

toward ordinary citizens and “power conferring rules” directed toward government officials to explain how civil disobedients sometimes challenge the first but respect the second, whereas uncivil disobedients challenge both (pp. 86–87). Elsewhere she explores how frontier vigilantes elevate democracy above constitutionalism in relation to a detailed and nuanced analysis of Rousseau’s *Social Contract* (pp. 50–55).

The Conclusion does, however, suggest some disadvantages to the American historical case study approach. The author takes as her starting point Abraham Lincoln’s distinction between the rule of men and the rule of law to denounce vigilante mob rule and mob violence and assert the primacy of law for a peaceful society. This enables her to explore the dangers of Lincoln’s case for total submission to the law, and also to reiterate the argument that there is an inevitable and politically creative tension between belief in democracy as the rule of the people and belief in the centrality of law. But many readers will look, as I did, for a more wide-ranging and contemporary set of arguments about the implications of uncivil disobedience to round off the discussion.

Brevity and clear, if limited, focus have their merits, however. This is an original, highly readable, and rewarding book.

The Politics of Official Apologies. By Melissa Nobles.
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There is much to be learned from Melissa Nobles’s account of contemporary political apologies given (and not given) by Anglophonic governments to indigenous peoples in Canada, New Zealand, Australia, and the United States, and also to African Americans. Nobles helps us understand how, when, and why official apologies such as these can reinvigorate national conversations about policies, especially membership policies.

It is no accident that *The Politics of Official Apologies* bears a strong resemblance to Jon Elster’s *Closing the Books: Transitional Justice in Historical Perspective* (2004), which Nobles cites approvingly (p. 14). She adopts Elster’s conception of “analytics” to distinguish the salient differences between the apologies she has chosen. Like Elster, she analyzes who is involved in each case, their motivations and resources, the constraints they face, and the results of the apologies or non-apologies. Elster resists calling what he has done a theory of transitional justice; there are too many differences among the many particular cases, he notes, to warrant theoretical generalizations or normative conclusions. Nobles, however, is prepared to take the next step, albeit tentatively. Her goal is a “membership theory of political apologies” (p. 3).

Nobles’s theory does include detailed information on particular cases. The key actors in these dramas are political elites, indigenous groups, and intellectuals (especially historians) who mediate the debates and disagreements among the other two groups. “Apologies do effect [*sic*] material claims,” she writes, “insofar as political elites use them discursively to support changes in federal policy favoring indigenous political autonomy and economic self-sufficiency” (p. 35). However, according to Nobles, this is not the primary significance of official apologies, at least not in these cases. Her “theoretical claim is that political actors use official apologies in ongoing efforts to reshape the meanings and terms of national membership” in societies in which native peoples and slaves have been treated as “wards” of the state, at best, and often much worse (p. 36). For those who need to be reminded, Native Americans were not legally entitled to U.S. citizenship as a birthright until 1924 (p. 48).

To make good on this theoretical claim, Nobles divides membership into three categories: legal, political, and affective (where the latter refers to the feeling of belonging and mutual obligation). She summarizes the events surrounding demands for apologies in Canada, New Zealand, Australia, and the United States in order to analyze the impact of apologies or refusals to give apologies in these four countries across these three categories. Apologies have not had an effect on legal membership in the cases she discusses; however, in political and affective terms, the record is mixed.

The central theme in Nobles’s argument is the importance of the appeal to history made by those demanding an apology. Elites respond to this appeal to history differently, and how these competing histories play out determines the particular ways that the “meanings and terms of national membership” are or are not “reshaped” (p. 36). In some cases, by making an apology, political elites may validate the reinterpretation of national history advocated by a well-mobilized indigenous group; they may strengthen the claims of past injustices by these minorities; and in some cases, they may spark a broader discussion of political obligations and the boundaries of citizenship. Because these debates over the meaning of history and group rights can have profound implications for the balance of political power in a society, elites often refuse to make apologies.

Nobles admits that official apologies are often scrutinized in terms of their possible implications for reparations or other forms of compensatory justice. However, she argues that their potential impact on political membership is even more important and the reason why apologies are so heavily contested. Conversely, where apologies have been asked for and refused, she surmises that the results of the refusals have run counter to the interests and undermined the feelings of belonging of indigenous groups (p. 113).

Some of the cases Nobles analyzes are relatively familiar, others less so. She treats some in more detail than

others. In the Canadian case, for example, she reviews the government White Paper in 1969, the Royal Commission on Aboriginal Peoples in 1991, and the official apology in 1998 contained in *Gathering Strength: Canada's Aboriginal Action Plan*. In the process, she carefully analyzes the surrounding public debates and disagreements over the history of membership and the importance of cultural identity and self-government. The case of the Maori in New Zealand offers a slightly different insight into the politics of official apology. The Maori received official apologies in 1995 and 1998 through the Waitangi Tribunal created by the government in 1975. Over its thirty-two-year lifespan, the tribunal (“a permanent commission of inquiry”) (p. 36) has been able to open a wide dialogue on the history of membership and exclusion at the same time that it has tried to settle accounts through reparations.

The Australian case provides an interesting counterexample through the period Nobles covers. Based on its reading of Australian history from 1910 until 1970, the 1977 government commission report *Bringing Them Home: National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families* called for official apologies from state parliaments, the Commonwealth Parliament, state police forces, churches, and other non-governmental agencies “for the past laws, policies, and practices of forcible removal” (p. 96). Almost all state parliaments, state officials, and others issued apologies consistent with the commission report, but most notably not Prime Minister John Howard. Instead, he introduced a “Motion of Reconciliation” in 1999 in which he acknowledged that some injustices had been done to Aboriginal peoples in the past (although he thought some of the charges were exaggerated). Howard insisted that the present government was not responsible for these wrongs. To burden the present with the sins of the past, he argued, was “Black Armband” (i.e., politicized) history.

Nobles takes one more look at her cases, including those closer to home, such as the congressional apology to Native Hawaiians, the Bureau of Indian Affairs apology, the Senate apology for lynching, and the non-apology for slavery in the United States, in order to gauge the impact of apologies and non-apologies. This is where the argument becomes a bit more tentative and the theory more rudimentary. Nobles admits it is hard to generalize about the effects on political membership in these cases, let alone the likelihood of reconciliation based on changes in “feelings” (p. 137). Demands for official apologies are sometimes difficult to refuse. At the very least, they bring out into the open differences in understandings of history, its relevance to the present, and the depths of economic and political inequality. On the other hand, not all apologies bring the parties closer to reconciliation. The new prime minister of Australia, Kevin Rudd, elected in 2008 just after *The Politics of Official Apologies* was published, quickly made good on his campaign promise to issue the apology

that his predecessor John Howard had refused to make. However, Rudd has not enjoyed full approval by Aboriginal leaders, some of whom are critical of his welfare and other policies that they claim perpetuate the harsh conditions that exist for their people. His apology, they argue, has been empty; but even more to the point, they have objected that official apologies are paternalistic because they treat citizens as recipients.

Nobles regards official apologies and the social movements that have prompted them as discursive strategies for contesting historical explanations and moral judgments of political membership. She realizes that there is always the possibility of backlash from those who feel unfairly blamed for past injustices. There is also the possibility that those who have suffered also will dispute the elite version of their story, regardless of how well intentioned it may be. They wish to tell their own story and to govern themselves, not just be granted more extensive group rights through the politics of official apologies. Reconciliation in these cases may be a much longer and complex process in which official apologies may play an ambiguous role.

Utilitarianism and the New Liberalism. By David Weinstein. New York: Cambridge University Press, 2007. 242p. \$95.00. doi:10.1017/S1537592709091117

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The past 20 years have seen a marked revival of interest in the philosophy of the British idealists, the philosophical movement that flourished for 50 years immediately after J. S. Mill's death, and the new liberals (especially L. T. Hobhouse and J. A. Hobson), who came to prominence following World War I. New editions of their canonical texts, major critical studies, and previously unavailable works by Thomas Hill Green, Francis Herbert Bradley, Bernard Bosanquet, and Edward Caird have appeared in recent years. David Weinstein has played a significant role in this revival. Hence, it is unsurprising that his new book *Utilitarianism and the New Liberalism* (hereafter, UNL) is attracting significant interest, with the leading scholarly journal in the field, *Collingwood and British Idealism Studies*, devoting an entire issue to it.

Weinstein identifies the core claims of new liberalism as follows: Individuals can develop a determinate valuable personality, a sense of the good, and rights only by living within a community that respects them as an end in themselves; power should be exercised over individuals only when doing so serves ends with which they identify their good; and the state should intervene only to enable its individual members to develop their own conceptions of a valuable life. (Precisely how it should intervene depends on practical judgments made in specific circumstances, paying due regard to the imperative to avoid crushing individual character and initiative.)