratic and political channels, they expanded in scope, ultimately helping to motivate the order-in-council that called for the forced sale of all Japanese-Canadian-owned property in coastal BC. Thus, the federal dispossession measures originated, at least in part, in the City’s argument that “slum” properties could not and should not be preserved. The second claim of “Suspect Properties” was that the Vancouver government, in addition to arguing for forced sales, had used public resources to provide support for its claims. Staff hours expended by the City’s corporate counsel, building inspectors, medical health officers, and electricians provided “evidence” that federal officials then used to justify the move to forced sales. Vancouver’s targeted campaign to inspect and condemn Japanese-Canadian-owned property as “uninhabitable” gave credence to the City’s claim—and thus to the federal claim—that the properties of Japanese Canadians needed to be sold rather than rented to tenants.[[11]](#footnote-11)

In short, *Landscapes of Injustice* showed that the City was not merely culpable for the “inaction” and racist statements averred to in its 2013 apology. Rather, Vancouver had expended civic resources in a campaign to encourage the forced sale of Japanese-Canadian owned property, a campaign that helped in turn to change federal policy, robbing Japanese Canadians of millions of dollars. Therefore, the City’s claim in 2013 that it had taken “full responsibility for its actions”—in an apology that said nothing about its instrumental role in dispossessing Japanese Canadians of their property—was undermined significantly.

It is an irony of the relation between apology and research that previous acts of redress helped to create aproject with potential to reveal the limits of prior acts of responsibility-taking. *Landscapes of Injustice* owed much to the legacies of the 1988 Japanese Canadian Redress Agreement, to subsequent grassroots activism, and to the federal, provincial, and even city internment apologies. The NAJC, the organization that led the redress campaign of the 1980s, and whose long-run viability was strengthened considerably by the terms of the 1988 Redress Agreement, was a formal partner on the project, funding student researchers. The Nikkei National Museum, an NAJC member organization, had a seat on the project’s Executive Committee and helped to direct research and project outputs. In addition to these institutional connections, the project was also shaped by individuals with backgrounds in Japanese-Canadian activism, including Vivian Rygnestad, a key negotiator of the City apology.[[12]](#footnote-12)

In important ways, then, this history of activism, redress, and apologies gave personnel, momentum, and saliency to the Landscapes of Injustice project, whose energies and resources helped in turn to shed new light on the previously unaddressed question of the City of Vancouver’s responsibility. This process of exposure would seem unlikely to end with the City of Vancouver. At the time of writing, the project was undertaking a comprehensive review of provincial records to unearth the role of the province in the dispossession. It was also advancing the additional, separate claim that the federal government’s actions were unlawful in their own terms, rather than being mere examples of unjust law, the previously accepted understanding (Adams et al., 2017).

The point here is not to say that Vancouver should in its 2013 apology have taken responsibility for actions that were only brought subsequently to light by the Landscapes of Injustice project. Indeed, even after these revelations, the path forward remained unclear; Japanese Canadians were divided about the advisability of further reparative negotiation with any order of government about property loss, including the municipal level. Some community members continued to press for restitution by the city, while others believed that a broad project of anti-racist education would be more appropriate (CBC 2016, Miki 2004). It should be unsurprising that Japanese Canadians varied not only in their perspectives on their history with the Canadian state but also in their views on matters of acknowledgement and repair (Sugiman 2013). The present analysis does not intend to intervene in such discussions, which would involve more properly the Japanese-Canadian community and, perhaps, representatives from the relevant government entities. Rather, we seek to gain further understanding of the relations among timing, memory, and apology.

**Discussion and Conclusions**

There are key similarities in the interrelations of apology, timing, and knowledge in our two cases. We argue that these similarities have important implications for scholarship and practice in the areas of political apology in particular and historical justice more generally. But we need also to be mindful of the differences. One difference has to do with the kinds of knowledge and inquiry operative in the two cases. The residential schools policy was the subject of a significant 100-page report prepared for RCAP in 1996. It was then the topic of seven years of formal inquiry by the TRC, which involved the participation of more than 9,000 former residential school students and formal statements from over 6,750 survivors, followed by the commission’s six-volume report of 2015 (TRC 2015, 29-31). By contrast, although the basic outlines of internment are reasonably well known, there has, with the very limited exception of the Bird Commission, been almost nothing in the way of official, state-sanctioned knowledge created about it. The budget and duration of the Landscapes of Injustice project certainly helped to remedy some of this knowledge deficit, but these core differences between the cases—in investigative scope and in the forms of authority underlying the investigations—are likely to remain.

The injustices in the Vancouver case are also of lower political salience and visibility than those pertaining to residential schooling. One reason, easily overlooked, is institutional: historical justice campaigners have generally shown much less interest in targeting junior as opposed to national level governments, which provide terrains of action on which the activist coalitions for and the political payoffs stemming from redress are considerably greater (James 2009). Other differences are demographic and political. The Japanese-Canadian community in Vancouver is relatively small and in some respects not politically mobilized; Indigenous nations in Canada control land bases and governments, and are engaged politically behind a range of pressing, present-day concerns (e.g. Kino-nda-niimi Collective 2014). Whereas residential schooling touches on a host of ongoing, large-scale disputes about Canadian legitimacy and minority self-determination, internment is not similarly implicated, despite some recent scholarly efforts to position it within this frame (Oikawa 2012).

These differences suggest caution in comparison; they certainly indicate the futility of thinking predictively when it comes to shared possible outcomes and trajectories across the two cases. But our comparison does suggest rethinking the available wisdom on the interrelations of timing, knowledge, and apology. To the extent the apology literature addresses timing (Lazare 2005; Smith 2008; Tavuchis 1991), it treats *kairos* as a question of the temporal intervals between wrongful deeds, calls for apology, and regretful words. Transitional justice scholars add to this focus an interestingly suggestive, but, we argue, ultimately problematic proviso about timing; when scholars such as Teitel (2006) and Rotberg (2006) stress that *kairos* in political apology is also a matter of knowledge, they do so to argue that political apologies should be timed to come after, rather than before or during, official inquiries. This sequencing, they judge, promotes factually robust apologies capable of catalyzing meaningful processes of reform and change: so-called transitional apologies.

But if the processes studied in this article are any guide, this kind of rigidity in timing will often be impossible. Victims, survivors, and descendants may not want, or indeed in some cases even be able, to await the informationally perfect institutional moment for apology. Important intervening milestones or occasions, such as Vancouver’s 2013 Year of Reconciliation or the 2006 Indian Residential Schools Settlement Agreement, may create moments of *kairos* of their own. But our point is not merely about pragmatic adaptation to real-world pressures and exigencies. It is that an insistence on sequencing apologies so that they follow conclusive processes of public inquiry would seem to reflect a faulty underlying assumption about what a political apology should be. This assumption is that the apology should necessarily be a one-off event, akin to the verdict in a well-conducted criminal trial, which comes only after all the relevant evidence has been heard and that declares for posterity the community’s understanding of the matter.

The assumption about closure is widely shared. Consider the frustration expressed by Vancouver City Councillor, Kerry Jang, when confronted with the findings from the Landscapes of Injustice project: “I don’t understand what you want from us, another apology?”[[13]](#footnote-13) Interestingly, Jang’s assumption of finality reflects an underlying view of the nature and purpose of political apologies shared by those contemporary critical theorists who view political apologies as neoliberal tools for managing dissent. For example, anthropologist Michel-Rolph Trouillot (2000) scorns apologies as ritualized attempts to cloak oppression and injustice with an aura of pastness, while political scientist Jenny Edkins (2003, 206) declares that they are “made to deflect legal consequences” so that “acceptance of moral responsibility is … the end of the matter.” Moving from academia to right-wing punditry, we see the same assumption on the part of the Canadian journalist, Rex Murphy (2013). Dismayed to realize that Indigenous protest and grievance had continued despite the residential schools apology of 2008, Murphy complained that, “it's hard to believe the apology was made, and accepted. It seems to have completely slipped out of memory.”

If political apologies are meant to impose closure, they have a miserable success rate. For example, anthropologist Bonnie McElhinny (2016) notes that political apologies are often reoffered when the inadequacies of earlier utterances are exposed. Germany (e.g. Lind 2008) and Japan (Weber forthcoming) in relation to their litanies of wartime outrage are perhaps the most widely known cases; Canada with respect to the Komagata Maru incident, High Arctic Inuit Relocation (McElhinny 2016), and, as we have seen in this article, residential schooling and Japanese-Canadian internment, is another. McElhinny adds a second observation that is also germane to our analysis. Not only are political apologies often reoffered, they have also become on the whole more elaborate; they “increasingly tend to include complex historical accounts” (56). The cases analyzed in this article shed further light on the dynamics underlying these trends. Highlighting them may help to loosen the grip of the self-defeating impulse to closure and, in turn, direct us toward more complex perspectives on the interrelations of apology, timing, and knowledge.

The dynamics to which we refer are as follows: acts of historical justice, such as reparation initiatives and political apologies, tend to promote further endeavours of research, activism, and inquiry that unsettle previous enumerations of the relevant “facts” and challenge prior understandings about responsibility. For example, the political mobilization that led to the 1988 Japanese Canadian Redress Agreement stimulated activism and political consciousness around the internment, which then proved instrumental in prompting the Vancouver apology and in inspiring the work of Landscapes of Injustice, which, as we have seen, exposed Vancouver’s hitherto unknown responsibility for the dispossession. Funding provided under the 1988 Agreement also helped sustain the NAJC, which has been a partner and participant helping to drive and orient the Landscapes of Injustice project. Furthermore, the 2013 Vancouver apology itself helped to spur the interest of Landscapes of Injustice researchers in exploring the specifically civic underpinnings of the dispossession. Thus, rather than seeing the Vancouver apology as a case of faulty timing—a failure of closure that could have been prevented by awaiting the appropriately conclusive inquiry—we might better understand it as a contributing instalment in a longer-run process of activism, acknowledgement, and research.

The development of regretful Canadian knowledge about residential schooling began with the activism of survivors, which prompted the RCAP report to include a chapter on residential schools and to recommend a full residential schools inquiry and apology. Although the federal government undoubtedly hoped for closure in its initial quasi-apology of 1998, the Statement of Reconciliation debacle only strengthened the thirst of survivors for justice. One dimension of their ensuing struggle was their insistence that Canada acknowledge not only the physical and sexual abuse that occurred in the schools but the abusive wrongfulness of the whole residential schools policy. The publicity and threats of damages from their class action suits brought Ottawa closer publicly to admitting this point.

The TRC created under the 2006 Settlement Agreement stands in particularly interesting relation to the 2008 apology. The TRC found in its 2015 report that the residential schools policy was part of a settler-colonial project of cultural genocide aimed at dispossessing Indigenous nations of their sovereignty and lands. Thus, viewed from one angle, the 2008 apology was premature and would have been better timed to await the official conclusions of the TRC. Seen differently, however, the apology helped to create a baseline of official civic admission from which the TRC conclusions could be better appreciated and understood. The failures of the exclusive focus on abuse in 1998 helped to focus subsequent debate on the deeply wrongful character of the whole policy. Somewhat similarly, and as numerous critics pointed out at the time, the admission in 2008 that Canada’s residential schools agenda was one of cultural, linguistic, and familial destruction begged further explanation. This eventually came in the official form of the TRC’s cultural genocide finding, which demanded that the Canadian state and citizenry understand the deeper political meaning and import of the cultural assault in residential schools.

Our point is certainly not that the TRC should be regarded as the final word on the matter; the question of genocide, in both international law (MacDonald and Hudson 2012) and sociological terms (Woolford 2015), certainly deserves much deeper engagement from Canadians than it has received. The “final word” approach would also run counter to the perspective we have tried to develop in this article, which emphasizes the necessary dynamism of the relation between apology, inquiry, and public knowledge. Such an emphasis would seem particularly important in cases of long-run structural injustice. Consider the complexity of the struggles over residential schooling, which confronted the persistent evasion and denial of the Canadian state under the shadow of massive power imbalances between settler colonialism’s victims and beneficiaries. Amidst these difficulties and complexities can it truly be said that there was some proper moment of full civic understanding that could consensually have been identified as the occasion for a definitive, one-time-only apology? Instead, our cases are both ones in which inadequate reparative acts, official and unofficial investigative processes, and community struggles for justice all combined to build slowly toward more adequate public understandings of injustice.

The apparent implication beyond these cases is that campaigns for historical justice are disposed to interact with official responses and various enterprises of inquiry in iterative and recursive ways. Far from imposing closure, acts of redress and apology can help to focus and deepen subsequent research and inquiry, just as the inadequacies and omissions of these acts may help to fuel further struggles. Either type of result will provide opportunities for unearthing new facts or for establishing high profile reinterpretations of facts already known. Except perhaps in cases where the state represses redress campaigns overtly, or refuses to engage with them at all, it seems reasonable to assume that these kinds of interaction will often characterize historical justice politics. Activism helps to mobilize communities and to create settlements that provide resources which, either directly or indirectly, help to create new knowledge or to spread knowledge that has been hitherto buried or denied: hence, our perspective on political apologies. Widely imagined by practitioners, academic experts, and critics alike as capstones of finality that seal and summate public knowledge about gross wrongdoing, they are better understood as complexly embedded in longer-term processes of activism, response, and research that may encourage, not closure, but even the unravelling of earlier acknowledgments themselves.

This argument reads political apologies as more akin than previously imagined to critical understandings of other commemorative acts. For example, in his foundational analysis of historical monuments across three continents, *The Texture of Memory*, cultural theorist and Holocaust scholar James Young writes that “time mocks the rigidity of [historical] monuments, the presumptuous claim that in its materiality a monument can be regarded as eternally true, a fixed star in the constellation of collective memory.” As an alternative—and in admission of the impossibility of fixing the past in place—Young proposes the “countermonument,” which embraces impermanence and the “contingency of all meaning and memory” (1993, 47-48). Modern curatorial practices in museums and cognate institutions are premised similarly on the observation that the exhibit is “a public site and an event, rather than a static text divorced from historical legacies and real world struggles” (Butler and Lehrer 2016, 5). State apologies should also be understood as contributing participants in the dynamic and ongoing politics of social memory. The ideas of finality, closure, and the linear relation between inquiry and apology would be welcome casualties of this understanding.

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1. Thanks to Kiera Ladner and Rosemary Nagy for helpful comments on an earlier draft of this paper. [↑](#footnote-ref-1)
2. The following account of Canada’s residential schools apologies draws on Matt James, “Narrative Robustness, Post-Apology Conduct, and Canada’s 1998 and 2008 Residential Schools Apologies,” forthcoming in *Palgrave Handbook of State-Sponsored History after 1945*, ed. Berber Bevernage and Nico Wouters. [↑](#footnote-ref-2)
3. The Settlement Agreement and supporting materials are available at <http://www.residentialschoolsettlement.ca/english_index.html>. [↑](#footnote-ref-3)
4. The text is at <https://www.aadnc-aandc.gc.ca/eng/1100100015644/1100100015649>; a video is at <https://www.youtube.com/watch?v=e72Z-XGk7Jc>. [↑](#footnote-ref-4)
5. An early example is Marilyn Buffalo of the Cree nation and then President of the Native Women’s Association of Canada; she responded almost immediately to the 1998 statement, criticizing the “men [who] accepted this apology without asking the rest of us” and calling the residential schools policy a “crime of genocide … covered up for decades.” Quoted in Canadian Alliance in Solidarity with the Native Peoples (1998). [↑](#footnote-ref-5)
6. Indeed, the substance of the 2008 apology cleaved closely to the demands outlined by the NRSSS in an open letter to the prime minister on 3 June, 2008, <http://www.newswire.ca/news-releases/apology-to-indian-residential-school-survivors---open-letter-from-ted-quewezance-to-the-prime-minister-536190761.html>. [↑](#footnote-ref-6)
7. The War Measures Act, in force from 1939 to 1945, empowered the federal Cabinet to pass laws as Orders-in-Council, without the approval of the legislature. Similar powers were extended after the war as the federal government steered demobilization. The uprooting, internment, dispossession, and deportation of Japanese Canadians—along with dozens of other policies regulating their lives (and those of other Canadians)—were enacted as orders-in-council. For a useful discussion of the War Measures Act and Japanese-Canadian challenges to their treatment during the 1940s, see Izumi (2000). [↑](#footnote-ref-7)
8. Author correspondence with Vivian Rygnestad, May 2017. [↑](#footnote-ref-8)
9. Prior to this point, selected forms of property had been seized and, in some cases, sold by the federal government, most notably fishing vessels (see Stanger-Ross, 2014). Order-in-Council 1665 was the first to take into consideration all of the property of uprooted Japanese Canadians. [↑](#footnote-ref-9)
10. Dollar amount converted to 2017 dollars (CAD). [↑](#footnote-ref-10)
11. As noted above, these were important, but not the exclusive, origins of the policy. [↑](#footnote-ref-11)
12. Among its lead academic investigators, two (Pamela Sugiman and Audrey Kobayashi) previously held positions in the NAJC and one (Kobayashi) was actively engaged in the Redress movement. Co-applicants in elementary and secondary education (Greg Miyanaga and Michael Perry-Wittingham) began working in Japanese-Canadian history by developing teaching resources on internment and redress. The original Chair of the project’s Community Council, Art Miki, was the NAJC President in 1988 and signed the Redress agreement on behalf of the organization. The subsequent Council Chair was Vivian Rygnestad. Mary Kitigawa, also a key advisor, campaigned for UBC’s reconciliation with its expelled Japanese-Canadian students. [↑](#footnote-ref-12)
13. Meeting, January 15, 2016. [↑](#footnote-ref-13)