

An argument for a Gender Focus in the transitional debate

Andrée Murphy, Leas Stiúrthóir, Relatives for Justice



THE UNTOLD STORIES OF RELATIVES, VICTIMS AND SURVIVORS



This speech was delivered by Andrée Murphy, Deputy Director of Relatives for Justice on 11th February 2010 at the 'Exploring a Feminist Analysis of Truth Recovery: Creating a better future' seminar organised by Hannah's House in the Guinness Storehouse Dublin. Full information on this conference can be found on http://www.hannashouse.ie/index.php?option=com_content&task=blogcategory&id=2&Itemid=9

Relatives for Justice works with families who have been directly bereaved as a result of the conflict. We work regionally and support families affected by all actors to the conflict.

We were founded in 1991 by families with very similar experiences – affected by direct state violence and or where the state was implicated in loyalist killings. As a result of this foundation many of the issues for which we are recognised are linked to the transitional debate.

However I would like to outline before I go further the wealth of support RFJ now delivers. It is vital transitional work of recovery of memory and therapeutic intervention. We support men, women and children in very specific long term intensive programmes in our three regional centres. Outside is one of the Relatives for Justice quilts, the processes surrounding which I would be very happy to discuss with anyone interested. It is the only fully inclusive victim centred memorial project on the island undertaken thus far. The quilt outside is one of eight with the ninth just finished this spring. I cannot emphasise enough the importance of safety and trust in this process nor can I emphasise enough the impact of political development or political turmoil.

Just some of the Transitional issues facing families

Families affected by state violence have had an experience of the impunity of those responsible. In 2001 the European Court of Human Rights found that in cases where the state was involved or implicated in deaths in the Northern jurisdiction that there were serious and significant failings in remedy - and that the Article 2 rights - the right to life - were infringed on every level.

For example many families have never had inquests, some families are waiting over 25 years to receive a death certificate.

Of course families already knew this. From day one they knew that there was no chance of getting justice - of getting truth. Europe just put a fancy title on it in 2001.

But equally we support families affected by republican actors - and the truth is that the presenting needs are the same. While proportionally more republican actors went to jail for offences there are still hundreds upon hundred of killings unaccounted for.

The truth is that most families irrespective of the circumstances, do not expect anyone to go to jail for these deaths. For some that possibility was either never open, because the British state was responsible for the killing and responsible for the investigation and responsible for deciding whether anyone should be held accountable - which they only did in 3 cases. For others with the passage of time it is now nigh on impossible to achieve a realistic chance of prosecution in most cases.

Indeed for some families who believed that the state would act in their interest it is harder for them - they have been let down and disillusioned at the worst time of their lives.

However what most families do want - and need - is truth and acknowledgement.

After many killings statements were issued by the responsible grouping, branding people as terrorists, informers, whatever. For some families this has been a stigma which has burned on their family, interfering with any prospect of recovery.

Some statements told blatant lies as to the circumstances of the deaths - and these lies remain as the official version of the deaths. Open up the tome *Lost Lives* - which is a bible for many regarding the deaths during our conflict - and for every page there will be a family in their homes saying - it wasn't like that. I cannot tell you or emphasise to you how important it is to families to have the truth, and the accurate facts told as the official record. It is all they have.

For many victims irrespective of the circumstances in which their loved ones were killed, but especially for those affected by state or state sponsored violence, victims become disaffected from state agencies. They have been let down from day one. They knew that the killings were not properly investigated. They were left with no one and nothing. They just had to get on with surviving on their own.

In recent times there have been state initiated processes in an attempt to remedy some of this.

These have included a PSNI initiative the Historical Enquiries Team. This is still the state investigating itself when the state is implicated. The distrust and alienation from this process is irreversible. Setting that fundamental issue aside the HET is under-resourced, without a clear mission, and cannot deliver to most families what they need.

Aside from details like a report that says the RUC should have done better - they cannot comment on policies or practices. They cannot deliver acknowledgment for pain and hurt inflicted and they cannot deliver reparations.

For these families with multi-layered needs there has been a consistent and vocal voice championing a truth commission. One that is appropriate for our context and unique to our circumstances.

Gender Specific Issues

For this gender specific conference I would like to highlight just some of the areas I believe require specific gender focus. I believe only a feminist voice in this debate can see why it is necessary and ensure that it occurs.

It is widely acknowledged that the CGPNI report is partitionist in approach. Irish women from across the island were affected by the conflict. There is a particular experience of Irish women political prisoners in the South, of Irish women republican activists, and the partners of men who were political prisoners. This is a censored and marginalised experience which must be heard. Women who were caring for people injured as a result of the conflict or who were bereaved as a result of the conflict South of the border had a particular experience which must also be represented in any process.

In all of these experiences a number of Irish statutory agencies were responsible for degrees of neglect

An argument for a Gender Focus in the transitional debate

and often times, when the families were republican, engaging in cruel and unrelenting harassment and persecution.

In particular An Garda Síochána must be involved in the process. Undoubtedly there will be important testimony from An Garda about their experience of the conflict and of individual members of the organisation and their families when death or injury occurred.

However An Garda as an organisation and in particular its Special Branch were responsible for actions of abuse and cruelty which affected, not just suspected activists, but also their families and friends. There is an experience of women prisoners across the island – and those who were incarcerated in England and elsewhere - which must be addressed in a women-focussed context. And this experience must be addressed in its broadest context.

That there is no debate whatsoever on retaining the spaces which held women prisoners gives an indication of how this experience is not acknowledged in the transitional debate. Horrific abuse and violence was incurred in Armagh and Maghaberry and in jails in England. Some of those experiences are so sensitive in nature that it is clear that the burden for identifying them and holding those responsible to account must be shared in a sensitive and appropriate manner. But it must be represented in the transitional debate. There is a particular issue for women who were imprisoned in the South and their families which must be actively included in any discourse.

The experience of women and children who spent years visiting the prisons must be acknowledged and explored. This is currently being done in very positive settings of art and drama through a number of ex-prisoners projects. However this must be translated to impact on any formal or political processes. The experience of mothers who were imprisoned is an area of unbearable pain and tremendous courage which has never had more than a cursory acknowledgement. Space must be created that when the time is right this experience is valued.

During the debate on what was valuable regarding the Long Kesh H-Block site there was a decision to demolish the Quakers' Hut and the Visiting Block at a very early stage. No consideration was given to the fact that of the thousands who interfaced with the prison during our conflict the overwhelming majority were women and children visitors to the Cages and Blocks. Their experience was not acknowledged nor valued and this was manifested in a very physical way when those areas were demolished. The visiting block in Crumlin Road Jail is now the reception area - no acknowledgement again of the hardship faced by the mothers, wives and children of the men who were held in that jail. Women in working class areas bore the brunt of the effects of conflict-related repression and their tactics. Raids and harassment were daily occurrences and there was a resulting poverty which was incurred as property was destroyed and education and employment disrupted. Women still put their children through school, ensured Santa came to visit and put meals on the table – often at great personal cost to themselves.

Republican women activists, and in homes where their partners were known activists, were subject to a particular experience of raids and harassment and real threat to their homes that was unique. These homes were subject to RUC and British army attack and in parallel deliberately targeted for loyalist attack. These women and their families were isolated to strike fear into others in the community. The murders of Theresa Fox, Roseanne Mallon, Theresa Clinton and Kathleen O'Hagan are just three

examples of how these women were deliberately targeted and murdered, because they were women, as part of the terror campaign against the republican movement and the political movement for change.

Women political representatives, both elected and unelected were subject to unique isolation for these terror tactics and the attacks on numerous homes including that of Sinn Féin councillor Annie Armstrong and the murders of Maire Drumm, Miriam Daly and Sheena Campbell were the ultimate manifestations of this.

This is clearly a thematic issue and must be addressed within the legacy debate as such.

The issue of sexual abuse as a thematic strand in transition

In recent months our understanding of why that would be necessary has broadened. When we think of conflict-related abuses we usually would not include the type of experiences of sexual abuse which have been spotlighted in recent times.

These experiences by their very nature have been silenced and hidden. However the context of our conflict has doubly silenced victims. This is for many complex reasons, but many of these issues relate to the context of our conflict and its nature.

Relatives for Justice has had the privilege to work with many families affected by violent trauma. We have been confided in by families whose experience includes that of where a person was killed and paedophiles befriended the family and, in the context of trauma and all that follows, they preyed on the children in those homes.

These families were in a horrific position where the RUC were often either directly or indirectly implicated in the killings and therefore the RUC could never be asked for assistance.

The truth is that in many of these cases because of their nature it is only after many years of silent suffering that the truth begins to emerge.

In many cases the children - now as adults - receive support but they have not disclosed the abuse to their already traumatised family. When other family members do find out they are often wracked with guilt and reinforced trauma. Supporting these families is deep and intensive work which requires great sensitivity to ensure no further damage is caused to these already hurt families.

In reality it is not surprising that this happened. Paedophiles are predatory and in a conflict situation of silence, trauma and fear they could prey on all of that. It is also true that abuses of power and silence were possible within communities who had no other recourse. Abuse could flourish unchecked. The possible extent and depth of this is as yet unknown.

Our experience of the recent times is that those women who experienced sexual abuse during the conflict are now more silenced than ever. Journalists are accused of seeking to manipulate victims rather than give them independent voice, politicians are being scapegoated for political capital and, no statutory agency on either side of the border is taking responsibility in all of this.

And victims are forced into silence. Their experience of abuse being revisited and relived as they read the papers and watch the television. For them it is an oppression and conspiracy of silence.

The discussion about the merits of an independent truth commission as an appropriate vehicle for our transition from conflict is relevant to this strand of the discussion.

Some truth processes around the world had thematic strands that addressed gender specific issues and the use of sexual violence. It is not a developed enough subject.

In conflict zones where sexual violence was used as a military tool the issues are perhaps more easily identified. Here in Ireland there is a strong body of evidence which points to the use of sexual violence within the prisons and in interrogation centres against both men and women which must be addressed in a sensitive and comprehensive fashion.

However much of the sexual violence which has been highlighted inappropriately through the media, demonstrates that the conflict was a very important contextual factor. The conflict is absolutely relevant when looking at issues of policy and practice, by both non-state and state actors.

There are many accusations and indicators that those accused of sexual abuse rather than being prosecuted were recruited by state agencies to inform and spy within their own community and children were allowed to suffer.

There is a body of evidence that non-state actors are implicated in the cover-up of sexual abuse and undoubted mishandling of the cases which were brought before them.

For many families living in nationalist and republican homes they had no faith in state agencies to deliver and there is a substantial body of opinion that social services did not meet their obligations to protect children.

All of this is conflict related in context.

A victim focussed truth commission could provide for victims to recount their experiences in private and have the implications of these experiences highlighted, and most importantly lessons learned. It could hold to account the state and non-state actors implicated in this deeply difficult and disturbing area. Most of all it can act with independence and without political manipulation ensuring that trauma and silence are no longer compounded.

The relevance of the Ryan and Murphy Reports

The initial terms of reference of the Laffoy - subsequently Ryan - Commission are interesting and very relevant in this regard. And not just in the context of raising the issue of sexual abuse. We had a truth recovery process in Ireland. It was imperfect, and there are many hurts that were caused to victims during that process which should never be repeated.

However they looked at practices and policies regarding our children who lived in institutions - and with many caveats, all of us are wiser, more mature and better for it. It certainly created an environment

where it could never happen, to anything like the same extent, again.

And for us in transition from conflict in the North there is much learning from what was possible – and also learning from the significant gaps in the process.

We can have independence from the relevant actors.

We can have a process which focuses on victims' experiences and truth telling.

We can look at policies and practices.

Accountability and acknowledgment from the agencies and authorities responsible have a huge role to play in providing to victims.

It does not have to focus on individuals but rather on institutions and agencies.

Society can be told the truth of what occurred with a view to ensuring that it never happens again. A positive debate on reparations is vital to the process.

Inclusion of those worst affected is the single most important foundation to any process.

We were offered something very like this in the form of the Eames Bradley report on dealing with the past last year - politicians have ignored it hoping it will go away - probably exactly what they hope will happen victims too.

I was asked to explain what it is like in real terms for people who maybe do not have much knowledge or understanding of the conflict in the North.

So in conclusion here goes

Not to insult any politicians or academics here - of which I know we have many.
But if you are a woman whose father was murdered by the state;

who watched your mum crumble,

who had to take the responsibility for your siblings food clothing and education, sacrificing your own in the process,

who endured the raids on your home while the British army dug "the Brits was here" in to the wall of the bedroom where your dead father slept,

who went to visit your emaciated 18yr old brother in jail on the blanket protest because he could see no other option than to join a military organisation to fight back,

who held your sister after they were sexually abused by a person in the community,

who watched as the non-state combatant organisation gave that person a by-ball,

and then watched the abuser participate in local military commemorations,

who lived in total and abject poverty as a result of the double whammy of conflict and losing the head of the household - who didn't earn much but at least kept the family afloat,

who didn't know how to parent their own children in any normal way when her own family came along,

and only realised the impact of the conflict on them after 25 years, and could not stop crying without the aid of prescription drugs or alcohol,

who seeks non-judgemental support and finds that the long term resources needed are subject to political juggling and concession,

who needs the British government to own up to what they did and state that your father was innocent in order to move on with what is left of your life,

and who watches as politicians play with victims issues like they were toys.

If you are that woman you get fed up with politicians and academics stating that there is no consensus on this issue, that victims are too difficult to please, that the issue too contentious to address, and then debating the merits of different types of processes when they place nothing on the table.

And that's not a unique woman and she doesn't just come from one community. Change the responsible actors and she is a woman from Rathcoole, Lenadoon, Portadown, Strabane.

And I have not even mentioned the injured of our conflict. The living victims.

And that is our challenge on this island.

Can I end by imploring you not to leave here and walk away from this debate - please get involved and make it relevant in your arena, in your space. Victims urgently require the engagement of all good people.

Andrée Murphy
Relatives for Justice
235a Falls Road
BELFAST
BT12 4PE

Tel: 028 9022 0100

web: <http://www.relativesforjustice.com>