



Northern Ireland
Assembly



Knowledge Exchange Seminar Series (KESS)

Apologies, Abuses and Dealing with the Past

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Introduction

States, armed groups, Churches and large corporations have in recent decades apologised for past wrongs - albeit with mixed results (Gibney, M., Howerd-Hassmann, R., Coicaud, J.M., and Sreiner, N., eds., 2008, *The Age of Apology*, Pennsylvania: Pennsylvania University Press). For victims, apologies often appear to be an important element of dealing with the past. However, in practice the precise interplay between apology and notions such as accountability, reconciliation, truth and legitimacy is little understood. More generally, while 'saying sorry' is almost a given as an acknowledgement of hurt, there have been few efforts to develop a nuanced grasp of what constitutes a legitimate apology and how the drafting, performance and reception of

such apologies may or may not assist in coming to terms with past wrongs (Battistella, E.L., 2014, *Sorry About That: The Language of Public Apology*, Oxford: Oxford University Press).

Within the academic literature, the concept of apology is diversely theorised and almost always focused on the state (see, for example, Borneman, J., 2005, 'Public Apologies as Performative Redress', *The SAIS Review of International Affairs* 25(2): 53-66). Despite widespread acceptance that apologies are key to dealing with past wrongs, in practice there has been relatively little detailed empirical assessment of the views of apologisers, victims or the general public.

By exploring the perspectives of perpetrators, victims and the wider community, we ultimately hope to provide a roadmap for a more comprehensive and rigorous analysis of the role of apologies in dealing with the past.

Taking Ireland, North and South, as our case-study, our wider project examines the relationship between apologies, abuses and dealing with the past in the context of harms associated with paramilitary violence, institutional child abuse and the recent economic crisis.

For the purposes of this short paper and presentation our focus will be on apologies relating to the Northern Ireland conflict.

Project Overview

Using N. Ireland & Republic of Ireland as a case-study, our wider project explores the role of public apologies in past harms linked to:

- ❖ NI conflict
- ❖ Institutional Child Abuse
- ❖ Economic Crisis

Our key overarching themes are:

- a) Apologies and the Law, including: the role of law (in particular criminal and civil liability) in shaping the construction, delivery and reception of apologies; the reception of legalistic apologies by

victims; and the ways in which victims and others use law to seek apologies and related forms of redress.

- b) Apologies and Accountability, including: whether it is possible to take responsibility without blame; the extent to which apologies may be linked to other retributive or restorative sanctions (e.g. civil or criminal liability, reparations, compensation etc.)
- c) Apologies, Acknowledgement and Truth, including: whether apologies can be a form of truth recovery; if acknowledgement is distinct from truth recovery when linked to apologies; or if apologies may be used to 'close down' public conversations, obfuscate, or minimise personal or institutional culpability.
- d) Apologies, Timing, Choreography and Performance, including: the sequencing of apologies (before, during or after truth recovery or prosecutorial processes); the forms or setting of delivery; whether apologies should be linked to other events; and if and how victims should be involved in drafting.
- e) Apologies, Legitimacy and Audience, including: the factors which may contribute towards a 'legitimate' apology; the audience/s to which an apology is addressed; and the variables which render an apology more/less effective for victims and communities and the processes in place to guarantee non-repetition.
- f) Apologies and Leadership, including: how leaders prepare their constituencies for apologies; the status of the individual making the apology (who is apologising to whom for what); and how leadership is exercised amongst victims in response to apologies.
- g) Apologies, Reconciliation and Follow-through, including: the role of apologies in reconciliation, individually or collectively; whether apologies may reinforce abusive power relations (e.g. in pressurising victims to forgive or reconcile); and the importance of 'follow through' mechanisms.

- h) Apologies and the National Imagination, including: the effect of past harms in these three domains on national identity in Ireland North and South; and how apologies impact upon the ways in which individuals, organisations and communities imagine themselves - amongst apologising institutions, those being apologised to and the general public.

Link to Broader Legacy Debates

It is our intention that this work will feed directly into high-profile deliberations and debates on apologies by government, civil society and other actors. For example, under the terms of the Stormont House Agreement the British and Irish governments are slated to make 'statements of acknowledgement' regarding their respective roles in the conflict. Similar actions will be expected from paramilitaries and others. Official enquiries, North and South, into child abuse by religious authorities have made specific recommendations regarding apologies. Finally, the parliamentary inquiry into the Irish banking crisis has provoked intense debate about the efficacy of apologies from politicians, policy makers and corporate officials.

Project Methodology

This project employs a triangulated methodology that comprises:

- ❖ an extensive review of academic literature (law, transitional justice, anthropology, sociology, psychology, history, political science etc.) and relevant primary and secondary sources.
- ❖ semi-structured interviews (N=60- 90) with victims, apologisers, policy makers and stakeholders
- ❖ 12 focus groups with victims (N=120 approx. - 4 groups from each sector).
- ❖ a public survey (N =1,000 respondents)
- ❖ 14 focus groups (N=288 approx.) from the general population using stratified sampling techniques.

The findings will be disseminated via:

- ❖ 6 policy documents of use to stakeholders across all three sectors (2 each).
- ❖ 3 stakeholder seminars at the beginning, mid-point and end of the project
- ❖ a project website, 12 user-friendly blogs and a twitter account
- ❖ a major international conference

- ❖ presentations at a range of international and national conferences.

Apology & Acknowledgment

Apology:

- ❖ A recognition of a hurt deliberately or negligently inflicted which is named
- ❖ An admission of individual, organisational or collective responsibility for that hurt.
- ❖ A statement of remorse or regret related to the wrongful acts or omissions.
- ❖ A promise of non-recurrence
- ❖ Delivered with due respect and dignity to the victimised
- ❖ Made without reservation, qualification or justification

Acknowledgment:

- ❖ The key difference between apologies and acknowledgements is that an apology is an officially sanctioned statement.
- ❖ Acknowledgment may be a much broader process involving not just statements but complementary processes e.g. plaques, memorials etc.

Tracking Public Apologies

In this part of the paper we will contrast our databank of extant apologies with the public and private reaction.

Those apologies we have tracked to date include:

- ❖ 230 republican statements of apology, regret or saying sorry (35 in first sweep)

- ❖ 42 from state agencies (first sweep)
- ❖ 13 loyalist (first sweep)
- ❖ 13 unionist political party (first sweep)

Case-Study Apologies

The second part of our presentation will include analysis of a number of 'case-study' apologies. These include:

- ❖ IRA statement, April 2002
- ❖ Queen Elizabeth II statement at Dublin Castle, May 2011
- ❖ David Cameron's Apology regarding Bloody Sunday, June 2010
- ❖ IRA apology to family of Eoin Morley, Easter 2007
- ❖ INLA statement, August 1998
- ❖ Mick Hayes apology, July 2017

Apology as a Moral Imperative

Linking the themes emerging from these apologies with both our own field research and the relevant academic literature, we will consider the moral imperative behind the crafting and delivery of apologies. In particular we will highlight the challenges of reconciling notions of past sacrifice, the legitimacy of violence and the humanising of 'the other'.

Conclusion

To conclude we will consider four versions of apology that we have to date identified. They are:

- ❖ Apologies as peace-making - a verbal commitment to the end of 'armed struggle' (De Greiff)
- ❖ Apologies as truth recovery, the acknowledgement or 'righting' of a wrong (Brewer)
- ❖ Apologies as a justification of 'armed struggle', or the obfuscation and denial of past wrongs (Cohen)
- ❖ Apologies as a moral imperative

