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POLITICS, ARTS & CULTURE IN NORTHERN IRELAND

A good start at the Assembly

but there are substantial risks ahead

Politics

Undermining the Agreement
by Paddy Hillyard, Colin Murray, Katy Hayward and Blair Horan

Avoiding collapse by Conor Kelly, Alan Whysall and Eoghan Kelly

Legacy issues by Sir Declan Morgan and Tom Hadden

Dublin politics by Stephen Collins

Blossoming Local Arts Scene edited by Niamh McNally

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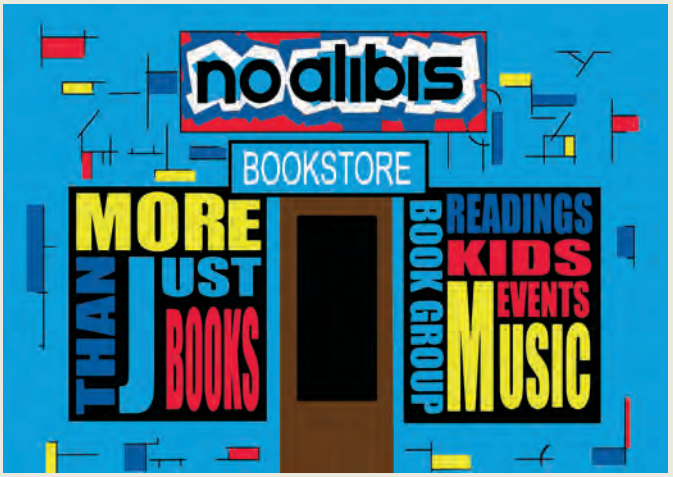

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A good start at the Assembly but there are substantial risks ahead

In this issue we focus on what needs to be done to protect the Assembly from yet another collapse. The contribution from the Constitution Unit at University College London sets out what can be done to give all the parties greater power to diminish the ability of the DUP and Sinn Féin to pull the institutions down on their own.

One notable reason for hope is that MLAs in the Assembly seem more committed to making it work than the DUP MPs at Westminster who are more concerned about the constitutional purities than dealing with the day to day issues of sharing out what money there is to repair the long standing gaps in social and healthcare and all other demands for investment.

From the point of view of Sinn Féin the main danger may be their longer term aspiration for unification and full membership of the European Union.

A smaller risk, noted by several contributors, is the prospect of using the 'Stormont Brake' to thwart sensible European measures on the environment and climate change. But Colin Murray has quietly explained that the statutory instrument passed recently in effect reserves to the Westminster Government the final say on any brake passed by the Assembly.

The contribution from Sir Declan Morgan sets out his hopes that the new Legacy Commission will be able do a good job on truth recovery, though the recent High Court judgment seems to rule out any form of conditional amnesty – perhaps the Supreme Court and the Strasbourg court will be able to produce a more nuanced position that will allow and encourage perpetrators on all sides to come forward with their accounts of what actually happened, with appropriate acknowledgement and apologies.

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Safeguarding the Union or unravelling the peace?

Paddy Hillyard

Paddy Hillyard is Emeritus Professor of Sociology, Queen's University Belfast. His research interests cover the environment, the rule of law, poverty and inequality.

On 30 January, Sir Jeffrey Donaldson announced that his party had at last endorsed a deal to restore the NI Assembly and Executive.

The following day, the government published the Command Paper entitled, 'Safeguarding the Union', detailing the deal which it had negotiated in secret with the DUP – a party which received just 21.3% of first preference votes and a mere 25 of the 90 seats in the Assembly Elections in May 2022.

It is a highly partisan document mentioning 'the Union' over 120 times! Crucially, it ignores, as Professor Katy Hayward has pointed out, the commitment in the Belfast/Good Friday Agreement (GFA) that it will exercise power 'with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions'. Arguably, it goes much further and abandons part of Strand Two of the GFA.

New legal duties

Specifically, the British government have agreed to repeal all the legal duties in relation to the 'all-island economy' in section 10(1)(b) of the EU (Withdrawal) Act 2018. This section makes it obligatory that Ministers have due regard to the 2017 joint report from negotiators of the EU and the UK which spelt out in detail the obligations of both governments in upholding the principles of the GFA.

In the 2017 joint report the UK remained committed to protecting North-South cooperation and to its guarantee of avoiding a hard border. In the absence of agreed solutions, it stated that: 'the United Kingdom will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all-island economy and the protection of the 1998 Agreement' (para 49). It is this commitment which will now be unilaterally ditched.

> ... scant regard for the GFA ... successive British governments preparedness to ignore international agreements and the rule of law.

Diverging economies

As a consequence of the proposed changes negotiated with the DUP, the British government expects the divergence between the economies of Northern Ireland and Ireland to widen over time. Yet, there is no analysis whatsoever as to whether this will be to NI's economic benefit or how it will impact on both governments' commitment in the GFA: 'to partnership, equality and mutual respect of relationships within Northern Ireland between North and South and between these islands'.

To compound these erosions of the GFA, the current Secretary of State, Heaton-Harris, in answer to a question from Richard Drax, MP, erroneously informed Parliament: 'it is very important to outline the parts of the Belfast/Good Friday Agreement that allow for all things to happen, and any change

	Northern Ireland	Ireland	Norway
Access to the EU single market	✓	✓	✓
Unfettered Access to the UK's internal market	✓	✗	✗
Pays into EU budget	✗	✓	✓
Freedom of Movement	✗	✓	✓
EU services rules	✗	✓	✓
EU environmental rules	✗	✓	✓
EU labour rules	✗	✓	✓
EU procurement rules	✗	✓	✓
Subject to European Medicines Agency	✗	✓	✓
Common Agricultural Policy	✗	✓	✗
Common Fisheries Policy	✗	✓	✗

would absolutely depend on the consent of *both communities* (italics added) at the time'.[1] The GFA makes it very clear that constitutional change will be determined by a 'majority of people in Northern Ireland', not a majority in each of the two main communities.

Scant regard for the Good Friday Agreement

This scant regard for the GFA provides yet another example of successive British governments preparedness to ignore international agreements and the rule of law. Despite an international agreement at Weston Park in 2001 to establish an inquiry into the murder of Belfast solicitor, Pat Finucane, it has still failed to do so. When introducing a bill to amend UK's Brexit deal with the EU in 2020, Brandon Lewis, the then Secretary of State for Northern Ireland, admitted that it broke international law.

Even more recently, the legacy mechanisms agreed between the British and Irish governments and political parties in the Stormont House Agreement have been abandoned and replaced by a ban on further police investigations, inquests and civil actions for Trouble related events – the effective abolition of the rule of law for the period of the Troubles.

1 Hansard, House of commons, Vol. 744, Col. 886, 30 January 2024.

The changes negotiated with the DUP over the two years are wide ranging. They guarantee NI unfettered access to the UK's internal market, free from checks except to tackle criminality, abuse of the scheme, smuggling and disease. Dynamic alignment with EU law is ended and the Stormont brake has been strengthened. At the same time, EU rules have been disapplied on a range of items and activities. In particular, NI will now be subject to the same VAT and alcohol duties as the rest of the UK.

The table above shows the extent to which NI's access to the single market will now differ from jurisdictions which are members of or associated with the single market.

As can be seen, NI is completely out of the Common Agricultural Policy and Common Fisheries Policy, and out of a broad swathe of EU environmental and labour policies. UK standards will now apply across such areas as public health, genetic modification, drinks and food.

Post Brexit, many of the progressive EU policies will no longer apply to NI. For example, the Water Framework Directive which focuses on reducing and removing pollution, ensuring adequate supplies for human and wildlife needs and providing for river basin management across borders, no longer applies. Similarly, European policies targeting environmental sustainability such as the need to

introduce smart meters to every household to allow them to monitor their energy usage has been dropped.

The Command Paper confidentially asserts that NI's place in the UK internal market has been strengthened but at what cost? Have trade and economic considerations trumped food and animal safety? The need to protect NI, and indeed, the island of Ireland as a whole, from animal and plant disease has been recognised for a long time. In the past, Stormont has always made provision for inspection and examination of imported animals, plants and seed potatoes.

Although the UK has made written guarantees on biosecurity to the EU, including to protect against disease risks to the island of Ireland, many of the previous controls appear to have been curtailed along with a range of EU phytosanitary measures. Lax controls permitted Ash Dieback disease to be imported to Ireland. It will kill up to 80 per cent of ash trees on the island of Ireland and threaten many species that rely on the ash. Will the proposed risk-based or intelligence-led approach be sufficient to prevent the importation of similar devastating diseases to Ireland?

Trivergence and the Stormont Break

The strengthening of the Stormont Brake is far from straightforward. It potentially means that NI may now decide not to update EU law while GB does so, leading to 'trivergence' in the application of EU rules. It therefore has the potential to lead to uncertainty and deter investors when there is already now considerable confusion as to NI's precise future status in the single market.

There is much else in the Command Paper which is contentious. It describes how under the old Protocol NI 'risked being unable to benefit' from the same VAT rates. But this only applies if UK rates are lower than in the EU. Since 2022, EU countries have been able to reduce VAT to zero for certain products and services that are consistent with EU environmental and health policies. The items included solar panels for households. In Northern Ireland the VAT for solar panels has remained at 5% over the period. Anyone installing solar panels in NI was, therefore, a few hundred pounds worse off than someone doing the same in the EU.

The paper confidently asserts on no less than three occasions that Northern Ireland's place in the UK's economic Union 'remains the single most important factor in ensuring its prosperity' and that 'remaining within the Union provides the best future for Northern Ireland'. The latter, it claims, is not only one of conviction but is based on our assessment of objective facts'. But none are provided.

The objective facts do not support such a contention. Northern Ireland has long been a poor relation in the Union. In 2022, NI wages were the lowest in England, Scotland and Wales. Productivity in NI was 17% below the UK average. NI waiting lists are the longest on these islands. And there is now unanimous agreement among all the political parties, that NI has been consistently underfunded.

Remaining in the Union looks similarly bleak. A recent publication from Bloomberg Economics estimates that Brexit is costing the UK economy £100 billion a year in lost output. Tax revenues are down by £40 billion. There will therefore be a squeeze on public finances for years to come. In contrast, the economic future of Republic of Ireland looks considerably rosier. This year alone it has a budget surplus of several billion.

Prosperity, however, is much more than economics. It about living in a safe environment, free from pollution, animal and plant disease, having the ability to study and live in different countries without restrictions, having the protection of strong labour laws, respect for the rule of law and international agreements, and, most importantly of all, policies which attempt to guard against the existential threat of climate breakdown.

Any assessment of the objective facts, suggests that many of these features have been further eroded by Brexit and the secret negotiations between the government and the DUP. Only time will tell if these changes facilitate the breakup of the Union and a desire by people in NI to be once again part of the EU.

Implementing the Windsor Framework
Legal and practical issues

Colin Murray

Colin Murray is Professor of Law and Democracy at Newcastle University

The *Safeguarding the Union* deal finally brought an end to the DUP boycott of power sharing. Rather than solving Northern Ireland's multiple and acute governance crises, the restoration of Stormont brings an additional layer of complexity into the mix.

There is now a version of Brexit, even if it is little more than a gloss on the Windsor Framework concluded in February 2023, that Northern Ireland's major parties have agreed, however grudgingly, to make work. This exposes whether Northern Ireland's institutions are able to achieve this.

The challenge is best understood by comparison to the period before Brexit, when Northern Ireland was part of an EU member state. Then, the UK Government were fully involved in the EU's law making processes, able to shape EU legislation from its inception. Now, the UK Mission in Brussels is left trying to manage UK relations with the EU, with tracking the developments in EU law which are applicable to Northern Ireland making up just one part of that complex task.

Rishi Sunak and Ursula von der Leyen in Windsor on 27 February 2023 to announce the finalised deal

PHOTO: SIMON WALKER
WIKIMEDIA, CREATIVE COMMONS

The old regime

Then, although the range of EU law applicable to Northern Ireland was more extensive than it is under the Withdrawal Agreement, it did apply across the UK (allowing Whitehall and the devolved administrations to feed off each other in complex tasks like transposing EU Directives into domestic law). Now, Northern Ireland institutions cannot copy anyone else's homework (and it is worth remembering that the Renewable Heat Incentive scandal blew up when the Department for Enterprise, Trade and Investment made a solo run in its approach to the implementation of EU law under Arlene Foster's leadership).

Then, EU law operated in the same way across the UK. Now, not only do Northern Ireland departments need to be cognisant of developments in EU law relevant to the single market in goods, but they also have to be watchful for developments in Westminster which could affect the alignment of law between Northern Ireland and Great Britain.

In short, under the Withdrawal Agreement, two complex governance orders overlap in their application within the law of Northern Ireland. Some of the relevant EU law relates to law making within the competence of the Assembly, on other issues the implementation is reserved to Westminster, and on other issues the competences are mixed (requiring careful coordination between Stormont and Westminster to make implementation effective). This knot of competences has proven so complicated that the government has sliced through it in the Windsor Framework (Implementation) Regulations 2024, taking most implementation competences out of Stormont's hands.

New complexities

Into this mix the Windsor Framework adds the Stormont Brake, the mechanism by which 30 or more MLAs from two or more parties are able to flag, within two months of an EU measure within the scope of some elements of the Protocol being published, that this new or amended EU Law would cause a significant and persisting impact upon Northern Ireland. If the UK Government confirms that the conditions for triggering the Brake have been met the Brake stops the new EU measure taking effect insofar as is necessary to prevent such an impact.

The Northern Ireland Civil Service was probably relieved that the Assembly was not functioning during the initial phases of the Framework entering effect. The Stormont Brake did not apply and the implementation of required EU law could be managed through Westminster. As Tom Reid, a senior official in the Executive Office, informed Stormont's Windsor Framework Committee on 7 March, the Northern Ireland Departments face sustained capacity and capability issues in keeping on top of EU law developments. There is not, in short, sufficient expertise to address these issues and there has not been the ability to hire substantial numbers of additional staff during the collapses of the Assembly.

The Civil Service is thus working from a standing start, and the Committee set a cruel challenge in asking the departments, within a matter of days, to provide an account of the current EU legislative proposals relevant to Northern Ireland. It is not surprising that they floundered. Nor is it necessarily their first priority to provide this information to MLAs, if it distracts from the other tasks of government, including implementation of the Withdrawal Agreement's requirements. Instead, the UK Government promised in *Safeguarding the Union* that they would provide the Committee with sufficient advanced notice of EU measures "to allow for proper horizon-scanning and early analysis by the Assembly's Democratic Scrutiny Committee".

> These challenges ... will only be exacerbated if some parties grab at the Brake like a new toy.

The problem is the shortfall in trust created by Brexit. No one is entirely confident that significant measures won't fall through the gaps in the UK Government processes or of the priority given to Northern Ireland in the information chain through the UK Mission in Brussels. The Brake's strict deadlines are at the forefront of MLAs' minds. And so the work must, painfully, be duplicated, and Tom Reid is left, slightly embarrassed, telling MLAs that he is trying to build partnerships across both Whitehall and Dublin to assess the potential significance of different elements of the EU Commission Work Package for Northern Ireland.

None of these challenges can be wished away, and they will only be exacerbated if some parties grab at the Brake like a new toy.

The Irish Sea Border
Waving the rules?

Katy Hayward

Katy Hayward is Professor of Political Sociology at Queen's University Belfast

If BBC Radio Ulster phone-ins were anything to go by last year, the continued existence of a lane classified as 'green' (of all colours) was a cause of some distrust of the Windsor Framework.

And so it was that the *Safeguarding the Union* command paper (31st January 2024) announced a 'UK Internal Market System' to bring 'the narrow green lane' to an end. This rebranding is, believe it or not, one of the most significant adjustments to the Irish Sea border brought about by the 'DUP deal'. In real terms, the things we knew to expect a year ago remain largely unchanged (ref. my article in Fortnight issue 490).

That said, the 'UK Internal Market System' notion better captures the nature of the Windsor Framework's arrangements to facilitate the movement of goods from Britain for sale or end use in Northern Ireland. The Framework enabled two types of green lane. The agrifood/retail one has been operational since October; the one for more general access is to be in force this October. Together they now form the UK Internal Market System, and businesses who register to participate in it will benefit from easier GB-NI movement for their goods.

Their registration is all-important because the roll-out of the System comes at the same time as a hardening of UK-EU borders. The UK is enacting more strict border controls on imports from the EU (the 'Border Target Operating Model'), including from Ireland into Britain, and the EU will be watching carefully for full implementation of the 'red lane' (which continues to exist, for goods at risk of moving via NI into the EU).

The Windsor Framework remains the legal basis on which NI's trade relationships are built. The language of removing 'unnecessary checks' in the 31 January 2024 command paper is a careful presentation of what the Framework allows for:

> (T)he Government, as part of this package of measures, will remove checks when goods move within the UK internal market system *except* those conducted by UK authorities and required as part of a risk-based or intelligence-led approach to tackle criminality, abuse of the scheme, smuggling and disease risks. (emphasis added, paragraph 92)

Such risks make the capacity for checks necessary (hence the building of more Inspection Facilities in NI ports). The assessment of such risks is based on documentation. Indeed, data remains fundamental to the operation of the Framework. The UK shares information with the EU on what is moving across the Irish Sea and who is doing so, thus enabling it to be reassured itself of low risk to the single market. Typically in trade arrangements, discrimination between goods centres on where they (and their parts/ingredients) come from. This is very different in the Windsor Framework, where flexibility centres on destination (i.e. for final use or sale in Northern Ireland) rather than origin.

Another innovation in the Framework is the use of labels and seals to easily identify those goods that have accessed NI from GB through the UK Internal Market System. The 'Not for EU' labelling that has been evident on supermarket shelves will steadily become more prominent on goods packaging. This centres on food and drink products because those are the ones the EU has most concern about crossing the Irish border, onto its single market and into its consumers.

Relatedly, the regulation of Veterinary Medicines to be used in Northern Ireland remains a concern, with the region set to lose access to UK-approved drugs when the last grace period expires at the end of 2025. *Safeguarding the Union* has seen the establishment of a Working Group on the topic, involving experts alongside representatives from both Westminster and Stormont. Their recommendations will be taken to Brussels, in hope of further negotiation and EU flexibility. Allowing non-EU standard agrifood products into Northern Ireland was tricky (given they are for human consumption); veterinary medicines is even more complex (given their potential impact on the wider food chain). The best hope for adjustment lies in UK-wide moves, potentially under the type of 'major rewrite' of the Brexit deal that Sir Keir Starmer has pledged a Labour Government would seek.

Lastly, one of the issues to bedevil the Protocol was that of parcels. The EU has become increasingly strict in imposing rules on parcels entering its single market, requiring customs declarations on even non-valuable packages from outside the EU. Indeed, border agencies globally are increasingly alert to the smuggling risk posed by packages in our Amazon-dependent world. The Windsor Framework addressed this by lifting requirements for consumer-to-consumer parcels, but the new rules for business-to-business and business-to-consumer parcels will come into play in October. The intention is for consumers to see little impact from this; but, as with the whole Brexit experience, whether this is possible depends on effective Governmental communication and preparation to be done with a complex array of stakeholders: from those sending the parcels, to the sorting offices receiving them, to those delivering them.

So, the *Safeguarding the Union* deal made no substantial changes to the Windsor Framework rules that apply in Northern Ireland, nor to the timelines for their implementation. However, it did put in place practical measures to help manage the consequences of their implementation. It includes some notable and sensible commitments for UK-NI intergovernmental and interdepartmental communication and coordination to manage Northern Ireland's post-Brexit position. The effectiveness of these structures (the UK East-West Council, for example) depends to a degree on how well they complement the work of existing and related ones.

Promises of 'zero checks' helped get the DUP back into power-sharing but now the Assembly has to manage expectations as well as its place in the UK internal market.

Ultimately, this 'DUP deal' has implications for all parts of the Union as well as for all parties in Northern Ireland. Whether it brings the promised 'new era of stability and prosperity' depends less on people's experience of the UK Internal Market System than how it is handled as a policy and political concern. The DUP's decision to accept *Safeguarding the Union* did not remove the contention around the sea border but brought that contention into the Assembly. And so, as the airwaves become relieved of talk of customs and vet meds and Tariff Rate Quotas, the real challenge of managing unique arrangements lands on the floor of the chamber. What will Stormont's politicians value more: the chance to disrupt the System or to make it better?

Trade impacts of the Protocol and 'Safeguarding the Union'

Blair Horan

Blair Horan was the General Secretary of the Civil and Public Service Union now a part of FORSA and on the Executive Council of ICTU. He represented ICTU on a number of EU Committees, most recently the North-South Interreg Committee 2015–2023.

The decision of the Johnson Government to opt for a third country Free Trade Agreement arrangement with the EU in 2019 made GB-NI checks unavoidable.

Due to the EU's insistence that an open land border was a pre-condition for negotiations on a UK trade agreement, NI secured full unfettered access for goods to the EU Single Market and customs territory, with access to the EU's FTAs for imports, while remaining in the UK Customs Union.

The operation of the Protocol in 2021 led unionists and business to object to costly restrictions on GB-NI goods movements, with the result that changes were agreed under the Windsor Framework in February 2023; in January 2024 further changes were implemented under *Safeguarding the Union*, without EU objection.

The Windsor Framework

The Windsor Framework significantly reduced customs paperwork for GB-NI goods movements through a Green Lane requiring a single health certificate per load with less identity and physical checks, making GB-NI goods movements smoother and less costly. Changes were also agreed for Vat/Excise, medicines, state aid, tariff rate quotas and UK consumer and public health standards applied once goods were for sale in NI only. NI retained full access to the EU27 by maintaining EU standards for NI production. The Stormont Brake gave the NI Assembly a significant role in approving replacement EU laws along with a potential veto under strictly defined circumstances and the UK Government devolved the arrangements for new EU laws to the Assembly. Under *Safeguarding the Union* further reductions on checks on SPS goods, which represents a significant proportion of GB-NI retail trade, were identified. Commitments around GB-NI regulatory divergence was given along with assurances that NI's position in the UK is not affected.

Substantial benefits

The substantial benefits NI gained under the Protocol remain and these are best assessed in comparison with GB/EU27 access under the Trade and Cooperation Agreement. All GB goods exports to the EU must meet strict Rules of Origin requirements, primarily confined to UK/EU goods with other goods inputs subject to strict limits. NI can use inputs globally without Rules of Origin, benefiting from free trade under EU Free Trade Agreements, or if it falls under World Trade Organisation rules by paying the EU Most Favoured Nation tariff. This gives NI manufacturing/distribution a significant advantage over GB for trading with the 27 EU Members.

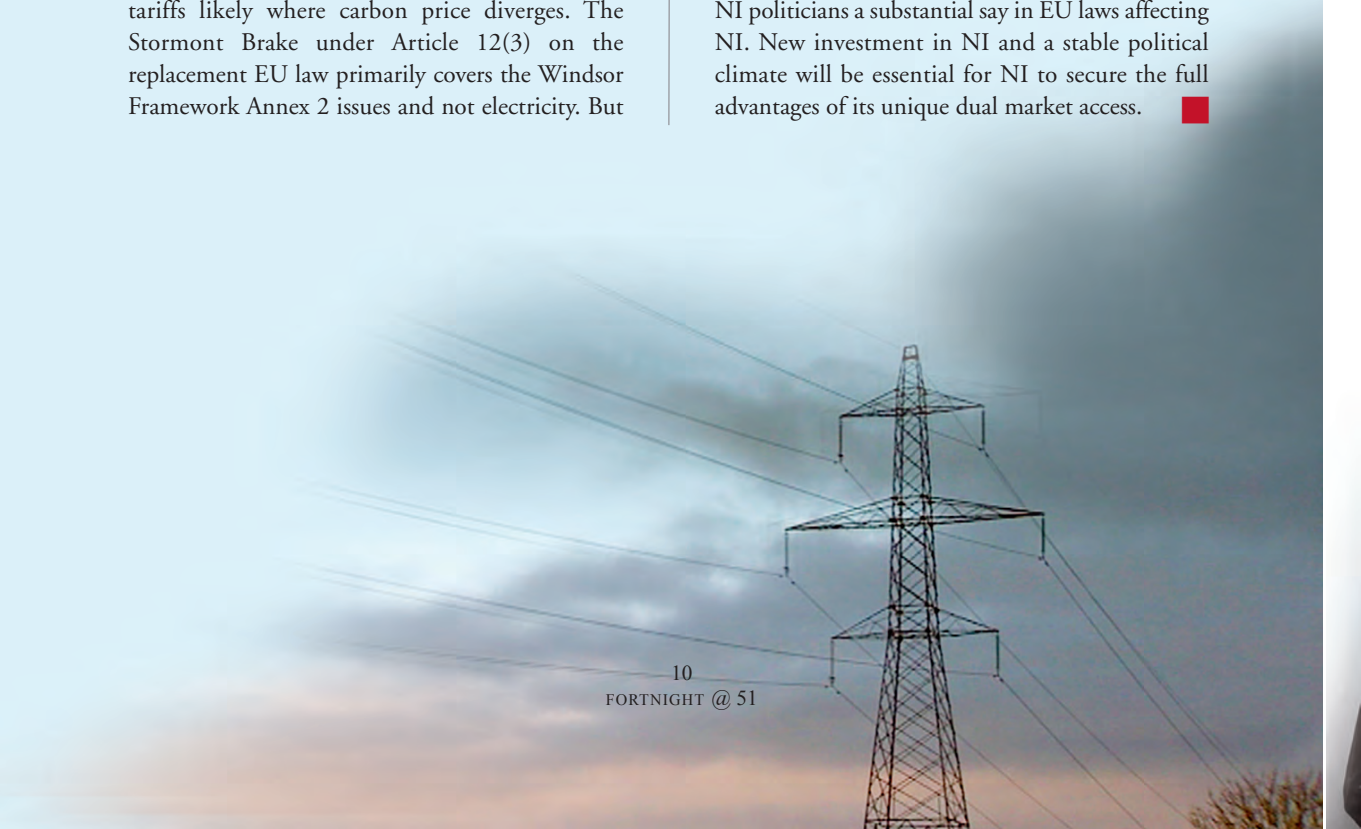
NI Statistics and Research Agency data does not show any trade diversion on GB sales with a reduction in 2022 for purchases. though only time will tell if this is a trend. To date dual market access has led to greater North-South trade reflecting existing linkages and the open border. The EU

NI Sales/Exports and Purchases/Imports 2019–2022

S/Exps	2019	2020	2021	2022	P/Imps	2019	2020	2021	2022
GB	£6.9b 42.6%	£6.9b 45.7%	£8.3b 48.5%	£9.6b 49.2%	GB	£11.2b 61.9%	£10.8b 64.3%	£11.3b 60.7%	£11.0b 55.8%
IE	£3.4b 21.0%	£3.2b 21.2%	£4.0b 23.4%	£4.6b 23.6%	IE	£2.5b 13.8%	£2.2b 13.1%	£2.8b 15.1%	£3.0b 15.2%
REU	£2.1b 13.0%	£1.9b 12.6%	£2.2b 12.9%	£2.3b 11.8%	REU	£2.4b 13.3%	£1.9b 11.3%	£2.1b 11.3%	£2.2b 11.2%
ROW	£3.8b 23.4%	£3.1b 20.5%	£2.6b 15.2%	£3.0b 15.4%	ROW	£2.0b 11.0%	£1.9b 11.3%	£2.4b 12.9%	£3.5b 17.8%
Total	£16.2b 100%	£15.1b 100%	£17.1b 100%	£19.5b 100%	Total	£18.1b 100%	£16.8b 100%	£18.6b 100%	£19.7b 100%

Carbon Border Adjustment Mechanism takes effect from 2026 but this has yet to be tabled by the EU for NI. NI electricity remains in the EU Emissions Trading System, but other industries affected will fall under the UK Emission Trading Scheme, with tariffs likely where carbon price diverges. The Stormont Brake under Article 12(3) on the replacement EU law primarily covers the Windsor Framework Annex 2 issues and not electricity. But it will cover all new EU laws under Article 13(4) because the UK Government has devolved this responsibility, subject to conditions.

The changes introduced since the original Protocol have made it easier for business and given NI politicians a substantial say in EU laws affecting NI. New investment in NI and a stable political climate will be essential for NI to secure the full advantages of its unique dual market access.



The restoration of Stormont and the need for reform

Conor J. Kelly
Alan Whysall

Conor J. Kelly is a Doctoral Candidate in politics at Birkbeck College, University of London. Since 2019 he has worked as a Research Assistant and Project Manager at the UCL Constitution Unit.

Alan Whysall is an Honorary Senior Research Associate at the UCL Constitution Unit. He was previously a senior civil servant in the Northern Ireland Office, where he worked for many years on the Northern Ireland peace process.

The recent restoration of the institutions at Stormont is cause for cautious celebration but not for closing down the conversation on reform.

In the last few weeks there have been further reasons for optimism as the new First and deputy First Ministers, Michelle O'Neill from Sinn Féin and the DUP's Emma Little-Pengelly, have made sustained efforts to show that they are working together, while they and other ministers have reached out well beyond their political and community bases. Meanwhile, Sir Jeffrey Donaldson, despite the doubts of heavyweights in his party, has continued with his recent change of rhetoric and approach, emphasising the need for unionism to take its argument beyond its traditional constituency.

Despite this positive mood music, though, there is scepticism across society that the parties are capable of taking the difficult decisions that are necessary for good governance. The hole in Northern Ireland's public finances and implementation of the Bengoa report's recommendations on healthcare reform are just two of the areas where the new Executive will need to act decisively, indeed bravely, as its predecessors failed to do. Perhaps we will not see many difficult policy decisions taken anywhere across the UK before the upcoming UK election. But the devolved institutions have a patchy record as regards good government. The challenges are now imminent and numerous (and were recently brought out in stark detail in a report by the think tank *Pivotal).*

Emma Little-Pengelly

The root causes of the instability that have plagued the institutions in recent years have not been comprehensively dealt with.

Continuing instability

There is a widespread sense among the public that the root causes of the instability that have plagued the institutions in recent years have not been comprehensively dealt with by the DUP's about-turn on Stormont; and hence that another collapse of the institutions is possible before long. Meanwhile, there is a sense among the growing segment of the voting population who describe themselves as neither nationalist nor unionist (primarily the Alliance Party) that the current system, with its dual vetoes based on a binary model of society, undervalues them. All this raises questions about possible reform of the institutions.

While the institutions were in suspension, pressures for reform were growing. Some are

Micheál Martin

determined that the issue should not now slip down the agenda. The Alliance Party, which has long sought reform, maintains its pressure. The Tánaiste, Micheál Martin, speaking in the Dáil and at the recent Alliance Party conference, put forward on behalf of the Irish government a substantial agenda of possible reforms. The SDLP, in its new role as Official Opposition, has also devoted its first main item of Assembly business to the reform issue. Others are less attached to the idea of reform, however. Sinn Féin has acknowledged the issue of vetoes (by which it, and the DUP, are the parties chiefly empowered) might be looked at by the Assembly and Executive Reform Committee (a grouping of cross-party MLAs) but it has hardly seemed enthusiastic. The DUP has shown no wish to look at these issues at all. The British government, meanwhile, has said it sees no need for further action now, and indeed, appears to question the Irish government's right to become involved in the issue.

House of Commons committee proposals

Late last year, against the threat of a continued DUP boycott, and after extensive evidence-taking, the House of Commons Northern Ireland Affairs Committee (NIAC) produced a report examining the potential for reform. The report called for a new and independently led review of the operation of Stormont, with channels of input for the Dublin government and all parties in Northern Ireland. It also called for a citizens' assembly to allow for direct input from members of the public. Alongside these recommendations, the NIAC report floated a series of reforms that would amount to a significant reset of the *modus operandi* of power-sharing. This includes changing the election of the Speaker to a weighted majority (to stop one party from preventing the Assembly from meeting) and the renaming of the heads of government to 'Joint First Ministers' (to accurately reflect their equal status and end the polarising race to see who gets the nominally 'top' job). There was also some more cautious floating of Executive composition reforms, moving to a super-majority government as opposed to the current mandatory coalition model (essentially a voluntary coalition with support from 60–70% of MLAs in the Assembly as opposed to automatic places in government for the largest parties in each designation). Some of these changes, NIAC argued, could be made by the Westminster Parliament unilaterally. The report garnered support amongst some of the commentariat and the smaller parties but was opposed by the DUP's members of NIAC and largely ignored by Sinn Féin.

The Irish Government have a general right under the Agreement to participate in reviews

Unilateral changes are now presumably off the table; but at some point, the question of reform – consistent with the general principles of the Agreement – is likely to arise again. Issues around the vulnerability of the institutions to single party vetoes, the binary model of society on which they are based, and their effectiveness in providing good government will come to the fore again. Certainly, many would think the time for reform had come if there were another hiatus in the operation of the institutions. We need an informed debate to prepare the ground on options for reform, of a sort we have not so far had. Discussions about the institutions have tended to be for the political parties, and a few insider-specialists. These discussions may appear to lie in the domain of the nerd, but their significance is potentially great – they may ultimately make the difference as to whether the Agreement institutions, indeed the Agreement settlement, can operate effectively at all. They require wider involvement from voices across civil society, academia, and as much of the public as possible.

The major review sought by NIAC may not be imminent but a good starting point would be a technical report on the possible reforms, drawing

on the material prepared for NIAC and other recent contributions. There are some tricky questions here beyond the shape and process of the institutions themselves. One is the degree of support properly needed for change. The Agreement was reached on the basis of 'sufficient consensus', which included a majority of both unionist and nationalist representatives, and the British and Irish governments. In putting forward subsequent changes, the governments have generally sought a similar level of support. On the other hand, this doctrine does give those who enjoy vetoes on decision-making under the present system a veto also on change.

There is an inevitable trade-off on this front. Academic projects and reports, including several which we have been involved in at the UCL Constitution Unit, have canvassed various options among experts and the public, but none offer a panacea in themselves. If the institutions collapse through the action of one party, there is no Agreement-blessed scheme for governing Northern Ireland at all. There is an argument that a lesser degree of support for changes to the operation of Stormont should be needed in such circumstances, at least for temporary measures to ensure that something similar to what the Agreement proposed continues. That being said, there will always be those who fear short-term solutions will become long-term measures that disadvantage their side.

What role for the Irish Government

Another question the reform debate brings to the fore is the role of the Irish government in this debate and decisions flowing from it. It is true that in the negotiations that led to the 1998 Agreement, the Irish government did not participate in detailed discussion about the internal Northern Ireland institutions. Nevertheless, they were part of the decision-making on the Agreement as a whole; and they have a general right under the Agreement to participate in reviews and put forward views about non-devolved Northern Ireland matters through the British-Irish Intergovernmental Conference. From the negotiation of the Agreement until the resolution of the last hiatus in 2020, they were closely involved alongside the British government in resolving political problems in Northern Ireland – including institutionally-focused ones – and advancing constructive politics. It is a cause for some concern that the Irish government were kept at arm's length from the negotiations that led to the latest settlement with the DUP. Many have argued since publication that the British government's paper on *Safeguarding the Union* reflects anything but the even-handed approach the two governments have in the past sought to maintain. That negotiation may have brought the institutions back; but at a cost to trust in the British government outside unionism (and within large segments of it), which stands at an extremely low level. This is unlikely to be a sustainable model for future interventions and reveals questionable faithfulness to the Agreement more generally.

Decisions for reform must not be made by insiders alone

It was not envisaged in 1998 that the institutional structures would last forever, unchanged – the fact there are review provisions within the Agreement demonstrates this. Decisions about reform will be needed at some point, and they must not be made by insiders alone, debating behind closed doors. Everyone – not just the politicians – needs to talk…

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What now for the DUP?
Looking to the next general election

Eoghan Kelly

Eoghan Kelly is a Politics PhD candidate at Queen's University, Belfast. He holds degrees in Politics and History from Ireland, Spain, and Germany and studies the evolving party systems of Northern Ireland, Scotland, and Wales.

A week, they say, is a long time in politics. In Northern Ireland it seems that Good Friday is a long time in politics. Last week this article would have claimed that the worst was behind the DUP, and that the party was looking to a new future under Donaldson and Little-Pengelly. All is now changed.

The shock arrest of the then DUP leader for serious sex offences has thrown the party, and Northern Irish political world, into turmoil. Donaldson was swiftly removed from his position as leader and has been suspended from the DUP, although he remains an MP as the DUP do not have any legal power to force him from that post. Our thoughts must rest with the alleged victims who have brought such serious allegations and it should be noted that Donaldson denies the allegations and people would be wise to keep in mind that idle speculation about the details of the case can impact the judicial proceedings.

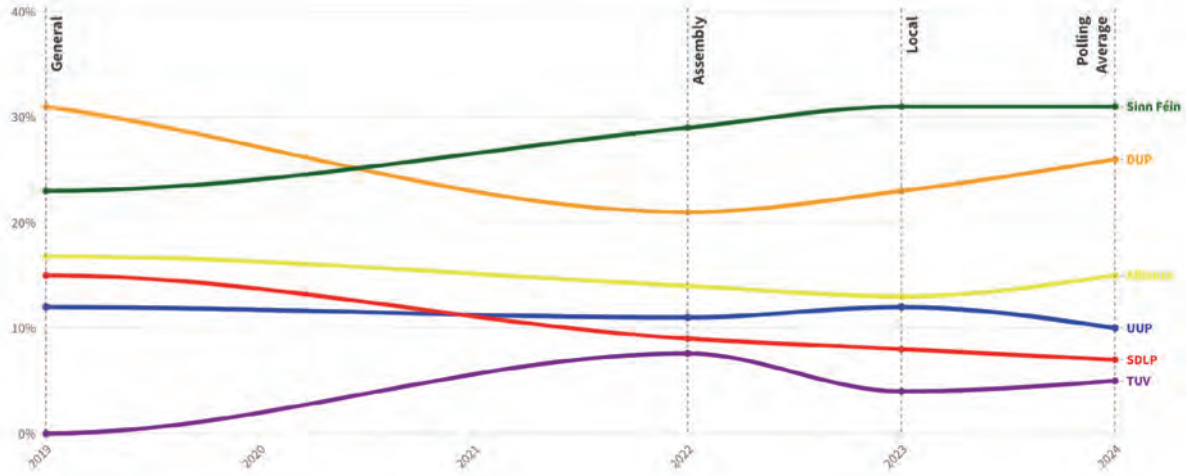
This article will turn its focus on the potential electoral fallout for the party, but there is much that we do not know about how the DUP will react. What appears relatively likely is that Gavin Robinson, the MP for Belfast East, will make his jump from deputy leader to interim-leader a permanent one in the next few weeks.

> ... appears relatively likely that Gavin Robinson ... will jump from deputy leader to permanent one within the next few weeks

This was not a guarantee, but the party looks like it wants to avoid bringing any further negative attention to itself. The issue of the sea-border deal that was agreed in acrimonious circumstances just a few weeks looks to have been put on the back burner as the DUP lurches into full-on self-preservation mode. The party will remain in the power-sharing executive and the other parties will be careful to allow the judicial system to do its job.

The DUP had just returned to a government with a large number of issues bearing down on it, from NHS waiting lists to pay disputes across the health, education and transport sector. The party also has the thorny issue of Casement Park to navigate. This is a potentially expensive redevelopment – albeit part-funded by the GAA and Irish government – which will allow Belfast to host matches at the 2028 Euros. The UK government is also likely to assist but are yet to put

Gavin Robinson



2019–2024 trends for the six largest parties by votes

a number on their commitment. Controversially, it will primarily be a GAA stadium which has drawn the ire of some who feel that it is more beneficial to nationalists than unionists.

Most in the DUP have tried to eschew the GAA element and instead focused on the question of whether it's a good use of public funds. The party has recently made some highly publicised overtures towards the nationalist community with images of Paul Givan Irish dancing and emerging on the same day that Emma Little-Pengelly played camogie with Michelle O'Neill. These appeared to be aimed at demonstrating that the DUP was committed to building a cross community Northern Ireland, and earned them the label of 'DUP Nua' by their detractors.

The party felt it had secured its hardline flank, and so was turning its attention to winning back more liberal unionists who had defected to the UUP and Alliance in recent years. Recent polling suggested this plan was working.

But their newest problem is not going to fade any time soon and will hurt them all across the ideological spectrum. We already know that an initial hearing is scheduled for later in April and there are potentially more to follow before the next election in October/November, each will inevitably lead the headlines.

The Next Election

The DUP will be under pressure for a number of reasons – all with the same cause. Their voters are likely to be deeply unmotivated to turnout and others will feel deeply betrayed and may want to join the backlash. Whilst their rivals will be emboldened and enraged. The perceived hypocrisy of such a scandal happening to the (then) leader of the 'holier-than-thou' party adds to this anger – even though the allegations are solely against the individual and his wife. There is also likely to be an unusually high degree of anti-DUP tactical voting.

There had been speculative talk of electoral 'arrangements' (pacts to everyone else) with the UUP about standing a single candidate in certain locations to avoid splitting the unionist vote. The incentives for the UUP to do something which would help the DUP are much lower now, although we could still see them support the independent Alex Easton in North Down and possibly the DUP dropping out in favour of the UUP in Fermanagh-South Tyrone. Neither would help the DUP but

could give unionists chances to gain some seats in an otherwise difficult election.

Last week the DUP already had very few chances for gaining seats: possibly the only one was in Belfast North. That's over now.

Instead the party will be on the defensive. Some, and here I mean Lagan Valley, are basically lost. Until last week, Lagan Valley was one of the safest seats in the country but now Alliance's Sorcha Eastwood may as well start organising her office in London. She might even get to move in earlier if he resigns as an MP which would force a summer by-election. Alternatively, the House of Commons Standards Committee could start the slow process of removing him. However they will be careful not to interfere with the ongoing legal case so this route could end up running into the next election anyway.

A much more marginal DUP seat which Alliance were already confident about is Belfast East, that seems more likely now and would cost the DUP's newest leader his seat. If this happens a game of musical-chairs to co-opt Robinson into the Assembly will be needed to avoid yet another leadership contest in a party which has already lurched through four leaders in the last three years. For those keeping track, yes, that's even more than the UK Conservative party (3).

Other DUP seats like South Antrim could be under serious threat by the UUP, while Alliance could take East Antrim – particularly if the TUV contested the constituency in which Jim Allister now lives. The TUV, spurred on by their allies in Reform, could give the DUP headaches in a few of their safest seats, like Strangford (at risk to Alliance), Upper Bann and East Londonderry (both to Sinn Féin).

TUV could give the DUP a headache in a few of their safest seats – Strangford, Upper Bann and East Londonderry

Jim Allister

Again, for those keeping track, that's every single DUP seat except for North Antrim. It's too early to tell if the most apocalyptic version of this comes to pass – and I would be surprised if it was quite this bad – but the nature of allegations against the then party leader would pose a major problem for any party. Exactly how bad it gets will come down to how much and how quickly the DUP can distance themselves from their former leader. Deleting his name from their website will not be enough.

Michelle O'Neill

The Other Parties

The other parties have seats to fight over too, and not just against the DUP.

The SDLP are under threat in both of their seats and have no chance of gains. Foyle was a clear victory for the party last time around but there were extenuating circumstances which allowed them to flip what had been a Sinn Féin seat. Today's more emboldened Sinn Féin will likely reclaim it.

Today's more emboldened Sinn Féin will likely reclaim the seat in Foyle

Sinn Féin have a decision to make on whether to give the SDLP an easy run in Belfast South or to put their nationalist rivals at risk of a wipe out – even if it opens the door for a non-nationalist. If Sinn Féin opt to contest Belfast South then all bets are off, an agreed unionist candidate would defeat a divided field, but if all major parties stand candidates then it would likely become a straight fight between the SDLP and Alliance. Sinn Féin are all but guaranteed to be the largest party at every electoral level after the next election – a little noticed aside is that Donaldson's suspension from

Colum Eastwood

SDLP are under threat in both their seats and have no chance of gains.

Naomi Long

Alliance have the largest number of pick up opportunities – but they do not do pacts

the DUP means the two are currently tied on 7 each at Westminster.

The UUP's chance of retaking South Antrim could create challenges for them, too. Robin Swann returned to his post as Health Minister which brought him widespread acclaim during the pandemic. However this sparked rumours of unrest within the UUP as some MLAs are said to have preferred joining the SDLP in opposition. Meanwhile, Swann has also announced that he will contest the next general election in South Antrim. This would likely lead to his resignation as both MLA and Health Minister, leaving the UUP with a difficult decision: go into opposition six months after going into government, or appoint a reluctant MLA to the most challenging ministerial post. The UUP could also stand a chance in Fermanagh – South Tyrone, especially if Sinn Féin run someone with less clout than Michelle Gildernew as she attempts to become an MEP in the Republic.

Alliance have the largest number of pick up opportunities so could come back as clearly the third largest party in terms of seats – and second if the sky falls down on the DUP. Although this is far from guaranteed, their only current seat in North Down is not safe, but East Antrim, Belfast East, Belfast South are all genuine opportunities for gains if their rivals fail to agree pacts and DUP turnout craters. Alliance is the only surety in this regard; the party does not do pacts and will contest every constituency. From it being the second safest DUP seat last week, Lagan Valley is now probably their safest bet going into the election.

Predicting constituencies this far out is difficult at the best of times, but it is something of a fool's errand before we know if and where pacts are in play and how severe the fallout will be. That said, it looks as though Sinn Féin will emerge as the largest party and cement their place as Northern Ireland's largest party. However much may happen in the as-yet-unspecified period of time before the next election which could swing some seats, indeed more seats could flip this year than in most of our recent general elections – pact dependent, of course.

Doug Beattie

The UUP could stand a chance in Fermanagh – South Tyrone especially if Sinn Féin run someone with less clout than Michelle Gildernew ...

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‘Why I agreed to head the Troubles legacy body’

Sir Declan Morgan

Sir Declan Morgan is the former Lord Chief Justice of Northern Ireland and is the Chief Commissioner of the Independent Commission for Reconciliation and Information Recovery

For far too long, the legacy of the past has been a difficult issue to come to terms with, and people have suffered further as a result. In many of the meetings I have held since I accepted the role heading up the new Commission, I have heard of the upset and frustration that the development and introduction of the legacy bill has caused.

The Commission that I now lead came into being in contested circumstances, and I recognise the hurt that many have felt as a result of the changes in approach to legacy cases. It is not where any of us would want to begin from. But it is the reality of the situation that confronts us. And it is my belief that the Commission represents the first opportunity since the 1998 Agreement to deliver investigations that are compliant with the principles of Articles 2 and 3 of the European Convention on Human Rights (ECHR) for all of those who suffered loss and serious harm during the Troubles. My decision to head the legacy body is therefore rooted in the desire to ensure that the Commission fully avails of that opportunity. Previous attempts to address the legacy of the Troubles may have failed, but I do not believe that means we should simply throw in the towel.

it is not for me to defend the legislation, nor to act as its champion.

The Act

The UK Government’s Legacy Act has been the subject of much criticism, and it is not for me to defend the legislation, nor to act as its champion. However, one of the supposed criticisms, that the Act provides insufficient detail is, in my view, a significant opportunity. It allows the Commission to develop an approach that can carry out thorough investigations, can give greater involvement to victims and families in its approach, and can seek to reflect the different needs to those affected by deaths and serious injuries during the Troubles.

Since I began last May, meeting with victims, families, survivors, representative groups and others with experience of legacy cases, it has been important for me to hear a multitude of different perspectives and concerns. Reflecting back what I had heard, the Commission adopted three principles to our approach: compliance with the ECHR, respect for the principles of the 1998 Belfast Good Friday Agreement and a focus on providing useful information to those affected by the Troubles.

Alongside embedding a trauma-informed approach in our work, these have been the bedrock of the proposals that the Commission has developed within the broad, and sometimes vague, statutory

framework. It was these proposals that we sought feedback on from ECHR experts in Strasbourg, and it was these proposals that were before the High Court in the recent litigation.

As might be predicted from my previous position, I said from the outset of my appointment, that only the Courts can determine compliance with the ECHR. This process is therefore essential to ensure that the Commission can meet our principles of approach. And, if the court holds that something is not compliant, then the Commission would want to amend its approach to meet the requirements.

It was the High Court's ruling that the conditional immunity scheme within the Act was not compatible with the ECHR and the Windsor Framework, that caught the headlines on the day. But with regards to the main areas of focus for the Commission – recovering information for victims, survivors and families who have suffered loss or serious injury – the Court held that the proposals were capable of complying with the ECHR. And, while the disapplication by the Court of conditional immunity means that one of the tools for the Commission to potentially recover more information is not available, we consider that the other powers at our disposal will be sufficient to carry out thorough investigations, to recover information for families, survivors and victims and to establish the facts of each death or serious injury.

What, therefore, are the elements that we have developed to meet the requirements of the ECHR?

Independence and transparency

The independence of the Commission's operations has been paramount. The appointment of Commissioners, while formally made by the Secretary of State, has been undertaken transparently and with adherence to independent advice and guidance. The Commissioner for Investigations and the Non-Executive Commissioners were all subject to open competitions, the permanent Chief Executive Officer role is currently being recruited by the Commission's Board, and a single recommendation will be provided to the Secretary of State. Terms of appointment are set out so we will have a full Board, absent specific grounds for Commissioners leaving their posts. Again, this is subject to transparency and follows the approach of other independent government bodies, such as the Northern Ireland Human Rights Commission. We have published a comprehensive policy on the declaration and management of outside interests and all employed by the Commission are subject to robust assessment. In *Dillon and others* the Court held 'the proposed statutory arrangements, taken together with the policy documents published by the Commission, inject the necessary and structural independence into the ICRIR' (Judgment, para 284).

We have the right to access all information held by State bodies that we reasonably require ...without redaction

Framework Document

All organisations spending public money need some form of accountability, ultimately to elected representatives, for use of public resources. The Commission is no different. But this must never stray into operational decisions. Our relationship with government is set out openly in a Framework Document, and our budget for investigations is not controlled by Government, but uses a bespoke 'Annually Managed Expenditure' approach where we update the forecast of need, based on what our investigations require, and this is what is provided. That mechanism again is set out publicly. Concerns about premature closure of the Commission are similarly dealt with in the Framework Document, with requirement for the Commission's advice and a transparent, parliamentary process.

Whether the Commission has the powers and tools to get all the information it requires is crucial to our task. We have police powers, that can be used where necessary, and we can carry out investigations to support criminal prosecutions. We have the power to refer cases to the relevant prosecutor. But, we also have new statutory powers too that are far reaching. We have the right to access all information

held by state bodies that we reasonably require for our investigations. This is without redaction, without others telling us something is not relevant, and without obfuscation. It is the Commission that determines what we reasonably require, no one else. There is a corresponding legally binding duty on state bodies to provide the information. In *Dillon* the court held that 'having considered the disclosure powers of the Commission and the obligations of the state, in particular, it seems to me this is article 2/3 compliant and an improvement on the situation in relation to inquests' (Judgment, para 319). We also have the power to require witnesses and individuals to provide information or attend to answer questions and can fine people up to £5000 for non-compliance (five times the fine a coroner can impose).

Feedback surveys

It has been important to me from the outset that the Commission meets with anyone who wishes to share their views and feedback to help improve the Commission's design and reflect the varied needs of our community. We have set out proposals and carried out feedback surveys. In fact, the Commission is currently carrying out a formal public consultation on key policies within our investigations process – I would encourage anyone who has an interest or views to respond to this to help us improve our approach. This consultation sets out in detail our end-to-end approach to investigating and explains how we propose to involve victims, survivors and families in each stage of the investigation.

It does not end there. We must listen to the feedback and experiences of those who use the Commission and continually update and improve our approach. And in all that we do, a trauma and resilience informed model is essential, so that the right emotional support is given, and people are treated with respect. Again, we are consulting on how the Commission builds on its early design work and are working with a range of expert organisations to design and evolve

Sir Declan Morgan

the best way to support different people's needs. For me, this human and personal side to the work of the Commission is vital. It builds upon the approach praised by many in Operation Kenova and it takes advantage of the bespoke legislation that allows us to operate in different ways to traditional law enforcement.

The crucial matter for the Commission will be its ability, having made findings, to set out the unvarnished facts of what happened in each case we investigate. Again, there have been suggestions that our reports could be vetoed or prevented by the Secretary of State. This is not the case. I would not have accepted this role if I believed that the findings that the Commission makes could be interfered with by the state. There is a statutory process which provides for the release or non-disclosure of sensitive information which the Commission intends to publish in its reports. This requires the Secretary of State to give reasons; and the Commission would highlight all cases where agreement was not provided. Such ministerial decisions can ultimately be challenged in the courts.

The crucial matter for the Commission will be its ability to set out the unvarnished facts of what happened

It is also for the Commission to draw on existing judicial practice in public inquiries, litigation and coronial hearings to balance the competing interests when reaching its findings and steer the right course. This may not be easy, but it is my

determination that we must make this work.

The Commission is now focussed on preparing to meet with those who might want the Commission to investigate their case from May. Our new approach means that the first weeks and months will be about explaining how the Commission can work for them, obtaining initial information and scoping, and allowing the individual and family the time and understanding to take the decision that is right for them in their circumstances. Our open recruitment for investigators is at an advanced stage, but predicting the number of cases at the start is difficult. We will employ more investigators as cases come to the Commission to meet the demands. We will work meticulously and thoroughly, and will want to learn and improve our approach as a result of each interaction.

This human and personal side to the work of the Commision is vital

While May will see the end of the current approach to legacy cases, it will be the beginning of a new one. While the Commissioners and our colleagues in the Commission have done much to reach this point, it will only be the beginning of the journey, and it is the people of Northern Ireland and further afield who have been affected by the troubles and have unanswered questions that we must keep at the heart of our drive to make this work and to fulfil our public duty.

Extract from section 2 of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023

(1) The Independent Commission for Reconciliation and Information Recovery is established.

(2) The ICRIR is a body corporate.

(3) The ICRIR consists of—

(a) the Chief Commissioner,

(b) the Commissioner for Investigations, and

(c) between one and five other Commissioners.

(4) The principal objective of the ICRIR in exercising its functions is to promote reconciliation.

(5) The functions of the ICRIR are—

(a) to carry out reviews of deaths that were caused by conduct forming part of the Troubles (see sections 9 and 11 to 13);

(b) to carry out reviews of other harmful conduct forming part of the Troubles (see sections 10 to 13);

(c) to produce reports ("final reports") on the findings of each of the reviews of deaths and other harmful conduct (see sections 15 to 18);

(d) to determine whether to grant persons immunity from prosecution for serious or connected Troubles-related offences other than Troubles-related sexual offences (see sections 19 to 21);

(e) to refer deaths that were caused by conduct forming part of the Troubles, and other harmful conduct forming part of the Troubles, to prosecutors (see section 25);

(f) to produce a record (the 'historical record') of deaths that were caused by conduct forming part of the Troubles (see sections 28 and 29).

(6) In exercising its functions, the ICRIR must have regard to the general interests of persons affected by Troubles-related deaths and serious injuries.

Consultation on Operational Design – Independent Commission for Reconciliation & Information Recovery (icrir.independent-inquiry.uk)

Why accepting a conditional amnesty would be good idea

Tom Hadden

Tom Hadden was a co-sponsor of the *Belfast Guidelines on Amnesty and Accountability* published by the Transitional Justice Institute at the University of Ulster in 2013

The idea that a conditional amnesty in the aftermath of a serious internal conflict or civil war may be helpful is difficult for many victims and their relatives to accept. But there are some good arguments in favour of preferring an approach that delivers as much truth as can be uncovered and accepted rather than the highly uncertain and often contested outcomes of criminal prosecutions.

Sir Declan Morgan's contribution to this issue on why he has agreed to lead the Independent Commission for Reconciliation and Information Recovery and has not addressed these wider issues. He rightly says that the legality of the Legacy Act is a matter for the courts here in the UK and in Europe but argues that even if the amnesty provisions are struck down his Commission will be able to do a better job than continuing inquests in uncovering the truth. The eventual legal outcome in the Supreme Court and Strasbourg remains to be seen. But the main focus under the ECHR has been on effective investigation making prosecutions possible rather than on a requirement to prosecute. There has always been some space for prosecutorial discretion in the interest of wider objectives.

The underlying issue is whether the most important objective is to secure a few convictions of members of the security forces or paramilitaries. In this there is a difficult choice between truth and justice. It is widely accepted that neither the senior people in the security services or the IRA and other paramilitary bodies will come forward with an account of what they did if they will face prosecution and imprisonment. In reality it may only be a few foot soldiers carrying out orders from above who will be affected while those in charge of the campaigns have already been accepted into government or given effective immunity by the prosecuting authorities. And effective immunity has already been granted to those involved in 'Disappearances', in disarmament and for the 'On the Runs'.

There is also an issue over the contribution of prosecutions or amnesties to reconciliation. Judge Colton in his judgment concluded without providing any evidence that everyone is against the idea of any form of amnesty and decided that it would be a breach of human rights. But the Interim Report of the Kenova Inquiry has suggested that apologies may be sufficient, as for instance following the Saville Inquiry on Bloody Sunday.

In other internal conflicts, as in South Africa and Colombia, a political choice has been made with judicial and constitutional approval to give priority to uncovering the truth. In South Africa the prosecuting authorities have also abandoned any prospect of prosecuting those not formally granted amnesty. And in Colombia measures have been implemented to limit the punishment of those responsible for less serious violations.

The *Belfast Guidelines on Amnesty and Accountability*, drawn up in 2013 by a team of human rights and peace practitioners, recommend that conditional amnesties should be considered legitimate in cases where the objectives of peace, truth and retributive justice cannot in practice all be achieved. After thirty years of demands for criminal trials here and very few actual convictions it may be time to give priority to protecting the peace, providing truth to victims and their families and even encouraging acknowledgement and apology on both sides.

All change in Dublin

Stephen Collins

Stephen Collins is is a political columnist with the *Irish Times*. An updated version of his book *Ireland's Call: How Brexit Got Done* has just been published and is available from Amazon.

Politics in Dublin has undergone two convulsions in the past few weeks. First, almost the entire political establishment, Government and Opposition, got a slap in the face from the electorate who rejected by a massive margin proposals to amend the Constitution. Then to cap it all Taoiseach Leo Varadkar decided to call it a day as Fine Gael leader and Taoiseach.

Varadkar's decision to resign shortly after his return from the St Patrick's Day celebrations in Washington came as a bombshell. In retrospect, his decision made a lot of sense both politically and personally and didn't have an awful lot to do with the referendum result. Since his return to the Taoiseach's office in December, 2022, Varadkar appeared to colleagues to be a little detached. To be fair, one of the issues that got his full attention was the long drawn out effort by Northern Secretary Chris Heaton-Harris to find the right formula to get the DUP to agree to the restoration of Stormont.

Citing the reasons he felt it was a good time to go Varadkar referred to the fact that the institutions of the Good Friday Agreement were working again and that the trading relationship between Ireland and the United Kingdom in the post-Brexit era was settled and stable.

Leo Varadkar

Varadkar clearly felt that the outcome of the Bexit talks was one of his finest achievements

Success on the big issues

One of the features of Varadkar's performance as Taoiseach was his ability to get most of the big issues right but he didn't manage to convert his achievements into widespread public support. From an Irish point of view he handled the Brexit negotiations with great skill and his success in persuading Boris Johnson to agree to some form of economic border in the Irish Sea, in order to avoid one on the island itself was a notable achievement.

The evolution of the Northern Ireland Protocol into the Windsor Framework, with the later addition of the Safeguarding the Union terms, resulted in a considerable softening of the impact of the deal but the core principle of avoiding a hard border on the island was retained. Varadkar clearly felt that the outcome of the Bexit talks was one of his finest achievements.

The other stand out was his leadership during the Covid pandemic which saw the country respond so well to the unprecedented threat. Just look at the way his counterparts in London and some other parts of the world made such a mess of the same challenge.

Underpinning his time in office was the careful management of the economy which provided the Exchequer with the resources to cushion the population against the impact of the pandemic and the subsequent cost of living crisis following the Russian invasion of Ukraine.

Polls about proposed constitutional changes are a very poor guide to the outcomes.

Trivial controversies

However, his success on the big issues was obscured by a succession of relatively trivial political controversies. His cool, analytical response to day to day issues was interpreted as either indifference or arrogance and the widespread acclaim which greeted his arrival in the Taoiseach's office in 2017 soon dissipated.

It was typical of him that he failed to call a general election in October, 2019, when he had massive approval ratings following the Brexit deal with Johnson and then led his party to a disastrous general election campaign just a few months later. He followed that reverse by responding quickly and effectively to the Covid crisis which saw his approval ratings rocket when it was no longer of any great political benefit.

His decision to back the changes to the Constitution recommended by a Citizens Assembly, which involved replacing the concept of marriage with a reference to undefined 'durable relationships' and the deletion of the reference to women in the home, showed how detached he had become from both his party colleagues and the voters. Many of his TDs knew from the start that the public was just not going to accept it and so it turned out.

Of course Varadkar was not the only political leader to get it wrong. In fact they all did, apart from Peadar Tobin of the tiny Aontu party. The Taoiseach, though, had to take the brunt of the criticism, much of it from the people who had urged the constitutional change on him in the first place. The overwhelming rejection of the proposed amendments means that political leaders will think very carefully before going to the country again seeking constitutional change. The outcome confirmed that the electorate is very protective of the constitution and needs to be convinced of the need for change, even when the language in the document is clearly outdated.

There are clearly implications in this for any future referendum on the issue of a united Ireland. Opinion polls have shown consistent large majorities in the Republic for the principle of a united Ireland but the same polls have also shown a deep reluctance to change the flag or anthem or to pay more tax to bring about such an outcome.

It is worth noting that the opinion polls during the recent referendum campaign showed massive majorities in favour of the proposed changes as well as considerable confusion about what they involved. But the polls provided no inkling of the likely outcome. The same was true of polls about some of the previous proposed constitutional changes which went down to defeat, such as the abolition of the Seanad or giving judicial powers to Dáil committees.

The lesson is that polls about proposed constitutional changes are a very poor guide to the outcomes. Everything hinges on the nature of the campaigns waged for and against the proposals and there is no way of anticipating that in advance. It is a lesson the new Taoiseach Simon Harris will certainly have learned.

Tackling Northern Ireland identities
writing and community

Amy Elkheart

It's 2024. The Executive has returned, Brexit border issues continue and Michelle O'Neill is first minister. What does this mean for Northern Ireland's identity? Spaces where creativity and discussion can thrive are important anchors in a sea of unanswered questions. Writing communities provide a sense of togetherness: something Northern Ireland desperately needs.

There seems to be no winning for our wee nation. If you're Irish, you're living under UK rule and should be British. If you're British, you're living on the island of Ireland and should be Irish. And no matter what you identify as, you're often open to critique from 'your own' or 'the other.' Bar-goers in city centre booths murmur questions of what the future will look like. Whereas the Shankill and Falls would be better united in working class solidarity, they are separated by Peace Wall gates that still close at night. This fact represents how many feel about the North: progress, but with a looming threat of a return to the past.

Born an East Belfast Protestant but identifying more with John Hewitt's paraphrase "Ulster and Irish, British and European," I've had my own scruples with identity. I was once invited to two separate college house parties then chased out of both for being a 'Prod,' one in which a girl nicked my crumpled Sterling cigarette packet as a final blow. I once overheard "I didn't know they let Protestants come here" during an Irish writing programme, and a loud Englishman celebrating St Patrick's Day once seriously asked me if Protestants were allowed in Galway. The irony of the latter wasn't lost. I faced disillusion that the side of the street we're from, sometimes matters. I have more stories than I'd like of these experiences – and my Catholic friends do too.

Imagine if there was a gigantic round table that could fit the almost two million residents of the North. We'd squeeze between seats and discuss our opinions one by one, ideally to the understanding nods of the people Stormont convinces us we're debating against. Table or not, spaces that promote togetherness and accommodate these discussions do exist. Cross-border festivals like the John Hewitt

International Summer School and Arts Over Borders give attendees wide berth to share art, literature and politics, and encourage us to talk about the unmentionable things we should really be mentioning. Questions of Northern Ireland's ever-elusive identity are patiently dissected in community centres and arts platforms such as New Lodge Arts, Fighting Words and Herstory, as much as in neighbours' backyards with beer at the first sign of sun. Another space, or collective to be more accurate, encourages this open dialogue.

Northern Ireland's writing community offers a vibrant camaraderie in which differences between Catholic, Protestant, Nationalist, Unionist and everyone in-between are not only given space, but leaned into. There really *are* tables where occupants offer understanding nods at our discourse. Pub-sized tables, mind you. Identity is celebrated as much as critiqued, often mutually explored. These are generalisations, of course, not to say that it's some sort of perfect Elysium where

butterflies flit around shoulders and gatherers never witness an arsehole moment. But the point stands. As Northern Ireland battles over flag placement, parliament seats and matters of territory, our widespread writing community thrives in relative peace. Likely over tea and scones.

With our impressive history of literary greats, Northern Ireland's love of writing could be considered hereditary. Storytelling is drilled into our genetic code, a trait we share with our southern kin. The likes of Seamus Heaney and Paul Muldoon have weaved the nuanced topic of identity into their poems, given the subject's imprint on their lives. Local organisations such as The Crescent Arts Centre hold events for northern writers and book-lovers alike. There's no such thing as 'becoming a member' of the nation's writing community. No forms to fill out, no frat hazing or obscure induction ceremony. A person need not be a hopeful bestseller. Fondness for shared storytelling is the only requirement. You write or enjoy writing, and that's that. Pull up a seat. It is the closest thing I have seen to that gigantic round table.

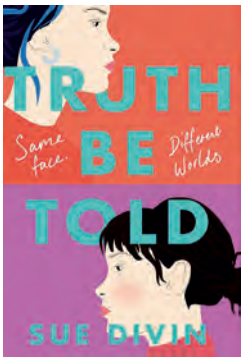
Writing bridges the borders between 'us' and 'them.' Our writing community reminds us that togetherness is a joyful affair even when it does not mean the same. Short conversation can bridge even the widest differences. Does a mutual appreciation for tray bakes have anything to do with it? Is it down to gallows humour derived from shared generational trauma? Perhaps the answer to the community's welcoming relations is both simpler and more complex. The very fact we're Northern Irish has exposed us to controversial, unsteady themes of identity, and in the midst of political irreverence that has sought to separate us, we have sought to find an identity that binds us: 'writer.'

Living here means brushing up against Northern Ireland's ever-present elephant: The Troubles. Many make the cathartic decision to pen their memories, whether private or published. Immortalised tales of everyday people who lived the conflict's thirty-year span bookmark our history, reminding us that we should never revisit those chapters. On the other hand, not everyone writes about The Troubles. Some who witnessed the conflict might not desire to relive the grief, and writers born post-ceasefire may be reluctant to tell stories of a time we didn't live through.

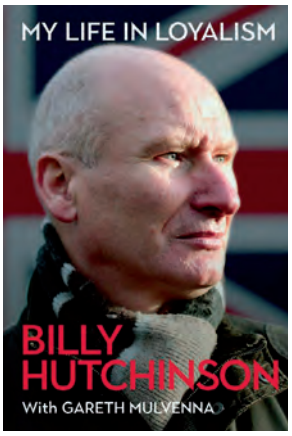
Whatever we want to write, our current established authors give us permission. Exploring our uncertain identities doesn't seem so daunting when powerhouses like Louise Kennedy, Jan Carson, Anna Burns and Michael Magee create books that are beautifully, unashamedly Northern Irish in all their mixed truths. The push for more of these unique stories is communal. Local literary prize winners share trade secrets with aspiring novelists as if they were mere titbits over coffee. Our established writers have not only paved the way for Northern Irish voices to be heard on an international scale, but they have also opened vital discussions of common identity and cleared a spot for our future stories to sit, effectively hoisting us up the ladder with them.

The trickle-down effect of Northern Irish literature on our younger generation is clear. Sue Divin, award-winning author of *Guard Your Heart* and *Truth Be Told*, facilitates community reconciliation work and is a first-hand observer of the youth

Sue Divin

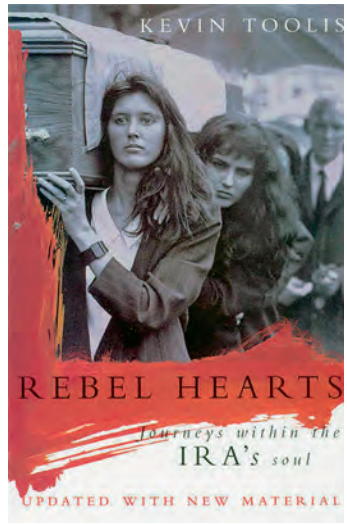


response to Northern Ireland's current literature. She explains: 'Young writers and readers often focus on socio-political and identity aspects in the legacy of the conflict, rather than the historical context of violence, and light up with their own perspectives when writing or reading fiction set in today's Northern Ireland.' Home-grown stories resonate with teens. Reading books set in their areas shows the value of their own voices, affirming a permission to write as themselves. 'It can be a lightbulb moment, switching them on to what fiction really can do.' Young people explore their personal versions of identity in creative writing and poetry programmes that circulate schools, youth clubs, and literary centres such as The Seamus Heaney Homeplace. Promotion of self-exploration and self-expression is already undoing the strangling constraints of the past.



Artistic and literary spaces, communities and ideals play huge roles in Northern Ireland's increasing drive to heal out loud. The call for peace is everywhere. Kenneth Branagh's acclaimed *Belfast* overtook screens worldwide a few years ago, and compilation memoirs such as Billy Hutchinson's *My Life in Loyalism* and Kevin Toolis's *Rebel Hearts: Journeys Within the IRA's Soul* offer reflective takes on ex-paramilitary action. The continued memorialising of our history has created space for everything we are beyond our troubled legacy to shine, the addressing of these things umpire to our experiences. The Peace Walls themselves have become outdoor galleries, erupting with spirited colour and hopeful messages written in Sharpie marker. The visibility of our progress might help us transition into whatever lies ahead.

Like Northern Ireland, this article floats in the interim of something it's not sure of. Whether we like it or not, conflict has left lingering effects on us. But when it comes to identity, I don't believe our only options are to cower from it with both hands up or dive in to the point of blind devotion. What if it was something fluid? Shared? I owe this comforting thought to the writers I have met. British, Irish, Protestant, Catholic, Unionist, Nationalist. Imagine if these terms shed their decades of weight in the North, becoming nothing more than additional descriptors to our already whole selves. They might be met with no more judgement than a chirpy 'good morning.'



The act of writing has been historically used to unknot painful pasts and build a clearer picture of mutual ground. Regardless of Northern Ireland's future, there is medicine in uniting by different means. Commonality shines in shared spaces and communities. Whether we choose to write our experiences or not, the lot of us laugh, struggle, and bleed the same. Seeking a community that fosters acceptance and allows for our many layers to be laid out on display – just as Northern Ireland's writing community does – seems a good place to start on this insatiable quest for identity. There's always tea and scones.

Amy Elkheart is a multi-genre writer living between Belfast and Limerick, whose work has received support from the Arts Council of Northern Ireland, Irish Writers Centre, Writers' HQ, and Centre Culturel Irlandais.

The threshold between love and elegy

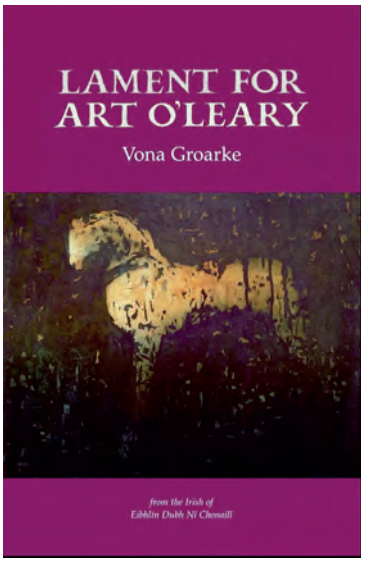
Mícheál McCann

Writing a love poem is a little like sowing a flower by seed: you're certainly not the first person to do it, but when the particular flower blooms – say the ruddy orange gasps of a nasturtium – you feel as though no one has nourished it quite like you did. Or maybe it's that *this* literal flower has never existed before; *this* shade of the hydrangea (a deep heady blue) is thanks to my maintenance of a particular soil pH. The end product of a flower reflects its nurture, so too the love poem. I didn't quite think about it like this until I effectively wrote a collection of love poems, and began to puzzle over the provenance of such an endeavour.

When I was young and ashamed, I was attracted to the puzzle-box quality of poetry – though it would be years before I encountered poems by Hart Crane or Elizabeth Bishop and could understand how they codified their strangeness. I was struck by how the seemingly unsayable *thing* could rest easily and unselfconsciously in the centre of a poem, beyond most people's notice. I sensed a possibility that I could write something plainly, and the line breaks would defend and obscure me. As a young gay person, even though I didn't feel represented by the poem's content, I felt something generative in their ways of telling and withholding truth.

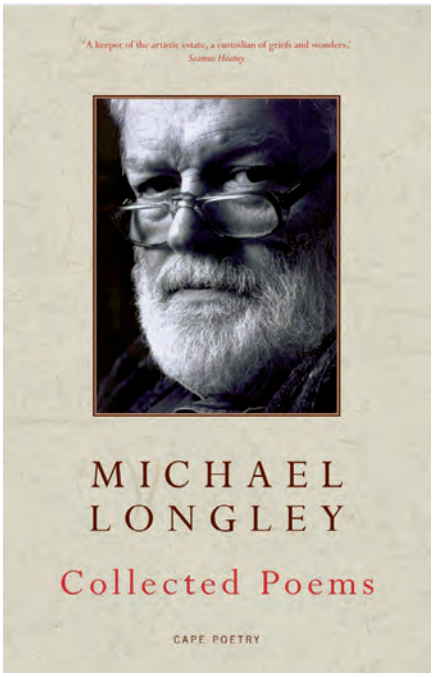
I was drawn to a form where I could express something revealing, without necessarily revealing myself. I think of the sharp-side-fringed boy named Daniel who was heterosexual and I was in a deep love with as a teenager. I wrote inscrutable scraps of poems about looking out of misty windows and brown eyes on the other side of climbing frame bars. (The version I constructed of him was properly superior to the reality of me telling him how I felt.) If he read those little scraps of verse, he wouldn't have been able to discern the real feeling therein. I've always been drawn to love poems as a person who had an early education in my expressions of affection and desire not being welcome.

So, then, my first full length collection of poems is called *Devotion* (May 2024, The Gallery Press), and it is a collection that mines various approaches to same-sex love: sometimes in a Northern Irish context – through theological, historical and happily mundane terms. At its heart it is 'Keen for A–', a retelling of Caoineadh



Airt Uí Laoghaire by Eibhlín Dubh Ní Chonaill. 'Keen for A–' reimagines the Lament for Art O'Leary as a contemporary man outcrying for his male lover, spring boarding from translations from the 18th century Irish. I was first struck by how, as Vona Groarke notes of the poem, how much Ní Chonaill *fancied* her husband. Her keen is replete with descriptions of Art's thighs, his prowess, his exotic clothes. It was these aspects more than her lamentations that drew me to the poem and went some way toward me beginning to understand the poem as equal parts love poem as it is elegy.

Michael Longley has said, in interview with Fran Brearton, that every poem is, in some way, an elegy. My inverted view of Longley's is that every poem is, also, a love poem. The lyric poem contains that multiplicity: the poem is a living thing in time. A poem for a father will, in time, become an elegy for a father. To properly write a love poem is to consider the elegiac parameters of its ardour. This binary is an impulse I allowed to permeate the poems in *Devotion*, the threshold between elegy and love. Elsewhere in the collection are more domestic poems (I think of them as interior portraits.) where the ordinary aspects of queer domesticity are enshrined. To find a home, and to find love in that place is a victory which is hampered when a desire for a space of one's own is made difficult. The desire to inhabit (and, limp-wristedly) to decorate a space is the poetic impulse at work in this book of poems, and perhaps in queer literature more broadly: to make a mark, to carve out your testimony on the wall in shades of glacial green; scoring a love poem onto the cheaply-made wainscot; hearing a homophony in the soft clank of pots on a rail and a few notes Billie Holiday is singing from the radio.

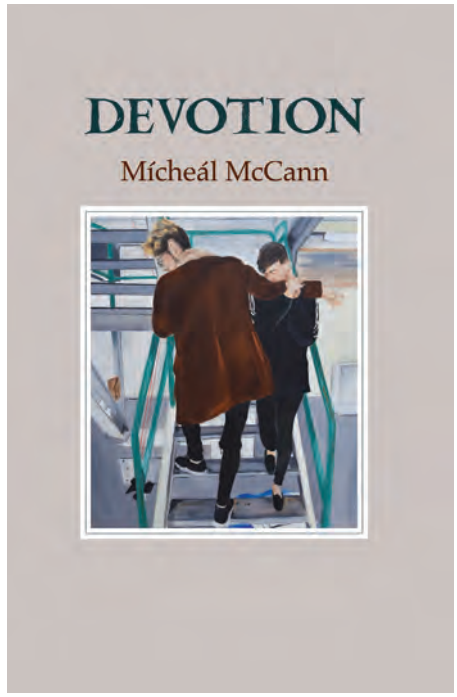


I have always been sceptical of how dislocated the notion of 'marriage' is from the real qualities of loving someone, in that love is private rather than performed to an audience, quiet, changing a bed for someone's return from work, timing a wash of someone's work clothes, the calm and regular pats of a cat's pads over ratty carpet. Queer people are preternaturally equipped with this suspicion of the public qualities of love (I once noted, green-faced, a man had his head on a woman's lap during an orchestra concert.) and *Devotion* favours the quietly-put interior poem, which is ruptured by the necessary rage and clamour of 'Keen for A–'.

The term 'devotion' fit not for the obvious cadences of love and religiosity, but for how it emblematises that key aspect of the love poem: to pour yourself into something – a romantic love, or a child, or art, or a monk-ish obsession with books – makes it easier to stay alive. So, in many ways this is a book about devoting oneself to staying alive, in a world that is apathetic to our continuance through its corridors.

It was through Eibhlín's lamentations (and my impulse to fit them onto my own

experience) that gave me a way into a tradition that otherwise didn't offer an obvious point of access. *Devotion* is a book that seeks to broaden the scope of how we engage with Irish literary history, one of the most enviable traditions in the world. At a reading some time ago an audience member asked me a question about sincerity: if I was 'trying' on a feeling of losing my partner before I did. I didn't think so (not least because the poet creates their own love object anyway, a distinct thing from a beloved) as I think of this poem as drawing attention onto the Caoineadh as a love poem, and my Keen has directed an elegy into a love poem for the living. The most full expression of love comes in the form of elegy. *Please please please don't go.*



What I might say to that question-asker now is that the constructed-ness of 'Keen for A–' is part of its point. There is nothing in my literary tradition I can turn back to and feel fellow feeling in. Perhaps it is partly due to my own formal training, and part to the dense and rich literary heritage in a place like this; splintering off entirely from tradition seemed like a facile endeavour. I saw a legendary text like the Caoineadh and saw an opportunity to both draw attention to a poem that has a lot to admire in it, and also inscribe a sort of queer lineage that I would not have been able to trace with more purist intentions. I don't have a remarkable skill in Irish, but I do have the luck to have read and known many books that have turned to tradition with a generative note of unscholarliness.

I have a choice to make as an Irish writer: do I carry on, with no mind to tradition, and try to forge anew? Beyond the chronic fatigue of such a prospect, to be a poet is to be in an intimate and constant dialogue with your antecedents. Perhaps one of the points of this book, beyond its lamentations, is that when there are no plausible avenues into a dense and rich tradition, certain kinds of people have to cut alcoves to fit inside on the cliff face. Ní Chonaill's voice has laced its way through my own voice in 'Keen for A–' in a manner I feel unsettled by, and has made it into something not her, and not quite me either. At a reading in 2023 I read a long section from 'Keen for A–', and my partner was towards the front of the audience watching, sharing, as he does, an initial with Art O'Leary. As the poem ended I was shaky and brittle from the effort of reading it, and while I sat listening to the poet who read after me, my eyes were drawn to how the light fell through the curls on A–'s hair. It occurred to me then, none of this had happened, and yet all of it was true.

Mícheál McCann is a poet from Derry and lives in Belfast where he is the 2024 Publishing Fellow at the Seamus Heaney Centre at Queen's. His first collection of poems, Devotion, is forthcoming from The Gallery Press in 2024.

Dlúthpháirtíocht
(jloo-far-chee-uct) -Solidarity

Seán Óg Ó Murchú

In April 2023, a friend and I walked from Belfast to Dublin in three and a half days. We asked people to sponsor us and raised a little shy of a grand for Palestinian sanitary aid. Now, that's a story for another day, but the reason I bring it up is to highlight a long-standing level of pain and compassion held in my heart for the Palestinian people, and a constant feeling of having to do *something*.

I knew following the Hamas military incursion on October 7th that it would be Palestinian civilians who would suffer most under the fierce and disproportionate hand of colonial revenge. We all did. However, despite my worst expectations, I could not predict the severity of the suffering that Benjamin Netanyahu and his

PHOTO: BRIAN LINCOLN

war criminal-riddled military would inflict. I didn't foresee displacement on such a level. I didn't foresee a genocide.

So, as the atrocities worsened and Israeli motives became more transparent, I was met with that familiar nagging feeling – *You have to do something*.

The plan was to write a poem, just myself. I would throw it up onto the internet behind a paywall and charge readers a pound to view it. I had the idea brewing away in my mind for a little less than a month after October 7th, but my main obstacle was my inability to get anything out of my head and onto the page.

Who was I to write of such horrors? What experience had I to write of such a miserable, unfathomable existence? And what could I possibly ever write that could stand in the face of the worst that humanity has to offer itself?

My internal struggle was put to rest one evening when I came across *The Calm Before the Bombs at Gaza*, by the brilliant poet and friend of mine, Aoibh Johnson. After reading it, I was met with a comforting realisation – *You are not alone here*.

Aoibh was another artist compelled to act. Another human being who felt it necessary to use her platform and skill to express her empathy and disgust. If there was nothing else to be done, she could do *that* at least. Immediately, I reached out asking if she would consider collaborating on a collection of political poetry in aid of the Palestinian Red Crescent.

I soon got to work. I invited poets, lyricists, photographers, and visual artists the length of Ireland to contribute to the project, then sat down to write the titular poem, which immediately became a more manageable task. Then, on November 10th, I announced to a small platform that I had gathered online that *Dlúthpháirtíocht* was on the way.

I promoted the project heavily for weeks, encouraging customers to preorder a PDF copy of the collection online for two pounds. Before long, writers and artists were reaching out to me asking to get involved, for which I kept an open-door policy of accepting all offers.

The promotion and preorders also meant then that by the time the PDF was released, and Meta had copped on to what I was doing and censored my account, vastly reducing the reach of my content, the purchases were already made.

The *Dlúthpháirtíocht* project then manifested as a live fundraiser held upstairs in Madden's Bar in Belfast on a brilliant Sunday evening in January 2024. A few days before the event, I came across a campaign by Cairde Palestine to raise the funds necessary to move a family from Gaza, over the Rafah border and into Egypt. They needed six-and-a-half thousand quid to begin with. If my memory serves me right, I used the money we had raised to pay the remaining six hundred and something pounds to meet the target, which worked out as seven hundred and something, after fees.

IMAGE: DIABHAL666

Dlúthpháirtíocht magazine cover

ART – AOIFE CAWLEY

Of course, this was not the donation to the Palestinian Red Crescent that I had promised, but as Red Crescent food trucks were backed up at the borders, we managed to contribute to creating a tangible change of circumstances for Palestinian civilians.

Anyway, the fundraiser was a great success. One hundred people (give or take) came along to listen to some of the many contributors read their poetry, alongside the screening of a short, poetic documentary, directed by Dylan Wright, and a drop of *ceol* to keep the heat in our hearts. I hosted the event and while I joked and ensured craic was had, and by all accounts it was a great night, the horrific circumstances in which the fundraiser existed continued to weigh heavily on all of us. We sold t-shirts and artwork, held a raffle, and all together raised one thousand pounds on the night, or not a kick in the arse off it anyway.

The evening in Madden's was originally planned to be the end of the project. I had done most of the work involved at that point on my own and such work, as well as the genocide happening in Palestine, were factors that had a dreadful impact on my studies at Trinity College. I had become dissociated. It seemed like the *Dlúthpháirtíocht* project was consuming all my time and attention, and why shouldn't it? The genocidal state takes no rest, was my justification, but I was just one fella, and I was tired.

The day before the event, I attended a national Palestinian solidarity march in Dublin. I met with the talented and lovely Mikey Cullen (a contributor to *Dlúthpháirtíocht*), and we walked from the Garden of Remembrance to the Department of Foreign Affairs where we watched Bernadette Devlin McAliskey, and others speak to the biggest turnout a Palestinian solidarity march Ireland has seen.

During the speeches, a representative of the Irish-Palestinian Solidarity Campaign (IPSC) spoke passionately about the privilege of getting tired. Regrettably, I will never remember this woman's name, but neither will I forget what she said, "The people of Palestine aren't able to get tired. We can't get tired either." And so, at the event the following evening, when I was on the microphone wrapping things up, I reassured the crowd that while the genocide continued, *Dlúthpháirtíocht* would continue in some form.

So, the work goes on. I dropped out of college, an idea that I had floated for a while, but email exchanges released under the Freedom of Information Act, declaring Trinity's neutral stance on Israel's current assault on Gaza, was the final straw for me.

As I write this now, I'm on a train from Dublin to Belfast after a meeting with *Council* Magazine. The meeting resulted in an agreement to create a new version of *Dlúthpháirtíocht*, made in collaboration with *Council*, who will redesign, print, and distribute the collection.

Although I maybe should hold my tongue, I'll also mention regardless that I'm negotiating with venues in Dublin for a *Dlúthpháirtíocht* gig, and art galleries in London to host the beautiful art in the collection. Of course, all the profits these projects generate will be used to aid the plight of civilians in Gaza in some shape or form.

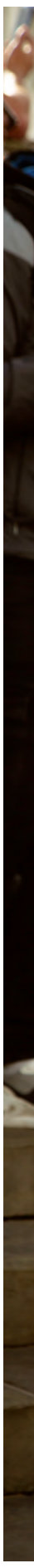


PHOTO: DARAGH DRAKE

PHOTO: DARAGH DRAKE

PHOTO: BRIAN LINCOLN

Although, as I've stated already, a lot of the work involved so far was done on my own, it would be unfair to a lot of lovely people to say that I had no help, for which these people deserve my thanks. The project wouldn't exist without the thirty contributors to the artistic collaboration, all of whom I asked to be involved said 'yes' immediately. The contributors that turned up to Madden's to read and support made the night what it was, as did Dylan Wright with his films, and Rachael Kerr running my wee shop. The event wouldn't have gone so smoothly if it wasn't for poor Liam Ó Beaglaoich and Diarmuid Ó Dalaigh, who allowed me to bark stress-induced instructions at them, which they followed masterfully, somehow. And I wouldn't have the confidence, the drive, or the energy to have taken things this far if wasn't for the grá and support from Molly McNutt.

The death toll in Gaza is now over thirty thousand. With no end in sight, and the Israeli military reportedly planning a ground invasion of Rafah at the beginning of Ramadan, by the time this article is published the death toll will be God knows what. The shock factor is gone, and with it is the little urgency that existed for the benefit of Gaza. The genocide is being pushed down the bill on the news. So, I encourage you, the reader, if you haven't already then please get involved. Get in touch with a Palestinian solidarity authority; there is great work being done island wide by IPSC, Cairde Palestine, Mothers Against Genocide, and many, many others. Don't let your attention be swayed away from the atrocities that are unfolding in front of us. Don't allow yourself to become desensitised. In years to come, you will thank yourself for being able to tell your grandchildren that you stood on the right side of history, and that even when it seemed like a losing battle, you did *something*.

Seán Óg Ó Murchú is a short fiction writer working out of West Belfast. He also uses literature as a tool for political activism and charity projects.

Bebe Ashley
Portrait of an artist

Maureen Boyle

Talking to Bebe Ashley reminds me of the thrill of researching a topic in the *Children's Britannica Encyclopaedia* that my father bought for us. You'd open a page, be entranced by a sudden colour illustration and then your eye catches the next heading and away you go. Her range of interest is as wide as it is surprising and there is the refreshing sense of being in the presence of an expansive and generous intelligence that might do anything. And all without a smidgin of pretension.

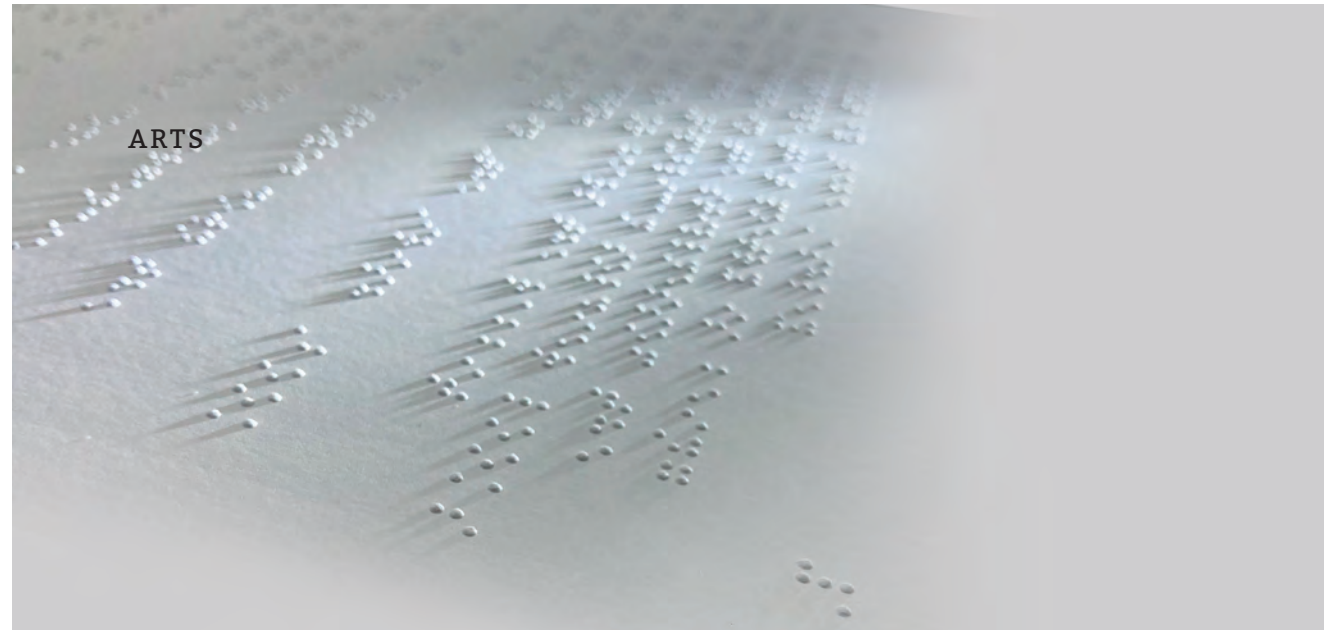
Bebe came to live in Northern Ireland in 2017 on the back of having attended the Poetry Summer School at the Seamus Heaney Centre in Queens where she was taken by a sense of a community of writers,

> 'I thought these are people who really care about writing and enjoy it and people just go to the café or the pub and talk about writing all of the time and I hadn't really had that before.'

But we might never have had her. After her first degree in Exeter, she set herself two possible paths – one was the Creative Writing Masters in Queen's in Belfast and the other was a cleaning job in Antarctica with the British Antarctic Survey. She was set on that and even took her Cleaning Sciences exams in preparation but failed her mopping test having mopped herself into a corner! I feel sure that will make a poem some day.

She started her Masters in Queens and Ciaran Carson was a great support. She recalls one particularly special workshop with Ciaran in which her poem 'Sweet Creature' was being discussed. The poem's title is from a Harry Styles song on his first album and its words are collaged from the scene in Othello where the phrase first appears,

Bebe Ashley at Spoleto, Italy



> 'Nobody knew it was a Harry Styles poem at the time … so there were discussions about whether it was a Shakespearian poem and Ciaran said that it was a very musical poem and he sang it! So it was this perfect moment where – here's this thing that existed in music and I'd created this poem and now it's back into music. And I thought this is exactly what I want to do!'

At the end of the Masters, she had a collection of poems based on Harry Styles and she mentioned this on Twitter and miraculously Banshee Press saw the tweet and requested the manuscript,

> 'It could only really have happened at that time where social media was really useful for writing … and Harry Styles too – his first album was out and his trajectory of becoming incredibly famous had begun.'

Banshee published her first book, *Gold Light Shining* in 2020 – a lockdown book that suffered somewhat for being launched in that closed time, a time that was difficult for Ashley since she wasn't long in Belfast and didn't know many people.

> 'That whole experience was so strange because I didn't get to do an in-person launch and every expectation I had about how publishing my first book might go, was altered by the pandemic. For example, I opened the box of my first-ever book alone and I sat alone at the kitchen table at the zoom launch. I wasn't thinking about prizes or worried about what everyone was thinking because we were all thinking about survival.'

While others were learning to make banana or sourdough bread, Ashley characteristically set about learning the braille alphabet. She has long been fascinated by languages, despite having not studied any in school. When she first arrived in Belfast she worked at the church for the deaf on Botanic Avenue and this reignited a childhood love fascination with sign language,

> 'Growing up, I wanted to be a sign language interpreter, I used to watch this TV programme called Sue Thomas, F.B. Eye, based on a real-life deaf

FBI agent who was a lipreader and when I was young, I used to copy sign language and that's where the initial thought came from.'

She realised she would not have this career but would explore it in poetry instead. This love of breaking the code of a language can be seen in her prize-winning undergraduate final project at Exeter when she created a website based on Alan Turing, the famous World War II code breaker and now, having reached almost degree-level in sign language, this is the focus of her PhD studies which are in their final year and of her second collection which will be published by Banshee in 2025.

Alongside this, her interest in braille has developed. She acquired a Brailler – the machine for creating braille text – through the Arts Council of Northern Ireland but realised that the traditional embossed text would degrade, especially during the pandemic and the need for handsanitiser so moved to 3D printing thanks to another Arts Council grant – this time for Digital Revolution, applied for from the tarmac of the Tokyo Paralympics in 2020 where she was working as a volunteer for the wheelchair fencing team – another story in itself!

This month, her work in braille is on show in MOLI – the Museum of Literature Ireland on Stephen's Green in Dublin. During our interview she presented me with a fragment of contracted braille of the start of Heaney's Digging and I realised I had never seen or touched braille before. She explained that the alphabet consists of cells of 6 dots and so a letter is some combination of these. Fascinatingly, contracted braille, in the interest of functionality, allows single letters to stand for whole words, so B might stand for But, P might stand for People, K for Knowledge etc. One of her current projects, which won her the Ivan Juritz Prize for Creative Experiment in Text and a two-week-residency in Spoleto in Italy in January, is to create her own contracted wordsigns using more imaginative words like quiet, create, explore…. This work is leading her into the visual arts, a new field and in Italy she created water colours using the colours of the Italian rooves – browns, reds, umbers – to create these cells accompanied by text. You get the sense that she is stimulated constantly by the desire to go in new directions, to try new things.

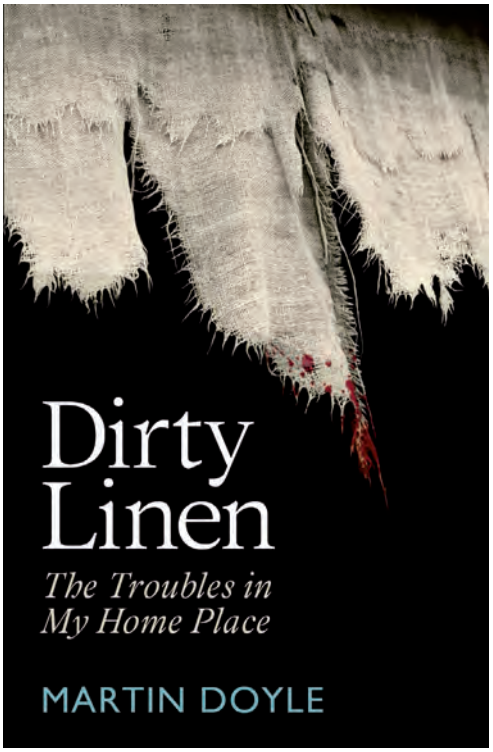
In the offing, as well as the new poetry collection, is a tactile children's book with an embroiderer who will create the illustrations and a year that will see many of her contemporaries publish their first collections including Milena Williamson and Mícháel McCann. She speaks of the joy in seeing work first workshopped together go out into the world.

She says, 'I am intrigued to see where I will go next' and since she is still only 28, I can only say – so are we!

Extract from Wordsign

Bebe Ashley

If you want to become an artist, the best and only thing you should do first is believe that you are actually an artist. Any practicalities, like choosing your medium, your favourite pens or paintbrushes can come later, and over time. When I am having a hard time and believe very little in anything that I am doing, I switch to writing with a fountain pen. I enjoy the fluency of the ink as it makes visible the stutters on the page as I linger and pause to think with my pen nib still pushed into the paper. The ink colour I have chosen this year is Bilberry. At the time of purchase, I had forgotten that a bilberry was a real thing and is similar to, but different from, a blueberry. I thought bilberry was a wonderfully made up word and this was the energy I wanted to carry into my new writing project. Being a writer is so often finding out the things you thought were unreal are very real. The Bilberry ink has elements of blue and purple and copper visible at different lights.



In praise of kindness

Anne Devlin

Dirty Linen
The Troubles in My Home Place

Martin Doyle

Merrion Press hb £22
ISBN 978 1 785374609

In much the same way that Emmanuel Le Roy Ladurie, the annals historian of the Wars of Religion in 16th Century France has written about the textile region of Lyon, Martin Doyle's memoir locates his study of place on a map of the linen triangle around Banbridge, Lurgan and Armagh, which he overlays with the murder triangle in which he traces a section of his neighbours lives lost to the Northern conflict. While Ladurie's purpose is to make the 400 year old history of neighbourly butchery relevant to the modern period; Doyle's purpose is much harder. It is to tell the story of murderous violence inflicted on neighbouring communities, without retraumatising the tellers. In this case the bereaved families of the victims. The memoir is written from the stance of his own bereavement at the early loss of his wife, Nikki, to whom the book is dedicated He begins with the murder of Pat Feeney, a neighbour and night watchman at Liddell's Linen Mill in Donaghcloney in 1989, when he is a student at St Andrew's preparing for a ball. It is the breadth of that cultural gap between the ball at St Andrew's and the nightwatchman's hut at the mill which he seeks to bridge. And we will not revisit the scene until the penultimate chapter of his memoir when he gives us the detail of Pat Feeney's last moments. A twenty year old student Keith Ogle runs towards the flapping door of the watchman's hut after Pat had been shot*: I told him to hold on and I ran down to the factory to get help.*The student doesn't grasp the enormity of his act. But Doyle does, when he observes: 'I'm glad the last voice that Pat heard was a kind one and not his killers.'

In dark times acts of human kindness require formidable energy, because they prevail against inhuman odds. When I went to university to study English Literature, the Leavisite ideal I embraced was that Literature would make me a better person. It is this, Literature's moral purpose, that Martin Doyle credits when he says: '*Books connected me to a more benign Britain than the benighted regimes that misruled the north.'*

What Doyle does is examine the community who did the heavy lifting for the peace, the victims and their families. The social fabric of the victims and their capacity to create enduring acts of kindness is what is on offer against the butchery of the times. In much the same way as the poet Michael Longley lists the flavours of ice cream the murdered ice cream man

sold, next to a litany of the flowers of the Burren to memorialise a fallen innocent: so Doyle makes an inverse list against atrocity.

> Amidst the darkness of the witness statements, the little acts of love shine like candels: Joe McCorry pulling Michael to safety, then cradling him and his other son Phillip; Bernadette holding Aine tight and covering the child's mouth, lest perhaps a scream might draw the gunmen's fire; Barney's lament 'my God my poor son'; Una's Acts of Contrition; Mary's offering of whiskey', pp201

In one of the most telling sections of the book he interviews Jennifer McNern an early troubles victim of the 1972 Abercorn bomb, in which she lost her legs. She explains that the Good Friday Agreement was a trigger for her. It didn't include everyone it was the paramilitaries who were placated.

> 'It shouldn't have been allowed as there was nothing to balance it on the other end.'

Her mental image of the scale pans of justice stayed with me, given that a large part of the troubles narrative is about the lack of prosecutions for murder. It struck me that the book is an attempt to address that imbalance in the treatment of victims and perpetrators. For the victims he has given us a network of families: the coalman, the breadman, our milkman, the mineral man, the shoes factory worker, the shop steward, the councillor; a timely history of the small houses. For the perpetrators, he forensically follows a weapon to which he supplies a name. Crucially he never gives the perpetrators a voice.

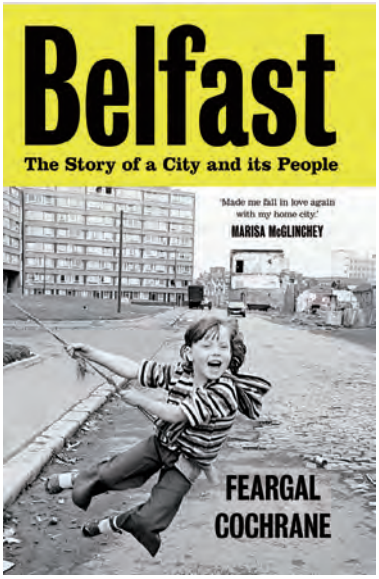
But Doyle is also writing about the education of a writer, fuelled by his formidable arsenal of literary quotations, it is about the education of the heart. And his examples, the people who pass the test are the most unexpected and so is the criteria. A particular poet from Crossmaglen fails the test because he is othering people. Whereas a particular RUC man, Robert Harris, passes the test, because he knows every field and house, every shop and shopkeeper in the village where he was murdered. A place where his family has lived for generations. It is this knowledge of the community for good that underpins the criteria of the good heart.

What Doyle challenges is the capacity for accommodating atrocity, that there was no alternative to the violence. We learn from the father of the birthday murders of Gerald and Rory Cairns '*Lord Lurgan chased the Catholics from Lurgan down to the bogs of Derrytrasna'. Des*cribing his wife's family history and how they came to be in the townland where their sons have been murdered.

The victims of Beary Darts Club shootings were both Catholic and Protestant. A shooting in the Darts Club in 1975 of a father sends a son running through a field to his suicide in 2007.

What he sets against this accumulation of atrocity is the dilation of love, its long reach. And as this is his memoir after all so there is his own life. There is the hothouse grammar school in Banbridge which tolerated Catholics but did not accommodate them; the choice after Saint Andrews when he could have become 'a different middleclass person'. And pertinently he never succumbs to the lure of republicanism, but he is an nationalist. What he does recognise is the Irish Diaspora in England as an out group of the nation. He becomes an editor of the *Irish Post*. The person he reminds me of politically is Seamus Heaney, in his rural background and emphasis on decency and neighbourly cooperation.

I was surprised to find that Martin Doyle has never had a time before the Troubles. Unlike my own generation we had a sixties. That gave me a sense of optimism before the breakdown in '69. So I was attached to and supported by a more international secular time and global culture in music and the arts, especially theatre. The diaspora in England was not under suspicion to the same degree, despite the continuing racial prejudice that drove Samuel Beckett to France from London, when the British thought every Irishman a Paddy. I first met Martin Doyle while living in Birmingham, when I still insisted that Diaspora was a ghetto I could not identify with. He describes tribe, whereas I see class. What I most like about *Dirty Linen* is how the space of his life unspooling between the accumulation of the atrocities gives us a different feel and commentary to the times.



'Love poem to Belfast'

Marianne Elliott

Belfast. The Story of a City and its People

Feargal Cochrane

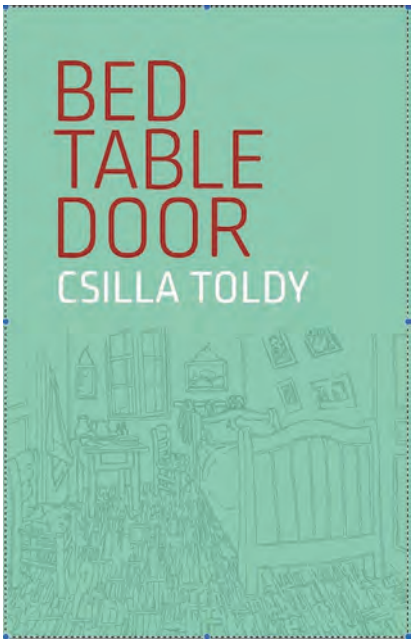
Yale University Press pb£18.79

This is a lovely book, a series of thematic essays on the author's native city. It is part memoir and is weaved through, very effectively, by detail of the author's Catholic family upbringing in East Belfast during the Troubles. My particular favourite is his account of children using the suspended Stormont's lawns for football, the children getting along when the grown-ups were progressively polarising. There are essays on the importance of the rivers of Belfast, facilitating the linen and shipping industries, and a particularly good chapter on the poetry of Belfast. Ciaran Carson's 'Last Order' evokes memories of trying to socialise in the city centre. The numerous metallic security gates 'made it feel like you were going in and out of a cage … like a post-apocalypse human aviary'. There was , nevertheless, a 'blossoming' of creative activity in the city, despite, possibly because of the Troubles.

There are two main themes: the Troubles and the United Irishmen of the eighteenth century, the latter seen as an antidote to the former, a 'radical edge' threading through the story of Belfast. He is disturbed by the 'Troubles Tourism', as are most of us. There is surely something going wrong in the peace process if public money allows former paramilitaries to run murals' tours and still peddle the myths which brought about the Troubles in the first place. He recognises the success story of 'Troubles Tourism', helping attract 32 million visitors between 2011 and 2018, but sees it 'strewn with historical, political, religious, economic and cultural landmines.' It is a 'dark' tourism, creating 'a dystopian zoo of enduring sectarian division' and privileging 'Troubles hot-spots', rather than 'grass-root conflict transformation approaches',

In contrast he draws attention to the neglect of the city's Enlightenment and United Irish past. Whilst such 'tours' now exist, he makes the pertinent observation – while on one of these – that there is very little material evidence of Belfast's United Irish past. Unlike Troubles tours, this was 'a tour of derelict buildings, blank walls, traffic lights where important houses used to stand'. He blames over a century of unionist control of the city for this. But the forgetfulness had been helped in the nineteenth century by repentant United Irishmen and that age-old sectarianism which bubbled below the United Irish dream of devising 'the common name of Irishman'. Even so, his point is well-made: there are other pasts to be discovered and promoted, pasts to help the city move away 'from the binary reductionism of us versus them into a space of complexity and potential empathy'.

Generally an optimistic book, it is nevertheless troubled by the legacy of the Troubles. And while the final chapter 'The Future' rehearses the undeniable post-Good Friday Agreement gains, it concludes that 'Belfast has not successfully addressed the legacy of its own conflict'. Nor has it been helped by the political instability of the overarching power of Britain, the 'incendiary' event of Brexit in particular threatening the already fragile institutions established as part of the Agreement. Feargal Cochrane's deep love of Belfast shines out from this book. Whilst there are always some issues which a reviewer might not agree with – this historian's feathers a little ruffled by a somewhat black and white approach to the past – I found this love poem to Belfast deeply moving and impressively well-written.



Two cheers for the free world

Martin Tyrrell

Bed, Table,Door

Csilla Toldy

Wrecking Ball Press hb £22
ISBN 978 1 785374609

Csilla Toldy's *Bed Table Door* relates how a couple of Hungarian teenagers, Sofie and Samu, leave home and make their way, eventually, to London. It is 1981 so the journey is no leisurely backpacking, Hungary being at that time a Soviet-aligned one-party state. Nor, as they discover, is England any picnic.

Of these defections, Sofie's is the more political. By accident more than anything else, she has become a kind of dissident having translated and put into samizdat circulation a somewhat bonkers religious tract written by her friend Victor. When this is discovered, it signals the end of her promising academic career. She imagines the police on her tail, her phone tapped, and she herself reduced, like Samu, to working as a life model for the art students at the Academy.

Samu, in contrast, has neither career ahead of him, nor behind. He and his friend Zoli are drop outs, silly but ultimately harmless yet known to the police and already under surveillance. The novel opens darkly with what appears to be Samu's attempted suicide. However, we soon learn that it is all a set-up. He wants to be caught in the act, hospitalised and diagnosed with something sufficiently concerning it will get him out of military service. Instead, he acquires a reputation for fake suicides, the way people in less desperate circumstances might get a reputation for strategic sick leave. The irony is that Samu is in truth deeply troubled, bullied at home by his army officer father, and perplexed by an increasing and discomfiting awareness of his sexuality. Military service will not be good for him, perhaps, ironically, even the death of him. Sofie fears he will turn into his father, for whom much the same set of issues have led to his performing a particularly toxic masculinity.

The couple journey separately, then reconnect in London only to discover their fundamental incompatibility. Still, they are young, their whole lives ahead of them. Sofie, wise beyond her eighteen years, looks set for something. And Samu, damaged and damaging, has found his niche as a drag act, stage name Lucky Lucy. Oh, capitalism…

Zoli and the dissident Christian mystic Victor also make it to London, Zoli to deal drugs, Victor to flounder and grow ill and disillusioned before returning to Budapest where he feels there is at least a chance that something positive might happen. Finally, there are Sofie's Uncle George, veteran of the 1956 wave of Hungarian emigrés, and his socially aspirant wife Sally, an enthusiast for the Thatcher government,

at that time only recently elected. We get something of the measure of Sally when we learn that she has never visited Budapest because she has been put off by all the 'terrible stories' she has heard—not the human rights abuses, of which we get some flavour in this novel, but the standard of living and poverty, not to mention, of course, the poor quality workmanship.

The novel's title alludes to Van Gogh's *Bedroom in Arles*, which is referenced several times in the text. When Sofie and Samu, still in Hungary, escape briefly to the countryside, for instance, they awaken one morning to find that they have had the same dream—of 'living together in a strange country, in a simple room, where there was a chair, a table and a bed, all in vibrant colour.' Later, however, in the West, the same Van Gogh recurs in somewhat cheapened form, first via Sally's paint-by-numbers reproduction, then as a souvenir place mat. Thus is the revolutionary artist commercialised just as, back in Hungary, another radicaliser of form, John Lennon, has been dubiously proletarianized to suit the official ideology, his trademark granny specs a supposed homage to his alleged (and spurious) working class roots. Lennon wrote great songs about, among other things, an imagined communism and, in *Revolution*, his own ambivalence faced with the seemingly seismic events of 1968. And it is revolution that is the throughline here.

In Hungary, for instance, where revolution was imposed in the late 1940s, and, having failed to take, provoked the 1956 uprising. Setting aside Bela Bartok, Bela Lugosi and Zsa Zsa Gabor, that was as much as most people in the West in 1981 would have known about Hungary—that its people had risen against their government and been suppressed. In *Bed Table Door*, the country seems unsettled, memories of the recent past still raw, not just to those who were there but to the likes of Sofie who has heard second-hand, like a kind of folklore, how people 'disappeared without a trace, in the depths of the big black cars that took people away to be tortured and to be killed, processed into meat, or chopped up and pumped into the Danube.'

To be scrupulously fair, János Kádár, who took over in government after 1956, was later reckoned to be on the liberal end of the Soviet spectrum, and we get to see something of this. There is enough leeway, for instance, that Uncle George, who was active on the losing side in the Uprising, can still jet between London and Budapest much as he pleases. When Sofie and her friends make their escape it is because they take a few additional liberties with this freedom to travel.

On the other hand, Sofie recalls how 'the glorified version of [the Russian Revolution] had been hammered into her since early childhood. School visits to the cinema to see Soviet war movies, the TV showing Eisenstein's *Ivan the Terrible* each year in the winter months.' This is a world where not joining the Young Communists is a bad career move, almost as bad as consulting the library at the British Embassy where the police have the place staked out, noting everyone who comes and goes.

Samu's family home offers a kind of allegory of this dysfunctional regime. His father runs it like a boot camp, his wife and children visibly damaged by the experience. When Sofie argues with him about hunting (she is against and he is for—but you knew that) he seethes at being challenged, and by a woman. In revenge, he searches her bags, finds crazy Victor's 'dangerous, dissident paper' and shops her to the secret police. 'In Samu's house, everything was ordered and tidy but buried under fear, and now she'd caught it too.' And so begins the chain of events that takes her into exile.

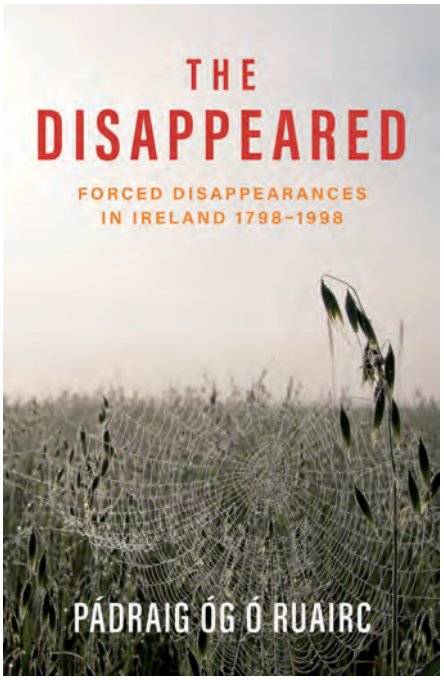
Anyone arriving in the UK in 1981, would have been just in time for the beginning of a kind of revolution. No barricades—or not so many—but a fundamental and irreversible break with the past, the outworkings of which are still with us. The lone socialist that Sofie and Samu hear at Speakers' Corner, preaching like a forlorn missionary, is a subtle sign that the tide has turned against the left. Sofie, for instance, finds the rules on university grants have been tightened leaving her no longer eligible. Luckily, she has her Uncle George to look after her. He has done well for himself in the market economy. He owns a pub which he has called The Revolution and decorated with a collage of newspaper headlines from back home but he is generally cautious, affecting to be

apolitical and sharing tales of his radical past only when he feels it is safe. Is the suggestion here that the easy way for any newcomer is to ghettoise themselves and play to stereotypes (like Mr Whingley, the slightly Central Casting Rastafarian, who is for me this novel's most marked off-note)? When Sofie gives an interview to her journalist friend and future lover Justin it is published under the tacky headline 'Innocent Hungarian Teenager Escapes Communist Dictators'. Don't fight it, advises the social-climbing Sally. Don't bite the hand that feeds—'This is the best democracy in Europe. Take it or leave it.'

Victor, for one, would beg to differ—'a cold-hearted society…ruled merely by money.' Its materialism is so in your face it has even got to him, he says, though everything we see says that it has done for him. Thin and undernourished he lives in a borrowed flat that somehow manages to exclude the summer sunshine. All around, there are riots, industrial action, and other morbid symptoms. He burns his manuscript and longs for home, Sofie too. The London she has found is not the Swinging Sixties city she previously imagined. There are police here, too, the kind interested in recruiting Samu as a quick way to some low-grade intel from his father. This is a novel in which reality bites more than once and illusions are regularly shattered.

The early 1980s are slipping into unreliable memory so it is a treat of sorts to see that era recreated here. Sofie's Justin, for instance, rings true. A kind of living interregnum of new and old. He lives in a squat, votes Labour, likes uneasy listening. But look again. He drives a Ferrari, is ex-public school, and comes from old money. Chances are, he will be voting Tory in '83 or '87, buying dockside apartments off the plan, shedloads of shares in the privatised utilities, and half of Eastern Europe from under the eyes of its citizens, chilling all the while to the Blow Monkeys. He and Sally are the future, they will surely take to this new way of things. What of Sofie, though? Will she stay with Justin, or go her own way? University, perhaps, with a low paid job or two to make ends meet? Which is how it would become, and how it is.

If *Bed Table Door* takes aim at the Hungary of the Cold War it offers little enough cheer for the West. ■



Digging up the truth

Brice Dickson

The Disappeared
Forced Disappearances in Ireland 1798–1998

Pádraig Óg Ó Ruairc

Merrion Press pb €19.99 £18.99
ISBN 978 1 785375026

In Northern Ireland we are familiar with searches for 'the disappeared' – the people who were killed during the troubles and buried in secret locations. A cross-border Commission was established to locate the victims' remains. Any information provided about those remains cannot be used in criminal proceedings, bodies found cannot be subjected to forensic examination and it is unlawful for people within the Commission to disclose any of the information it receives. Few of us, however, will be aware that the phenomenon of disappearing people has a long

tradition throughout Ireland (as in many other lands as well).

Ó Ruairc's book charts the prevalence of the practice on this island from the time of the United Irishmen to the conclusion of the Belfast (Good Friday) Agreement, a full 200 years. Of the 170 or so disappearances that he believes to have occurred, about one-third took place during the War of Independence from 1919 to 1921 and the majority of bodies which have not yet been recovered date from that period. It is only in the last two of the 17 chapters that we read about disappearances during the Civil War from 1921 to 1923, the 'interwar' years and the troubles in the North from 1966 to 1998.

The book is a more in-depth treatment of research that Ó Ruairc and his colleague Andy Bielenberg published in an academic journal in 2021. It provides short but vivid accounts of all of the disappearances, most of them heart-rending. There are many grainy photographs and some extracts from letters and quotes from written testimonies. He also tells of non-fatal atrocities, such as the cutting out of tongues. In the 1920s it was common for victims' body parts to be retained by the killers as souvenirs.

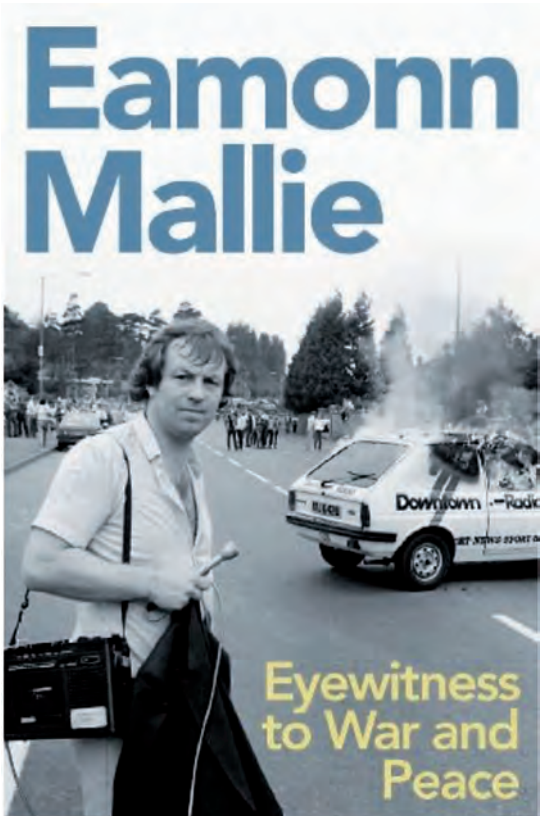
The author is meticulous in debunking many of the myths surrounding disappearances. He takes strong issue with David Fitzpatrick's claim that many people were killed during the War of Independence for 'moralistic' reasons. Contrary to Fitzpatrick's assertion that numerous 'tinkers' were killed by the IRA, Ó Ruairc says it has never been established that the IRA killed even one Traveller. A man who was disappeared after the truce, Jerry O'Brien, has not been conclusively confirmed as having a Traveller background. The IRA did however execute several 'tramps' whom they suspected of spying.

The author also disputes claims made by Gerard Murphy in his account of disappearances in Cork in 1921–1922, a source validated by other writers such as Eunan O'Halpin, Kevin Myers and Eoghan Harris. Ó Ruairc attributes the claim that close to a hundred people were secretly buried near Knockraha to the 'self-aggrandising fantasies' of a former IRA company captain, Martin Corry, who was a TD for East Cork from 1927 to 1969. He reminds us of the hoaxer Paul Inman, who claimed to be a member of a British Army death squad which had secretly buried several IRA volunteers in County Antrim.

The book categorises the disappearances partly according to the category of alleged perpetrator (the United Irishmen, the IRA, the British Army, the Royal Irish Constabulary and various other paramilitary groups) and partly according to the category of victim (spies, women, 'identifiers', 'tramps' and 'deserters'). Ó Ruairc reckons that British Crown forces and associated paramilitaries were responsible for 23 disappearances, a fact which has been conveniently swept under the carpet by UK authorities.

In his summation of the phenomenon none of the perpetrators and their supporters is spared Ó Ruairc's accusatory finger. He calls out the hypocrisy of Fianna Fail and Fine Gael politicians who talk light-heartedly about 'the good old IRA' while condemning the deeds of other combative factions such as the Provos. He reminds us that Michael Collins 'presided over the execution of almost 200 civilians alleged to be British spies as well as the assassination of dozens of British Army intelligence officers and RIC constables involved in intelligence work'. He gives credit to Sinn Féin for not denying their own past but suggests that they are growing increasingly uncomfortable with the IRA's actions during the 1970s, 80s and 90s in Northern Ireland.

The book is replete with endnotes and an excellent index. It is an erudite but readable addition to the depressing literature on the history of violence in Ireland. Meanwhile, the remains of about 60 of those who have been disappeared since 1900 have still to be discovered, including those of Joe Lynskey, Columba McVeigh, Robert Nairac and Seamus Maguire, who were all disappeared during the North's recent troubles. Ó Ruairc himself tracked down the remains of a British private, George Chalmers, who was disappeared in 1921. He placed a slab on the soldier's grave site near the bog in County Clare where his body was found in 2018. As the book's epigraph states: *Is mór í an fhírinne agus buafaidh sí*: the truth is great and will prevail.



The rebel journalist

Rosemary Jenkinson

Eyewitness to War and Peace
My Life in News

Eamonn Mallie

Merrion Press pb £17.99
ISBN 978 1 785375064

'That bastard Mallie', 'pretty suspect' and 'the wee cunt' have all been epithets attributed to Eamonn Mallie, as he cheerfully admits in *Eyewitness to War and Peace*, although he prefers to describe himself as 'the wild child of broadcast journalism'. Margaret Thatcher was scathing of him but only because of the difficult questions he asked. One of the most refreshing things about *Eyewitness to War and Peace* is that Mallie revels in how he stepped on people's toes.

This new memoir depicts the necessary ruthlessness of top journalists. Born Catholic into rural South Armagh during Loyalist marching season, neither his mellifluous name nor his loving childhood pointed to his future combative career. He did, however, have an intense curiosity for people over and above their individual creeds.

He began in journalism at the BBC in 1975. He boldly played the Catholic card at his interview by asking, 'Will the BBC give someone of my background a job?' Clearly they did, but not long after joining, he found BBC Radio Ulster to be 'oppressive and parochial' and switched to Downtown Radio where 'the atmosphere was electric'. He still had to contend with some initial hostility from his colleagues thanks to his particular brand of bulletproof confidence, but soon earnt their respect. He charts how the late seventies were challenging times for any tyro journalist. He was the first reporter on the scene at the La Mon House Hotel, witnessing the charred horrors around him.

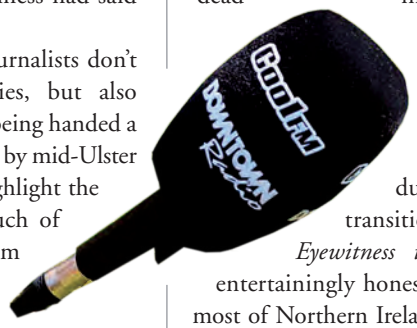
In 1981 he visited the emaciated hunger striker Bobby Sands in his cell only to be subsequently accused at a UUP conference of bringing Sands secret messages. In that volatile period of our history, 'every word a journalist uttered had to be weighed and put on the scales', and Mallie is adept at bringing to life the moral quandaries he faced. He mentions grappling with the guilt of interviewing William McConnell, assistant governor at the Maze Prison, who was shot three weeks later and wondering if he was partially

responsible for this by raising his profile. In 1988 he discovered that secret peace talks were being held in Germany, but decided in the end not to release the news out of ethical concerns that it could kill the momentum for peace. A few weeks later, he was 'sick as a parrot' when the BBC's Denis Murray had no such qualms and released the news himself.

Yet the remarkable feat of *Eyewitness to War and Peace* is that it's not a dark read. Mallie excels at communicating the lure of pursuing the big scoop. When a Republican source delivered a copy of a draft ceasefire to him, he amusingly called it his 'angel of Gabriel experience'. It was his hallelujah moment to be the first to break 'the biggest story in the world that day'.

There are fascinating insights into the importance of rule-breaking which holds true for literature as much as journalism. Mallie wilfully disobeyed the protocol forbidding him from asking the royal family questions. He also discloses how important it is to cultivate friendships with politicians. John Hume used to invite Mallie to his house to share his thinking and DUP leader Ian Paisley once summoned him to his home in the early hours of the morning. It's enlightening to hear how Sinn Féin chief negotiator Martin McGuinness hinted to him in 1994 that an IRA ceasefire was in the offing. This memoir reveals that the Troubles weren't as simplistic as Seamus Heaney's 'Whatever you say, say nothing'. As Mallie explains, 'Martin McGuinness had said nothing, but he had said everything'.

Mallie makes it clear that that journalists don't just rely on leaks for good stories, but also serendipity. He had a lucky break on being handed a British government document in 1993 by mid-Ulster MP William McCrea. Yet he does highlight the obsessive nature that's required. Much of Mallie's success seems to come from analysing news interviews and phoning contacts about hunches.



There are some amusing anecdotes including how Sinn Féin's Gerry Adams ended up televised in Washington DC holding a Downtown Radio microphone, for which Mallie received a 'herogram' from his boss. In Washington, he was beguiled by the charismatic Bill Clinton and picked up another rare scoop by uncovering Clinton's plans to visit Northern Ireland.

Mallie's clear and concise writing keeps the chapter on the peace negotiations light and pacey. He points out that the main reason the Good Friday Agreement was signed was down to the 'constructive ambiguity' in the text. The two chapters devoted to the 'enigmatic' Ian Paisley are particularly interesting as they show how a disruptive outsider on assuming the mantle of power can transform into a peacemaker. Paisley was an exception to the rule that 'absolute power corrupts absolutely' as he seemed to become more open-minded in the role of First Minister. Mallie shines a light on the human side of Paisley from his mischievous jokes (such as ensconcing the very short Harold Wilson on a very tall chair) to imitating his hero Lord Carson, and to his embitterment at being eventually ousted from power by both church and party. Mallie portrays the painstaking process of setting up a series of televised interviews with Paisley in which the latter finally admitted that there had been past discrimination against Catholics.

It's noticeable that Mallie uses the word 'hubris' several times about the IRA and states that folk memory played a great part in fomenting the Troubles. In Mallie's opinion, Republican violence is 'dead in the water' and there will never be a return to the militarised days of the Troubles. Fortunate though this is, it does strike me that Mallie worked during the most exciting transition between war and peace. *Eyewitness to War and Peace* is the entertainingly honest story of how he made the most of Northern Ireland being on the world stage and thrived amidst the international attention. It seems likely that no Northern Irish journalist will ever get that chance again – unless, of course, the future brings us a referendum on Irish unity.

Guernsey's Cliffs

Niamh McNally

I've never been there. Still, I can sometimes taste
salty butter air, spread smoothly on warm cliffs,

tearing pieces of me from the reality of sharp *Causeway*
gales or feral *Atlantic: Skellig Michael. Moher.*

Your grasslands mask newsletter tunnels under occupation,
as a *Literary and Potato Peel Pie Society* disguises revival

of spirit: hidden, like the name for the hot water bottle;
linguistically understood within familial settings.

Landscapes of chimneys with witch seats whisper
into channelled ears of islanders. Soundings hover towards

nerines, covering vale-mist fairy wings, then over sun-kissed
fairy rings, imprinted and pressed by centuries of earthen greens.

As poetry pours along *Rouge Rue* into *St. Peter Port*,
prose drains from *The Falls Road* into *The Lagan's* mouth.

Niamh McNally is a Belfast-based poet and workshop facilitator in The Seamus Heaney Homeplace. Her poetry has featured on the BBC, in two climate crisis films and her work can be found in various publications. Niamh is a current Poet-in-Residence for *Herstory*, Ireland.