

# Dealing with the Legacy of the Past: A Critical Examination of the Role of Oral History in Advancing Reconciliation

**Dr Anna Bryson**

School of Law, Queen's University Belfast

[a.bryson@qub.ac.uk](mailto:a.bryson@qub.ac.uk)

## Introduction: What Do We Mean by 'Reconciliation'?

Within transitional justice, it has long since been accepted that holding all those guilty of human rights violations to account is not possible (Freeman, 2011) and that additional mechanisms are required to advance personal, communal and social 'reconciliation'. Since the prototypal South African Truth and Reconciliation Commission, there has been increasing emphasis on the potentially cathartic nature of mechanisms designed to advance truth and reconciliation. Desmond Tutu, for example, made it clear in his opening address to the Truth and Reconciliation Commission that he believed that its aims and objectives were to advance the 'healing of a traumatized, divided, wounded, polarised people' (Tutu, 1995).

Transitional justice scholars have, however, questioned this causal link, noting that a weak conceptualisation of 'reconciliation' has resulted in unrealistic expectations. Reflecting on the South African context, Hamber and Wilson note that 'there is not a single process of dealing with the past that restores the "national psyche" to good health'. Rather they offer one, limited and constrained, form of redress for victims and survivors' (Hamber and Wilson, 2002: 49-50). Gready further notes that one of the enduring lessons from South Africa is that key objectives and foundational terms of references must be clarified before truth and reconciliation mechanisms wheel into action (Gready, 2010: 2-3). This is

essential, in his view, in order to avoid the boom and bust cycle of ‘over-promising and under-delivering’ (Ibid: 7).

In an effort to distinguish between different types of reconciliation, Nobles contrasts ‘thin’ or ‘minimal’ reconciliation that is characterized simply by non-violent co-existence, with ‘thicker’ or more profound variants that are associated with higher levels of mutual respect, co-operation, trust and forgiveness amongst divided peoples (Nobles, 2010). Progress from ‘thin’ to ‘thicker’ variants is also benchmarked in accordance with a range of factors including the extent to which there is: a rejection or reduction of stereotyping and prejudice; an increase in political tolerance; an increase in support for human rights principles; and an extension of the legitimacy of democratic institutions (Gibson, 2004).

## Individual V Collective ‘Reconciliation’

In a seminal article published in 1996, the Canadian author, academic and former leader of the Opposition in Canada, Michael Ignatieff, queried the concept of broader societal reconciliation, arguing that this process tends to mistakenly ‘vest our nations with consciences, identities and memories as if they were individuals’. He argued that justice and truth should indeed be pursued but questions whether or not they necessarily advance reconciliation. Foregrounding the concerns developed by Hamber, Wilson and Gready in relation to South Africa, he cautioned that truth will not necessarily lead to ‘healing’. Instead he argued in favour of a more modest appreciation of the capacity of truth and reconciliation commissions to ‘narrow the range of permissible lies’ about the past. Drawing on the experience of the Latin American truth commissions, he further highlighted the danger of truth and reconciliation initiatives being used by prevailing regimes to ‘indulge in the illusion that they had put the past behind them’. These types of processes have facilitated in his view a ‘false reconciliation’ that is at cross-purposes with their stated aims and objectives (Ignatieff, 1996).

## Reconciliation in the Northern Ireland Context

Reviewing the notion of reconciliation in the context of the Northern Ireland peace process, Emerson, McEvoy, and McConnachie suggested that the term ‘reconciliation’ has arguably been ‘used and abused’ (Emerson, McEvoy and McConnachie, 2006: 81). Tracing the historical trajectory of the term, they note that from at least the mid-1960s the term has been viewed as synonymous with ‘community relations’ (Ibid: 84). In contrast to Britain where the concept of community relations developed out of debates on race relations and in particular the 1968 Race Relations Act (Little, 2013), in the Northern

Ireland context it has more typically evoked a ‘two traditions’ conceptualisation of the conflict. This underpinned Terence O’Neill’s efforts at community relations in the late 1960s and the work of the first Community Relations Commission (Whyte, 1990; Etchart, forthcoming). Gallagher later noted that state-led efforts to develop a community relations brand of reconciliation was linked to deep suspicion of grassroots efforts to advance reconciliation and a perceived need to curb the development of community leadership and autonomy (Gallagher, 1995).

## Community Relations V Rights & Equality

Reviewing the development of community relations in Northern Ireland in later years, Morrow et. al. observed that ‘community relations became a term used simultaneously to describe a vague “general vision”, to which everyone subscribed, and a variety of haphazard practices aimed at “harmony” that allowed everyone to remain publicly detached and knowingly cynical’ (Morrow et al, 2003). A related tension emerged between the notion of reconciliation that could be advanced by improving community relations and reconciliation that could be advanced by safeguarding human rights and equality (deciding ‘whether to focus on the **existence** of two communities or **inequality** between them’, CAJ 2013). Focus on the latter became central to the developing peace process and McCrudden notes that by 1998, ‘discussions about equality and human rights moved from the margins into the mainstream’ and ultimately became a central component of the Belfast / Good Friday Agreement (McCrudden, 2001).

## Oral History & Efforts to Deal with the Past Since 1998

In the absence of agreed overarching legacy mechanisms, *law* in the guise of judge-led public inquiries into particular controversial events (e.g. Saville, 2010); police-led investigations of past violence and Police Ombudsman investigations into allegations of police malfeasance (Lundy, 2009; Martin, 2021); court based proceedings including coronial inquests, civil actions and judicial reviews (Anthony and Moffett, 2014; Hearty, 2019); and a limited immunity scheme designed to facilitate the recovery of the ‘disappeared’ (Dempster, 2019) has been the primary delivery mechanism for families seeking truth or justice concerning their loved ones. Recognising the limitations of this piecemeal approach, there has been a number of efforts to ‘pull it all together’. These have included various reports prepared under the aegis of the NGO, Healing Through Remembering (see: [Core HTR Reports – Healing Through Remembering](#)), the work of the Consultative Group on the Past (CGP, 2009); Richard Haass and Meghan

O'Sullivan's *An Agreement Among the Parties of the Northern Ireland Executive*, (Haass and O'Sullivan, 2013) and the 2014 *Stormont House Agreement* (HMSO, 2014).

Whilst public and political opinion on the necessary trade-off between truth and justice has evolved in the course of the past twenty-five years, there has been remarkably consistent levels of support for the inclusion of oral history mechanisms as part of a comprehensive package to deal with the past. The 2002 report of the Healing Through Remembering project recognised that 'telling individual stories of the past could be both cathartic for the person telling their story, and could develop understanding in those listening' and recommended the formation of a central archive to help preserve and share these testimonies (Healing Through Remembering, 2007). The 2009 Eames-Bradley report called for an independent legacy commission that would lead a programme of work on 'storytelling'; the 2013 Haas-O'Sullivan agreement recommended the creation of a central archive for sharing 'conflict-related oral histories, documents and other relevant materials'; and the 2014 Stormont House Agreement envisaged an Oral History Archive to 'provide a central place to share experiences and narratives related to the Troubles' as one of four complementary mechanisms designed to deal with the past. Whilst the UK government has since abandoned commitments to bring forward legislation to implement the full range of mechanisms agreed at Stormont House in 2014, as discussed further below, the Northern Ireland (Legacy & Reconciliation) Bill currently making its way through Westminster includes substantive proposals for the establishment of oral history and memorialisation work.

## Types of Post-Conflict Oral History 'From Below'

Oral history is an increasingly heterogeneous and interdisciplinary field of practice. In essence, it involves the 'interviewing of eye-witness participants about the events of the past for the purposes of historical reconstruction (Perks and Thomson, 2016: xiii). It is nonetheless important to note that it is a broad church that embraces 'self-report, personal narrative, life story, oral biography, memoir, testament, in-depth interview, recorded memoir, life history, life narrative, taped memories, and life review' (Yow, 2005: 3-4). In the context of post-conflict peace-building work, it is often conflated with what is loosely described as 'storytelling'. Whilst there are undoubtedly overlaps between 'storytelling' and oral history, the latter connotes a clear and definite commitment to the preservation of oral testimonies for future generations. With oral history work, there is thus a focus on both the *product* and the *process*, demanding advanced training in the relevant technical, ethical and legal considerations (Bryson, 2022).

In the twenty-five years since the signing of the Good Friday Agreement, a substantive and diverse programme of work has developed in the broader oral history space. Between 2002 and 2012 the UK Heritage Lottery Fund awarded £81 million to more than 3100 projects that included a significant oral history component.<sup>1</sup> Post-conflict oral history and ‘storytelling’ projects in Northern Ireland and the border counties were given an additional boost by the financial contribution of the EU to the peace process.<sup>2</sup> The Peace III programme (2007-2013) in particular had a dedicated strand for ‘Acknowledging and Dealing with the Past’ and under this banner dozens of oral history projects were funded. This included the *Peace Process: Layers of Meaning* project that I co-directed with Seán McConville. It involved the creation of an oral archive containing 100 interviews, a three-week oral history training programme and cross-community and cross-border oral history projects.<sup>3</sup>

The range of post-conflict oral history work undertaken includes projects that focus on particular institutions such as the RUC George Cross oral history project or Relatives for Justice’s recent GAA Oral History project. This work is often led by community organisations but there have also been notable collaborations with academics (e.g. the Prison Memory Archive and the Ardoyne Community Project). Many victims and survivors-led projects have focused on particular themes such as WAVE Trauma’s collections of testimonies on those who lost a child, a parent or a partner. Other projects have prioritised the experiences of younger or older victims and survivors. Some of the most powerful work has developed at the intersection of oral history and the creative arts including, for example, the South East Fermanagh’s Foundation work on a quilt that draws on individual narratives to memorialise trauma and loss. The work of the Kabosh Theatre and Theatres of Witness have also powerfully demonstrated how oral testimonies can be adapted for the stage, enabling difficult and uncomfortable conversations to be acknowledged and debated. The overarching, integrative work of, for example, Ulster University’s Accounts of the Conflict project<sup>4</sup>, should also be acknowledged, alongside the facilitation work that has

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<sup>1</sup> See Heritage Lottery Fund, ‘Review of the Heritage Lottery Fund’s Investment in Oral History Projects (2013) available at <https://www.heritagefund.org.uk>. In Northern Ireland there has been additional bespoke investment in for example the ‘Shared History Fund’ to mark the centenary of Northern Ireland. See <https://www.heritagefund.org.uk/news/ps1m-shared-history-fund-mark-centenary-northern-ireland>.

<sup>2</sup> In addition to several European Structural and Investment Programs, there have been three EU Peace and Reconciliation (“PEACE”) programs—involving a financial contribution of EUR€1.3 billion from the European Union and the British and Irish governments. A fourth program (“PEACE IV”) was launched in January 2016—with a total value of EUR€270 million.

<sup>3</sup> See <http://www.peaceprocesshistory.org/> (accessed 9 April 2022).

<sup>4</sup> See [Accounts of the Conflict - v3.1 \(ulster.ac.uk\)](http://www.accounts-of-the-conflict.org/)

been taken forward by Healing Through Remembering's Stories network<sup>5</sup> and indeed through the work of the Commission for Victims and Survivors.<sup>6</sup>

## The Contribution of *Bona Fide* Oral History Initiatives

There are numerous different ways in which *bona fide* oral history initiatives can contribute to work on 'dealing with the past'. Perhaps most importantly it provides us with an important tool with which to address the overlooked and hidden gender dynamics of conflict. It can also enable us to get beyond Belfast-centric views of the conflict and to document the complex and subtly different experiences of rural victims and survivors. The capacity to engage with different generations and to preserve testimonies for future generations can usefully illuminate the nature of intergenerational trauma. Providing victims and survivors with an opportunity to tell their story in full and in all of its complex and contradictory detail can also help to collapse simplistic and reductionist labels that reify and ultimately dehumanise victims and survivors. It can also provide opportunities to engage sensitively with the taboo manifestations of complex trauma and mental health problems. As discussed further below, this ability to solicit voices, experiences and perspectives that have been overlooked, ignored or silenced can potentially contribute to what is broadly referred to as 'societal reconciliation'.

## How Can Oral History Contribute to Reconciliation?

Providing individuals with an opportunity to reflect on the contextual complexities of their past can curb the narrowing and (case-by-case) fragmenting tendencies of law (Gready and Robins, 2014: 339) and instead helps to place individual harms in a broader structural and political context (Bryson, 2022). Incrementally, this work can open up a space for mature and measured reflection within families, communities, workplaces. Depending on the extent to which these individuals stories are shared, this impact can ripple outwards to multiple different audiences. As noted, there are numerous potential points of engagement with oral testimonies for stakeholders including academics, lawyers, artists, museum curators and indeed future generations. The core commitment to preserve data in an archive is also a useful bulwark against presentism, encouraging a 'longer view' that acknowledges both the historical roots of conflict and the need to provide future-facing opportunities for intergenerational reconciliation (Bryson, 2015). Besides restoring dignity and agency to individual victims and survivors,

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<sup>5</sup> See <http://thestoriesnetwork.org/>.

<sup>6</sup> See [CVS - Commission for Victims & Survivors \(cvsni.org\)](https://www.cvsni.org/)

the cumulative effect of this work is to illuminate the complex ways in which issues such as gender, class, race, and geography shape experiences of conflict. All of this acknowledges that reconciliation is a complex and open-ended process that cannot be boxed into time-bound and narrowly defined process. It would, however, be naïve to suggest that oral history initiatives (and indeed proposals that are framed as ‘reconciliatory’) are necessarily unproblematic.

## Safeguards to Advance Reconciliation / Avoid Harm

In 2016 a range of historians and social scientists (including the author) converged at Hertford College in Oxford to consider how best historians and social scientists could contribute to ongoing debates about ‘dealing with the past’ in Northern Ireland. Our report concluded that, if the academic components of the legacy process are to enjoy public confidence, their development and implementation must involve independent researchers who are recognised as experts in their fields. We further noted that if the process is to meet the highest standards of academic rigour and to be free from political interference, appointments would have to be made in line with clear and transparent criteria and in consultation with independent scholarly bodies with a proven record of promoting high-quality research and thereby contributing to public debate and policy making. We also registered a general wariness about proposals for ‘official’ or ‘agreed’ histories, noting the danger of state-sponsored histories sacrificing complexity in the interests of political expediency or purportedly therapeutic goals (McBride et al, 2016).

## Oral History & the Northern Ireland (Legacy & Reconciliation) Bill

Part 4 of the Northern Ireland (Legacy & Reconciliation) Bill provides for a range of oral history initiatives (including a gap review, the encouragement of public engagement with existing oral history records, training and the creation of new oral history records). It also provides for a memorialisation strategy designed to ‘promote reconciliation’, possibly including a museum. Finally, it provides for academic research on the patterns and themes of the conflict - although this work must notably take account of the information accruing to the Independent Commission for Reconciliation and Information Recovery (ICRIR).

On the face of it, the inclusion of these proposals on oral history and memorialisation should be welcome but a close reading of the Bill suggests an aversion to the independence and rigour that, as noted, is essential for effective post-conflict historical inquiry. Those designing and delivering the oral

history and memorialisation strategy will be government appointed, as will the academics selected to research conflict themes and patterns – with sparse details as to how their independence will be protected. Moreover, this work will be commissioned alongside an ‘official history’ of the conflict, explicitly established because of government concerns that there has been (informed by the verified facts that legal investigations have brought to light) a ‘rewriting the history of the conflict’ that is disproportionately critical of the state.<sup>7</sup>

Finally, there is a concern that the increased emphasis on oral history and memorialisation as part of a reconciliation process may have developed with one eye to the potential legal space for the related proposals for conditional immunity from prosecution. In a legal memorandum accompanying the Bill it is noted that the European Court of Human Rights ‘has articulated a general opposition’ to amnesties but goes on to suggest that the Court has countenanced the possibility of an amnesty being ECHR compatible ‘including where a reconciliation process is in existence’ (see NIO Northern Ireland Troubles and Reconciliation Bill, ECHR Memorandum, para 47). While such an effort to justify the proposed conditional amnesty may be very unlikely to succeed a legal challenge, the intent is potentially cynical. Such an approach has not surprisingly provoked significant critique and resistance.<sup>8</sup>

## Post-Conflict Oral History in Context

To conclude, it is important to note that *bona fide* post-conflict oral history can provide valuable opportunities for those who have been ‘hidden from history’ to bring their experiences to light and to thus restore a measure of dignity and agency to victims and survivors. Cumulatively, this work can usefully broaden and stretch the canvas for ‘dealing with the past’ – acknowledging messy and complex individual realities and informing work on the patterns and themes of past conflict. Recent transitional scholarship, however, cautions against conflating this type of work with bland and generalised notions of broader societal reconciliation. The Northern Ireland case-study further underlines the potential for historians and historical research to be indirectly instrumentalised in pursuit of the type of ‘false reconciliation’ that Ignatieff identified in the Latin American context.

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<sup>7</sup> See, for example, Harry Yorke, ‘Ministers Plan Official Account of the Troubles Amid Fears IRA Supporters are Rewriting History,’ *Daily Telegraph*, 13 November 2021.

<sup>8</sup> The reconciliatory intent is particularly difficult to square with the widespread opposition to these proposals by victims and survivors, all political parties in Northern Ireland, the Irish government, Amnesty International, the United Nations and the Council of Europe. See, for example, Alyson Kirkpatrick, *Evidence of the Chief Commissioner of the Northern Ireland Human Rights Commission to the Northern Ireland Affairs Committee*, Oral Evidence HC 284, 7 June 2022.