

Annis- Writing Sample 1

Context: This essay was my final paper for my class (The Politics of Conflict Transformation_ and research that I did in Belfast at the Queen's University.

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Community Building in Place of Reparations in Northern Ireland

Background

Northern Ireland has been religiously divided for centuries. For most of their time as co-occupants, Catholics and Protestants have had a relatively peaceful and nonviolent relationship. Although the two main groups generally diverge on many issues, their differences rarely led to violence. Some claim their relationship was violent starting as early as the 1600s with the Siege of Londonderry, a Catholic led attack on a Protestant ruled town. But most saw the centuries leading up to the 1900s as a time of mainly coexistence between the two religious groups. The mid-Twentieth Century ushered in a period of violence, conflict and unrest in Northern Ireland. Poor Catholics felt mistreated by the Northern Irish and British governments, and saw structural class and religious divides between themselves and Protestants. Catholic Republican activists began protesting and eventually rioting for civil rights and a United Irish Republic, where they would free from British Rule. As Republican activists, under the umbrella of the IRA paramilitary group started targeting Protestant police officers and otherwise threatening Protestant communities, Loyalist Protestant activists mobilized and created their own paramilitary force; the UVF and eventually the UDA. The violence between these paramilitary groups and British troops over religion, class, and Irish Nationalism lead to over 30 years of violence between 1968-1998 and over 3600 deaths. These warring paramilitary groups led political, economic, and social instability for much of the Nineteenth Century throughout Northern Ireland. Where the violence was concentrated in Belfast and Londonderry, Catholic and Protestant neighborhoods were incredibly dangerous. But even in less affected neighborhoods, death, bombs, shootings and other unsafe conditions became normalized by most of the civilian population. For decades, Northern Ireland was characterized by widespread violence. After years of conflict, the Troubles were declared officially over in 1998 when the Belfast Agreement was signed by the various political parties, as well as the Irish and British governments. This agreement laid out guidelines for elections, power sharing, British and Northern Irish rule and demobilized paramilitary troops. But the Belfast Agreement failed to address some of the most important issues faced by post-conflict societies.

Victimhood and Reparations in Northern Ireland

One of the issues that was largely ignored within the Belfast Agreement was the complicated subject of victimhood and reparations. The Belfast Agreement did not define who was or was not a victim. Without that definition it could not lay down guidelines for distributing reparations. According to Queen's University Professor Amber Kelly, "Reparations are intended

to promote justice by redressing gross violations of international human rights law and as far as possible, to wipe out all the consequences of the illegal act.” Following 3600 deaths, in addition to tens of thousands of injuries and millions of dollars of property destroyed, no one has received any form of repayment. But the importance of reparations goes far beyond the monetary value. For many it is about the recognition of the human rights violations that happened to them or their community. Reparations often come in the form of money, but can also be resources to help rebuild on a community level or even symbolic recognition of past experiences and hardships. Regardless of the kind of reparation, no one received any form of repayment in Northern Ireland.

The Troubles affected nearly everyone in Northern Ireland, whether they were paramilitary members themselves, lost a loved one, were injured, or simply experienced 30 years of violent turmoil. In a sense, nearly everyone was a victim of this violent conflict. But, mothers who had lost children were to receive nothing. Those who has been severely injured were not formally classified as victims. Places that were suffering on a macro community level could not seek reparations- especially if they had been home to not only innocent civilians but violent paramilitary members. Failing to define these guidelines for victims and reparations within the Belfast Agreement was a massive oversight. Without these guidelines, Northern Ireland was hindered in its effort to rebuild and reconcile. People and communities have been denied the opportunity to be recognized as victims or repaid for the hardship they experienced. Without this important step in post-conflict transformation it is even harder for the society to move towards peace.

Defining a victim is harder said than done. In the context of the Troubles, victimhood is very vague. The Troubles lasted for so long and affected so many that the lines between victims and perpetrators are very blurred. In modern day Northern Ireland, victimhood is very contested. Many Northern Irish struggle to see killed or injured paramilitary members as victims alongside innocent bystanders. There is a lot of difficulty coming to a consensus on victimhood and many see a hierarchy within victims. This is referred to as complex victimhood.

Complex Victimhood

A prominent example of complex victimhood is the aftermath of the 1993 Shankill Road Bombing. The premature IRA explosion at a fishmongers’ in a Protestant community killed ten, including the bomber, Thomas Begley. His bomb was intended for a supposed Loyalist meeting above the fishmongers, but went off below and killed civilians instead. The IRA even apologized for the civilian deaths, but Gerry Adams- the leader of the IRA, carried Begleys coffin and called him a “hero.” Among Begley’s victims was a seven year old girl, and her two parents, leaving the family’s other two children orphaned. Begley was assisted in detonating the bomb by another IRA member, who was uninjured and went to prison for the attack.

Here, it is easy to define the girl and her parents as victims. Regardless of their religion, they were not involved in any paramilitary groups. Neither the two parents nor the girl had fought in the UVF or the UDA (and certainly not the IRA). Their crime, like many killed during the Troubles, was being in the wrong place at the wrong time. The surviving relatives of this family, and others killed in the bombing still grieve the loss of their loved ones, but have not received any reparations.

It is easy to define innocent bystanders as victims, but what about Thomas Begley? Is Begley a victim? On one hand, he was acting on behalf of a violent paramilitary group. As a member of the IRA, he was partially responsible for the extreme violence and terror that filled

the lives of so many Northern Irish before and after he was killed. And he had chosen to be a part of this group, just as he had chosen to detonate the bomb (although it went off earlier than expected). A prominent IRA leader, Gerry Adams, called Begley a hero for the Republican cause. But when Begley joined the IRA, or chose to bomb the Loyalist meeting on Shankill Road, he never expected to die. He had no idea that October 23rd, 1993 would be his last day. He died at 22, with no intention of dying so young and unexpectedly. Of course, being part of a violent paramilitary group is a risk. And as a member of the IRA, Begley personally did bad things. He was never imprisoned, but had been identified as a suspect in a murder that was accredited to the IRA and he brought the bomb that killed him into the fishmongers' with the intention of detonating it upstairs. By no account was Begley as an innocent man. However, his family mourned his death, just like a civilian's family would mourn. A mother's pain is a mother's pain regardless of her child's innocence.

Furthermore, one could even question Begley's reasoning for joining the IRA. He died when he was 22, and joined the IRA a few years beforehand, when he was still a teenager. Like many IRA members, he was young, poor and disenfranchised. Violence was probably all he knew. Begley was born in 1971, when relations were already very strained and often violent between Catholics and Protestants. He grew up in a poor Catholic neighborhood, where he was probably only exposed to the narrative of Protestant and British abuses and Republican righteousness. Like many young Catholics growing up during the time period, he had few options or opportunities. His life was filled with violence and conflict. Maybe joining the IRA seemed like the easiest way to survive. So yes, Thomas Begley planned to set off the bomb on October 23rd, 1993. He was the perpetrator of violence. But was he and his family also victims? Following his death, does his grieving mother and family deserve reparations?

Thomas Begley's death and the 1993 Shankill Road bombing serve as just one example of the complicated nature of victimhood and government reparations. No matter who is or is not labeled a victim, someone will be outraged. And if symbolic or tangible reparations are disbursed, it is difficult to do so without a new set of issues. With over 3600 deaths, many of which were paramilitary troops or sympathizers, along with innocent civilians, victimhood is almost impossible to define.

In places like Northern Ireland, where the community has been so disrupted by the violence of paramilitary conflict, it is difficult to see people like Begley as victims of a violent time. According to Kelly, "Principle 25 of the UN Basic Principles on Reparation stipulates that reparations should be applied without any discrimination of any kind, without exception." It is not the government's role to decide who deserve reparations or if someone deserves such reparations more than someone else. This principle is intended to be used as the standard in transitional justice.

Value of Victimhood

The defining of victimhood has inherent value, even without the tangible value that often comes with reparations. In many cases victims of conflict simply want to be recognized as victims. This is valuable for a number of reasons. First, it recognizes the trauma experienced on an individual level. Whether this trauma comes in the form of the death of a loved one or a personal injury, having a formal recognition is important for reconciliation for many people. This notion of victimhood is closely connected to truth and reconciliation commissions (TRCs), which typically do not prosecute for war crimes, but frequently work to just find the truth. These

TRCs find it valuable to have perpetrators of violence admit what they have done, and sometimes this admission of guilt is enough for individuals or even communities to work on rebuilding. Knowing the truth is also important for families of the dead. Sometimes TRCs allow them to find the body of a loved one, or confirm their death, often important steps for finding closure. Similarly, being recognized as a victim may be valuable for transitional justice. Even without the reparations, people at least get their stories and experiences recognized. This recognition may be even more important than any monetary payment. On the community (or even national) level admissions of guilt and recognition of victimhood serve as an explanation for suffering. They can also help to explain and address systemic issues that follow conflict.

Post conflict zones and neighborhoods are often faced with the aftermath of violence for years to follow. This is true in Colombia, where the FARC and the AUC destroyed and ravaged some of the most impoverished villages, leading to even more extreme poverty and a greater lack of resources. In Northern Ireland, much of the violence took place in already poor neighborhoods. The paramilitary conflict taking place in poor places only created more social, political and economic instability. Neighborhoods that already had limited resources, were now facing paramilitary warfare on their doorstep. In 2017, nineteen years after the Troubles, recognizing the massive destruction along Shankill Road, in the Holy Lands or other places where violence was concentrated may help these communities heal. The recognition that a community has been victimized, damaged or even destroyed by conflict can begin to pave the way for social reconciliation.

Transitional Justice Case Studies

Other post-conflict transformations serve as valuable examples and case studies for defining victimhood and disbursing reparations. World wide, many attempts have failed. The Rwandan Genocide of 1994 killed around 800,000 people in under four months. It is internationally accepted that the Tutsi ethnic group was mainly targeted by the Hutus. Over twenty years after the Rwandan Genocide Tribunals, most Tutsi victims have never received any monetary compensation. People were promised to have their possessions and money returned. Widows and children of those killed in the genocide were assured they would receive government support. There was also some promises of a basic reparation system for Tutsi survivors. No one has had their material goods returned and few have received any monetary reparations. The only form of reparation has been symbolic. The City of Kigali and the Aegis Trust erected the Kigali Genocide Memorial in 1999, seven years after the Tribunals. The memorial serves as an educational tool and reminder of a violent past. Through education, the memorial seeks to prevent such atrocities from ever happening again. However, few Rwandans affected by the genocide think the memorial is enough. Between 500,000 and 1000,000 people lost their lives, and even more were injured or otherwise affected by the massive genocide. People lost everything, and almost every family is still mourning the loss of a loved one. For some, a symbolic reparation is enough, but others needed payments to help their family recover during the period of transitional justice. Many Rwandans insist they need rebuilding on an individual, community and national level. International discourse had also called for monetary reparations for Tutsi people. Groups including the Human Rights Watch and the U.N. have spoken in favor of the repayments for the Tutsi. For these groups, symbolic reparations only begin to address all the suffering of the Rwandan people.

The distribution of reparations is a complicated issue in most transitional justice zones. According to Kelly, “There is no universally accepted state practice as to whether to include members of terrorist groups within reparations programmes. In Columbia, the 2011 restitution of land law stipulates that members of terrorist groups are not eligible for reparations. Similarly, in Peru, the truth commission regarded members of non-state armed groups as victims, but not beneficiaries of reparations.” In Colombia, the FARC initially agreed to pay reparations to victims, but no one has received payments yet. However, the FARC and AUC are still demobilizing, so the peace process is in its early stages. The peace process in Peru is much further along. Peru’s TRC issued its final report in 2003, and has since held trials for war crimes and began distributing reparations- but the success of this program is yet to be measured.

It is difficult to find a clear example of a successful reparations program. Many countries in a transitional justice periods are planning to distribute reparations, but few have distributed all reparations planned. Northern Ireland faces similar issues as each of the above examples. Similar to Colombia and Peru, if ex-paramilitary members are defined as victims, it is still difficult to disperse reparations to perpetrators of violence. And even if reparations are to be dispersed indiscriminately, it is difficult for countries to find the resources and efficient ways to repay victims.

2014 Stormont House Agreement

The Northern Irish Government has attempted to create a reparation program on a few occasions. Sixteen years after the Belfast Agreement, the 2014 Stormont House Agreement began to address the issues of reparations and victimhood, along with proposing the creation of a truth and reconciliation commission. The Northern Irish Parliament did not suggest any form of repayment for deaths from the Troubles. Instead the agreement focused on injuries, suggesting a pension for anyone injured throughout the duration of the conflict. Media outlets were incredibly skeptical of a pension for ex-paramilitary members. Political parties, such as the far-right DUP, refused to support the pension system. The main issue with this pension system lies in what has been viewed as “paying ex-terrorists” by many Northern Irish. Few people contest pensions for seemingly innocent victims, but many are unhappy with a pension system that would also disperse payments for those directly involved in paramilitary groups.

But even creating a TRC is contested. Many people oppose the creation of a TRC for a number of reasons. Whereas some find it valuable to recognize the atrocities of the past, others find it more destructive than anything else. Nineteen years after the Belfast Agreement, many think that a TRC would only bring up issues that people are trying to move past. Some individuals, families and communities have worked hard to move beyond the past. For many, a TRC would only allow issues to resurface. There is also divergence on who would run a TRC. Most Northern Irish would not trust the British government to find the truth and do so unbiasedly. British troops were too heavily involved in the conflict, and the British government was central to the issues surrounding Irish Nationalism. Additionally, there is a lack of trust of intergovernmental organizations, like the UN. Furthermore, the Northern Irish Parliament is still dominated by Loyalist and Nationalist politicians, some of which were even directly involved in the Troubles. Without a clear answer on who would run a TRC, there is even more pushback against assembling one. Because of such pushback on both issues, the 2014 Stormont House Agreement never actually created a pension system or a TRC. Some think it is best to avoid

reparations all together, but there is still strong support for repayments as a form of reconciliation, along with the creation of a TRC.

Rwandan Symbolic Reparations and Community Building

Both reparations and TRCs create issues in post-conflict zones worldwide. Despite complaints and some international criticism, perhaps Rwanda, and other countries were right to focus on community and symbolic reparations in place of individual payments. Reparation payments are complicated as is, and create a plethora of additional issues. Before distributing reparations a government must decide who receives payments, what funds are used for payments and how individuals will receive payments. Although reparations can be valuable for individuals, the benefit may not be worth the effort of distribution. Furthermore the same kind of closure, repayment and reconciliation may be able to be achieved through other measures. In Rwanda, the Kigali Genocide Memorial held symbolic and community value. Through erecting the memorial, the City of Kigali and the Aegis Trust formally recognized the massive suffering of the Tutsi people. Today the memorial serves as symbol for what happened, and a hope to avoid such violence in the future. The memorial, which serves as educational tool, also adds community value. It adds to the tourism industry, and helps to educate both Rwandans and visitors on history of genocide in the country. Of course, many still want more than just a memorial, but perhaps the memorial is the best way to come to terms with the past and rebuild together.

Northern Ireland Should Create a TRC

In order to improve the reconciliation process and transition to peace, Northern Ireland must first create TRC. Unlike the TRCs in Peru, Colombia or Rwanda, this TRC would not be focused on recovering remains or counting deaths. Most remains have already been discovered in Northern Ireland and very few people are still missing. The dead have already been counted. Instead a TRC in Northern Ireland would mainly focus on admission of guilt. Since TRCs do not prosecute, the admission of guilt is not for legal reasons. On the contrary, it is necessary for ex-paramilitary members to admit to their involvement, the deaths of those they killed and their other violent actions in order for Northern Ireland to move past the extreme destruction of the Troubles. Through this TRC, hopefully people would discover the truth of what happened. More importantly, knowing the truth may also help Northern Ireland's peace process. Through recognition of guilt, ex-paramilitary members could come to terms with what they did and their involvement in the Troubles. Once recognizing this, they may be able to become better, more productive members of society. Furthermore, families of victims could gain closure from a better understanding of what happened on to their loved ones.

Contrary to other TRCs in post-conflict zones, the Northern Irish TRC would only create a loose definition of victimhood and would not suggest or disperse any form of individual reparations. The TRC would essentially follow the UN stipulation on victimhood, and define it as anyone who was killed, injured, loss a loved one or had property damaged/destroyed by the ongoing violence that occurred throughout the duration of the Troubles. In short, paramilitary members that were killed or injured, so they will be considered victims. But since no individual reparations are to be dispersed, no ex-paramilitary members would be given a pension or other payment.

Community Building

Northern Ireland should use the funds once budgeted for reparations in the 2014 Stormont House Agreement for community building efforts. Instead of viewing victims as individuals and focusing on the personal struggle, it is better for Northern Ireland to focus on the community as a victim and work to rebuilding on a larger scale. Although individual reparations are valuable, they also create just as many issues as they solve. Overall, community building as a form of reparation would be more effective and less problematic.

It would be most useful to focus community building efforts on youth and employment services. By focusing on services for youth, the Northern Irish Government can work towards a number of things. First, the government may be able to foster more understanding between Protestant and Catholic children. Sports, arts and other recreational activities can give children in highly divided areas the opportunity to know each other and make friends from different backgrounds. In many neighborhoods children are still only exposed to one narrative of the Troubles. Community building programs can help to foster more understanding amongst children and their families. Providing programs for children and employment services for adults will also help to alleviate poverty and address issues of class in Northern Ireland. Clearly, employment services are valuable, as they help adults build skills, prepare for the workforce and find jobs. Youth programs can also help to push kids further in education and help them be more successful adults. Additionally, youth programs often help to limit crime, which could also make poorer parts of Northern Ireland more economically prosperous.

A big portion of community building would be focused on bringing Catholics and Protestants together. Because that is the primary goal, community building efforts must be as equitable as possible between the two groups. One important aspect would be equal division of resources. Of course, eventually it would be ideal to have resources be shared. But because everything in Northern Ireland is currently so divided, initially resources must be divided equally. Community programs for youth and employment services for adults should be evenly distributed. Symbolic efforts should also be made to bring people together. Currently, Protestants and Catholics have each have separate memorials. With this new program, a joint memorial would be created where the Northern Irish can remember their shared history of the Troubles.

Transitional justice is complicated. In Northern Ireland victimhood is complex due to paramilitary groups and the deeply rooted biases of the Northern Irish. A reparations system may help some, but overall would damage the peace process on a community and national level. In order to work towards peace it is most necessary for Northern Ireland to focus on discovering the truth through a TRC and fostering community. Nineteen years since the Belfast Agreement, Northern Ireland has come a long way. However, sectarian divide still prevents progress and peace. Once Northern Ireland has effectively utilized a TRC and worked to build community, the society can better deal with the past and move towards peace.