The Work that Remains: Continuing the Reconciliation Work of Legal Tribunals through Museums[1]

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Reflections from the Truth and Reconciliation Workshop at the Woodland Cultural Centre

There is no substitution for seeing something with your own eyes. Attending the Woodland Cultural Centre and touring the Mohawk Institute added an indelible texture to the TRC Workshop and to my thoughts about the long-term work of truth and reconciliation. Seeing the physical space where children were held, abused, and some killed, and meeting and listening to the experiences of survivors has brought an urgency to my work that no amount of reading these histories in books and journals could ever do. Even though I had attended the Truth and Reconciliation Commission of Canada event in Montreal in 2013 and listened to dozens of people testify about their experiences in residential schools, there was something different about being in the very place where the children had lived. While I can empathize with the desire of some student-survivors to destroy the physical buildings where such widespread harm was inflicted, as an outsider I gained a new level of understanding from seeing the space, and I hope that these buildings will be preserved so that generations of people may also do so.

Stepping from the Mohawk Institute to the workshop with colleagues from Canada and South Africa at the Woodland Cultural Centre, I was struck over and over again by the amount of information that has not been available to Canadian researchers and legal professionals as we, as a nation, try to recover from a history of violence and discrimination in residential schools. What I heard from my colleagues was that the process of collecting information was too limited in time and scope, and that, as Maya Chacaby so eloquently described, some people are missing and not missed. As

Canadian Review of Comparative Literature / Revue Canadienne de Littérature Comparée
CRCL DECEMBER 2018 DÉCEMBRE RCLC
0319–051x/18/45.4/597

we construct the parameters of legal tribunals and museums like the ones I describe below, we need to spend more time determining the scope of the information we are looking for. It became clear to me during the workshop that, due to a lack of trust, a lack of resources, a lack of will, and a lack of knowledge of how to reach the most marginalized groups, we are only scratching the surface of the information available about past harms. While I sympathize from personal experience with the amount of time and money it takes to collect information for legal proceedings, I am convinced that we can do a better job of reaching people with valuable information who have not yet been able to tell of their experiences. If the purpose of recovering historical memory is, as the Inter-American Commission on Human Rights has stated, to prevent grave human rights violations from being repeated, then we need to ensure that we recover as much of the historical memory as possible (Inter-American Commission on Human Rights). Speaking the whole truth in legal and cultural institutions is essential. But we cannot speak the whole truth if we do not know it. The buildings in which the residential schools were housed stand as an element of that truth that we can see and touch. Their preservation is part of the project of knowing our history and preventing the repetition of harm.

Introduction

The experiences of victims and survivors of mass violations of human rights are told, examined, witnessed, and recorded through legal procedures. Like court and tribunal hearings, truth and reconciliation commission events elicit testimony and other types of evidence in an effort to discern the truth, assign blame, and help both individuals and societies heal. But the process of healing is not completed at the moment a court releases a judicial decision or a commission issues a report. Forgiveness and understanding are not automatic. Discriminatory attitudes and traumatic memories do not fade overnight. Legal proceedings do not meet their goals by the time their doors close, and that failure is anticipated by the order of recommendations and remedies. Tribunals order that the offending party pay monetary reparations, apologize, create memorials, and reform legal, political, social, and educational institutions. Tribunal members know that recovery will take generations and that there is a tension between needing their specific project to be finished and knowing that the work of healing and reconciliation may never be complete. In fact, one is hard pressed to think of an example, a society, in which reconciliation has finally been achieved and prejudice dissolved.

In recognition of the length of the reconciliation project, several legal tribunals have supported the establishment of museums that preserve the memory of the abuse and educate the public about both the history of the events and the values of a human rights culture.[2] The trend toward using museums to continue a reconciliation process may arise from the fragmentation of authority in contemporary societies. It is no

longer the general case that youth look to traditional family structures or religious or educational institutions for guidance on morality, their cultural identity, or how to live their lives. Pierre Nora describes the changes that the era of globalization has brought to the manner in which values are transmitted:

> We have seen the end of societies that had long assured the transmission and conservation of collectively remembered values, whether through churches or schools, the family or the state; the end too of ideologies that prepared a smooth passage from the past to the future or that had indicated what the future should keep from the past—whether for reaction, progress, or even revolution. (7)

Nora feared that the secularization of society threatened the older forms of transmitting cultural values, and saw that artificially created sites of memory, such as museums, would be necessary to transmit collective memory and history (Crane). The loss of older, and perhaps more organic, forms of the transmission of cultural values has left a void that museums, especially human rights museums, are actively trying to fill.

Museum professionals have developed skill sets that make them well placed in this role. Because of their trusted position as experts in archiving, preserving artefacts, and educating the public about historical events, cultures, art, and technology, museums are useful tools for transmitting values challenged by contemporary tensions. Museums professionals are experts at organizing objects and narratives in ways that help visitors evaluate the importance of certain events. As Susan Crane wrote, "Being collected means being valued and remembered institutionally; being displayed means being incorporated into the extra-institutional memory of the museum visitors" (2). Using the glass boxes of museum displays, communities draw lines around their own identities and values, solidifying meaning and memory.

This is one explanation of why legal tribunals and the families of survivors of mass violations of human rights have sought out museums as a way to convey the importance of protecting the values of the international human rights system.[3] Survivor communities fear that without active sites of memory, the past will simultaneously be forgotten and repeat itself (Crane). Museums have been founded with the support of the survivors of the Holocaust, the US civil rights movement, the African slave trade, South American dictatorships of the late twentieth century, apartheid, and the rule of the Soviet government, and their descendants, all with the express intent to commemorate victims, celebrate survivors, and improve the human rights of citizens locally and globally. Museums have long "played a central role in the construction of a coherent historical national discourse that reinforce a sense of collective identity and social cohesion through common understandings of order, aesthetics, and symbols" (Rivera-Orraca 32). The museums described in this article form societal anchors as they trace histories of abuse, conflict, and emancipation through the eradication of oppressive, discriminatory regimes. Anyone questioning the ethical use of torture or forced migration can visit a Holocaust museum, a Civil Rights Museum, or an apartheid museum to witness the damage done by their systemic applications.

But these museums do more than memorialize or record memories; they are working to transform societies in ways that are forward looking. Yes, they solidify societal stories of the past and construct a collective truth, but they also provoke dialogue and create tension about what the future should look like for the states and societies in question (Carter).

This article provides examples of how museums have partnered with legal institutions in the work of consolidating societal memory and fostering dialogue, recovery, and healing. The relationship between museums and tribunals is multifaceted. Museums may offer opportunities for recovery that legal processes cannot, but they may also reopen old wounds and cause new ones. Museums are not limited by the classification of people as perpetrators or victims, or by the legal definitions of offences. They can offer creative and artistic representations of different experiences and potentially reach diverse public sectors. But museums must act with knowledge of their historical role in colonialism and violations of human rights, and their exclusion of many in the development of their iconic status. Without self-reflection and a change from some traditional practices, museums may continue to generate power imbalances in the communities they intend to serve.

After reviewing how museums such as the Museum of Memory and Human Rights in Chile, the Hansen's Disease Memorial Museum in Japan, and the Sierra Leone Peace Museum extend the work of legal institutions, this article analyzes two ways in which the Canadian Museum for Human Rights has related to the processes begun by the Truth and Reconciliation Commission of Canada (TRCC): through its exhibits about residential schools, and through the museum's Mikinak-Keya Spirit Tour. The three non-Canadian museums were chosen because they provide clear examples, within very different cultural and historical settings, of a relationship between a legal and cultural institution established in recognition of the limitations of legal institutions working alone. This discussion will examine the potential for museums to work for long term cross-cultural understanding, while beginning to tease out the complex relationships between indigenous communities, the TRCC, and the museum. The article concludes with a discussion of what museum work elucidates about the boundaries of legal adjudication. What are museums bringing to the human rights project that legal mechanisms are not? In other words, why is there a push to include museum work in the recovery from, and preventions of, violations of human rights law?

Museum as Remedial Partner

Adjudicatory processes in Asia, South America, and Africa have led to the establishment of museums as a part of the remedial package for human rights violations (Mégret).[4] The following three cases describe a museum that arose from the settlement of a constitutional dispute, a museum that was recommended as part of a

truth and reconciliation process, and a museum that was founded to continue the important work of societal healing after the close of a special criminal court. This is followed by a description of the ways in which a Canadian museum is grappling with truth and reconciliation.

Japan: Discrimination against People with Hansen's Disease

In accordance with common and often inaccurate contemporary beliefs about how Hansen's Disease (formerly known as leprosy, and here abbreviated as HD) spread from person to person, Japan passed *Leprosy Prevention Laws* in 1907 and 1931 that eventually required the absolute segregation of people with HD in gated sanatoria. In addition to being forcibly removed from their homes and detained, people with HD experienced forced labour in work that was not safe for people with damaged nerves; they were sterilized and were subject to arbitrary and cruel punishment (Miyasaka). Long after a cure for HD was established, Japan continued to unnecessarily segregate patients. Survivors who could "pass" as unaffected in the community could leave the sanatoria, but generally received no support from the government or from family for fear that their illness would lead to severe social discrimination for their entire family.

The Prince Takamatsu Hansen's Memorial Museum, subsequently renamed the National Museum of Hansen's Disease, was founded as a private museum in Japan in 1993. The museum was organized by a group of survivors of HD in order to alleviate discrimination against people with HD, survivors and their families. Japan, among other countries, had a long history of discrimination against people with HD, based on mistaken assumptions of the condition. The museum aims to "recover the honor of those who have suffered difficulties and hardships due to Hansen's disease, and to nurture the spirit of respect for human rights" (National Hansen's Disease Museum). As with the founding of many Holocaust Museums and US Civil Rights Museums, aging survivors founded the museum to ensure that their memories would be passed on to subsequent generations. The museum was opened on the site of a former sanatorium in the outskirts of Tokyo.

The Court Challenge and Renewed National Museum

Although the Japanese *Leprosy Prevention Law* was formally abolished in 1996, policies of segregation in sanatoria continued. In 2001, a group of 13 patients brought a case against the Minister of Health and Welfare in the Kumamoto District Court

demanding compensation for the violation of their equality rights guaranteed by the 1947 postwar Constitution of Japan (Miyasaka). The patients succeeded at the court of first instance, and instead of appealing the decision, the government entered into negotiations with the plaintiffs and came to a settlement agreement. The government issued a "Statement by Prime Minister Junichiro Koizumi Concerning a Swift and Comprehensive Solution to the Hansen's Disease Issue," which included a plan for the expansion of the existing museum. A committee was struck to improve the museum, and in 2007 it was reopened as the National Hansen's Disease Museum (Miyasaka). According to the museum's website:

> The establishment of the Museum was based on Article 18 in Chapter 4 of the Act on the Promotion of a Resolution to the Issues Related to Hansen's Disease (enforced in April 2009). It says that the government shall promote public edification and dissemination of accurate information regarding the measures for the disease and take other necessary actions, including the *establishment of a national museum* and the conservation of historic buildings, to *restore the dignity of patients and former patients*... ("Our Earnest Desire"; emphasis mine)

The museum features exhibits about the history of HD and the Japanese government's treatment of people with the disease. An important part of its role is to ensure that accurate information is available to Japanese society. Survivors were actively involved in curating the exhibits, and staff record survivor narratives in order to ensure that the experiences of this generation are not lost. A resource centre provides the opportunity for research on HD and discrimination on the basis of other illnesses such as HIV/AIDS.

Chile: Pinochet-Era Abuses

In 1973, Augusto Pinochet deposed elected President Salvadore Allende in a coup d'état, overthrowing a democratically elected Marxist government that was engaged in experimental reforms aimed at peacefully redistributing Chile's wealth to those in need. Pinochet's military Junta ruled Chile until 1989, controlling the opposition through torture, disappearances, and killings, to which the military, paramilitary police, and justice systems were largely compliant ("Commission of Inquiry"). In 1989, Patricio Aylwin defeated Pinochet in an election, creating a coalition government. The process of addressing the devastating human rights abuses of the past began with the National Truth and Reconciliation Commission (the "Rettig Commission") established in 1990, and then a broader investigation through the National Commission on Political Imprisonment and Torture (the "Valech Commission") in 1993. The Valech Commission was established to document the crimes that occurred under the Pinochet regime from 1972 to 1990, to identify victims, propose reparations, and issue a report. The Commission found that the Junta used torture and detention as a method of political control, and that over 27,000

complaints, based on the testimony of over 35,000 people, were legitimate. Due to an amnesty agreement that relieved all crimes committed before 1978 from prosecution, the Aylwin administration needed strategies to address the harms done to society through means beyond the justice system. As human rights lawyer José Zalaquett wrote in his introduction to the Valech Commission report:

> The unity of a nation depends on a shared identity, which, in turn, depends largely on a shared memory. The truth also brings a measure of social catharsis and helps to prevent the past from reoccurring. In addition, bringing the facts to light is, to some extent, a form of punishment, albeit mild, in that it provokes social censure against the perpetrators or the institutions or groups they belonged to. But although the truth cannot really in itself dispense justice, it does put an end to many a continued injustice—it does not bring the dead back to life, but it brings them out from silence; for the families of the "disappeared," the truth about their fate would mean, at last, the end to an anguishing, endless search. (Chilean National Commission on Truth and Reconciliation)

The two commissions exposed the truth and created a public record as a way to construct shared meanings about the events of the former regime. In a way, they worked to craft a common memory and establish new social norms by which Chilean society could agree to live.

The Museo de la Memoria y los Derechos Humanos

The Museo de la Memoria y los Derechos Humanos (Museum of Memory and Human Rights, or MMDH) in Santiago, Chile exists in part because of a recommendation made by the Valech Commission. The commission recommended reparations to individuals and families, and collective symbolic measures, of which the MMDH was supported as one ("Commission of Inquiry"). Upon the opening of the museum, the Inter-American Commission for Human Rights congratulated the State of Chile:

> The State of Chile's initiative represents an important symbol of the determination to combat impunity and create a democratic culture based on respect for human rights.
>
> The Inter-American Commission has often talked about the fundamental value of recovering the historical memory of grave human rights violations as a mechanism to prevent such acts from being repeated. Along the same lines, the Inter-American Court of Human Rights has said that part of the process of comprehensive reparations for human rights violations involves carrying out ceremonies or works designed to publicly recover the memory of the victims. (Inter-American Commission on Human Rights)

The museum's website describes itself as "an act of reparation, a place for memory and human rights" (Museo de la Memoria y los Derechos Humanos). It is situated literally on a foundation of human rights text: the building stands over an arcade containing an inscription of the Universal Declaration of Human Rights and houses an archive of Pinochet-era documents that has been declared part of UNESCO's Memory of the World Project (Carter 331). As a museum of memory and human rights, it has a

dual mission: to serve as a place of collective memory and to educate the public on the practices of human rights. The museum thus partners with other human rights organizations to run educational outreach programs on the principles of democracy and human dignity working to foster a human rights culture in the next generation of Chileans (Carter 332).

Sierra Leone: The Civil War

From 1991 to 2002, Sierra Leone was engulfed in a brutal civil war. The conflict was fuelled in part by the war in neighbouring Liberia under the leadership of the infamous Charles Taylor. The conflicts in both countries were caused by "power struggles over control of diamond revenues, social unrest over unequal access to inadequate resources such as education, water, sanitation, and electricity, and youth" (Gellman).

The conflict was known for its brutality: amputation was a widespread tactic, as were sexual violence and the recruitment of child soldiers (Gellman). Tens of thousands were killed, raped, and mutilated. Hundreds of thousands were forced from their homes (International Center for Transitional Justice, "Sierra Leoneans Reflect on SCSL in 'Seeds of Justice'"). The war ended with the Lomé Peace Accords in 1999, but the social pressures that caused the war remain, and democracy is precarious (International Center for Transitional Justice, "Sierra Leoneans Reflect on SCSL in 'Seeds of Justice'").

The Special Court of Sierra Leone, a partnership between the government of Sierra Leone and the United Nations, was established to prosecute the perpetrators of serious crimes against civilians. Over ten years of work, the court indicted thirteen people, including Charles Taylor, whose trial was moved and completed at The Hague (International Center for Transitional Justice, "Special Court for Sierra Leone Closes Its Doors, Making Way for Peace Museum"; Gellman). In 2013, the court became the first special court to achieve its mandate and close since Nuremburg (Special Court for Sierra Leone).[5]

The Sierra Leone Peace Museum

The Sierra Leone Peace Museum is an example of a museum that stands to continue the work of a legal tribunal. It is a project of the government of Sierra Leone and the Special Court for Sierra Leone, that was established as a legacy project of the court, on the site of the court, to

> honour the victims of the war, preserve the history of the war and the story of the peace process, build peace, and promote a culture of human rights.
>
> The Museum will host a full copy of the Special Court's public archives, as well as the archives of Sierra Leone's Truth and Reconciliation Commission (TRC) and other

> important historic documents for the use of researchers and scholars. (Special Court for Sierra Leone)

In addition to preserving the memory of the war, the museum's goal is to build a culture of human rights in Sierra Leone in an effort to prevent future conflict (Sierra Leone Peace Museum). It is an independent national institution with board members representing civil society, war victims, youth and women's organizations, national institutions, and government (Special Court for Sierra Leone).

The Peace Museum is physically situated in a section of the former Special Court complex. The buildings and infrastructure constructed for this court are especially valuable in a developing country, and have been repurposed to also house the state's Supreme Court and a law school (Gellman). It is meaningful that the Peace Museum sits next to both the highest court in the land and the place where law students begin their careers.

The museum itself has three sections: rooms for exhibits, a Memorial Garden designed by Sierra Leonean artists, and an archive to contain records from the Special Court and the Truth and Reconciliation Commission. Each of these three sections demonstrates a different approach to memorializing and educating. While the archives contain mainly written documents, the exhibits focus on visual displays, as a large percentage of Sierra Leoneans are illiterate. The Memorial Garden uses art to symbolize loss, such as a bamboo frame used to represent the tents in which many Sierra Leoneans lived in refugee camps (Gellman).

Canadian Museum for Human Rights: Background

The Canadian Museum for Human Rights (CMHR) opened in Winnipeg in 2014 and was initially the project of a private citizen, Israel ("Izzy") Asper. Asper's vision caught on with the public in Winnipeg, and later Ottawa, as the museum became a national museum with funding from all levels of government and the private sector after Asper's death in 2003. The museum claims to be the "the first museum solely dedicated to the evolution, celebration and future of human rights" (CMHR, "About the Museum"). Although is it not the first human rights museum,[6] it is likely the largest, with galleries covering the history of human rights, Indigenous rights, the development of human rights in Canada, the Holocaust, the Holodomor, and other genocides (CMHR, "Galleries"). Unlike the three museums discussed above, the CMHR was not established to address any one human rights "event." However, the museum content was being developed during the life of the TRCC, and it needed to address its work.

The TRCC was established in 2008 according to the terms of the Indian Residential Schools Settlement Agreement (Truth and Reconciliation Commission of Canada Final Report 23). That agreement settled a class action between approximately 86,000

Indigenous Canadians and the government of Canada regarding the abuses inflicted upon Indigenous children in Indian residential schools over the course of more than a century. The settlement agreement required, among other programs, reparation payments and the establishment of the TRCC. The TRCC's mandate was to

> reveal to Canadians the complex truth about the history and the ongoing legacy of the church-run residential schools, in a manner that fully documents the individual and collective harms perpetrated against Aboriginal peoples, and honours the resilience and courage of former students, their families, and communities; and
> guide and inspire a process of truth and healing, leading toward reconciliation within Aboriginal families, and between Aboriginal peoples and non-Aboriginal communities, churches, governments, and Canadians generally. The process was to work to renew relationships on a basis of inclusion, mutual understanding, and respect. (Truth and Reconciliation Commission of Canada Final Report 23)

During the course of its work, the TRCC heard from over 6000 witnesses as it travelled the country. Members of the Commission also spoke with museums, and in its report, the Commission recognized the responsibility of museums and the role of the CMHR in particular:

> In the Commission's view, there is an urgent need in Canada to develop historically literate citizens who understand why and how the past is relevant to their own lives and the future of the country. Museums have an ethical responsibility to foster national reconciliation, and not simply tell one party's version of the past. This can be accomplished by representing the history of residential schools and of Aboriginal peoples in ways that invite multiple, sometimes conflicting, perspectives, yet ultimately facilitate empathy, mutual respect, and a desire for reconciliation that is rooted in justice. The Canadian Museum of History and the Canadian Museum for Human Rights, working collaboratively with Aboriginal peoples, regional and local museums, and the Canadian Museums Association, should take a leadership role in making reconciliation a central theme in the commemoration of the 150th anniversary of Canada's Confederation in 2017. (Truth and Reconciliation Commission of Canada Final Report 251)

After its closure, the work of the TRCC continues through the National Centre for Truth and Reconciliation, a research centre also based in Winnipeg that houses the documents and other materials collected during the TRC process (National Centre for Truth and Reconciliation).

The CMHR's Response to the TRCC

The CMHR opened before the conclusion of the TRCC and the issuance of its final report in December 2015, but museum curators would have been well aware of the TRCC as they developed exhibit content. Before it opened, there was only one case in a permanent installation at a national museum in Canada about the "Indian residential school" system (Phillips 305). Although the mission of the CMHR is to address human rights broadly, there was no doubt that Canada's relations with Indigenous

peoples would have to be at the forefront of the museum and that message came across clearly in the community consultations engaged by the museum's Content Advisory Committee ("Content Advisory Committee Final Report to the CMHR"). Here, I briefly discuss two ways in which the museum has used its resources as an opportunity for an extension of the truth and reconciliation process: in its exhibits and in a specialized tour.

The CMHR contains several installations that concern Indigenous rights, including a major exhibition space called the Indigenous Perspectives Gallery. There are four other exhibits that discuss the Indian residential schools. One installation in the Canadian Journeys Gallery, "Indian Residential Schools and Their Legacy: Childhood Denied," contains a video and teaches about the history of the residential school system, the class action by residential school survivors, its settlement, and the government's apology.[7] Another display in the Mass Atrocities Gallery connects residential schools to other mass violations of human rights, such as the transatlantic slave trade, the Holodomor, and the Japanese Comfort Women system. The final two references to the system are found in the "Actions Count" and "Inspiring Change" galleries, encouraging visitors to get involved.

Despite these references to Indigenous rights and the human rights abuses against children in Indian residential schools, the museum has received serious criticism from former museum staff and Indigenous communities for whitewashing harms and for the museum's relative silence on the mass abuses that occurred during the colonization of Canada. Former curator, Tricia Logan, described her experience:

> As a curator at the CMHR, I was consistently reminded that every mention of state-perpetrated atrocity against indigenous peoples in Canada must be matched with a "balanced" statement that indicates reconciliation, apology, or compensation provided by the government [….] In cases where those issues are not reconciled or where accusations of abuse against the government continue to this day, the stories are reduced in scope or are removed from the museum. (Welch)

The refusal of the museum to use the word "genocide" to describe the colonization process or the residential school system was controversial, and caused the museum to lose the trust of many indigenous peoples (Welch). Instead of making straightforward progress in the journey towards reconciliation, the museum has created new rifts in old relationships. There is a sense that while museum staff were open to consulting with Indigenous groups in creating museum content, the final decision makers in the museum limited the fullness of descriptions (Voices-Voix).

The CMHR's Mikinak-Keya Spirit Tour struck me as a completely different attempt at reconciliation. The museum's web site describes the tour as

> a distinct cultural experience presenting an Indigenous perspective on rights and responsibilities.
>
> This special tour is the result of an ongoing collaboration between the Canadian Museum for Human Rights and a group of seven First Nations Elders from this region. With their deep connections to their living traditions, teachings and ceremonies, these

> Elders, or Knowledge Keepers, passed on their knowledge to the Museum's Indigenous guides during training sessions that took place at the Turtle Lodge in Sagkeeng (Manitoba).
>
> Mikinak-Keya Spirit Tour invites visitors to discover the powerful connection between First Nations' sacred knowledge and worldviews and the Museum's architecture and human rights mandate. Inspired by ceremony and living oral traditions, this tour offers unique insight into the seven sacred teachings that call on each of us to take responsibility for how we live and treat each other.
>
> The tour focuses on the Museum's architecture and use of space rather than the exhibits. Visitors will experience singing, storytelling, works of art and amazing views. (CMHR, "Mikinak-Keya Spirit Tour")

The tour is offered in early morning or evening, when the building is nearly empty of visitors. When I took the tour in the fall of 2015, the museum seemed almost superfluous to the tour. The guide used places within the architecture of the museum to launch her teachings, but the tour had nothing to do with museum content. I was struck by the fact that, in some ways, this was the real opportunity for reconciliation within the museum. I was receiving teachings from an Indigenous woman, as developed by her community, and taught in the way that they wanted to teach their community's rich knowledge and history. Furthermore, the guide shared her own personal journey about how she came to know her culture. The museum was used as a platform to reach out to those who were open to learning.[8] The group was small (perhaps eight people); the place was quiet, and there was plenty of opportunity for dialogue.

As the museum develops and continues to engage with Indigenous communities, I predict that it will be the programming, the opportunity for teaching, learning, and dialogue, from which reconciliation will develop. In another example, during the summer of 2016, the CMHR ran the "Project of Heart, a national youth program that explores the history and legacy of residential schools in Canada" (CMHR, "Reconciliation"). Through this program, youth constructed a mosaic to honour victims and survivors of residential schools. Museum staff should continue to engage with various communities and strive to encourage active dialogue between communities without censoring the truth. The exhibits on Indigenous rights and residential schools are important and filled a gap in the Canadian national museum landscape, but the way the museum framed information has also generated distrust with different communities.

The Implications for Law and the Challenge for Museums

The intersection of legal and museum practices within the human rights project provides new opportunities for healing from past abuses, but it also provides insight into the limits of using legal processes alone. The goals of human rights-based adjudica-

tory procedures, such as court hearings and truth and reconciliation commissions, include revealing truth, assigning blame, compensating victims, and healing societies. The rigour of legal process, even within the looser procedural rules of a truth and reconciliation commission, limits the ability of all parties to participate and express the full range of the harms they have experienced. Any hearing is a time-limited exercise, and in the rush to achieve legal "closure," testimonies are cut off, witnesses are excluded, and in the end, the remedies are limited.

Unlike formal legal processes, museums are not bounded by time periods. Museums have the potential to include all concerned communities in ways that recognize the depth and diversity of their experiences. Museum exhibits use text, artefacts, photographs, digital media, and art in ways that would seem strange in a courtroom. Through such inclusion and sensitivity, museums can work for much needed intercultural and intergenerational healing.

In order to achieve these goals, museums that address human rights violations must acknowledge, and then transcend, their historical role as tools of elites. Furthermore, museums must acknowledge that they are controlled by the very entity that they are critiquing: the state. Like legal institutions, museums are expensive institutions that are mainly funded by governments. All of the museums described in this article receive substantial amounts of government funding, and despite legislation, such as Canada's *Museums Act* (Statutes of Canada), that puts the operation of the museum at arm's length from the government (CMHR, "Corporate Reports"), as in all relationships the funder ultimately controls the message.[9] While the museums in Japan, Sierra Leone, and Chile may be able to justify critiquing a government that has been replaced, the individuals involved as perpetrators, victims, and bystanders still live in these states and are forced to interact as they reconfigure their societies. Government institutions and the histories they represent survive elections. The situation becomes even more challenging when the human rights violation is directly connected to the very existence of the state in question.

One of the challenges of the Canadian Museum for Human Rights has been to fully include the voices of all Canadians within its walls. In its planning stages, the museum hosted extensive public roundtables across the country and consulted with numerous groups ("Content Advisory Committee Final Report to the CMHR"), in order to determine the museum's content. Yet, the reports of government control and censorship of the severity of the Canadian government's actions towards historically marginalized groups have contributed to a sense that the museum is not fully acknowledging the truth. Should the Canadian government be acknowledging the abuses committed in the very colonization of Canada? While some may argue that such openness may question the very legitimacy of the state and lead to further conflict, my view is that the resolution of existing tensions between sectors of Canadian society relies on frank admissions of past misconduct. As Zalaquett wrote about the Chilean situation where an amnesty prevented many from prosecution, although "truth cannot really in itself dispense justice, it does put an end to many a

continued injustice" (Chilean National Commission on Truth and Reconciliation). When a museum tells only part of the story, it not only loses institutional credibility, but further antagonizes groups that already do not trust those in power and the cycle of injustice continues. Legal processes that expose only partial truths are insufficient, and so are museum exhibitions. Museum professionals can learn from legal institutions that discussions about human rights are going to lead to uncomfortable territory for perpetrators, victims, and bystanders, including their funders, but that truth-telling is a necessary step in the healing process.

The work of the National Museum of Hansen's Disease demonstrates how hard it is to break down discriminatory attitudes. While court hearings in Kumamoto may have revealed much truth about human rights violations, they could not on their own change the social values that led to them in the first place. Victimized groups could desire closure and move on after a court hearing, and many do,[10] but the development of human rights-based museums teaches us that not only do many people want to remember atrocities, but they think it is necessary to house artefacts and educate the next generation about the events in order to affect societal attitudes in the future. Clearly, museums cannot solve these problems alone either. Different types of institutions, legal, political, educational, and cultural, must partner to ensure that the truth is revealed, and that society has the long-term tools it needs to recover from, and prevent future, human rights violations.

Notes

1. I would like to thank the Jackman Humanities Institute's Truth and Reconciliation in South Africa and Canada research community and, particularly, the participants in the Truth and Reconciliation Workshop at the Woodland Cultural Centre for sharing their insights. I also thank Neil ten Kortenaar, Cheryl Suzack, and Melissa Levin for their support and helpful comments on early drafts of this article, and the editors and reviewers of the *Canadian Review of Comparative Literature* for their time and helpful suggestions.

2. The definition of a museum is significant here. The International Council of Museums defines the museum as "a non-profit, permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment" ("ICOM Definition"). There are three factors of this definition that are particularly important to the recovery from human rights violations. Museums are permanent institutions; they are open to the public; and they work in the service of society and its development.

3. While my focus here is on a museological trend, I leave open future work on the role of other types of cultural institutions.

4. At 44, Mégret noted that, although not always implemented, tribunals such as South Africa's Truth and Reconciliation Commission remarked that monuments and museums provide symbolic reparation for past harms (see TRCSA Report 95).

5. The court at Nuremberg has also been turned into a memorial exhibition space in which visitors can learn about the court, examine court documents and watch videos of the court proceedings. See www.memorium-nuremberg.de/exhibition/exhibition.html.

6. For example, Liberty Osaka (1985) and the Sakai City Peace and Human Rights Museum (1994) were opened in Japan before the CMHR.

7. This video may be found on the CMHR App at #240, "Indian Residential Schools and Their Legacy: Childhood Denied."

8. The tour cost $30 and included same-day admission to the museum ($18 for an adult). The cost of participating is certainly a barrier for many people and is an ongoing issue for museums as they try to reach all sectors of the public.

9. There are situations in which governments have disapproved of museum exhibits and withdrawn all government funding (see Morris-Suzuki).

10. Gellman, for example, describes a "societal culture of silence about the civil war."

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