Proposals by the Consultative Group on the Past

Summary Report

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Community Dialogue

Steps into Dialogue Project

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Introduction

Community Dialogue has received funding under the Special European Union PEACE III Programme to deliver a project entitled 'Steps into Dialogue'.

The overall goal of this project is to use dialogue as a mechanism that allows people affected by the conflict to deal with and address their past and to begin to understand the views and past of others. Through this process, Community Dialogue hopes to ensure people can begin to move forward to a peaceful society together.

There are two steps to the project:

Dialogue on the Ground
This will provide opportunities for individuals to engage in dialogue and discuss contentious issues of the past so that people can deal with these and move forward together. The project will include issue-based dialogue sessions, a series of workshops to unpack topics at a deeper level, and residential to allow more time for reflection on opinions, ideas and concepts.

Unravelling the Jargon
This aims to take governmental policy and strategy and simplify these documents into "lay terms". This involves the production of pamphlets and follow-up workshops to help the community at large understand the basic components and assist them in making informed choices about their future.

This is the first such pamphlet and Community Dialogue hopes that it will enable a more informed debate around the issues and recommendation raised in the report from the Consultative Group on the Past.
Facing our Past to Create our Vision of our Shared Future
Proposals by the Consultative Group on the Past

Society Issues

1. Background

Process and principles
The Consultative Group on the Past was appointed by the Secretary of State in June 2007. It reported in January 2009. Co-chaired by Lord Robin Eames and Denis Bradley, the Group had eight members. Its two international advisors were a former President of Finland and Nobel Peace Prize winner; and a South African lawyer and advisor to President Nelson Mandela who is an expert in mediation and institutional transformation. The Group had a Legal Advisor.

The Group undertook extensive consultations involving public meetings, private meetings with individuals and groups, written submissions, standardised letters and personal letters and attended many independent seminars and conferences. It took account of extensive research, experience of other post-conflict countries and contributions by practitioners.

Four major desires were apparent from the consultations:

- Desire for reconciliation, truth and justice
- Desire that such a conflict should never happen again
• Desire for a way of dealing fairly with the outstanding legacy of the past

• Desire that the legacy of the past, and dealing with it, should not dominate the future

Key *principles* emerged from the consultations and these informed deliberations:

• The past should be dealt with in a manner that enables true and lasting reconciliation rather than division and mistrust

• Dealing with the past is a process not an event and must be allowed to evolve

• Sensitivity towards victims and survivors is essential

• Recommendations should be human rights compliant

• Relationships matter and are the foundation for reconciliation

• Consensual agreement is the ideal

The Consultative Group adopted a balanced approach between justice, truth and reconciliation. Drawing on its inclusive consultation process, the Consultative Group tried to judge where consensus lies. It proposed a new Legacy Commission and additional roles and tasks for some existing bodies.¹ The Group

¹ See Facing *our* Past to Create *our* Vision of *our* Shared Future pamphlet on The Legacy Commission and Other Bodies
also discussed Society Issues that are at the centre of hurt and healing. The following pages outline their thoughts and conclusions. We invite you to discuss them.

2. Society Issues

Division
Not only are the origins of the conflict contested, there exist many different accounts of its impact on individuals and communities. Buried memories fester and although the past is past it continues to exist in people’s minds. Divided communities carry different experiences and understandings of the past which we use to further divide, make moral judgements on each other and continue the legacy of suspicion, mistrust and hatred. We may have left the violence behind but we have found new ways to continue the conflict.

Reconciliation
Reconciliation demands acknowledgement of our common humanity, willingness for mutual forgiveness and readiness to address the truth. It is not possible to complete an act of forgiveness unless a wrong is acknowledged. It is not a matter of balancing amounts of wrongdoing, but rather both sides reaching agreement that there was wrongdoing on both sides. Truth is crucial and depends on genuine conversations to establish and agree as far as possible what that truth is, recognising that complete truth is unattainable.

Information and Truth
Truth should be encouraged through all forms of remembrance;
and through the proposed Legacy Commission which provides a private, non-judicial and non-adversarial mechanism in preference to a public, judicial or quasi-judicial commission. A time limit (of five years) is suggested to allow the past to be the past. Instead of each community continuing to tell its own story to itself the two should come together so each can tell its version of our common story to the other. We must listen and hear each other's stories, make an honest assessment of what the other is saying and recognize the truth within their story.

Moral Assessment
Versions of the past differ not so much in the facts of what happened but more in the moral assessment of the rightness and wrongness done by opposing sides. Revisiting our moral assessments of what was done and suffered by each side can be the beginning of the road to reconciliation. There must be conversations about conflicting moral judgements, not just facts. Neither side need admit to being always and entirely wrong. Put simply, just as rights were present on both sides so too were wrongs committed by both sides. People can make mistakes in their moral decisions and have the moral stature to move beyond them.

Sectarianism
The impact of segregation and separation driven by sectarianism is evident, with more 'peace-walls' now than throughout the conflict. Sectarianism is deep-rooted and it produces a spectrum of negative behaviour. We have learned at best to tolerate sectarianism and at worst to accept and reproduce it. Prejudice and discrimination are given divine sanction when religious
belief and politics are negatively mixed. There is no choice but to address the separations that exist.

Non-sectarianism must become part of our ethos, structures, policies and behaviour in government and at all levels of society. Sporting organisations must review their policies and practices. Separations are negative and destructive in housing, employment and social life. Specifically the argument about the ethos or quality of education provided in faith based sectors has to be balanced against the reality that reconciliation may never be achieved if our children continue to attend separated schools.

There was a failure by the institutional church bodies to make a sustained united impact during conflict. Christian Churches carry a particular responsibility for exercising a leading role in addressing sectarianism as they provided the language of division and the sanction to those who exploited it. The Legacy Commission will take the lead in tackling sectarianism and encourage the Churches to review and rethink their contribution to a non-sectarian future, particularly in education.

**Victims and Survivors**

Victims and survivors must be central to recommendations dealing with the past, but their concerns must be placed within the wider context of legacy issues as this is ultimately important for the health and well-being of society as a whole.

When some groups claim to represent more people than they actually do this can result in misrepresentation of views. It is important to recognise that many victims and survivors do not
belong to any group and are under-represented in discussion.

While groups remain separated from one another, huge potential remains for their political exploitation. Victims and survivors can be politicised to the point of being used to achieve political ends with the danger that some groups are little more than mini-political parties. The Consultation Group regretted and rejected the politicisation of victimhood.

To continue the highly politicised debate about the definition of a victim and the hierarchy of victims is both fruitless and self-defeating. It is of greater importance to respond to the needs of victims and survivors. The true nature of the hierarchy of victims lies in the level of loss and suffering experienced, not one broadly structured along sectarian lines.

Too often the knowledge and experience of the best way of meeting needs are not shared due to the lack of interaction between groups representing different communities and, in some cases, the same community. Groups and funding bodies will have to think about removing duplication and amalgamating services and support mechanisms to meet needs within limited resources. At the same time amalgamations and partnership must take account of the real sense of threat that many still experience.

Sensitive measures must be put in place to help resolve issues surrounding practices of some groups if these are compounding divisions and suspicions rather than contributing to a shared and reconciled future.

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2 E.g. Focusing on the changing needs those who have been injured and the ageing of their carers
Trauma
As a society we have failed to acknowledge the complexity and pain of our past. To address it openly and constructively will help to build a shared and reconciled future. Conflict-related trauma is a major public health issue that has the capacity to pass on a negative legacy to future generations. The mental health legacy of the conflict needs to be reflected in the provision of services and operational priorities.

Communities
Whole communities on both sides were victimised during the conflict and have been neglected since. They suffered the heavy presence of paramilitaries, military and police which became more and more oppressive. Oppression was further increased by the numbers of people recruited to act as informers.

Forgiveness and reconciliation is needed within as well as between communities. Communities must face the truth that they were never completely of the same mind as to the legitimacy of what was being done. They must also understand that people were fallible and under enormous pressure. The Commission for Victims and Survivors should facilitate storytelling about intra-communal difference and this should also engage paramilitaries and state agencies.

Moreover, post-conflict economic well-being must touch the most socially and economically vulnerable communities. Social impacts of a successful economy should be part of their future if divisions are not to be reinforced and the Legacy Commission will champion deprived areas.
Young People
When parents pass on their prejudices and bitterness it results in ongoing sectarian division and even violence. On the other hand, young people can be an important influence on the older generation and may be best equipped to challenge sectarian norms.

There is a responsibility on all to provide direction to young people and community policing initiatives should emphasise engaging them. In the transition period to acceptable policing, anti-social behaviour has gone unchallenged. The key message that life itself has little value contributes to high suicide rates and drug and alcohol dependence. The Legacy Commission should ensure young people have access to balanced education programmes about the nature and impact of the conflict.

Those with Convictions & Exiles
In 2007 a group of civic leaders led by Sir George Quigley and Sir Nigel Hamilton issued guidance for employers on recruiting people with conflict-related convictions; the aim was to prevent these convictions impeding opportunities while not fully expunging the record of those convicted. The basic principle of the guidance is: any conviction for a conflict-related offence that pre-dates the Good Friday Agreement (April 1998) should not be taken into account unless it is materially relevant to the employment being sought. The Consultative Group recommended turning the guidance into law, covering provision of goods, facilities, services and recruitment.

Leadership is needed by the Commission on Victims and Survivors
for Northern Ireland and others to promote the return of exiles through a repatriation programme.

**Collusion**
The debate about collusion continues: the definition of collusion; what actions can be described as collusive; whether it was a policy or the actions of a few; and who should be held to account. The Consultative Group has said serious questions remain to be answered concerning allegations of collusion and these are best examined under procedures for information recovery and reconciliation. The Legacy Commission should examine allegations of collusion as one of its examinations of themes arising from the conflict.

**Declaration of Non-Violence**
When the time limit is reached the people of Northern Ireland, including political parties and remaining remnants of paramilitary groups, should sign a formal declaration that they will never again kill or injure on political grounds.

**Remembering**
Remembering is an important way of celebrating and honouring the lives of those who were lost in the conflict. It provides comfort for those who experienced trauma or loss. Public remembering is a way of rebuilding, pointing to the shortcomings of the past and shaping resolve for a different future. Remembering should be conducted from the perspective of our common humanity. All of society, not just victims and survivors, should be encouraged to remember. The perspectives of one sector of society should not be given precedence over another.
It is important that people are free to participate in the form of remembrance they feel is most appropriate to them.

Remembering encompasses all sectors of society not just victims and survivors. Victims and survivors should have a prominent role in remembering, but it is self-defeating to place the entire burden on them.

**Storytelling:** Storytelling is important to conflict transformation. It offers opportunity to share experiences of conflict and has already led to a degree of healing. A storytelling project should involve listening to the stories of others as well as the telling of our own story. By listening to others we can move towards understanding their moral truth and some form of reconciliation. The first step is accepting that it is important for all sectors of society to tell their stories. Then each individual can decide how and when to turn this into active listening and understanding. Individuals must be able to tell their story freely in private and omit information in public where it puts them a risk. There must be oversight of stories in the public domain to ensure that the risk of prosecution or retaliation is not increased. Storytelling must not be used to fit a political agenda. It should be seen as a process designed to facilitate individual and societal healing and to break the cycle of conflict.

**Day of Reflection:** The 21 June should be a shared Day of Reflection and Reconciliation, supported by government, churches and private and voluntary sectors. It could remain as a private day initially, evolving to include more public events. One positive addition would be an event involving public
commitments to peace by key organisations and statutory bodies. Leading by example, the First and deputy First Minster should make a keynote address together to the Assembly and invited guests, directing society to reflect upon the past in a positive way and confirming their commitment to lead us towards a shared future. Reflection entails responsible self-acknowledgement: considering wrongs we have done to others or things we could have done differently as well as wrongs done to us. Responsibility for the conflict lies with every sector of society and a shared and reconciled future can only be achieved by active cooperation and participation by society as a whole. This inclusive day should not replace established and localised events, but guidance on organising remembrance should be available to help initiatives contribute to a shared and reconciled future without taking away from the sense of community and symbolism.

**Memorials:** Memorialising is itself a contested idea and the issue of a shared memorial is one that is controversial. Some believe in the healing quality of memorials while others consider them to be divisive, only serving to perpetuate sectarianism. The Consultative Group suggests that while a shared memorial can not be agreed at this time it should remain under consideration by the Reconciliation Forum. A number of criteria should be observed in working towards a memorial conducive to reconciliation. A memorial should:

- Direct people to the future, in particular a shared and reconciled future
• Commemorate the impact of the conflict on all of society and need not be prescriptive by including names or categories of people to be remembered

• Be respectful of the past and the sacrifices made by many in society whilst also looking forward

Serious consideration should be given to any memorial being a living memorial; ideas included: a museum, a combination of education and remembering, a conflict transformation centre, a trauma centre, a hospital, something that overlaps with storytelling. The memorial should be an uplifting structure that commemorates the past without glorifying it and one that demonstrates how our society has changed.

Some people have difficulty sharing physical space. This must be acknowledged and the issue of sharing space given further thought before a shared memorial can be created so that people are not alienated from it. Equally, those who erect public memorials commemorating a particular group or community should be encouraged to take into account the perspectives of those likely to encounter the memorial.

A reconciling society is defined less by divisions of the past and more by the potentials envisaged for the future. It takes collective responsibility for the past instead of attributing blame and avoiding responsibility.
Suggested Questions for Discussion

Society Issues

1) Has the document dealt with the past in a sensitive and constructive way?

2) Has the report adequately taken into consideration the needs of victims/survivors?

3) Are the suggestions such as storytelling, Day of Reflection and memorials adequate for the process of remembering?
Our Vision

“Our vision is of a vibrant, just and inclusive society, informed and empowered through dialogue.”

Mission Statement

“To engage people at all levels in open and honest dialogue that encourages understanding.”

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