"To Apologize or Not to Apologize?": Historical Facts and Political Claims in Australia and the United States

Prof. Melissa Nobles
Department of Political Science
M.I.T.
mnobles@mit.edu

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Introduction

Over the past thirty years, the conventional views of Australian history and American history, especially, the histories of slavery, the Civil War, and Jim Crow segregation, have changed significantly. Political claims have also changed in ways that both draw upon the new histories and that push a critical rewriting of history forward. Today, as in the past, political claims are intimately bound up with the writing and rewriting of historical narratives. Indeed, there is an interactive relationship between the two: historical narratives justify certain political outcomes and/or influence political action *and* political interests animate historical inquiry. This is not to suggest, however, that historical writing is entirely reducible to political interests, unbounded by any regard for substantiated facts or truthfulness. Nor is it to suggest that historical narratives are disconnected from political interests and concerns. The claim, rather, is modest and unobjectionable: historical narratives matter to the coherence and force of political claims and vice versa.

This paper analyzes the interactive effects between historical narratives and political claims in the cases of Australia and the United States. It examines both the conventional and revisionist views of history, identifying the actors and political claims that these views support and undermine. The paper also questions the common assumption (and expectation) that revised, more truthful, histories will lead to a shared, nearly indisputable, understanding of appropriate responses. Indeed, the demands for apologies and reparations in both Australia and the United States are partly based on this assumption. Yet, the "new histories" themselves require both interpretations: what do

they mean? and consideration of whether and how they do and/or should bear on the perceptions and direction of national political life. Indeed, apologies are desired and resisted, in part, because they endorse a particular interpretation of history and understanding of what history now requires and because they imply a particular course of political action.

Australia

Conventional Views of Australian History

In the late 1960s, commenting on the work of Australia's historians, noted anthropologist W.E.H Stanner accused them of leading " a cult of forgetfulness practiced on a national scale."[1] Stanner's accusation implies not mere forgetfulness, but also distortion and indifference, born of incomplete accounts and benign, typically self-serving, interpretations. From the early nineteenth-century until the 1970s, Australian academic historians, anthropologists, and public figures produced a historical narrative that both dominated popular understandings of the past, and that provided and directed rationales for state policy and legal decisions.

On the conventional view, British colonization was a benign process that proceeded with minimum resistance from Aboriginal Australians. Australian settlement was relatively peaceful; settlers did not engage in wanton violence in obtaining lands and Aboriginals did not violently resist white settlement. Further, the view is that Aboriginal societies, disorganized, disunited, and pagan, were overrun by the culturally and technologically superior christian British. As historians judged that Aboriginal people

[1] Bain Attwood, "Aboriginal History," Australian Journal of Politics and History, 41 (1995), p.33.

had played a minimal role at the time of settlement, they also wrote that Aboriginals[2] were entirely marginal to Australia's subsequent political, legal, economic, and social development.

University scholarship, public school textbooks, and eventually government documents were the principal educative means of promulgating these views. However, by the 1950s, government documents emphasized successful assimilation, rather than gradual death or an acceptable invisibility.[3] It is important to note here that academic historiography and government documents necessarily took different, if connected, paths. Government documents were (and are) used to inform and to justify specific state policies. Historical inquiry was (and is) driven largely, though not exclusively, by intellectual interests and professional incentives. A fuller, more critical view of Aboriginal and European contact and deeper, more empathetic understandings of Aboriginal cultures did not ensure professional advancement. Nor were such critical inquiries or empathetic understandings highly valued as intellectual pursuits.

Not surprisingly, Aboriginal publications of the twentieth and now twenty-first centuries offer views that are directly at odds with standard historical narratives.[4] They emphasize dispossession, oppression, and discrimination, which are all judged as wrong

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[2] I use the term "aboriginals" rather than "aborigines," in keeping with my observations of current usage. The term "aborigine(s)" has fallen largely (although not entirely) out of favor, as it is closely associated with certain discredited anthropological writings.

[3] In 1957 the Federal Minister of Territories commissioned the first of what became a distinctive series of government educational publications about Aborigines. *Our Aborigines*, a thirty-two page booklet with photographs was issued. . .It was followed by *Assimilation of Our Aborigines* (1958), *Fringe Dwellers* (1959), *The Skills of Our Aborigines* (1960), *One People* (1961) and *The Aborigines and You* (1963). Steve Mickler, The Myth of Privilege: Aboriginal Status, Media Visions, Public Ideas (Western Australia: Fremantle Arts Centre Press, 1998), pp.94-96.

[4] With the exception of the 1836-1837 publication of *The Aboriginal or Flinders Island Chronicle*, there are no known Aboriginal publications in the nineteenth century. Michael Rose (ed.), For the Record: 160 Years of Aboriginal Print Journalism (New South Wales, Australia: Allen & Unwin, 1996), p.xxix.

and unjustified. They stress the deleterious effects of this subordination on individual and collective Aboriginal welfare. Finally, these publications celebrate Aboriginal cultures, languages, and traditions as vibrant and living, and not as static and dead. The majority of these publications were or are now the products of organizations that are Aboriginal focused, if not always run by Aboriginals alone. Beginning in 1938, the Aborigines Progressive Association produced six editions of the *Abo Call* between April and September 1938. There were no Aboriginal publications in the 1940s and few in the 1950s. Since the 1960s, Aboriginal controlled newspapers and magazines have been more numerous and more various in their size, quality, frequency and longevity. As stated, these publications have been largely concerned with advancing Aboriginal interests, which before 1967 meant advocating for alterations of the federal (commonwealth) constitution that would make Aboriginal citizenship politically meaningful. Since the 1970s, these periodicals address a range of political, economic, social and cultural issues and interests.

Winners, Losers and the Stakes tied to Conventional Narratives

The conventional narratives were dominant, most obviously, because they helped to justify white settlement, and to influence, at times, policy formulation and direction. Yet, in their silences, the narratives conveyed, however unintentionally, a certain truthfulness insofar as Aboriginal people were most frequently subjected to actions beyond their control and denied meaningful exercise of individual and collective agency. Their experience was, in important ways, central to Australian development and rendered

invisible at the same time. The winners in and the beneficiaries of the narratives have been white Australians, and the losers, Aboriginals.

Symbolic and material goods and political arrangements are tied to and buttressed by the traditional accounts. On the symbolic side, Australian national identity and collective self-perception rest on the celebration of a democratic country, forged nobly by Britain's cast-offs; it being founded originally as a penal colony. They attach great value to the Australian notion of "a fair go,:" That everyone has a fair chance in his/her individual and collective pursuits. There is little room or incentive, then, for seeing the settlers and their actions as less than noble. The treatment of Aboriginal Australians does not, in any way, vitiate or sully Australian self-perceptions of being a "fair go" people.[5] Traditional narratives not only identify Aboriginal Australians as outsiders to the national community, but justify their exclusion by pointing to a supposed cultural and racial inferiority.

The claims of white Australians to the land and the foundations of Australian jurisprudence have been consistent with and supported by traditional views. That is, the issue of land ownership was essentially decided by conquest and settlement. Australian jurisprudence from 1788 until the monumental 1992 High Court decision (*Mabo vs. Queensland*) presumed Australia to be an empty land (*Terra Nullius*) as far as Aboriginal rights to ownership were concerned. British settlement had itself extinguished all native land claims. Subsequent historiography, over generations, did little to challenge this view. Historians did not question the reasoning and proof upon

[5] Indeed, commenting on the most recent flare-up of the history battles, the Australian historian David Day said: "It's about the legitimacy of our occupation. We have this idea of ourselves as mates, citizens, and yet the reality of our history is very different: of a people who are always

which the British Crown based its ruling; that the land was sparsely populated; that Aboriginal peoples had no form of government with whom the Crown officers could negotiate, or that Aboriginal peoples possessed no system of land ownership. Further, historians and anthropologists, while sometimes probing Aboriginal notions of land ownership, did not ever take subsequent Aboriginal claims of dispossession seriously, or more precisely, seriously enough to dispute government , private, or commercial claims.

Finally, historical narratives and anthropological writings contributed significantly to the view that Aboriginal traditions, and even Aboriginal peoples themselves, were disappearing either through death or eventual assimilation, thereby making Aboriginal political autonomy impossible. Australians would not ever be compelled to fundamentally reorder Australian governance, in order to recognize and accommodate Aboriginal autonomy. Or, to take Aboriginals seriously, at all.

Political Change and "New Histories"

In the late 1960s and early 1970s, Australian historical narratives began to change, for several intertwined reasons. First, both Aboriginal mobilization and white interest in and support of Aboriginal claims increased. For example, in 1967, after widespread outreach and mobilization, Australians approved in a national referendum (known famously as the 1967 Referendum) reforms of the two federal constitutional clauses that referred to Aboriginal people: Aboriginal Australians were thereafter included in the national census and the federal government was thereafter "authorized to

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ready to go to war and have claimed the place largely through conquest." *The Guardian* (London), 17 January 2003.

enter the jurisdiction of the states to make laws relating to the Aboriginal population."[6] Second, greater mobilization and coalition-building were affected by larger international developments, most notably, the Vietnam War, decolonization in Africa and Asia, and the U.S. Civil Rights movement. Third, a new generation of scholars, many future "new historians," were beginning their professional careers in a charged political and social atmosphere. Aboriginal people were also involved, through their deliberate efforts to tell their own personal histories (largely through published memoirs) and to document collective histories and traditions. As noted, numerous English-language Aboriginal publications were launched in the 1960s and 1970s. The persons involved were usually not professional historians. Nonetheless, white historians incorporated Aboriginal documents, oral histories, etc., into their scholarship.

The new histories turned much of the old history on its head, using new sources and reinterpreting old ones.[7] (I mean here to suggest the new histories displaced, but did not replace the traditional views.) On these new views, most Aboriginal peoples were dispossessed of their lands, although certain Aboriginal communities continue to occupy ancestral lands, based on community – derived rules of ownership. Settlement should not be understood as a single and even process, but rather as a local and varied one. Settlement was also not relatively peaceful, but violent. Scholars have reconceptualized the conflict between Aboriginals and settlers as a "war" and the

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[6] Christine Fletcher, "Federalism and Indigenous Peoples in Australia," in Government Policies and Ethnic Relations in Asia and the Pacific, ed. Michael E. Brown Sumit Ganguly (Cambridge, Mass: MIT Press, 1997), p.409.

[7] For example, see Henry Reynolds, Frontier, (New South Wales, Australia: Allen & Unwin, 1987); Henry Reynolds, Aboriginal Sovereignty: Reflections on race, state and nation, (New South Wales, Australia: Allen & Unwin, 1996); Russell McGregor, Imagined Destinies: Aboriginal Australians and the Doomed Race Theory, 1880-1939 (Melbourne University Press,

Aboriginal response as "resistance." Some have described the conflict as "genocidal." (Others decry this characterization as an exaggeration.)[8] Finally, these new histories emphasize the dynamism of Aboriginal societies and life. That is, while aboriginal cultures were, in fundamental ways, irreversibly changed with settlement, the cultures today are complex, varied, and alive. Historians and anthropologists, then, are now involved in writing a "living history." Anthropologists are rehabilitated on these new views as their deeper knowledge about and new interpretations of Aboriginal cultures are now judged beneficial.

From Margin to Center: New Histories and New Claims

Just as conventional narratives both buttressed and reflected certain political claims, so do the new histories. Most significant in this regard is the influence of the new narrative's basic ideas of "violent conflict" and subsequent "dispossession," thereby lending legitimacy to the idea of prior possession. Aboriginal Australians have long believed themselves to be the rightful owners, if not possessors, of the land. As already discussed, their views and beliefs were largely disregarded by government institutions, commercial interests, and citizens. However, the High Court's 1992 *Mabo vs. Queensland* decision, which effectively overturned the *Terra Nullius* doctrine, drew directly from and indeed cited new historical thinking and writing.[9] (In the decision, the Court ruled that Aboriginal title could not be considered extinguished on Crown lands as long as Aboriginals could prove "native title;" that is, their continuous use, ownership,

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1997); Heather Goodall, Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770-1972 (New South Wales, Australia: Allen & Unwin, 1996).

[8] Bain Attwood, p.34.

or occupation of the land.) Native title claims in general have been strengthened by this scholarship insofar as it helps lawyers to meet the evidentiary standards required by Native title (*Wik*) legislation, drafted subsequent to and as a consequence of the *Mabo* decision. [10]

Moreover, the new histories have fortified Aboriginal demands for a rethinking of the boundaries and terms of membership in Australia's political community. Pointing to new scholarship, Aboriginal activists (and their supporters) can argue that their exclusion and subordination are as central to Australian political, constitutional, and economic development as the activities of society's insiders. For example, the Australian Constitution has provided only a guarantee of subjecthood to the queen, the rights of citizenship being conferred through state-level laws and bureaucratic procedures. A constitutional clause that prevented the Australian parliament from making "special laws" for Aboriginals left full authority to the states to determine in what ways they would be included or excluded from the benefits of citizenship. In effect, Aborigines had the status of aliens on their own soil. Although they were technically British subjects (like immigrants from other parts of the British Empire), state laws that differently distributed rights and benefits to immigrants, according to racial/ethnic categories, always excluded Aborigines. Indeed, in an authoritative study, John Chesterman and Brian Galligan argue that the desire to grant states the power of exclusion was the main reason for the absence of a positive formulation of citizenship in

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[9] Mark McKenna, "Different Perspectives on Black Armband History," Parliament of Australia, Parliamentary Library, Research Paper# 5, 1997-98.

[10] M.A. Stephenson, ed. Mabo: The Native Title Legislation: A Legislative Response to the High Court's Decision, (University of Queensland Press, 1995); Frank Brennan, The *Wik* Debate: Its impact on Aborigines, Pastoralists and Miners, (UNSW Press, 1998).

the Commonwealth Constitution. [11] The only group that white settlers desired to exclude completely from the new polity were Aboriginals. Moreover, state-level Aboriginal Boards and Reserves were key sites of state development and entrenchment. These boards also provided jobs to many white Australians and extended state control and administration into remote reaches of the country as the Government confined Aboriginals to reserves. Finally, Aboriginals provided labor in pastoral and "bêche-de-mer" industries in northern Australia. In short, the new historical narratives move the presence of Aboriginals to the center of Australian history and contemporary political life. Needless to say, a minority group as small as Aboriginals - they are approximately 2% of Australia's 19 million - benefits greatly (indeed depends upon) the majority's seeming toleration, if not full acceptance, of historical narratives and contemporary claims that put the minority group at the center.

History and Official Apologies

The Australian government was drawn into the battles between old and new histories in the late 1980s and 1990s, beginning with the 1988 bicentenary, followed by the *Mabo* decision and *Wik* legislation up to the present with the government report on its policy of forcibly removing Aboriginal children from their parents' care (Bringing Them Home report[12]) and the establishment of the "Reconciliation Australia" council. By drawn into, I refer to the various ways in which the federal and state governments

[11] John Chesterman and Brian Galligan, Citizens without Rights: Aborigines and Australian Citizenship (New York; Cambridge University Press, 1997).

[12] Known formally as Bringing Them Home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families (May 1997). In 1993, Prime Minister Paul Keating (of the Party and predecessor to the Liberal Party's John Howard) impaneled the

have both responded to the history battles and contributed to them directly by producing their own historical texts (e.g. Bringing them Home).

The apology issue arose most directly out of the May 1997 Bringing Them Home report and less directly out of larger public controversies about Australian history itself. The report made 54 recommendations, each with subrecommendations, and called for monetary compensation and apology. The apologies were to come from each of Australia's state governments and their police forces, the Commonwealth Parliament, and churches. Prime Minister John Howard steadfastly refuses to apologize on behalf of the Commonwealth government, although all of the state governments have apologized.

For the purposes of this paper, what is most important are Howard's reasons for refusing to apologize, which rest in his views of Australian history and how it should be interpreted. Even before his 1996 election, Howard had spoken out repeatedly and forcefully about his opposition to the "Black Armband View" of Australian history. That is, a view that presents that country's history, in Howard's words, as little more "than a disgraceful record of imperialism, exploitation and racism."[13] The Bringing Them Home report seemed more of the same. An apology, then, would seem to plainly endorse the "black arm band" view.

Yet, Howard does not simplistically embrace the traditional historical narratives. Nor does he disagree with the new history's most basic and general point: that white Australians treated Aboriginal Australians badly and unjustly. (In his words, "Now of

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government's Human Rights and Equal Opportunity Commission to conduct an investigation and submit a report of its finding to Parliament.

[13] "Opening Ceremony Speech – The Prime Minister," Council for Aboriginal Reconciliation Convention, May 26, 1997.

course we treated Aborigines very, very badly in the past . . .) However, although Howard acknowledges past wrongdoing, in his judgment, the acknowledgment of such wrongdoing requires neither an apology nor does it obligate the state to compensate for past actions. Rather, he regards the proper remedy one that "commits to a practical program of action" and not one that "apportions blame and guilt for historic wrongs." In short, the laying out of a fuller, although still contested, and more honest historical narrative does not mean that an apology will necessarily or easily follow. Indeed, an apology endorses a particular interpretation of past events and their meanings. There are, of course, many, and often conflicting, motivations that shape how a person interprets the facts. My point here is simply that presenting "just" the historical facts, even more truthful ones, cannot and will not do it all.

The United States: Slavery and Segregation

"The Lost Cause" as Southern History

In an August 2001 article about the slavery reparations debate, historian David Brion Davis wrote, "The United States is only now beginning to recover from the Confederacy's ideological victory after the Civil War."[14] The ideology of the "Lost Cause" has, to a great extent, influenced not only Southern historiography but American historiography about and popular understandings of the region. The "Lost Cause" narrative is comprised of the following key tenets:

- The Civil War was not over slavery, but over defending the rights of southern states (i.e. States' rights).

[14] David Brion Davis, "The Enduring Legacy of the South's Civil War Victory," The New York Times, Sunday August 26, 2001, Section 4, p.1

- Slavery was not such a bad institution of labor. It was more humane than the "wage slavery" of northern cities. Moreover, it was not bad, but beneficial, because it perfectly reflected God's racial order. Blacks were happy as slaves not only because they were well-treated but because being slaves was their natural station. Similarly, whites were kind masters, faithfully exercising the role God had assigned them.
- The south was victimized by the North (and especially Northern Republicans) in the form of Reconstruction. When white supremacy was finally reconstituted in southern states with Reconstruction's termination in 1877, it was referred to as the "redemption."
- White Southern men fought heroically and honorably to defend their civilization and way of life against Northern aggression and hegemony.
- The South was defeated only by the north's overpowering industrial might and not because of Confederate cowardice or poor strategizing.

Historian David Blight describes the advocates of the "Lost Cause" as a movement. It included high-ranking officers and political leaders of the confederacy, confederate veteran and women's associations (The United Confederate Veterans – UCV and the United Daughters of the Confederacy – UDC), respectively, and regional and state historical associations. The earliest "Lost Cause" writings appeared immediately after the war, with the publication of Edward Pollard's *The Lost Cause* (1866), which promised "that what the South had lost on battlefields it would carry on in a 'war of ideas.'"[15] It was a war, in part, because the North could not be trusted to tell the story of the war truthfully. The Southern History Society, established in 1869, dedicated itself at the outset to collecting, preserving, and disseminating the confederate side of the story. [16]

The "Lost Cause" ideology emerged and spread sequentially. Blight identifies the late 1860s – late 1880s as the formative years of the ideology itself, what he terms the "diehard era." Confederate President Jefferson Davis' memoir was published in 1881

[15] David Blight, Race and Reunion: The Civil War in American Memory, (Cambridge, MA: Harvard University Press, 2001), p.260.
[16] Blight,p.261.

and as mentioned, the Southern Historical society was established in 1869. In the 1890s, the Confederate Veterans and Daughters of the Confederacy Associations took over the "Lost Cause," to great effect into the early twentieth century. The UDC were especially effective at getting Confederate monuments built, "lobbying [state] legislatures, and Congress for the reburial of the Confederate dead, and working to shape the content of history books." [17] Although many "Lost Cause" cultural practices and rituals were abandoned in the early twentieth-century[18], certain "Lost Cause" tenets persist today, in different versions and with unequal force. For example, the assertion that the south was not fighting the war in order to preserve slavery has been especially enduring, despite clear evidence to the contrary.[19]

The Lost Cause and the Cause that Won

White Southerners successfully wrote a history of the Civil War and its aftermath that recast the South's defeat as not merely a military defeat, but also as a noble cause, honorably defended and heroically lost. The white South also won the reconstitution of its political, economic, and social supremacy over black southerners until the mid-twentieth century. The federal government largely abandoned southern blacks, with Reconstruction's end in 1877. The 14th (equal protection) and 15th amendments (right to vote) were, by the end of the nineteenth century, dead letters in the South for the next 80 years. Southern whites locked blacks in an economic system

[17] Blight,p.273.
[18] Gaines M. Foster, Ghosts of the Confederacy: Defeat, The Lost Cause, and the Emergence of the New South, 1865-1913 (New York: Oxford University Press, 1987).
[19] See, for example, Charles B. Dew, Apostles of Disunion: Southern Secession Commissioners and the Causes of the Civil War, (University Press of Virginia, 2001).

of debt peonage, denied them political rights, established a rigid legal caste system, and subjected blacks to extra-legal violence of an extreme nature. [20]

In certain ways, American historiography, at least until the mid-twentieth century, paralleled the Federal government's abandonment. Non-southern white historians rarely challenged "Lost Cause" historical claims in serious ways. Black historians and journalists did. However, their work was largely ignored by white academics. As importantly, non-Southern white historians made little effort to integrate Southern history into the history of national development. Instead, the South was usually presented almost as a "foreign place," oddly and tragically out of step with the rest of the country. Obscured, of course, were the fundamental ways in which national and southern politics and economies were linked and the ways in which de facto segregation and discrimination thrived in the rest of the country.

New Histories and New Claims

American historiography is markedly more inclusive and wide-ranging in its subject matter and the historical profession itself is more racially and ethnically diverse. Many of these changes resulted from larger post-War II political and social transformations, most notably, the Civil Rights movement. Demographic changes in the post-World War II era help to explain the shift to social history. For example, the

[20] As historian Leon Litwack writes, "The quality of the racial violence that gripped the South made it distinctive in this nation's history. In the late nineteenth and early twentieth century, two or three black southerners were hanged, burned at the stake, or quietly murdered every week. In the 1890s, lynchings claimed an average of 139 lives each year, 75 percent of them black. The numbers declined in the following decades, but the percentage of black victims rose to 90 percent. Between 1882 and 1968, an estimated 4,742 blacks met their deaths at the hands of lynch mobs. As many if not more blacks were victims of legal lynchings (speedy trials and executions), private white violence and "nigger hunts," murdered by a variety of means in isololated rural sections and dumped into rivers and creeks." Leon F. Litwack, "Hellhounds" in James Allen, et al, Without Sanctuary: Lynching Photography in America, (Twin Palms Publishers, 2000), p.12.

number of new Ph.D.s in history nearly quadrupled in the 1950s and 1960s, and many of new scholars were women, the children and grandchildren of immigrants, who were interested in telling their stories.[21] Also, higher education had become a vehicle for social advancement for a greater number of working class men and women, who brought their concerns with them. Moreover, the rise in social history in the 1950s and 1960s lead to, or at least, fortified the emergent "multiculturalism."[22] Most significantly, African-American (or Black) studies became recognized as a legitimate field of study, attracting scholars who introduced new historical subjects and critically reexamined traditional historical narratives. It goes without saying that historical writing remains deeply contentious, and is perhaps more so, as more stories and interpretations have entered the mix.[23] In general terms, the debate turns not simply or only on the accuracy of the historical facts but also on the value and meanings of these new social histories.

The political stakes for black Americans and other minorities in America's "new history" are broadly similar to those of Aboriginal Australians. Groups seek to enlarge the circle of "we." In other words, new histories help to fortify claims of membership and entitlements to the rights and privileges of membership – not necessarily in the legal meaning of citizenship, but its civic meanings. They desire a more truthful and popular history that actively seeks to engage all citizens by including the experiences of

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[21] Joyce Appleby, Lynn Hunt & Margaret Jacob, Telling the Truth About History, New York: W.W. Norton & Company, 1994, chapter 4.

[22] Ibid.

[23] For cautionary, if not outright critical views of this "new history, " see, for example, Carl N. Degler, "In Pursuit of an American History," The American Historical Review, Feb. 1987, vol. 92, no.1:1-12; Gertrude Himmelfarb, "Some Reflections on the New History," The American Historical Review, vol. 94, no. 3 (June 1989): 661-670. For defenses of the new history, see Joan

ordinary people in the national narrative, by not just focusing on political, economic, and intellectual elites.

Not surprisingly, southern history is still contested, although the "Lost Cause" ideology and thinly veiled defenses of the "southern way of life" (segregation) are wholly discredited in respectable academic circles, at least. Indeed, Southern universities now produce much of the best southern history. For example, the University of North Carolina Press and Louisiana State University Press publish high quality monographs, that have contributed enormously to the Southern historical revisionism.[24] Further, Duke University's Center for Documentary Studies houses the "Behind the Veil" oral history project, which interviews blacks who lived in the segregated South.[25]

There is a noticeable disconnect, however, between this new scholarship on Southern history and contemporary southern politics, as the recent Trent Lott affair and the confederate flag debates illustrate most dramatically. Moreover, confederacy inspired pseudo-scholarly and popular publications have recently re-emerged, such as *Southern Partisan, Southern Heritage, Confederate Underground, The Journal of Confederate History, The Confederate Sentry and Counterattack* – all of which are dedicated, as

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Wallach Scott, "History in Crisis: The Others' Side of the Story," The American Historical Review, vol. 94, no.3 (June 1989): 680-692.

[24] See, for example, Thomas D. Morris, Southern Slavery and the Law, 1619-1860 (Chapel Hill: University of North Carolina Press, 1996); Peter W. Bardaglio, Reconstructing the Household: Families, Sex, & the Law in the Nineteenth-Century South, (Chapel Hill: University of North Carolina Press, 1995); Paul F. Paskoff and Daniel J. Wilson, The Cause of the South: Selections from *De Bow's Review, 1846-1867* (Baton Rouge: Louisiana State University Press, 1982); Leonard L. Richards, The Slave Power: The Free North and Southern Domination, 1780-1860 (Baton Rouge: Louisiana State University Press, 2000).

[25] William H. Chafe, et al., Remembering Jim Crow: African Americans Tell about Life in the Segregated South, New York: The New Press, 2001. (Book also comes with 2 CDs of selected interviews.)

previous journals were – to "setting the record straight," on Southern history.[26] There is also a disconnect between this new scholarship and the American public general knowledge about slavery, the civil war, and segregation.

The "Old History" and present-day Political Claims: The Confederate Flag and the Apology/ Reparations Debate

In the 1990s, several southern states, including South Carolina, Alabama, Georgia, and Mississippi were all embroiled in heated debates over whether the Confederate battle flag should be allowed to continue to fly over the state house (as in South Carolina and Alabama) or should continue to figure so prominently in state flags (as in Georgia and Mississippi.) The controversies lead to calls for boycotts, foreign threats of non-investment, and contentious legislative sessions and public hearings. The debates turned largely on what the confederate flag means and to whom. Generally speaking, the majority of whites in each state supported the flag and the majority of blacks did not. The meaning assigned to the flag rested largely in competing interpretations of Southern history. White defenders of the flag claimed that it symbolizes an honorable cause – the right of the confederacy to secede - and the heroism of confederate soldiers. Slavery is treated dismissively and the successes of Reconstruction are ignored. The flag represents "the South." Black opponents of the flag argue that it glorifies and honors the confederacy and all for which the confederacy stood – white supremacy and black subordination. The "new south," they argue, requires new symbols.

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[26] David Goldfield, Still Fighting the Civil War: The American South and Southern history, (Baton Rouge: Louisiana State University, 2002), p.303.

Southern blacks argue that a more truthful Southern history and inclusive southern symbols reflect and reinforce progressive political, economic, and social change in the South. In other words, new Southern histories are in keeping with real-life improvements: integration and formal inclusion. Moreover, the new history allows African-Americans to make material claims for compensation and greater involvement in political and civic life. For white opponents of the "new south" history, the challenge remains how to keep the dismantling and discrediting of their view southern life and values at bay. Is there a way to disentangle the good of Southern history and life from the past so that it may be honored and preserved? One basic part of the problem appears to be that many white Southerners do not judge segregation, at least, to have been really so bad, "recalling it as a benign system." [27]

The calls for apology and for reparations both benefit from current scholarship and help to create greater interest in the history of slavery and Jim Crow segregation. For example, new historical projects and facts are the results, both direct and indirect, of the reparations debate. Three Yale graduate students recently wrote a report detailing Yale's connections to slavery.[28] The California Department of Insurance recently documented the "slavery era" insurance policies of current insurers , whose "predecessor corporation" insured slaves. The report provides a list of the names of slaves, of their owners, where they lived, and when and which company insured them. [29]

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[27] Catherine Ellis, "The Legacy of Jim Crow in rural Louisiana," Ph.D Dissertation, Columbia University, 2000.

[28] Antony Dugdale, J.J. Fueser, and J. Celso de Castro Alves, Yale, Slavery and Abolition, The Amistad Committee, 2001. (http://www.yaleslavery.org)

[29] California Department of Insurance, Slavery Era Insurance Registry, Report to the California Legislature, May 2002. (http://www.insurance.ca.gov)

There is a direct connection between creating a fuller historical record and demanding an apology and reparations for slavery. Similar to the Aboriginal claim of dispossession, the centrality and scope of slavery and Jim Crow is stressed. The appeal of apology and reparations rests in their potential to reflect and signal a reformulation of the American narrative, whereby the experiences of blacks are understood as central to American history, not its unfortunate exception to the happy story of progress, democracy, and upward mobility. Moreover , reparations claims (either legal or political) rely, among other things, on sound documentation , using legal, commercial, and other official records. In short, the new histories anchor black claims in past institutional arrangements, social customs, and laws, not mere complaint.

The objections to an apology and/or reparations for slavery are multiple. But for the purposes of this paper, most germane is an assumption here in the U.S., as in Australia, that a fuller historical accounting necessarily commands an apology. Advocates of apology and reparations contend that the historical facts argue strongly in favor of greater and immediate government action, beginning with an apology. Opponents argue otherwise, either disputing the historical facts and/or the interpretation of the facts and/or the proper remedies or political responses.