

CONSULTATIVE GROUP ON THE PAST

29 May 2008

FULL TEXT OF SPEECH GIVEN BY LORD ROBIN EAMES AND DENIS BRADLEY AT THE INNOVATION CENTRE, TITANIC QUARTER BELFAST

Anyone who knows the history of Ireland will have been greatly encouraged by the developments we have seen in Northern Ireland over the last number of years. What has happened has given hope to many places throughout the world that are in a seemingly endless cycle of violence. It has also given our communities a sense of purpose and new direction – a direction that points to a better and shared future where religious and political differences can be accommodated and respected.

The relationships that are being built upon on a daily basis have given rise to hope where there had once been despair and it is important that we acknowledge that today.

Despite the appearance of moving forward the reality is that we live in a society that is still divided. However it is important that we look forward with renewed hope. There are issues from the past that must be dealt with if we are to truly ensure that we do not repeat the mistakes of the past. Dealing with our past will secure our future. That is why this Group was established.

Finding ways to deal with the legacy of the past is not easy – it is one of the greatest challenges facing all of us today. It is an issue that has affected thousands of people from every walk of life.

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When I was asked to co-chair this Group I was under no illusions about the enormity of the task ahead of us. And that has proven to be the case.

When we were established our remit was to seek a consensus on the way forward. There is a consensus that we must do things differently.

In September we embarked on an extensive public consultation. During the subsequent five months we listened to stories of human tragedy where the level of pain and hurt cannot be underestimated. That pain and hurt cuts right across this society and we all must never forget the sacrifices many of our people made during the conflict and the scars which can never heal.

We have to find ways to ensure that future generations do not experience such suffering. Listening to the hurt expressed during our public consultation encouraged us to resolve that - 'this must never happen again'.

Our consultation ended in January and we have received many thoughtful and considered submissions. We have discussed and debated the suggestions made in these submissions. We said from the outset that we were not the process for dealing with the past but inevitably we became part of it. We were overwhelmed by the openness and honesty of the people we met who wanted to tell us their story.

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Since January we have been reflecting on all the differing experiences people have endured over the past 40 years and beyond and on their thoughts on what needs to be done to help them deal with the legacy they carry.

That reflection has been difficult for us all – each member of the Group has had to engage on a personal pilgrimage of heart searching. As you can imagine, we have received a great range of differing views on what should be done. We have listened carefully to them all. What we now hope to do is to build on the good work that has been undertaken by many organisations to create a measure of consensus on the way forward.

Over the last few months we recognize there has been much discussion on how to deal with the past and much speculation on what this Group would recommend. It seems that hardly a day goes by without something from the past being reported in the news.

On one level such reporting is understandable but we consider that the debate needs to be more fundamental. We need to question whether current attitudes and approaches are truly appropriate to the needs of our society in which the past has left such a painful and contested legacy.

Although we have still to finalize our report and recommendations we felt we needed to contribute these thoughts to the public debate. We hope that in doing so we can help continue what is a necessary and important discussion.

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Now that we have had time to reflect we want to set out what we believe are the critical issues that Northern Ireland society needs to deal with - issues that need to be confronted if we are to have a better future that is not overshadowed by the past.

We will consider these issues further in our report to be published later this year when we will make our recommendations. Today we want to share some of the areas we have identified as crucial to that task.

During our consultation we were made only too aware of the needs of victims and survivors. Although we heard from many of them we are equally conscious of the silent thousands, we did not meet, who carry their grief in private. The dignity and honesty of the victims and survivors we met, and who shared their experiences with us, has been humbling. We are conscious that they, and their needs, are not always acknowledged.

They came from all parts of our community – the hurt they experienced was caused by Republicans, Loyalists and the State – yet their grief was the same.

We talked to members of the security forces and listened to horrendous stories where husbands were shot in front of their families while off duty – and of part-time members being driven from their land through harassment and intimidation. They were those who saw themselves as holding the line in the cause of law and order.

We were deeply moved by stories of people being shot on the streets by the Army; of harassment during times of immense grief and trauma. We heard from those who

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believe collusion was the policy of the State, a fact of life, not a myth or a few rogue elements operating outside the guidelines.

We heard from those who were targeted by Loyalists simply because of their religion where often relatives' grief was compounded by spurious claims that their loved one was involved in an opposing paramilitary group.

We also met families who suffered at the hands of paramilitaries from within their own communities and listened intently to their sense of helplessness and in some cases, hopelessness.

We have become aware of so many people working endless hours, often on a voluntary basis, to help those who have suffered the most over the last 40 years. It is important that they are recognized for their commitment and dedication.

We also met many groups that were formed because of a lack of direction and coordination by the Government at the time. Many of them are working in isolation from others who are going through exactly the same difficulties and experiences.

These Groups are doing their best to meet the needs of victims and survivors – but they cannot be expected to right all the wrongs or deliver all the services required. Victims and survivors have many health and welfare issues – we are not convinced all these are being met. Indeed as victims and survivors are getting older their needs are becoming more and more acute and this also needs addressed.

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After listening to those directly affected by the conflict and the organisations who support them, we have many thoughts on what needs to be done to improve services and support mechanisms for victims and survivors. We will address these in our report and will liaise closely with the Commissioners for Victims and Survivors as they develop their work programme, to ensure these welfare needs are met.

The recent political fall-out surrounding legislation to empower the Commissioners has been, to say the least, unfortunate. Thankfully this has now been resolved. Whatever recommendations we make in our report, it is important that, in the Commissioners for Victims and Survivors, we now have a clear process to deliver for those in need.

It is apparent to us however that there are other challenging issues to be addressed by those working in the sector. Sometimes it seems as if the conflict is now being fought through victims and survivors. Many of the arguments and disagreements, especially the definition of a victim or hierarchy of victims, are hurting the very people we should all be striving to help. Even the debate around the Commissioners could be seen as symptomatic of this wider use of victims to score political points. In some cases the politicization of victims appears to be perpetuating the pain rather than healing it.

Victims and survivors are the people who paid the highest price for the political stalemate and division. As we all build the new political landscape we must not cause further hurt to them - they deserve better.

But we would be less than honest if we didn't say that in some cases we have witnessed victims and survivors themselves using their pain to continue division. This

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will need to be addressed – we all need to help people deal with their trauma in a way which can create a better future and gives hope to the victims and survivors.

It is our intention to address these complex and emotive issues in an honest and compassionate way in our final recommendations.

Unionist communities are hurting. This real and palpable hurt continues as a consequence of the Republican violence they experienced. In all our consultations it is unclear if Republicans truly appreciate the depth of hurt that exists in the Unionist community.

Republicans claimed they were targeting State forces in the guise of RUC/UDR members. Unionist communities, particularly in rural border areas, saw such tactics as deliberately killing fathers and eldest, or only, sons to drive Protestants from their homes and land. We have heard many stories from these communities who describe their experiences in this way – as at best raw sectarianism and at worst ethnic cleansing.

They believe Republicans have not come to fully understand the hurt that still exists and they need to acknowledge and appreciate the damage they did to the prospect of reconciliation between our two communities.

Indeed if the aim of the Republican struggle was to unite Catholic, Protestant and Dissenter, the brutal logic of their violence undermined this aim. The reality of the depth of division that has been caused between neighbours – who now need to share the

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future, needs to be acknowledged. Regardless of the uniform, the cause, countrymen killed fellow countrymen. While we realize Republicans have embarked on a process to address some of these issues we believe more needs to be done – apologizing to non-combatants just isn't good enough.

An incident that captured what I am saying today was when I asked someone, what can we do for you? The answer was blunt - nothing, you can do nothing. I said there must be something. Finally he said the only thing we could give him was to get Republicans to tell his community that they will never kill them again. That was such a raw and emotive response and all of us need to hear it – and in particular Nationalists and Republicans need to hear it. We believe they will have to work tremendously hard to convince their fellow countrymen of this – only in their actions can this be done.

Republicans need to convince their neighbours that they will not take up arms again to advance their political cause. They have to say 'it must never happen again'.

Nationalists and Republicans are also hurting. For them the conflict did not just happen. What happened in the late 60's reflected a broad disillusionment and alienation from the State. The roots of this go back hundreds of years – from being driven from their land, of finding themselves in an alien state and feelings of being treated as second class citizens. Republican and Nationalists believe that Unionists have not come to terms with the reasons for this disillusionment and subsequent actions.

The re-emergence of the IRA did not just happen – the conditions had to be there for this to take place.

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The experiences of many young Nationalists at the hands of the police and army, particularly after events such as Bloody Sunday, internment, the Ballymurphy killings and other events, led them to join the ranks of the IRA. During our consultation we met with Republican ex-prisoners and families who believed they were under attack from the State and felt left with little alternative, as they saw it, but to meet violence with violence.

Once that happened, a cycle of violence emerged that was not only difficult to escape from but established its own brutal logic.

Calls that Ulster was under attack also gave rise to primal sectarian violence by Loyalist paramilitaries who mostly targeted Catholics simply because of their religion. Loyalists sought to defend the Union but they killed those they wished to convince had a future within the Union. The flawed logic of their violence only served to undermine their goal.

In 1994 the Loyalist paramilitaries announced their ceasefires and offered their innocent victims abject and true remorse. During our consultation we heard from those victims – but Loyalists need to follow this through and match those words with action, including on decommissioning.

As we look forward surely it is time for Loyalists to ask themselves how they can make a further positive contribution to that future. Some Loyalist paramilitaries are further down that road than others but we need them all to show leadership to help bring their own communities, and society as a whole, into a new and better place.

They need to make it clear to their neighbours that they will not begin their violence again. We also want to hear from them that ‘it must never happen again’.

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Some of the most challenging meetings we held were with the families, and former members, of the security forces. These are the people who saw themselves as putting on a uniform to defend law and order in a time of great unrest and uncertainty. Today many feel they have been let down by the very Government they served – that the sacrifices they made are not appreciated.

We were powerfully struck during those meetings at the obvious anger they felt at being attacked and killed as they performed their duty, which as they saw it was - defending society from falling into anarchy. They perceived Republican violence, the IRA campaign, and indeed Loyalist violence, as sectarian.

Their desire was that such people should be dealt with through the criminal justice system and they are dismayed at the prospect that no-one will be prosecuted for the death of their loved ones. The same was said of rogue members of the security forces who tarnished the good name of the RUC, UDR or RIR – they also should be subject to the full rigors of the law.

These views mostly came from within the Unionist Community. While they willingly expressed resentment at being let down by the Government and the Justice system, what they have great difficulty coming to terms with is that the State not only sought to be an honest broker during the conflict but also played a combative role and, in this context, sometimes went beyond their own rules of engagement.

This is one of the critical issues facing us as a Group, difficult as it may be for some in our society to hear. That elements of the State, on some occasions, acted outside the

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law and through handling of intelligence it could even be said innocent people were allowed to die. We cannot ignore that, in fact, the State sometimes acted illegally.

We do not believe Unionists have anything to fear from listening to and trying to understand how the State conducted itself in these circumstances. Discovering or admitting wrong things were done, could be a liberating experience. One person put it this way; he said he believed that, deep in their hearts, Unionists knew that some accusations of collusion were not unfounded.

If we are to move out of the past in a healthy way then the State itself needs to acknowledge its full and complex role in the last 40 years. This is an area where we will be making some suggestions on how that can be done.

Having to confront the State about acknowledging its wrongdoing must not take away from the majority of men and women in the RUC and UDR/RIR who did their duty and suffered appallingly and unjustly as a result.

I have walked beside too many coffins and comforted too many families, to allow those stories of dedication to go untold. We believe a space should be created for those who wish to tell their story; of how their lives changed profoundly as a result of the loss of a loved one, or of the trauma experienced and endured in the course of doing their jobs.

Throughout our consultation people's perceptions of how informers or state agents operated was raised on many occasions. Indeed we will all be aware of the seemingly

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endless newspaper stories, purporting to reveal information about the scale of the use of informers or to reveal their identities.

Various other published reports have documented the relationship between intelligence gathering and Loyalist paramilitaries. These have focused on particular localities and incidents but they do give cause for wider concern. There is less focus on the scale of the use of informers within Republican paramilitaries.

Looking at the broad picture, it was almost inevitable that the gathering of intelligence in this way would become part of the modus operandi of the Security Services. We have enough experience to know this and that their use undoubtedly saved lives and prevented further atrocities.

However Northern Ireland is a small place with close knit communities. The scale of the use of informers throughout the conflict corroded the fabric of our communities and the constant pressure now exerted for information about informers to be revealed only serves to further undermine the well being of communities to a degree that could be poisonous. We all need to reflect on this matter.

There are some who told us during our consultation that all this information and knowledge must be made public. These people generally came from within the Nationalist/Republican community and they felt that the story of how the State used informers simply had to be told. Others were more circumspect. Full disclosure has its repercussions and no community would be left unscathed.

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Would the Republican community like to have to tell an aging mother that her martyred son was actually an informer? That is what full disclosure could mean. This is something we will reflect upon further in our report.

The most frequent words we heard during our consultation were Truth - and Justice. Many people have put their faith in the criminal justice system delivering for them. Even while knowing people would only serve a maximum of two years under the early release scheme, it was important for them that justice was seen to be done. We sympathize with this desire for justice.

However it is difficult for us not to listen to those experts who are telling us that the reality is that as each day passes securing justice becomes less and less likely. The public needs to understand the limitations in securing convictions.

In many historic cases witnesses have died, exhibits are no longer credible or have disintegrated over time. The evidence collected in the 1970's, and indeed in more recent times, is highly unlikely to meet modern forensic standards. This is the reality of the situation. If this is the reality then we believe we have a duty to begin to tell people that and not perpetuate false hope.

Others believe the criminal justice system cannot deliver what they want – truth. Not only do some tell us that they have no confidence in a system that, in their view, conspired against their community but the very mechanics of the system, at its best, fails to deliver the truth they seek.

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An open and democratic criminal justice system is vital to a civilized society but the judicial process is a crude instrument to use when dealing with a conflict such as we have experienced. It often doesn't deliver what people seek or bring about the healing that they long for.

We understand how the piecemeal approach to the past has emerged and that those who crave the truth will explore any available avenue to get it. However there are other ways of seeking truth that do not include long drawn out judicial processes. What we need is our solution to our problem. This will form an important part of our report and recommendations.

Truth and Justice are not mutually exclusive but neither are they always attainable. How we, in our report and as a society, address this critical issue is one of the major challenges arising from the legacy of our past. We must be honest with ourselves about the realities of what any court or inquiry can deliver.

Much of the focus on dealing with the past has fallen on the British Government but we would also encourage the Irish Government to play its role in looking towards the future. It should be aware of some of the issues which were brought home to us during our consultation.

One of the resonating themes we heard from some within Unionist communities was the belief that the Irish State turned a blind eye when Republicans carried out attacks in border areas and fled back into the south. There are also accusations that Republican leaders were able to live openly in the South even though they were wanted North of

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the border. Some Unionists also believe that the Irish Government in fact helped organize and arm the IRA in the early 1970's. By listening to those views then you begin to understand the depth of mistrust that still remains in some communities.

The Irish Government takes the view that this was not the case and that the Garda arrested and imprisoned many IRA members. They also argue that legislation on Extradition and Section 31 were evidence of their pro-active attitude in ensuring law and order was upheld along the border and subversives were not tolerated. Certainly today relations between the two Governments, and between North and South, are better than they have ever been.

Over the past decade the Irish Government has worked hard to rebuild relationships with Unionists and to mend broken fences – the recent pictures of Bertie Ahern and Ian Paisley are proof of that good work. But the belief remains in those communities who lived with that fear of attack. People in the South may be surprised about the hurt and suspicions that remain within some Unionist communities. We believe this is something that needs to be acknowledged.

We also met with victims and survivors from the South. In particular we had a very moving evening with the relatives of the Dublin/Monaghan and other bombings. Despite recent efforts many of the families still feel isolated and ignored in their search for truth.

We believe both Governments can contribute to a process that will facilitate the sharing of information between the two Governments that will allow these families to get as

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much truth as possible about those dreadful events. This is an area we hope to address in our report.

Perhaps the most important people when looking to the future and considering our violent past are our local politicians in the Devolved Administration. They have taken huge strides over the last number of years to make our society a better place for everyone. But it is now time for them to lead on this issue.

Many of them are still novice parliamentarians and we all need to support and encourage them as they deal with the difficult issues – but importantly we need to hold them to account to make sure they deliver for us all.

How to deal with the past was the biggest omission from the political agreements that have brought the real prospect of stability. Our past was a result of a political problem which our politicians too often failed to address and resolve – this prolonged the stalemate and division. If we are to have a future not overshadowed by the past we will require political leadership from the Assembly. Many of them lived through the violence and are only too aware what it would mean were we to return to those dark days. They now have the power to make sure that it does not happen again.

If we are to become a truly mature and democratic society then the tribalism that is still too often prevalent must come to an end. They have many important issues to face in the months and years ahead but if we are all to share in a brighter future then leadership from them, on this issue, is vital. Sectarianism, the most poisonous legacy of our past, will only be banished from our communities if the political will exists.

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In a TV programme recently on sectarianism a community worker at an interface commented that local politicians may throw words at each other across the Assembly floor but on the interfaces it is stones and petrol bombs, not words, that are thrown.

Our local politicians have a choice – they continue to act in this antagonistic way and use the past for selfish political aims and allow themselves to be guided only by the hurt on either side. Or they can become statesmanlike around this most difficult issue – that would be the greatest contribution they could make.

In the long run this would do victims and survivors, and indeed all our society, a much greater service.

We are also very mindful of the competing priorities the Executive will face in the years ahead. We believe that it should not be our fledgling political institutions that carry the financial burden to deal with the past – their job is to tackle the bread and butter issues that affect the daily lives of everyone across Northern Ireland. What we are urging them to do is take ownership of the future – the shared future we all long for.

In facing all of this we must keep in mind the goal of building our shared future – a shared future in which a measure of honesty and reconciliation can begin to take root in our relationships.

Honesty also requires us to say that one of our greatest disappointments in this process has been the lack of engagement by significant sectors of civic society. Many appear

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indifferent to this issue and indeed some have even refused our specific request to submit ideas.

This approach seems counter to the contribution of civic society to bringing about the conditions for peace. Many not only ensured that the essential fabric of our society was kept going during the darkest days, but now themselves face the ongoing legacy of the past at a policy level and in the daily practical outworking of their responsibilities.

To opt out of addressing the legacy of the past is to infer that the past has nothing to do with you. Yet the troubles were not simply bad people doing bad things. The prolonged violence and political stalemate points to a deeper malaise for which every institution and sector in our society must share some responsibility. Our report will address this wider societal context.

As we live in a society where Christianity is the religious practice of many people, then the Churches must play a leading role in building and sustaining a better future – their leadership is vital if we are to take on the scourge of sectarianism.

If we are to constructively address and co-operate with a process to deal with the legacy of the past, then we cannot avoid our shared responsibility. Such responsibility brings a moral imperative to create and nurture a generosity in our relationships with each other that will avoid the past being a weapon we continually use to keep alive and feed our mutual grievances and hurts.

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As a group we are committed to addressing the legacy of the past in a way that will promote a greater goal of reconciliation within and between our people. We recognize that reconciliation remains an elusive and contested concept. However we believe, and will address this in our final report, that we must recover a positive and dynamic understanding of what reconciliation means, and will look like, if we are to have a better and shared future that is not overshadowed by the past.

For some of us this will mean being reconciled to the fact that our future is together, that we do share the land and its resources and a common sense of belonging to this place. For all of us it will mean bringing a new measure of common purpose reflected in greater cohesion, sharing and integration in our communities. We have no choice – there is no better future that is not a shared future and there is no shared future without reconciliation.

To accomplish this will require us to dig deep into our spiritual and moral values that inform us all – and which for many are found in faith. These give us a heritage where acknowledgement of wrong doing – saying sorry – and the giving and receiving of forgiveness are not signs of weakness but of great strength and courage.

The deepest, most difficult and profound legacy of our past is our antagonism and division. Only with a measure of reconciliation in our generation can we ensure that this legacy is not passed on to the coming generations, to the victims who are not yet born – their future is in our hands. Our report will unashamedly set this as the standard against which we judge how effectively we are dealing with the past. It is a test none of us can afford to fail. It must never happen again.