LEARNING TO LIVE TOGETHER:
TRANSITIONAL JUSTICE AND INTERGROUP RECONCILIATION
IN NORTHERN IRELAND

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I. Introduction

Transitional justice interventions – those sets of “practices, mechanisms and concerns that arise following a period of conflict, civil strife, or repression, and that are aimed directly at confronting and dealing with past violations of human rights and humanitarian law” – have proliferated in recent decades based, at least in part, on the assumption that these strategies help societies to reconcile their violent pasts and are therefore a crucial part of the post-conflict peacebuilding process. However, the ways in which transitional justice is causally linked to increased reconciliation remain unspecified and under-theorized in current scholarship, as do related insights into which lessons might be drawn from existing strategies to guide policy in future transitional societies – seminal gaps which this article will begin to address. While no formal criminal tribunal or truth commission has been undertaken to date to address the legacy of past violence in Northern Ireland, a unique ‘decentralized’ program of transitional justice has emerged in recent years, combining widespread community-based reconciliation initiatives with a more ‘piecemeal’ approach to dealing with the past through discrete measures undertaken by both governmental and non-governmental actors. Drawing on insights from fieldwork conducted in Northern Ireland during the Spring of 2008, this article provides a qualitative assessment of the contribution that this unique approach to transitional justice has made to processes of reconciliation between Protestant/Unionist and Catholic/Nationalist communities. More specifically, this article examines the impact that Northern Ireland’s decentralized approach to transitional justice has had on the promotion of positive intergroup contact, dialogue, truth, justice, and the amelioration of structural inequalities – all of which are identified as necessary, though perhaps not sufficient, causal conditions for intergroup reconciliation in

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divided societies. In so doing, this paper considers the potential for such a decentralized approach to engender the kind of critical ‘social learning’ ultimately needed for former enemies to challenge and transform the antagonistic identifications of ‘Self’ and ‘Other’ that can otherwise perpetuate intergroup hostility in the post-conflict environment. This paper concludes by considering the implications of these findings for current debates over the design of effective transitional justice processes, and, in particular, what lessons more formalized transitional justice initiatives might learn from the decentralized strategy employed in Northern Ireland.

II. Transitional Justice and the Politics of Identity

Transitional justice has emerged in recent years as the primary field of scholarship concerned with the study of the strategies used by communities, states, or international bodies to provide accountability in the wake of mass violence and gross violations of human rights. For the most part, this literature has focused on a comparative analysis of the different legal, quasi-legal, or community-based justice institutions that have been employed to help societies transition away from legacies of past violence towards a more peaceable future. Despite the perpetuation of longstanding debates over the relative merits of ‘restorative’ vs ‘retributive’ strategies or the institutional designs of trials, truth commissions, and indigenous accountability practices, a general consensus has emerged within transitional justice scholarship that such strategies remain integral to efforts of post-conflict reconciliation. A recent survey of transitional justice literature undertaken by the Canadian International Development Research Centre (IDRC) concludes that reconciliation remains a fundamental aim of nearly all transitional justice initiatives, and that preventing the recurrence of violence and stabilizing a post-conflict peace are among the “ultimate goals” of transitional justice. In addition, recent studies have shown that some form of institutional accountability for past atrocities may be a necessary part of the development of sustainable peace in transitional societies, particularly in those societies which remain deeply divided along entrenched lines of religious or ethnonational identity.

Notably, however, scholarship within the field of transitional justice has tended to overlook the inherently collectivized nature of the mass violence, repression, and gross human rights violations to which transitional justice mechanisms are called to respond in divided societies. As legal scholar Mark Drumbl has noted, the ‘extraordinary international crimes’ for which transitional justice mechanisms provide accountability are extraordinary not just for the
scope of their violence, but also for the fact that they are inherently tied to group membership and are committed on the basis of collective religious, ethnic, or national identifications. As he illustrates, such violations are almost exclusively carried out against “large numbers of individuals based on their actual or perceived membership in a particular group that has become selected as a target on discriminatory grounds.” This includes acts of ‘intergroup mass violence,’ including large-scale killing, genocide, ‘ethnic cleansing,’ or other gross human rights violations carried out by individuals motivated to injure, kill and murder on the basis of group membership. Such atrocities are indicative of “intergroup behaviour at its most horrific extreme,” with entire segments of the population targeted for violence not because of any personal action or characteristic but based solely on their inclusion in a denigrated communal group. However, when transitional justice scholarship considers the appropriate design of mechanisms with which to address such crimes and, more specifically, the ways in which these mechanisms might facilitate processes of reconciliation in divided societies, attention to the ‘communality’ of mass violence seems to wane. Indeed, while the transitional justice literature does recognize that large-scale violence might well demand different structural designs and strategies than those normally employed for the ‘rule-breaking’ behaviour of ‘ordinary’ domestic crime, rarely has it reflected on the role that these justice mechanisms must thereby play in directly challenging collective animosities to move societies toward reconciliation and sustainable peace. What is therefore needed, I contend, to begin uncovering the relationship between transitional justice and reconciliation is a reconsideration of these institutions that begins by engaging with the fundamental issues of intergroup identity at the root of mass violence, and that investigates how the strategies employed by transitional justice institutions might challenge collective antagonisms and contribute to reconciliation and sustainable peace in post-conflict societies. To do so requires opening a new – and perhaps overdue – channel of dialogue between transitional justice and those related literatures engaged in the study of conflict transformation and intergroup reconciliation.

III. Intergroup Reconciliation in Divided Societies

While opinions diverge as to what the content of ‘reconciliation’ entails as both a theoretical concept and an empirical goal, it is generally accepted that, at a minimum, reconciliation might be defined as the act of “restoring friendship and harmony between rival sides after resolution of
a conflict, or transforming the relations between rival sides from hostility and resentment to friendly and harmonious relations,” a long-term process that requires former enemies to “form new relations of peaceful coexistence based on mutual trust and acceptance, cooperation, and consideration of each other’s needs.”

This idea is the underlying thesis of a growing body of ‘conflict transformation’ scholarship from the fields of peace studies, conflict resolution, and political psychology that examines the dynamics of peacebuilding and reconciliation after periods of mass violence in divided societies. Often drawing heavily on studies in intergroup relations from social psychology, these ‘conflict transformation’ scholars contend that successful reconciliation must involve an element of ‘identity negotiation:’ the process of engaging former enemies in redefining the antagonistic identities and belief systems motivating past violence and (re)creating a more positive system of relations governing their interactions.

As the distinguished social psychologist Herbert Kelman argues, given that collective identity has been increasingly recognized as a prime contributor to intergroup conflicts in divided societies, so too must it then have a central role to play in any successful process seeking their reconciliation. As he suggests, “identities have to change, at least tacitly, if protracted identity conflicts are to be settled and, certainly, if they are to be resolved in a way that transforms the relationship and opens the way to reconciliation.”

Importantly, however, it has also been recognized that these transformative processes cannot be limited to decision-makers or elites alone if they are to be successful in reconciling deeply divided societies, making it necessary that such changes “penetrate deep into the societal fabric” and effect a broader ‘societal reconciliation’ “involving the whole society or at least a majority in the reconciliation process.”

Accordingly, prominent peace scholar John Paul Lederach illustrates that conflict transformation requires a systemic approach to post-conflict reconciliation that involves changing social and psychological relationships at multiple levels of society, effectively transforming “a war-system characterized by deeply divided, hostile, and violent relationships into a peace-system characterized by just and interdependent relationships with the capacity to find non-violent mechanisms for expressing and handling conflict.”

In looking at this conflict transformation literature, a consensus emerges as to several key social and psychological indicators that are the basic benchmarks of intergroup reconciliation in divided societies. While by no means an exhaustive list, five of the most widely accepted of these indicators are briefly considered here in turn, with the understanding that, while distinct,
these elements remain deeply interrelated and mutually constitutive of one another. First, there must be the development of mutual trust among former enemies that replaces past feelings of fear, threat, and suspicion with amicable relations and reasonable expectations of continued security and future cooperative interaction. This renewed trust is tied to a reduction in levels of discriminatory bias and prejudice, as well as the amelioration of negative stereotypes that produce simplistic, and often hostile, misperceptions about the Other’s actions and intentions. While largely marked by cognitive and affective change, mutual trust is built up over time as a direct product of sustained experiences of positive social interaction. Second, there must also be an extension of the boundaries of moral community such that members of the Other are effectively ‘rehumanized’ and are no longer considered legitimate targets for violence. In effect, this entails the creation of a more equitable moral order that recognizes the value of difference but is also marked by perceptions of a common humanity amongst former enemies – the notion that Self and Other should be accorded equal moral worth and are therefore entitled to the same normative and ethical considerations. Central to this rehumanization is a broadening of empathy beyond the boundaries of the ingroup to incorporate members of the Other and reverse the patterns of moral exclusion tied to past conflict. Third, reconciliation often involves the creation of a broader sense of collective identification in which the cognitive boundaries of the Self are extended to include the Other, and in which previous divisions are replaced with a shared sense of friendship, trust, and common interest. To be clear, this doesn’t entail the elimination of difference among group identities as such (such as through the eradication of an ‘ethnic’ identity), but is rather a process of ‘identity widening’ that moves towards a more inclusive perception of ‘superordinate’ or ‘transcendent’ identity within which common normative structures apply. Fourth, intergroup reconciliation is distinguished by the ‘unthinkability of violence’ among former enemies and the development of “a situation in which the probability of war is so small that it does not really enter in to the calculations of any of the people involved.” This is not to assert that no conflict and competition will exist in such relationships or that reconciliation requires an overly optimistic goal of perfect harmony. Rather, based on a foundation of mutual trust, shared moral order, and a more inclusive and amicable sense of common identification, the kind of reconciliation envisioned here entails a mutual expectation that future conflicts will be settled by means other than violence. Fifth, and finally, reconciliation also requires an element of distributive justice, as reconciled relations
between former enemies will necessarily be thwarted by “gross disparities in economic well-being” or inequitable access to social and political rights. While reconciliation is unlikely to provide for exact symmetry between former antagonists, an attention to distributive justice has widely been recognized as essential both for creating the perception of equality needed for improved relationships and for ensuring that structural and material disparities don’t serve as points of contention that could provide the basis for future conflict.

IV. Social Learning and Transitional Justice

What all of these elements of intergroup reconciliation share is an emphasis on the necessity of social learning in divided societies, namely, the need for critical processes of social and psychological change in which former enemies are able to challenge, and potentially overcome, the antagonistic mindsets and hostile relationships at the root of intergroup conflict. Social learning is therefore a fundamentally transformative process, one which requires “changing the motivations, goals, beliefs, attitudes, and emotions of the great majority of society members regarding the conflict, the nature of the relationship between the parties, and the parties themselves.” The post-conflict period brings with it a unique ‘transformative moment’ for social learning in divided societies, as the cessation of widespread intergroup conflict offers the initial opportunity, however difficult, for former enemies to begin to redefine their own identities, re-examine antagonistic ideas about Self and Other, and to redraw the bounds of moral and political community. As I contend, transitional justice strategies are uniquely situated to serve as sites of social learning in this moment by often providing the first – and sometimes only – societal venue in which former antagonists are brought together to confront the legacies of past violence and to reconsider the nature of their relations with the Other. To be clear, this is not to make the overly ambitious claim that transitional justice strategies represent a ‘magic bullet’ which, in and of themselves, will be able to foster lasting reconciliation. Rather, it is argued that these strategies, if properly designed, retain the ability to serve as crucial catalysts of social learning through which former enemies can come to reimagine the nature of their relations and obligations to one another, and through this reimagining, begin to create the conditions necessary for intergroup reconciliation and positive peace in divided societies.

However, this still leaves a number of questions as to what forms of social learning are needed for reconciliation in divided societies and, more specifically, what role transitional justice
strategies might play in advancing these processes. Within the broader conflict transformation scholarship, the field of social psychology has advanced perhaps the farthest in its understanding of the kinds of social learning required for reconciliation in divided societies, and it therefore provides a useful starting point in searching for answers. Indeed, a recent ‘state of the art’ collection of social psychological work on intergroup relations suggests that reconciliation ultimately requires three broad kinds of initiatives to effectively promote social learning in post-conflict environments. The first of these categories, instrumental reconciliation, refers to the use of strategies designed to engage former antagonists in sustained cooperative interaction, through which they can begin to transform their relationships with one another and “gradually learn to replace enmity with trust and negative with positive perceptions of the Other.”

Socioemotional reconciliation, on the other hand, involves interventions designed to directly confront the emotional and perceptual legacies of past conflict as a means of breaking down obstacles to reconciliation caused by existing feelings of victimization, guilt, distrust, and fear between groups. These two forms of social learning are distinct from one another both in the processes required for their development and in the temporal contexts towards which they are focused. As Arie Nadler and Nurit Schnabel illustrate, “socioemotional reconciliation is focused on the past of the conflict and asserts that the key to a reconciled future lies in a constructive confrontation with the painful past [whereas] efforts of instrumental reconciliation are focused on the present and are based on the premise that ongoing cooperation between the adversaries in the present will result in a reconciled future.” The authors note that both of these forms of social learning will ultimately be required if a society divided by intrastate violence is to be reintegrated and successfully reconciled. Indeed, the two kinds of social learning are highly interdependent: the trust and cooperation built through instrumental reconciliation provide the basis for a successful engagement with the past, while acts of socioemotional reconciliation help societies to overcome the emotional and psychological barriers to interaction which otherwise militate against the development of more positive – and peaceful – intergroup relations. Finally, it is also clear that the relative ability of socioemotional and instrumental initiatives to contribute to intergroup reconciliation will be heavily mediated by related efforts to promote more positive social learning about the Other through distributive reconciliation – sustained attempts to reduce structural and material inequalities and limit perceptions of inequitable power relations between former antagonists. As
the collection’s editors note, alongside instrumental and socioemotional reconciliation, “the move to peaceful intergroup relations hinges on ensuring that the adversarial groups perceive equality of opportunities to procure material and social resources.”

To date, studies in transitional justice have tended to focus almost exclusively on socioemotional reconciliation, that is, how different justice institutions or mechanisms are able to address the injustices of the past in assigning responsibility for past violence and reduce feelings of victimization and related desires for revenge that could otherwise serve to reignite conflict. While these efforts remain vitally important, insights from social psychology suggest that such initiatives will necessarily need to follow, or work in tandem with, longer-term interventions designed to promote intergroup trust and cooperation and distributive equality if they are ultimately going to be successful in building reconciliation and providing the foundation for sustainable peace. In unpacking the relationship between transitional justice and reconciliation, what may therefore be needed is a broader interpretation of transitional justice itself, one which gives consideration as to how instrumental and distributive aims must be incorporated alongside – or indeed within – the institutions and mechanisms designed to provide accountability for the past. In essence, such a reinterpretation suggests that the relative success of any transitional justice strategy in contributing to intergroup reconciliation will depend on its ability to promote instrumental and distributive forms of social learning alongside the socioemotional or, at the very least, be designed so as to work in tandem with other ongoing societal efforts to rebuild trust, cooperation, and equality between former enemies.

That said, while the distinction between instrumental, socioemotional, and distributive forms of reconciliatory work offers a useful entry point for investigating the link between transitional justice and reconciliation, it still falls short of operationalizing the specific learning processes within these broader categories that may be required to promote intergroup reconciliation in deeply divided societies. This operationalization remains crucial to considering how the particular design of transitional justice institutions and the strategies they employ might serve to impede or impel mechanisms of social learning and, in so doing, either detract from or contribute to a society’s potential for reconciliation and sustainable peace. Drawing again on insights derived from recent work in conflict transformation scholarship, five subcategories of social learning mechanisms emerge as points of consensus in these literatures as necessary, if not sufficient, elements of intergroup reconciliation. In short, the argument forwarded here is that
not all transitional justice strategies are created equal in their ability to facilitate intergroup reconciliation in divided societies, and that their capacity to do so depends, in large part, upon whether or not the designs of these strategies serve to engender these crucial processes of social learning.

i. Instrumental Reconciliation

Positive Intergroup Contact

The rebuilding of positive contact and renewed interaction across community boundaries remains the primary, and perhaps most crucial, strategy for promoting the forms of social learning among former enemies necessary for instrumental reconciliation. The idea that increased levels of contact can lead to improved relations between communities in conflict is the central assertion of the longstanding Contact Hypothesis in social psychology. A substantial body of experimental and ‘real-world’ evidence indicates that a renewal of positive contact can have a reliably independent effect on improving intercommunity relations. Such processes provide the initial means of challenging negative stereotypes and misperceptions, reducing prejudice, building empathy, and breaking down rigidified perceptions of the Other as a monolithic and inherently hostile group. Further, recent studies also indicate that this kind of engagement over time also provides the necessary foundation upon which a more inclusive sense of collective identification can be built, allowing more positive feelings, equitable moral standards, and cooperative behaviour to prevail. However, this research also shows that a simple increase in the quantity of intergroup contact, while important, does not itself provide a significant enough challenge to the entrenched animosities formed through past conflict and could even serve to exacerbate existing tensions. What matters most, evidence suggests, is the content and quality of the interaction that takes place and the context in which these encounters occur. More specifically, to have the most beneficial impact on improving intercommunity relations, such engagements must take place between groups afforded an equal status in society, be of a non-adversarial quality, and occur in a relatively safe, non-threatening environment supported by a broader social and normative climate that is conducive to improved intercommunity relations. Further, the most beneficial interactions will be sustainable and will occur over an extended period of time, in addition to forwarding cooperative goals that provide mutual benefit to all parties involved. Finally, to have a lasting positive effect on intergroup
relations, studies show that such interactions must actively engage with, rather than ignore, the salience of the existing group identities of those brought into contact. This allows for the positive associations gained through contact and related reductions in prejudices, stereotypes, and mistrust to be ‘generalized’ to all members of the Other instead of being limited to the specific and possibly ‘exceptional’ individuals directly engaged in the interaction.

**Transformative Dialogue**

As important as renewed contact might be for providing the basis upon which new identities and more cooperative relationships can be built, what is of greater importance is the *content* of such interaction and, in particular, whether it can serve to foster deeper exchange in the form of meaningful dialogue which extends across group lines. The breakdown of intergroup communication over the course of conflict limits opportunities for dialogue and understanding and provides an environment in which biases, misconceptions, and cognitive distortions about Self and Other can flourish. Jay Rothman, for instance, notes the particular need for engaging former enemies in processes of “reflexive dialogue” in order to render intractable “identity conflicts” tractable by allowing the Self to begin viewing the Other as a valid partner for future cooperation, suggesting that this helps to foster ‘we-feeling’ and empathy – a sense of similarity between Self and Other in terms of basic values and needs. Similarly, Donald Ellis has argued in favour of “transformative communication” in the wake of intractable conflict to “widen the circle of identity inclusion,” reduce entrenched bias and prejudice, and promote the kind of “moral growth” in which moral exclusion and practices of delegitimization are replaced by feelings of empathy and a mutual recognition of the Other’s humanity. Finally, other scholars such as Lewis Mehl-Madrona and Tamar Hermann have argued that a precondition for reconciliation is “the need to open channels, or space, for direct and candid communication between the protagonists,” or to create a “conversational” or “dialogical space” in which former enemies are brought together and given the opportunity to critically reassess the images they hold of one another and the nature of their shared relationship. Ultimately, what all of these authors share is a recognition of the crucial importance of intergroup communication to the processes of ‘identity negotiation’ needed for reconciliation in the aftermath of protracted identity conflicts. In effect, they hold intergroup dialogue to be the necessary mechanism through which groups can begin to ‘unfreeze’ the rigidified, monolithic, and ethnocentric
perceptions about the Other that informed past conflict, and the means by which former enemies might come to transform these understandings and construct more inclusive and more peaceable conceptions of their identities. Empirically, these assertions have been largely borne out by authors testing the impact of ‘Interactive Conflict Resolution’ strategies, ‘dialogue groups,’’ and ‘problem-solving workshops,’ all programs that have achieved some success in bringing together former enemies to engage in processes of critical communication.

ii. Socioemotional Reconciliation

*Justice*

Scholars working within the conflict transformation and transitional justice literatures have long viewed the provision of justice as a necessary, if not sufficient, condition for reconciliation in post-conflict societies. While great division exists within these literatures as to which ‘type’ of justice is most effective in this regard and as to what form justice strategies should take, there is nonetheless agreement about the need for transitional authorities to act in some way to recognize and reduce the sense of injustice felt by those victimized by past violence. In particular, many authors warn against the inherent dangers of adopting strategies of ‘oblivion’ or ‘impunity’ in post-conflict societies, as victims have shown little inclination to simply ‘forgive and forget’ experiences of past violence and such grievances can provide fertile ground for future returns to conflict. Additionally, several scholars have noted that the recognition of dignity and basic moral worth afforded by acknowledging the injustice of past violence is vital to reducing feelings of victimization, thereby aiding the process of victims’ healing which is a key determinant of their future willingness to engage in reconciliation with the Other. To paraphrase legal scholar Martha Minow, what may therefore be required to promote reconciliation in the wake of mass violence is a form of justice that walks a path between the opposing poles of vengeance and impunity – one that acknowledges the wrongness of the harm done to victims, assigns responsibility to perpetrators for their actions, and recognizes the need to work towards repairing past injustices. Indeed, acknowledging the injustices done to victims and holding perpetrators accountable are of critical importance to social learning in post-conflict societies, as these processes symbolize a shift in the normative ethos that once legitimized the use of violence against the Other. The provision of justice therefore serves as a vital ‘bridge’ between a society’s divisive past and its more inclusive future, signaling an expansion of the boundaries of
moral and political community and the extension of equal rights and protections to all individuals, thereby rendering violent conflict an illegitimate and impermissible means of resolving disputes between groups.\textsuperscript{xlvii} In so doing, the provision of justice helps to provide expectations of more positive intergroup relations in the future and a minimal basis upon which cooperation, mutual trust, and shared interests can begin to develop.\textsuperscript{xlvii}

Truth
Aside from the experience of justice, it has been widely argued that coming to terms with the past by way of achieving reconciliation and sustainable peace also requires some form of historical inquiry that can record the ‘truth’ – understood as the creation of a mutually accepted (or at least mutually tolerable) shared understanding – about past events. Indeed, as Tristan Anne Borer has noted, within the transitional justice literature there now exists a “near unanimity among most scholars, as well as practitioners, that societies coming out of periods of violence must in some way examine, acknowledge, and account for violence committed by various groups in order to move forward.”\textsuperscript{xlviii} However, little insight has been provided to date as to how exactly it is that truth-seeking processes are able to make a positive contribution to reconciliation – a gap likely due, in large part, to the limited dialogue between transitional justice scholars and the related bodies of conflict transformation literature studying the dynamics of intergroup reconciliation. By way of synthesizing this scholarship, I would argue that the establishment of ‘truth’ contributes to the social learning needed for reconciliation by helping to overcome the antagonistic belief systems formed through the experience of past conflict that, if left unaddressed, prevent the development of a more positive relationship with the Other and risk recidivist violence. In his studies of conflict in divided societies, the social psychologist Daniel Bar-Tal has written extensively about the formation of such divisive belief systems, suggesting that

\begin{quote}
[Over the years, groups involved in conflict selectively form collective memories about the conflict. One the one hand, they focus mainly on the other sides responsibility for the outbreak and continuation of the conflict and its misdeeds, violence and atrocities; on the other hand, they concentrate on their own self-justification, self-righteousness, glorification, and victimization.\textsuperscript{xlix}
\end{quote}

In other words, in the wake of mass violence, former enemies often have widely divergent views about the ‘truth’ of past events, as each group bases its interpretations upon its own inevitably antagonistic and exclusionary ‘collective memory.’ These beliefs work to maintain an
oversimplified understanding of in-group/out-group relations, casting all members of the enemy
group as responsible for the evils of past conflict, and therefore as legitimate targets for future
violence.\textsuperscript{1} Therefore, the most important aspect of establishing a truthful accounting of the past
may be its ability to facilitate a critical re-examination of the biased myths, narratives, and
collective memories tied to perceptions of past violence. Truth, understood in this sense,
becomes an integral component of the ongoing ‘negotiation of identity’ necessary for intergroup
reconciliation, as it both helps to ‘unfreeze’ antagonistic perceptions of identity and to open the
possibility of transforming the hostile system of relationships between former enemies rigidified
by the memories of past violence.\textsuperscript{\textit{l}}\textsuperscript{i} Transitional justice strategies are often essential to this
process in divided societies as they can provide the structural mechanisms for truth recovery
through which a new ‘official’ shared understanding of the past – one that can’t be appropriated
by any one group – can be built.\textsuperscript{\textit{l}ii}

\textbf{iii. Distributive Reconciliation}

However, the social learning required for reconciliation cannot simply be limited to changes in
social interactions, cognitive perceptions, or understandings of the past. There is strong evidence
to suggest that the amelioration of structural and material inequalities in divided societies is a
crucial element that straddles, and has direct implications for, the other forms of instrumental and
socioemotional social learning necessary to intergroup reconciliation.\textsuperscript{\textit{liii}} For instance, through
their study of the conflict in Northern Ireland, Joseph Ruane and Jennifer Todd have illustrated
that structural and economic imbalances are themselves constitutive of divided identities, and
that they help to create a self-reinforcing system of conflict by encouraging greater levels of both
ingroup solidarity and outgroup differentiation.\textsuperscript{\textit{liv}} Indeed, the opportunities for more positive
forms of intergroup contact and communication are greatly limited in societies that remain
divided by severe structural inequalities, as the places in which group members live, work, and
socialize are often directly mediated by socioeconomic status. Moreover, where these
interactions do occur, structural divisions may be so wide that the contact between members of
different groups remains cursory and superficial, resulting in relationships that are “contiguous
yet utterly remote” and that provide little basis for developing the mutual trust, empathy, and
more inclusive sense of moral and political community that are vital to reconciliation.\textsuperscript{\textit{lv}} Further,
Ruane and Todd’s study indicates that lingering inequalities also limit the potential for
perceptual and ideological changes regarding the Other even when myths and biased understandings of the past are directly challenged by new information.\textsuperscript{lv}\textsuperscript{vi} However, it is highly unrealistic to expect that transitional justice mechanisms will, in and of themselves, be able to effect this kind of societal change—it’s a task simply beyond the limited budgets, mandates, and timelines accorded these institutions. That said, greater attention must be given to how transitional justice strategies can incorporate—or at the very minimum work alongside—targeted efforts to reduce structural and material inequalities in divided societies if they are to help in promoting intergroup reconciliation. For instance, in addition to the broader socioeconomic and legislative reforms that will be required to increase levels of equality in divided societies, transitional justice strategies could involve efforts to at least ‘signal’ a commitment to a general improvement in the material conditions experienced by former antagonists. One such initiative might include the provision of a reparations or compensation program for those worst impacted by past conflict or for those who experienced severe disadvantage under previous systems of repression.\textsuperscript{lvii} While the sheer scale of mass violence realistically means that such reparations will only ever be emblematic, compensation nevertheless remains an important way in which transitional justice strategies can directly contribute to social learning, as it entails acknowledging the injustice of past disparities and indicating a commitment to establishing more equitable future relations.\textsuperscript{lviii}

V. Overcoming Intractability in Northern Ireland

For most of the last century, Northern Ireland has been the very archetype of a deeply divided society, with communities of (largely Roman Catholic) Irish ‘Nationalists’ locked in a protracted and seemingly intractable territorial conflict with both local (largely Protestant) pro-British ‘Unionists’ and the security forces of the British state.\textsuperscript{lix} This conflict culminated in a period of intense violence between the late 1960s and the late 1990s known locally as ‘the Troubles.’ Over the course of the Troubles an estimated 3523 people lost their lives, the vast majority of whom were civilians killed by the actions of ‘Republican’ or ‘Loyalist’ paramilitary organizations such as the Irish Republican Army and Ulster Defence Association ostensibly fighting on behalf of their constituent communities.\textsuperscript{lx} While at first glance the scale of this violence appears relatively minor, given the small geographical size of the country and the fact that the regional population numbers well under 2 million, the conflict took a devastating toll on
societal cohesion in Northern Ireland. Living with the constant threat of violence over the course of 30 years led to patterns of severe residential, educational, and social segregation in the towns and cities of Northern Ireland, creating high-tension ‘interface’ zones between proximate Nationalist and Unionist neighbourhoods. An extensive system of territorial demarcation consisting of flags, curb paintings, and murals developed over time to further delineate the geographical boundaries of communities, resulting in the carving-up of urban areas into psychological ‘chill zones’ where members of the Other community feared to tread.\textsuperscript{lxii} Perhaps the starkest signs of these divisions are the numerous ‘peace walls’ – reinforced barrier fences standing up to 25 feet high – constructed in the major urban centres of Derry and Belfast to separate the most violence-prone communities. Further, the protracted nature of the conflict and the personal sense of loss suffered by a large proportion of the population also led to deeply ingrained feelings of fear, mistrust, prejudice, or outright hatred associated with members of the Other community.\textsuperscript{lxiii} Such feelings were compounded by the deep sense of victimization felt among Nationalist communities at having been historically marginalized under a system of socioeconomic and political discrimination by a Unionist majority.\textsuperscript{lxiii}

Over ten years on from the formal signing of the ‘Belfast Agreement’ on April 10\textsuperscript{th}, 1998 which brought an end to the overt political violence of the Troubles, Northern Ireland remains a deeply divided society, marked by a polarized political system, high levels of residential, social, and educational segregation, as well as continued feelings of intercommunal mistrust and resentment. However, recent evidence suggests that some progress is being made on transforming the hostile mindsets and antagonistic attitudes that have long characterized intergroup relations in Northern Ireland, which accounts, in no small part, for the recent resumption of power-sharing governance and a marked decline in levels of intercommunity violence.\textsuperscript{lxiv} Many of these gains seem directly linked to the ‘decentralized’ program of transitional justice that has emerged in recent years, one that has combined a focus on community-based instrumental reconciliation programs with a more ‘piecemeal’ approach to dealing with the past through discrete governmental and non-governmental initiatives, and that has been implemented against a backdrop of aggressive equality and equity reforms. The final section of this paper considers the contributions of this decentralized approach to intergroup reconciliation in Northern Ireland, and draws potential insights from this case study for transitional justice strategies in other divided societies working towards sustainable peace.
i. Distributive Reconciliation in Northern Ireland: Restoring Equity and Equality

Structural and material inequalities among Catholics and Protestants have been widely recognized as primary motivators of the protracted conflict in Northern Ireland, with consensus that from the time of partition from Ireland in 1921 until at least the early 1970s the region existed under a system dominated politically, socially, and economically by the majority Unionist population. In particular, access to higher educational prospects, better employment opportunities, and housing allocation were heavily biased in favour of Unionists, leading to large disparities in the relative living conditions, unemployment rates, and levels of income between Catholic and Protestant populations. In addition, biased electoral laws and the widespread use of gerrymandering practices in favour of Unionist politicians led to the underrepresentation of the Catholic community in local and regional governments in Northern Ireland, meaning that Nationalists remained largely disenfranchised from the exercise of real legislative or executive power for much of this period. Further, while Northern Ireland remained a functional Western democracy throughout the Troubles, among the Nationalist population there has long existed a deep distrust and sense of the illegitimacy of the security forces and criminal justice system employed by the state in Northern Ireland. For instance, the Royal Ulster Constabulary (RUC), which formed the main body of the police service of Northern Ireland from its inception at the time of partition, was disproportionately drawn from the Protestant population. As a result, the police services came to be viewed as unrepresentative of Catholics (at best) or actively pro-Unionist (at worst), with recent evidence revealing patterns of anti-Catholic discrimination and even direct police collusion with Loyalist paramilitary organizations during the violence of the Troubles. The re-introduction of the British Army and security services in 1969, while initially welcomed by the Catholic population as a neutral arbiter to the violent clashes with the RUC, quickly became viewed as a pro-Unionist occupying force following the now infamous ‘Bloody Sunday’ of January 30th, 1972 – an incident in which when British soldiers fired on a civil rights march resulting in the deaths of 14 Catholic civilians. The civil rights march taking place on Bloody Sunday was itself in protest of a policy of internment employed by the British government to quell unrest in Northern Ireland between 1972 and 1975, which, under the provisions of ‘Special Powers’ emergency legislation, led to the arrest, punishment, and detainment without trial of 1981 internees, 1874 of whom were members of the Nationalist community. The end result of these policies was a further radicalization of the Nationalist
community, the growth of greater support for the armed Republican movement, and a greater polarization of Nationalists away from both Unionists and the justice institutions of the British state.

Following on the momentum established by the civil rights movement of the late 1960s, a number of measures were introduced in Northern Ireland during the early 1970s that sought to reduce the worst of these inequalities. Extensive legislative reforms were introduced to limit discriminatory practices in housing and employment allocation, address widespread disparities in income, and reform a highly inequitable educational system. Substantial efforts were also made to redress the entrenched system of electoral manipulation and give greater representation to Nationalists in Northern Ireland’s devolved government.\textsuperscript{lxix} While these measures did go a long way towards establishing the foundations for a significantly more equitable society, for the most part they were overshadowed by the outbreak of intercommunal violence that exploded in Northern Ireland with the onset of the Troubles in the late 1960s and continued relatively unabated for the next 30 years. However, in support of the nascent peace process that began taking shape in the early 1990s, the central government in Northern Ireland embarked on an even more aggressive agenda under the Belfast Agreement designed to target the remaining structural inequalities existing between Nationalist and Unionist communities. Institutionally, this involved the establishment of an Equality Unit, a Gender and Sexual Orientation Unit, and a Racial Equality Unit to help ensure a coordination of equity and equality policy out of the Office of the First Minister and Deputy First Minister (OFMDFM), as well as the creation of an independent Equality Commission, an Independent Human Rights Commission, and the drafting of an inclusive Bill of Rights for Northern Ireland. An extensive review of the criminal justice system was also mandated under the Agreement, leading to a report in 2000 detailing nearly 300 reform recommendations to increase levels of efficiency, impartiality, and accountability, many of which were given legislative effect under Justice Acts in 2002 and 2004.\textsuperscript{lx}x Legislatively, these initiatives are now supplemented by the extensive Fair Employment and Treatment Order of 1998, which renders it unlawful to discriminate on the basis of religious or political opinion in housing or employment, and which permits the use of affirmative action policies to ensure that fair participation is secured in the workplace by both Protestants and Catholics. Further, a government-wide strategy of Targeting Social Need was implemented to help ameliorate the high levels of unemployment and economic deprivation that disproportionately impact Catholic
communities as a direct legacy of past discrimination. Politically, the Belfast Agreement entrenched a consociational power-sharing Assembly to govern Northern Ireland, an arrangement in which legislative power and key ministerial positions are divided between Nationalist and Unionist representatives. To ensure that legislative decisions are passed in the interests of both communities, resolutions under the Assembly must receive a minimum of cross-community support by both Nationalist and Unionist members, in effect providing a mutual veto safeguard against discriminatory legislation. These initiatives have been joined, more recently, by extensive reforms to the highly contentious police service based on the recommendations of an Independent Commission on Policing for Northern Ireland established under the Belfast Agreement. Such measures have included changing the name of the RUC to the Police Service of Northern Ireland (PSNI), appointing an independent Police Ombudsman to deal with complaints and allegations of misconduct and, perhaps most importantly, implementing a policy of ‘positive discrimination’ to recruit aggressively from the Catholic population by way of correcting their historical underrepresentation in the police service and increasing the PSNI’s legitimacy in Catholic communities.

Among those experts interviewed in Northern Ireland, nearly all cited the reduction of structural and material inequalities between Nationalist and Unionist communities as a pillar for future reconciliation, most often noting that this distributive work serves as a minimum baseline upon which all other reconciliatory activities must build.\textsuperscript{lxxi} As Ray Mullan, Programme Director of the Community Relations Council noted, an element of distributive justice is central to reconciliatory efforts in Northern Ireland because “equity is about justice. You can’t have a good community relations environment if one side feels they are being treated unfairly…you cannot build a positive environment if one side feels they are getting the short end of the straw. There has to be equity.”\textsuperscript{lxxii} Overall, assessments of the government’s wide-ranging initiatives to introduce greater levels of equality into Northern Ireland’s economic and political structures have been very positive (among both Protestants and Catholics), with a shared recognition that disparities between the communities – while certainly still present to a reduced degree – are no longer the major source of conflict in Northern Ireland.\textsuperscript{lxxiii} As Jennifer Todd, Professor of Political Science at University College Dublin asserts,

I think that for a long time the conflict, from the perspective of Nationalists, was fed by inequality, and fed by the effects of multiple inequalities. But it seems to me…that there’s a threshold where groups don’t necessarily have to get to strict equality to become
satisfied. And Nationalists have, for the most part, got to where they can see the possibility of equality and it’s simply become pretty much depoliticized.

However, it is also clear that a reduction in structural and material disparities, while necessary, has not itself been sufficient to foster intergroup reconciliation in Northern Ireland. While the movement towards relative equality has helped to clear the way for developing less antagonistic relationships between Nationalist and Unionist populations, it has done little to heal the physical, social, and psychological scars of communal division that remain the legacies of past conflict. This has been evident perhaps most clearly at the political level where entrenched feelings of mistrust and animosity between the extreme Nationalist and Unionist political parties elected to power led to a prolonged suspension of the new governing Assembly between October 2002 and May 2007. Continued evidence of prejudice and distrust is also reflected on a broader societal level in Northern Ireland, as while gains in employment equity have facilitated more frequent intercommunal interactions in the workplace, the places where people choose to live, go to school, shop, and socialize still remain deeply segregated along communal lines. This has been particularly true among the most deprived and disadvantaged areas of Northern Ireland’s cities, in which ‘low-intensity’ violence has continued relatively unabated since the Belfast Agreement in the form of youth-led and other sectarian ‘anti-social’ behaviour at high-tension interface areas.\textsuperscript{\textsuperscript{lxxiv}} Therefore, while levels of relative equality may have grown, this hasn’t necessarily translated into either an overall improvement in quality of life or the transformation of antagonistic mindsets and relationships essential to intergroup reconciliation. As a result, the gains that have been made by the government’s ambitious agenda to increase equality still tend to be viewed by both communities through the ‘zero-sum’ perspective that marked past conflict, with Unionists in particular feeling threatened by the recent gains of the Nationalist community and perceiving these as coming at the expense of their own loss and victimization.\textsuperscript{\textsuperscript{lxxv}} One costly outcome of this continued zero-sum perspective has been an extensive ‘duplication of resources’ in Northern Ireland, in which gains made by one community in securing new public facilities, services, or development must be met by the provision of separate but equal gains for the other community – a replication which has cost the Northern Ireland government an estimated 1.5 GBP a year.\textsuperscript{\textsuperscript{lxxvi}}
ii. Socioemotional Reconciliation in Northern Ireland: Dealing with a Divided Past

Viewed through the lens of transitional justice, the post-conflict experience of Northern Ireland appears anomalous – unlike other contemporary transitions in South Africa, Rwanda, or Bosnia, the Belfast Agreement included no formal tribunal or truth commission to account for the legacies of past violence. In large part this was a result of the political context in which the Belfast Agreement was forged. By the mid 1990s, a recognition began to emerge among the major protagonists involved in Northern Ireland’s conflict that the use of violence was no longer an effective means of moving their political agenda forward, whether that agenda was in favour of continued union with the United Kingdom or a movement towards a united Ireland. The Belfast Agreement therefore represented a pragmatic choice by Unionist and Nationalist political leaders – made in concert with the leadership of the main Republican and Loyalist paramilitary organizations – to negotiate an end to violence but to continue their national struggle through political means. For Unionists, the Agreement enshrined constitutional protections against reunification with Ireland without their consent, while for Nationalists, it has largely been viewed as a move one step closer to eventual reunification. However, this also meant that while an agreement was reached as to the necessity of peace in Northern Ireland, no consensus was reached about the past, particularly with regard to the morality (or otherwise) of the use of violence by both sides during the Troubles to advance their aims. As a result, Nationalist and Unionist communities have remained deeply divided in their views of who the ‘real’ victims and perpetrators of past violence are, thereby placing very different demands on what might be required to satisfy calls for truth and justice in a post-conflict Northern Ireland. For many Nationalists, for instance, ‘truth’ would require a greater recognition of the involvement of the British state in the conflict and of its collusion with Loyalist paramilitaries in the killing of Catholic civilians. On the other hand, ‘justice’ for many Unionists would entail criminal punishment for the law-breaking Nationalist rioters and Republican ‘terrorists’ who targeted the lawful security forces of the state through illegitimate acts of violence. The British government viewed itself as having used necessary the force necessary to quell unlawful unrest during the Troubles, and more recently has attempted to position itself as an impartial arbiter forced to mediate in a two-sided intercommunal conflict. In the interest of peace and stability, these highly contentious issues of responsibility were left unresolved in the ‘fault-neutral’ framework of the Belfast Agreement – a decision that effectively ruled out the inclusion of a formal transitional
justice mechanism with an extensive mandate to investigate the violence of the past.\textsuperscript{lxxviii} What has developed in its place is a much more decentralized and ‘piecemeal’ approach to dealing with the past that has combined a range of discrete government initiatives with efforts undertaken by non-governmental organizations and the community/voluntary sector. While space does not permit a full accounting of these initiatives, a number of the most prominent of these measures are considered here in turn, alongside an assessment of this uniquely piecemeal strategy’s ability to contribute to socioemotional learning and intergroup reconciliation in Northern Ireland.

\textit{Victim Acknowledgement and Prisoner Reintegration}

During the negotiations that led to the Belfast Agreement, Northern Ireland’s government recognized that a sustainable peace would require that special consideration be given to acknowledging and addressing the needs of those victimized by past violence, including the families of the nearly 3600 killed and over 50,000 wounded during the Troubles. A Victim’s Commission was created in 1997 that, under the leadership of Sir Kenneth Bloomfield, was tasked to “look into possible ways to recognize the pain and suffering felt by victims of violence arising from the troubles of the last 30 years.”\textsuperscript{lxxx} After a period of consultation with civil society and local communities, a final report called \textit{We Will Remember Them} was released in 1998 that recommended, among other provisions, increased access by victims to compensation, trauma counseling, and targeted services. This emphasis on victims was continued into the Belfast Agreement itself, where it was recognized that it would be “essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation.”\textsuperscript{lxxx} This resulted in the creation of a Victim’s Liaison Unit and a specialized Victims’ Minister in the Northern Ireland government who began working to provide funding to community support groups for victims and survivors. This was quickly followed by the establishment of a Victim’s Unit in the OFMDFM under the devolved Assembly in 2000, which included a government-wide policy for addressing the needs of victims entitled \textit{Reshape, Rebuild, Achieve}.\textsuperscript{lxxxi} In addition to outlining a cross-departmental mandate to provide a greater level of service-oriented support for victims, this strategy also set out an agenda to fund a wide body of nearly 150 community-based victims’ support organizations. Many of these organizations, like the WAVE Trauma Centre, have been working to provide localized services to victims since the early 1990s. Most recently,
the Assembly enacted legislation to create a permanent Commission for Victims and Survivors, appointing four Commissioners to work with the government on behalf of the victim population. The Northern Ireland government has also worked to provide direct financial compensation to victims and their families through two independent charities, Victim Support Northern Ireland and the Northern Ireland Memorial Fund. To date, these combined efforts have resulted in over 20 million GBP being invested in victim’s initiatives by the government since 1998, with recent announcements indicating that this funding would increase to 36 million GBP between 2009 and 2012.\textsuperscript{lxxxii}

Alongside victims, the Belfast Agreement also included provisions to address the perpetrators of past violence, most particularly those from paramilitary organizations who had been imprisoned during the course of the Troubles for the commission of ‘political’ violence. Under the framework of the BFA, over 450 ‘qualifying’ prisoners – largely ex-combatants from Republican and Loyalist paramilitary organizations – were to be released within two years of its signing. While the decision to release paramilitary prisoners has been highly controversial, particularly among those directly or indirectly victimized by past paramilitary violence, it was nevertheless a decision supported by all parties to the Agreement as a necessary means of moving the peace process forward. While this release did significantly cut short the term of incarceration for many prisoners, it was distinct from a ‘blanket amnesty process,’ as its provisions extended only to ‘political’ prisoners, were limited to members of those paramilitary organizations engaged in ceasefires at the time, did not expunge the record of conviction, and only released prisoners on conditional licenses that could be revoked if an individual reengaged in criminal activity. A specific clause in the Agreement also put an onus on the government to provide support for aiding perpetrators’ reintegration into communities, including assistance for employment training and further education. To date, this reintegration of political prisoners has largely been supported through various government and European Union funding grants administered through the Community Foundation for Northern Ireland, with support for community-based organizations totaling over 9.2 million GBP between 1995 and 2003.\textsuperscript{lxxxiii} This includes funding for 61 community groups and a further 29 distinct projects working with politically motivated prisoners and their families to secure provisions of education, skills training, financial and welfare advice, housing and accommodation, and counseling services. These projects are led by the work of the independent Northern Ireland Association for the Care
and Resettlement of Offenders (NIACRO) that acts as an ‘umbrella’ organization and advocacy group for ex-prisoner issues. To date, these programs appear to have met with a good deal of success, with the result that only 20 of the 450 political prisoners released have had their licenses revoked for reengaging in violence or criminal activity in the 10 years following the signing of the BFA.\textsuperscript{lxxxiv}

Overall, assessments of the funding, support, and service delivery provided to victims by the BFA were quite positive among those experts interviewed in Northern Ireland, with nearly all interviewees indicating that the acknowledgement and healing of victims are fundamental steps towards reconciliation and the alleviation of future violence. However, it was also widely acknowledged that the issue of victimization is one that remains highly politicized in Northern Ireland, victimhood having been frequently appropriated as a “political football” or a tool to use against the other community and victims themselves having been squeezed “like a grape in a vice” between the competing narratives of Nationalist and Unionist politicians seeking to blame the Other for the violence of the past.\textsuperscript{lxxxv} This has been particularly evident in charges by members of the Nationalist community following the Bloomfield report that a ‘hierarchy of victims’ had emerged in Northern Ireland under which ‘innocent’ Unionists and state security forces were considered to be ‘more deserving’ of support, while Republican ‘terrorists’ and those ‘guilty by association’ in the Nationalist community were less so.\textsuperscript{lxxxvi} A similar polarization continues to surround the issue of prisoner release. Despite a wide recognition by interviewees that the release of political prisoners was a necessary element required to end the conflict, perceptions of the release have diverged widely among Nationalist and Unionist communities. As Christine Bell, Co-Director of the Transitional Justice Institute of the University of Ulster has argued, while without the release of paramilitary prisoners “there wouldn’t have been a peace process and there wouldn’t have been an Agreement,” it nonetheless “divided Unionists and Nationalists like a hammer, like an axe down the middle.”\textsuperscript{lxviii} For the Unionist population, whose leadership denied the political nature of the Troubles and portrayed the conflict as “an extended crime wave committed by men of violence for their own gain,” the release of paramilitary prisoners – Republican or Loyalist – was largely viewed as a “travesty” and a “sacrifice of justice.”\textsuperscript{lxviii} For the Nationalist community, whose leaders had long narrated the conflict as a political struggle against an unjust state, there has been a much greater willingness to countenance the early release of Republican prisoners and to reintegrate ex-combatants into
their communities.\textsuperscript{\textit{lxxxix}} Therefore, despite a high level of sustained funding and the extensive provision of support services through government, NGO’s, and the community/voluntary sector – all of which have proven quite valuable in aiding individual healing and processes of reintegration – issues surrounding victims and prisoners continue to serve as points of communal division due to widely divergent, and often antagonistic, perceptions of past violence.

\textbf{Legal Investigations into the Past}

Alongside support for victims and ex-prisoners, several legal initiatives have been attempted by governmental actors to begin to address the unresolved legacy of Northern Ireland’s past and, in so doing, to provide a measure of truth and justice to its citizens. One of the most prominent of these initiatives was the decision by British Prime Minister Tony Blair in 1998 to establish an independent judicial inquiry into the events of Bloody Sunday as a response to an extended human rights campaign by the families of those killed and injured on that day. This followed longstanding critiques of an early investigation led by Lord Widgery – himself a former officer in the British Army – which had summarily exonerated British security forces of any wrongdoing in the incident but was widely held to have been marred by faulty forensics and other inconsistencies.\textsuperscript{\textit{xc}} The 1998 Bloody Sunday Inquiry, chaired by Lord Mark Saville, opened in 2000 and involved testimony from over 900 individuals including the victim’s families, experts, eyewitnesses, and the British soldiers implicated in the fatal shootings. While the Inquiry itself did not have prosecutorial powers, it was viewed by many within the Nationalist community as a chance to establish a definitive ‘truth’ of the events of that day, to officially recognize the innocence of those victims killed, and to achieve a measure of accountability by having the state publicly acknowledge its complicity in the wrongful deaths of civilians.\textsuperscript{\textit{xci}} However, the enormous cost involved (the Inquiry has been estimated at well over 200 million GBP to date), and decisions to allow state funds to be used to provide legal counsel to the implicated British soldiers and to permit them to testify anonymously, have served to largely inflame intercommunal tensions rather than abate them, as have continued delays in the release of the Inquiry’s final report (originally scheduled for 2008 but now not expected until 2010). Further, for many of those family members who came forward to provide testimony, the adversarial process of cross-examination by state lawyers during the inquiry led to a highly antagonistic, rather than cathartic, experience.\textsuperscript{\textit{xcii}} Accordingly, as Stephen Ryan of the University
of Ulster has argued, the legal inquiry into Bloody Sunday has not provided the best model for truth recovery in intergroup reconciliation, as while “it may be a way of uncovering the truth, it’s not a very good way of building better relationships between communities – in fact it’s quite confrontational.”

Recent years have also shown that the legal inquiry model may also be limited in the amount of ‘truth’ it is able to provide about past violence in Northern Ireland, particularly when findings might be used to implicate members of the British security forces.

For instance, under an agreement worked out between the British and Irish governments in the Weston Park talks of 2001, Canadian Judge Peter Cory was tasked with carrying out an independent investigation to consider the possibility of security force collusion in several ‘marquee’ murders committed during the Troubles. These included, most notably, the killings of Nationalist solicitors Rosemary Nelson and Pat Finucane by Loyalist paramilitary organizations. Despite recommendations by Cory in 2004 that fully independent and public inquiries be launched into both of these cases, the British government delayed hearings into the Nelson murder until April of 2008 and has yet to open any official inquiry into the Finucane case.

Additionally, in the wake of the Cory investigation the British government passed the Inquiries Act of 2005 that effectively ceded control over the scope of all future inquiries to the government executive. In effect, this granted government ministers powers to limit judicial purview, restrict public access, allow evidence to be given in secret, and to end any ongoing inquiry at a time of their choosing. As Cory himself has argued, this Act effectively “makes a meaningful inquiry impossible” by eliminating their independent and public nature and granting the Minister in charge “the authority to thwart the efforts of the inquiry at every step.”

However, legal investigations into the violence of the past have not been limited to public inquiries. The Historical Enquiries Team (HET) was set up in 2005 as a new investigations unit under the PSNI with a mandate to re-open and re-examine cases pertaining to all deaths that occurred in relation to the Troubles between 1968 and 1998. Led by David Cox, a former member of the London Metropolitan Police Service, the HET is staffed by a team of professional police investigators charged with reviewing existing records on Troubles-era deaths and opening new investigations where evidence might warrant them. Alternately, where these reviews reveal evidence of possible police wrongdoing, cases are referred to the Office of the Police Ombudsman of Northern Ireland for investigation. Working with a budget of roughly 40 million GBP over a six-year term, this leaves the HET responsible for reviewing over 3,268 deaths, with
500 cases addressed so far to date. While a legally-based policing initiative, from its inception the HET has been avowedly victim- and family-focused in its work, with an aim to “help bring a measure of resolution where possible” to the families of those killed during the Troubles.\textsuperscript{xcvi} Accordingly, the HET has worked either directly with the families of those killed or through NGO victim organizations in an attempt to acknowledge any outstanding issues related to the death in question and, following the review of their specific case, to provide the family with a copy of their findings (though most often with the identities of any suspected perpetrators removed due to legal restrictions). However, the degradation of physical and eyewitness evidence that has occurred over time makes it “highly unlikely or virtually impossible that there [will] ever be prosecutions” in most, if not all, of these historical cases.\textsuperscript{xcvii} Nonetheless, the HET has been widely respected by Nationalist and Unionists alike for its ability to offer an important source of ‘truth’ to bereaved families by accumulating factual evidence surrounding the deaths of their loved ones and, in so doing, to provide a measure of official acknowledgement of their loss.\textsuperscript{xcviii} Unfortunately, to date the work of the HET has met with stiff resistance from both the British security forces and paramilitary organizations – those groups in positions to provide real insight into the facts of past violence – who have, as a whole, refused to participate in these investigations for fear of providing evidence that may be incriminating to their respective organizations.\textsuperscript{xcix} Also, recent reports have raised questions about the independence of the HET unit in regard to cases involving the police and British security forces, noting that the unit still remains ultimately accountable to the Chief Constable of the policing services and that former RUC officers tend to be overrepresented on the HET’s investigation team.\textsuperscript{c} Accordingly, while the HET may be able to provide a small amount of acknowledgement to the families of victims, limitations still exist as to its ability to act as the primary vehicle for either truth recovery or justice in Northern Ireland.

**Civil Society and Local Community Initiatives**

Alongside these legal mechanisms, a number of independent initiatives have been undertaken by non-governmental and community organizations to explore alternative avenues for addressing the past in Northern Ireland. Chief among these has been the work of the cross-community NGO Healing Through Remembering (HTR), which, since 2001, has examined options for truth-recovery and remembrance in Northern Ireland with the ultimate goal of promoting individual
and collective healing. Under the 2002 *Reshape, Rebuild, Achieve* strategy released by the OFMDFM’s Victim’s Unit, HTR was effectively tasked with the “important and sensitive matter” of aiding victims by independently “seeking views on the development of truth and justice processes for Northern Ireland.” According to the OFMDFM’s Victim’s Unit, HTR was effectively tasked with the “important and sensitive matter” of aiding victims by independently “seeking views on the development of truth and justice processes for Northern Ireland.” Accordingly, following a lengthy consultation process with individuals and organizations across Northern Ireland as to “how should people remember the events connected with the conflict in and about Northern Ireland and in so doing, individually and collectively contribute to healing the wounds of society,” a final report was submitted to the Northern Ireland government recommending several approaches to remembering the past. These included the creation of a Day of Private Reflection, a collective storytelling and archiving project, the establishment of a permanent memorial or museum, and research designed to identify practicable options for a mechanism of inclusive truth recovery and acknowledgement. This initial work led, in turn, to the establishment of a specialized working subgroup within HTR on Truth Recovery and Acknowledgement which released its own consultative report in 2004 entitled *Making Peace With the Past: Options for Truth Recovery Regarding the Conflict in and about Northern Ireland.* This report sought to counter the assumption that a single-truth recovery mechanism would be required – or even feasible – in Northern Ireland, and instead outlined five separate options for truth recovery that might usefully be drawn upon individually or in combination. What these options share in common is an emphasis that any such process must operate independently of the state or any communal political interest and work to acknowledge the mutual complicity of all parties involved in past violence. Above all, they stress that any truth recovery process must prioritize the needs of victims and attempt, wherever possible, to seek to repair their loss. To date, however, it should be noted that the work of the HTR – while certainly invaluable for promoting greater dialogue and discussion around addressing issues of the past in Northern Ireland – has been largely left at the conceptual stage, with only the relatively apolitical ‘Day of Private Reflection’ initiative as of yet having been put into actual practice.

At a more local level, several unofficial community-level truth recovery efforts have been created to fill the gap left by the absence of a formalized transitional justice mechanism and the continued distrust of state-led initiatives dealing with the past. One prominent example has been the work of the Ardoyne Commemoration Project (ACP) that, through the collection of over 300 oral interviews, has sought to record the stories of the 99 people killed over the course of the
Troubles from the small Nationalist community of Ardoyne in Northern Belfast. The ACP emerged in 1996 as a direct response to the perceived ‘hierarchy of victims’ in Northern Ireland and a desire by community members to acknowledge and commemorate their victims as a “counter state-sanctioned forgetting,” an effort “to set the record straight” and “to tell their story” from the perspective of the community. Local ownership and participation was considered essential to the success of the project, with each interviewee having ultimate editorial control over his/her statements. Moreover, the ACP’s guiding ethos was that of an ‘equality of victims,’ with no one from the Ardoyne excluded from the collective memory being established “because of their religious or political beliefs, the circumstances of their death, or the agency responsible for it.”

The end result was an edited volume of these collected testimonies published in 2002 as *Ardoyne: The Untold Truth*, a copy of which was then distributed to all those who had participated in the process. As Dr. Patricia Lundy, one of the co-editors of the volume has noted, the truth-recovery work of the ACP has been vital not only for assisting broader prospects for future reconciliation between divided communities and the British state, but also for addressing intracommunal conflicts within the Ardoyne community that had festered during the Troubles. Importantly, Dr. Lundy has suggested that the experience of the ACP might evidence the importance of ‘sequencing’ truth recovery efforts in a highly politicized context like Northern Ireland, with intracommunal truth recovery being the first necessary “building block” for people to develop the sense of self-confidence, security, and receptiveness necessary to grapple with the much more contentious issues surrounding intercommunal truth-telling. As she argues, “it’s about timing, its about people getting to a particular level where they can deal with things – and that’s the learning process I think. You cannot just throw people in with all of those emotions and possibly anger to talk about such contentious and sensitive issues without being exposed to that at some level before.”

**A Piecemeal Past: Limits to Socioemotional Reconciliation in Northern Ireland**

In assessing Northern Ireland’s piecemeal approach and its contribution to intergroup reconciliation, it is clear that some aspects of socioemotional reconciliation have been forwarded since the BFA through the range of discrete initiatives undertaken by government, NGOs, and the community/voluntary sector. In particular, the acknowledgment, support, and compensation of victims has rightfully been at the centre of governmental initiatives in Northern Ireland, with
relatively high levels of funding and support services on offer to those most directly impacted by past violence. Further, efforts – while deeply flawed – have also been made to provide some measure of legal accountability by the government for the wrongful deaths of those killed during the Troubles through investigations by public inquiries and the HET. Even those paramilitary prisoners released under the highly contentious provisions of the BFA still were forced to serve some jail time and continue to carry the stigma of an ex-convict. However, one noticeable gap in this accountability continues to be the lack of criminal sanction for state security forces implicated in wrongdoing during the Troubles, despite the fact that these security forces were responsible for nearly 400 deaths over the course of the conflict. Efforts at truth recovery, while widely recognized by governmental and non-governmental actors as being vital to reconciliation, have been somewhat less successful. To date legal mechanisms employed by government to examine past violence have resulted in findings that have been considered at best incomplete and at worst deeply biased. Outside of government, the highly politicized nature of the past has meant that truth recovery efforts have so far been limited to relatively small single-community initiatives or to largely unrealized blueprints for broader societal frameworks such as those recommended by the HTR.

However, it is equally clear that there still exists no agreement in Northern Ireland as to the moral responsibility of state and non-state actors for past violence, nor is there therefore any consensus between Nationalist, Unionists, and the British state about the broader ‘story’ of why violence occurred during the Troubles or which actors should be assigned the roles of victim, perpetrator, or innocent bystander. In particular, the continued perceptions of all communities in the conflict as having been unjustly victimized by the violence of the Troubles has led to a zero-sum interpretation of the past and a marked inability to recognize any kind of mutual complicity for the violence of the Troubles. As a result, any attempts to address the past remain heavily politicized along communal lines in Northern Ireland and have been met with a great deal of mistrust and suspicion born out of a fear that these initiatives might somehow be appropriated by the Other as a means to validate their own actions and unjustly absolve themselves of any wrongdoing. This lack of a common understanding of the causes and consequences of past violence has, in turn, directly impeded efforts to move forward in any meaningful way towards the twin goals of truth and justice in post-conflict Northern Ireland and to engender the kinds of socioemotional social learning about the Other ultimately needed for intergroup reconciliation.
As Schnabel and Nadler have warned, this is a common danger in post-conflict societies where no clear agreement exists as to the perpetrators and victims of past violence, and where all actors view themselves as the only parties unfairly victimized by conflict. As they argue, “under these conditions of ‘double victimhood’ processes of socioemotional reconciliation are more difficult. Since both parties view themselves as the victims they regard the other as the perpetrator who is responsible for…admitting responsibility for past wrongdoings. This is likely to lead to an impasse and an inability to move forward on the path of socioemotional reconciliation.” In Northern Ireland, the stalemate over addressing the past caused by this sense of mutual victimization is only further exacerbated by the inclusion of the British state and security forces as a third ‘victimized’ party who to date have yet to admit to any wrongful culpability for the violence of the Troubles.

This continued impasse is perhaps most evident in reactions to the recent release of a report by the Consultative Group on the Past (CGP), an independent body established by the British government in June 2007 that was tasked with the mandate to “consult across the community on how Northern Ireland society can best approach the legacy of the events of the past 40 years and to make recommendations, as appropriate, on any steps that might be taken to support Northern Ireland society in building a shared future not overshadowed by the events of the past.” Following an extensive 18 month consultation process, the CGP released its report in January 2009 which recommended, among other initiatives, the creation of an independent ‘Legacy Commission’ which would establish a more centralized body in Northern Ireland for processes of reconciliation, justice, and truth recovery in a format somewhat reflective of South Africa’s Truth and Reconciliation Commission. Working under a 5-year mandate, this Legacy Commission would take over the examination of historical cases from the HET under a new Review and Investigation Unit, engage in a separate process of truth recovery and inquiry into the past through a series of public hearings, and work to replace the current use of legalistic public inquiries with a ‘thematic’ exploration into issues of public concern such as paramilitary activity or the alleged collusion of security forces. The Legacy Commission would also include a Reconciliation Forum which would serve to centralize support services for victims as well as to provide means for commemorating victims through a storytelling initiative, the continuation of an annual Day of Reflection and Reconciliation, and the creation of a shared memorial of the conflict. Perhaps most controversially, in an attempt to allay current perceptions of a ‘hierarchy
of victims,’ the report has also suggested a one-time ‘recognition payment’ of 12,000 GBP to the families of “all those who died as a result of the conflict in and about Northern Ireland” regardless of political affiliation or whether that victim was a civilian, paramilitary combatant, or member of the policing or security forces. The release of the CGP’s report was met with angry protests and bitter condemnations by many of those who had lost relatives during the Troubles – recriminations that reveal the continued sense of unjust victimization on both sides and lack of recognition of any mutual complicity in the violence of the past. For instance, one Unionist woman whose brother, an RUC police officer, was killed in a 1997 IRA attack, charged that “[m]y brother was an innocent man defending this whole community. When IRA men died while launching cowardly attacks on this community, they actually received justice. The families of those murders should not be consoled with a single penny today.” Similarly, Peter Robinson, the current First Minister under Northern Ireland’s Assembly and leader of the Democratic Unionist Party responded by saying that his party has “consistently opposed any equation between the perpetrator of the crimes during the Troubles and the innocent victim,” contending that “[t]errorists died carrying out their evil and wicked deeds while innocent men, women, and children were wiped out by merciless gangsters.”

The continued intractability of the polarized perceptions evidenced in these statements does not bode well for the realization of the CGP’s recommendations for a more formalized or centralized approach to transitional justice in Northern Ireland at any point in the near future. This seemed to be recognized by Rev. Robin Eames, one of the two co-chairs of the CGP who, in the wake of the protest following the release of the report, conceded that “[m]aybe this gesture, for those outside our group, is too sudden.”

iii. Instrumental Reconciliation in Northern Ireland: Rebuilding Community Relations

Perhaps because directly addressing the past has remained highly contentious, the primary focus of post-conflict peacebuilding initiatives undertaken in Northern Ireland has been attempts to foster elements of instrumental reconciliation – in effect, seeking to rebuild trust, cooperation, understanding, and better relations between divided communities by promoting greater contact and dialogue. Indeed, much of the relative success of Northern Ireland’s peacebuilding gains to date seems attributable to its unique integration of top-down and bottom-up instrumental reconciliation initiatives, as well as its ability to coordinate grassroots, civil society, local government, and central government organizations under a cohesive strategy to improve
‘Community Relations’ between Nationalists and Unionists. In large part, this strategy has relied on a highly effective division of labour for addressing intercommunal divisions, which has assigned government the top-down tasks of setting out an inclusive policy mandate and providing the social and political leadership – and the necessary resources – to sustain effective reconciliation initiatives at other levels of society. The ‘on the ground’ work of intercommunity reconciliation has thus been largely left to local governments and a vibrant community and voluntary sector, actors often best equipped to identify and adapt reconciliation programs to the needs of local populations and who tend to carry a great deal of legitimacy within their own communities. This work, in turn, has been facilitated by the coordination of a highly trained and professionalized civil society sector and a wealth of targeted funding for reconciliatory work from international and regional donors.

Central and Local Government Interventions

At the level of central government, in 1987 the Secretary of State for Northern Ireland established the Central Community Relations Unit (later renamed the Community Relations Unit (CRU) following its inclusion under the devolved Northern Ireland Assembly in 2000). The CRU was established as a distinct government agency designed to ensure that addressing communal divisions remained a central component of all government initiatives, and in this capacity has served to formulate governmental policy strategies, provide advice to government ministers, and undertake research projects to identify and evaluate areas of particular need. In addition, the CRU has sought to outline a cohesive strategic vision for improving community relations that could be used to inform a shared set of goals and initiatives across government, civil society, and the local community/voluntary sector. While extensive reconciliatory work was already underway at all levels of society to support the nascent peace process of the 1990s, much of this had been taking place in an ad hoc and relatively uncoordinated fashion. After a period of extensive consultation with academics, civil society representatives, and local communities, in 2005 the CRU launched a ‘Policy and Strategic Framework for Good Relations’ entitled A Shared Future. This document set out a series of “practical steps and actions, based on common fundamental principles” which were to be “coordinated across government and throughout civic society to ensure an effective and coherent response to sectarian and racial intimidation with the aim of rebuilding relationships rooted in mutual recognition and trust.” In particular, A
*Shared Future* outlined a common mandate in support of programs which sought to reduce sectarianism, promote mutual understanding, and develop a sense of shared community by increasing the opportunities for intercommunity contact and dialogue, while also promoting a culture of tolerance in Northern Ireland under which all individuals are considered equal and different backgrounds and cultural traditions are to be respected. Aside from its work implementing this strategy at governmental and legislative levels, the CRU has also sought to promote *A Shared Future* more directly through the administration of a ‘small capital’ program to support projects demonstrating a “worthwhile and cost-effective contribution to increasing cross-community contact and cooperation and enhancing mutual respect, understanding, and appreciation of cultural diversity.”

This commitment to instrumental reconciliation was reflected at a local governmental level when, in July 1989, all 26 of Northern Ireland’s ‘District Councils’ were invited to engage in a Community Relations Programme (DCCR) and receive core funding from the CRU for local projects designed to increase cross-community contact and mutual understanding. To be eligible for this funding, Councils had to agree on a cross-party (and therefore cross-community) basis to take part in the DCCR and to draft a comprehensive policy statement including proposals of specific projects designed to improve community relations in their locality. Councils also had to agree to appoint one or more dedicated Community Relations Officers whose mandate would be to ensure both that the program was properly administered and that a broader sensitivity to improved community relations was reflected in all local government policy. Importantly, these District Council programs have also included small ‘grant aid’ or ‘seed grant’ initiatives that redistribute portions of government funding to local community and voluntary organizations engaged in reconciliatory work.

**Civil Society and Local Community Initiatives**

At the level of civil society, the CRU also recognized that the effective promotion of community relations in Northern Ireland would have to include an organization at ‘arm’s-length’ from government both to avoid alienating any segments of society and to lend legitimacy and independence to its work. The Community Relations Council (CRC) was therefore formed in 1990 as an independent company and registered charity organization to serve as a unified regional body designed to support efforts by local organizations to improve community relations. In this capacity, the CRC offers a number of small grants to voluntary and community groups,
provides these groups with resources in the form of training, research, and publications about ‘best practices’ in challenging sectarianism, and serves as an advisory body for other agencies and institutions – including government bodies and the commercial sector – dealing with issues of community division. While legally an independent organization with its own executive board and mandate, the CRC might more accurately be categorized as a ‘quango’ or quasi-NGO, as the majority of its funding is provided directly by the CRU and the OFMDFM (totaling over 3.5 million British pounds in 2004). In many ways, the CRC therefore acts as a ‘mezzo-level’ or intermediary organization between government and the community/voluntary sector and serves as a ‘gatekeeper’ for government funding by evaluating grant applications and providing oversight on community relations projects.

At the grassroots and local community level, Northern Ireland has developed a wide range of small local organizations engaged in mediation, peacebuilding, and socio-economic development work over the course of the Troubles and the ensuing peace process. Broadly speaking, these have taken the form both of programs operated primarily within and on behalf of a single community (often referred to as ‘single identity’ work) and of other non-partisan initiatives involving both communities in addressing issues of common concern (‘cross-community’ work). These include groups engaged in providing victim and ex-paramilitary prisoner support services, independent research organizations seeking to identify and propose targeted policies that address key issues for reconciliation, development projects aimed at regenerating local communities, and a variety of organizations undertaking projects designed to encourage cross-community contact and dialogue. In 2001, there were over 130 registered organizations engaged in various kinds of cross-community initiatives, a number which has only increased in recent years as opportunities for grant funding have multiplied through the CRU, CRC, and DCCRP.\textsuperscript{cxix} In addition, the number of ‘joint projects’ involving multiple organizations has increased thanks to the development of strong working relationships with the CROs of local district councils and to targeted grant incentives from funders encouraging joint initiatives, particularly for projects including organizations from both Nationalist and Unionist communities. This has led to the formation of fairly cohesive ‘peacebuilding partnership’ networks in urban centres such as Derry and Belfast that have greatly increased opportunities to share resources, strategies, and best practices for effective community relations work.\textsuperscript{cxx}
Finally, it should be noted that Northern Ireland has also benefitted from a relative wealth of external regional and international funding in support of these reconciliation initiatives. The most extensive funding has come through the European Union, which since 1995 has operated a special Programme for Peace and Reconciliation (PEACE) in four distinct stages, PEACE I (1995-1999), PEACE II (2000-2004), PEACE II extension (2005-2006) and PEACE III (2007-2013), with an overall support package totaling over 1.5 billion euro. While a small fraction of this funding has taken the form of direct grants to local community organizations, most often these funds have been dispersed through intermediary funding bodies which work to support grassroots reconciliation initiatives through the distribution, monitoring, and evaluation of small grants to the community and voluntary sector. These bodies include the CRU, CRC, and DCCRP, as well a range of other ‘mezzo-level’ professional civil society organizations that have expertise in a given issue area, including, most notably, the Community Foundation for Northern Ireland and the International Fund for Ireland. While operating as independent bodies with distinct mandates, the goals of these organizations have nevertheless tended to run in parallel with the Shared Future mandate of the Northern Ireland government, including a focus on the promotion of instrumental reconciliation through increased cross-community interaction. As a result, local community organizations have often been able to ‘cobble together’ funding from a variety of governmental and non-governmental sources to support their reconciliation initiatives.

Rebuilding Community Relations: Strategies for Effect Instrumental Reconciliation

However, while the Shared Future strategy has led to a wide variety of programs being undertaken by local government and grassroots community organizations in the interest of improving intercommunity relations in Northern Ireland, it is widely recognized that not all of these initiatives have been equally effective in their ability to promote the kinds of instrumental social learning necessary for lasting intergroup reconciliation. While the sheer number of these activities prevents against a review here of the individual programs themselves, recent evaluations of ‘best practices’ in Community Relations programming undertaken by the CRU, CRC, and DCCRP have highlighted several attributes of the most successful contact and dialogue initiatives that have been employed in Northern Ireland. First, it has become clear that the most effective programs for promoting instrumental social learning about the Other are those that provide opportunities for carefully mediated, structured, and long-term
intercommunity interactions in a safe and egalitarian setting. Short term or ‘one-off’ programs, on the other hand, have been shown to provide little in the way of lasting cognitive or attitudinal change and may even have an adverse effect by serving to confirm existing prejudices or stereotypes about the Other. Second, many of the most successful programs have involved community members coming together in common purpose to work towards a shared ‘superordinate goal’ that neither community would be able to achieve on its own. Most often this includes programs that have sought to combine elements of intergroup contact with community development work, such as members of local Nationalist and Unionist communities coming together to clean up and revitalize a shared ‘interface’ area that had fallen into disrepair during the Troubles. Third, the programs that have had the greatest effect on transforming antagonistic mindsets and attitudes have been those that directly engage with the controversial and ‘hard’ issues underlying communal prejudice and division. However, past evidence would also suggest that it is important to build towards these more difficult types of encounters through incremental levels of engagement in which both the quantity of contact and the quality of interaction (in terms of being able to deal successfully with increasingly difficult issues) increases over time, with each new engagement building on the trust, respect, and confidence developed over the last. Finally, while the promotion of positive intercommunity interaction remains the ultimate aim of Community Relations policy in Northern Ireland, evidence has suggested that this a goal that may need to be worked towards over time in a sequential fashion. In cases where communities have little or no past experience of positive relations with one another, there will first be a need for ‘single identity work’ in which members engage in programs within their community to build necessary levels of trust and confidence among themselves before a fruitful engagement with the Other can begin. This has been recognized as a necessary first step to reduce existing feelings of fear, insecurity, and anxiety that may otherwise prevent the experience of cross-community contact from promoting positive social learning about the Other.

As this review indicates, much of the ‘Community Relations’ work undertaken in Northern Ireland under the Shared Future policy is predicated on the assumption that an increase in positive intercommunity engagement is essential to reconciliation. In particular, targeted programs promoting renewed intercommunity contact and dialogue have been considered necessary to challenge the antagonistic mindsets and relationships formed over the course of the
conflict, and to overcoming the entrenched patterns of residential and social segregation that continue to sustain such divisions in Northern Ireland today by “fostering mutual ignorance, suspicion, and distrust and by maintaining prejudice and negative stereotypes” that effectively block any chance for social learning about the Other.\textsuperscript{cxxxiii} In assessing the effectiveness of this kind of work, a study carried out by researchers from the University of Ulster and Queen’s University Belfast in 2008 has shown substantial evidence that increasing levels of intercommunity contact have had a measurable effect in promoting more positive intergroup relations in Northern Ireland. In particular, these studies have shown that increased contact has been highly effective in helping to increase levels of cross-community tolerance, trust, friendship, understanding, and positive affect, while at the same time reducing negative perceptions of intergroup threat, anxiety, bias, and prejudice.\textsuperscript{cxxxix} An increase in cross-community contact was also shown to correlate with a decline in support for political violence as well as with the development of less highly polarized and monolithic perceptions of group identity. As these researchers note, this report “provides the most compelling data yet from Northern Ireland…that cross community contact is effective, and has an impact on multiple measures of community relations [and] that contact has a causal or longitudinal effect on attitudes, hence it should be central to policies aimed at improving community relations.”\textsuperscript{cxxx} These findings are supported by recent longitudinal survey data from Northern Ireland showing that participation in cross-community programs has led to more positive perceptions of the ‘Other,’ significantly greater support for religious mixing and intercommunity friendships, and a marked decline in negative feelings towards members of the other community.\textsuperscript{cxxxii} Finally, there is early evidence to suggest that the experience of more positive community relations may be responsible, in part, for a growing trend in Northern Ireland of individuals identifying themselves as belonging to group identities that are less mutually exclusive or oppositional than traditional Nationalist/Unionist or Protestant/Catholic divides, as well as an increase in identifications among those from both Protestant and Catholic backgrounds with a more inclusive ‘Northern Irish’ identity group.\textsuperscript{cxxxii} As noted social psychologist Miles Hestone and his colleagues contend, based on such findings, the concepts of renewing intergroup contact and trust “would seem to be not only useful, but necessary, for building a new society in Northern Ireland, one that is no longer deeply divided, sectarian, and split along lines of identity, but a mixed, tolerant polity with emerging forms of cross-cutting identities.”\textsuperscript{cxxxiii}
Further, many of those experts interviewed in Northern Ireland stressed the powerful transformative effect that renewed contact has had when these efforts are combined with opportunities for members of different communities to engage in safe and sustained dialogue with the Other. In Northern Ireland these dialogues have tended to take the form of carefully mediated ‘storytelling’ forums in which a small number of individuals from both Nationalist and Unionist communities are brought together to recount their personal experiences of past conflict and, perhaps most importantly, to listen to the stories of the Other. The experience of participating in these storytelling dialogues is widely recognized as being vital to developing a sense of empathy that crosses communal lines, thereby helping former antagonists to “humanize” their perceptions of one another and to recognize each other as people and not as stereotypes. As Wilhem Verwoed of the Glencree Centre for Peace and Reconciliation has noted, based on his extensive work promoting dialogue between ex-combatants, victims/survivors, and the wider communities of Northern Ireland, such process are essential to reconciliation as they help “at a very human level to get people who were in deep conflict actually to a point where they are willing to look beyond those crude stereotypes, get through the initial anger and mistrust and emotional baggage and get to a point where there’s a willingness to be in the same place, and a willingness to move beyond that.” As he argues, “often the best way to get to that point, and one of the key ways to make progress, is through storytelling. In different formal and informal ways, people get a chance to look beyond their political narratives and political stereotypes, to individualize and humanize the Other.” Further, as Michael Doherty, Director of the non-governmental Peace and Reconciliation Group in Derry details based on his own experiences facilitating such dialogue, storytelling processes can lead not only to a greater willingness to reconcile in the present but also to a more nuanced and empathetic understanding of the past. As he suggests, this storytelling provides an opportunity to “look at each other and hear each other’s stories [and to go] away with a completely different mindset about the Other…you do not destroy people’s real feelings about what they say happened to them, but you go away with a better understanding as to why some things actually happened, looking at the cause, the impact of the other party’s actions, and the impact it had on the other party.” Overall, interviewees consistently pointed to such dialogue processes as having been crucial to reconciliation in Northern Ireland, both by helping to build the foundation of understanding between political elites that allowed the peace process to move forward and by
beginning to challenge the entrenched prejudices, stereotypes, and fear about the Other at a broader societal level.\textsuperscript{cxxxvii}

VI. Conclusion: Decentralized Transitional Justice and Intergroup Reconciliation in Northern Ireland

Over ten years on from the Belfast Agreement, Northern Ireland remains a society still deeply divided by the violent legacy of the Troubles. High levels of communal segregation, continued mistrust and misunderstanding at political and broader societal levels, and a sustained politicization of the past mean that Northern Ireland’s peace remains an unsteady one with many of the challenges of reconciliation yet to be faced. As a recent assessment by Miles Hewstone and colleagues has noted, "the country is still in some way far short of the Agreement’s vision of an inclusive, stable, and fair society, firmly founded on the achievement of human rights for all."\textsuperscript{cxxxviii} To be fair, this should not come as a surprise given that processes of reconciliation are widely recognized to be long-term endeavours that are perhaps more usefully measured in terms of decades or generations as opposed to years. However, there are some early positive indications that relationships between members of Nationalist and Unionist communities are improving, and that antagonistic and hostile perceptions of the Other are beginning to be transformed. What role has the unique decentralized transitional justice strategy that has emerged in Northern Ireland played in encouraging these nascent signs of social learning and intergroup reconciliation in Northern Ireland? The analysis provided here would suggest that the continuing politicization of any attempts to assign responsibility for past conflict, fueled by a seemingly intractable zero-sum perception of victimization between the principal Nationalist, Unionist, and British antagonists, has effectively blocked any significant movement forward in socioemotional social learning. Accordingly, those ‘piecemeal’ initiatives that have been employed to date in an attempt to promote truth, justice, and acknowledgement in Northern Ireland have been able to provide only partial solutions, as feelings of intercommunal distrust and conflicting interpretations of the past have continued to mar these efforts with perceptions of prejudice. On the other hand, considerable achievements have been made by an aggressive policy of distributive reconciliation that has greatly reduced structural and material inequalities between communities in Northern Ireland. As a result, the types of social, economic, and political discrimination that once served to drive the conflict have, in recent years, been removed
as major sources of intercommunal tension. However, it’s also clear that while these acts of distributive reconciliation have been vitally important to sustaining peacebuilding efforts, they haven’t in and of themselves been enough to overcome communal divides or to create more positive intergroup relationships. The most evident progress towards intergroup reconciliation in Northern Ireland appears to have been made through the promotion of instrumental forms of social learning between Nationalist and Unionists brought about by the sustained program of ‘Community Relations’ interventions centered on creating opportunities for positive intercommunity contact and dialogue. These gains have been made possible through a cohesive policy approach to repairing communal division that has been shared across government, civil society, and a thriving local community and voluntary sector, and have been facilitated by extensive funding from regional and international donors. While these initiatives have made measurable gains in terms of improving the attitudes and relationships between Nationalists and Unionists, focusing on the problem of reconciliation in Northern Ireland as one limited to improving relations between local communities runs the risk of letting the British state ‘off the hook’ for its involvement during the conflict. Ultimately, all actors engaged or implicated in past conflict will need to be intimately involved in any truly successful process of transitional justice in Northern Ireland.

Further, this analysis would also suggest that any transitional justice process capable of contributing to lasting intergroup reconciliation and a sustainable peace in Northern Ireland will ultimately require the promotion of a tripartite combination of distributive, socioemotional, and instrumental social learning between former antagonists. As a review of Northern Ireland’s current decentralized transitional justice process has evidenced, all three of these forms of social learning are vital to intergroup reconciliation and, just as importantly, are mutually constitutive of and mutually dependent upon one another. For instance, it is highly unlikely that further attempts to address Northern Ireland’s past will prove constructive until basic intercommunal trust, empathy, and mutual understanding are first developed through ongoing instrumental community relations work that will allow former antagonists to begin to see the conflict from a more reciprocal perspective. Conversely, it also seems equally unlikely that truly reconciled community relations will be able to develop without further socioemotional acknowledgement and accountability being provided for those killed during the Troubles and a common recognition by all parties involved that they share some degree of mutual complicity for the
losses sustained during the conflict. Finally, it is beyond doubt that neither the Northern Ireland peace process that resulted in the Belfast Agreement nor the socioemotional and instrumental attempts at reconciliation that followed would have been possible if widespread distributive inequalities had continued to divide communities in Northern Ireland. The recent public outcry that accompanied the release of the Consultative Group on the Past’s recommendations for equal reparations and a more centralized ‘Legacy Commission’ to investigate past violence might then be read as a sign that such initiatives are still too early for Northern Ireland, and that more work may yet first need to be done to first repair trust and good relations between communities. At the same time, the continued recognition of a need for a deeper interrogation of the past in order to move forward towards a more peaceful and integrated future in Northern Ireland also illustrates that a greater degree of truth, justice, and acknowledgement than that which has yet been provided by the current ‘piecemeal’ strategy will ultimately be required for intergroup reconciliation – though perhaps just not yet.

Stepping back from Northern Ireland, taken as a whole these findings also point towards a number of insights for the broader field of transitional justice. First, they raise an interesting point about the often-overlooked importance of the timing or ‘sequencing’ of transitional justice interventions in post-conflict societies. Northern Ireland’s experience to date would suggest that to be most effective in the promotion of intergroup reconciliation, attempts to provide acknowledgement and accountability for the past may need to be delayed until at least a minimal level of progress towards distributive and instrumental reconciliation has been reached – particularly in those societies where there as yet exists no agreed-upon consensus on the status of victims and perpetrators. As Nadler and Schnabel’s theory of intergroup reconciliation would suggest, while the forms of socioemotional social learning derived from successfully addressing the past may be necessary for former adversaries to be fully reintegrated into a shared moral and political community, this may depend on a phased process where parties first “need to establish trust through efforts of instrumental reconciliation” and then, “in a second stage, processes of socioemotional reconciliation can be implemented.”

These findings warn against the imposition of transitional justice strategies that would seek to assign accountability for past violence too soon in post-conflict societies, as in some cases this might prove counterproductive or even dangerous for nascent reconciliation efforts. This runs in direct opposition to the predominant human rights-based approach to transitional justice rooted in international law that
currently requires an immediate response by national or international actors to provide criminal accountability for gross human rights violations in the wake of intrastate violence – clearly a source of unresolved tension between the demands of international justice and national reconciliation that will need to be addressed.

Secondly, this analysis also points towards a need to broaden the definitional scope of transitional justice beyond a narrow focus on the centralized institutional strategies such as trials, international tribunals, or truth commissions used to provide accountability for past violence if we are interested in fully understanding their relationship to post-conflict reconciliation in divided societies. As the case of Northern Ireland would indicate, many of the functions these formal institutions provide in the service of transitional justice such as acknowledgement and truth recovery could conceivably be carried out through decentralized initiatives undertaken by government, civil society, or local community actors. Further, the experience of Northern Ireland would imply that related efforts to promote structural and instrumental forms of social learning will require long-term interventions across wider society that may be ill-suited to the limited timelines and mandates often afforded formal transitional justice strategies. For instance, rebuilding widespread intergroup trust, interaction, and communication is a task that might prove particularly unwieldy for these kinds of formal institutions and could in some cases best be left to the work of civil society and local community actors with the necessary financial and political support of government. However, it must also be noted that Northern Ireland has enjoyed many structural advantages that are unlikely to be readily available to most other divided societies emerging from conflict, such as intact liberal democratic governance structures, a highly trained and professionalized civil society, and unprecedented access to both regional and international sources of funding to support peacebuilding efforts. Regardless, as a ‘best case’ example Northern Ireland remains instructive in the insights it offers about the relative merits of a decentralized approach to transitional justice as well as the note of caution it sounds about the inherent difficulties associated with coming to terms with the past and reconciliation in deeply divided societies.

Third, the example of Northern Ireland also makes it clear that the ability of transitional justice strategies to contribute to intergroup reconciliation will be heavily mediated by the politics of identity in divided societies. This relationship works in two ways. First, as evidenced by the current impasse over addressing the past in Northern Ireland, the work of transitional
justice strategies will be deeply affected by the current state of intercommunal relations in the environment in which they operate and will be directly impacted by the relative levels of trust, understanding, and empathy developed between former antagonists. Second, transitional justice strategies can themselves also have a reciprocal influence on the nature of communal identities and their relationships in post-conflict societies and, by extension, on the potential for advancing the twin goals of reconciliation and sustainable peace. In short, it has been contended here that transitional justice strategies will be successful in promoting reconciliation to the extent that they are able to contribute to positive social learning between former enemies, and in so doing, to facilitate changes in the antagonistic identities and hostile systems of relations that underlie acts of mass intergroup violence. These recognitions confirm the inherently collectivized nature of the violence to which transitional justice strategies respond in divided societies, as well as pointing to the necessity of opening a channel of dialogue between the existing bodies of transitional justice scholarship and related disciplines of peace studies, conflict resolution, and social psychology by way of gaining greater insights into the dynamics of conflict transformation and intergroup reconciliation.

Overall, a recognition of the inherent interrelationship between instrumental, distributive, and socioemotional forms of social learning suggests that transitional justice strategies will be most successful in advancing intergroup reconciliation if they not only promote ‘truth’ and ‘justice,’ but also help to facilitate – or at least work alongside of – other efforts to promote contact, dialogue, and the amelioration of material inequalities. Such a reconceptualization offers an opportunity to move beyond the traditional comparative debates surrounding transitional justice mechanisms based on assessments of structure and arguments as to the efficacy of various institutional designs, be they trial, truth commission, or indigenous practices, in providing reconciliation in divided societies. Ultimately, insights from social psychology suggest that asking whether one kind of institution is intrinsically ‘better’ than another in this regard seems less important than asking whether the processes employed by each strategy serve to impede or impel the social learning and transformation of relationships ultimately required for intergroup reconciliation. Therefore, by refocusing our attentions from structure to process and concentrating on what these institutions do rather than what they are, we might gain greater insight into how transitional justice interacts with the politics of identity in post-conflict societies, and how it directly impacts the potential for reconciliation and sustainable peace.
REFERENCES


iii ‘Transitional justice’ can be considered either broadly or narrowly. Broadly, it could involve a wide range of interlinked strategies used by a society to provide accountability and reconciliation after past conflict. Narrowly, it refers specifically to the formal institutions used in these strategies, such as trials or truth commissions. The approach taken here is one open to a broader interpretation, focused on how these broader strategies might be designed to facilitate crucial social learning mechanisms and not just limited to formal institutions (those these will likely form the central element of any related strategy). This opens the potential for considering more ‘piecemeal’ approaches to transitional justice, such as that undertaken in Northern Ireland, or to strategies which employ multiple institutional mechanism, such as in Rwanda. On Northern Ireland’s ‘piecemeal’ approach, see Christine Bell, “Dealing with the Past in Northern Ireland,” Fordham International Law Journal 26 (2002-2003). On this distinction between ‘broad’ and ‘narrow’ interpretations, see Naomi Roht-Arriaza, “The New Landscape of Transitional Justice,” 2.


vii Mark A. Drumm, Atrocity, Punishment, and International Law (Cambridge: Cambridge University Press, 2007), 4. Here one can think of the mass killings carried out against members of the Jewish religion during the Holocaust, the violence those defined ethnically as Tutsi during the 1994 Rwandan genocide, the ‘ethnic cleansings’ of national groups throughout the Former Yugoslavia during the Balkan conflicts of the early 1990s, or the entrenched system
of racial discrimination that permeated the apartheid era in South Africa – all crimes targeted against individuals not as individuals per se, but based solely on their inclusions as members of a broader collective identity.


Notable exceptions can be found in the work of Eric Stover and Harvey M. Weinstein, *My Neighbor, My Enemy; James L. Gibson, Overcoming Apartheid: Can Truth Reconcile a Divided Nation?* (New York: Russel Sage, 2004); Drumbl, *Atrocity, Punishment, and International Law*.


Ibid., 73.

Lederach, *Building Peace*, 84.


This concept of ‘identity widening is borrowed from Donald G. Ellis, *Transforming Conflict: Communication and Ethnopolitical Conflict* (New York: Rowman & Littlefield, 2006). See also Kelman, “Reconciliation as Identity Change.”


See Jean Bethke Elshatayn’s definition of reconciliation as “bringing matters into a framework within which conflicts can be adjudicated short of bloodshed…one no longer begins with the deadly a priori assumption that the majority or a sizeable portion of one’s fellow countrymen and women are outsiders and enemies. Rather we are all enclosed within a single socio-political frame and enfolded within a common politico-ethical horizon.” Elshatayn “Politics and Forgiveness,” In Nigel Biggar, ed., *Burying the Past: Making Peace and Doing Justice After Civil Conflict* (Washington: Goergetown University Press, 2001), 54. This is reflected in Bar-Siman-Tov’s own perception of reconciliation and stable peace as the “non-thinkability” and “non-calculation” of violence between former enemies. See “Dialectics,” 63.


This notion of transitional justice institutions acting as “catalysts for reconciliation” has been similarly noted by Beth Rushton, “Truth and Reconciliation: The Experience of Truth Commissions.” *Australian Journal of International Affairs* 60.1 (2006), 138.


Ibid., 5.


Indeed, Nadler and Shnabel suggest that a ‘two-staged process’ may be required for reconciliation based on the need to build trust through instrumental reconciliation to pave the way for a second stage of socioemotional reconciliation to be implemented. However, while not explicitly stated in their work, they also make it clear that this interdependence might also function as a two-way street by detailing how the presence of feelings of victimization and injustice can lead to social, moral, and emotional distancing – all of which would significantly impede the possibility for positive interactions and the rebuilding of trust.

Indeed, the work of Samuel Gaertner and his colleagues on the ‘Common Ingroup Identity Model’ shows that the experience of positive contact can help to ‘transform members’ cognitive representations of their memberships from separate groups to one more inclusive group…[essentially] from ‘us’ and ‘them’ to a more inclusive ‘we’” in which positive feelings, equal moral standards, and cooperative behaviour prevail.\footnote{xxx} These findings are of particular importance to efforts at reconciliation in severely divided societies, not only because they show the possibility of forming more inclusive identities and highlight the favourable impact this can have on intergroup relations, but because they also indicate that the benefits derived from identification with a common superordinate identity would not require individuals to forsake those emotional and psychological benefits derived from attachment to their own ethnic or communal identities. Gaertner et al (1994), 226; Gaertner and Dovidio (2000); Brewer and Gaertner (2001). This is also noted by Gibson (2004, 2006).

\footnote{xxxi} However, it should be noted that several studies have suggested that the same conditions and contexts needed for positive forms of contact may be the same requisite for meaningful dialogue as well. See Stephan and Stephan (2001); Ellis (2006).


\footnote{xxxiii} Rothman (1998), 234.

\footnote{xxiv} Ellis (2006). On the role of communication in promoting empathy and humanizing outgroups, see also Stephan and Stephan 117-120. Ervin Staub, in particular, has argued the importance of dialogue groups for former enemies to redevelop a sense of empathy in the wake of mass violence. As he notes “By bringing members of different groups together…people can write and talk to each other about what has happened to them. They can talk about their pain, sorrow, loss, and anger. As they listen to each other and respond with empathy, pain, which has been a source of disconnection, can become a source of connection.” Staub (2001), 176.

\footnote{xxxvi} Hermann (2004), 58; Mehl-Madrona (2006), 297.


\footnote{xxvii} On an early treatment of how conflict leads to ‘rigid’ identities and the need to ‘unfreeze’ these cognitions to stop the perpetuation of violence, see the work of the psychologist Kurt Lewin (1948).


\footnote{xl} See for instance Weinstein and Stover (2004); Shriver (2001); Montville (2001); Staub (1999, 2000, 2006); Rigby (2001); Lerche (2000); Mani (2002); Villa-Vicencio (2006); Lederach (1997); Oberschall (2007); Jeong (2005); Long and Brecke (2003); Fletcher and Weinstein (2002); Biggar (2001); Minow (1998); Shriver (2001) among others. For instance, Hugh Miall and colleagues have argued that justice is inextricably linked with the potential for peace in the post-conflict environment, noting that in the long journey towards reconciliation between former enemies “the passage from negative to positive peace runs through justice.” See Miall et al (2002), 208.

\footnote{xli} See, for example, Kriesberg (2001, 2004), 84; Goldstone (2004), 189; Ross (2004); Galtung (2001); Reychler (2001); Exline et al (2003).

\footnote{xlii} Minow (1998).


See Vernon and Chinapen (2006); Teitel (2002); Ross (2004).

See Lerche (2000); Mani (2002); Mani (Art); Teitel

On this point, see Jeong (2005); Santa-Barbara (2007).

Borer, (2006), 4. See also Lerche (2000); Amstutz (2005); Rushton (2006); Vernon and Chinapen (2006); Minow (1998); Roht-Arriaza (2006); Hayner (2002); Gibson (2004); Imbleau (2004); Mendez (2006); DeLaet (2006); Llwellyn (2006, 2007); Kiss (2000).

Bar-Tal (2003), 78.


Rushton (2006), in particular has discussed the role of truh in effecting this kind of identity transformation.

See for instance Kiss (2000); Hayner (2002).

The work of political psychologists Ervin Staub and Daniel Bar-Tal, for example, has stressed the importance of combining psychosocial transformations with real changes in the socioeconomic conditions of groups, noting that “when conflict is already entrenched and groups have inflicted violence on each other, psychological changes are required for overcoming hostility. But without structural changes, psychological changes may not be possible to bring about or maintain.” See Staub and Bar-Tal (2003), 731.

Ruane and Todd (1996), 5-6, 12-13

An archetypal example here might be apartheid-era South Africa. See Foster and Finchlieu (1986), 125.

Ibid., 207, 306-313. Similarly, other studies from the Northern Ireland context have shown evidence of the role that economic inequality can play in reproducing conflictual relationships and recent empirical work indicating a correlation between low socio-economic status and a predilection for holding more extreme and sectarian self-perceptions of identity. See Shirlow and Murtagh (2006); Cairns and Darby (1998), 755; Fahey et al (2006), 66, 80-81.

On the importance of reparations, see, variously, Rigby (2001); Mani (2002); Villa-Vicencio (2001, 2006); Rosenblum (2002); Minow (1998); Stanley (2002); Weinstein and Stover (2004); Kiss (2000); Sharpe (2007); Roht-Arriaza (2004).

As Brandon Hamber and Richard Wilson have argued in their study of the role of reparations in post-conflict societies, while the limited material gain of reparations may certainly be of some help to the most disadvantaged, they may be most important in their ‘symbolic’ ability to mark a clear break with the inequalities of the past. See Hamber and Wilson (1999), 4.

Throughout this article the terms ‘Unionist’ and ‘Nationalist’ will be used to describe these communities, with the recognition that these political labels closely overlap with religious identifications of Protestant and Catholic. Following the point made most succinctly by O’Leary and McGarry, this recognizes that the ‘fundamental antagonism’ that drove violence in Northern Ireland was nationalism, not religion and that the conflict has been between two national communities rather than between two religious communities.” See Brendan O’Leary John McGarry. The Politics of Antagonism: Understanding Northern Ireland (London: Athlone Press, 1993), 3.


As Pete Shirlow notes, “[n]egative attitudes and hostility directed toward the ‘other’ community remains a feature of Belfast, especially in the areas affected most by violence. Much of animosity b/n communities centers around a mixture of fear, misunderstanding and the attachment of negative characteristics to those who come from another ethnic group.” Pete Shirlow, “Dear and Ethnic Division” *Peace Review* (2001), 67.


This refers to the *Review of the Criminal Justice System in Northern Ireland* released by the Criminal Justice Review Group of the Northern Ireland Office in March 2000. Available online at [www.nio.gov.uk](http://www.nio.gov.uk).

This is echoed by the work of Mari Fitzduff who notes the overall “considerable success” of these initiatives to improve social equity and provide equal opportunities for all. Fitzduff, *Beyond Violence*, 29.

Interview with Ray Mullan.

This is largely confirmed by survey data from the Northern Ireland Life and Times Survey which shows an increase in positive perceptions towards intergroup equality in Northern Ireland. See the ‘equality’ module on Community Relations at [http://www.ark.ac.uk/nilt/results/comrel.html#equality](http://www.ark.ac.uk/nilt/results/comrel.html#equality).

Ibid., 41.

This cost was part of the findings released in a recent report commissioned by the government and carried out by Deloitte. See http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/6961077.stm


See http://www.nio.gov.uk/issues/victims.htm. See also http://www.northernireland.gov.uk/news-ofmdfm-220708-ofmdfm-significant-increase


Author’s Interview with Dr. Pete Shirlow. Director of Education at Queen’s University Belfast.


Author’s interview with Dr. Christine Bell, Co-Director of the Institute for Transitional Justice at the University of Ulster.

Author’s interview with Dr. Kieran McEvoy. Director of the Institute of Criminology and Criminal Justice and Professor of Law and Transitional Justice at the School of Law, Queen’s University Belfast.

Indeed, the Nationalist/Catholic community has consistently shown a much higher level of support for the early release of prisoners than the Unionist/Protestant community, as evidenced from data collected through the Northern Ireland Life and Times survey. See http://www.ark.ac.uk/nilt/2000/Political_Attitudes/GFAPROP7.html#religion.


In an interview with the author, Paul O’Connor, Director of the Derry-based Pat Finucane Centre (one of the primary advocacy centres for the families of Nationalist victims of the Troubles) relates that giving testimony for many witnesses “was a negative experience because they were going into a tribunal where they were being bullied and harassed by some well-spoken upper class English barrister…So it was a very a very adversarial process. It wasn’t intended to be, but it was.”

Author’s interview with Dr. Stephen Ryan, Senior Lecturer at the University of Ulster.

A point made quite well in Hegarty, “The Government of Memory.”

Quote by Peter Cory in a letter to US subcommittee Chairman Chris Smith discussing the Inquiries Act. Full text available online at http://www.patfinucanecentre.org/cory/pr050315.html.

Quoted from the official website of the Historical Enquiries Team. Online at http://www.psni.police.uk/index/departments/historical_enquiries_team.htm

Author’s interview with Mike Ritchie, Director of the non-governmental advocacy group Committee on the Administration of Justice (CAJ). Ritchie refers directly to a recent legal opinion on “The Viability of Prosecution Based on Historical Enquiry” commissioned by the non-governmental organization Healing Through Remembering which suggests that successful prosecutions will be next to impossible. Available online at http://www.healingthroughrememrbering.org/pdf/The%20Viability%20of%20Prosecution.pdf

This was evidenced by my interview with Paul O’Connor who has had extensive experience in working directly with the HET on behalf of the families of Nationalist victims. as well as my interview with Kieran McEvoy of Queen’s University Belfast who praised the “high integrity” of those involved in the HET and that even some victims groups who work mostly with victims of state violence had “warm things to say” about the HET’s efforts to engage with families.

Author’s interview with Paul O’Connor.

As noted by a preliminary report by Dr. Patricia Lundy at the University of Ulster leaked in 2008. See http://www.belfasttelegraph.co.uk/news/local-national/report-criticises-how-psni-het-team-investigates-murders-13974838.html.

Victim’s Unit, *Reshape, Rebuild, Achieve*, 16.


The initial Day of Private Reflection was held on Thursday 21, June 2007 and invited people from Northern Ireland, Great Britain, the Republic of Ireland, and else where to “reflect, individual and privately, upon the conflict in and about Northern Ireland.” A second Day of Reflection was since held on July 21, 2008.


Author’s interview with Dr. Patricia Lundy, Senior Lecturer in Sociology at the University of Ulster.

An argument raised in Bell, “Dealing With the Past in Northern Ireland.”

Nadler and Shnabel, “Instrumental and Socioemotional Paths to Intergroup Reconciliation,” 53.


One example of such a partnership would include ‘The Junction’ in Derry which, in addition to running it’s own educational and reconciliatory programming, works as a central ‘hub’ for collaboration with other non-governmental organizations such as The Peace and Reconciliation Group, The Holywell Trust, St. Columb’s Park House as well as an informal liason point with the local Council Community Relations Officer.

See, for example, the 2006 Report from the Good Relations Unit of the Belfast City Council, “Community Engagement, Good Relations, and Good Practice,” available online at www.belfastcity.gov.uk/goodrelations. See also earlier research such as Colin Knox and Joanne Hughes, “Crossing the Divide: Community Relations in

cxxiii A point introduced in an interview with Michael Doherty, Director of the non-governmental Peace and Reconciliation Group in Derry.

cxxiv This point was raised in an interview with Dr. Joanne Hughes, Professor of Education at Queen’s University Belfast based on her extensive research on Community Relations work in Northern Ireland.

cxxv A point raised in an interview with Sue Divin, Community Relations Officer for the Derry City Council. As she noted, the most effective “community relations work will not duck the issues in whatever form whether its using arts, cultural events, workshops…whatever vehicle you take, when you get people together you’ve got to be looking at the issues and challenging their mindsets. And if you’re not doing that, you’re not really going to change the mindsets and things that need to be changed.”

cxxvi Good Relations Unit, Belfast City Council, “Community Engagement, Good Relations, and Good Practice.” See also Fitzduff, *Beyond Violence*, 34.

cxxvii In an interview with the author, for instance, Michael Doherty noted that “preparatory work is needed to do community relations work…communities need to look inwardly at themselves to give them the confidence to begin to even think about engaging with the other side…They need to look at where they’re coming from as a way…of leading into community relations work and as a means of allaying some of the fears that are out there.”

cxxviii See Hewstone et al., “Stepping Stones to Reconciliation in Northern Ireland: Intergroup Contact, Forgiveness, and Trust,” in *The Social Psychology of Intergroup Reconciliation*, ed. Arie Nadler, Thomas E. Malloy, and Jeffrey D. Fisher. Oxford: Oxford University Press, 2008. As Ray Mullan of the Community Relations Council has noted, extensive patterns of segregation has meant that many in Northern Ireland “grow up their entire lives here in silos…they go to separate schools, they live in separate areas, they go to separate churches, so they have a separate world that they live in, and that is an Orange [Protestant/Unionist] or a Green [Catholic/Nationalist] world.”


cxxx Ibid., 8.

cxxxi Dirk Schubotz and Gillian Robinson, “Cross-community Integration and Mixing: Does it Make a Difference?” *Ark Northern Ireland Social and Political Archive Research Update* 43(April 2006). Available online at [http://www.ark.ac.uk/publications/updates/update43.pdf](http://www.ark.ac.uk/publications/updates/update43.pdf). This report draws on data supplied by the Northern Ireland Life and Times Survey which has recorded the attitudes, values, and beliefs of the adult population in Northern Ireland on social issues since 1998, as well as the Young Life and Times Survey which has monitored attitudes to community relations among 16 year olds across Northern Ireland since 2003.


As Brandon Hamber, Director of the International Conflict Research Institute (INCORE) at the University of Ulster noted in an interview with the author, “I think that storytelling more than anything else has a humanizing effect…I think what happens is you begin to hear more of the human side of people, things they’ve struggled with…it humanizes the way you look at other people.”

Author’s interview with Wilhelm Verwoed.

Interview with Michael Doherty.

As Matthew Cannon, CEO of the Irish Peace Institute at the University of Limerick noted in an interview with the author, dialogue has been central to these two interrelated reconciliation processes. As he argues, “cross-community dialogue and interaction has, I think, done a great job to lessen points of conflict at a community level in tandem with the political elite process…it’s provided the groundswell of support for the political process that couldn’t have happened without people at that community level…if they were saying we want nothing to do with the Other side, then I’d say the politicians would listen.”


Nadler and Shnabel, “Instrumental and Socioemotional Reconciliation,” 45.