

A1. Transitional Justice: The International Context

1.1 Introduction

- 1.1.1 This section will give a very brief overview of some of the ways in which countries emerging from political conflict worldwide have attempted to 'deal with their past'. In particular it focuses on formal 'truth-telling' as a means of addressing unresolved issues and as a tool in post-conflict transition.
- 1.1.2 In many countries emerging from political violence there are continuing difficulties and perceived injustices stemming from a breakdown in the rule of law during conflict. A growing number of academics, practitioners and policy makers are of the opinion that merely drawing a line under the past is not a viable option for such countries. As Neil Kritz, has argued, 'at the dawn of the 21st century, it is increasingly recognised that societies that refuse to address the painful legacy of past abuses do so at their peril'.¹ Citing the disastrous example of the former Yugoslavia, he suggests that failing to clarify the events of the past can only lead to a process of destructive myth making. Such myths, in turn, 'become the progenitors of deadly antagonism for the next generation'.² As a result of such thinking 'dealing with the past' is now routinely part of peace negotiations worldwide.
- 1.1.3 Logically, however, if one accepts the view that transitional societies need to address the past, the question then arises regarding the best method to achieve this. A variety of mechanisms or approaches have been developed. Such mechanisms constitute the means of implementing transitional justice principles in practice. Broadly speaking they can be characterised as a difference between 'retributive' or 'restorative' justice. The dilemma facing new leaders is whether or not such action (or inaction) is beneficial to transition and conflict resolution. The following is a brief summary of some of the main options available.

1.2 Choosing to 'Forget'

- 1.2.1 Transitional societies can forget everything either by enacting an amnesty or by doing nothing. There may be political considerations and pragmatic reasons for this course of action. It may be felt that prosecutions could destabilise a fragile peace and reconciliation process. In such circumstances stability and the balance of power are a key priority. From this perspective the best way to rebuild and reconcile the nation is to leave the past behind by means of an amnesty. Most Latin American countries throughout the 1980s and 1990s, and Spain in the 1970s, opted against trials in view of such perceived dangers. The exception was Argentina which (after pressure from the military) terminated a programme of prosecutions that had resulted a year earlier in the conviction and sentencing of five junta leaders. More than fifteen years later victims, and authorities, in Argentina and Chile are pursuing new ways to bypass legal constraints in order to initiate prosecutions against the military.³

¹ Kritz, N (2002), 'Where we are and how we got there: An overview of developments in the search for justice and reconciliation', in A.H. Henkin (ed), *The Legacy of Abuse: Confronting the Past, Facing the Future*, Conference Report, www.aspeninstitute.org, p.1

² *Ibid*

³ *Ibid*, p. 32

1.2.2 The above examples show that the demand for justice and acknowledgement of past wrongdoing is enduring and countries have been forced to revisit and 'deal with their past'. A further example of the quest for 'truth' (re) emerging in a country after decades of 'silence' is Spain. There, a campaign has recently emerged to locate and exhume the bodies of the 'disappeared' during the Franco era. Perhaps the passage of time is a key issue and factor to consider when dealing with the past.

1.3 Choosing to Prosecute

1.3.1 Alternatively transitional societies can choose to prosecute everyone implicated or adopt a policy of selective prosecutions (in national, international or 'mixed' courts). There are strong arguments for and against prosecutions.⁴ Those in favour maintain that there is a moral obligation to punish a wrongdoer. Moreover the growth of the human rights movement and developments in international human rights law has created greater pressure and placed obligations and standards on transitional societies to confront their past through criminal trials and accountability.

1.3.2 It is argued that prosecutions are essential in order to demonstrate that a culture of impunity is being replaced with a culture of accountability. This offers the best way to draw a line between the old regime and new government and will give a sense of security and redress to victims. Only trials can lead to a full recognition of the worth and dignity of victims and act as a deterrent against future abuses. Therefore, according to this perspective, even a limited number of notable convictions can have a significant moral and symbolic impact.

1.3.4 Greece is an important landmark in the annals of accountability. Following the downfall of the military junta in 1973 over 100,000 individuals were purged from the military and government and some 400 members of the police and army were prosecuted for torture. Nearly twenty years after the conviction of junta leaders plans to release them from prison still prompted huge protests.⁵

1.3.5 On the other hand the value of prosecutions as a tool of transition has been questioned.⁶ There is the opinion that prosecutions will not achieve the extensive moral, legal and political ends desired. Indeed prosecutions could be used to cover up conspiracy by the state. Other measures designed to reform the military, police, and judicial system may contribute more to transition than the punishment of the prior regime. As stated above, there may be political and pragmatic considerations guiding the pursuit of justice and the fear that prosecutions could increase the risk of a backlash, military coup, destabilise a fragile peace or ruin a reconciliation process. From this

⁴ Huyse, L. (2003), 'Justice', in D. Bloomfield, (ed), *Reconciliation After Violent Conflict: A Handbook*, International, IDEA; F.D. Orentlicher, (1991), 'Settling Accounts: The Duty to Prosecute Human Rights Violations of a Prior Regime', *Yale Law Journal*, 100, pp. 2537-2615.

⁵ Kritz, N. (ed) (1995), *Transitional Justice, How Emerging Democracies Reckon with Former Regimes*, Vol. 2, United States Institute of Peace, p. xxxii; A. H. Henkin (ed) (2002), *The Legacy of Abuse: Confronting the Past, Facing the Future*.

⁶ Bloomfield, D. (ed) (2003), *Reconciliation After Violent Conflict*; Henkin, A.H. (ed) (2002), *The Legacy of Abuse: Confronting the Past, Facing the Future*, p. 32.

perspective the best way to rebuild and reconcile the nation is to leave the past behind by means of an amnesty.

- 1.3.6 It is further argued that societies emerging from conflict are likely to have a weak infrastructure and criminal justice system that limits the capability of new leaders to deliver adequate justice. Conflicts often involve large sections of the population. In such circumstances the dilemma is how far to cast the net and what the result will have on governance. In Rwanda the government was faced with the overwhelming task of attempting to process more than 100,000 cases as a result of genocide. Such a volume would take decades to process and has already resulted in unacceptable delays. As a result a new village-level system called 'gacaca', loosely based on an indigenous model of traditional justice is dealing with the outstanding cases.⁷
- 1.3.7 Other shortcomings of retributive justice to consider are that trials tend to ignore or sideline the real feelings and needs of victims. A courtroom may be a hostile environment for victims resulting in renewed trauma. The lack of proof, passage of time and/or legal loopholes can serve to re-victimise victims. What is more, trials identify individual guilt, and are usually unable to establish the broader patterns or policies and practices of repression. They recognise criminal guilt, not political or moral responsibility and accountability. Thus trials can be symbolically counterproductive to the extent that they allow a complicit society to blame everything on a few 'bad apples'
- 1.3.8 It is clear from the above discussion that there may be obstacles and risks involved in the pursuit of criminal justice in transitional societies. In response to such issues, it is increasingly being argued by theorists, policy makers and practitioners that retributive measures must be seen as part of an integrated package of mechanisms, and a more 'holistic' approach, to dealing with the legacy of the past.

1.4 Engaging in Formal 'Truth-Telling'

- 1.4.1 Societies emerging from conflict can seek to address their past by choosing non-criminal sanctions (such as 'purge' programmes), truth commissions and victim reparation policies.⁸
- 1.4.2 Historical accounting by means of 'truth-telling' is regarded as an important tool in the management of conflict resolution. In theory 'truth-telling' can be formal (state-led) or informal (community-led or interest group) initiatives. The trend internationally has been for highly centralised official processes. At the heart of 'truth-telling' is a restorative rather than a retributive conception of justice. Rather than being focused primarily on confronting or holding accountable the predecessor regime a restorative model aims to incorporate a diverse range of values, including 'peace', 'stability' and 'nation-building'.⁹ They are concerned with a form of future-focused justice that attempts to 'reconcile' the three points of the rights abuse paradigm: victim, perpetrator and bystander.

⁷ Bloomfield, D. (ed) (2003), *Reconciliation After Violent Conflict: A Handbook*; Kritz, N. (2002) in A. H. Henkin (ed) *The Legacy of Abuse: Confronting the Past, Facing the Future*

⁸ Freeman, M. and Hayner, P. (2003), 'Truth-Telling', in D. Bloomfield (ed), *Reconciliation After Violent Conflict: A Handbook*.

⁹ Teitel, R. (2003), 'Transitional Justice Genealogy', *Harvard Human Rights Journal*, 69, p.16.

- 1.4.3 The tendency to include 'truth-telling' as a key component of post-conflict transition developed particularly in the 1980s and 1990s. At least 25 official 'truth-telling' processes have been established in various countries on almost every continent between 1974 and 2001.¹⁰ There are currently truth commissions taking place in societies as diverse as Peru, Sierra Leone and East Timor. These formal 'truth-telling' processes have been (and continue to be) very different in their terms of reference, remit, structure, and investigative and judicial powers. Nevertheless invariably they are 'top-down' and highly centralized and they have tended to share (in varying degrees) certain underlying principles and goals. These have included: the reform of state and judicial institutions and practices, the inculcation of a human rights culture, the prosecution of perpetrators of past human rights violations, reparations, the promotion of 'individual, communal and national reconciliation', the opportunity for personal and collective psychological 'catharsis' and the creation of a shared public memory or history of the past.¹¹ The appeal of the model is its ability to offer a broader historical perspective rather than focusing on individual accountability.
- 1.4.4 However, the circumstances within which different formal truth-telling processes have taken shape dramatically impact upon their character.¹² The critical variable has been the extent of ongoing influence of the pre-existing regime. In general, the greater the continuity of power maintained by state agencies, the more limited the 'truth-telling' process. This has often involved a less than satisfactory 'trade-off' of the (not necessarily mutually conducive) ends of 'truth', 'justice' and 'reconciliation'.

1.5 Pros and Cons of 'Truth-Telling'

- 1.5.1 Despite the popularity of 'truth-telling' processes there is limited evidence about the tangible benefits and ambiguity over what they can actually deliver. The empirical evidence that does exist tends to focus exclusively on *state-led* initiatives and specific target groups. Nevertheless there have been many claims made about their potential beneficial consequences.
- 1.5.2 'Truth-telling', it has been suggested, might 'heal the nation', or allow society to work through a violent past aiding 'closure', 'healing', 'reconciliation', post-conflict reconstruction and nation building. An element in this is the promise to disclose 'the truth' about past abuses and reveal why such abuses occurred. By giving victims and survivors a role in telling their story of past abuses it is claimed this can achieve catharsis, the 'restoration of dignity', acknowledgement and the possibility for a society to learn from its past.¹³
- 1.5.3 There may have been instances where formal 'truth-telling' has been critical in 'giving voice' to victims, unearthed past abuses, brought perpetrators to

¹⁰ Hayner, P. (2001), *Unspeakable Truths: Confronting State Terror and Atrocity*, Routledge; Freeman, M. and Hayner, P. (2003), 'Truth-Telling', in D. Bloomfield (ed), *Reconciliation After Violent Conflict: A Handbook*.

¹¹ Dyzenhaus, D. (2000) 'Justifying the Truth and Reconciliation Commission', *Journal of Political Philosophy*, 8:4, pp. 470-496.

¹² Arnson, Cynthia J. (1999), *Comparative Peace Processes in Latin America*, Woodrow Wilson Center Press, Washington; Seils, Paul F. (2002) 'Reconciliation in Guatemala: the role of intelligent justice', *Race and Class*, 44:1, pp. 33-59.

¹³ Freeman, M. and Hayner, P. (2003), 'Truth-Telling', in D. Bloomfield (ed), *Reconciliation After Violent Conflict: A Handbook*.

justice and promoted real progressive social change. Nevertheless, there is evidence that countries, which have undergone such processes, are not necessarily happy with all aspects of their conduct or outcome.¹⁴

- 1.5.4 In particular the 'top-down' centralised nature of truth processes has led some to argue that the interests of victims can, at times, be marginalised. According to Hamber, greater focus upon reconciliation ends has often lent itself to a diminution of the place of victims and despite their claim to be victim-centred, truth processes are the least focused on the actual victims of human rights violations.¹⁵ The result of such 'trade-offs' has been great disappointment and disillusionment on the part of victims. This is not to suggest that truth processes have no value. What it does is challenge claims by academics, policy makers and practitioners that such initiatives are 'victim-centred' or victim orientated.
- 1.5.5 A further aspect of such processes is the way in which the community dimension of conflict is often neglected. This is particularly problematic in relation to those marginalised communities that have been most affected by conflict, and whose experiences and attitudes should therefore be addressed as a crucial element in transition. For example, despite the best efforts of many community and victims' groups, the South African Truth and Reconciliation Commission has been criticised for placing the macro-societal-wide agenda of 'consensus-building' above the needs of individual victims.¹⁶ Some have gone as far as to suggest that at its worst institutionalised 'truth-telling' may allow for little more than the management and incorporation of memory, a 'useful marketing tool' for the state.¹⁷
- 1.5.6 There are other mechanisms that could be used to address the past but were not discussed here. The above is simply meant as an overview of some of the ways in which the past has been dealt with internationally and a brief discussion of a number of criticisms. It is intended to provide a context for understanding the development of the current research project. Given the limited knowledge about the tangible outcome of 'truth-telling' in the wider context, this research set out to explore and critically assess what impact the work of the ACP had both within and outside of the community. It is envisaged that the findings of this report will contribute to an understanding of the benefits of community-based 'truth-telling' and this in turn will help fill the existing knowledge gap on the role and value of 'truth-telling' processes in general. The next section examines the Northern Ireland context and what helped shape the development of the ACP.

¹⁴ Cuevas, V.E. and Ortiz Rojas, M.L. (2002), *Comparative Study of Truth Commissions in Argentina, Chile, El Salvador, Guatemala and South Africa from the Perspective of Victims, their Relatives, Human Rights Organizations and Experts*, Corporacion de Promocion y Defensa de los Derechos del Pueblo (CODEPU), Chile.

¹⁵ Hamber, B. (2003), 'Rights and Reasons: Challenges for Truth Recovery in South Africa and Northern Ireland', *Fordham International Law Journal*, 26:4, pp. 1074-1094.

¹⁶ van der Merwe, H (1999), *The Truth and Reconciliation Commission: An Analysis of Competing Strategies and Conceptualisations*, PhD thesis, Centre for the Study of Violence and Reconciliation, South Africa.

¹⁷ Stanley, E. (2002) 'What next? The aftermath of organised truth telling', *Race and Class*, 44: 1, pp. 1-15.

A.2 The Context II: Victims' Issues and 'Truth-telling': The Northern Ireland Context

This section will briefly outline some of the main developments that have influenced the debate on victims' issues and 'truth-telling' in Northern Ireland in recent years. This is the context within which the Ardoyne Commemoration Project emerged and conducted its community-based approach to victims' issues and 'truth-telling'.

Two main areas have been identified:

- Policy-making
- Civil society and victims' groups

2.1. Policy-making, Victims' Issues and 'Truth-telling'

Victims' issues have emerged as a greater priority of the political and policy agenda since the development of the peace process and the signing of the Good Friday Agreement in 1998. Since then there have been a number of policy initiatives and statements on victims and 'truth-telling' issues emanating from public and statutory bodies. These provide an important context for understanding the debate on community-based approaches to 'truth-telling'. Some also impacted (indirectly) on the formation and development of the ACP. They include:

- 2.1.1 **The Good Friday Agreement (GFA):** Although, significantly, it did not outline any specific mechanism for dealing with the past the GFA signed in April 1998 contained a series of broad principles and policy goals for dealing with the rights and issues facing conflict victims. These included the recognition that victims 'had a right to remember [as part of the] wider promotion of a culture of tolerance at every level of society'.¹⁸ The Agreement also noted that a 'necessary element of reconciliation' was the need to 'acknowledge and address the suffering of the victims of violence'. The historic nature of the GFA established a new social and political context that was important for the creation of the ACP.
- 2.1.2 **The Bloomfield Report:** The GFA had been preceded by the appointment in October 1997 of retired civil servant Sir Kenneth Bloomfield as a Victims Commissioner by the then Secretary of State for Northern Ireland, Mo Mowlam. As outlined in his report *We Will Remember Them* (published in May 1998) Bloomfield's remit was to 'examine the feasibility of providing greater recognition for those who have become victims'.¹⁹ The report recognised that there might be a 'cathartic effect of putting one's experience on record' and examined a number of suggestions for 'non-physical memorial schemes'.²⁰ Bloomfield also recommended the 'creation of an appropriate record and archive [as] part of any wider memorial plans'.²¹ Several aspects of the Bloomfield report were highly contentious and impacted directly on the development of community-based approaches to 'the truth' and the ACP.

¹⁸ *Agreement Reached in the Multi-Party Negotiations, April 10, 1998.*

¹⁹ Bloomfield, Sir K. (1997) *We will Remember Them: Report of the Northern Ireland Victims Commissioner*, Belfast, NIO.

²⁰ *Ibid*, p. 19.

²¹ *Ibid*, p. 41.

These included the limited treatment given to 'truth and justice' issues, the non-discussion of state killings and nationalist perceptions that it re-asserted a 'hierarchy of victimhood'. The document also focused primarily on service-led victims concerns. The Government accepted the report's recommendations in full.²²

2.1.3 The Victims Liaison Unit (NIO): Along with the VU (OFMDFM) (see 2.1.4 below) the VLU (NIO) is one of two main government agencies charged with overseeing the development of policy on victims' issues. The VLU has responsibility for implementing the Bloomfield findings and overall responsibility for government funding for the full range of victims' schemes and programmes. To date this has amounted to approximately £20m. The majority of this funding has been directed toward practical and support services. This has been channelled through charitable and statutory bodies such as the Northern Ireland Memorial Fund and the Community Foundation for Northern Ireland (see 2.1.5 below). In 2003 the Minister with responsibility for Victims (Angela Smyth MP) also initiated a public consultation process to explore attitudes to the way forward on victims' issues.

2.1.4 The Victims Unit (OFMDFM): In 2002 the VU (OFMDFM) was given responsibility for the co-ordination of victims-related policies across devolved government departments and the management of funding for victims' measures under the European Programme for Peace and Reconciliation (PEACE II). In the same year it also published a key policy document, *Reshape, Rebuild, Achieve* outlining its victims' strategy up to 2004.²³ *Reshape, Rebuild, Achieve* defined a victim as 'the surviving physically and psychologically injured of violent, conflict-related incidents and those close relatives or partners who care for them, *along with those close relatives who mourn their dead* [our italics]'.²⁴ It also set out the core values that should underpin the victims' strategy, these were; 'victim-centred', 'equitable', 'inclusive', 'focused' and 'integrated'.²⁵ The main focus of this document, as its full title suggests, was in the delivery of 'practical help and services' to conflict victims. Given its political sensitivity discussion of truth and justice issues was deferred to the Healing Through Remembering Project (see 2.2.2. below).²⁶ The report noted that 'certain organisations and some victims' groups have also begun to examine how individual or collective stories might be recorded'. However, it argued that the 'area of storytelling' (defined as 'allowing people the chance to have their individual story listened to and/or recorded') was 'linked [to] the issues of 'truth and justice'. It therefore deferred any further comment on 'story-telling' until after publication of the Healing Through Remembering Report.

2.1.5 Funding and Public Bodies: A number of other public and statutory bodies have been involved in developing public policy on victims' issues. Several of these have been primarily concerned with the management of victim-related public funding. These have included, for example;

²² Northern Ireland Office Online, <http://www.nio.gov.uk/issues/victims.htm>, accessed 10.01.04.

²³ Victims Unit (OFMDFM) (2002) *Reshape, Rebuild, Achieve: Delivering Practical Help and Services to Victims of the Conflict in Northern Ireland*, Belfast, OFMDFM/VU.

²⁴ *Ibid*, p.1.

²⁵ *Ibid*, pp. 1-2.

²⁶ *Ibid*, p. 16.

- **The Northern Ireland Memorial Fund (NIMF):** The NIMF was set up in the wake of the Bloomfield Report as an independent charity. As well as undertaking fundraising activities it has been responsible for managing around £7m of government funding dedicated to victims' needs. The primary focus of the Memorial Fund is to provide 'help and support in a practical and meaningful way [to] those who have suffered injury or bereavement' as a result of the conflict.²⁷ 'Truth-telling' projects have not featured as part of the concern of the NIMF.
- **The Community Foundation for Northern Ireland:** Formerly the Northern Ireland Voluntary Trust, the remit of the Community Foundation includes the management of the Victims' Core Funding Scheme designed to meet the core costs of Victim/Survivor groups provided through the VLU (NIO). The first round of this funding amounted to £3.1m. The Community Foundation aims to promote cross-community partnerships and models of best practice amongst victims' organisations. The primary focus of its work has also been upon the delivery of practical needs-based services.²⁸
- **The Community Relations Council (CRC):** The CRC has also developed responsibility for the management of funding under the Peace II Programme that impact upon victim-orientated activities, including the current research.

2.1.6 **The Human Rights Commission:** In June 2003 the Human Rights Commission published a comprehensive report *Human Rights and Victims of Violence*.²⁹ This followed discussions with a range of victims' organisations as part of the wider consultation on a Bill of Rights for Northern Ireland. The report proposed that victims' rights must be an integral part of any plan for the future of Northern Ireland.³⁰ It set out the views of the victims' groups and individuals consulted on a range of issues and also detailed current international standards concerning the rights of victims'. The report focused on the right of victims to 'recognition and truth', 'justice and information', 'assistance, compensation and restitution' and 'protection, equality and restitution'. It noted in particular that the question of 'recognition' was not primarily a legal but a 'social, cultural and political matter'. Recognition should not solely be accorded through the criminal justice process but via 'general acknowledgement by the whole of society'. The report found that a 'truth-telling' process might be a way forward on this agenda but offered no specific recommendations for the form such a mechanism might take.

2.1.7 **Recent Statement by Public Officials:** There have been a number of recent interventions into the debate on 'dealing with the past' from several senior public officials. These include:

- **The Chief Constable of the Police Service of Northern Ireland (PSNI),** Sir Hugh Orde. Throughout the last year Hugh Orde has made several public statements in support of a 'truth-telling' process.³¹ He has recently

²⁷ <http://www.nio.gov.uk/pdf/nimf1.pdf>, accessed 15.02.04.

²⁸ Community Foundation (2003) *A Summary of Good Practice among Victims' and Survivors' groups*, Belfast, CFNI, Community Foundation (2003) *Shaping Our Future: Victims and Survivors on the Move*, Belfast, CFNI.

²⁹ Northern Ireland Human Rights Commission (2003) *Human Rights and Victims of Violence*, Belfast, NIHRC.

³⁰ *Ibid.* 7.

³¹ See for example, Report of a Speech by Hugh Orde to the Alliance Party Annual Conference, 15th March 2004,

called for the creation of a 'victim-centred' mechanism with an 'international dimension' based around three strands, one of which would be designed to promote conciliation through 'storytelling'. Orde has also endorsed an inclusive approach that would not be based upon a 'hierarchy of victimhood'.

- **The Chairman and Vice Chairman of the Policing Board**, Professor Des Rea and Denis Bradley respectively, have publicly supported Hugh Orde's position on 'truth' recovery mechanisms.

2.1.8 **Judicial Processes and Public Inquiries:** As was argued in *Reshape, Rebuild, Achieve* 'story-telling' is closely interlinked with 'truth and justice' issues. It is not surprising therefore that ongoing judicial processes, investigations and the demand for future inquiries have been critical factors framing the debate and shaping attitudes on 'truth-telling' processes. These have included;

- **The Saville Inquiry:** Lord Justice Saville's inquiry into the events of Bloody Sunday has caused much controversy but undoubtedly represented a major shift in the legal and political context within which mechanisms for 'dealing with the past' were discussed. It has recently completed its public hearings and is due to publish its report within the next year.
- **The Stevens Inquiry:** The third inquiry undertaken by Sir John Stevens, Chief Constable of the London Metropolitan Police, into allegations of collusion between armed non-state groups and state intelligence and security forces. Its findings were partially published in April 2003 and supported the contention that collusion had been widespread and resulted in a number of deaths.
- **The European Court of Human Rights (ECHR) Article Two Judgements:** In 2002 the ECHR issued judgements in regard to four cases where state agencies were either directly involved or where there were allegations of collusion with loyalist paramilitary groups.
- **The Cory Report:** Resulted from the inquiry conducted by retired Canadian Supreme Court judge Peter Cory into allegations of collusion in the deaths of the human rights lawyers Rosemary Nelson and Pat Finucane and also Robert Hamill and the loyalist paramilitary Billy Wright. On 1st April this year the Cory Inquiry found that there was evidence of collusion in all four cases and therefore recommended that four separate public inquiries should be established. The announcement of an inquiry into the case of Pat Finucane was delayed until September 2004 following the conclusion of a court case. The family of Pat Finucane have expressed great concern that the terms of the inquiry may still be insufficient to ensure full, public disclosure and accountability.

2.1.9 **Consultations on a 'Truth Process':** In the wake of the Cory Report the Minister for State Paul Murphy announced the instigation of a consultation process on 'truth' recovery mechanisms. He argued that 'the only way we can put the past behind us in Northern Ireland is by seeking to establish the truth... we need to find a way of remembering the past'. This was endorsed by the Prime Minister Tony Blair who stated 'I do not know whether necessarily a Truth and Reconciliation Commission is the right way to do it but I think there needs to be some way of trying to... allow people to express their grief, their pain and their anger'.³²

³² *Guardian*, April 3rd 2004.

2.2. Civil Society, Victims' Groups and 'Truth-telling'

There has also been a highly active debate on victims' issues and approaches to 'truth-telling' taking place at the level of civil society and community organisations. By their nature developments in this sphere were often a more direct and significant influence on the ACP than official policy-making.

2.2.1 **Political Parties:** Mechanisms for 'dealing with the past' were not a major priority for any of the main political parties during the talks that led up to the signing of the Good Friday Agreement. However, some have made recent significant statements on 'truth recovery' processes. These include:

- **Sinn Fein:** In October 2003 Sinn Fein published a consultation paper on 'Truth'. Its proposals were recently outlined by Phillip McGuigan, the party's spokesperson on 'truth recovery' who said Sinn Fein was 'not attached to any particular model of 'truth recovery' [but that] any process should be victim-centred, and to ensure impartiality, has to be independent and international'.³³
- **Ulster Unionist Party:** The UUP has said relatively little on the debate over the development of a truth process in Northern Ireland. The party leader, David Trimble, recently commented sceptically on the prospects for instituting a South African-style truth commission because there was 'one party and some individuals' who had not shown a 'willingness to tell the truth'.³⁴
- **Social Democratic and Labour Party:** In February 2004 Mark Durkan, the leader of the SDLP called for the establishment of a victims' forum as a 'key step in developing a victim-survivor centred approach to 'truth' and remembrance'.³⁵
- **Democratic Unionist Party:** Unionist parties have tended to prioritise a service-led and needs-based approach. This was reflected in the DUP policy paper published in 2003 *A Voice for Victims: The Democratic Unionist Party's Policy on Innocent Victims of Terrorism*.³⁶ The DUP opposes the creation of a truth commission, calls for the continued investigation of 'unsolved murders' and the appointment of a Victims' Commissioner. Emphasis is placed upon funding for victims' groups and compensation claims. They are also seeking a re-definition of the broad, inclusive *Reshape, Rebuild, Achieve* definition of a victim arguing that it 'alienates many victims [of 'terrorism']]'.³⁶
- **Alliance Party:** The Alliance party passed a motion at its recent 2004 party conference calling on the government to 'establish a [victim-led] taskforce to determine the most appropriate means... on how best to deal with the past'.

2.2.2 **Healing Through Remembering Project:** The HTRP was set up in 2000 to 'identify and document possible mechanisms and realisable options for

³³ Sinn Fein (2003) *Truth: A Consultation Paper*, Belfast, Sinn Fein, Phillip McGuigan, Speech to Sinn Fein Ard Fheis, 28th February 2004, <http://www.sinnfein.ie/gaelic/news/detail/3610> accessed 29/02/04.

³⁴ David Trimble, 21st June 2004, www.uup.org/newsroom, accessed 21/07/04.

³⁵ Mark Durkan, 20th February 2004, <http://www.icDerry.com>, accessed 22/02/04.

³⁶ Democratic Unionist Party (2003) *A Voice for Victims: The Democratic Unionist Party's Policy on Innocent Victims of Terrorism*, Belfast, DUP.

healing through remembering for those affected by the conflict'.³⁷ It received 108 submissions and made 7 key recommendations in a report published in June 2002. These included the development of a 'storytelling process known as Testimony', that would be designed to collect 'stories and narratives from all who wish to tell of their experiences'. Such initiatives would be carried out by 'those already undertaking this type of work and by community groups through a flexible but standard method'. The aim would be to create an 'archive housing stories of the past and serving as a vehicle to learn lessons for the future'.³⁸ A series of steps were also laid out to move forward on this and the other six identified key areas. The Victims Unit (OFMDFM) key policy document *Reshape, Rebuild, Achieve* deferred discussion of 'truth and justice' and storytelling issues until after publication of the HTRP report. It is therefore likely that the next generation of victims' policies (due to be developed from 2004 onward) will incorporate the HTRP recommendations on these issues.

2.2.3 Victims' Groups and Organisations

There has been a significant increase in the number and activities of victims' groups and organisations in recent years. Several have also undertaken projects or adopted policy positions with regard to 'truth' recovery mechanisms. The list given below is by no means exhaustive but indicates the tenor of the debate on 'truth-telling' amongst various victims groups. All of those listed (except the BST) are also in receipt of monies from the Victims' Group Core Funding programme managed by the CRC for 2003-2005:

- **The Aisling Centre:** The Aisling Centre was founded in Enniskillen in 1990 as a 'neutral location' to generate 'healing and growth'. It is essentially concerned with providing therapeutic and counselling services.³⁹
- **The Bloody Sunday Trust (BST):** Developed out of the relatives' campaign for a second inquiry into the events of Bloody Sunday the BST was set up in 1997 to 'commemorate the events of Bloody Sunday' as a 'community-based education and history organisation'. It established a centre that would provide counselling and services for relatives and witnesses and act as an exhibition and media space throughout the duration of the Saville Inquiry. The long-term aim of the BST is to 'give recognition and respect to the memories and experiences of the local community' by creating a Bogside History Centre.⁴⁰
- **Cúnamh:** based in Derry Cúnamh is a community-led mental health project founded in 1997. While its primary focus is on providing therapeutic and counselling support Cúnamh has also initiated Na Cuimhneacháin (the 'Creative Remembering') Project. This includes an oral history element, recording and publishing (on the internet and in edited form in the local *Derry News*) 'memories of the troubles'. Storytelling is viewed as a necessary part of a 'genuine healing process' at both the individual and collective levels. 'Collating past experiences', Cúnamh argues, is a means to pursue 'acknowledgement' and of 'transforming knowledge into positive learning opportunities'.⁴¹

³⁷ Healing Through Remembering (2002) *The Report of the Healing Through Remembering Project*, Belfast, HTRP, p. iii.

³⁸ *Ibid*, p. 41.

³⁹ www.aislingcentre.com.

⁴⁰ www.bloodysundaytrust.org

⁴¹ www.cunamh.org

- **Families Achieving Change Together (FACT):** Originally formed in 1998 and called Families Against Crime by Terrorism, FACT changed its name in August 2003 to 'reflect how we as a group have grown and changed'. However, its primary focus continues to be with what it terms 'innocent victims'. Amongst its goals is for members to 'produce a booklet relating their stories, feelings and emotions'. It would have two main aims; to ensure that 'their loved ones [would not be] classed as just another statistic' and 'as a means of therapy for many members'.⁴²
- **Families Acting for Innocent Victims (FAIR):** FAIR was set up in South Armagh in 1998 as a support group for 'victims marginalised by the peace process'. It now claims a membership of over 600 members and has links to several other like-minded victims groups' (such as SAVER/NAVER and South Down Action for Healing Wounds). FAIR rejects the 'inclusive definition' of victims and has declared its opposition to a 'truth commission'. Its aims are to amongst other things 'create a permanent remembrance' of South Armagh victims of 'terrorism' by allowing members to 'tell our stories and ensure that lessons can be learnt'. It wants to establish a 'living memorial centre' that would include 'a visual and audio area where people can almost relive the incidents'.⁴³
- **Fear Encouraged Abandoning Roots (FEAR):** FEAR was established in 1996 and is based in Enniskillen. It describes itself as a 'mutual support group seeking to deal with issues affecting victims of terrorist violence, such as recognition and justice'. It has a primarily service and needs-based approach.
- **Firinne:** Based in Lisnaskea Firinne was set up in 1998 to 'support the relatives of the victims of state violence' in Fermanagh. One of its key aims has been to provide a 'documentation service' so that 'people's stories of state violence may be recorded for posterity'. In 2002 the group published a small booklet *The Untold Truth* featuring the stories of 10 Fermanagh families 'whose lives have been affected by state violence'.
- **Northern Ireland Centre for Trauma and Transformation (NICTT):** based in Omagh the NICTT was set up as a charitable trust in 2002. Funded by the NIO it has a therapeutic focus and is designed to 'make the treatments for trauma available to people who have been affected by the civil violence in Northern Ireland'.⁴⁴
- **Relatives for Justice (RFJ):** Based in Belfast with a number of branches throughout Northern Ireland RFJ was formed in 1991 to campaign on behalf of the 'families of victims of state violence'. It continues to have a strong campaigning ethos on issues such as collusion, shoot-to-kill policies and the use of plastic bullets. It combines this with the provision of counselling and support services. Amongst its goals RFJ documents the experiences of individual victims of state violence, some of which are accessible as sound archives. It also initiated a 'Remembering Quilt' Project in 2001 so that relatives could 'remember their loved ones in a creative and positive way'. RFJ was also instrumental in the creation of Eolas (see 2.2.6. below).⁴⁵
- **Survivors of Trauma:** Based in North Belfast Survivors of Trauma was set up to provide support and counselling for conflict-related victims and relatives in the area. Many of its members were directly involved in giving testimony for the Ardoyne Commemoration Project. Along with RFJ

⁴² www.factni.co.uk

⁴³ www.victims.org

⁴⁴ www.nictt.org

⁴⁵ www.relativesforjustice.com

Survivors of Trauma was also an important place of contact and was recommended as a source of counselling support for relatives who had given their testimony by members of the ACP.

- **WAVE:** Probably the largest victims support organisation with several branches located in different parts of Northern Ireland and an estimated 1200 members. It places 'inclusion' at the centre of its mission statement. In a response to the Human Rights Commission consultation on a Bill of Rights WAVE members argued that the holding of a truth commission 'could help in [a] healing process' but that there was a need for 'further exploration' of the issue as Northern Ireland was probably 'not yet ready for a truth commission'. Any 'truth' recovery process, it was argued, should also handle storytelling 'with care and sensitivity' to avoid victims becoming 'further traumatised in the process'.⁴⁶
- **Victims and Survivors Trust (VAST):** In its mission statement VAST argues that it aims to support conflict-related trauma sufferers develop 'coping mechanisms' to assist them 'in their transition from being victims to becoming survivors'. As part of this goal they also seek to 'provide mechanisms to enable victims and survivors to tell their story and to rebuild their self-esteem and identity'.⁴⁷

2.2.4 Oral History Projects

There have also been a number of oral history initiatives undertaken whose focus has been either solely or largely on the experiences of victims. These have included:

- **An Crann:** An Crann ('The Tree') was an arts-based project that sought to employ workshops to allow victims to express themselves in visual, musical, plastic and oral arts. It had a strong emphasis upon storytelling and recorded and archived victims' memories. It completed its work in 2000 and, amongst other things, published *Bear in Mind: Stories of the Troubles* a collection of some of the narratives that had been gathered.⁴⁸
- **Duchas:** The Duchas Living History Project was set up by the Falls Community Council in 1998. It is designed to 'collect and present a historical record of life in nationalist West Belfast' for people 'who don't have access to official and establishment versions of history'. Its ultimate aim is to establish a centre where visitors might 'access the history of West Belfast told by its people'. This work is seen as 'highly relevant to victim and survivor research'.
- **Legacy:** Legacy was a BBC Radio Ulster project established to 'document the experiences of people affected by the Troubles'. Throughout 1999, at 8.58.am each morning, it broadcast brief interviews recorded with victims.

2.2.5 Research and Publications

There have been a number of research initiatives and publications produced on victim's issues. However, the most comprehensive and influential have included:

- **Cost of the Troubles Survey (COTTS):** The COTTS was set up in the wake of the 1994 ceasefires to provide evidence on the nature, scale and experience of conflict-related bereavement and injury. Members of INCORE, University of Ulster carried out the work. Its main findings were published in two works, *Northern Ireland's Troubles: The Human Costs*

⁴⁶ www.wavetc.clara.net

⁴⁷ www.victimandsurvivorstrust.com

⁴⁸ An Crann (2000) *Bear in Mind: Stories of the Troubles*, Belfast, Lagan Press.

(1999) and *Personal Accounts from Northern Ireland's Troubles* (2000).⁴⁹ The latter contained the transcripts from interviews conducted with around 30 people, many of them relatives and victims.

- **Lost Lives:** *Lost Lives* was a book published in 1999 that detailed the circumstances surrounding the deaths of each of the individual fatal victims of the conflict.⁵⁰ Compiled by journalists it relied in the main upon contemporary newspaper accounts of events.
- **Democratic Dialogue:** Democratic Dialogue is a think tank that has developed an interest in victims' issues since 2000. It has published several reports on victim-related matters including, for example, *Recognition and Reckoning* (2003).⁵¹ This was the result of a round table discussion with representatives of various victims' groups and organisations on the VU (OFMDFM) document *Reshape, Rebuild, Achieve*. A key theme to emerge was the need for recognition through a range of different possible mechanisms, including 'truth' recovery and story-telling processes.
- **Unfinished Business:** *Unfinished Business* (2000) was a study undertaken by Professor Bill Rolston of campaigns organised by relatives, victims' groups and human rights organisations on 'truth and justice' issues.⁵² It contains the transcripts of interviews conducted by the author.

2.2.6 **The Eolas Consultation Initiative:** Eolas ('Information') is a loose group of nationalist/republican victim and other community-based groups that includes the Ardoyne Commemoration Project. It launched a community consultation process with the publication of *Truth and Justice: A Discussion Document* in September 2003.⁵³ It is primarily concerned with examining possible formal 'truth-telling' processes. Its broad recommendations emphasise that any process should be 'international', 'independent', 'community-orientated', 'victim-centred', have both an 'individual' and an 'institutional' focus and be 'non-punitive' and 'non-judicial'. This consultation initiative has sought to garner opinions and stimulate debate within (principally though not exclusively) the nationalist community on 'truth-telling' and victims' issues.

⁴⁹ Fay, Marie-Therese, Morrissey, Mike & Smyth, Marie (1999) *Northern Ireland's Troubles: The Human Costs*, London, Pluto; Smyth, Marie & Fay, Marie-Therese (2000) *Personal Accounts from Northern Ireland's Troubles: Public Conflict, Private Loss*, London, Pluto.

⁵⁰ McKitterick, David, Kelters, Seamus, Feeney, Brian & Thornton, Chris (1999) *Lost Lives: The Stories of the Men, Women and Children who died as a Result of the Northern Ireland Troubles*, London, Mainstream Publishing.

⁵¹ www.democraticdialogue.org

⁵² Rolston, Bill (2000) *Unfinished Business: State Killings and the Quest for Truth*, Belfast, Beyond the Pale Publications.

⁵³ Eolas (2004) *Truth and Justice: A Discussion Document*, Belfast, Eolas.

(1999) and *Personal Accounts from Northern Ireland's Troubles* (2000).⁴⁹ The latter contained the transcripts from interviews conducted with around 30 people, many of them relatives and victims.

- **Lost Lives:** *Lost Lives* was a book published in 1999 that detailed the circumstances surrounding the deaths of each of the individual fatal victims of the conflict.⁵⁰ Compiled by journalists it relied in the main upon contemporary newspaper accounts of events.
- **Democratic Dialogue:** Democratic Dialogue is a think tank that has developed an interest in victims' issues since 2000. It has published several reports on victim-related matters including, for example, *Recognition and Reckoning* (2003).⁵¹ This was the result of a round table discussion with representatives of various victims' groups and organisations on the VU (OFMDFM) document *Reshape, Rebuild, Achieve*. A key theme to emerge was the need for recognition through a range of different possible mechanisms, including 'truth' recovery and story-telling processes.
- **Unfinished Business:** *Unfinished Business* (2000) was a study undertaken by Professor Bill Rolston of campaigns organised by relatives, victims' groups and human rights organisations on 'truth and justice' issues.⁵² It contains the transcripts of interviews conducted by the author.

2.2.6 **The Eolas Consultation Initiative:** Eolas ('Information') is a loose group of nationalist/republican victim and other community-based groups that includes the Ardoyne Commemoration Project. It launched a community consultation process with the publication of *Truth and Justice: A Discussion Document* in September 2003.⁵³ It is primarily concerned with examining possible formal 'truth-telling' processes. Its broad recommendations emphasise that any process should be 'international', 'independent', 'community-orientated', 'victim-centred', have both an 'individual' and an 'institutional' focus and be 'non-punitive' and 'non-judicial'. This consultation initiative has sought to garner opinions and stimulate debate within (principally though not exclusively) the nationalist community on 'truth-telling' and victims' issues.

⁴⁹ Fay, Marie-Therese, Morrissey, Mike & Smyth, Marie (1999) *Northern Ireland's Troubles: The Human Costs*, London, Pluto; Smyth, Marie & Fay, Marie-Therese (2000) *Personal Accounts from Northern Ireland's Troubles: Public Conflict, Private Loss*, London, Pluto.

⁵⁰ McKitterick, David, Kelters, Seamus, Feeney, Brian & Thornton, Chris (1999) *Lost Lives: The Stories of the Men, Women and Children who died as a Result of the Northern Ireland Troubles*, London, Mainstream Publishing.

⁵¹ www.democraticdialogue.org

⁵² Rolston, Bill (2000) *Unfinished Business: State Killings and the Quest for Truth*, Belfast, Beyond the Pale Publications.

⁵³ Eolas (2004) *Truth and Justice: A Discussion Document*, Belfast, Eolas.

A.3 The Ardoyne Commemoration Project

3.1. Formation of the Ardoyne Commemoration Project

- 3.1.1. The ACP was formed in the wake of the signing of the Good Friday Agreement (GFA) in April 1998. There were two main reasons for this.
- 3.1.2. First, the terms of the GFA led to the emergence of a politically charged 'victims' agenda'. A number of newly formed victims' groups (i.e. FACT and FAIR) campaigned against the provisions within the GFA that dealt with the early release of prisoners on the basis of the rights of 'innocent' victims. At the same time, the appointment of Sir Kenneth Bloomfield as the victims' commissioner and the fact that responsibility for victims' issues was given to the Minister for Armed Forces were seen by many nationalists (and some of those involved in the ACP) as instituting a 'hierarchy of victimhood'.
- 3.1.3. Second, the signing of the GFA signalled an apparent end to the conflict and offered an opportunity for reflection on past events and loss. The political considerations outlined above were undoubtedly secondary to this desire to 'remember the dead'. This was the primary and over-riding reason why the ACP was created.
- 3.1.4. As a result, in August 1998 a number of relatives, community activists and interested individuals within Ardoyne met to discuss ways in which they might commemorate those from the area killed as a result of the conflict. A number of options were considered including a physical memorial. After a series of meetings it was decided to do so through a book that would contain the memories of the families of the dead.

3.2. Structure, Methodology and Ethos of the ACP

- 3.2.1. **The Committee:** A Committee of eight people (later reduced to five), with a chairperson and treasurer was established. The committee provided the organisational framework for the day-to-day running of the project. The members of the committee were also those most active in carrying out the work. However, a wider network of a dozen or more people provided support, advice, time and energy at various stages.
- 3.2.2. **Local Control and Participation:** All except one of the committee members were from Ardoyne. This strong local basis and orientation was always seen as the single most important principle underpinning the work of the project. Community participation was regarded as central for both practical and philosophical/ethical reasons.
- 3.2.3. In practical terms the grassroots nature of the project was seen as crucial in order to gain trust, enable access and establish an empathetic relationship with the interviewees. This was seen as particularly important because of the deep-seated distrust of 'outsiders' resulting from the long years of conflict and surveillance and previous experience of state agencies and the media.
- 3.2.4. However, the emphasis on local control and participation was also seen as central to the ethos of the project. The ACP saw itself as providing a means for individuals and community to express itself and to place previously

unrecorded experiences into the public domain. Local control was therefore seen as an absolute requirement for this to be achieved.

- 3.2.5. During all stages of the project, the ACP made every effort to seek the views, opinions and the participation of the wider community. This process was designed to ensure that the community in effect took 'ownership' and control of the design, research process, editing, return phase and production of the book.
- 3.2.6. **Defining the Victims:** The first task facing the project was to establish the parameters of who would be included. Given that it was designed primarily as an act of commemoration for the community it was decided that the book would include all those people killed as a result of the conflict who had either been born or lived a substantial period of their lives in Ardoyne.
- 3.2.7. The emphasis was therefore not on the status of the victim (i.e. combatant or non-combatant) or on the agency responsible for the death (i.e. state or non-state) but that the person killed was seen as a member of the community.
- 3.2.8. This raised a further issue about the boundaries of what constituted 'the community'. This was defined in geographical terms. The boundaries for inclusion were based upon the geographical limits of Ardoyne as they are understood within the local community. This area is bounded on one side by the Crumlin Road, Alliance Avenue on another and the Ardoyne Road on a third. It therefore did not take in adjacent predominantly nationalist (i.e. the Marrowbone/ Oldpark area) or predominantly unionist (i.e. Glenbryn) areas.
- 3.2.9. **Inclusivity:** Alongside local participation and control, inclusivity was seen as a key principle of the project's ethos. The definition of a victim arrived at for the book meant that some people who were killed in Ardoyne but were not from Ardoyne (i.e. members of the security forces, non-Ardoyne civilians) were not included. On the other hand all Ardoyne residents who could be identified as such, whether nationalist or unionist, killed by the British army, loyalist or republican organisations were included, as were people from Ardoyne who were killed somewhere else.
- 3.2.10. Members of the project regarded this as an inclusive approach to 'truth-telling' in that it did not preclude anyone on the basis of their ethnic/religious identity, political affiliation and/or status as a victim.
- 3.2.11. **Establishing the Database of Victims and Interviewees:** No definitive list of the victims existed. A range of sources was used to establish such a database including local monuments, books and pamphlets. Of great importance was information that came from local residents, particularly with regard to residents who had moved out of the area and subsequently been killed. The list of victims rose from an initial 75 to 99 as the research uncovered more names.
- 3.2.12. The project then established a list of potential interviewees. This was a highly laborious task and involved far more time and work than originally envisaged. The database had to be regularly updated and keeping on top of the information required constant care and attention. This emphasises the need to develop good systems of contact and data management when undertaking a project of this nature. There are also ethical issues to consider (including,

for example, the personal security of participants) when collating and storing such data

- 3.2.13. The list of interviewees was arrived at in consultation with the families, usually the spouse, parent and/or other close relative of the victim. It was decided that, if possible, three people would be interviewed in each victim's case. These would include as a norm, the closest relative/s (i.e. spouse, parent or sibling), a near friend or neighbour and/or anyone who had been an eyewitness to the events of the death. Ultimately around 300 people were interviewed for the project.
- 3.2.14. **Conducting the Interviews:** A question schedule for the interviews was drawn up and discussed by all the members of the project. The schedule was semi-structured and allowed for a great deal of flexibility in order to be responsive to the interviewee. However, certain broad categories and concerns were identified. These included: the victim's personal details (date and place of birth, where they lived, how many and who was in their family, what school attended, employment history), a personal portrait of the victim (respondents were asked particularly for any memorable stories they had), the circumstances of the death, the response of state agencies and others after the death and the long term impact of the death on themselves and family members.
- 3.2.15. The project team drew up a document outlining some guidelines for conducting interviews. This addressed some general ethical and practical issues to be considered by interviewers before, during and after the interview. These included; disclosure, timing and setting, background research, familiarity with recording equipment (pre-interview), question schedule, interviewer position, question areas (during the interview) and interviewee and interviewer support, the 'return phase', recording, filing and archiving (after the interview).
- 3.2.16. However, it is important to stress that ethical and other issues encountered in the interview process were dealt with through practice and discussion amongst the project members. Local knowledge, insights into the values and attitudes of the community and more than a fair dose of common sense and 'common decency' were crucial in making these ethical and practical decisions. This was part and parcel of the community-based character of the project.
- 3.2.17. The interviews, conducted over a 3-4 year period, were all carried out by members of the project in a location of the interviewee's own choosing, usually their home. Most interviews lasted between 30 minutes to 1½ hours. They were all recorded, initially on tape and later on mini-discs.
- 3.2.18. Contact was made with the interviewee, usually in person, prior to the interview. The nature and purpose of the project was discussed at this initial meeting and the interviewee was given an overview of what sort of questions would be asked. They were then asked if they were willing to be involved. If so, a time and place for the interview to be carried out was agreed.
- 3.2.19. Usually the interviews were conducted with one person at a time, although some relatives gave their testimonies together. While this made the transcription and editing of the transcript difficult at times, the needs of the interviewee were always given priority. Even when giving an individual

testimony it was not unusual for the interviewee to be accompanied by a friend or relative as they talked. This was invariably an important form of emotional support for the interviewee.

- 3.2.20. The way in which the testimony interviews were carried out evolved over time. There were undoubtedly mistakes made, particularly in the early stages and generally these were the result of a lack of experience. Virtually all of the interviewers were local people who had not been involved in this kind of work before and there was a steep learning curve. However, the disadvantages arising from a lack of experience need to be set against the great value that comes from the work being undertaken by people from the community. In addition, in the course of carrying out the work important skills were developed.
- 3.2.21. **Post-Interview Support:** Not surprisingly the interviews were often a highly emotional and sometimes disturbing experience for both the interviewee and the interviewer. It became clear that there was a need to build in some form of follow-up support in the wake of the interview. Contact was made with certain victims' and survivors' groups (Survivors of Trauma and Relatives for Justice) and their details were made available. In retrospect this aspect of the work probably should have been made more of a priority. However, it is worth noting that many interviewees also preferred to rely on family and friends than non-official or organised forms of therapeutic support.
- 3.2.22. The work also had a significant emotional impact on those involved in conducting the interviews and transcribing and editing the testimonies. Again this became more evident as the work progressed. For many of those involved in the project it became an all-consuming part of their lives. By and large project members relied on discussions with one another to provide support. Again, this was an area that, in hindsight, could have been given more thought and consideration.
- 3.2.23. **Editing and the 'Handing Back' of Testimonies:** The recording of the interview was transcribed by a member of the project team. This transcript was then edited. This process was designed to re-structure the words of the interviewee into a more focused and readable narrative. It was a time-consuming process that also required employing skills appropriate to the task. This work was undertaken by the academic members of the project team.
- 3.2.24. The initial edited version was then handed back to the interviewee who was given a completely free hand to alter their testimony in any way they saw fit. This was to ensure that what went into the book was precisely what they wished. If there were substantial changes to be made the re-edited transcript would be returned for a second time, although this only occurred on a few occasions. During the 'handing back' of the transcript a member of the project would be available to discuss the contents of the testimony. Most interviewees made minor changes to the text although in a number of instances a major rewrite of the testimony was required.
- 3.2.25. This handing back phase was regarded as a key element of the working process of the project, ensuring that interviewees had a sense of control and ownership. It was, however, extremely time-consuming and undoubtedly added a considerable workload to the project.

- 3.2.26. Participants who provided testimony were also given pre-publication access to the edited versions of all the interviews carried out with other family members, friends and eyewitnesses for the relevant case study. Although the general rule was that changes could only be made to one's own testimony participants were told that any inaccuracies or issues of concern raised by the content of other testimonies should be brought to the attention of the ACP.
- 3.2.27. **Establishing Contacts, Providing Information:** Providing the full case to the family of the victim helped ensure that any problems or issues could be resolved prior to publication. Given the highly personal and sensitive nature of the work this was crucial. It also allowed families to see any information or detail they had not previously been aware of in other testimonies. At times disputes and differences of opinion arose. It was therefore necessary for the project to provide points of contact to resolve such problems.
- 3.2.28 There were also occasions when people sought information from other groups or organisations in relation to the death, such as the republican movement. An important part of the work of the project was in providing conduits of contact and information in such circumstances. Clearly this was a highly delicate and sensitive process and one that could only occur because of the locally-based character of the project.
- 3.2.29 **Other Sources of Information:** In certain cases no interviewees were available. There were two occasions when this occurred due to family members being unwilling to provide testimony. In a number of others, despite an exhaustive search no family members, friends or neighbours were found. In these circumstances the project team tried to collate information about the victim and their death from other sources. These included newspaper accounts, coroner's reports and other published sources. Such additional sources were also employed to support certain cases where interviewees were available but where the circumstances of the death were still unclear.
- 3.2.30 **History Chapters as Context:** At an early stage of the project it was decided to include a series of history chapters. The individual cases and interviews form the core of the book but there was also a feeling that these needed to be placed into a collective context and set against the backdrop of wider social and political developments.
- 3.2.31 A series of oral history interviews were also carried out with local people for the history chapters. They focused on the wider impact of the conflict on the area rather than individual cases. This was combined with the collation of material from a range of other sources including; newspapers, official reports and previously published pamphlets, books, articles and coroners reports.
- 3.2.32 A series of key phases and events were then identified and these provided the structure of the chapters. The brief circumstances of each of the Ardoyne deaths were woven into this narrative, along with substantial quotes taken from the oral history interviews.
- 3.2.33 **Funding:** Initially there was a great reluctance of those who set the project up to seek external funding. This was because of a distrust of funding bodies and fears that they might impose conditions that would affect the way the project was carried out. People were also very concerned about mixing up financial matters with such a sensitive subject and were deeply conscious of community attitudes in this regard. In the end, however, it became clear that

some financial support was needed to allow people to devote the time and energy needed to carry out the work successfully, as well as the purchase of essential equipment (i.e. for recording interviews).

- 3.2.34 **Support and Scale:** The project involved far more work than anyone originally envisaged and lasted for four years rather than the original estimate of 18 months. The sheer scale of how much information, material and planning that the project involved was entirely unforeseen. This necessitated putting into place clear lines of responsibility and systems of recording and tracking the cases, interviews and transcripts.

3.3. Ardoyne: The Untold Truth

- 3.3.1. **The Book:** The result of the work was the production of a book, *Ardoyne: The Untold Truth*. It was published in 2002 by a local publishing house (Beyond the Pale Publications), which also helped ensure that control over the design, structure and layout of the book remained primarily in the hands of the project. That said, the advice and experience of publishers was extremely useful in resolving a number of pre-publication issues.
- 3.3.2. The book is over 500 pages and 350,000 words in length. Its sheer size may often be off-putting for the reader. However, the aim of the project was to capture the life as well as the death of the victim in the words of their loved ones. This takes up a great deal of time and space. The process of putting the book together was as important, if not more so, than the outcome. Similarly the book was made, in the first instance, for the participants themselves. Maintaining high production values of the book was seen as an integral part of paying respect to the dead.
- 3.3.3. The book was also non-profit making. When first launched copies were sold at cost price and made available through the local parish chapel (Holy Cross). Subsequent money made from its sale was used to subsidise providing one free hardback copies to each of the families. Small donations were also made to local community groups and organisations. The remainder was used to fund the production of a video of the launch of the book, free copies of which were be given to each of the families involved.
- 3.3.4. **The Launch:** The book was launched on the 15th August 2002, the 33rd anniversary of the deaths of Ardoyne's first conflict victims. The launch took place in a local club and all of the participants and families were invited to attend. Around 300 people were there for what became in itself a memorial for the dead. A number of speakers were invited including the ex-Taiioseach Albert Reynolds, Mayor of Belfast Alex Maskey and the screenwriter of *Sunday*, Jimmy McGovern.
- 3.3.5. Two moments from the launch stood out. Referring to the treatment of the funeral of a local IRA volunteer in 1987, a local rector Fr Aidan Troy, publicly apologised to the family for the actions of the Catholic Church at that time. Shortly after the chairperson of the project, himself an ex-prisoner, called upon the republican movement to help in the process of bringing 'truth' and acknowledgement to the relatives of victims on an inclusive and equal basis.
- 3.3.6. The launch was an emotionally charged event for all concerned and signalled the formal end of the project. Since then the book has sold roughly 6,000

copies in Ardoyne, Belfast, Ireland and much further afield, including USA, Australia, Chile, Sri Lanka, Guatemala, Mexico and South Africa.