
Essays

FORGIVING ENEMIES IN IRELAND

Nigel Biggar

ABSTRACT

The Peace Process in Northern Ireland is about to reach another milestone: the Consultative Group on the Past is due to publish a report in the autumn of 2008 on “the best way to deal with the legacy of the past in Northern Ireland” and to support the building of “a shared future.” It is timely therefore to think again—and further—about what political expression forgiveness might find, using the concrete case of Northern Ireland today as grist for our conceptual mill. This essay opens with two preliminaries: an account of what forgiveness is and how it relates to resentment, punishment, repentance, and reconciliation; and a brief summary of the “Troubles.” It then proceeds to caution that reconciliation will have to be realized in the midst of persistent enmity; to explore what a Truth Commission might achieve, and the limits of it; to consider whether the discovery of fresh truth should issue in further judicial proceedings, and how far these will disturb the Peace Process; and to suggest that the British Government could erect public memorials to the dead on all sides. It concludes that in addition to Government action, there is need for the popular exercise of certain virtues—including grateful, hopeful patience, forgiveness-as-compassion, and public penitence.

KEY WORDS: *forgiveness, justice, punishment, reconciliation, Truth Commission, Northern Ireland*

CAN THE FORGIVENESS OF ENEMIES FIND appropriate political expression? This is a question that has been a focus of recent attention since the early 1990s when Eastern European countries first began to consider how to treat the agents of former communist regimes. In the mid-1990s, its profile was raised by South Africa’s Truth and Reconciliation Commission (1995–98); and among the political phenomena that have kept it high ever since are Northern Ireland’s Good Friday Agreement¹ (April 1998) and the ensuing Peace Process.

That Peace Process is about to reach another milestone. In June 2007, the British Government announced the launch of an independent Consultative Group on the Past, whose brief was “to consult across the community on the best way to deal with the legacy of the past in

¹ Skeptics prefer not to sacralize the April 1998 accord with the title “Good Friday,” and refer to it instead prosaically as the Belfast Agreement.

Northern Ireland.” The Group is due to publish a report in the autumn of 2008, which will recommend ways to support the building of “a shared future.”²

This, then, is an opportune moment to think again—and further—about what suitable political forms forgiveness might take, using the concrete case of Northern Ireland today as grist for our conceptual mill. Before I set about thinking forgiveness through contemporary particulars, however, I must preface it with two preliminaries: first, an account of what I understand by forgiveness—and its relations to resentment, punishment, repentance, and reconciliation; and second, a brief summary of the “Troubles”—as local understatement is wont to call the thirty years of political violence in Northern Ireland.

1. The Two Moments of Forgiveness

It seems to me that talk about forgiveness is often vitiated by a tendency to conflate two moments that ought to be distinguished. On the one hand, this leads some (Christians) to hold on biblical and theological grounds that victims are bound to forgive their oppressors unilaterally and unconditionally—that is, without waiting for any sign of repentance (for example, Fiddes 1989, 176–77; Jones 1995, 21, 102, 121, 144, 146, 160–61).³ On the other hand, it leads others to hold on philosophical and psychological grounds that the victim’s forgiveness must be conditional upon the perpetrator’s repentance, if it is to be morally responsible (Swinburne 1989, 81–86, 148–49). It seems to me that both sides are half-correct, for each champions a different moment of forgiveness, one of them unilateral and initial and the other conditional and final. I call these, respectively, “compassion” and “absolution.” At the same time, both sides are also half-wrong, since each champions one moment to the exclusion of the other, whereas in fact,

² This is according to the Consultative Group’s website: <http://www.cgpni.org> (accessed May 2008).

³ Fiddes appeals to the cases of Zacchaeus (Luke 19:1–10) and the prostitute who anointed Jesus’s feet with ointment (Luke 7:36–50) in support of his view that, according to Christian understanding, forgiveness should precede repentance: “When Jesus asks for hospitality from Zacchaeus, the notorious tax collector of the Jericho area, he does not first require him to return what he has gained through fraud and extortion, though this is the happy outcome. He accepts from a prostitute the intimate act of her anointing his feet and wiping them with her hair, without first establishing whether she has given up her trade, and pronounces the forgiveness of God without further enquiry” (Fiddes 1989, 177). Alternatively, one might say that Jesus’s asking for hospitality amounted to an act of compassionate forbearance rather than one of absolving forgiveness, and that he did not need to ask first whether the prostitute had repented, since her tears made it implicitly clear that she had.

it seems to me that a Christian and responsible process of reconciliation will incorporate them both.

The first moment of forgiveness, compassion, is where the victim allows her feelings of resentment to be moderated by a measure of sympathy for the perpetrator. Moderated by what? Partly by the acknowledgment of the authority of certain truths: for example, the truth that she herself is no stranger to the psychic powers that drive human beings to abuse each other; the truth that some individuals, for reasons that remain hidden in the mysterious interpenetration of history and the human will, are less well equipped than others to resist common pressures; the truth that some are fated to find themselves trapped in situations where only an extraordinary moral heroism could save them from doing terrible evil. Even victims have responsibilities, and one of them is to acknowledge truths like these even in the midst of the maelstrom of pain and resentment.

Openness to the truth, however, is not the only matrix of sympathy and the only force for moderation. There is also the commitment to rebuild rather than destroy—to reconciliation rather than vengeance. Now, reconciliation means different things according to the nature of the relationship between victim and perpetrator. In the paradigmatic case of interpersonal relationships between family members or friends, it will mean the restoration of intimacy, signaled typically by the act of embrace. In the case of political relationships between political dissidents and their informers or of *génocidaires* and surviving victims, however, it will usually mean something analogous and weaker—say a readiness to coexist in the same city or neighborhood or street.⁴ Whatever kind of reconciliation is appropriate, victims should prefer it to the sheer wreaking of vengeance—that is to say, action whose overriding intention is to inflict harm and that takes no care to moderate the harm inflicted.

Why should victims prefer reconciliation? At least, because of a proper care for their own souls—or, if you like, for the shaping of their moral and spiritual characters—since for to devote oneself to vengeance is to drink a poison that embitters and tyrannizes. The point is arrestingly made in Peter Shaffer's play, *The Gift of the Gorgon*. Here,

⁴ For further discussion of the relationship between political reconciliation and its interpersonal paradigm, see Biggar 2003b, 314–17. Why do I suppose that the paradigm of forgiveness is interpersonal? One immediate reason is that when I write regarding an injustice that I have done you, that I repent, you forgive, and we are reconciled, none of the verbs needs to be qualified. However, when I write that Prime Minister Tony Blair has “repented” on behalf of the British people for the Irish Famine, or that paramilitary prisoners released early from prison in Northern Ireland have been “forgiven,” or that supporters of the *apartheid* state in South Africa and members of the African National Congress have been “reconciled,” then qualification is needed.

Edward Damson, hot-blooded playwright of Slavo-Celtic parents, champions the cleansing, cathartic virtue of the passion for revenge. Liberal forbearance and tolerance, in his eyes, is “just giving up with a shrug—as if you never really cared about the wrong in the first place. . . . *Avoidance*, that’s all it is!” (Shaffer 1993, 16). To this, Helen, his wife and cool English daughter of a classics don, retorts:

You go on about passion, Edward. But have you never realised that there are many, many kinds—including a passion to kill our own passion when it’s wrong? . . . The truest, hardest most adult passion is not just stamping and geeing ourselves up. It’s refusing to be led by rage when we most want to be. . . . No other being in the universe can change itself by conscious will: it is *our privilege alone*. To take out inch by inch this spear in our sides that goads us on and on to bloodshed—and still make sure it doesn’t take our guts with it [1993, 60–61].

At the very end of the play, Helen wins the argument by showing that it is forgiveness, not revenge, which requires the greater strength and realizes humanity. Nevertheless, there is one cliff-hanging moment when, enraged by a macabre trick that Edward has played on her, Helen sways on the brink of plunging into vengeance. What pull her back are the bald words of her stepson, Philip: “The truth is,” he says, “you must forgive him or die” (1993, 92). That is to say, she must forgive or forever be possessed by bitterness.

Another, real-life expression of this prudential wisdom comes from the lips of the daughter of one of three women taken from the Spanish village of Poyales del Hoyo on the night of December 29, 1936, and murdered by Fallangists at the roadside. Interviewed sixty-six years later, she said: “This thing has stayed in my mind all my life. I have never forgotten. I am reliving it now, as we stand here. All the killers were from the village. . . . I can pardon, but I cannot forget. We have to pardon them or it makes us just like them” (Tremlett 2006, 13–14).

Vengeance does grave moral and spiritual damage to the one who wreaks it. That is one good reason why victims should steer clear of it. Another is that vengeance is—by common definition—excessive.⁵ It does not strive to proportion its retribution to the wrong done. Its driving ambition is to make the wrongdoer—together with his family

⁵ I am aware that some are arguing for the moral rehabilitation of vengeance as an appropriate response to grave and malicious injury (for example, Boesak 1995, 1996; Minow 1998, 9–24). One may, of course, choose to use the word “vengeance” to refer to proportionate retribution. My own sense, however, is that in common English usage, “vengeance” tends to connote something excessive and out of control, and that therefore to talk of “vengeance” when one means something moderated and proportionate is to risk at least confusion and perhaps even serious misunderstanding.

or his village or his race or his country—*suffer*. As a consequence, vengeance has the effect of multiplying injustice, as wrongdoers are made to suffer more than they deserve, and suffering is inflicted on innocents who do not deserve it at all.

However it moderates resentment—whether through the confession of human solidarity in sin-as-moral-weakness⁶ or through the commitment to reconciliation—forgiveness-as-compassion is unilateral and unconditional. It does not need the green light of the perpetrator's repentance in order to proceed. It is entirely the responsibility of the victim to acknowledge the truths of solidarity-in-sin and to commit herself to reconciliation rather than revenge. Compassion, however, is just the first moment of forgiveness. The second is absolution. This is the moment when, paradigmatically, the victim addresses the perpetrator and says, "I forgive you. The trust that was broken is now restored. Our future will no longer be haunted by our past." Forgiveness-as-absolution should not be granted unilaterally and unconditionally. To proffer trust to someone who has shown himself to be untrustworthy and who is unrepentant about it is, at the very least, foolish. It is also careless of the wrongdoer, for it robs him of the salutary stimulus to reflect, learn, and grow, which the punitive withholding of trust constitutes. Even worse, it degrades him by implying that what he does is of no consequence.⁷ Out of respect and care for the wrongdoer, then, forgiveness-as-absolution should wait for signs of his genuine repentance—all the while looking upon him with the eyes of forgiveness-as-compassion.

A major advantage of analyzing forgiveness in this way is that it avoids presenting it as a rival to justice. According to our conception, the process of reconciliation contains not only initial compassion and final absolution, but also between them the contradiction of injustice by the expression of resentment and the meting out of punishment. Forgiveness-as-compassion qualifies, but does not replace, resentment and punishment. It makes them media of communication intended to persuade the wrongdoer of the wrong he has done, to elicit his repentance, and so to enable forgiveness-as-absolution and consequent

⁶ I allude here to the Christian concept of original sin, which refers to the fated dimension of human wrongdoing. This does not displace the individual's responsibility for his choices. Nevertheless, it does refer to the fact that every individual makes his choices under the weight of history's socio-psychological legacy. If we are free, we are free only within bounds; and the bounds are unequal, for history has dealt more kindly with some than with others. This freedom-under-fate is something that victims share with perpetrators.

⁷ My thinking here follows Swinburne 1989, 81–86, 148–49, except that what he takes to be the whole of forgiveness, I take to be just the second moment.

reconciliation. By ordering resentment and punishment toward reconciliation, it saves them from vengeance. In sum, the process of reconciliation—as I see it—consists of the following sequence of moments:

- (1) Victim: forgiveness-as-compassion (a): unilateral, unconditional, and redemptive;
- (2) Victim: condemnatory expression of resentment via communicative punishment (whose simplest form is estrangement), which is disciplined by and proportioned to reconciliation;
- (3) Wrongdoer: repentance;
- (4) Victim: forgiveness-as-absolution (b): conditional, and ushers in . . .
- (5) mutual reconciliation.

This integration of forgiveness with the hostile expression of resentment and meting out of punishment confers a further advantage, for it enables us to discern how forgiveness could find fitting political expression in circumstances where simple absolution would be breathtakingly naïve and inappropriate—that is, in circumstances of deep enmity born of atrocious injustice from which there has been no repentance. Further still, insofar as forgiveness is a defining feature of a Christian ethic of response to wrongdoing, this conception spares such an ethic from having to choose between relevance and plausibility. For example, I take it for granted that in response to the attacks of September 11, 2001, it would have been not merely unimaginable but ludicrous for the U.S. Government to have addressed al-Qa’ida and said, “We forgive you. We will not let what you have done sour our regard for you. We will continue to treat you as friends.” If such were the sum of forgiveness, then it could have no plausible place in America’s reaction. If, however, forgiveness can take the form of compassion as well as absolution, then it could have two plausible roles. First, it could order the use of force toward the end of peace, and discipline it away from sheer vindictiveness. Then, second, it could move the U.S. Government to entertain the possibility that though al-Qa’ida’s ill-disciplined resentment has festered out of all proportion, not all of its roots are simply malevolent and irrational, and that in the rank growth of its malice and falsehood there are genuine grievances that deserve sympathetic attention. Thus conceived, forgiveness could have plausible political purchase.

2. The Troubles and Its Legacy: A Sketch

So much for the concept of forgiveness that I will bring to bear on the question of what to do with the legacy of the Troubles. Now for a sketch

of the basic contours of the Troubles, its legacy, and the present situation of the Peace Process. The Troubles lasted about thirty years, starting in the late 1960s and lasting until the late 1990s. What was it about? Basically, over whether the northern part of the island of Ireland should remain part of the United Kingdom of Great Britain, or whether it should become part of the Republic of Ireland.

Unionists are those who wish to remain part of the British Union; and Nationalists in this context, and at the risk of some simplification, wish to belong to the Irish Republic. Again at the risk of simplification, Republicans are that minority of Nationalists who support the thirty-year-long campaign of guerrilla warfare waged by the I.R.A. or the Irish Republican Army. Loyalists, on the other hand, are that minority of Unionists who responded to Republican violence in kind.

It is estimated that 3,268 people died as a result of the Troubles. In the light of 9/11, when three thousand people died on a single day, that does not sound too bad. However, three thousand out of a total U.S. population of over three hundred million is one thing; 3,268 out of a total Northern Irish population of one-and-a-half million is another. Of those killed, it has been reckoned that the British Army and Northern Irish police were responsible for 10.7%; Loyalists, 27.4%; and Republicans, 55.7%. Republicans killed more Catholics (24.7%) than the security forces (20.5%) (Smyth 2003, 137 [Table 7.3], 138 [Table 7.4]).

The thirty years of violence were largely brought to an end by the Good Friday or Belfast Agreement of 1998, and the subsequent Peace Process. This Process has involved the early release from prison of convicted Republican and Loyalist paramilitary prisoners, and the effective renunciation of violence by the I.R.A. and its Loyalist counterparts.

Almost ten years after the 1998 Agreement, the Peace Process is still on the rails, but the violent legacy of the past continues to rock it. On the one hand, the political atmosphere is poisoned by the conviction among Nationalists that the British state was responsible, directly or indirectly, for certain cases of murder—most notably on so-called Bloody Sunday in 1972. On the other hand, Unionists object to the disproportionately high profile and expense of public inquiries into such cases. After all, the state was responsible for less than 11% of the total number of deaths. What about the more than 55% that lies at the feet of Republicans? Furthermore, of the 3,268 Troubles-related killings, about 1,800 officially remain unsolved.

Because of these politically destabilizing tensions, generated by the legacy of an unsettled past, some are calling for a comprehensive truth and reconciliation process, with a view to achieving closure on the past. That is where Northern Ireland is now; and that is where my reflections begin.

3. The Reconciliation of Persistent Enemies

Whatever measure of reconciliation Northern Ireland comes to enjoy in the foreseeable future, it will amount to the reconciliation of enemies. What I mean by this is that a shared future will have to be built by people who hold definite views and make definite judgments about what has happened during the Troubles, and that these views and judgments are ones that not everyone else will share. In other words, peace will have to be made by and between those with different, and often opposing, interpretations of Northern Ireland's political past. Peace will have to be made by and between enemies.

I mention this in reaction to a feature of the report of the Healing through Remembering Project, *Making Peace with the Past*, which was published in 2006. In this report, it seems to me that there are moments when an Olympian position is being taken. There are moments when it approaches the problem rather like an infinitely patient parent might approach a fight between two squabbling children, knowing them both to be more or less equally in the wrong. In other words, the tone that the report sometimes takes is one of an absolute transcendence, somewhat patronizing—the kind of tone that a well-meaning outsider might adopt, or maybe that of a non-judgmental therapist (McEvoy 2006).⁸

I am not a therapist. I am an ethicist. I am in the business of making moral judgments; and I think that moral judgments should be made—albeit with sympathy, charity, and an openness to correction. It seems to me, then, that no one approaching the conflict in Northern Ireland can avoid making a basic judgment about it: either the I.R.A.'s thirty-year-long campaign of violence was justified or it was not. If it was justified, then the security forces were basically in the wrong. If it was not justified, then the I.R.A. was in the wrong. Whichever judgment you make is quite compatible with admitting that the side whose fighting was *not* justified still had legitimate grievances—albeit grievances that did not warrant thirty years of bloodshed. Equally, whichever judgment you make is quite compatible with admitting that the side whose fighting *was* justified still did things that it ought not to have done. The bombing of Dresden might have compromised the moral integrity of the Allies' war against Hitler, without compromising

⁸ I must add straightaway that *Making Peace with the Past* is a very clear, well informed, and highly informative presentation of the options before Northern Ireland, and it is well worth reading. I should also add that I understand that a report produced by a body representing a wide range of political views, and aspiring to play a mediating role, might feel the need to adopt a "neutral" position. Nevertheless, there is something about such a position that seems to me artificial, because it is repressive of covert political views that cannot but seep through in ways that are difficult to detect.

it fatally. Likewise, assuming the worst about it, Bloody Sunday might have compromised the moral integrity of the British state's fight against the I.R.A., without compromising it fatally. Now, I suppose that some might judge that justification and culpability were evenly spread among the combatants, so that none was basically morally better or worse than the others. However, I suspect that this is a minority view. Most people take sides; and that is where we have got to start.

That is certainly where I have to start. I do not approach the Troubles and its legacy from a position of neutrality. As the son of a Scottish father and an English mother, born in Scotland (just across the water from Northern Ireland in Galloway) and largely educated in England, I am self-consciously British. By that I mean that I am aware of Britain as the *United Kingdom*—that is, as a multi-national state—and I value it as such. It seems to me that cultural difference *within* political community is a better ideal than cultural homogeneity. What this means for my approach to the Troubles is that my sympathies do not immediately lie with Irish nationalism—any more than they lie with Scottish nationalism. It also means that I would be deeply saddened if the Irish component of Britishness were lost—as I would be if the Scottish component were lost. I would find it very hard indeed to think of myself as simply English—as many on the island of Ireland would find it hard to consider themselves simply Irish.

So I am Unionist. Nevertheless, let me immediately qualify that identification. I do not regard the prospect of the incorporation of Northern Ireland into the Republic—or the independence of Scotland—as the end of the world. As a Christian, I may not. No political arrangement can presume on being ordained by God—neither the United Kingdom nor an Irish Republic encompassing the whole island of Ireland. The notion that nations have eternal destinies is a nineteenth-century Romantic idea, not a Christian one. No borders are inscribed in heaven. What matters is not territorial unity but the community of warring peoples. If community can be grown within the United Kingdom simply, then let it be so. If community can be grown within an island-wide Republic of Ireland, then let it be so. However, if community can be grown within a part of the United Kingdom in which the Republic is granted a cooperative role—which is the current situation—then let that also be so.

Still, I do not view the Troubles and its legacy from any panoramic summit. Rather, I view them from a particular position on the ground: one that sympathizes immediately with those who value the British Union, and one that judges the I.R.A.'s thirty-year war to have been unjustified. (That last position, by the way, is one that places me in the good company of many Irish Nationalists.) In this respect, my view is the same as that of the vast majority of those who actually live in

Northern Ireland: it is *partisan*. That is where we have to start. If there is to be any measure of reconciliation in Northern Ireland, it will be the reconciliation of partisans. Reconciliation will have to happen between those who *continue* to disagree about what caused the Troubles and about who is basically to blame for them.

The first thing that I would say about dealing with the painful legacy of the Troubles is a word of caution. The oft-used word “reconciliation” is one that connotes a certain completeness, a certain conclusiveness, a certain closure. It conjures up the classic image of the reconciling embrace. (While I was writing this in my Oxford study, I was overlooked by a mantle-piece copy of one of Rembrandt’s poignant depictions of the Father stooping over and enfolding the Prodigal Son in his arms.) Now I do not doubt that there may be moments of completion, but most of the time, and especially at the complex political level, reconciliation remains frustratingly incomplete. We live in a time of fragments. (And here I speak expressly as a Christian theologian.) We live in the age between on the one hand the Resurrection and the hope it inspires, and on the other the fulfillment of that hope at the end of history. So, ours is an age of compromise and much unfinished business; an age of glimpses rather than full vision; an age where grievous frustration tempts to gross imprudence; an age that could benefit from religious hope keeping our desire for justice and reconciliation both patient and wise.

4. Truth Commissions?

The fullness of reconciliation is not something that we should expect to see much of in this world. So when we come to consider the options before Northern Ireland in dealing with its recent, violent past, two seem to me quite unrealistic: namely, those of a Truth Commission and of a Commission of Historical Clarification *insofar* as these are intended to produce an official interpretation of the Troubles, to which the overwhelming majority of people in Northern Ireland will agree and on the shared basis of which they will set about building a new future.⁹ That aspiration seems to me sentimental. I see no indication that we are going to agree about the leading causes of the violence, or about who is most to blame for it, in the foreseeable future. This is hardly surprising. After all, the question of whether the Easter Rising

⁹ A truth-recovery commission might have other purposes, of course, but *Making Peace with the Past* mentions that of forging “a shared vision” without critical qualification (McEvoy 2006, 86). In the case of a Commission of Historical Clarification, the stated purpose is to produce “a definitive official historical account of the conflict” or “[a]n objective, official account of the historical causes of the conflict” (2006, 90).

of 1916 should ever have happened is still controversial in the Republic of Ireland—and that is ninety years and three generations after the event.¹⁰

However, while I see no prospect of Grand Official Closure on the controversy about the causes of the Troubles and culpability for them, I can imagine a Truth Commission playing more modest, achievable roles. One of these would be to provide more of the bereaved with more of the truth about what happened to their loved ones and at whose hands. Such knowledge is often important to the bereaved, and it might help to bring some sense of order to their bewildered world. It might also bolster their faith in *this* political future that what happened unlawfully is acknowledged as such by the state as a matter of public record.

Nevertheless, we should not assume that knowledge of the truth alone will satisfy the relatives of victims. Take the South African case of Joyce Mthimkulu whose son, Sphiwo, had been killed by the police. At a hearing of the Truth and Reconciliation Commission's Committee on Human Rights Violations, she said this: "If they can just show us the bones of my child, I'll be grateful. Where did they leave the bones of my child? Where did they take him? Who handed him over to them? What did they do to him?"¹¹ However, when in applying for amnesty her son's killers answered her questions and told her the truth, she found that she wanted more: she wanted justice. Bringing the truth further to light in Northern Ireland might help the bereaved to make more sense of what has befallen them; but it does not follow that it will quieten their resentment or pacify their cries for justice.

In addition to helping to satisfy the need for truth (as distinct from the need for justice), a Truth Commission could also help to satisfy a particular need for fairness. As things now stand, there is a lack of balance in the scrutiny of the past in Northern Ireland. Media attention is currently focused on a handful of cases where the British state is suspected of colluding in the murder of Nationalists or Republicans. Of these, the most famous is Bloody Sunday, when paratroops shot dead thirteen protesters, into which Lord Saville's Tribunal has been

¹⁰ For an ethically nuanced instance of contemporary "revisionist" arguments against the justification of the Easter Rising, see Murphy 2007, 329–51. This essay was originally presented at a much reported conference held at University College Cork to commemorate the 90th anniversary of the Easter Rising. For a running debate about the rights and wrongs of the Rising, see the Letters pages of the *Irish Times* over several months in the run-up to the public commemoration in April 2006.

¹¹ This terribly poignant moment was recorded in "Getting Away with Murder?" an excellent BBC TV documentary about the T.R.C., which was presented by Michael Ignatieff and originally broadcast on November 1, 1997, as part of the "Correspondent" series.

delving since 1998. In July 2006, his Tribunal was estimated to have cost £400 (U.S. \$800) million (Jones and Petre 2006), and it has yet to produce its Final Report. Against this set the Historical Enquiries Team (H.E.T.). This is a police venture, which was launched in January 2006 to review all cases of deaths attributed to the Troubles, and especially the 1,800 that officially remain unsolved. In light of the overall distribution of responsibility for killings during the Troubles (British Army and Northern Irish police, 10.7%; Loyalists, 27.4%; and Republicans, 55.7%), the majority of cases under examination concern deaths for which Republicans were responsible. The H.E.T.'s budget, however, is only £30 (U.S. \$60) million. It might be that the H.E.T. has sufficient funding to do all that it should; and it might be that the Saville Tribunal has spent no more than it needed to. Nevertheless, the perception on the part of Unionists is that Nationalist and Republican victims are attracting a seriously disproportionate amount of public attention and funding; and this sense of unfairness—which is not without ground—causes irritation and alienation, which have political force. The H.E.T. itself could well do something to correct the imbalance of attention and to assuage the Unionist sense of alienation—although only a small minority of the cases is thought likely to yield up significant new information to the techniques of contemporary forensic science.¹² A Truth Commission could add to this, *if* it were able to offer incentives sufficient to move perpetrators to volunteer further information, and *if* it were able to verify what is volunteered.¹³ In this case—and in contrast to South Africa—a Truth Commission would serve to turn the spotlight more onto the deeds of (Republican) paramilitaries than onto those of the state.

5. After Truth, Justice?

We should not assume that discovering the truth will pacify (all) the cries for justice. Given that, some critical reflection on what is meant by “justice” is in order. When we cry out for justice, what is it that we want? At the very deepest level, we want things the way they were. We want the damage undone. In cases of political murder, however, that is

¹² An informed source has mentioned to me the figure of three hundred, which is just over 9% of all Troubles-related deaths, and under 17% of the officially unsolved cases.

¹³ I have yet to be convinced that sufficient incentives could be offered. What, for example, could persuade the former Loyalist who, at a conference in 2005, was adamant that he would never confess what he had done, for fear of how the revelation would destroy his relationships with family, friends, and neighbors? For a demonstration of what perpetrators might have to *lose* in telling the truth in Northern Ireland—and of what can go wrong in the telling of it—see David Park's fine new novel, *The Truth Commissioner* (2008). This, of course, is fiction; but being good fiction, it is plausible.

not possible—short of the Resurrection of the dead. We may hope for it and we may pray for it; but we have to wait for it. Moreover, we have to be careful not to let impatience or despair blacken our desire for restoration into the desire to annihilate the cause of our loss. Almighty God might restore our beloved to us; but the suffering of their killer certainly will not. Vengeance may be sweet at first taste, but it does have a habit of leaving the taste of ashes in the mouth.

Something else that we want, when we cry out for justice, is that the state should come to the aid of the victim—first of all by disabling the wrongdoer so that he cannot injure any more, and second by supporting the victim directly. In the case of the Troubles, the 1998 Good Friday Agreement has disabled the perpetrators insofar as they have agreed to lay down their arms, decommission them, or dismantle them. Moreover, it appears to have robbed most of them of sufficient reason to resume killing. As for supporting victims directly, there are a variety of ways in which the state is already doing this.

A further dimension of justice that we want is that the community—and especially the state—should honor and uphold the dignity of victims by publicly repudiating the injustice done them. Normally this is done by means of a court's condemnation of the wrongdoer's act, and by its imposition of proportionate punishment upon the wrongdoer himself. During the course of the Troubles, many people have been convicted, sentenced, and punished for their crimes.

Therefore, when we come to consider how to deal with the past in Northern Ireland—how to settle it—it is important that we remember that some justice *cannot* be done by human beings; and of that which can, some justice *has* been done and some justice *is being done*. Some, but not all. This brings us to the vexed question of whether further discovery of the truth—be it through a public inquiry, the H.E.T., or a Truth Commission—should issue in further judicial prosecutions.¹⁴ On the one hand, there are two reasons to suppose not. The first is that some justice has already been done and is being done, and that to attempt to do more would be to jeopardize the peace, since perpetrators would be inclined to see judicial proceedings as the continuation of war by other means.

The second reason is that in sanctioning the release of paramilitary prisoners before the completion of their sentences, the 1998 Agreement might be seen as signaling a departure from the framework of criminal justice for that of a peace treaty at the end of a war. It might seem that

¹⁴ In some cases, this *cannot* be so, legally speaking, for discovery of the truth has been bought at the price of a limited immunity from prosecution: the UK's Attorney General has guaranteed that evidence given in any of the four current public inquiries will not be used to prosecute those who gave it.

paramilitary prisoners were released like prisoners of war (POWs). If that were the case, then it would be inconsistent to initiate further prosecutions for offenses committed during the war, now that peace has been declared. It might be objected that the early release of prisoners was not analogous to the release of POWs at the conclusion of hostilities, because they were released on license. If a prisoner were to break the terms of his release, then he would become liable to re-incarceration (as has in fact happened to several of them). This alleged disanalogy will not stand, however, since war too has known the convention of parole, whereby a prisoner is returned to his own side on condition that he does not re-enter the fray.

On the other hand, throughout the Troubles, the British Government did insist on treating paramilitary violence as crime rather than war.¹⁵ One might argue, therefore, that it is bound to continue to treat wrongdoing—whether by paramilitaries or by agents of the state—likewise. If sufficient evidence emerges that agents of the state colluded in murder in the sense that they acted with the intention of aiding and abetting it,¹⁶ then they should be subject to judicial process in the future just as paramilitaries have been subject to it in the past. After all, the integrity of the state—and popular confidence in it and in a future under it—is on the line.

What is good for the goose, however, is also good for the gander. If agents of the British state were to become liable to prosecution, then so too should Republican paramilitaries currently “on the run”—were they to return to the jurisdiction of the UK—as should others against whom fresh evidence had been gathered by the H.E.T.

The danger with further prosecutions is that they would certainly disturb, and perhaps destabilize, the process of returning Northern Ireland to normal political life. They could provoke violence. Many Unionists would be disgusted to see former policemen punished for actions taken in the struggle to defend society against a murderous

¹⁵ I note that my predecessor as Regius Professor of Moral and Pastoral Theology at Oxford, Oliver O'Donovan, recently criticized British Government policy when he implied that it should have declared war on the I.R.A. (2003, chap. 2). What makes this especially interesting is that O'Donovan is the son of Frank O'Connor, who, before he became a distinguished man of Irish letters, was a member of the I.R.A. in the 1920s.

¹⁶ Everything depends, of course, on what is meant by “collusion.” Collusion in the sense of failing to warn a victim of an impending assault on his life is morally more complicated. I think it possible that the need to avoid blowing the cover of a mole could be a proportionate reason for not issuing a warning. Whether it is possible to *be* a mole and *not* become involved in aiding and abetting, indeed executing, murder, I just do not know. Only those who have been involved could say. However, if it is *not* possible, then the implications for successful counter-insurgency—for example, against al-Qa'ida—are grave, since, as I understand it, by far the most effective way of combating insurgent groups is to place informers in their ranks.

terrorist onslaught; and Republicans would be seriously upset to see returning exiles—and quite possibly senior political leaders—dispatched to British gaols. How serious would be the resultant disturbance is impossible to predict. It is arguable, however, that it would shake the Peace Process rather than derail it, for under the terms of the Good Friday Agreement, anyone convicted of a scheduled offense prior to 1998 would be eligible for early release and would serve a maximum sentence of two years. Moreover, if there were a Truth Commission, some politically disturbing forensic theater would be avoided, insofar as some perpetrators would choose to tell the truth for amnesty.¹⁷ Under these conditions, it does seem unlikely that further successful judicial prosecutions would lead to a resumption of war.

One thing is clear: without the threat of prosecution, there can be no Truth Commission, for apart from the promise of immunity from that threat, what cogent incentive to tell the truth could perpetrators be offered?

6. Public Memorials?

Through a combination of judicial prosecutions and a Truth Commission, Government might be able to do more justice without derailing the Peace Process—and so to help settle the legacy of the Troubles. If more justice is seen to be done, then the resentment of some victims and their relatives might be assuaged, and their alienation from the state and a political future under it might be lessened. In this attenuated sense, then, they might be reconciled to a shared future.

Another way in which Government might be able to ameliorate the alienation of enemies in Northern Ireland is to erect public memorials to the dead and stage annual public rituals of commemoration. This, too, would help to assuage the resentment of the bereaved by publicly according their dead relatives a certain respect. Further, insofar as the state stands alongside the bereaved, it could gain their trust and evoke confidence in a political future under it. However, an obvious problem arises here. It is easy to imagine the British state publicly remembering dead members of the security forces or dead civilians; but how could it possibly commemorate dead members of paramilitary groups?

To bring the dilemma home to U.S. readers, let me offer two American analogies. Should the Federal Government have raised public memorials to the Confederate dead after the Civil War in the

¹⁷ The position of perpetrators before a Truth Commission would be analogous to that of witnesses before a public inquiry into cases of state collusion in murder, whose evidence cannot be used against them in court.

interests of national reconciliation? Is it conceivable that the U.S. Government would ever raise public memorials to Sunni insurgents in Iraq, should peace require it?

In answer to these difficult questions, a first thought is this: one can commemorate people without thereby implying that one approves of what they did. One does not have to be a Nazi to visit a German military cemetery—as I did five years ago at Maleme in Crete—and to acknowledge that most of the men buried there were probably no more wicked than you or me, but had through force of tragic circumstance got drawn into a wicked enterprise. Indeed, the permanent exhibition at Maleme tells the story of three brothers, who were all killed in the same place on the same day in May 1941. How did they all end up there? The two younger ones hero-worshipped the oldest, and when he joined the parachute regiment, they followed. So very human. So very tragic. One does not have to agree with what these three young men were doing falling out of the sky onto Crete in 1941, in order to share a sense of sadness and grief at their untimely deaths. By analogy, could Unionists ever stand before a Republican memorial, keeping forgiving, compassionate faith, if you like, with naïve, misguided, ill-fated humanity, and without for a moment pretending to be Republican? Equally, could Republicans ever stand before a memorial to members of the security forces killed during the Troubles? The answer is yes, for when the Republican Alex Maskey, as Lord Mayor of Belfast, laid a wreath at the Belfast Cenotaph¹⁸ in 2002, that is exactly what he did.

However, to press the point one stage further, could the British state ever fund the erection of a memorial on which the names of Republican dead were inscribed, without compromising its political position vis-à-vis paramilitary violence? I think it could; to commemorate and even to commiserate, one does not need to agree with the cause in which the fallen died. However, a further question then arises: could Republicans ever accept such funding and retain their political integrity? As always, it would take two to tango.

7. Beyond Institutions and Policies to Virtues

It might seem that, so far, I have been addressing the question of how to forgive political enemies in Ireland entirely in terms of Government policy or judicial action. In case that is so, let me point out that although I have been speaking about official ways in which the past in Northern Ireland has been, and is being, and might be settled,

¹⁸ In Britain, a cenotaph is a monument that stands for those who have died in military service of the United Kingdom. Every year on November 11 (or on the Sunday nearest it), public ceremonies are held, in which wreaths are laid in honor of the dead.

I have also been speaking of the need for certain virtues. These are virtues that must characterize the people at large, and not just public officials, because especially in a democracy the scope of Government or the judiciary to act is constrained by the temper of the people. If there is a measure that the people simply will not stomach, then that is a measure that a democratic Government will find it very difficult, if not impossible, to take.

The popular virtues that are necessary for settling the Troubles in Ireland—and similar troubles elsewhere—include the power to steer a course between sentimentality and cynicism. Let me call this the composite virtue of grateful, hopeful patience. On the one hand, we need to be realistic about the persistence of division. We need to acknowledge the danger of expecting too much justice here and now—namely, the danger that frustration and despair will drive us to wreak vengeance and thereby to multiply injustice. Here and now, we have to pick our way in hope and with patience among fragments.

On the other hand, fragments are not to be despised. The full embrace of reconciliation is probably too much to expect. Maybe our grandchildren or our great-grandchildren will get to see it, but not we ourselves. In the meantime, we are called to advance. Indeed, we have advanced, and we are advancing. Some justice has been done, and some justice is being done. Victims are being supported, and some wrongdoers have been convicted and punished.

Others still deserve to be punished. If there are further judicial prosecutions, then some of these will get at least some of what they deserve. We can be certain, however, that not everyone who deserves punishment will receive it. Secular justice may be more than a gesture, but it is less than perfection. Besides, punishment should not be seen as the Alpha and Omega of justice. It is properly only the means, never the end.¹⁹ The end of justice—the fulfillment of justice—is peace. Now the completion of peace—*shalom*—is the Resurrection of the murdered dead, the forgiveness of murderers by their victims, and the reconciliation of enemies. We do not yet have that. Nevertheless, we do have the decommissioning of arms and the dismantling of watchtowers; and we have enemies governing together, not shooting each other. That is peace too. By all means let us be modest; let us call it “coexistence” or “accommodation” or “cooperation.” But let us not despise the fragments.

¹⁹ Punishment has several proper purposes: to prevent a recurrence of the crime, to communicate to the convict (perchance to persuade and reform him) that what he did was wrong, and (where possible) to repair the damage caused. According to a Christian vision of things, imposing on the perpetrator suffering equal to that inflicted on the victim—and *for its own sake*—is not among them. See Biggar 2003a, 10–13.

To think of, and talk about, and practice the settlement of the Troubles in these terms is to inject into the bloodstream of public discourse and policy hope, gratitude, and patience. It is to steer public life between inflated sentimentality and barren cynicism. That is no small contribution to settling the past and reconciling enemies to a shared future in Northern Ireland.

Before I conclude, let me return to another virtue to which I have alluded: namely, sympathy—or, better, compassion. (And here again I speak as a Christian theologian.) If we really believe that all human beings are children of the same divine Father; if we really see ourselves *and* others as creatures, bound by space and time, and driven by biological and social forces that we barely understand and over which we have limited control; if we really consider ourselves *as well as* others to be sinners who have misused their freedom, then surely we should be capable of a measure of compassion for our political enemies and oppressors.

Now compassion—as I explained earlier—is not yet the fulfillment of forgiveness. That is where we say, “I forgive you. Our estrangement is over and trust is restored. The past no longer casts a shadow over our present.” The fulfillment of forgiveness is the moment of reconciliation—the moment of full embrace. That, however, is not possible without repentance, for we simply cannot trust those who play the game by different rules, and who wrong us without even noticing. What is more, repentance is going to be in short supply from those who consider themselves to be the party most wronged—that is, from both sides.

Nevertheless, if compassion is not the fulfillment of forgiveness, it is its beginning. For compassion toward those who have wronged us moderates our rightful resentment and disciplines it toward reconciliation. If we really regard all human beings as fellow creatures and sinners, then we will learn to grow in compassion for our enemies. We will learn to expand our compassion for those who were responsible for their choices, and whose choices we judge wrong, and whose choices we rightly judge wrong, but who are also—and like us—considerably the subjects of tragic circumstance.

As I stared at the photographs of those three young German paratroopers, who dropped out of the sky onto Crete and to their deaths in May 1941, I muttered to myself, “There but for the grace of God and an accident of history, go I. . . O Lord, have mercy on us all.” Later, when my eyes ran down the names on the memorials to I.R.A. volunteers in West Belfast’s Milltown cemetery, I said the same thing.²⁰

²⁰ Am I being sentimental here? After all, among the Republican dead there will be some who allowed themselves to become vicious, sadistic thugs. The same will be true, of course, of the Loyalist dead. However, perhaps less easy for some of us to concede, the

Maybe those of us involved in Northern Ireland could even venture one step further, one step beyond forgiveness-as-compassion for our enemies. Maybe we could even take responsibility for our own fault and admit our own guilt before them. We do not do that, of course, because we fear that one concession will amount to a surrender. One concession, however, is not a surrender. I remember talking to an American friend shortly after 9/11 and arguing that in addition to military action in Afghanistan, the United States ought also to strive to redress whatever elements of legitimate grievance lay behind al-Qa'ida's aggression. "But," my friend shot back, "that would be conceding to terrorists." To this I responded that the fact that terrorists demand something is not by itself a sufficient reason not to do it, if it is something that ought to be done. A discriminate concession is a long way short of abject surrender. It could even turn out to be a step on the road to victory.

Therefore, beyond exercising the virtue of forgiveness-as-compassion for enemies, maybe we could risk discriminate confession and repentance and apology. That need not mean that we think that the enemy was right to do what they did. It just means that we know that we were not *entirely* right in what we did. No doubt some on the other side will exploit our vulnerability. So be it. Nevertheless, others might well admire it. After all, when Alex Maskey took the risk of transgressing tribal boundaries in laying a wreath at the Belfast Cenotaph, at least one loud and inveterate critic of Republicans was moved to public applause.²¹ Gestures of vulnerability and generosity do have a way of inspiring and eliciting vulnerable and generous responses; and when

same will be true of the dead among the security services. All armies and police forces contain bullies who like violence much more than they should (which is not at all to say that all soldiers and police are violent bullies). It follows that among those whose names run down the memorials to the British dead of the two world wars will be those of people who did unspeakable things and felt no remorse. If it helps, one may add that the same will be true of memorials to the American, Australian, and Canadian dead, too. We can be sure, too, that it was true of the Roman dead; and had the Romans been wont to record in stone the names of their fallen legionnaires, maybe somewhere in the sands of what is now Israel, there would be a memorial to the thugs who drove nails into the hands and feet of a certain Galilean artisan with grandiose religious pretensions. If so, then these would be the thugs of whom Luke's Jesus prayed, "Father, forgive them, for they know not what they do" (Luke 23:34). This is a very emotionally difficult matter, but one that deserves attention; and I owe thanks to David Armstrong—who served with the Royal Ulster Constabulary for eleven years in the middle of the Troubles—for urging me to attend to it.

²¹ McEvoy 2006, 97 n. 251: "Maskey's initiative . . . was described by the strident anti-republican critic Kevin Myers as 'generous and courageous.'" How "strident" one finds Myers probably depends on how much sympathy one has for the target of his criticism. Since I lack much sympathy, I find Myers merely and appropriately relentless.

confession is answered with confession, then we hear the sound of the icepacks of enmity beginning to break up.

REFERENCES

- Biggar, Nigel
 2003a "Making Peace and Doing Justice: Must We Choose?" In *Burying the Past: Making Peace and Doing Justice after Civil Conflict*, edited by Nigel Biggar, 3–24. Washington, D.C.: Georgetown University Press.
 2003b "Conclusion." In *Burying the Past: Making Peace and Doing Justice after Civil Conflict*, edited by Nigel Biggar, 307–24. Washington, D.C.: Georgetown University Press.
- Boesak, Willa
 1995 *God's Wrathful Children: Political Oppression and Christian Ethics*. Grand Rapids, Mich.: Eerdmans.
 1996 "Truth, Justice, and Reconciliation." In *To Remember and to Heal: Theological and Psychological Reflections on Truth and Reconciliation*, edited by H. Russel Botman and Robin M. Petersen, 81–103. Cape Town: Human and Rousseau.
- Fiddes, Paul
 1989 *Past Event and Present Salvation: The Christian Idea of Atonement*. London: Darton, Longman, and Todd.
- Jones, George, and Jonathan Petre
 2006 "Bloody Sunday: full inquiry, cost £400m. July 7 bombs: no inquiry, 'too expensive.'" *The Daily Telegraph*, July 5. <http://www.telegraph.co.uk/news/uknews/1523111/Bloody-Sunday-Full-inquiry,-cost-andpound400m.-July-7-bombs-No-inquiry,-'too-expensive'.html> (accessed May 6, 2008).
- Jones, L. Gregory
 1995 *Embodying Forgiveness: A Theological Analysis*. Grand Rapids, Mich.: Eerdmans.
- McEvoy, Kieran
 2006 *Making Peace with the Past: Options for Truth Recovery Regarding the Conflict in and about Northern Ireland*. A Report of the Healing through Remembering Truth Recovery and Acknowledgement Sub-group. Belfast: Healing through Remembering.
- Minow, Martha
 1998 *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*. Boston: Beacon.
- Murphy, Séamus
 2007 "Easter Ethics." In *1916: The Long Revolution*, edited by Gabriel Doherty and Dermot Keogh, 329–51. Cork: Mercier Press.
- O'Donovan, Oliver
 2003 *The Just War Revisited*. Oxford: Oxford University.

Park, David

2008 *The Truth Commissioner*. London: Bloomsbury.

Shaffer, Peter

1993 *The Gift of the Gorgon*. London: Viking.

Smyth, Marie

2003 "Putting the Past in Its Place: Issues of Victimhood and Reconciliation in Northern Ireland's Peace Process." In *Burying the Past: Making Peace and Doing Justice after Civil Conflict*, edited by Nigel Biggar, 125–53. Washington, D.C.: Georgetown University Press.

Swinburne, Richard

1989 *Responsibility and Atonement*. Oxford: Clarendon Press.

Tremlett, Giles

2006 *Ghosts of Spain: Travels through a Country's Hidden Past*. London: Faber and Faber.