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Politically Motivated Former Prisoner Groups: Community Activism and Conflict Transformation

A Research Report submitted to the Northern Ireland Community Relations Council

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Executive Summary

Introduction

Aims and objectives

This study represents the first sustained quantitative and qualitative attempt to involve both Republicans and Loyalists in an investigation of the impact of imprisonment and the role of politically motivated former prisoners in the process of conflict transformation in Northern Ireland.

The overall aim of the project is to examine the ways in which groups of former prisoners are involved in peace-building and conflict transformation work and to evaluate the constraints and impediments placed upon their activities by the effects of the imprisonment process, politically motivated release and residual criminalisation.

In pursuing the evaluation of the role of politically motivated former prisoners working within and without their own communities, the research has six specific objectives:

- To trace the evolution and development of former prisoner groups;
- To evaluate the impacts of imprisonment and release on the personal lives of former prisoners;
- To assess the constraints imposed on former prisoners as agents of change by the residual criminalisation arising from their status;
- To determine the potential of the former prisoner community in challenging intra-community tensions and evaluate their potential and actual contribution to conflict transformation at the inter-community level;
- To compare and contrast the effectiveness of Loyalist and Republican former prisoners as agents of change within their own communities;
- To explore the notion of former prisoners as agents of social and communal transformation within broader political processes through grounding the knowledge and practical experience of the former prisoner community within the broader conceptual context of conflict transformation.

Conflict transformation

For former prisoner groups, conflict transformation operates both within and between the respective communities. At the inner scale, it is concerned with the cultural, social and economic dimensions to community development, including:

- attitudes to the other community;

- specific law and order issues and restorative justice;

- negotiations on paramilitary flags and murals and other forms of display pertaining to absolute territorial control;

- social problems such as deprivation of communities and drug-dealing.

In its external form, conflict transformation can involve:

- dialogue between former combatants;

- attempts at understanding each other's perceptions and histories (as in the North Belfast Conflict Transformation Forum);

- practical forms of dialogue such as mobile telephone networks at interfaces;

- and even political tourism in interface areas.

Politically motivated former prisoner groups

Politically motivated former prisoner groups are a relatively recent phenomenon. The impetus for such groups arose from several issues:

- because former prisoners do not regard themselves as either criminals or offenders, accessing existing services provided by statutory agencies would constitute an admission of criminality;

- former prisoners generally embraced the concept of self-help, seeing themselves as possessing the necessary expertise to assist others in similar circumstances, while believing that the existing service providers lacked the experience or empathy to deal with politically motivated former prisoners.

Most funding for politically motivated former prisoner groups comes from European Union (EU) schemes. Between 1995-2003, funding of some £9.2 million from the Community Foundation for Northern Ireland and the European Special Support Programme for Peace and Reconciliation (Peace I and II) supported the establishment of 61 groups and a further 29 projects for those working with politically motivated former prisoners and their families.

This research has been facilitated by two politically motivated former prisoner groups The Loyalist Former Prisoners Interpretive Centre (EPIC) was established on Belfast's Shankill Road in 1995 while Tar Isteach (meaning 'come in') was launched in 1999 and is based in New Lodge. It is part of a larger network of Republican former prisoner groups that come under the umbrella organisation, Coiste na n-larchimí, which functions at an all-island of Ireland level.

Methodology

There are four principal elements to the project's research methodology:

- A *Questionnaire Survey* of former prisoners and their relatives;

- two *Focus Group meetings* held with Loyalist and Republican former prisoners;

- A one-day *Workshop* involving both Republican and Loyalist former prisoners;

- *Semi-structured Interviews* conducted with key former prisoners, representatives of former prisoner groups and also members of 'civil society'.

Survey Findings

Impacts of imprisonment

The survey conducted among 300 former prisoners and family members highlighted the reality that incarceration and post-imprisonment has presented prisoners and their families with a series of complex problems and difficulties. This report isolates the centrality of factors such as loss of income, marital breakdown and emotional and psychological stress.

Imprisonment had a series of effects on both the prisoners and their families. Those effects did not necessarily disappear, however, with the end of incarceration and, for many respondents, the effects of imprisonment upon post-release outcomes was not directly linked to the period of time spent in jail or the nature of the imprisonment regime when incarcerated. The effects of imprisonment included:

- problems with physical and psychological health;

- relationship problems;

- difficulties in obtaining and maintaining long-term employment;

- problems centred around coping with life on the outside.

More Republican (38.7%) than Loyalist (28%) relatives felt that imprisonment had had a negative impact on their relationship with the prisoners.

Small majorities of both Republican (54.1%) and Loyalist (54.7%) former prisoners stated that they had found it easier to cope on a day-to-day basis while in prison. This reflected a lack of worries over personal finances and strong and durable senses of the defined comradeship developed during imprisonment.

Equally, 37.3% of Republican and 38.7% of Loyalist former prisoners found it difficult to adapt to a post-imprisonment environment. The vast majority of both Republicans (93%) and Loyalists (84%) had experienced financial problems when first released and nearly two thirds of Republicans and just under a half of Loyalists (48%) were currently experiencing financial difficulties.

More than half of the Republican former prisoners (54.7%) and 48% of their relatives had lost a relative, compared to 42.7% of Loyalist former prisoners and their relatives.

A highly significant 94.7% of Republican former prisoners and 78.7% of Loyalist former prisoners had lost a friend, as had 58.7% of Republican relatives and 45.9% of Loyalist relatives.

The unemployment rate among Republican former prisoners in the survey was 40%, a higher rate than that of their Loyalist counterparts (29.3%).

After excluding those in employment and pensioners, the observed levels of economic inactivity were 58.2% and 44% respectively for Republican and Loyalist former prisoners.

Victimhood

The issue of victimhood constitutes another important actual or potential constraint on the capabilities of former prisoner groups to work effectively within and without their communities. While impacting on the acceptability of those groups as agents of conflict transformation, attitudes to victimhood also help shape the ideologies of the groups. A large majority of respondents agreed that civilians were victims as were members of their own communities.

With the exception of Loyalist former prisoners, over 80% of respondents stated that their families had been victims. Eighty percent of Republican former prisoners and 77.3% of Republican relatives agreed that Republicans were victims compared to 48% of Loyalist former prisoners and 66.7% of Loyalist relatives.

Loyalists were more likely than Republicans to see members of the security forces as victims but Republican fewer Republican relatives than former prisoners were prepared to identify ‘victims’ in all categories.

Respondents were asked to consider the impact of harm with regard to conflict related issues. Harm was defined as ‘inflicting physical, psychological or emotional trauma’. Unsurprisingly, given the findings regarding victimhood, the majority of respondents agreed that harm was caused to all sides in the conflict.

No Republicans disagreed with the statement that ‘harm caused includes inequality and/or discrimination’, compared to 10.6% and 6.7% of Loyalist former prisoners and relatives respectively. There were also significantly positive responses to the propositions: ‘harm caused to my community and to others should be commemorated’; and that ‘understanding the causes of ‘harm’ can contribute to building a new society’.

Over three-quarters of all respondents noted that ‘harm caused remains an impediment to building a new society’, with at least 60% from the Republican groups and Loyalist prisoner group agreed that ‘issues of harm caused may not have been resolved but wider peace building initiatives should continue.’ Just over half of Loyalist relatives agreed within this latter proposition.

Residual criminalisation

The Belfast Agreement went some way to recognising the importance of resettlement as well as release of politically motivated former prisoners to the overall conflict resolution process as have funding initiatives. Neither British nor Irish governments have been prepared, however, to remove all the barriers to full citizenship or inclusion in society facing former prisoners and this residual criminalisation has emerged as a key impediment to the effectiveness of politically motivated former prisoner groups. Without doubt criminalisation constrains former prisoner behaviour and leads to stereotyping and stigmatisation.

The representation of former prisoners in the media was also an issue of concern. Nearly a quarter of Republican former prisoners said they had experienced harassment at the hands of the media and a third said they had been treated unfairly.

A majority of both Republican former prisoners (93.3%) and relatives (92%) believed that the media's representation of former prisoners undermined the Peace Process. Three quarters of Loyalist former prisoners and two-thirds of Loyalist relatives concurred.

Moving Onwards: Politically Motivated Former Prisoners and Conflict Transformation

Many prisoners felt that their experience of the conflict and prison could be used to help others particularly as a 'deterrent to young people' and to 'show the motivations and help explain the cause' of the conflict. The sentiment of numerous comments was that lessons should be learnt from those involved in the conflict so as not to repeat them. Clearly, however, the same experiences have produced impediments to the role of former prisoners in the transition from conflict to conflict transformation. These are:

- the 'disabling' and alienation of former prisoners through their personal responses to imprisonment and release;
- criminalisation;
- the differing attitudes of their own communities which have the cumulative effect of making Republicans more effective in the former prisoner role;
- the legacy of the conflict and the contested nature of victimhood.

Within their communities

Former prisoners have three specific roles to play within their respective communities: they:

- are involved in the transformation of attitudes and the infrastructural reconstruction of those communities and in the relationships between them;

- seek to influence policy for these areas but also policy as it reflects on former prisoners;

- are more broadly involved in the creation of community narratives linked to current post-ceasefires political processes; this includes such dimensions as human stories of 'who we are and where we come from' and the history of the conflict and its transformation.

The different repercussions of criminalisation can be summed up thus:

- transitional dialogue is promoted by shared experiences of prison;

- but there are different Republican and Loyalist understandings of criminalisation;

- for Republicans, criminalisation was part of the apparatus used by the British state to depoliticise the conflict whereas they insist on the British government as being a principal party to the conflict;

- for Loyalists, the scale of engagement is much more local; criminalisation was a mode of suffering, something to be endured for the greater good of Unionism within a structure of the Ulsterisation of state forces and normalisation; the Republicans were fighting the state but because of Ulsterisation, the 'dead' were Unionists.

The very different ways in which Loyalist and Republican former prisoners are regarded within their own communities is replicated in their dealings outside those communities. This means, inevitably, that the effects of exclusions and impediments vary between the two groups, as do the constraints on their activities and the extent of containment with respect to conflict transformation.

It is the case that for both Loyalists and Republicans, mutual prison experiences paved the way for dialogue, originally built on simple, everyday exchanges. There was also the shared consciousness of working-class tradition.

The shared experience of criminalisation has had negative impacts on the abilities of both Loyalist and Republican former prisoners to work with each other because part of its purpose was to separate the two blocs.

Without their communities

It is clear that the legacy of criminalisation and the strategies applied to achieve it have diminished the capacity of former prisoners to work outside of their communities

Despite the small physical distances involved, there is often a sense of parallel worlds, of being interconnected but opting for a voluntary apartheid. Face-to-face

contact, notwithstanding, fundamental misunderstandings remain between Republican and Loyalist former prisoners, as do stereotypical depictions of the other.

Despite certain impediments, Loyalist former prisoners (as shown by EPIC) are well in advance of conventional politicians in working with Republicanism. This includes practical issues such as interface projects but also mutual attempts to understand opposing mindsets through studies of political theory and the multiple interpretations of shared histories. Loyalist former prisoners are likely to be more committed to conflict transformation than conventional politicians, have experience - no matter how imperfect - in dialogue with the other, and also experience in attempting to control militarism and paramilitarism in their own communities.

In other words, working outside of each respective community is grinding work which depends on individuals and the personal contacts that former prisoners can establish between each other.

For Republicans, working without is clearly impeded by their perceptions of territorially insular Loyalism versus ideological, 'non-parochial' Republicanism. The patronising attitudes – either conscious or unconscious – that Loyalists believe are sometimes expressed by Republican former prisoners toward them stem both from conflicting interpretations of criminalisation and a recourse to stereotypes.

Thus, the thrust of both Republican and Loyalist groups is within their respective communities. It must be reiterated, however, that the nature and volume of contact between Loyalist and Republican former prisoners has increased since the onset of peace building strategies. Therefore the opportunity exists to move beyond present divisions and ambiguities.

Former prisoners, particularly in the Republican communities where the issues are politically more sensitive, are also providing leadership towards the building of relations between the state agencies and communities which have traditionally been estranged from them.

Concluding Comments

Politically motivated former prisoners have been at the forefront of a range of community and civil society initiatives which have entailed dialogue and cooperation (where possible) between traditional segregated and estranged working class communities.

They continually make a distinction between this style of work and that which they perceive as a traditional community relations approach. The Republican position on a community relations understanding of the conflict and template for resolving the conflict has long been that community relations is a strategy employed and supported by the British and Irish governments to promote a 'two tribes' view of the conflict, wherein the difficult relations between the two main communities was stressed and the role of the British state was either ignored or view as a neutral and ultimately benign arbitrator between the warring communities.

Loyalist former prisoners have also expressed considerable misgivings concerning what they perceive as the community relations approach. They are certainly concerned at efforts which might be seen to either dilute their Protestant or Unionist culture or indeed to problematise aspects of that culture so that Protestant sectarianism becomes defined as the key impediment to peacemaking. While their relationship is ambivalent rather than directly antagonistic towards the British government and, of course, they see Republicans as the prime 'enemy', their mistrust of the community relations approach arguably mirrors that of Republicans in some important ways.

Former Loyalist prisoners would make common cause with Republicans concerning the need for human rights and equality protections for former prisoners, both of which are frameworks against which community relations has traditionally struggled.

This comparative failure to mobilise wider support from within Unionism, and also internationally, appears as a fault line with regard to many of the differences experienced between the Loyalist and Republican former prisoner communities that have been studied here.

There are clear discursive and ideological differences between Republicans and Loyalists and these divisions are manifest in terms of the alternative roles undertaken by each with regard to the 'prison experience'. There is also, however, an evident place for Republicans to locate themselves within geographically bounded communities that offer distinct cultural and political support. Conversely, for Loyalists, the failure to garner such significant political or community support confines them to being one group within a more heterogeneous political community.

In sum, in terms both of working within and without, Republican former prisoners have the advantage over their Loyalist counterparts in that:

- they are empowered by the close relationship between former prisoner groups and macro-politics through Sinn Féin;

- the stigmatisation of former prisoners within Loyalist communities contrasts to the central role which their Republican counterparts have in community politics;

- the experience of criminalisation reflects on relationships both within and without for Loyalists but largely only without for Republicans;

- Republican former prisoners do acquire legitimacy and confidence from their integration into Republican communities;

- both groups of former prisoners are involved in conflict transformation in the sense of promoting social, cultural and economic change within their respective communities;

- Loyalists see themselves as being more committed to pushing conflict transformation towards relationships with the other community although, in part, this may reflect their less secure position within their own community.

Chapter 1: Introduction and Methodology

1.1 Background to the project

As in other conflicts, a key element to the process of conflict transformation in Northern Ireland has been the release and reintegration of politically motivated prisoners (McEvoy, 1998, 1999; Von Tangen Page, 1998). To date, 447 prisoners have been released (194 Loyalist, 241 Republican and 12 non-aligned) under the provisions of the 1998 Belfast Agreement. These men and women joined thousands of other former prisoners who had already served prison sentences related to the Northern Ireland/Irish conflict. It is notoriously difficult to estimate total numbers imprisoned as a result of the recent conflict in Northern Ireland. Some sources estimate approximately 15,000 Republicans and 5,000 Loyalists. While the centrality of prisoner release to the process of conflict resolution has been widely acknowledged in writing on the Northern Ireland peace process (e.g. Mitchell, 2000), the fate of politically motivated prisoners after release has received comparatively little attention. Indeed, much of the research on released prisoners has been conducted by former prisoner groupings themselves (see e.g., An Tus Nua, 1998; White, 1998; Tar Anall, 2000; Ó hAdhmaill, 2001), or in co-operation with academics (see e.g., Shirlow, 2001; Grounds and Jamieson, 2003; McEvoy et al, 2004).

This present study therefore represents the first sustained quantitative and qualitative attempt to involve both Republicans and Loyalists in an investigation of the impact of imprisonment and the role of politically motivated former prisoners in the process of conflict transformation in Northern Ireland. (There is a terminological issue in that some groups prefer the term, 'former prisoner', as opposed to 'ex prisoner' on the grounds that the latter term implies a social, political and legal divide between incarceration and release. Accordingly, 'former prisoner' is employed here although 'ex prisoner' remains in common usage and is retained below where it is cited in quotations.)

The overall aim of the project is to examine the ways in which groups of former prisoners are involved in peace-building and conflict transformation work and to evaluate the constraints and impediments placed upon their activities by the effects of the imprisonment process, politically motivated release and residual criminalisation. We are concerned with Republican and Loyalist former prisoner groups 'working within and working without' which refers to their involvement in dialogue and various forms of community work, both within their own communities and with the 'other' community. The term 'community' has itself multiple meanings, defining territorial units that extend from the scale of small inner-city micro-societies to the ethnic group as a whole. Both working within and without may be concerned with conflict transformation in its cultural, social and economic guises, but that may not always be the primary goal of former prisoners, both as groups and individuals, who may be more focused on the impacts of the prison experience and issues of criminalisation.

The spatial focus of the project is part of North Belfast and the Greater Shankill area in West Belfast. Participants in the study generally originated from the highly segregated, interfaced and socially deprived inner city communities within which

former prisoner groups operate. Some of the communities involved are ranked in the top 10% of the most deprived communities in Northern Ireland. Around 60% of the households within the study areas are in receipt of housing benefit compared to an average of 24.9% for Northern Ireland. Thus the majority of the participants in this study live within areas that are targeted with regard to social need as well as policies that aim to dilute the impact of cultural and political tension (Shirlow, 2001).

The research has been facilitated by two politically motivated former prisoner groups (see Chapter 2). The Loyalist Former Prisoners Interpretive Centre (EPIC) was established on Belfast's Shankill Road in 1995 while Tar Isteach (meaning 'come in') was launched in 1999 and is based in New Lodge. It is part of a larger network of Republican former prisoner groups that come under the umbrella organisation, Coiste na n-larchimí (Coiste), which functions at an all-island of Ireland level. Both EPIC and Tar Istaech are concerned with the issues preventing the full reintegration of politically motivated former prisoners into civic society and provide counselling, training and welfare rights service for former prisoners and their families. The groups also operate a series of schemes concerned with conflict transformation, social capital and community development.

While conflict and conflict transformation has been defined both broadly and narrowly, we have found the definition offered by Ho-Won Jeong most useful for our purposes:

> Conflict can be described as a contentious process of interpersonal or intergroup interactions that takes place within a larger social context. As sources of grievances are often associated with structural injustice, most serious conflicts encompass various types of social problems reflected in inter-group relations. Thus intergroup conflict is often imbedded in a political framework, and its meaning can be socially interpreted and constructed…Resolution of serious social conflicts means more than finding solutions to contentious issues. Enduring and mutually assured outcomes will not be attained without taking into account power imbalances and equitable social and economic relations. Self esteem and identity as well as physical well-being are key elements to be considered in conflict resolution and peace building. The nature of relations between adversaries needs to be examined in terms of looking for transformative possibilities. In rebuilding communal relations, long-term hostile relationships have to be overcome to prevent future occurrences of violent conflict (Ho-Won Jeong, 1999: 3).

As discussed further in Chapters 5 and 6, 'conflict transformation' refers literally to methods that alter the nature of the conflict from violence to some other means. It is not synonymous with 'conflict resolution', logically an unattainable goal in these circumstances as the outcome would be a Northern Ireland either entirely British or entirely Irish. Conflict transformation depends on affecting changes in the nature of relationships between Loyalists and Republicans.

In the words of one Loyalist:

> Our interpretation of conflict transformation is not only transforming the nature of the conflict, from violence through dialogue to something else through the democratic process, but it's transforming the nature of relationships between key people in conflict and that has to start with me and with you. To transform the nature of the conflict depends on transforming the nature of relationships. That's why, right from our prison experience, we realised that unless I can change the attitude towards Republicans, no matter who the enemy is then the nature of the conflict is not going to change. It is about transformation rather than resolution because we can't resolve the constitutional issue without one becoming the other [Unionist becoming Republican or vice versa]. A resolution of the "Irish Problem" means we're all British or all Irish. Governments talk about conflict management so we focus on transformation. It's about transforming politics, transforming community action, transforming restorative justice – everything is about transforming. It has to start with the individual. If it doesn't change the individual then it's not going to change anything (Loyalist: Focus Group, 1st December 2004).

A Republican interviewee regards conflict transformation as a markedly ambiguous concept:

> This is a big big question for us in terms of Tar Anall because conflict transformation means all things to all people. I mean some people in here think that it's about resolving conflict within themselves. Some people feel well the violent conflict is over – it's now a political conflict – and they have to come to terms with that. They've spent most of their lives being involved in conflict and their families as well. So that's conflict transformation for them. Right across to the issues of inter- and intra-community conflict (Republican: Interview, 10th December 2004).

Thus conflict transformation operates both within and without (between) the respective communities. At the inner scale, it is concerned with the cultural, social and economic dimensions to community development, including:

- attitudes to the other community;
- specific law and order issues and restorative justice;
- negotiations on paramilitary flags and murals and other forms of display pertaining to absolute territorial control;
- social problems such as deprivation of communities and drug-dealing.

In its external form, conflict transformation can involve:

- dialogue between former combatants;
- attempts at understanding each other's perceptions and histories (as in the North Belfast Conflict Transformation Forum);
- practical forms of dialogue such as mobile telephone networks at interfaces;
- and even political tourism in interface areas.

It is important to acknowledge that despite the efforts to build inter-community linkages that there is a division between Loyalists and Republicans regarding the nature and meaning of conflict. For Republicans their relationship to the British and Irish States remains primary whereas for Loyalists, the conflict with Republicans is acknowledged as being of greater significance than their relationship to the state. Despite, this ideological division, it is obvious that working between culturally and politically polarised communities is important for both groups.

It is also apparent that there has been a significant rise in initiatives and interventions by former prisoner groups in more recent times. This has involved engagement, in various forms, with academics, members of civil society, political opponents, statutory agencies and peace and reconciliation groups. The desire to open up to critics and those with alternative perspectives is also a sign of openness and a shift away from a more self-reflexive attitude among former prisoners. Indeed, permitting access to the academic team engaged in this report is part of that wider process of critical engagement and openness with regard to alternative perspectives and opinions.

1.2 Research objectives

In pursuing the evaluation of the role of politically motivated former prisoners working within and without their own communities, the research has six specific objectives:

- To trace the evolution and development of former prisoner groups;
- To evaluate the impacts of imprisonment and release on the personal lives of former prisoners;
- To assess the constraints imposed on former prisoners as agents of change by the residual criminalisation arising from their status;
- To determine the potential of the former prisoner community in challenging intra-community tensions and evaluate their potential and actual contribution to conflict transformation at the inter-community level;
- To compare and contrast the effectiveness of Loyalist and Republican former prisoners as agents of change within their own communities;

- To explore the notion of former prisoners as agents of social and communal transformation within broader political processes through grounding the knowledge and practical experience of the former prisoner community within the broader conceptual context of conflict transformation.

1.3 Methodology

The project has been co-ordinated by a steering group which included the researchers from the University of Ulster and Queen's University, Belfast, together with representatives from EPIC and Tar Isteach. Understanding the position, vulnerabilities and future of the former prisoner community in the context of conflict transformation creates important research challenges and requires a diverse and interlinked empirical design. There is an extensive research tradition into the effects of the conflict in the island of Ireland and, in particular, the experiences of spatially segregated communities. Hargie and Dickson (2002) have described the range of research conducted on community relations in Northern Ireland and identified the need for sensitivity, objectivity and rigor in researching the impact of ethno-social division whilst Connolly and Healy (2002) argue that quantitative techniques alone fail to unpack the processes at work in divided communities. They believe that qualitative approaches are essential to capture fully the lived experiences of divided cultures and uncover the causal relationships which explain why groups act in certain ways. Here, the values of the researcher can be challenged by the empirical setting to produce more authentic accounts of the world of the target group. The normative bias of quantification is modified by the subjectivity of the qualitative paradigm. Hoggart et al (2002: 27) make a similar point about researching highly ethnicised communities: 'cross-cultural understanding is possible only if you accept other viewpoints on their own terms and refrain from judging them'.

Thus the study of complex phenomena such as the involvement of former prisoner groups in conflict transformation requires the application of multiple methods. Hoggart et al. (2002: 67) conceptualise this process through the idea of triangulation which is defined as:

> the use of a series of complementary methods in order to gain a deeper insight on a research problem. The advantage of using complementary methods is that they enhance capacities for interpreting meaning and behaviour. This is because the insight gained can strengthen confidence in conclusions by providing multiple routes to the same result.

In a politically contentious environment, it is essential that the research design maintains a high degree of methodological objectivity and ethical robustness. Connolly (2003: np) assesses the priority for researchers in Northern Ireland:

> Researchers should be committed to the unbiased and objective pursuit of knowledge. They have a responsibility to report their research comprehensively and accurately, including the methods they have used and the data they have gathered. Researchers must avoid selectively reporting their findings or fabricating, falsifying or misrepresenting their findings in any other way.

His criteria for researchers dealing with vulnerable groups include the need to:

- conduct their professional work with integrity and in such a way as to not jeopardise future research, the public standing of researchers or the ability of others to publish and promote the findings of their research;

- respect the rights and dignity of all those who are involved in or affected by their research;

- ensure as far as possible the physical, social and psychological well-being of all those who take part in their research or are subsequently affected by it.

These issues have been addressed through the mechanism of the project Steering Group while the research design for the project also incorporates an integrated methodology which meets these criteria and produces data that is both reliable and valid. It has four principal elements:

- A *questionnaire survey* of former prisoners and their relatives was employed to help determine:

    - the impact of imprisonment on family life and the effect and nature of release upon self-esteem and other social relationships;
    - the extent of residual criminalisation;
    - attitudes to and impediments in conflict transformation and peace-building.

    The sample included 150 Republican and 150 Loyalist former prisoners and their relatives (75 of each). Surveying took place in the late spring and early summer of 2004. It was important to give equal measure to family members, who have been under-investigated in earlier studies, an omission that undermines the meaning of the impact of imprisonment upon communities and also obscures a series of complex intra-community relationships. The survey work was undertaken in a range of geographical areas. Republican respondents came from the New Lodge, Antrim Road, Bone and Ardoyne districts. Although the bulk of the Republican former prisoners were connected to the Provisional Irish Republican Army (PIRA), some respondents had been involved in other Republican organisations and a few had no connection with any particular group but had been imprisoned for politically motivated activities. Loyalists were drawn from the Greater Shankill area. The Loyalist sample was drawn from within the Ulster Volunteer Force (UVF) and Red Hand Commando (RHC) groups.

- To elaborate upon the questionnaire results, two *Focus Group meetings* were held with Loyalist and Republican former prisoners. These took place respectively at the LINC Centre, North Belfast, on 1st December 2004 and the Ashton Centre, North Belfast, on 3rd December 2004.

- A one-day *Workshop* involving both Republican and Loyalist former prisoners was held at the University of Ulster, Belfast, on 24th June 2004 to explore their

sometimes different and sometimes shared key concerns in terms of the impacts of imprisonment and residual criminalisation and also their abilities to deliver on conflict transformation.

- *Semi-structured Interviews* were conducted with a number of key former prisoners and representatives of former prisoner groups and also members of 'civil society'.

All meetings and interviews were taped with the permission of participants and interviewees and subsequently transcribed: quotations cited in this report are, of course, anonymous except in those instances in which interviewees gave permission for the use of their names.

1.4 Themes and definitions: former prisoners, 'political motivation' and the contested nature of the conflict

Before exploring in greater detail the contribution of former prisoners to the process of conflict transformation, it might be useful at this juncture to offer some background to the slightly cumbersome phraseology 'politically motivated former prisoners'. Definitional questions concerning prisoners and former prisoners incarcerated as a result of the conflict have long been highly contested. As elsewhere, the practical and symbolic nature of the prison conditions in Northern Ireland, the Republic of Ireland and Great Britain were represented as something of a microcosm of the broader question of the political character or otherwise of the conflict (McEvoy, 2001). Indeed much of the violence and political strife concerning the prisons focused on the struggle between the prisoners' assertion of their status as political prisoners and attempts by the prison authorities to deny, undermine or manage that assertion. Contestation of the distinction between what constitutes political and what constitutes criminal acts is not, however, unique to this particular conflict and a brief discussion on the broader context is useful in highlighting a number of key themes for current purposes.

For some scholars, the starting point for unpacking definitional difficulties concerning political motivation is an acknowledgement that all acts deemed criminal arise as a result of a political process of definition (Quinney, 1970; Chambliss 1976). As Tunnell (1993: xi) has argued:

> ....crime as an act, and the social reactions to it, are political constructs. After all, crime is a violation of legal norms legislated by a political body as criminal deviance.

While such broad definitions are arguably true, at least at the conceptual level, they do not necessarily elucidate the relationship between crime and politics. Thus, for example, at its crudest, this view is represented in reductionist accounts, which view all crime as 'either the expression, symbol or equivalent of political resistance or the product of the political order of capitalism' (Cohen, 1996: 3). As Cohen argues, the excesses of such discourses in which virtually all crime becomes political, gave the whole enterprise a bad name. What is relevant, however, for current purposes is the idea that the state is a central constitutive actor in the process of defining crime as political or otherwise.

Others have sought to define political crime by reference to the ideology or beliefs of the particular offender. For example, Cesaro Lombroso's (1968) classic text on criminality devotes several chapters to the causes of political crime, arguing that it represents a version of a 'crime of passion…especially frequent amongst the young and in the most intelligent and cultivated of nations' (Lombroso, 1968: 227). Schafer (1974: 145), too, has described political criminals as 'convictional criminals', those who are convinced of the truth and justification of their own beliefs and who will carry out 'ordinary crimes' (e.g. murder, kidnapping, robbery etc) as a means to a higher political or ideological end. Similarly Hagan (1997: 2) defines political crime as 'criminal activity committed for ideological purposes' such as social-political reasons, moral ethical motivations, religious beliefs, scientific theories or political causes. For such commentators, the focus is on the motive rather than the act of the 'criminal'.

Elsewhere, greater emphasis has been placed on the nature of the acts carried out rather than the motivation of the protagonists. For example, when Amnesty International began to campaign for the release of political detainees, its mandate was limited originally to 'prisoners of conscience', those imprisoned for their political beliefs who had never used or advocated violence. Neir (1995: 393) has used a similar definition of political prisoner to include only those incarcerated for his/her beliefs or for peaceful expression or association, excluding those who have employed or 'imminently incited' violence. While such a comparatively narrow definition of political crime may be understandable for the pragmatic campaigning purposes of an organisation such as Amnesty, it is of little practical use in a context such as Northern Ireland where large-scale violence has been committed for political ends.

A similar struggle to provide adequate definitions of terms such as 'crime', 'political violence' and 'terrorism' is characteristic of other areas such as international relations, political science, terrorism studies and international law (Gearty, 1996). These too have variously focused on: the nature of the violent acts (Van Den Wijngaert, 1980; Teichman, 1996; Greenwood, 1996); instrumentalist views such as those discussed below which rely primarily upon domestic and international legislative definitions of certain acts (Wilkinson, 1986; Schmid et al, 1990); attempts to define such acts by reference to the status of the victim/s as a combatant or civilian (Primoratz, 1990); and other principles of either international humanitarian or extradition law (Campbell, 1989; Keightley, 1993). The common feature of all such attempts at definition has been shaped by the means chosen for either distinguishing or indeed disregarding the 'political' or 'politically motivated' element of the offenders' actions.

Another method employed has been to distinguish ordinary from political offenders is to examine the manner in which individuals are tried by the state. Such logic would suggest that if an individual can be determined to have received a 'political trial', then his/her status as a 'political prisoner' if convicted would seem assured. Unfortunately of course the definition of what constitutes a 'political trial' is itself problematic.[1]

[1] Hain cites an illustrative quote from Judge Alan King-Hamilton in the 1979 case of four young anarchists charged with firearms and explosives offences. *'Some counsel have described this trial as a political trial. I direct it is not a political trial. We do not put people on trial for their political views in this county…Merely being an anarchist is not a crime.'* However, Hain suggests that Judge King Hamilton's denial is so compulsory a statement by a presiding judge at

Whether individuals are tried by military courts such as the post-World War Two trials in Nuremburg and Tokyo (Lane, 1979), trials of former Eastern bloc officials or government and military personnel in deposed Latin American regimes (Borneman, 1997; Huntingdon, 1991), trials of Western European 'terrorist' groupings in the 1970s (Becker, 1989; Moss, 1989) or even the show trials of the Soviet regime (Szász, 1972), there remains the potential for a narrow interpretation of the process which holds that:

> …whatever the political background of the individual case, …the trial court will sift the evidence and apply the law ; the difference in the subject matter, the stature of the individuals or groups involved, the degree of public interest, or the widespread implications of the verdict will not matter (Kircheimer, 1961: 49).

In a similar fashion, during the most recent conflict, local, Irish and British courts have had relatively few problems in defining and understanding what is meant by 'terrorism' in a straightforwardly technical or instrumentalist fashion.[2] From 1972 until the present day 'terrorism' has been defined in successive pieces of Emergency Legislation as:

> …the use of violence for political ends and includes any use of violence for the purpose of putting the public or any section of the public in fear.

A terrorist is defined as:

> a person who is or has been concerned in the commission or attempted commission of any act of terrorism or in directing, organising or training persons for the purpose of terrorism.[3]

Since 1973 in Northern Ireland, any person who has been charged with a suspected terrorist offence (a 'scheduled offence') has had their case heard before a single judge in special juryless court with amended rules of evidence (Jackson and Doran, 1995).[4] In practice the obvious political characteristics of such trials have contributed comparatively little to the authorities' response to the defendants' assertion of their status as political.

An instrumentalist view of terrorism has thus enabled successive British and Irish governments and judges to acknowledge that while people may be engaged in acts of

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a political trial that '*…one can formulate a handy layman's rule - it's a political trial if the judge (or the prosecutor) specifically denies that it is'* (Hain, 1984: 12).

[2] See McKee v Chief Constable for Northern Ireland (1984) 1 WLR 1358 (HL)

[3] The original definitions, replicated in later versions of the Emergency Provision Act and the Prevention of Terrorism Act, are taken from the legislation to enact Internment (discussed below), the Detention of Terrorists (NI) Order 1972, Art 2 (2).

[4] Scheduled offences are those normally associated with the commission of terrorist acts (e.g. murder, manslaughter, explosions, serious offences against the person, riot, collecting information likely to be of use to terrorists etc) and are listed as an appendix to the Emergency legislation. The Act also empowers the Attorney General to decree that certain acts of murder, manslaughter etc should not be treated as "scheduled" offences and should therefore be tried by jury, normally in a case where there is no suspected paramilitary involvement.

violence 'for political ends', these acts remain criminal in nature and should be treated as such, albeit by using a necessarily amended criminal justice process. Unlike many European jurisdictions (Radzinowicz and Hood, 1979), the British and Irish tradition has been to resist strongly any suggestion of 'special' treatment for politically motivated offenders. Indeed, for some of the most influential commentators on terrorism in Britain and Ireland, to acknowledge the political nature of terrorist crimes appears to suggest that such acts are in fact more heinous than 'ordinary decent' criminality because they represent an attack on the value system of society:

> If we attach any meaning and value to our Western Judaeo-Christian, liberal and humanist values and the ethical and legal systems that have been shaped by this tradition, we must logically recognise the criminal nature of terrorism...It is a moral crime, a crime against humanity, an attack not only on our security, our rule of law and the safety of the state, but on civilised society itself (Wilkinson, 1986: 66).

Such a view does not, for example, permit any distinction which might be seen to lend the slightest degree of legitimacy to 'terrorism' such as distinguishing between attacks on civilian non-combatants and military or security force personnel.[5] Rather, its sees the state, whether in the form of its armed personnel or its civilian citizens, as the victim of terrorism. Within such a paradigm, any political rationale which underpins criminal acts is proof positive of greater wickedness.

In sum, each of the above frameworks is arguably relevant in the various debates concerning the definitions of those who have become engaged in and in many instances were imprisoned as a result of violence related to the Northern Ireland conflict. The British and Irish states were, of course, key actors in the process of criminalising certain acts and not others. Discussions on the objectives of the paramilitary actor, their use of violence, their targeting strategies (e.g. civilian versus security forces), the nature of their trials and, of course, the particular conditions of their detention; all have been utilised by those seeking to both assert and deny political motivation for those engaged in conflict-related violence.

For current purposes however, while we aware of the complexities of these debates, we have mirrored the approach of the Sentence Review Commission established under the Belfast Agreement. In making decisions concerning eligibility for early release, the Sentence Review Commission utilised the definition laid down in the Emergency legislation. People who had been convicted and imprisoned under the Emergency legislation in Northern Ireland and legally defined as 'terrorists' had therefore been adjudged guilty of violence or related acts for political ends and could therefore be treated as politically motivated prisoners in making appropriate

[5] One of the fundamental principles of humanitarian law (the laws of war) is that attacks on civilian non-combatants are outlawed. For example, Common Article 3 (1a) of the 1949 Geneva Conventions regarding conflicts "not of an international character" outlaws violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture to persons taking no active part in the hostilities. While there is a considerable debate as to its applicability to Northern Ireland (Hogan and Walker, 1989; Boyle and Campbell, 1992), in line with a broader international trend (Petrasek, 2000), a number of human rights NGOs such as Amnesty International and Human Rights Watch have used international humanitarian law principles to criticise attacks by paramilitaries in Northern Ireland against civilians.

determinations. Therefore for the purpose of this report, people who have been convicted through the Emergency Law system and subsequently imprisoned for their role in acts related to the conflict are described as politically motivated prisoners or former prisoners, depending on circumstances.

The de facto acceptance of the political motivation of paramilitaries does not imply either approval or appeasement. What it does entail, however, is an understanding that 'unpalatable' measures such as prisoner release were necessary in the process of conflict transformation and to recognise that the removal of certain structural obstacles to successful prisoner reintegration are prerequisite foundations for a new society. In a similar fashion to political imprisonment during the conflict, the ongoing debate concerning former prisoners may be used as a prism through which to view other elements of the body politic beyond the state.

It is no accident that the issue of prisoner release initially proved the greatest obstacle to the Unionist 'Yes' campaign during the referenda on the Belfast Agreement. At one level, this could be attributed to the horrors of the previous thirty years and the atrocities carried out by the IRA and other Republican groupings. Such an explanation is inadequate, however, ignoring as it does the fact that Nationalists voted overwhelmingly for an agreement which saw Loyalist prisoners released, despite the often-indiscriminate nature of Loyalist attacks on Catholics throughout the conflict.

The nature, meaning and motivation of violence were generally posited upon dissimilar interpretations between the two principal communities. For Republicans and supporters of the Social Democratic and Labour Party (SDLP), the political character to the conflict has never been doubted although it should be stressed that the latter was opposed to the use of force. The Loyalist campaign against the Nationalist and Republican communities did not lessen the perception of these groups that such indiscriminate violence was political in character as it aimed to achieve the political objective of maintaining Northern Ireland's constitutional status. Within both of these traditions, there was a sense that the conflict could be resolved through political development. Moreover, and most certainly in recent years, it became clear that neither the majority of Nationalists and/or Republicans believed that a 'military' or 'security' victory might be possible. Painful though this acceptance was for many Republicans, a clear majority of that community saw prisoner releases as necessary in order to achieve a political transformation of the conflict.[6]

For many Unionists, on the other hand, 'terrorism' was an aberration on the body politic perpetuated by a few irredentist 'men of violence' for whatever combination of criminal or psychopathic reasons (Robinson, 1980; Cochrane, 1997). With little support or sympathy for Loyalist prisoners beyond the communities within which they lived and the narrow electoral base of the Loyalist parties, and no comparable historical experience of political imprisonment to the Nationalist community, the mainstream Unionist view of 'terrorist' violence was sustained and nurtured by the official discourses of the state. Within Unionist thinking, security force members, for example, were not protagonists to the conflict but rather those who upheld 'law and order' in the face of a vicious attack on a democratic state.

[6] 'Most Nationalists Willing to Accept Some Kind of Amnesty.' *Belfast Telegraph,* 30th September 1996.

This refusal to recognise political motivation insulated Unionism from what Republicans, Nationalist and some Loyalists would view as a moral culpability in the reproduction of conflict. The state's formal denial of political motivation also went to the core of much of Unionism's denial of the need for political change. However, once the British government's *de facto* position on the recognition of political motivation had so manifestly changed (through prisoner releases), this represented part of a broader betrayal of the fiction of blamelessness (McEvoy, 2001). Thus prisoner releases and resettlement (together with the other dramatic structural changes to policing, the criminal justice system, equality and human rights legislation and the sporadic reality of power sharing with Sinn Féin) have led to accusations that the mainstream Unionist denial of the political nature of the conflict is intellectually untenable.[7]

One prominent feature of the attitude towards prisoners of both the Ulster Unionist Party (UUP) and Democratic Unionist Party (DUP) has been a consistent linkage of the question of prisoner release and resettlement with the treatment of victims of violence. Thus, a persistent theme in the campaigns against the early releases was that of Unionist politicians framing their position as 'speaking on behalf of the victims of violence'. While of course many victims of violence were opposed to the early releases, such an assumed monolithic view on the position of victims was belied by the fact that other victims felt they could not take a position on the issue and still others argued in favour of the early release programme (McEvoy, 2001).[8]

Unionist politicians also gave prominent support to legal challenges mounted to test the provisions of the early release programme (Morgan, 2000). In the wake of the releases, a number of Unionist politicians have also consistently criticised the resources allocated to the resettlement of prisoners, often juxtaposing such expenditure with the amount allocated to victims.[9] While some victims and victims organisations have become increasingly disillusioned with politicians who 'speak in their name' (McBride, 2004), the debate concerning former prisoners amongst mainstream Unionists in Northern Ireland has lost little of its vituperative tone. Despite the generosity of some of those who have suffered most egregiously at the hands of paramilitary and state actors (Hamber, 2003), the fate of former prisoners

[7] For an analysis of the notion of *denial* with regard to human rights abuses, see Cohen (2001).

[8] Amongst the most high profile supporters of the early release programmes as part of the broader process of reconciliation were Mrs Joan Wilson, mother of Marie Wilson killed by the IRA at the Enniskillen bombing and Mr Colin Parry whose son Tim was killed by the IRA bomb at Warrington. Mr Parry expressed his position recently in the following terms: '*Whilst it is offensive to have my son classed as collateral damage, I saw the prisoner release process as part of the Good Friday Agreement as being absolutely essential. I accepted that the position that both governments were taking, that without prisoner releases there would have been no deal.'* (Minutes of Evidence to the Northern Ireland Select Committee, 2nd March 2005).

[9] See e.g. 'Fury over £6m for prisoners' groups : Contrast with funds for victim support', *Belfast Telegraph*, 2nd December 2000. Between 1998 and 2001 the British government committed over £18 million to victims issues. This figure does not include individual awards made under the Criminal Injuries Compensation Scheme (CICS) or the estimated £120 million costs of the Bloody Sunday Inquiry. Funding for trauma services has continued since 2001. Victims related money has also come from other sources including over £3 million of the European Union (EU) Peace and Reconciliation Programme in the first wave of funding and almost £5 million under Peace II. Funding for victims issues has also come from a range of different charitable sources (Gilligan, 2005).

remains heated, precisely because it speaks to important political and ideological struggles concerning the meaning of the Northern Ireland conflict.[10] As Brian Gormally (2001: 5) has argued, for Unionists in particular;

> ….prisoners and former prisoners are the most obvious ex-combatants, the visible concentration of everything people feel about the conflict…they are the perpetrators of numerous atrocities, the enemies of democracy and civilisation incarnate.

It is little wonder that the role of former prisoners in the future polity remains hotly disputed in many quarters for they are viewed as the most visible representation of conflict. The meaning of imprisonment and the post-imprisonment experience is generally hidden from public discourse. The conflict transformation work, for example, undertaken by former prisoners is generally obscured by tabloid accounts of criminality and other anti-social behaviour. Similarly, the establishment of linkages with state agencies, in itself a sign of conflict transformation, is also obscured. A central concern of this report is, therefore, to encourage understandings of the former prisoner community which stretch beyond the stereotypical depictions found within much of the public domain.

1.5 Structure of the report

Following this Introduction, the report is divided into six further chapters. In Chapter 2, we describe the evolution of former prisoner groups within the historical context of the prison regimes, drawing upon qualitative data to differentiate between Republican and Loyalist experiences. Chapters 3-5 are based on the three core themes that structure the questionnaire survey: resistance and transition; residual criminalisation; and conflict resolution, management and transformation. In Chapter 3, the personal dimension of politically motivated former prisoners is examined through an analysis of family life, self-esteem and other social relationships. The focus in Chapter 4 is on residual criminalisation and the ways in which this set of processes can act as an impediment in the ability of former prisoners to work both within and without their communities. Chapter 5 is concerned with the contribution of former prisoners to conflict resolution, management and transformation, a theme which is further developed in Chapter 6 which employs qualitative evidence drawn from the Focus Groups and Workshop to elaborate on the contrasting experiences of Republican and Loyalist politically motivated former prisoners at working within and without their respective communities. Chapter 7 summarises the conclusions of the project by revisiting the research objectives.

[10] The perspective of the DUP on the early releases is instructive. *'All decent people recoil with moral contempt at the prospect of the mass release of those who have murdered and maimed the innocent....'* (DUP, 1998). Similarly, Jeffrey Donaldson (then a member of the Official Unionist Party, now DUP) has indicated that it was the prisoner release issue together with decommissioning which prevented him from supporting the Agreement. Even for pro-Agreement Unionists, the releases were clearly the most difficult aspect of the peace process (see generally Von Tangen Page, 2000; McEvoy, 2001, esp. Chap. 11).

Chapter 2: The History and Evolution of Former Prisoner Groups

2.1 Introduction

Politically motivated former prisoner groups are a relatively recent phenomenon, the first two examples being established as recently as 1995. The impetus for such groups arose from several issues:

- because former prisoners do not regard themselves as either criminals or offenders, accessing existing services provided by statutory agencies would constitute an admission of criminality;

- former prisoners generally embraced the concept of self-help, seeing themselves as possessing the necessary expertise to assist others in similar circumstances, while believing that the existing service providers lacked the experience or empathy to deal with politically motivated former prisoners (NIVT, 2001: 4).

Between 1995-2003, funding of some £9.2 million from the Community Foundation for Northern Ireland (CFNI)[11] and the European Special Support Programme for Peace and Reconciliation (Peace I and II) supported the establishment of 61 groups and a further 29 projects for those working with politically motivated former prisoners and their families (CFNI, 2003: 47, 50).

This Chapter examines the historical dimension to both Republican and Loyalist groups with particular regard to the ways in which the prisoner issue has been foregrounded by their respective movements as part of the political strategies shaping the shift towards transitional politics both before and after the ceasefires of 1994.

We then examine the groundbreaking talks initiated by the Quakers in 1990 which led to a joint approach on the issues of reintegration and funding for self-help groups, the difficulties encountered by those involved in this joint approach and the reasons for its eventual failure. The Chapter then considers the aims, objectives and funding of past and present Republican and Loyalist former prisoner groups, before concluding with an assessment of their future role, both in terms of funding and also their overall contribution to former prisoner reintegration and conflict transformation.

2.2 The historical context: prison regimes and the 'downtown centre'

The introduction of internment without charge in 1971 led to an influx of prisoners into the prison systems in the island of Ireland. The early acquisition of 'Special Category Status' due to separate campaigns run by Republicans and Loyalists, led to the bulk of politically motivated prisoners being imprisoned in Long Kesh under 'prisoner of war' type conditions. After Loyalist protests inside and outside gaol, a 35-day hunger strike by Republicans and the PIRA cease-fire, Special Category Status was eventually introduced by the Government on 20th June 1972 (Garland, 2001). Henceforth, prisoners who claimed political motivation were granted this

[11] Previously known as the Northern Ireland Voluntary Trust (NIVT).

status if they had been convicted to serve more than nine months and they were 'claimed' by one of groups of ‘political’ prisoners already in the jail.

‘Special Category Status’ was revoked in 1975 under the recommendations of the Gardiner Report and subsequently removed for new prisoners entering the H-Blocks located in Long Kesh/Maze Prison, on or after March 1st 1976. The repeal of ‘Special Category Status’ was based upon a desire by the British state to further criminalise the activities of paramilitary groups. At the same time allegations of a new policy of ‘systematic beatings’ of detainees became increasingly frequent, backed up by reports from Amnesty International (1978) and prominent journalists such as Peter Taylor (1980). The Republican prisoners’ rejection of policies that they regarded as being based upon criminalisation eventually led to the ‘Blanket Protest’, so called due to prisoners donning blankets after refusing to wear prison uniforms. This initiated a more proactive struggle marked by the ‘No-Wash’ protests that ran between 1978 and 1980. This particular campaign against criminalisation led to a deteriorating political situation and finally, in 1980, to the Hunger Strikes which eventually led to the death of ten Republican inmates (O’Malley, 1990; Campbell et al, 1994). A more managerial regime emerged in the wake of the Hunger Strikes following the gaining of certain concessions and alternative mode of resistance tied to negotiation and external political pressure. By the late 1980s, both Republican and Loyalist inmates were partly recognised as political prisoners.

As pro-state paramilitaries, Loyalists had something of an ambivalent relationship with a polity to which they owed loyalty but which, nonetheless, imprisoned them for actions carried out in ‘defence’ of that state. Again for Loyalists, prison struggle had never been a particularly prominent feature of their history or cultural psyche. As one Loyalist former prisoner stated:

> In the l930s Dawson Bates (the then Minister of Home Affairs in the Stormont Government) would have been paying us to do what they began imprisoning us for in the 1970s (Loyalist: Workshop, 24th June 2004)).

While Loyalists believed that their actions were politically motivated they were less inclined to join what many regarded as ‘Republican-type’ prison protests. On certain occasions in the late 1970s and 1980s when Loyalists did engage in protests demanding segregation, such actions were represented by Unionists as giving succour to Republicanism and other anti-state discourses. This animosity toward political struggle prevented a sustained, systematic and resistant approach toward prison-based regimes. The inability, for example, of the ‘Loyalist blanketmen’ to maintain a prolonged political campaign was recognised by Loyalists linked to the UVF/RHC as being due to a lack of collaboration from other Loyalist groups and a wider Unionist community who ‘offered little support for the protestors’:

> Republicans were able to draw on a whole reservoir of tradition within prisons, but there was nothing for us. What we had to do to a large degree was to start and lay the rules and traditions which could be followed by others. It was very difficult because we had an antagonistic regime (Loyalist: Workshop, 24th June 2004).

Unlike Loyalism, Republicanism has a history of imprisonment stretching back many decades and associated with political conflict in Ireland north and south (see, e.g., Coogan, 1987). During the various IRA campaigns, prisoner welfare groups sprang up to organise the provision of parcels and to raise funds for prisoners and their families. When the current 'Troubles' began in 1969, a number of welfare groups materialised including: Green Cross; the Prisoners' Dependency Fund; and the Central Citizens Defence Committee. Following the introduction of internment in 1971, more groups (most notably the Irish Republican Prisoners Welfare Association) were established as political campaigns focused on conditions both in HMP Maze (Long Kesh) and HMP Belfast (Crumlin Road). As one former prisoner put it:

> Our whole system was based on the same welfare that had existed in campaigns as far back as the 40s with the PDF and Green Cross…When I went into gaol in 1972, they provided the transport, they helped with parcels, that was their role outside, to raise funds. We were making things to send out to be sold and they were also taking part in the political campaigns (Republican: Workshop, 24th June 2004).

The groups involved in welfare and in the support of political campaigns were independent of each other and of the wider Republican movement, reflecting the many factions that then existed within Republicanism. These included the Official Irish Republican Army (OIRA), Irish National Liberation Army (INLA) and PIRA. While there may have been little cooperation between these groups outside, cooperative relationships did develop inside prison while the first intimations of a centre to deal with the resettlement of former prisoners also came from Loyalist-Republicans interaction in Long Kesh.

This latter initiative evolved into the so-called 'downtown centre', the first serious attempt to address their welfare and resettlement needs by the prisoners themselves (Crawford, 1999). The 'Camp Council' in Long Kesh, which represented the interests of all the paramilitary prisoners, developed the idea in 1974. The 'Camp Council' achieved 'tranquillity and understanding between bitter opponents', so much so that both its Republican and Loyalist representatives wanted to 'export' the cooperation outside gaol into the establishment of a 'downtown' office in Belfast (Garland, 2001: 194). Gusty Spence, Officer Commanding UVF prisoners, and David Morley, Officer Commanding PIRA prisoners, both drew up documents on the proposal for consideration at Camp Council. The PIRA document, 'Outline Scheme for Resettlement', argued for an effective after-care scheme including the establishment of a Belfast office, controlled by the Prison Welfare Service with a co-ordinating committee. This committee would comprise voluntary, probation and prison welfare groups and enable interaction between the welfare wings of the five main paramilitary organisations (Crawford, 1999).

The detailed problems faced by prisoners and their families during and after prolonged imprisonment were outlined in the Loyalist document, 'Proposals for a Resettlement Programme'. It suggested that a 'downtown' office could be used as a base 'where the representatives of the various Prisoners' Welfare bodies could meet, discuss and work for the common welfare of all prisoners' (Crawford, 1999: 45). The Camp Council agreed that a joint submission be put to the Northern Ireland Office (NIO) for consideration. The potential of the centre was not lost on those involved in discussions as Gusty Spence commented, 'Heaven only knows where such cooperation could have led Northern Ireland' (Garland, 2001: 194).

In the end, the British Government's decision to end Special Category Status and to introduce 'criminalisation' in 1975 led to the abandonment of the 'downtown centre' idea.[12] Some interpreted the abandonment of the 'downtown centre as being due to 'hardliners' within the Republican movement not wanting 'any form of cooperation with the Northern Ireland Office (NIO) or other British authorities (Garland, 2001: 194). Republicans counter this by stating that, at this time, they were 'up to their necks' in negotiations with the NIO. Republicans also argue that they due to wider ideological concerns, they were less motivated by the idea of the 'downtown centre than their loyalist counterparts. One Republican former prisoner stated:

> You can chart the attempts made from 1975 to de-politicise the whole conflict…it was aimed at Republicanism and it's something we knew from the very beginning, something we always resisted…the downtown office…Republicans almost got involved in it and then realised just exactly what was going on. The British Government was removing themselves as a party to the conflict. They were handing it back and creating confusion…to say that it was two tribes fighting (Republican: Workshop, 24th June 2004).

The idea, therefore, of a 'downtown centre' conflicted with Republican ideology which narrates the conflict as an age-old war with the British state and not with Loyalism. Endorsing the concept of a centre would have meant lending credence to the British Government policy of criminalisation and its counter-claim that the conflict was between Loyalists and Republicans.

2.3 Republican former prisoner group development

Although the centralisation of the prisoner issue within Provisional Republicanism started around the time of the removal of Special Category Status, it gradually became a more important aim of the movement towards the end of the 1970s and early 1980s. In 1978, as the 'no-wash' phase of Republican protest began inside and outside the H-Blocks, Relatives' Action Committees (RACs) were formed in many areas throughout Northern Ireland. These committees comprised mainly friends and families of prisoners and over the next three years campaigned to highlight the ongoing protests inside the Maze (Campbell et al, 1994). As public support grew in Nationalist areas, efforts to co-ordinate publicity and protests resulted in the formation of the National

[12] Although the decision to end Special Category Status was announced in 1975, the policy was not introduced until the following year when those convicted after 1st March 1976 would be treated as ODCs (Ordinary Decent Criminals) and would serve their sentence in the new Maze Prison known as the H-Blocks.

H-Block/Armagh Committee. Von Tangen Page (1998) notes that it was during this turbulent time that prisons became the issue through which Sinn Féin was able to further promote its political strategy. In demonstrating that the prisoner issue had significant levels of support from the wider Nationalist community, Republicans were able to gain support for their dual so-called 'Armalite and Ballot Box' strategy combining an IRA armed campaign with the political contestation of elections.[13] They also learned the valuable lesson that building broad coalitions around a particular issue and beyond their own immediate constituency could add legitimacy to their various campaigns (McEvoy, 2001).

For some, the change in prison regime was the catalyst for a re-thinking of the issues affecting prisoners. Whereas Long Kesh had been a more open system allowing for some, albeit restricted, interaction between the differing political persuasions, the new cell system in operation in the Maze severely limited any contact between Loyalists and Republicans. One Republican 'ex-lifer' notes that the system that operated in the Maze:

> created a dynamic…one of the offshoots of which was that, after all the ups and downs, hunger strikes, escapes etc, for the first time you had POWs taking a long hard look at people who at that stage had been in 12 years or longer, mostly in the category of lifers…the POWs themselves [decided] that a campaign to deal with life sentences and SOSPs [prisoners sentenced to the Secretary of State's Pleasure being under 18 years of age at the time of the offence] needed to be embarked upon (Republican: Workshop, 24th June 2004).

By the mid 1980s, Sinn Féin's Prisoner Of War Department (POWD) had been established to co-ordinate the many campaigns being fought around prison-related issues including strip-searching, repatriation and extradition. The Campaign for Lifers began in February 1988 to struggle against a review system put in place by the Northern Ireland Prison Service (NIPS) in March 1983. As pressure grew from Unionist and Nationalist politicians criticising the lack of transparency in the decision-making processes of the Life Sentence Review Board, the NIO eventually detailed the operation of the system in 1985. This was heavily criticised by political parties affiliated to paramilitary prisoners as the criteria for release included consideration of the actions of the paramilitary group outside (Sinn Féin POWD, 1986).

The Campaign for Lifers 'concentrated its efforts to bring about change in the NIO criteria for the release of life and SOSP prisoners' (*The Captive Voice/An Glor Gafa*, Autumn 1989, 1: 1). Although the same criteria remained in place for some time, the authorities did introduce numerous initiatives to aid the release of prisoners such as the 'home leave' and 'working out' schemes (McEvoy, 2001). Thus the problems associated with release after prolonged periods of imprisonment became the topic for discussion not only among the released but also those still in prison:

[13] The correct quote is: 'Will anyone here object if, with a ballot paper in one hand and the Armalite in the other, we take power in Ireland?' and refers to Danny Morrison addressing a Sinn Féin Ard Fheis in June 1981 (Taylor, 1997: 281).

> the campaign to deal with life sentence and SOSPs…was a forerunner, although nobody seen it at the time, to asking the question about people getting out of gaol, "what are they going to do once they are out?" You are going to get this influx of people released and nothing there for them…I left gaol in 1990 and was asked to take on the responsibility of the POW Department, and to carry forward the ideas that had been put together in the gaol in terms of an ex-POW centre (Republican: Workshop, 24th June 2004).

Those ideas were further developed when Loyalist and Republicans next came together through a Quaker initiative that became known as PROPP (Progressive Release of Political Prisoners – see 2.5 below).

2.4 Loyalist former prisoner group development

The lack of a tradition of imprisonment in the Loyalist community was readily apparent when its first high-profile representative, Gusty Spence, was sentenced in 1966. He did have support among the Shankill Road working class but elsewhere there was disapproval. For example, as Spence was a member of the local Orange Order, his lodge continued to recognise him by stopping outside Crumlin Road gaol during the 12th July parades. The Grand Lodge ordered Spence's expulsion and when it refused, his Prince Albert Temperance lodge was threatened with the removal of its warrant (Garland, 2001). Again, there was no loose network of welfare groups and prisoners depended on friends and family to meet their needs. As the 'Troubles' intensified, however, and more UVF members were convicted and sentenced, welfare groups associated with the organisation were formed.

The first such was the 'Orange Cross', replicating the Republican Green Cross. This group performed a similar function for UVF prisoners by organising collections and 'supplementing parcels destined for the prisoners with basic necessities like soap, a comb, hair cream, face flannel and shaving soap' (Garland, 2001: 129-130). A Loyalist former prisoner sums it up:

> We had no culture or history of prisoners, we started from scratch trying to work out systems…When Gusty Spence went to prison, that was the first time that Loyalists went outside the law. In that era that was the first time a welfare system the "Orange Cross" was formed. Among working class areas we were the same as IRA prisoners but once you went outside of those areas you'd no support…within the general Unionist population we were outcasts (Loyalist: Workshop, 24th June 2004).

There was a difference, too, for those from a rural background:

> Maybe in places like the Shankill, were there's a high concentration of Loyalist prisoners, the working class people supported ex-prisoners, but you go to a place, portrayed as the "bastion of Unionism"…Portadown, within the Loyalist and Unionist community there, is outright hostility to our very existence. Unionism in Portadown has manifested itself in many extreme forms

> politically, but they still do not have much time for people who do not have the cloak of legitimacy around them…that in many ways has curtailed the development of Loyalist ex-prisoner groups (Loyalist: Workshop, 24th June 2004).

As the number of Loyalists imprisoned began to increase in the early 1970s, particularly with the introduction of internment, the UVF established the Loyalist Prisoners Welfare Association (LPWA). This was:

> a loose group whose main focus was transport, family welfare, prisoners' rights, street protests, hoax bombs, blocking roads…replicating the Black Taxis to generate funds for families (Loyalist: Workshop, 24th June 2004).

The Orange Cross was subsumed by the LPWA, which was the only welfare group in existence for UVF prisoners and former prisoners until as late as 1995. The LPWA functioned as part of a movement. It had close ties to the UVF outside and to its prisoners inside who appointed a welfare officer to liaise with the LPWA. This close connection allowed the mobilisation of support for protests and provided extra help when needed:

> It was a movement. People underestimated the size of the operation that organised parcels at Christmas, transport and things like that (Loyalist: Focus Group, 1st December 2004).

The LPWA also organised protests outside prison to highlight the conditions of prisoners inside. One of the first was when Republican and Loyalist prisoners in Long Kesh stopped taking visits for 14 weeks in protest at restrictions put in place after a PIRA prisoner escaped during a visit. The LPWA was also instrumental in the discussions around the idea of a downtown centre' as one former prisoner recalls:

> The concept of the "downtown centre" came from inside. Gusty was involved and the NIO bought into it…Trying to bring all the paramilitary groups in from the cold…the LPWA did the negotiating…the Republicans blocked it (Loyalist: Focus Group, 1st December 2004).

Loyalists were involved in ongoing protests throughout the late 1970s and early 1980s particularly in relation to the campaign for Special Category Status in the Maze and the campaign for segregation in Crumlin Road (Crawford, 1999). As with Republicanism, the next main issue for the movement centred on the Life Sentence Review Board introduced in 1983. Members of the LPWA and parents of SOSPs and life sentence prisoners formed the 'Justice for Lifers' campaign in 1985 (Justice for Lifers 1985; Loyalist: Focus Group, 1st December 2004). Eddie Kinner, a former UVF SOSP explains:

> The first campaign was aimed at SOSPs. All the parents got together to push the issue. That started in and around 1983-84. The first indeterminate sentence prisoners to be released were Gusty [Spence] and two Republicans. The pressure then grew about SOSPs. What

> kicked off the genuine acknowledgement of having to release prisoners was the attempted escape of Benny Redfern and Ned Pollock. Benny Redfern got crushed to death in a bin lorry. The desperation of that – there was a recognition that at some stage they [the prison authorities] were going to have to do something especially if people were going to go to that extent to try and escape (Interview, 8th December 2004).

The idea that indeterminate sentenced prisoners had to take part in interviews and answer particular questions in order to be considered for release was seen by some as reinforcing the Government's policy of criminalisation. It caused a split within the UVF compound in Long Kesh with around 15 indeterminate sentenced prisoners (out of around 90) refusing to take part in the process. Eddie Kinner was one of the 15:

> As far as I was concerned it was a charade. No one had been released and I couldn't justify taking part. There was ground still to be won. There was still scope to negotiate what kind of release procedure you would be going through. Once people began to take part then they accepted the terms and conditions. Once people started moving out through the "working out scheme", the thing was in place and you were only cutting off your nose to spite your face. I had a decision to make – get another three-year knock back or bite the bullet and go through the process. I was harming no one but myself (Interview, 8th December 2004).

Kinner, like many others eventually went through the process. The first two Loyalist SOSPs were released in 1988 along with the first Christmas parole for indeterminate sentenced prisoners. This marked the beginning of releases of those serving prolonged sentences, many Loyalists believing that this was the catalyst for the development of former prisoner support groups during the 1990s:

> As the first life sentence prisoners began to be released around '88-'89, it was then that it dawned on people the problems that were there (Loyalist: Focus Group, 1st December 2004).

2.5 Progressive Release Of Political Prisoners (PROPP)

The first real initiative in this regard came from the creation of the organisation, Progressive Release Of Political Prisoners (PROPP). (Because there is very little documentation in public circulation in relation to PROPP before 1994, this section is informed mainly by material made available for the study and by interviews conducted with three Republicans and two Loyalist members of PROPP.) In 1990, Martie Rafferty, a Quaker and social worker who worked in the Quaker Family Centre at the Maze, approached some Loyalist and Republican former prisoners and asked them if they had encountered any difficulties since their release. During separate discussions Rafferty recognised that each side had similar concerns about the needs presented by release after prolonged imprisonment and the lack of resources to address them. The Quaker movement in Northern Ireland had recognised that politically motivated former prisoners would have difficulties working with state agencies. Rafferty suggested that Republican and Loyalist former prisoners should co-

operate in providing a forum to articulate the problems and difficulties faced by former prisoners returning to their families and communities.

The initial meeting of PROPP took place in Quaker House, Belfast in 1991. It was attended by nine Republican and three Loyalist former prisoners, together with Rafferty and three 'human rights activists'. As more meetings took place the numbers eventually levelled off to a nucleus of two or three from each side. The idea was that PROPP would grow and develop into a recognised body that would articulate the reintegration issues affecting politically motivated former prisoners, the case strengthened by its joint Republican and Loyalist members, who had the approval of their respective organisations to form the group (PROPP document, undated; EPIC, Green, 1996;Crothers,1998; EPIC, 2004). Martin Snodden regarded PROPP as:

> the transition from issues concerned with "inside" to issues "outside" while the LPWA continued in their role of looking after prisoner welfare (Interview, 14th December 2004).

The meetings took place against the backdrop of continuing violence, the risks involved for the participants being two-fold:

> being targeted not only by the "other" side but also by our "own" side…you have to remember there were no ceasefires in place…over the course of the next few years, we were "observed" by the Republican war machine – there were people sent from that particular constituency to check us out and see what we were at…we had an unwritten contract with regard to security and confidentiality (Martin Snodden (EPIC): Interview, 14th December 2004).

There were times when events caused particular tensions within the group. Tony Catney recalls one such episode:

> there was an explosion, September '92, A Wing in the Crumlin Road and two Loyalist prisoners were killed. At our meeting the next Monday night, I was the only Republican. They started into me asking me to condemn the bombing, nearly asking me to apologise for it. I said no it wasn't the right way to go about it, if I did that then we would start every meeting condemning the latest incident and it would get us nowhere. The tensions we had between us were massive. It was a toss up whether I jumped out of the window or [they] threw me out (Interview, 14th December 2004).

A number of issues were crucial to the concept of PROPP. These centred on the belief that government had a responsibility to fund the cost of reintegrating political prisoners back into the community and that this would enable the establishment of two separate self-help centres to replace the unacceptable services provided by NIACRO and PBNI. Tony Catney explains how PROPP viewed the role of government:

> Government had a responsibility to fund – that's it, that's all. They had the resources to make things happen. We had the know-how and

> the experience to make things happen (Interview, 14th December 2004).

Unlike the earlier idea of a 'downtown centre' catering for the needs of all political former prisoners, PROPP never envisaged anything other than separate self-help centres. As Martin Snodden recalls:

> It was always the case of separate centres. We had to look at reality. It was unthinkable at that particular time, no ceasefires; in fact things had got worse. It simply wasn't an option to have a joined-up centre. We had an unwritten agreement regarding the exchange of information but it was never envisaged as one structure to house all factions (Interview, 14th December 2004).

Due to the Hurd Principles, PROPP could not approach government directly but had people lobbying on its behalf as well as having meetings with NIACRO, PBNI and other potential funders. Members believe that this 'chipping away' had a slow but positive effect, strengthened by the fact that Loyalists and Republicans were 'making the pitch' together. The Quakers secured the first funding:

> against the backdrop of violent conflict and probably "subversive" stamped all over your record. The first funding is always the hardest to secure. To be fair it never covered anything other than meeting as PROPP but it was about staking the first claim. Then the statutory bodies started to take notice for fear of being left behind (Tony Catney: Interview, 14th December 2004).

Ironically, according to Martin Snodden, difficulties arose within the group when a large amount of funding was offered from backers in the USA. The backers insisted that PROPP become legally constituted and encouraged it in seeking additional funding to match that on offer. Discussions continued for many months on the issue of legal constitution and approaches were made to the NIO regarding statutory funding using the offer from abroad as leverage. Then a few months after the ceasefires were called in 1994, new Republican representatives replaced Tony Catney and his colleague. This changed the dynamic of the group. Eddie Kinner felt the move was deliberate:

> The other reps were perceived as being too familiar with the Prods – so they were pulled out and two others put in…they would have nothing to do with meeting NIO ministers because the NIO at that stage were refusing to meet with Sinn Féin…they couldn't be seen to be used to undermine that connection so they scuppered any early chance of funding (Interview, 8th December 2004).

Snodden attributes these changes to a combination of Republican ideology and the Republican movement's desire for control over the issue of prisoners. From a Republican perspective, PROPP was always a tactical rather than a strategic initiative. While welcome as a forum for exchanging views, the prospect of a joint project was always problematic to them. The issue that undermined the development of PROPP, according to Republicans, was the lack of a shared political analysis between them

and Loyalists. Republican argue that they were focussed on the conflictual axis between themselves and the British state, whilst Loyalists appeared to invest more importance in an analysis of the Loyalist/Republican axis of conflict.

In any event, Tar Anall was already established (though not yet funded) early on and the issue of attracting funding could not, from the Republican perspective, rest upon the parallel establishment of Loyalist services. Additionally, PROPP appeared to be predicated upon 'matching funding for matching development' in Loyalist and Republican structures. Republicans argue that, had this approach taken root, the significant development of Republican groupings that subsequently took place would not have been possible, given the 'relative lack of capacity and interest amongst Loyalist ex-prisoners' (Republican: Interview, 22nd August, 2005). According to a Republican source:

> Moreover, those initially involved in PROPP from the Republican side failed to give necessary feedback to other stakeholders within the Republican family. When what Loyalists interpret as an exertion of control took place, this was really an organisational view that individuals claiming to represent Republicans really needed to adopt a more collegial approach.
>
> In the event, from a Republican perspective, PROPP lost its relevance. The development of services for Republican ex-prisoners took priority as against a forum which was likely to impede the attraction of the required resources. Once the EU Peace Programme came on stream, the need for a parallel funding approach that tied Republicans into what Loyalists had the capacity for would have been counter-productive (Republican: Interview, 22nd August 2005).

Again, there is also the issue of the different capacities in delivery of Republican and Loyalist former prisoner groups:

> EPIC were trying their best to do a good job but it was a lot harder for them then it was for us, because we had a great spring board in our community, they hadn't. That was one of the reasons for the demise of PROPP. It was the development. We got our own funding, did our own work, we had our own centres. So there was really no need for PROPP after that other than as somewhere to meet and talk and to keep up…they met at the very very difficult times of the struggle. They met when Loyalist assassinations were going on. They met throughout times like the Shankill Bombing. It was very difficult risky work. And I think it was very important work (Republican: Interview, 12th December 2004).

The difficulties experienced by the group meant that other avenues had to be explored. One such avenue was offered by NIVT which, following a series of meetings, agreed to fund two six-month contracts, one each for a Loyalist and Republican development worker, in the hope that more funding would be secured

down the line. This led to the setting up of EPIC on the Shankill Road and Tar Anall on the Falls Road. This initiative coincided with the inauguration of the first round of European Peace and Reconciliation funding which, ironically, eventually led to the demise of PROPP:

> Peace I brought in the concept of separate access…the Republican community could have total control over the former prisoner issue and there would be no need to work with Loyalists (Tony Catney: Interview, 14th December 2004).

> When Peace I money was secured, the groups started to develop separately. The joint approach was no longer needed to secure funding and Republicans would no longer approach the state (Eddie Kinner: Interview, 8th December 2004).

> There was a very clear divide in regards to the focus of PROPP and the separation of PROPP. That is when the Peace money came on stream and both groups were then able to access it independently of the other. There was then a growing separation and PROPP eventually dissolved (Martin Snodden: Interview, 14th December 2004).

The interviewees believe that PROPP never got to fulfil its objective, the issue of statutory funding still remaining very high on the agendas of former prisoner groups today. Although the dialogue that took place helped to develop relationships, some of which still endure, the unrealised potential of the group in terms of conflict transformation was noted by Eddie Kinner:

> If the Government had have funded that and taken on its responsibilities, it could have developed something which could have been more powerful and more influential in terms of strengthening and cementing the peace process (Interview, 14th December 2004).

2.6 Current former prisoner groups and issues

2.6.1 The groups

Since EPIC and Tar Anall were founded in 1995, many other former prisoner self-help groups have been established right across Northern Ireland supported, primarily, by European Union funding. Most groups have similar aims and objectives, namely to support the reintegration of politically motivated former prisoners into their families and communities. While these aims remain a 'live' issue for the groups, the decreasing number of individuals seeking practical assistance has drawn a question mark over the sustainability and future of the groups. In particular, it begs the question as to the contribution they can offer in building peace.

As we have seen, EPIC was established in 1995 as a self-help centre to address the problems surrounding the resettlement of politically motivated prisoners, in particular those from a UVF or RHC background. It opened a drop-in centre to deal with the many practical issues facing former prisoners on release including housing, benefits

and employment prospects as well as offering emotional support and counselling to former prisoners and their families. The specific objectives of EPIC are:

- To identify the needs of prisoners and prisoners' families during the post release period;

- Provide resources and facilities which will help former prisoners and their families in the process of reintegration into the family and community;

- Provide a reference point for prisoners during the pre-release period and after release;

- Link former prisoners and their families with other existing agencies, where appropriate, and support them in making use of their services;

- Provide opportunities, both formal and informal, to share experiences and encourage the development of mutual support services (Crothers, 1998).

In the run-up to the 1998 Belfast Agreement, EPIC developed regional centres in various parts of Belfast, Londonderry and Armagh to cater for the many politically motivated prisoners to be released under the terms of the Agreement. It also conducted a number of studies into the experiences of Loyalists inside prison and the problems associated with reintegration, this latter work being aimed at refining and developing the services specifically targeted to meet the needs identified in the research (Crothers, 1998; Green, 1998). Over the years, EPIC has developed and diversified its services; in the organisation's own words:

> while successful reintegration of ex-combatants in itself makes a significant contribution to peace-building, EPIC have, through a wide range of activities, made a much wider contribution to peace building in Northern Ireland (EPIC, 2004: np).

Its activities now include:

- creating opportunities for ex-combatants and others to engage in dialogue;

- using the experience of former prisoners to influence and persuade young people of the value of non-violent methods of conflict resolution;

- empowering and training former paramilitary activists with the skills to pursue their objectives in a non-violent way while contributing positively to the community;

- and sharing experiences of conflict with others in conflict zones around the world to identify common themes and construct models of best practice in peace building (EPIC, 2004).

EPIC also continues to work on addressing the issues that prevent the full reintegration of politically motivated former prisoners into society.

Tar Isteach, which is a charity and a company limited by guarantee, was launched in 1999 and provides counselling and welfare rights service for Republican former prisoners and their families in the North Belfast area. It is a community-based organisation providing support services to 'a highly marginalised group in one of the most deprived areas of Northern Ireland' and ensuring that the barriers which 'persistently prevent political former prisoners, and by association their families, from achieving full and equal citizenship' are overcome (Tar Isteach Annual Report, 2004: 3). As well as these counselling and welfare services, Tar Isteach is involved in:

- youth projects;
- a not-for-profit social economy construction firm providing employment and training;
- development of other former prisoner projects throughout North Belfast such as Amach agus Isteach in Ardoyne;
- cross-community projects promoting dialogue and peace building among all sections of the community.

Although Tar Isteach's main aim is to act as a support mechanism for former prisoners and their families, the organisation's welfare rights services are available to the wider community. A priority for the group is to work 'for the overall social, economic and physical improvement of the entire community' (Tar Isteach Annual Report, 2004: 3).

As observed above, Tar Isteach is part of a larger network of Republican former prisoner groups integrated into Coiste na n-larchimí. Coiste's aims are to:

- secure the full integration of the Republican former prisoner community through recognition of the contribution they have made to the community in the past and can make in the future;
- facilitate Republican former prisoners in deepening and developing their contribution to justice and peace in Ireland;
- deepen the mutually beneficial links with community organisation, employers and other groups.

Coiste's work focuses on:

- co-ordinating the activities of local groups;
- lobbying government and statutory bodies in respect of political former prisoner issues;
- addressing the effects of criminalisation including identifying the legal and administrative impediments that prevent full citizenship for Republican former prisoners (Coiste, 2004b).

2.6.2 Funding

As observed above, most funding for politically motivated former prisoner groups comes from European Union (EU) schemes. Since its inception EPIC has mainly been funded by the Peace and Reconciliation I and II programmes. Tar Isteach and Coiste have also received support under Peace I and II. This funding is awarded in grant form by Intermediary Funding Bodies (IFBs) who are contracted to administer funds in relation to certain 'measures' or criteria. As the core funding body for former prisoner groups, CFNI sets out clear criteria for funding, priority being given to projects which:

- support the healing process and help those who are victims of the conflict to come to terms with their losses;

- support community involvement, retraining and the development of skills among people who have been marginalised by society;

- encourage self-help and user involvement in the provision of quality services for marginalised groups and people (NIVT, 2001: 2-3).

Independent evaluations carried out on the projects have concluded that they 'have more than met the objectives of the EU Peace Programme' (NIVT, June 2001: 8). As well as meeting the aims set out above, the evaluation stated that:

- there now exists a comprehensive support structure for former prisoners and their families; that structure is led by former prisoners and so is a clear model of self-help in practice;

- linkages have been initiated and developed across the divides;

- some innovative approaches by former prisoners and the awareness of their potential contribution for good in society have been significantly highlighted;

- networks and alliances with some statutory bodies have been formed (NIVT, June 2001).

One of the most significant comments in the evaluation concerns the impact of the funding programme and it is worth quoting in full:

> The Programme has had impacts which are both quantifiable and intangible. The most important single benefit of the programme has been the impact it has had on peace building. Peace building has involved building confidence within communities as well as developing contacts between what had been warring combatants, fostering those contacts so that collaborative working can be initiated, and identifying ways in which the issues facing former prisoners and their families can be addressed. All of this has led to many former prisoners and their families feeling much less alienated

> and seeing that they have a place in this society (NIVT, June 2001: 6).

The media portrayal of Peace funding has not been so complimentary. Rather than highlighting the potential benefits of the funding, some journalists have reported on the Peace Programme in a negative and sensationalist way, usually focusing on funding for former prisoner groups in comparison to that for victims groups.[14]

Former prisoner groups are concerned that the positive role that they have undertaken is submerged in a refusal of sections of the media to go beyond stereotypical interpretations of paramilitary groups. There is a general acceptance of press freedom but a sense that the media fails to cover and/or acknowledge more positive depictions of former prisoner groups and their activities. As stated by a member of Tar Isteach:

> We received funding from Comic Relief and we used those funds to do crucial work with young people. It was all based on conflict resolution and peace and reconciliation work. When sections of the press found out they ran a piece on how former bombers were getting money from a well-known charity.
>
> The day that press stuff came out was the same day that we had taken a group of teenagers up, form New Lodge, to meet the Apprentice Boys of Derry. There was nothing written about that, about us doing something that challenged stereotypes. We were stereotyped and attacked without any consideration or even mention of what the funds were used for (Republican: Interview, 25th August 2005).

The issue of additional funding is at the core of the future sustainability of the groups. Given the dependence on Peace money and the absence of statutory funding, former prisoner groups are seeking alternative ways of funding projects. Coiste has started a 'political tourism' business showing groups of tourists and other interested parties around various parts of West Belfast, including both Loyalist and Republican areas. A leaflet promoting the tour in twelve different languages and a promotional DVD have been produced (Coiste, 2004a). Tar Isteach has created a new social economy enterprise called AAI Construction. This 'not-for-profit' construction firm provides training and employment for former prisoners although not exclusively so and offers affordable building services to people in North Belfast (Tar Isteach Annual Report, 2004). EPIC continues to lobby government and statutory agencies:

> What they [Government] have tended to do is channel funds to "safe hands" – sanitised people – and with all the will in the world they can't make a button of difference. Once Government get their head round that it may lead to a place for us (Loyalist: Focus Group, 1st December 2004).

[14] CFNI provides an assessment of how Peace I was reported in the media in their publication, 'Taking "calculated" risks for Peace II' (2003).

2.7 Conclusion: the future of former prisoner groups

> As to the future of politically motivated former prisoner groups, the CFNI evaluation found that some of the groups had been actively considering their future but that 'too many are focussed on the availability of grant aid and see their survival and growth as fully dependent on continuing grant aid' (NIVT, 2001: 37). That is clearly not the case with all the groups as outlined above. Liz McShane argued in her 1998 Interim Report that mainstream funding would enable groups to continue and develop their work instead of devoting considerable time to raising funds.

The groups themselves believe that regardless of the source of their funding that their work in resettling former prisoners is far from complete, According to Tommy Quigley, Project Coordinator, Tar Isteach:

> Notwithstanding the positive contribution [to peace building], we are still waiting for full citizenship in legal terms. The effect of the "criminal" record in a wide variety of life from employment through to adoption needs to be addressed. There is a responsibility on both governments across Ireland to fulfil the Good Friday Agreement commitment in this regard. But this doesn't stop former prisoners from being involved in promoting justice, peace and community empowerment…former prisoners refuse to be passive. They are agents of change not objects of transition (Tar Isteach, 2004: 5).

Again, for Tom Roberts, Director of EPIC:

> We have a pretty good handle on all the practical issues that ex-prisoners face. Unfortunately we haven't made much impact on the legislative that impacts upon ex-prisoners and that will continue for quite a while. Our role has become much wider now than former prisoners. It leads into the next phase; our future is in providing assistance and support to our respective paramilitary organisations, the UVF and RHC, in their own transformation process (Loyalist Focus Group, 1st December 2004).

It is evident that politically motivated former prisoner groups see their purpose as being unfulfilled and, while they can be innovative in terms of their future *raison d'etre*, it is difficult to envisage what the future holds in the absence of secure or mainstream funding. If, as Tom Roberts suggests, former prisoner groups move into a new phase that assists and supports paramilitary organisations to transform themselves into something other than that associated with violence, then mainstream funding would be a timely initiative.

It is this dichotomy between the personal and communal goals of former prisoner groups that shapes the next three chapters which deal with the results of the questionnaire survey from the perspectives, successively, of:

- the ways in which imprisonment and release impacted on family life, self-esteem and other social relationships;

- residual criminalisation and the ways in which this can act as an impediment in the contribution of former prisoners to their communities;

- the contribution of former prisoners to conflict resolution, management and transformation.

The focus in Chapter 3 is within the respective communities, Chapter 4 deals with impediments both within and without, while Chapter 5 focuses primarily on the role of former prisoners without their own communities but not exclusively so as elements of conflict transformation can also be internalised.

Chapter 3: Resistance and Transition: Imprisonment and the Post-Imprisonment Experience

3.1 Introduction

There is no doubting that incarceration and post-imprisonment has presented prisoners and their families with a series of complex problems and difficulties. McEvoy et al (2004) isolate the centrality of factors such as loss of income, marital breakdown and emotional and psychological stress. In addressing these issues, this section of the Report is grounded in ideas of resistance and transition and the ways in which the post-prison experience can be seen as a surrogate for continued struggle as well as a period of coping with the effects of imprisonment. Consequently, the first goal of the questionnaire survey (with its 300 respondents and backed up by the Focus Group meetings and semi-structured interviews) was to determine the impact of imprisonment on family life and the effect and nature of release upon self-esteem and other social relationships. In this Chapter, we deal with:

- personal characteristics of the respondents;
- the impacts of imprisonment on personal relationships;
- the impacts of conflict;
- employment status of former prisoners;
- the issue of benefit dependence.

The survey aimed at obtaining a range of responses from former prisoners both in terms of their age and the nature of the regimes under which they were imprisoned. These included: internment; criminalisation after 1976; the Hunger Strikes of the early 1980s; and the more managed prison regimes of the late 1980s and 1990s. Prior to dealing with this dimension to the questionnaire, however, we consider the broader issues of resistance and transition which frame this part of the discussion.

3.2 Former prisoners, resistance and transition

Much of the traditional literature on the adaptation of inmates to the prison experience focuses on ‘coping’ strategies adopted to deal with the ‘pains of imprisonment’. Such pains usually include the loss of liberty, deprivation of family relations, and the reutilisation and dehumanisation of prisoner life (Goffman, 1961). The sociological literature on coping with imprisonment is broadly divided into two categories. There are a range of classic if now somewhat dated studies which focus on prisons as ‘closed institutions’, wherein specific influences are viewed as central to the prison experience and prisoners are seen to develop a series of ‘argot’ roles in order to cope with their prison experience (Clemmer, 1940; Sykes 1958; Sykes and Messinger, 1960). A second genre of sociological literature tends to place greater emphasis on existent pre-prison factors and thus examine the relationship between factors such as socialisation, gender, socio-economic status, race, educational attainment or a hybrid

of such elements in assessing the impact of imprisonment (Toch, 1977; Adams, 1992; Matthews, 1999). Psychological literature, on the other hand, appears to be based largely on the 'truism' that imprisonment must be in some way psychologically 'damaging'. Psychological studies tend to explore whether various symptoms such as defects in cognitive functioning (e.g. loss of memory or inability to think clearly and rationally), emotional problems or problems relating to others or indeed the appearance of various psychotic tendencies can be related to imprisonment. In the last twenty years, the stress coping paradigm has come to dominate psychological research on imprisonment. Utilising a framework derived from environmental psychology, this genre of research focuses on the ways in which individuals are seen to identify stressors (e.g. threats to their emotional or psychological well being), appraise and act upon them. Within this framework, unsuccessful coping can result from overwhelming levels of stress, skewed or counterproductive appraisals of situations or immature or poor coping skills (Bukstel and Kilman, 1980; Zamble and Porporino, 1988; Gibbs, 1991; Sappington, 1996).

As detailed elsewhere (e.g. McEvoy, 2001), this literature on prison 'coping' is arguably only of limited analytical use in exploring the actions and motives of paramilitary prisoners in the arena studied here. The existing academic and biographical accounts of political imprisonment in Northern Ireland, reinforced by the fieldwork conducted for this research, suggest that the central coping strategy for politically motivated prisoners (particularly Republicans) was active and coordinated resistance (e.g. Rolston and Tomlinson, 1986; O'Malley, 1990; Campbell et al, 1994; Morrison, 1999; McKeown, 2001). Such a distinction is what Cohen and Taylor (1977: 131) referred to as the difference between 'making out' and 'fighting back'. Although more critical accounts of imprisonment elsewhere do allow space for resistant strategies amongst prisoners, (e.g. Mathiesen, 1965; Sparks et al, 1996), arguably such strategies are best illustrated with regard to politically motivated prisoners where the act of imprisonment is intimately bound up with the political and ideological contours of a broader political struggle (e.g. Buntman, 2003). Actions such as collective organisation into paramilitary command structures, military and political education, communicating through the Irish language, refusal to wear prison uniforms with their associated tag of 'criminality', no wash protests, hunger-strikes, escapes, legal challenges and violence against prison staff, which became synonymous with Northern Ireland prisons, were given particular resistant meaning because of the broader political conflict.

Simplifying for the sake of brevity, there were also some differences in the resistant styles of Republican and Loyalist prisoners. With a long history of political imprisonment to draw upon, Republicans tended to locate their analysis of imprisonment within the context of their 'struggle' against British 'imperialism'. Republican prisoners were able to appropriate power at both a symbolic and material level as part of a broader resistant strategy which places considerable emphasis on the collective nature of their detention (McKeown, 2001; McEvoy, 2001). Their traditional ability to mobilise a powerful political power base in the community was given added impetus and strategic direction by the growth of Sinn Féin from the 1980/1981 hunger-strikes onwards (Clarke, 1987). They were sustained by a view of imprisonment as a continuance of the struggle, the epicentre of which was resistance to the criminalisation of the political roots of the conflict.

For Loyalist prisoners on the other hand, with a more ambivalent relationship to the state and no history of political imprisonment outside the most recent conflict, such clear oppositional resistance was more problematic. In promulgating that 'their only crime is loyalty', they were forced to conceptualise and acknowledge a prison system (and by extension a state) which was legitimate but which was punishing them either erroneously or over zealously for acting for the best of motives in defence of that state (Crawford, 1999). Loyalist prisoners did engage in sporadic hunger strikes and a more sustained campaign of no wash protests in support of segregation but prison 'struggle' for Loyalists was not such an obvious microcosm of a broader political struggle. While Loyalist prisoners received sporadic encouragement from some Unionist politicians and, of course, from their own prisoner welfare associations (see Chapter 2), they had no similarly mobilised and organised political constituency from which to draw support – a feature which has continued during the post-conflict transition. For these and other reasons, Loyalist prisoners' capacity for resistance was correspondingly muted when compared to their Republican counterparts when one considers the respective prison histories of different resistant strategies such as hunger strikes, no wash protests, violence, escapes and the use of law (McEvoy, 2001).[15]

Despite these differences, the forging and maintenance of a notion of a 'prison community' in direct contravention of NIPS's oft-stated determination to 'treat prisoners as individuals' (e.g. NIPS, 1987) was viewed by many Loyalist and Republican prisoners as a practical and symbolic assertion of their status as political prisoners. This was clearly made easier in a context where prisoners were already members of illegal paramilitary organisations, used to command structures, and shared a common political and ideological base. Organising themselves into such groupings was viewed by prisoners as direct challenge to the traditional power relationship within prisons wherein the capacity of a small number of prison staff to control and direct prisoners is predicated upon dealing with individual prisoners rather than organised groups. In the Northern Ireland context, collective resistance was both a 'coping' strategy and a practical and symbolic assertion of the political status of the inmates.

Such resistant strategies were certainly understandable in the context of political imprisonment while the conflict was ongoing. However, the resistant techniques honed during imprisonment - the emphasis on collective solidarity in the prisons, the tendency to mask or control emotions and the determined focus on the political and military nature of the respective 'struggles' - have arguably amplified personal, familial and social difficulties experienced by former prisoners after release. The significant reduction in organised political violence over the past few years in Northern Ireland has, in turn, seen a move away from identities primarily shaped by the exigencies of resistance, to one wherein former prisoners and combatants generally have had to come to terms with those subjective and collective consequences of the transition from violent conflict in an honest fashion. As will be discussed in more detail below, and indeed as has been demonstrated by other studies (Shirlow, 2001; Grounds and Jamieson 2003; McEvoy et al, 2004), former prisoners have been increasingly frank about acknowledging issues such as: indicators of post-

[15] The most notable 'success' in terms of prisoner resistance by Loyalist inmates was securing of segregated accommodation for paramilitary remand prisoners after Loyalist prisoners had severely damaged Crumlin Road prison in 1994 and the authorities moved the prisoners to segregated accommodation at the Maze.

traumatic stress disorder amongst their numbers; family and relationship difficulties with wives, partners and children; emotional and personal difficulties as well as a range of issues related to their continued exclusion from employment and related aspects of civic and political life. The Chapter now moves to reflect upon post-release personal outcomes for politically motivated former prisoners. The different attitudes that emerge are shaped by the contrasting views on resistance formulated 'inside' prison.

3.3 The personal characteristics of survey respondents

3.3.1 Age

Over half of all former prisoner respondents were aged between 36 and 55, a finding that reflected the high level of imprisonment among young persons in the 1970s and 1980s. The sample included persons who had been released from as early as 1967 through to 2000 and, as such, covered all of the various prison regimes during the contemporary conflict. Unsurprisingly, relatives covered a wider range of age groups ranging from parents to children. As shown in Table 3.1 nearly one in five respondents in the 66+ age category were family members compared to 4% of former prisoners. Similarly, 24.3% of relatives were aged between 18-25 compared to 5.3% of former prisoners, all being Loyalists.

Table 3.1: Age of respondents (percentage Republican and Loyalist respondents)

Age	**Republican**		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
18-25	0.0	9.6	5.3	14.7
26-35	18.7	26.0	18.7	16
36-45	26.7	26.0	29.3	40.0
46-55	49.3	28.8	32	14.7
56-65	4.0	1.4	12	4.0
66 plus	1.3	8.2	2.7	10.6
Total	100	100	100	100

The gender of former prisoners was heavily biased, being predominantly male (Table 3.2). Only 5% of Loyalist former prisoners were female compared to 20% of Republicans. Loyalists were generally less supportive of women being included in direct action although it is recognised that women played other supportive roles.

Conversely, women have always played a more defined role within the history of Republicanism and thus there was a precedent for the direct role of women in the newly emerging Republican movement after 1969. Initially, women tended to be

Table 3.2: Gender of respondents (percentage Republican and Loyalist respondents)

	Republican		Loyalist	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Male	80.0	27.0	95.0	29.3
Female	20.0	73.0	5.0	70.7
Total	100	100	100	100

allocated subsidiary roles in that movement, although this began to change, particularly from the mid-1970s onwards. Nevertheless, the number of Republican female activists imprisoned was always much lower than their male counterparts. The masculine preponderance within the prison population also created a family based support network within which females were predominant and, as noted in both Loyalist and Republican Focus Group meetings, there has been a strong demand by many female partners that their role be adequately recognised. Such voices aim to encourage a greater acknowledgement of the complexities of imprisonment and the negotiation of partners back into family life within a post-imprisonment environment.

3.2.2 Duration of imprisonment

Nearly half of all the former prisoners had spent 5 years or less in jail. More Republicans (38.7%) than Loyalists (24%) had spent 5-10 years in jail, whereas a similar proportion of Loyalists (25%) and Republicans (21%) had been incarcerated for more than 10 years. One in eight Republicans compared to around 7% of Loyalists had spent more than 15 years in jail. Most respondents had been sentenced to fixed terms, while 14.7% of Loyalists and 17% of Republicans had been sentenced to life. One in five Republicans had been interned without trial compared to one in ten Loyalists. This differential impact of internment echoed the British state's primary desire to tackle Republicanism, internment being only used against Loyalists over a year after it had begun in 1971. As one Loyalist stated in relation to internment:

> Republicans were interned in the first phase of internment because internment was brought in to protect the state and it was they who were threatening it (Loyalist: Workshop, 24th June 2004).

Nearly 70% of Republicans had first been imprisoned between the age of 16 and 20, a finding which in part reflected the unequal impact of internment upon Republican and Loyalist communities. Conversely, only 30% of Loyalists had initially experienced imprisonment when aged between 16 and 20. It was suggested during the relevant Focus Group meeting that Loyalist former prisoners tended to be slightly older and that this was due to individuals joining paramilitary organisations during the peak of violence in the early-to-mid 1970s. It was argued in their Focus Group that Republican prisoners were more likely to be younger than Loyalists due to the more general community reaction to increasing militarisation in the early 1970s. It was also

maintained that many of the early members of Loyalist groups would have been older than Republicans as they had joined paramilitary organisations after spending time in the British Army. According to evidence from the Republican Focus Group, a wide range of age groups had been introduced to active Republicanism for the first time when the conflict started in late 1960s. In later years, as the conflict progressed, it would have been unusual for people to wait until they were in their late 20s or early 30s before becoming involved. Indeed, persons in their later 20s and early 30s seeking to join the Provisional IRA would have been viewed with suspicion.

Former prisoners were also asked to provide their age at last release from prison. (Around 20% of respondents had served more than one period of incarceration, including: being on remand; being on remand and never sentenced; and being sentenced.) About a fifth of both groups were released between the ages of 16 and 23, while 40% of Republicans and 25% of Loyalists were aged between 23 and 29. A fifth of both groups were aged between 29 and 35, while more Loyalists (28.3%) than Republicans (17.4%) were aged over 35. In sum, the majority of respondents had been incarcerated during their late youth and early to mid-20s.

3.4 The impact of imprisonment

3.4.1 The nature of the impacts

Imprisonment had a series of effects on both the prisoners and their families. However, those effects did not necessarily disappear with the end of incarceration and, for many respondents, the effects of imprisonment upon post-release outcomes was not directly linked to the period of time spent in jail or the nature of the imprisonment regime when incarcerated. The effects of imprisonment included:

- problems with physical and psychological health;
- relationship problems;
- difficulties obtaining and maintaining long-term employment;
- problems centred around coping with life on the outside.

While most of the studies on ‘coping’ with the impacts of imprisonment discussed above involved non-political prisoners with different motivations to their political counterparts, there are, nonetheless, obvious similarities in experience. All prisoners are denied normal contact with their families; they endure long periods of isolation and remain disconnected from normal life. Nevertheless, political prisoners may have a number of advantages compared to non-political inmates. They may, for example, be sustained by their political motivations and by the desire to present a unified mode of resistance toward prison authorities. They might also have better support from family, friends and community than non-political prisoners.

The reality that many Republican prisoners, in particular, viewed imprisonment as another ‘site of struggle’ may in itself have been a ‘coping’ mechanism (McKeown, 2001). However, the ability to cope with social and psychological deprivations of imprisonment and forced confinement is not the same as coping with and maintaining

'normal' social and family relationships. In their study of the partners of 200 Republican and Loyalist former prisoners, McEvoy et al (1999) found that political motivation did not prevent prisoners and their families from experiencing emotional stress. A new set of challenges faced prisoners on release as in many instances they entered an environment that was alien to them. Evidence from the Focus Groups suggested that long periods of incarceration, in particular, had removed prisoners from wider societal and technical changes. For example:

> When I got out I went for a job and had to draw a plan in metres and centimetres. I simply didn't know what these things meant. When I went inside everything was pounds, shillings and inches. I just couldn't do what was a very simple test (Republican: Focus Group, 3rd December 2004).

Other comments pointed to difficulties in coping with new technologies, the impact of urban redevelopment and a subsequent failure to recognise places that were once familiar to prisoners. In addition, children had grown up and this in many cases reaffirmed a sense of loss. For others, there was a strong sense that only those who had been incarcerated operated at the same emotional level. The initial sense of joy that accompanied the return to family life was sometimes short-lived and replaced by children questioning the authority of a parent who was relatively unfamiliar to them.

3.4.2 Personal relationships

Among former prisoners slightly more Republicans (61%) than Loyalists (56%) were married or in an adult relationship. A quarter of Republicans and 18.7% of Loyalists were divorced or separated while twice as many Loyalists were single (24% and 12% respectively). Former prisoners and relatives were asked to comment as to whether incarceration had led to a positive or negative impact on various relationships. In the main, most of these relationships were seen to have been adversely affected. Among those who were married when incarcerated, around two thirds stated that their imprisonment had a negative affect upon their relationships with partners and child/children.

There was more variation in responses concerning parents and extended family members; 53.3% of Loyalist former prisoners, compared to only 18.7% of Republicans, stated that imprisonment had a negative impact in their relationships with parents. Unsurprisingly, few former prisoners held that imprisonment had a positive impact upon relationships with their extended families but even then, Republicans (20%) outnumbered Loyalists (10%). Again this demonstrates the more positive attitudes toward imprisonment within the Republican former prisoner group and the stronger sense of support from relatives than the community compared to Loyalists with their far more ambiguous intra-community relationships. In the words of one Loyalist former prisoner:

> Unionists seem obsessed with this notion of respectability. If my brother had his state uniform on and slaughtered all round him it would have been quite acceptable. He had the legitimacy of the state around him. Because I stepped outside the law to do what I engaged

> in – that wasn't acceptable, even within my own family (Loyalist: Focus Group, 1st December 2004).

Similar numbers of Republican (21.3%), and Loyalist (24%) respondents stated that imprisonment had had a negative impact on relationships with their children, although again, a higher percentage of Republicans (12.0%) compared to Loyalists (2.7%) argued that imprisonment had created more positive relationships with their children. Former prisoners who pointed to a negative impact upon family life generally argued that imprisonment led to them 'missing out on their children growing up' or even to complete estrangement. Children themselves, now adults, talked of never having experienced a complete parent-child relationship. In general, with regard to parent-child relationships, incarceration, equated with notions of loss and hurt, as well as a strong sense of alienation and suffering.

Relatives were also asked to comment on the effects of imprisonment on personal relationships. More Republican (38.7%) than Loyalist (28%) relatives felt that imprisonment had had a negative impact on their relationship with the prisoners. This reverses the trend noted above in that Loyalist former prisoners were generally more likely to acknowledge a negative relationship than their Republicans counterparts. No convincing explanation of these findings emerged from the Focus Groups.

Small majorities of both Republican (54.1%) and Loyalist (54.7%) former prisoners stated that they had found it easier to cope on a day-to-day basis while in prison. This reflected a lack of worries over personal finances and strong and durable senses of the defined comradeship developed during imprisonment. Equally, 37.3% of Republican (37.3%) and 38.7% of Loyalist former prisoners found it difficult to adapt to a post-imprisonment environment. The vast majority of both Republicans (93%) and Loyalists (84%) had experienced financial problems when first released and nearly two thirds of Republicans and just under a half of Loyalists (48%) were currently experiencing financial difficulties. Sizeable majorities of Loyalist and Republican former prisoners (over 80% in both cases) stated that they found it easier to talk about their prison experiences with other former prisoners than to discuss such issues with non-prisoners. Only 34.7% of Republicans and 22.7% of Loyalists found it easy to relate to people from within their own age group who had not been incarcerated. A similar share of Republican (42.7%) and Loyalist (43.8%) relatives stated that former prisoners found it difficult to talk to them about their prison experience.

3.4.3 Family and community

The experience of imprisonment was more commonplace among Republican former prisoners and their relatives than was the case within the Loyalist group. Around two thirds of Republican former prisoners and relatives had other family members or relatives who were imprisoned compared to just under 50% of the Loyalist sample. Again, 80% of Republican former prisoners had friends who were imprisoned compared to 62.7% of Loyalists and a similar trend was characteristic of relatives. Nevertheless, despite the dissimilarities between the groups, it is evident that both sets of respondents held a highly significant knowledge of imprisonment compared to the norm, especially when it is recognised that those imprisoned constituted no more than between 2% to 3.5% of the total adult population.

Within the Republican community, imprisonment clearly affected a more significant share of the population and was recognised by some as a community phenomenon. Within the Loyalist community fewer individuals were affected by imprisonment and this is reflected in the lower rate of direct experience regarding prisoner issues. In addition, the dissimilar experience of imprisonment between Loyalist and Republican communities was matched by differing political organisations, strategies and tactics and the limited ability of Loyalists to politicise the prisoner issue. In direct contrast, Sinn Féin and other Republican groups mobilised around the prisoner question and, in so doing, developed wider strategies of political resistance and related community concerns.

The different representation of prisoner issues within each community may partly explain the finding that around 70% of Republican former prisoners compared to half of the Loyalist respondents found it 'easy to fit in with' their community after release. Similarly, 85.3% of Republican former prisoners compared to half as many Loyalists claimed that they had received support from their community whilst they were imprisoned. This contrasting sense of support was acknowledged by the Loyalist Focus Group which noted that Loyalist former prisoners were still treated by many members of their residential community with senses of loathing and mistrust, even after a long period of release. Hence, Loyalist former prisoners were often depicted by members of their own community as being involved in criminality such as drug dealing and other illegitimate sources of income generation.

3.5 The impact of conflict

3.5.1 Death, injury and psychological impacts

Former prisoners and their families experienced a significant loss of persons known to them during the conflict. A third of Loyalist and Republican former prisoners lost a family member as a result of political violence. Furthermore, a third of Republican relatives had members of their families killed compared to 17.8% of Loyalist relatives. More than half of the Republican former prisoners (54.7%) and 48% of their relatives had lost a relative, compared to 42.7% of Loyalist former prisoners and their relatives. A highly significant 94.7% of Republican former prisoners and 78.7% of Loyalist former prisoners had lost a friend, as had 58.7% of Republican relatives and 45.9% of Loyalist relatives (Table 3.3). The lower figures for relatives may relate to former prisoners knowing other members of their organisation who had been killed.

Table 3.3: Death caused by the conflict (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
A family member	32.0	36.0	34.7	17.8
A relative	54.7	48.0	42.7	42.7
A friend	94.7	58.7	78.7	45.9

Given that deaths in the Troubles equated to 0.25% of the population of Northern Ireland, it is evident that the prisoner community experienced a far greater intensity of direct violence and experience of loss. Moreover, violence was at its most intense in specific areas, including the Greater Shankill and North Belfast, which accentuates the knowledge of loss and intensifies subsequent community notions of commemoration and hurt. Both Republican and Loyalist Focus Groups agreed that critics of non-state combatants undermined the status of victimhood within Republican and Loyalist communities and in so doing aimed to de-legitimise the significance of such loss. Such perspectives also deny the reality that former prisoners were also persons who had lost family and friends through violence, thus allowing critics of Loyalists and Republicans to portray former prisoners as perpetrators of conflict and deny their claim to victimhood.

Again, there were some marked differences between Republican and Loyalist experiences of conflict-related death and injury. Republican former prisoners and their families were more likely to have suffered serious personal injury in comparison to Loyalists and their families. Over a quarter of Republican former prisoners (26.7%) and 14.7% of relatives had suffered serious injury as a result of the conflict compared to 9.3% of Loyalist former prisoners and 1.3% of their relatives. Republican explanations for these differentials pointed to the uneven impact of mistreatment within the prison system, the nature of policing within their community and the higher level of rioting within Republican areas in the early 1970s and during the period of the Hunger Strikes (Table 3.4).

Table 3.4: Serious physical injury (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Self	26.7	14.7	9.3	1.3
Family members	37.3	38.7	32.0	17.3
Relative	34.7	30.7	37.0	24.0
Friend	57.3	36.0	49.3	20.3

As noted above, political prisoners in Northern Ireland were not immune from the traditional pains of imprisonment. They have had to cope with the intrinsic personal and familial problems familiar to any long-term prisoners such as the fear of mental deterioration, familial strains and fears of harassment by the security/state forces after release. Analyses have shown that the consequences of imprisonment and related stresses upon former prisoners and their families were somewhat masked during the conflict (see McEvoy et al, 1999). However, the period since the ceasefires has seen a greater willingness to acknowledge such human costs more openly. Thus the study also sought to explore the psychological impact of imprisonment and related conflict experiences.

The rates of reporting of serious psychological trauma affecting themselves, or people close to them, was particularly high among Republican former prisoners and their relatives. A quarter of Republican former prisoners (24%) and 27% of their relatives stated that they themselves had experienced serious psychological trauma as a result of the conflict. These figures rose significantly with regard to reporting the experience of family members, relatives and friends. Nearly half (48%) the Republican former prisoners reported serious psychological trauma among family members and friends. The figures for relatives were 40% and 29.3% respectively. In general, Loyalist former prisoners and their relatives tended to report fewer experiences of conflict related trauma. Nevertheless 17.4% of former prisoners stated that they had experienced trauma compared to more than a quarter of family members and 38.4% of relatives (Table 3.5).

Table 3.5: Psychological trauma due to the conflict (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Self	24.0	28.0	17.3	8.1
Family member	48.0	40.0	26.7	28.4
Relative	33.3	36.0	18.7	32.0
Friend	48.0	29.3	38.7	21.6

3.5.2 Intimidation out of home

Given that the respondents lived within the most politically violent area within Belfast, it is not surprising that many had experience of being intimidated from their homes. Nearly, 40% of Republican former prisoners (38.7%) and 25.3% of their relatives had been so intimidated. According to Republican former prisoners, Loyalists were principal intimidators (58.6% of cases). Two respondents identified their intimidators as 'state forces' and one the 'Official IRA.' All other Republican former prisoners (38%) blamed a combination of Loyalists and state forces, reflecting the common supposition that security/state forces conspired with Loyalists to perpetuate such intimidation.

Within the Loyalist sample, 32.9% of former prisoners and 20.3% of relatives had been intimidated from their homes. These figures rose dramatically when respondents were asked if they knew of friends (58.9%) and relatives (36.5%) who had suffered this experience. The majority of respondents identified other members of the Loyalist community as the intimidators, a reflection of more recent feuds within Loyalism: two-thirds of relatives (67.3%) and 44.2% of former prisoners blamed other Loyalists.[16] A quarter of former prisoners (26.9%) and 21.2% of relatives blamed Republicans for this particular form of intimidation (Table 3.6).

[16] Given the geographical area where the survey was completed such findings are to be expected given the feud that took place between the Ulster Defence Association (UDA) and UVF during the summer

Table 3.6: Intimidated out of home (percentage Republican and Loyalist respondents)

	Republican		Loyalist	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Self	38.7	25.3	32.9	20.3
Family member	33.3	41.3	35.6	40.0
Relative	38.7	28.0	32.9	27.0
Friend	49.3	33.3	58.9	36.5

3.6 Employment status

While accurate official figures on rates of unemployment among politically motivated former prisoners are not collated, it is possible to gain some insight into the extent of the problem by crosschecking research carried out by academics, community groups and former prisoner groups themselves. In one study, for example, conducted by the Republican former prisoner group, Tar Anall, it was found that a mere 27 per cent of Republican former prisoners released before 1990 were in employment at the time the study was completed in 2003. McGill (1999) suggested that there might be as many as 6,000 former prisoners in West Belfast alone while other estimates are that up to one in four of those unemployed and living in West Belfast's were former prisoners.

Table 3.7: Employment status (percentage Republican and Loyalist respondents)

	Republican		Loyalist	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Employed	41.3	40.0	53.3	61.3
Self-employed	8.0	8.0	2.7	27.0
Unemployed	40.0	28.0	29.3	16.0
Sickness/incapacity	18.7	14.7	14.7	8.0
Pensioner	1.3	10.7	2.7	12.0
Student	2.7	5.3	0	2.7
Training scheme	2.7	0	0	0

Thus, despite the lack of precise figures, the claim that long-term unemployment is a widespread problem for politically motivated former prisoners is not seriously contested. Such high levels of long-term unemployment are due to a range of factors,

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of 2000. The feud started when the UDA showed support for the Loyalist Volunteer Force (LVF; a splinter group made up of expelled Mid-Ulster members of the UVF and accused of being heavily involved in the illegal drugs trade) during a UDA parade on the Shankill Road. Over 250 families were displaced before talks to secure an end to the violence succeeded.

including a lack of skills or the possession of skills or qualifications that were no longer valid following long periods of incarceration. Other factors that lead to high levels of unemployment include an inability to work in areas dominated by the 'other' community as well as issues concerned with illness and trauma related conditions.

The unemployment rate among Republican former prisoners in the survey was 40%, a higher rate than that of their Loyalist counterparts (29.3%). Relatives also showed higher than average rates of unemployment at 28% for Republican relatives and 16% for Loyalists. Given that the average rate of unemployment within the study area was around 14%, it is obvious that rates of unemployment are well above community norms. After excluding those in employment and pensioners, the observed levels of economic inactivity were 58.2% and 44% respectively for Republican and Loyalist former prisoners (Table 3.7).

In part, the differential unemployment rate between former prisoners and relatives may be explained by the different age profile of latter who include younger persons less likely to have experienced long-term unemployment. Furthermore, relatives who have not been imprisoned will not be as compromised in their search for work by labour market based modes of criminalisation (see Chapter 4). Among those in employment, it was suggested that former prisoners tended to find jobs as taxi-drivers, doormen and labourers, usually for relatively low pay and within their own communities. However, relatives were also likely to have limited employment opportunities. Many were employed in the service industry as shop assistants or waiters/waitresses. Since the advent of Peace I and II funds, many relatives and former prisoners have found employment within the community sector. Virtually all the Republican former prisoners and their relatives felt constrained to their own areas when seeking work, a situation linked to chill factors and other issues concerning immobility. The fragile nature of employment and self-employment was also clearly noted by a Republican respondent:

> It is obvious that it is hard to get well-paid and long-term work at that. Some of us get into the community sector, which is fine, but there is always the problem with long-term finance and job sustainability. You can get a bit of door work, but then again it's late nights and its more "brawn than brain". You can set up on your own but then you have to have a few pounds behind you which most of us don't have.
>
> For me it's like always being a teenager. No money. No regular money and still waiting to start a career. A teenager without the kicks (Republican: Interview, 15th December 2004).

Although the economic situation of Loyalist former prisoners and their relatives was relatively better than that of Republicans, it was still, however, significantly worse than the average for both Northern Ireland in general and their local areas in particular. Interestingly there appear to be major differences in the economic experiences of Loyalist former prisoners and their relatives, which is not as apparent within the Republican community. Relatives of Loyalists seem to fare significantly better in the labour market in terms of the employment/unemployment differential than all other groups. They also tend to be less dependent upon incapacity benefits.

The differences in economic experience between the Republican and Loyalist former prisoners also appears to be borne out by the finding that nearly two thirds of Republicans (64%) were currently experiencing financial problems, compared to 48% of Loyalists.

Both Republican and Loyalist former prisoners stated that they had experienced difficulties gaining employment. One key factor, shared by 91.4% and 82.4% of Republicans and Loyalists respectively, was a refusal to work in places dominated by the 'other' community. Similar shares of respondents from both groups suggested that their prison records constituted a barrier to gaining work for which they were qualified. Moreover, 15% of Republican and 9.6% of Loyalist relatives stated that their association with a former prisoner had also caused them difficulties gaining work for 'which they were qualified'.

A majority of Republicans (60%) stated that they would not include the possession of a prison record when completing job application forms. This reflects the pragmatic experience that such disclosure could lead to the cessation of an interview or, indeed, a failure even to be shortlisted for one. Most argued that their refusal to list criminal records on such forms was explained by a desire not to criminalise their own actions.

Table 3.8: Receipt of benefits (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Benefits	77.3	78.7	64.0	53.3
Job Seeker's Allowance (income-based*)	14.7	4.0	17.3	1.3
Job Seeker's Allowance (contributions-based)	2.7	0	0	0
Income Support*	24	28	13.3	9.3
Housing Benefit*	16.0	26.7	4.0	9.3
Incapacity Benefit	9.3	8.0	5.3	8.0
Disability Living Allowance	16.0	16.0	9.3	5.3
Tax Credits*	8.0	13.3	0	5.3
Child Benefit	26.7	42.7	1.3	8.0
Pension	0	0	2.7	6.7

(* indicates means-tested benefits)

However, the opposite was the case among Loyalist former prisoners, 67.7% of whom stated that they would declare a prison record if asked to. This reflected, essentially, a 'you are damned if you do and damned if you don't' perspective. The majority of both Republican (86.7%) and Loyalist (89.3%) former prisoners said that the attitudes of employers were a barrier to them finding work.

3.7 Benefit dependence

The lack of job opportunities available to former prisoners and the low level of income within their communities were reflected further in the numbers dependent upon welfare benefits (Table 3.8). The majority of both former prisoners and their relatives were in receipt of benefits of one kind or another. More than three quarters of Republican former prisoners and their relatives were in receipt of benefits. In addition, 64% of Loyalist former prisoners and 53% of their relatives were also in receipt of benefits. Some benefits are universal such as pensions and child benefit whilst others are linked to disability. Republican former prisoners were more likely than Loyalists to be recipients of employment/unemployment linked benefits and also much more likely to be in receipt of Disability Living Allowance, Child Benefit and Tax Credits, suggesting they were more likely to have disabilities, children, and low income levels. Loyalist former prisoners were more likely to be in receipt of Job Seekers Allowance. Notwithstanding the differentials between groups, it is clear that both Loyalist and Republican former prisoners and their relatives are heavily dependent on a range of state benefits. Their high level of dependence on means-tested benefits, in particular, reflects their low economic status.

3.8 Repercussions

From this account of the personal characteristics of Republican and Loyalist former prisoners and their relatives, it is apparent that both sets of respondents have been disadvantaged in various ways by imprisonment although there are variations between the two groups. As a generalization, the key point seems to be that in addressing their personal difficulties, Republican former prisoners have a higher degree of community and personal support than their Loyalist counterparts. This implies that they may therefore be more effective at 'working within' their own communities but also possibly more effective in the former prisoner role generally.

Moreover, regardless of the reality of those consequences of imprisonment and conflict for many individual former prisoners, it would be wrong to give the impression that they view themselves as passive victims of circumstance. Indeed, quite the opposite is the case. Many Republican former prisoners have been explicit that while the focus of their 'resistance' many have changed, they remain committed political activists within the broader Republican 'struggle' (Ritchie, 2002). Similarly, Loyalist former prisoners, particularly although not exclusively those from a UVF/RHC background, have also sought to channel the experience, leadership and energy of Loyalist former prisoners into activities to benefit both the former prisoners themselves and the Loyalist community in general. As we have seen in Chapter 2, although the aims and objectives, analysis of the conflict and views of peace building may differ between Republican and Loyalist former prisoners, many similarities exist in the form of organisation and the type of projects developed by both groups.

Nevertheless, while the personal circumstances of former prisoners can be used to advantage in committed work within their own communities and even in conflict transformation, it is also apparent here that they act as an impediment to the effectiveness of former prisoners as catalysts for change within and between communities. In part, this reflects the negative consequences of the circumstances themselves, but, importantly, also their interconnection with the issue of criminalisation already briefly noted above. This interaction forms the focus of Chapter 4.

Chapter 4: Residual Criminalisation and its Effects

4.1 Introduction

In the past, both during the recent and previous phases of conflict, politically motivated former prisoners had to make a number of choices on release from prison – whether to continue with their political activism, whether to curtail or alter it or whether to give it up completely. Only a small percentage of the estimated 20,000 politically motivated former prisoners imprisoned as a result of the conflict were actually released under the terms of the Belfast Agreement. Indeed many more activists on all sides were never imprisoned. It was therefore important for both Republicans and Loyalists to harness support for their positions among activists past and present. For both groupings, the support of former prisoners also provided a vital legitimacy to their respective political leaderships in attempting to sell the new way forward to their respective support bases. At a practical level, they also needed to ensure that former prisoners remained on board, not least to deny potential leadership, experience, skills and resources to emerging dissident groupings opposed to the leadership strategies. The Belfast Agreement went some way to recognising the importance of reintegration as well as release of politically motivated former prisoners to the overall conflict resolution process as have the funding initiatives discussed in the previous Chapter. However, neither British nor Irish governments have been prepared to remove all the barriers facing former prisoners to full citizenship or inclusion in society and this residual criminalisation has emerged as a key impediment to the effectiveness of politically motivated former prisoner groups.

This Chapter examines the issue of residual criminalisation from several perspectives:

- a contextual discussion of the issues;
- examples of the effects of the process;
- the ways in which it constrains former prisoner behaviour and leads to stereotyping and stigmatisation.

4.2 Residual criminalisation

Former prisoner groups contend that Section 10 of the Belfast Agreement, which dealt specifically with the issue of politically motivated prisoners in Northern Ireland and the Republic of Ireland, recognises their demands for civil and political inclusion. Within a wider policy context the final part of Section 10 of the Agreement states that:

> The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling, and further education.

A key stumbling block in the development of a more inclusive role for politically motivated former prisoners is that the law makes no differentiation between criminal activity and political conflict. This lack of a formal differentiation between politically motivated and non-politically motivated prisoners is reflected in the argument between those who seek the de-criminalisation of politically motivated acts and those who wish to maintain an ideology and practice of criminalisation.

Stronger anti-discriminatory employment legislation within Northern Ireland was established through the 1976 and 1989 Fair Employment Acts. State-led political 'normalisation' policies, international pressure (arising as a result of the MacBride campaign in the United States)[17] and internal political pressure from within the Nationalist and Republican communities, encouraged a more active approach to the practice of fair employment through the implementation of strong enforcement bodies. However, the various legislation that concerns anti-discriminatory practices explicitly permits the non-employment of those, as stated in section 2 (4) of the Fair Employment and Treatment (Northern Ireland) Order 1998, whose political opinions:

> approve or accept the use of violence for political ends, connected with the affairs of Northern Ireland, including the use of violence for the purpose of putting the public or any section of the public in fear.

In addition, the same Act states that discrimination against those who are 'proven' to be a threat to national security, public safety and public order is not unlawful. In simple terms, the possession of a conviction which upholds membership of a proscribed organization permits the denial of an interview and any legal redress to job applicants who are politically motivated former prisoners. Moreover, in recent years, there has been a significant growth in employers seeking knowledge regarding 'criminal' convictions, not least to identify potential employees who are sex offenders.

This legislation is viewed by former prisoner groups as a form of criminalisation that is intimately connected to discrimination in general, and the reality that employers and employment agencies hold information regarding former prisoners at their disposal. There is no accurate information on how often Section 2 (4) of the Fair Employment and Treatment (Northern Ireland) Order 1998 is utilised by employers but as noted by Mike Ritchie, Director of Coitse na n-Iarchimí, the existence of the legislation has a wider personal impact:

> We usually are asked to look into the issue of declaring convictions about 20-30 times a year. However, in most cases it is obvious that former prisoners simply don't bother either applying for jobs or taking up cases when it is clear that they have been rejected because they have "convictions". The legislation's main impact is that it creates a sense of fatalism and rejection (Interview: 15th December 2004).

Former prisoner groups thus constantly campaign to ensure that issues of criminalisation remain within the respective human rights and equality arenas.

[17] The MacBride Principles — consisting of nine fair employment principles — are a corporate code of conduct for U.S. Companies doing business in Northern Ireland and have become the Congressional standard for all US aid to, or economic dealings with, Northern Ireland.

Concerted attempts have been made to ensure that the Northern Ireland Human Rights Commission (established under the Belfast Agreement) includes former prisoners within the Draft Bill of Rights for Northern Ireland (- this is not the correct cite for this, we didn't write this until after 2001 (McEvoy et al, 2004). After considerable lobbying, the Draft Bill of Rights now contains a non-discrimination clause, which stipulates that:

> Everyone has the right to be protected against any direct or indirect discrimination whatsoever on any ground (or combination of grounds) such as race or ethnic origin, nationality, colour, gender, marital or family status, residence, language, religion or belief, political or other opinion, possession of a criminal conviction… (Northern Ireland Human Rights Commission, 2002: Article 4).

The Draft Bill of Rights also contains a clause which stipulates that:

> The State shall take effective measures to ensure that favourable conditions are created for the reintegration of former prisoners into society (Ibid.: Article 15).

However, the same draft Bill does not distinguish between politically motivated and non-politically motivated convictions as it includes the exception that discrimination on the grounds of a criminal conviction may be adjudged legitimate if the characteristics used to discriminate constitute '…a genuine and determining requirement'. As such, politically motivated former prisoner groups have been unsuccessful in lobbying to have the Draft Bill of Rights distinguish between 'politicals' and other offenders on the grounds of motivation.

In relation to the Single Equality Bill proposals for Northern Ireland (2001), the Equality Commission for Northern Ireland suggested that legislation could be introduced:

> ...to outlaw discrimination against those who have past convictions, with proper safeguards in place through necessary exemptions from dangerous individuals (Equality Commission for Northern Ireland, 2002: para. 3.8.5).

The Equality Commission deliberated whether separate consideration needs to be given to those who considered their offences to have been based on political grounds and that the legislation should consider a formulation wherein discrimination could not occur on the basis of 'irrelevant criminal convictions' (Equality Commission for Northern Ireland, 2002: paras. 3.8.8.1 and 3.8.7). Virtually all politically motivated former prisoner groups accept that the interventions from the Equality Commission represented a recognition, although without delivery, of alternative legislative provisions for dealing with political and non-political offenders and the potential to argue that political offences might be considered as irrelevant criminal convictions (Ritchie, 2002). However, the ability to deliver more meaningful forms of de-criminalisation has also been undermined by the collapse of the Northern Ireland Assembly.

Despite draft legislation, the significant achievements of politically motivated prisoners in resisting criminalisation during their incarceration (see McEvoy, 2001), and the explicit recognition of the political nature of their offences as evidenced by the accelerated release provisions, it is evident that former politically motivated former prisoners remain confronted by an active series of policies and processes which reproduce criminalisation. As a result of this, they remain legally or indirectly barred from a significant number of political, social and economic positions. The questionnaire survey addressed these issues through a succession of questions aimed at assessing the awareness of residual criminalisation. These were concerned with examples of such constraints and also problems encountered in dealing with statutory agencies, employers and training providers. In addition, questions were asked concerning stereotyping by state forces and the media.

4.3 Examples of the effects of residual criminalisation

In an attempt to measure something of the practical effects of residual criminalisation, the survey included questions related to obtaining: Public Service Vehicle (PSV)/Heavy Goods Vehicle (HGV) licences; compensation for criminal injuries or damage to property; pensions; visas; and loans/mortgages. Republicans tended to be more aware than Loyalists of the constraints placed upon former prisoners through criminalisation although this did not apply to pensions or loans/mortgages (Table 4.1).

4.3.1 PSV licences

Anyone wishing to drive a public service vehicle requires a PSV licence. Nearly three quarters of Republican (74.7%) and just over half of Loyalist former prisoners (53%) were aware of difficulties in obtaining PSV/HGV licences and it is instructive to pursue this example in a little detail as it does demonstrate the practical difficulties of residual criminalisation. Taxi driving is important in terms of employment within socially deprived communities where many public taxis operate on a community-bus service level. The occupation does not require significant skills and can also be undertaken on a part-time basis, which provides the opportunity to raise income levels. These licenses are issued through the Department of the Environment. Routinely, a politically motivated former prisoner is informed that he is 'not a fit person' for employment as a taxi driver. Such decisions are usually appealed to the magistrate's court where the refusal is normally confirmed. An appeal is then made in the County Court where, eventually, some licences are granted.

The central problem for politically motivated former prisoners lies in the arbitrary nature of the process. The judgement on a person's suitability is not made on the basis of ability but rather on the presumed ‘morality’ of the applicant. One prominent case was that of Damian McComb, a former Republican prisoner who had been released under the early release provisions of the Belfast Agreement. He challenged a ruling by the Recorder in Belfast which upheld a Department of Environment determination that he was ‘not a fit and proper person to hold a taxi driving license in all of the circumstances….’. McComb’s lawyers successfully relied upon the commitment to reintegration in the Belfast Agreement and the determination that a person released under the Northern Ireland Sentences Act was, by definition, deemed no longer to represent a danger to the public. Mr Justice Kerr, now Lord Chief Justice of Northern Ireland, held that:

> The Agreement contemplated that mechanisms would be put into place for the accelerated release of prisoners and that those prisoners who benefited from that program would be reintegrated into society. It appears to me therefore that particular attention should be paid to the fact that a prisoner released under the terms of the Northern Ireland (Sentences) Act has been adjudged not to be a danger to the public (McComb, 2003).

Table 4.1: Awareness of issues and experiences arising from residual criminalisation (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Awareness - PSV/HGV licence	74.7	48.0	53.0	22.7
Personal experience - PSV/HGV	13.3	34.7	17.3	18.7
Family experience - PSV/HGV	2.7	5.3	0	6.7
Awareness-compensation	81.3	82.7	62.7	45.3
Personal experience - compensation	26.7	62.7	25.3	34.7
Family experience - compensation	4.0	20.0	8.0	12.0
Awareness - visa	86.7	88.0	70.7	42.7
Personal experience - visa	49.3	68.0	33.3	36.0
Family experience - visa	24.0	25.3	1.3	9.3
Awareness - pension	30.7	13.3	44	10.7
Personal experience - pension	8.0	8.0	6.7	10.7
Family experience - pension	4.0	4.0	1.3	1.3
Awareness - loans/mortgage	37.3	24.0	37.3	21.3
Personal experience - loans/mortgage	10.7	13.3	24.0	13.3
Family experience - loans/mortgage	2.7	5.3	2.7	2.7

4.3.2 Criminal injuries compensation

Again, there was a higher awareness of problems in Criminal Injuries compensation among Republican former prisoners and their relatives than was true of Loyalists. Nevertheless, the relatively high numbers of Loyalist former prisoners (62.7%) and their relatives (47.2%) aware of such problems could be related to events in the aftermath of the Loyalist feud in 2000. Both EPIC and a number of families affected by this were refused compensation by the Northern Ireland Compensation Agency because former prisoners were either family members or, in the case of EPIC, part of the management committee; EPIC has since won its appeal through the courts.

4.3.3 Visas

There was relatively little difference in the awareness of problems in this regard except for the comparatively low percentage of Loyalist relatives (42.7%). Republican former prisoners had more experience of actual problems - (49.3%) compared to 33% of Loyalists - in obtaining a visa (usually for travel to the United States or Canada) although the reasons for this difference are not transparent.

4.3.4 Pensions

Whilst it is difficult to say conclusively why Republicans tended to be less aware than Loyalists of problems arising from pensions and other financial factors, part of the answer might lie in the historic economic and employment experiences of Republican communities. For example, people will only be aware of pensions if there is a community tradition of receiving them while those who tend to spend most of their lives unemployed or in low-income employment tend to depend on means-tested benefits at retirement age. The slightly younger age profile of the Republican former prisoner sample compared to its Loyalist counterpart sample may also have been a factor.

4.3.5 Loans and mortgages

Equal numbers (37.3%) of Republicans and Loyalists were aware of difficulties in obtaining loans/mortgages/insurance although compared to Republicans (10.7%), twice as many Loyalists (24%) had personally experienced difficulties. These issues also had the lowest awareness for all categories of respondents.

4.4 Dealing with statutory agencies

The interaction between former prisoners and their relatives and the statutory agencies of the state provides another important dimension to residual criminalisation (Table 4.2). Nearly half of Republican (46.7%) and just over a third (34.7%) of Loyalist former prisoners were aware of difficulties in dealings with statutory agencies, and 25.3% compared to 20% had personal experience of such difficulties. Both groups tended to cite what is now the Department of Health, Social Services and Public Safety (DHSSPS) (formerly Department of Health and Social Security – DHSS) as the agency with whom problems were most frequent, followed by the Northern Ireland Housing Executive (NIHE). Interestingly, this was one of the few

areas in the survey in which the difficulties experienced by Loyalist relatives scored higher percentages than their Republican counterparts. Over a fifth (21.3%) of Loyalist relatives compared to 8% of Republican relatives cited difficulties with NIHE; additionally 18% compared to 5.3% had experienced problems with social services/social workers. Again, the Shankill feud of 2000 may offer one explanation for this trend.

Table 4.2: Difficulties in dealing with statutory agencies (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Awareness of difficulties	46.7	37.3	34.7	9.7
Personal experience	25.3	25.3	20.0	5.6
Family experience	10.7	13.3	4.0	2.8
Housing Executive	26.7	8.0	20.0	21.3
Social Security	42.7	14.7	28.0	20.0
Social Services/Workers	17.3	5.3	13.3	18.0

Table 4.3: Difficulties in dealing with employers and training providers (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Awareness – public-sector employment	70.7	53.0	52.0	21.3
Personal experience	20.0	32.0	13.3	9.3
Family experience	14.7	22.7	10.7	6.7
Awareness – private employment	54.7	28.0	36.0	10.7
Personal experience	22.7	16.0	20.0	5.3
Family experience	2.7	8.0	1.3	2.7
Awareness - training	32.0	12.0	22.7	4.0
Personal experience	8.0	8.0	5.3	1.3
Family experience	0	2.7	0	1.3

4.5 Dealing with employers and training providers

In relation to employment and training, 70.7% of Republican and 52 % of Loyalist former prisoners were aware of difficulties in obtaining public-sector employment, while 20% and 13.3% had direct experience of such difficulties. Republican former prisoners were also more aware of difficulties with regard to private employment and training. The rates of awareness were considerably higher among Republican prisoners than their Loyalist counterparts but the personal experience of employment and training difficulties was less uneven. The awareness and experience rates among Loyalist relatives were significantly lower when compared to the other categories, Republican relatives having similar awareness levels to Loyalist former prisoners. The politicisation of the Republican movement could explain these variations in levels of awareness, especially with regard to relatives. But the relatively similar levels of experience among prisoners would suggest that imprisonment, irrespective of group membership, influences both the awareness and occurrence of such difficulties (Table 4.3).

4.6 Stereotyping: the state, media and the International Monitoring Commission (IMC)

The vast majority of Republican former prisoners (99.9%) and their relatives (68%) stated that they had experienced harassment from state/security forces (Royal Ulster Constabulary (RUC)/PSNI/British Army) due to their status. Fewer Loyalists had experienced such harassment (46.7% of Loyalist former prisoners and 34.7% of relatives). A Republican respondent commented: 'I feel labelled and used to suit the politicians and the PSNI'.

Table 4.4: Treatment by state forces (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Personal harassment	24.0	13.3	16.0	22.7
Personal unfair treatment	33.3	13.3	26.7	24.0
Generally undermines Peace Process	93.3	92.0	76.0	68.0

The representation of former prisoners in the media was also an issue of concern. Nearly a quarter of Republican former prisoners said they had experienced harassment at the hands of the media and a third said they had been treated unfairly. Smaller but still significant numbers of Loyalist former prisoners and Republican relatives had similar experiences of such harassment. Interestingly, this was one of the few areas in the survey where Loyalist relatives scored more highly than Republicans. Nearly a quarter of Loyalist relatives had personally experienced harassment from the media

(22.7%) compared to 13.3% of Republican relatives. A majority of both Republican former prisoners (93.3%) and relatives (92%) believed that the media's representation of former prisoners undermined the Peace Process. Three quarters of Loyalist former prisoners and two-thirds of Loyalist relatives concurred. This issue is seen as being important by Coiste:

> …we…challenge media reports. For example, last week Jim Allister put out a very negative press statement opposing us getting EU funding. We challenged that – though it was not carried by the media. But at least the media hears a different voice even if the decide not to let anyone else here it (Mike Ritchie: Interview, 15th December 2004).

The majority of all respondent groups also interpreted the first IMC Report in April 2004 as undermining the potential for peace building. The IMC was established by the British and Irish Governments in April 2003 in response to Unionist demands for increased monitoring of the Republican and Loyalist ceasefires. Both Sinn Féin and the Progressive Unionist Party (PUP) were fined as a result of the suppositions made within this report. One aspect, which particularly angered former prisoners, was the supposition that community groups should vet members to ensure no linkage with paramilitary groups. Such declarations were held to be reminiscent of political vetting programmes that were commonplace in the 1980s. Respondents also noted that such vetting practices ignored the efforts of many former prisoners who were engaged in the promotion of social, welfare and conflict transformation projects.

The comments of Loyalists were particularly scathing. As noted the IMC report 'reintroduces the justification for violence', as it is perceived as being centred upon the 'scapegoating of former prisoners'. Furthermore, the establishment of the IMC was heralded as being based upon creating ' another stick to beat the 'bad boys'. For Loyalists in particular the report ignored 'all the good work being done'. According to the PUP the IMC had focused on:

> the further marginalisation of those working hardest…It narrows the ground of those actively involved in building peace and gives the "wreckers" a leg up (PUP, 2004: np).

4.7 Summary

While no policy initiative has yet taken effect to deal with the residual criminalisation experienced by politically motivated former prisoners, it is important to note recent developments which may yet lead to these issues being addressed. Lobbying by former prisoner groupings has focussed for some time on the establishment of a government approach which would take a comprehensive look at the range of barriers with a view to a policy change across departmental areas of responsibility. For Republicans, this would be required in both Irish jurisdictions. As noted:

> All ex-prisoner groupings actively participated in conferences organised by CFNI in Belfast and Dublin in 2004. These were able to highlight the positive work of ex-prisoner groups and argue for policy change. It is hoped that, along with the debates opened up

> by the Equality and Human Rights Commissions in the north and the more positive political environment created by the IRA statement of July 2005, a favourable approach will be taken by government and civil servants over the next period. The ex-prisoner groupings are involved in on-going contacts with relevant government departments to press their case (Republican: Interview, 22nd August, 2005).

In sum, therefore, Republican former prisoners are more likely than their Loyalist counterparts to be aware of the actual and potential problems caused by residual criminalisation although actual personal experience does not vary significantly between the two groups. Republican relatives have far greater awareness of these issues than Loyalist relatives. Both sets of relatives tend to be most or least aware of the same issues as the respective sets of former prisoners. For example, Republican relatives, like Republican former prisoners were least aware of issues concerning pensions and loans/mortgages whereas both Loyalist former prisoners and their relatives were more conscious of these concerns. The number of Loyalist relatives who were aware of a particular issue was also usually very close to the number that had actually experienced the difficulty. It thus seems to be the case that Loyalist relatives were usually only aware of residual criminalisation issues which had affected them personally.

Such trends confirm the findings of Chapter 3 and point to Republican former prisoners and their relatives as having a higher awareness of residual criminalisation than their Loyalist counterparts. Financial issues apart, Loyalist former prisoners are less aware of the impact of criminalisation and this may point to the differences in the ways in which the prisoner issue has been politicised in the two communities, former prisoners being far more visible within - and central to - the politics of Republicanism than is true of Loyalism (see Chapter 6). The much higher awareness of levels of Republican relatives also supports this conclusion. Conversely, while Loyalist former prisoners have been informed of difficulties through the network of former prisoner and other groups, their relatives have encountered the effects of residual criminalisation only when they had experienced them. We return to the issue of criminalisation in Chapters 5 and 6 because, together with the personal difficulties of former prisoners, it constitutes a further impediment to the ability of former prisoners to work both within and without their respective communities.

Chapter 5: Criminalisation, Community and Conflict

5.1 Introduction

The discussion so far has largely been concerned with the politically motivated former prisoner groups within their own communities. In the next two chapters, the emphasis shifts somewhat to consider the ways in which the groups have become involved in conflict transformation work despite the impediments isolated in Chapters 3 and 4. Conflict transformation involves work both within and without the respective communities. In this present Chapter, we are concerned first with the context of conflict transformation and then, secondly, with those aspects of the questionnaire survey devoted to the activities of former prisoner groups in their respective communities and in working between communities.

5.2 Conflict resolution, conflict management and conflict transformation

In recent years, three main schools of thought have developed in relation to how conflict should be handled, and these are often classified under the headings: conflict resolution; conflict management; and conflict transformation. All three not only articulate varying approaches to conflict intervention, but also reflect different conceptualisations of conflict. Even within these three broad approaches differing perspectives exist. It is also the case that many theorists and practitioners interchange the terms, adding to the confusion.

Conflict resolution approaches have tended to be the traditional response to conflicts which have not been able to 'resolve' themselves satisfactorily through violence or other means. Proponents of these, such as Burton (1993), argue that it is possible to transcend conflicts if parties can be helped to explore, analyse, question and reframe their positions and interests. Conflict resolution, therefore, usually emphasises intervention by skilled third-parties working with the parties to foster new thinking and new relationships and therefore involves trying to move parties from zero-sum, destructive patterns of conflict to positive-sum constructive outcomes. Different types of intervention may be appropriate at different times. Thus, for example, Fisher and Keashly's (1991) contingency theory suggests that facilitation may be appropriate at the early stages of conflict but that power-based mediation (or even coercion) is required when a conflict has reached a high stage of polarisation.

Conflict management approaches emerged in the context of conflicts which did not appear to have a readily available solution. Advocates of these approaches tend to view violent conflicts as the result of differences of values, interests and power within and between communities. Resolving such conflicts is viewed as unrealistic: the best that can be done is to manage and contain them, and occasionally to reach a historic compromise in which violence may be laid aside and normal politics resumed. Conflict management is usually concerned with making appropriate interventions to achieve political settlements, particularly by those powerful actors having the authority and resources to bring pressure on the conflicting parties in order to induce them to settle. As Bloomfield and Reilly (1998: 18) suggest:

> Rather than advocating methods for removing conflict, [conflict management] addresses the more realistic question of managing conflict: how to deal with it in a constructive way, how to bring opposing sides together in a cooperative process, how to design a practical, achievable, cooperative system for the constructive management of difference.

Again, a number of conflict theorists and practitioners, including John Paul Lederach, advocate the pursuit of 'conflict transformation', as opposed to 'conflict resolution' or 'conflict management'. Lederach (1995, 1997) argues that conflict transformation differs because it reflects a better understanding of the nature of conflict itself. For him, a 'conflict resolution' approach suggests that conflict is destructive and thus something that should be ended. It also suggests that conflict can be 'resolved' permanently through mediation or other intervention processes. This ignores the fact that many conflicts occur as a result of great injustices or inequalities and that 'resolution' may require structural changes in the society, changes which may not be possible in the short-term. For Lederach, 'conflict management' can be a better approach since it accepts that conflicts often cannot be quickly resolved. However, 'management' suggests that people can be directed or controlled. It also suggests that violence is the problem in a conflict and this may divert attention away from the real problem causing the violence and the conflict in the first place. Conflict transformation on the other hand recognises that social conflict occurs between people involved in relationships and once it occurs it transforms those people and the relationships which created the conflict. If left alone, a conflict can end up being very destructive for all involved. Conflict transformation approaches can, however, reduce the potential for this to happen by operating at a number of levels to help transform the relationships, interests and discourses which support the continuation of violent conflict. It can operate at the personal level, where beliefs and perceptions are challenged and where non-violent advocacy methods are promoted. Lederach argues however, that transformation also involves structural change affecting injustice and inequality in the social structure as a whole. Thus it may include ending oppression or fairer sharing of resources.

Conflict transformation represents the most secure means of conceptually grounding this study of politically motivated former prisoners. Undoubtedly, the effects of imprisonment and politically motivated release act as a serious impediment to the potential contribution of former prisoners to these processes while a second major impediment stems from residual criminalisation. To these two significant sets of processes can be added a third barrier – the legacy of conflict between Republican and Loyalist combatants. All three sets of impediments interconnect to compromise the effectiveness of former prisoner organisations within and without their own communities and also to accentuate the differential experiences and impacts of Republican and Loyalist groups on conflict transformation.

5.3 Working within the community

5.3.1 Involvement in community work

The questionnaire responses pointed to an extensive differential between Loyalist and Republican former prisoners concerning their involvement in community-based activities. A large majority of Republicans (81.3%) stated that they had been involved in community work since their release compared to just under half (46.7%) of Loyalist former prisoners. The most significant form of community-based activity related to in interface work and the attempts made to dilute the rationale and impact of violence within highly segregated areas. Two-thirds of Republicans compared to 33.3% of Loyalist former prisoners had been involved in such efforts. There was also extensive involvement in youth and community safety/restorative justice schemes that aimed to lower incidents of anti-social behaviour. Other activities of former prisoners are shown in Table 5.1.

In each of the specific areas of community work, Republicans were more likely to be involved than Loyalists, a further reflection of different linkages between community based politics and ideology which, within Republicanism, accords a higher status to former prisoners. The lower level of involvement among Loyalists was viewed as being a feature of that community's more conservative attitude towards the British state and social change more generally but also to the lesser status of former prisoners. One Loyalist commented that many of his compatriots ceased their role as activists upon release:

> Most UVF men saw themselves as irregulars. When the war ended that was it. They went back to being plumbers, welders or whatever their trade was. It was over. Militant Republicanism has ceased and that was it (Loyalist: Focus Group, 1st December 2004).

Table 5.1: Involvement of former prisoners/relatives in community work since their release (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Yes	81.3	66.7	46.7	52.0
No	18.7	33.3	53.35	46.7
Interfaces	63.3	70.6	33.3	34.7
Youth work	53.3	54.9	26.7	30.7
Community safety	51.7	45.1	24.0	22.7
Elderly	25.0	17.6	12.0	5.3
Women's groups	30. 0	23.5	6.7	1.3
Environment	36.7	33.3	12.0	5.3
Restorative justice	33.3	33.3	25.3	29.3
Economic regeneration	46.7	43.1	9.3	8.0
Other	16.9	8.0	6.7	8.0

Republican Focus Group members felt that the higher share of Republicans involved in community work reflected the interconnection of politics and community representation in which Republican former prisoners were viewed as part of a defined community of shared aspirations and commitment. The political commitment of Republicans was seen as having close links to the overall tradition of Republican 'volunteerism'. Moreover, involvement in community work was also seen to reflect the regard and support for Republican former prisoners within their own community, as well as the importance that they and their community attach to community-based work. Involvement took many diverse firms including a plethora of party political and community organisations as well as former prisoner groups.

5.3.2 Former prisoner groups and the community

Table 5.2: Reasons for contact with former prisoner groups (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Housing	46.8	24.0	56.0	37.3
Benefits	77.4	32.0	58.7	44.0
Relationship problems	14.5	13.3	10.7	16.0
Illness/alcohol/ drug issues	4.8	5.3	5.3	4.0
Work-related issues	43.5	14.7	46.7	29.3
Training/ education	62.9	28.0	40.0	21.3
Legal impediments	35.5	10.7	12.0	20.0
Counselling	12.9	8.0	14.7	21.3
Friendship	74.2	29.3	52.0	44.0

A substantial majority of both Republicans (81.3%) and Loyalists (73.3%) interviewed had availed of the services offered by former prisoner groups. Of these, 95% considered the services offered to have been valuable. More Loyalist (62.7%) than Republican (45.3%) relatives had used a former prisoner group while their relative was in prison and this trend continued after release. The reasons offered for the lower use rate among Republican relatives included the lack of specific former prisoner groups and the availability of support services provided by other community organisations.

The main areas of support offered by former prisoner groups to Republicans were linked to benefits (77.4%), friendship (74.2%) training/education (62.9%) and housing and work-related issues. More Republican former prisoners than Loyalists have used the groups for help with benefits, possibly because of their higher rate of

unemployment. Republican former prisoners were also nearly three times more likely than Loyalists to seek help with legal issues, a further reflection of the link between political discourse, resistance and legal redress. The principal reasons for Loyalist usage centred on housing (56%), benefits (58.7%) and work related issues. Among the four categories of respondents, counselling was most used by Loyalist relatives (21.3%) but friendship was considerably more important for all groups. A central explanation for the high usage of former prisoner groups was that of trust.

Among former prisoners who had not used such groups (18.7% of Republicans and 26.7% of Loyalists), the main reasons given were the lack of need, a desire to 'move on' and a lack of knowledge over what such groups offered. Thirty-six percent of Republican and 10.7% of Loyalist relatives stated that they had not used former prisoner groups because they did not need them.

5.3.3 Issues affecting communities

Respondents were asked to rank the five most important issues affecting their communities. Among Republican former prisoners (46%) and their relatives (50.7%), it was clear that anti-social behaviour was a major issue of concern. Within the Loyalist sample, 41.3% of prisoners and 56% of relatives shared the same anxieties.

Table 5.3: Main issues affecting local community (ranked 1-5 in order of importance) (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Anti-social behaviour	46.0	50.7	41.3	56.0
Policing	37.3	30.7	29.3	34.7
Crime	30.7	29.3	50.7	56.0
Drugs	29.3	34.7	61.3	65.3
Lack of jobs	28.0	26.7	34.7	36.0
Lack of youth facilities	28.0	24.0	14.7	36.0
Youth anti-social behaviour	22.7	21.3	41.3	50.7
Human rights/equality	22.7	16.0	13.3	0
Peace Process	21.3	12.0	30.7	29.3
Lack of housing	17.3	29.3	10.7	9.3
Relationships within the community	10.7	6.7	17.3	13.3
Relationships with other communities	5.3	4.0	17.3	18.7
Language issues	1.3	0	4.0	4.0

5.4 Contact between former prisoners and political groups

Over 60% of both Loyalist groups compared to only half as many Republican respondents chose drugs as the leading issue of community concern. For Loyalist former prisoners, crime and drugs were identified as the new enemy 'within'. Drugs and crime were seen to be 'destroying our communities, this is the new war for our communities' (Loyalist: Focus Group, 1st December, 2004). Loyalists also challenged the sanguine attitudes of Republicans in relation to the drugs issue. In their view Republicans were complacent concerning drug usage within their own communities. In response to this, Republicans viewed drug usage as a much lower priority within their community, due to the methods they employed to deal with such issues, and claimed that Loyalists were responsible for supplying any drugs that did exist to Republican communities. Similar numbers chose policing as a key concern, although

Table 5.4: Contact between former prisoners and people of different political perspectives* (percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Yes	56.0	30.7	44.0	41.3
No	24.0	34.7	17.3	18.7
Sinn Féin	30.7 (5.3)*	16.0	30.7 (26.7)	29.3
Irish Republican Socialist Party	36.0 (22.7)	12.0	21.3 (18.7)	2.7
Workers Party	14.7 (12.0)	5.3	20 (18.7)	12.0
Official Republican Movement	17.3 (13.3)	5.3	18.7 (16.0)	5.3
Republican Sinn Féin	14.7 (6.7)	5.3	8.0 (8.0)	0
32 Co. Solidarity Comm.	9.3 (8.0)	6.7	5.3 (5.3)	2.7
SDLP	32.0 (25.3)	17.3	14.7 (14.7)	16.0
UUP	20.0 (17.3)	8.0	24.0 (24.0)	28.0
DUP	13.3 (12.0)	4.0	20.0 (20.0)	20.0
PUP	28.0 (18.7)	13.3	40.0 (17.3)	33.3
Ulster Political Research Group	17.3 (13.3)	6.7	29.3 (13.3)	26.6
UK Unionist Party	4.0 (4.0)	1.3	8.0 (8.0)	10.7
Alliance Party	12.0 (10.7)	8.0	10.7 (10.7)	14.7
Parties in the South	30.7 (29.3)	12.0	17.3 (17.3)	21.3
Ethnic minorities	36.0 (29.3)	13.3	16.0 (14.7)	18.75

* In brackets are the percentages stating such contact occurred 'only when required'.

the concerns over policing may have been driven by alternative viewpoints. Republicans being more concerned with legitimacy and Loyalists with the inactivity of the PSNI regarding the growth in criminal activity (Table 5.3).

5.4.1 The contacts

Former prisoners involved in community work were asked if, as a result of that work, they had had contact with people with different political perspectives, both within and outside their own community (Table 5.4). More Republican (56%) compared to Loyalist former prisoners, (44%) stated that such work had led to contact with people from other political perspectives. This probably reflected the greater numbers of Republicans who were involved in community work. While the highest percentages of contacts were with other political perspectives within the broad Republican and Loyalist ideologies, there were also relatively small but still significant contacts across the divide, indicating, perhaps, the role that former prisoners can play in conflict transformation. Nearly a third of Loyalists and Republicans had made contact with Sinn Féin. There was more contact between Loyalists and Sinn Féin than with the SDLP. Twenty eight percent of Republican prisoners had been in contact with the PUP. Interestingly, excepting only the PUP, more Loyalists had contact with Sinn Féin than with any of the Unionist groups within their own area. This may reflect the marginalisation Loyalists feel with respect to the other Unionist groups (see Chapter 6) but also some openness to conflict transformation possibilities.

The reasons for such exchanges were extensive (Table 5.5). Almost half of Republican respondents (46.7%) and a third of Loyalists stated that contacts were linked to community work. Around a fifth of all activities involved prisoner projects, interface work, dealing with unrest between communities and political development work. Socialising proved a less common reason for inter-group co-operation.

Table 5.5: Reasons for contacts with people of different political perspectives
(percentage Republican and Loyalist respondents)

	Republican	**Loyalist**
	Former prisoners	**Former prisoners**
Community work	46.7	32.0
Former prisoner project	18.7	22.7
Community initiative	29.3	21.3
Interface project	22.7	28.0
Unrest/tension	26.7	24.0
Political work	21.3	18.7
Socialising	10.7	4.0

5.4.2 Awareness of and attitudes to contacts between former prisoners

Loyalist former prisoners and their relatives were questioned about their awareness of dialogue between former prisoners, political groups, state agencies and ethnic minorities (Table 5.6). They were also asked to consider how they interpreted such

contacts. Over two-thirds of Republicans were aware of contact between Loyalists and Republicans compared to Loyalist prisoners (42.7%) and Loyalist relatives (40%). Large majorities in all four groups supported these contacts, the only substantial resistance coming from the 10.7% of Loyalist former prisoners who would not support such activities. A similar series of responses were found with relation to awareness of contact with state agencies, with over 80% of all respondents supporting such contacts. While respondents, more especially Loyalists, tended to be less aware of contact between their respective groups and ethnic minorities, between three-quarters and 80% of respondents supported such exchanges.

Table 5.6: Awareness of and attitudes to contacts between former prisoners
(percentage Republican and Loyalist respondents)

	Republican		**Loyalist**	
	Former prisoners	**Relatives**	**Former prisoners**	**Relatives**
Aware of contact between Loyalists and Republicans	68.0	69.3	42.7	40.0
Would support contact	82.7	86.5	69.3	72.0
Not interested	0	8.1	5.3	8.0
Too soon	2.7	2.7	4.0	6.7
Would not support contact	1.3	0	10.7	2.7
Aware of contact between Republicans/Loyalists and state agencies	69.3	57.3	46.7	46.7
Would support contact	80	69.3	81.3	82.7
Not interested	0	10.7	5.3	9.3
Too soon	2.7	2.7	2.7	0
Would not support contact	1.3	2.7	2.7	1.3
Aware of contact between Republicans/Loyalists and ethnic minorities	60	44.0	28.0	24.0
Would support contact	84	76.0	74.7	80.0
Not interested	0	6.7	8.0	9.3
Too soon	1.3	0	1.3	1.3
Would not support contact	0	0	5.3	1.3

When asked about the role of former prisoners in terms of peace building, a significant percentage (over 80%) of Loyalist and Republican former prisoners and relatives felt that the wider community did not understand the role former prisoners were playing to build peace in local communities. Many Loyalists were particularly annoyed at the 'holier than thou' attitudes of some of their detractors, who viewed them as 'scum'. One Loyalist noted: 'quiet summers do not happen by accident' (Loyalist: Workshop, 24th June 2004), a statement that reflects the notion that groundwork undertaken by former prisoners has led to a reduction in potential interface violence.

5.5 Who are the victims?

The issue of victimhood constitutes another important actual or potential constraint on the capabilities of former prisoner groups to work effectively within and without their communities. While impacting on the acceptability of those groups as agents of conflict transformation, attitudes to victimhood also help shape the ideologies of the groups. A large majority of respondents agreed that civilians were victims as were their own communities (Table 5.7). With the exception of Loyalist former prisoners, over 80% of respondents stated that their families had been victims. Eighty percent of Republican former prisoners and 77.3% of Republican relatives agreed that Republicans were victims compared to 48% of Loyalist former prisoners and 66.7% of Loyalist relatives. Nearly as many Republican (66.7%) as Loyalist former prisoners (70.6%) held that Loyalists were victims. There were relatively similar responses with regard to prisoners, although more Republican (74.7%) than Loyalist former prisoners (58.6%) self-identified themselves as victims.

Table 5.7: Attitudes to victimhood (percentage Republican and Loyalist respondents)

	Republican				**Loyalist**			
	Former prisoners		**Relatives**		**Former prisoners**		**Relatives**	
	Agree/ Strongly Agree	Disagree / Strongly Disagree	Agree/ Strongly Agree	Disagree / Strongly Disagree	Agree/ Strongly Agree	Disagree / Strongly Disagree	Agree/ Strongly Agree	Disagree / Strongly Disagree
Civilians	88	0	82.6	1.3	83.3	1.3	93.4	0
Your community	93.3	0	92.0	0	81.4	0	93.3	0
Your family	85.3	0	84.0	4.0	69.3	1.3	81.3	0
Republicans	80.0	1.3	77.3	4.0	48.0	10.6	66.7	2.7
Former prisoners	77.3	4	81.4	1.3	69.4	1.3	78.7	0
Yourself	74.7	0	65.4	5.3	58.6	1.3	72.0	0
Loyalists	66.7	5.3	53.3	14.5	70.6	0	86.7	0
RUC/PSNI	40.0	30.6	20.0	52.0	49.3	8.0	73.3	0
British Army	37.3	33.4	18.7	57.4	58.7	6.6	76.0	0
Prison Officers	36.0	30.6	22.7	49.3	42.7	10.6	58.8	0
Judiciary	30.6	36	13.4	52.0	38.6	13.3	56.0	0

Comparable shares of Republican (40%) and Loyalist former prisoners (49.3%) stated that police officers were victims, although 30.6% of the Republican former prisoner group disagreed with this proposition compared to only 8% of Loyalists. The difference was much more marked in the responses from relatives, three quarters of Loyalist relatives believing that RUC members had been victims, compared to only one-fifth of Republican relatives. Interestingly, more Republican relatives (52%) than former prisoners argued that police officers were not victims. Unsurprisingly, Loyalists were more likely than Republicans to regard the British Army as victims although the percentage (58.7%) is perhaps less clear-cut than might be anticipated;

however, only 6.6% of Loyalist former prisoners disagreed with this proposition compared to 33.4% of Republicans. As one Loyalist explained:

> A lot of Loyalists who became involved in the conflict did so because they had an empathy with security forces and that is reflected in the figures. When Republicans killed security forces they were attacking us – they still can't get their heads round that. (Loyalist: Focus Group, 1st December 2004).

That said, however, there seemed to be differences among some Loyalist former prisoners in their attitudes towards the different types of security forces. While they generally viewed the British Army as victims fewer were prepared to make the same assessment about local security personnel. Only slightly more Loyalist than Republican former prisoners agreed that the RUC/PSNI (49.3%), Prison Officers (42.7%) and the Judiciary (38.6%) were 'victims' though fewer disagreed with this than had Republicans.

Only 36% of Republican former prisoners regarded prison officers as victims, although this was still greater than the 30.6% who disagreed. Republicans said that there was still a great deal of hostility towards prison officers over their treatment of Republican prisoners during 'the blanket' and other protests and one Republican stated that he was less inclined to view them as victims because they had received large salaries and thus had benefited more from the conflict than most. Of all the categories the judiciary were the least likely to be described as victims.

One interesting result from the survey is that fewer Republican relatives than former prisoners were prepared to identify 'victims' in all categories. This difference was particularly pronounced when it came to describing opponents who were directly involved in the conflict. Whereas a majority of relatives termed Loyalists as 'victims', at 53.3% this was well below the 66.7% of former prisoners who termed them as

Table 5.8: Attitudes to conflict (percentage Republican and Loyalist respondents)

	Republican				**Loyalist**			
	Former prisoners		**Relatives**		**Former prisoners**		**Relatives**	
	Agree/ Strongly Agree	Disagree/ Strongly Disagree	Agree/ Strongly Agree	Disagree/ Strongly Disagree	Agree/ Strongly Agree	Disagree Strongly Disagree	Agree/ Strongly Agree	Disagree/ Strongly Disagree
'Harm' was caused to all sides in the conflict	89.4	4.0	94.7	4.0	90.7	9.3	88.0	8.0
'Harm' caused includes inequality and/or discrimination	96.0	0	98.7	0	89.4	10.6	80.0	6.7
'Harm' caused to my community and to others should be commemorated	92.0	1.3	92.0	1.3	94.7	2.7	82.6	2.6
Understanding the causes of 'harm' can contribute to building a new society	96.0	0	93.3	0	100	0	82.6	2.6
'Harm caused remains an impediment to building a new	73.4	9.4	78.7	8.0	84.0	5.3	77.4	12.0

society'								
'Issue of harm caused may not have been resolved but wider peace building initiatives should continue'	68.0	0	68.0	0	61.3	1.3	52.0	1.3

'victims'. Furthermore, the 14.5% of relatives who disagreed/strongly disagreed that Loyalists were 'victims' was significantly above the 5.3% of former prisoners who concurred. Republican relatives were also less likely than former prisoners to regard the British Army and the RUC/PSNI as 'victims'. One possible reason for the difference between the responses of Republican relatives and former prisoners might be the ongoing involvement of so many of the latter in both political and conflict transformation work.

Finally, respondents were asked to consider the impact of harm with regard to conflict related issues (Table 5.8). Harm was defined as 'inflicting physical, psychological or emotional trauma'. Unsurprisingly, given the findings regarding victimhood, the majority of respondents agreed that harm was caused to all sides in the conflict. No Republicans disagreed with the statement that 'harm caused includes inequality and/or discrimination', compared to 10.6% and 6.7% of Loyalist former prisoners and relatives respectively. There were also significantly positive responses to the propositions: 'harm caused to my community and to others should be commemorated'; and that 'understanding the causes of 'harm' can contribute to building a new society'. Over three-quarters of all respondents noted that 'harm caused remains an impediment to building a new society', with at least 60% from the Republican groups and Loyalist prisoner group agreed that 'issues of harm caused may not have been resolved but wider peace building initiatives should continue.' Just over half of Loyalist relatives agreed within this latter proposition.

5.6 Summary

Although there are significant differences between Republican and Loyalist former prisoners and their relatives in their responses to this section of the questionnaire, there still does appear to be implications of a common ground that the experience of imprisonment and release can be used positively in terms of conflict transformation. Many prisoners felt that their experience of the conflict and prison could be used to help others particularly as a 'deterrent to young people' and to 'show the motivations and help explain the cause' of the conflict. The sentiment of numerous comments was that lessons should be learnt from those involved in the conflict so as not to repeat them. Clearly, however, the same experiences have produced impediments to the role of former prisoners in the transition from conflict to conflict transformation. To reiterate, these are:

- the 'disabling' and alienation of former prisoners through their personal responses to imprisonment and release;
- criminalisation;
- the differing attitudes of their own communities which have the cumulative effect of making Republicans more effective in the former prisoner role;

- the legacy of the conflict and the contested nature of victimhood.

In Chapter 6, we move to examine the significance of these impediments through the idea of conflict transformation within and without the respective communities.

Chapter 6: Former Prisoners and Conflict Transformation Both Within and Without Their Communities

6.1 Introduction

Former prisoners have three specific roles to play within their respective communities: they:

- are involved in the transformation of attitudes and the infrastructural reconstruction of those communities and in the relationships between them;
- seek to influence policy for these areas but also policy as it reflects on former prisoners;
- are more broadly involved in the creation of community narratives linked to current post-ceasefires political processes; this includes such dimensions as human stories of 'who we are and where we come from' and the history of the conflict and its transformation.

In pursuing these goals, former prisoners encounter the exclusions and impediments discussed in the previous Chapter, specifically criminalisation and stigmatisation. These factors impact on the capacity of former prisoners to deliver conflict transformation, as do salient differences between the two communities and the contrasting attitudes to former prisoners within each.

This Chapter extends the findings of the questionnaire survey with a detailed examination of the qualitative evidence gathered in the project and addresses the specific capacity of former prisoners to contribute to conflict transformation by working both within and without their respective communities. It is also concerned with a more detailed analysis of the factors constraining the capacity of former prisoners to contribute to conflict transformation. The Chapter is divided into four sections which deal successively with:

- the leadership capacities of former prisoners in conflict transformation;
- the constraints on former prisoners as agents of conflict transformation both within and without their communities;
- working within from both Loyalist and Republican perspectives;
- working without from two perspectives: with each other; and with the state and its agencies.

6.2 Former prisoners, leadership and conflict transformation

The fate of former prisoners and combatants in the process of transition from conflict has been widely recognised as central to attempts at peacemaking. In some of the most lengthy and complex armed conflicts, the failures in planning and delivery in

finding new roles for former armed actors has been viewed as highly destabilising for nascent transitional processes. The traditional focus of much of this kind of work has been to break up armed groups as quickly as possible and remove their weapons in order to better protect and provide security. However more recently, the gaze of the international community on this issue has shifted somewhat. As Kofi Annan argued in a speech in Derry, peace cannot be secured without:

> ….providing the fighters with an alternative, peaceful means of earning their living. Nowadays we no longer contemplate demobilisation and disarmament – the two "D's" – without adding an "R", which stands for reintegration into the civilian economy. Without this, it is a virtual certainty that new weapons will be acquired and violence will resume (Annan, 2004).

In Northern Ireland, it is important to note that many former prisoners have been focused on making a much broader impact upon the process than merely securing their own rights and entitlements. In fact, it is our contention that many former combatants and former prisoners have provided leadership – or have the capacity to do so - in preventing the resumption of organised political and communal violence. Before going on to discuss that claim in more detail, it is important to enter two caveats.

First, we are not suggesting that all former prisoners are necessarily 'leaders' in the traditional sense. As already shown above, some Loyalist and Republican former prisoners have been long since disassociated from their respective movements to re-establish a 'normal' life for themselves and their families. Even amongst those who have retained their allegiances in different fashions, some of these former prisoners might baulk at the description of themselves as even having been 'leaders' rather than footsoldiers. However, the notion of leadership we are suggesting is more subtle than individuals who 'give orders' which are in turn obeyed by others further down a hierarchical structure. From this perspective, former prisoners who are, for example, involved in community work and community-based restorative justice programmes, seeking to calm tensions at interface areas, or in reconciliation or 'nation building' work, are all providing different forms of leadership in the transition from and prevention of conflict.

Secondly, it is also important to stress that we are not postulating some form of naive eulogising of all of those who once took up arms. As in any post-conflict situation, of course, some former prisoners may become involved in individual acts of political or sectarian violence or individual criminality. At an organisational level, certainly it is possible to argue cogently that at least one of the paramilitary organisations whose members benefited from early release provisions under the Belfast Agreement (the UDA) has largely morphed into a criminal gang involved in drug dealing, racketeering and prostitution (McDonald and Cusack, 2004). In addition, UVF members have also been involved in drugs and ordinary criminality (McDonald and Cusack, 2000). While the IRA has not been credibly linked to drug dealing or distribution, its long tradition of robberies, smuggling and related criminality to fund the Republican 'cause' has allegedly survived beyond the ceasefires of 'military' operations in the mid 1990s (Neuman, 2002). It is also obvious that members of the respective organisations have been involved in punishment attacks.

The fixation upon criminality and other violent acts has subverted the public discourse regarding the positive role that former prisoners have played. Much of the public discourse appears to promote a notion of such groups as a cabal within which the realities of debate regarding an appropriate future and role in civic society is hidden. The argument on the role of former prisoners has generally focused on specific events and, in so doing, does not place such events within a wider context of transitional politics. These evident difficulties, as outlined above, and the general presentation of them have denied alternative interpretations of such incidents. This does not mean that such difficulties are unimportant but they should be contextualised with regard to other positive positions and influences that have emanated from within former prisoner groups.

It is possible to identify at least three overlapping styles of leadership by ex-combatants with regard to political transition.

6.2.1 Political leadership

There is a considerable literature on leadership in general and the notion of political leadership in particular (e.g. Burns, 1978; Blondel, 1987; Gardner, 1995; Elcock, 2001). Of particular interest for current purposes is that work which focuses upon the way that political leaders prepare, cajole and sometimes even bully their constituencies in national and international peacemaking processes (Sheffer, 1993; Westlake, 2000). Much of that work also considers the intersection between agency and structure, the ways in which individual actors transform themselves from armed actors to negotiators often as a result of changed political circumstances (McGarry, 1998; Gormley-Heenan, 2001). At a general level, the political leadership provided by former prisoners in Northern Ireland has been obvious. Most of those who negotiated the Belfast Agreement from the Republican and Loyalist parties were former prisoners who had been convicted of politically motivated offences committed during the conflict (Mitchell, 2000). Indeed, many are quite candid that the negotiation skills employed were actually learned in their dealings with the prison regime when incarcerated (Sinnerton, 2003). In addition, both sets of protagonists have demonstrated finely honed antennae as to the potential for ‘stretching’ their political base and considerable dexterity at overcoming seemingly insurmountable political difficulties.

Such skills have also been evidenced at the micro-level through various community-based initiatives. In the working-class Republican and Loyalist communities in which such peacemaking activities take place, former prisoners are largely regarded as having ‘done their bit’ on behalf of their communities. While, as we discuss below, there are important differences between the attitudes of the two communities, the ex-combatants involved in community-based work do on the whole bring a considerable degree of credibility, respect and legitimacy to such programmes. As one former Republican prisoner commented:

> Locally ex-prisoners are involved in every aspect of their communities. Community Restorative Justice is an example where ex-prisoners are involved – trying to provide an alternative form of response to anti-social behaviour. Housing committees, community

> groups. I mean they are activists. They went to jail for activism – a different type of activism but they are passionate about righting wrong, about bringing about change for people in these areas. And that type of culture is there still, despite people being released. They are giving leadership to people in their areas and they are leading by example, they are getting involved (Republican: Workshop 24th June 2004).

The community-based restorative justice programmes in Republican and Loyalist areas are a useful illustration of the kind of leadership under discussion. Since their inception, the presence of former prisoners in these programmes has been a defining feature (McEvoy and Mika, 2001, 2002). The quality of their work has increasingly garnered recognition, even from the most critical of sources:

> …we have received evidence which we find convincing that community restorative justice can under the right conditions help offer alternatives to paramilitary violence and intimidation. To the extent that it can do this, can operate accountably and to acceptable standards, fully respect human rights, and can demonstrate to people that they need not look to paramilitaries to deliver reasonable behaviour within their communities, we believe that it can have a valuable part to play (IMC, 2004: 36).

As well as their previous organisational and 'jail time' experience, many former prisoners have also been involved in community work for years. The effect of working with and subscribing to values of non-violence, human rights, inclusiveness, and so forth across a range of community settings is to provide considerable small 'p' political leadership in transforming community attitudes to violence.

6.2.2 Military leadership

> Leadership is holistic. Leadership means leading laterally or collaboratively, and not just from upper echelons. Leadership entails leading the people, the structure, the process…Leadership is symbolic. Leadership is about the influence of meanings and interpretations that important constituencies give to the organization's function (Paparone, 2004: 9).[18]

Within military studies generally, there is an increased recognition that the notion of leadership is much more complex than giving orders through rigid hierarchical structures and expecting them to be carried out (e.g. Mathews, 2002). Certainly the more sophisticated literature on the ways in which volunteer paramilitary organisations 'think' suggests that the exercise of leadership in a process of change is much more likely to be based on internal discourses, relationships, organisational cultures and mythologies than simply instructions being issued from the upper echelons and obeyed by the rank-and-file (Crenshaw, 1990; Irvin, 1999). Again, the notion of credibility is central to this behavioural response rather than an instrumental approach to military leadership. Put simply, unless those who bring the peacemaking

[18] Colonel Paparone is an Instructor at the US Army War College.

message have credibility amongst current paramilitary activists and can frame it appropriately within the organisation's way of thinking, the message will not be heeded.

As one former Loyalist prisoner commented :

> I think the analysis we give to the UVF has been good. It has been instrumental in a lot of interface issues and in that some responses have been measured. Since the ceasefires you can see the effect of good leadership. Other than interface stuff the organisations have been very disciplined. That has involved former prisoner analysis. If it wasn't for the rednecks things would be a lot better (Loyalist: Workshop, 24th June 2004).

Again the work of former prisoners and former combatants in the community-based restorative justice programmes is instructive. As well as working and volunteering in these programmes, former prisoners have been central to efforts at persuading paramilitary organisations to desist from punishment violence, to refer 'complainants' from the community to the programmes and to consider their own internal organisational attitudes towards violence. The Director of Alternatives,[19] himself a former UVF life-sentenced prisoner, conducted the original research and interviews with the UVF which led to the establishment of the programme (Winston, 1997). The Director of Community Restorative Justice Ireland (CRJI), which is based in working-class Republican communities, is a former internee who was one of four individuals involved in direct dialogue with the IRA and other Republicans which led to the establishment of the programmes on the Republican side (Auld et al, 1997). Many others working on the programmes have served lengthy sentences for the respective organisations so no-one within the respective constituency can question their past commitment. Together with other ex-combatants, and again precisely because of their collective credibility with the respective paramilitary groupings, they have been involved in countless peacemaking efforts with such groups.

Such a process of persuasion or leadership in trying to move paramilitary organisations onwards should not be understood as either smooth or easy. For example, in agreeing to cooperate with the establishment of Alternatives, the UVF inserted a number of caveats where they would reserve the right to shoot or beat particular individuals (McEvoy and Mika, 2002). Similarly, while the IRA has cooperated with the CRJI programmes in the areas where programmes are established, they have continued beatings and shootings in other areas, at least up until the recent announcement that the organisations was moving to a new exclusively peaceful mode. Involvement in peacemaking work is not without its personal risks, particularly for former Loyalist prisoners. As one former Loyalist prisoner argued :

> You could be shot dead – it's as simple as that! If you criticise about drug houses or individuals involved in drugs then those type of people want to do you as much damage as possible – they have the most to lose from the political and peace processes. It applies across

[19] The programme was originally called Greater Shankill Alternatives but has since expanded and been renamed Northern Ireland Alternatives.

> the board. It terms of military leadership for example, if you try to clamp down on these people, the ones who are making a living from drugs or whatever, then you are making enemies (Loyalist: Workshop, 24th June 2004).

Despite these difficulties, it is through the leadership and persuasion efforts of former prisoners involved in initiatives such as restorative justice that we have seen significant reductions in punishment violence in the areas where the projects are operational, as well as changes (for the better) in the ways in which local paramilitary organisations conduct their 'policing' activities such as referring cases to one of the schemes rather than punishing alleged anti-social offenders (Mika, 2004).

As was noted above, former prisoners have played a prominent role in other key aspects of the conflict transformation process. For example, they were at the forefront of the internal discussions within Loyalism and Republicanism which led to the production of two documents concerning the respective constituencies' attitudes towards truth recovery processes (Eolas, 2003; EPIC, 2005). Outside their own immediate base, both Loyalist and Republican former prisoners have played significant roles in other truth-focused civil society initiatives such as Healing Through Remembering (2002) and participation in Glencree sponsored events. Similarly the efforts of former prisoners and others to reduce tension at interface areas and contentious marches have been widely viewed as a key element in the comparatively peaceful marching seasons in recent years (Jarman, 2004). In addition, the current internal debate within the IRA, which has lead to the organisation 'standing down', has been achieved through the stewardship of former Republican combatants, many of whom are also former prisoners.

The prison experience, however, may not be the defining characteristic of the life history of many Republicans and Loyalists. Indeed some former prisoners bridle at the constant reference back to their time served in prison, pointing out with some justification that their identities are not 'frozen' as former prisoners, but rather the prison experience is but one part of their broader identity as political and military activists. None the less for current purposes, the fact that the prison experience is such a common one amongst older members of paramilitary organisations means that the former prisoner role has been central in providing leadership in the transition from conflict.

6.2.3 Moral leadership and community building

The third overlapping style of leadership provided by former combatants and former prisoners is the notion of transformative or moral leadership in the process of community building. As Burns has argued:

> …transforming leadership ultimately becomes moral in that it raises the level of human conduct and ethical aspirations of both leader and led, and thus has a transforming effect on both (1978: 20).

The issues of community building and the attention paid to the needs of former combatants are strongly connected (Babo-Soares, 2004; Verwip and Verpoorten, 2004). Indeed the process of being involved in community development work also

guards against elitist tendencies which are sometimes identified with those who have been involved directly in armed struggle (e.g. Irvin, 1999). None the less, involvement by ex-combatants in strong and independent community organisations - utilising their existing organisational and political skills as well as demonstrating a willingness to learn new ones – is an appropriately balanced organic relationship between such individuals and the communities from which they come.

Among both Republicans and Loyalists, the breadth of work has included campaigning on a vast range of issues on behalf of former prisoners and local communities. These include: improved services, facilities and rights; establishing local employment and economic development schemes in local communities; welfare, education, counselling, advisory and advocacy roles; the establishment of advice centres, family projects, counselling services, children's activities, social activities, classes, campaigning for the rights of former prisoners and their families and organising meetings and tours for individual and groups; and working on interfaces to reduce tensions, especially at time of heightened risk (Shirlow, 2001; Coiste, 2003a, 2004). As the Director of Coiste, for example, has argued:

> Our member groups at local level are actively pursuing dialogue and debate with people from perspectives traditionally hostile to Republicanism in order to increase understanding and build relationships (Ritchie, 2002).

In both communities, as with political and military leadership, the key attribute which former prisoners bring to the process of moral leadership is the notion of credibility. As one former Loyalist prisoner suggested :

> Because of the background that former prisoners have they have been able to argue successfully for moderation in terms of dealing with conflict. It's difficult for people in the community to accuse them of unwillingness to engage in violence if it is necessary. If they advocate a non-violent response it tends to be respected more by the community (Loyalist: Workshop, 24th June 2004).

Community building around issues such as the injustices of the past or exclusionary practices against anti-social offenders is key in the process of political transition. Former prisoners argue that as individuals who have been directly involved in committing acts of political violence former prisoners are suitably placed to make the arguments to local communities about the difficulties that such practices can create.

As the same Loyalist former prisoner cited above argued:

> If it was an ordinary member of the community, they might be accused of cowardice for not engaging in conflict but they cant very well say that to a person who has lived that way before and came to the conclusion that there is better ways to do things. They also can provide leadership by encouraging people not to become involved in militarism and paramilitarism…In the early days of the conflict those who became involved didn't have the benefit of people who had lived through a conflict to give them advice. Now younger people

> who may be tempted to go down that road, have the luxury of having someone who has lived the experience and drawn different conclusions (Loyalist: Workshop, 24th June 2004).

The notion of 'moral leadership' provided by former paramilitaries may strike some as counter-intuitive. To take such a view, however, is to conflate judgements concerning the morality (or indeed lack of moral justification) of engaging in extreme acts of political violence during a conflict with the potential for moral acts in subsequent processes of conflict transformation. Indeed it is precisely because of their violent pasts that many former prisoners are ideally placed to provide leadership. For those who have both inflicted and been on the receiving end of extreme violence, often it holds little allure. Their rejection of the efficacy of violence as a strategy is itself a powerful exercise in both moral leadership and community capacity building.

6.3 The constraints on former prisoners as agents of conflict transformation

Politically motivated former prisoners of whichever hue share a common concern that there is no influx of young people into their groupings who might eventually replace those with direct prison experience and developed leadership skills. The principles that sustain conflict transformation include education, active citizenship and community ideology. Obviously, the definition of such broad concepts will vary, given the contrasting attitudes to the state. Conflict transformation is also about the creation of 'social capital' and 'capacity building', terms that reflect the language of funders rather than former prisoners. Money, however, will not sustain conflict transformation and the shifting agendas of funders may militate against the dissemination of its principles and ideology. Funders are more likely to be concerned with tangible outputs such as skills training, whereas conflict transformation, which certainly has social and economic dimensions, also reflects less tangible but equally important cultural issues.

Given that there are variations in the effective capacity of Loyalist and Republican former prisoners to deliver results, and that former prisoner groups and funders may have different agendas, what can former prisoners contribute to the process of conflict transformation? Both Loyalist and Republican individuals and groups involved in this project have a shared concern with the deprivation of working-class areas in North and West Belfast and the needs for community regeneration and programmes such as restorative justice. They have an understanding of each other, which builds upon the shared experience of prison, but also more recently acquired mutual skills in preparing applications for funding and dealing with the agendas of funding agencies.

Interestingly, as shown in the results of the questionnaire survey, relatives of former prisoners had significantly more entrenched attitudes to the 'other' than the former prisoners themselves. In being more open to the 'other', the latter can also bring analytical, reflective and organisational skills to conflict transformation and thus, based on experience, possess an expertise and ability to engage with the issues and each other. For Republicans, former prisoner status also brings credibility to conflict transformation although that is much less likely to be the case in Loyalist areas. A shared openness and expertise in the skills that can deliver conflict transformation and agreement on its desirability should not obscure, however, the vital point that

irreconcilable ideological differences still separate Loyalist and Republican politically motivated former prisoners.

Moreover, the effectiveness of former prisoners in delivering leadership whether political, moral or even military, is constrained by the impediments under which they work. Some have been disenfranchised altogether by the experiences of imprisonment and release and have 'disappeared' back into their own communities. This seems a more likely outcome for Loyalist former prisoners, many of whom simply went back to their previous forms of employment, accepting prison as the price to pay. For Republicans, however, former prisoner groups and their activities can be seen as constituting another mode of resistance which offsets the negative impacts of criminalisation. As a generalisation, therefore, Republican former prisoners have a higher status in their own communities than that accorded to their counterparts in Loyalist areas. Republican former prisoners, are 'everywhere' as community activists, reflecting the point that, unlike Loyalists, their stigmatisation is only without the community rather than both without and within.

> If you throw a stone in any direction say in the New Lodge – there's former prisoners involved in whatever, residents' groups, training, welfare (Republican: Workshop, 24th June 2004).

This difference also reflects the fragmentation of Loyalism between the two principal paramilitary blocs, the UDA and UVF. Arguably, the UVF/PUP is the only Loyalist grouping with a developed ideological basis for its activities, but Loyalism does appear to be irrevocably disparate and local, a situation that creates the factions and feuds between the UVF/LVF-UDA and even within organisations. The UDA has had little involvement in conflict transformation:

> People from a UVF/RHC background seem to want to engage, but for whatever reason, people from a UDA background don't (Republican: Workshop, 24th June 2004).

While the history of Republicanism does not necessarily constitute the smooth, linear narrative often claimed by the movement, it clearly is characterised by a more centrally shared ideology and coherent infrastructure when compared to Loyalism. Arguably, these different mindsets are reflected in the varying capacities of Loyalist and Republican former prisoner groups in conflict transformation. Loyalist delivery tends to be at the local scale of micro-communities divorced from macro-politics; the Republicans also deliver at the local scale but have much more clearly defined linkages to the macro-scale. In particular, this is expressed in the ways in which conflict transformation is viewed through the filter of collusion – which fits into the Republican colonial mindset – and the belief that the state is not an honest broker.

Other differences stem from the varying responses to criminalisation. As explained in Chapter 4, both Loyalist and Republican former prisoners are stigmatised by the criminalisation policies invoked by the British government. For Loyalists, however, that stigma also helps define their position within their own communities whereas, for Republicans, the status of former prisoner is a 'badge of honour', denoting activists imprisoned by the British state for their part in the war against that state but also now

continuing the 'struggle' by other means. These issues are discussed in greater detail below but their more general significance again lies in the varying capacities of Loyalist and Republican former prisoners to contribute to conflict transformation.

The different repercussions of criminalisation can be summed up thus:

- transitional dialogue is promoted by shared experiences of prison;
- but there are different Republican and Loyalist understandings of criminalisation;
- for Republicans, criminalisation was part of the apparatus used by the British state to depoliticise the conflict whereas they insist on the British government as being a principal party to the conflict;
- for Loyalists, the scale of engagement is much more local; criminalisation was a mode of suffering, something to be endured for the greater good of Unionism within a structure of the Ulsterisation of state forces and normalisation; the Republicans were fighting the state but because of Ulsterisation, the 'dead' were Unionists.

These various differences between Republican and Loyalist former prisoner groupings can be used to inform the discussion of working within, working without.

6.4 Working within

6.4.1 The Loyalist perspective

As we have suggested, the capacity of Loyalist former prisoners to work within their own communities is seriously compromised by the stigmatisation resulting from criminalisation. In addition, those communities themselves have very different histories to their Republican counterparts. Unlike Republicanism, Loyalism has no culture or history of political prisoners, of going outside the law. Instead, Loyalists wore uniforms:

> We just put on a B Specials uniform or police uniform and you could shoot as many people as you want (Loyalist: Workshop, 24th June 2004).

Middle Unionism is doubly alienated. Loyalist former prisoners are working on behalf of:

> a community within a community…an underclass [marginalised] by middle Unionists, the media…middle Unionism doesn't like [conflict transformation] because they don't want a working class movement…The other thing is social engineering which is destroying our communities. North Belfast has lost 50-60,000 people…The peace process has meant absolutely nothing to them [inner-city working class]…Educational disadvantage within working class Protestant communities is abysmal. Those who are

> trying to take a lead are ex-POWs and there are very few of us (Loyalist: Workshop, 24th June 2004).

Middle Unionism also expects Loyalist former prisoners to be criminals whose presence stigmatises and criminalises entire communities. To some extent, this ignores the fragmentation of Loyalism and regards former prisoners through the 'hard man' or gangster perspective of the UDA (which in colouring Republican attitudes to Loyalist former prisoners allows the former to portray themselves as being somehow more principled and ideologically consistent). This is not to deny, however, that such criminalisation exists:

> What we're seeing is the criminalisation of whole communities within Loyalist areas…by the selective handling and protection of key individuals involved in criminality. Drugs have been put into our community…[creating] a criminal culture [organised] by the lowest element in Loyalist communities, that means the whole community is stigmatised by the media, politicians and in some cases by Nationalists. It's come to the stage now that many ex-POWs are afraid to build an extension, buy a new car or own their own house because they'll be stigmatised as drug dealers, criminals or gangsters (Loyalist: Workshop, 24th June 2004).

In the Loyalist Focus Group meeting, this issue of stigmatisation emerged as the key issue in constraining the effectiveness of Loyalist former prisoners in working within their own communities. At best, they receive only grudging recognition from the communities and even from their families: as one participant observed:

> I would say that there is a greater understanding from Republican politicians that what there would be among Unionists in terms of the role that former prisoners can play…one of the ironies is that among the Catholic/Nationalist community, I would find a better understanding of my position in life…there is not the same prejudice (Loyalist: Focus Group, 1st December 2004).

The Loyalist former prisoners expressed no sense of continuing the war by other means: the nationality war is over and the key issues are now those of their own communities and, in particular, their criminalisation by the drugs which are destroying those communities. 'Republicans are in denial on drugs', said one participant, commenting on the questionnaire findings that almost two-thirds (61.3%) of Loyalist former prisoners cited drugs as being the most important key issue affecting their community.

Unlike their Republican counterparts, Loyalist former prisoners are working within their communities, not specifically as former prisoners or in former prisoner groups, but in community organisations that also include former prisoners. Thus EPIC is concerned with a 'Protestant' way of doing things, of empowering communities and with giving people ownership of their own communities. Republican former prisoner community organisations are different, being aligned to the macro-politics of Sinn Féin.

But even the presence of a former prisoner may be sufficient to stigmatise the group, or community centre:

> Take the centre I work in. It is a church based centre employing both Protestants and Catholics. As far as the DUP is concerned – this is a UVF centre (Loyalist: Focus Group, 1st December 2004).

The further difficulty is, however, that – as discussed below – this selfsame labelling and stereotyping applies to the relationships between Loyalist former prisoners and statutory agencies. Such constraints are crucial to the effectiveness of Loyalist former prisoners in conflict transformation.

6.4.2 The Republican perspective

As we have suggested, there are very marked contrasts between the status of Republican and Loyalist former prisoners within their respective communities. In the first instance, Republicanism has a long historical experience of imprisonment in the 1940s, 1950s and 1960s and therefore, as explained in Chapter 2, prisoner welfare groups were a 'natural response' once internment without trial was introduced in 1971. Also, a number of Republican former prisoners were already involved in community work before they went to prison and returned to this on release, whereas Loyalists went back to their trades and other forms of employment. One participant in the Republican Focus Group argued that Republicans also had a more inclusive and embracing definition than Loyalists of 'community work' which could involve a whole gamut of activities including: economic and infrastructural development; community support; festivals; and sport (particularly the GAA).

Secondly, it is contended that the cumulative Republican experience of being imprisoned 'was much more positive for Republicans than Loyalists' (Republican: Focus Group 3rd December 2004). These 'benefits' included education (especially in the social sciences), ideological development and openness to philosophical developments such as feminism. There were also Republican women prisoners so gender issues are more important within Republican former prisoner groups compared to Loyalist communities where, as discussed in Chapter 3, the role of women has been to provide cultural and welfare support within a patriarchal society. This is one factor that makes Republican former prisoner groups more inclusive and also influential. The other is that there is no stigma to being a former prisoner:

> The community is with you in Republican areas: the community is against you in Loyalist areas (Republican: Focus Group, 3rd December 2004).

Thus there are higher expectations of Republican former prisoners than their Loyalist counterparts whom the former regard as dupes of the state – or more charitably, victims of a 'false consciousness' – who have assumed criminality upon themselves.

Thirdly, this lack of stigmatisation within extends to the democratic election by the Republican macro-community of the former prisoner leadership of Sinn Féin as their representatives. Former prisoner groups are thus seen as being legitimate and part of

the wider ideological and leadership structure of militant Republicanism. As Mike Ritchie, Director of Coiste, explains:

> I've often described ex-prisoners as middle managers in the Peace Process. Because of their experience and aptitudes they naturally take leadership roles in local communities. When there are situations where most people would just head for home, potential riot situations, for example, ex-prisoners are likely to be the people who are trying to calm things down. That's happened again and again on interfaces. But also in terms of local community activity ex-prisoners have commitment and drive. What they would see is they were involved in armed struggle as a way of acting out their community's fears, concerns and aspirations. Now that there's a ceasefire they are still committed to their community's aspirations, fears and concerns so they'll be to the fore in articulating them (Interview: 15th December 2004).

Thus former prisoners form part of the war being waged by other means against the British state and its oppression, of which they themselves are victims. Thus not only are they struggling for the rights of deprived Republican communities but also for their own rights:

> We have always seen the main issue as the British government as the main party to the conflict and criminalisation was a deliberate policy by them to remove themselves from it (Republican: Workshop, 24th June 2004).

Former prisoners will remain as such until the records of that criminalisation process are expunged. Meanwhile, they form part of the oppositional politics of Republicanism and Sinn Féin continues to organise awareness of their problems as do organisations such as Coiste via support for funding applications to various programmes, most especially EU Programme for Peace and Reconciliation I and II.

6.5 Working without

The very different ways in which Loyalist and Republican former prisoners are regarded within their own communities is replicated in their dealings outside those communities (without). This means, inevitably, that the effects of exclusions and impediments vary between the two groups, as do the constraints on their activities and the extent of containment with respect to conflict transformation. The idea of working without refers both to the relationships of these groups with each other and also to the state and its agencies. It is readily apparent that 'within' and 'without' are interconnected domains in that the capacity to work within relates to that without and *vice-versa*.

6.5.1 Working with each other

It is the case that for both Loyalists and Republicans, mutual prison experiences paved the way for dialogue, originally built on simple, everyday exchanges. There was also the shared consciousness of working-class tradition.

> In a kind of sense we're from the same kind of working-class backgrounds…I think it was that sense of conditions that kind of paved the way for dialogue between us (Republican: Workshop, 24th June 2004).

As observed above, the shared experience of criminalisation has had negative impacts on the abilities of both Loyalist and Republican former prisoners to work with each other because part of its purpose was to separate the two blocs.

> We were the cannon fodder who were marched up to the top of the hill and like eejits we went over it…You had a whole community backing you and supporting you…a lot of those men from the Catholic church, even the most moderate of politicians…the criminalisation process succeeded because middle (mainstream) Unionism backed it…everyone in civic society were opposed to us – we were the criminals in this (Loyalist: Workshop, 24th June 2004).

> Criminalisation as a policy was set out to define some people as criminals for a political purpose…the repercussions are still going on. Middle Unionism see themselves as legitimate, the RUC see themselves as legitimate, the British army see themselves as legitimate, everybody else isn't and that's not the way it is and that's not the way it should be (Republican: Workshop, 24th June 2004).

But these experiences also have a value in their being shared:

> Everybody's social experience is something similar…OK we're not gonna resolve the constitutional or the national question but there's a whole raft of social and economic issues which apply and which effect both communities in the same way (Republican: Workshop, 24th June 2004).

Nevertheless, it is clear that this legacy of criminalisation and the strategies applied to achieve it have diminished the capacity of former prisoners to work without. Despite the small physical distances involved, there is often a sense of parallel worlds, of being interconnected but opting for a voluntary apartheid. Face-to-face contact, notwithstanding, fundamental misunderstandings remain between Republican and Loyalist former prisoners, as do stereotypical depictions of the other.

Differences remain irreconcilable and Loyalists and Republicans continue to see the world from dissimilar perspectives and mindsets that can be paralysing for dialogue. The attitudes of both Loyalist and Republican former prisoners have been shaped too by events and experiences and there is no doubt that the legacy of violence against 'civilian' targets) remains important to the psyche and reservations concerning working without.

There is one further problem for Loyalist former prisoners in circumventing these barriers and impediments to conflict transformation. That is the major gap between Unionist macro-politics and the 'real' work on the ground which helps explain why

expectations of attainment with respect to conflict transformation are low-level. For EPIC, the biggest problem is the DUP and that legacy of criminalisation which prevents it being perceived as a legitimate expression of Loyalism. This was compounded by the IMC Report of April 2004 which recommended sanctioning the PUP, the principal Loyalist political organisation committed to conflict transformation.

Given all the impediments, Loyalist former prisoners (as shown by EPIC) are well in advance of conventional politicians in working with Republicanism. This includes practical issues such as interface projects but also mutual attempts to understand opposing mindsets through studies of political theory and the multiple interpretations of shared histories. Loyalist former prisoners are likely to be more committed to conflict transformation than conventional politicians, have experience – no matter how imperfect - in dialogue with the other, and also experience in attempting to control militarism and paramilitarism in their own communities. The problem, however, is how far to go? It is clear that Stormontgate (October 2003), despite contestation over its actuality, damaged cross-community linkages and is still seen as a breach of trust:

> For those of us involved in cross-community work, I don't believe the spying was an attempt to do physical harm but there was a political espionage going on at a community level as well. When police were coming out and saying to people that these things were said about you at meetings. For a lot of the more reluctant members of our community who didn't really approve of the value of engagement with Republicans, it gave them a stick to beat those of us who were engaged. We haven't fully recovered from that episode yet. There's still not the level of engagement that there was prior to Stormontgate. It was a big risk (Loyalist: Focus Group, 1st December 2004).

Again:

> There's a lot of progress that hasn't been publicised [meetings]…we were making great progress and then when the "Stormontgate" thing came out, we got threats…Minutes of the meetings that we had been at with Republicans were, sections of them had been recorded which to us was a breach of trust…But we since got over that, we're meeting people…We're not meeting the great and the good, we're meeting at the coalface (Loyalist: Workshop, 24th June 2004).

In other words, working without is difficult, face-to-face and grinding work which depends on individuals and the personal contacts that former prisoners can establish between each other.

For Republicans, working without is clearly impeded by their perceptions of territorially insular Loyalism versus ideological, 'non-parochial' Republicanism. The patronising attitudes – either conscious or unconscious – that Loyalists believe are sometimes expressed by Republican former prisoners toward them, stem both from conflicting interpretations of criminalisation and a recourse to stereotypes. As we

have seen, for Republicans criminalisation was an attempt by the British state to depoliticise the conflict into a 'two tribes fighting' scenario, whereas Republicans see the British government as a principal party to the conflict. For them, Loyalists are parochial and territorial, dupes of the British state, whereas Republicanism is ideological (seen as the antithesis of parochial):

> I found then quite insular in that they never really bothered looking at history, colonialism and I've always thought that if they did, the blinkers would fall of their eyes and they would see the reality here (Republican: Workshop, 24th June 2004).

Loyalists, therefore, are much less likely to take on the state whereas the ideology of Republican oppositional politics is that the state 'is there to shit on you' (Republican: Focus Group, 3rd December 2004)). There is a sense of lip service to the idea of interconnectedness but also one of passive dismissal along the lines of: 'we really don't know these people' (who are about one mile away in physical terms if almost invisible in psychological distance). Republican former prisoner groups are working at the local level too but are connected much more effectively to macro-politics than are Loyalist former prisoners. Their community work is part of a greater whole and they derive additional legitimacy from that. Nevertheless, the thrust of their activities is within, not without. It is in the interconnections with the state and funding agencies that they function most effectively without:

> The Republicans have been successful in changing their military clout into political clout which Loyalists haven't been able to do and are never likely to be able to do' (Loyalist: Workshop, 24th June 2004).

It must be reiterated that despite contact over several decades that the nature and volume of contact between loyalist and republican former prisoners has increased since the onset of public peace building strategies. Therefore the opportunity exists to move beyond present divisions and ambiguities.

6.5.2 Working with the state and its agencies

Former prisoners, particularly in the Republican communities where the issues are politically more sensitive, are also providing leadership towards the building of relations between the state agencies and communities which have traditionally been estranged from them. Nevertheless, the same issues of criminalisation, legitimacy and clashing perceptions of the other colour the relationships between former prisoners and the state agencies that control the funding on which they depend for work in conflict transformation and community regeneration. Loyalists have a keen perception that their criminalisation and the lack of legitimacy on the ground accorded them by macro-politics creates significant barriers:

> Personal baggage is hampering funding so we need recognition and legitimacy from our politicians (Loyalist: Focus Group, 1st December 2004).

The dissonance between effective work 'on the ground' and the impediments of macro-issues is a recurring theme in the way in which Loyalists work with statutory agencies:

> We have built up a working relationship with them. You have a good system of working with those on the ground but where we find great difficulty is when trying to get them to make decisions that have to get approval from above (Loyalist: Focus Group, 1st December 2004).

There are also strong feelings about the hypocrisy and double standards of a state that deals with the former prisoner leadership of Sinn Féin but has:

> great difficulty in working with us. Not because of the work that we are doing, but because we used to be involved (Loyalist: Focus Group, 1st December 2004).

The problem is less acute at community level where organisations are prepared to use former prisoner expertise but, for Loyalists, 'the statutory agencies won't. Or maybe aren't allowed to' (Loyalist: Focus Group, 1st December 2004).

One example given concerned a mediation centre where a programme aimed at addressing issues of paramilitary intimidation of young people was refused funding. Eventually, a Christian-based organisation did receive funding 'as a safe pair of hands' but was ineffective because it had no links to the paramilitaries. If conflict transformation is about the creation of social capital, then such funding difficulties do act as an impediment if former prisoner expertise and attitudes are more 'progressive' than those of the paramilitary, political and even voluntary organisations. Moreover, the lack of legitimacy accorded former prisoners works against the social training of young people who might replace them in community organisations.

Oddly, perhaps, Republican former prisoner groups seem to have a less fraught relationship with the state. In part, this is because funding is often channelled through European programmes such as Peace and Reconciliation I and II which makes it easier for Republican groups to justify and rationalise these applications for grant aid. There are, however, the problems of being answerable to other agendas although these can be circumvented in that the money granted can be used to shape projects on the ground. Therefore, Republicans see themselves as 'buying into the system for specific purposes' (Republican: Focus Group, 3rd December 2004). Again, the relationship with statutory agencies seems less fraught for Republicans, perhaps because they have greater confidence in such dealings deriving from their more secure place within their own communities. The agencies are prepared to recognise and use the expertise of former prisoner groups, one example cited being a former prisoner group acting as a witness to the DHSS's application for a charter mark. Nevertheless, there remain issues of having to justify the involvement of former prisoners and, like the Loyalist experience, it is easier to deal with statutory agencies at the local level than with head offices.

Chapter 7: Concluding Discussion

7.1 Former prisoners, community relations and conflict transformation

Before summarising the results of this research, it is important to make one further point regarding the relationship between former prisoners and community relations work. As we have noted above, former prisoners have been at the forefront of a range of community and civil society initiatives which have entailed dialogue and cooperation (where possible) between traditional segregated and estranged working class communities.

In conducting this work former prisoners have continuously made a distinction between this style of work and that which they perceive as a traditional community relations approach. We are conscious that there has been a debate ongoing within community relations circles for some time concerning the meaning, value and methods of community relations work (Hughes and Knox, 1997; Jarman, 2002; Harbinson, 2002; Hughes et al, 2003). While some of that debate is beyond the scope of this research, it is important to register at this juncture some of the limitations of that framework as perceived by Republicans and Loyalists. The fact that this research was funded via the Community Relations Council (CRC) posed a considerable hurdle in seeking the co-operation of both Loyalist and Republican former prisoners. Both groups are opposed to the CRC's 'two tribes' language and analysis, while there is a shared cynicism about 'ceasefire soldiers' jumping on the 'conflict transformation bandwagon'.

The Republican position on a community relations understanding of the conflict and template for resolving the conflict is well-known. Their view has long been that community relations is a strategy employed and supported by the British government to promote a 'two tribes' view of the conflict, wherein the difficult relations between the two main communities was stressed and the role of the British state was either ignored or view as a neutral and ultimately benign arbitrator between the warring communities. As McVeigh (2002: 57) has argued:

> The community relations paradigm offers almost nothing to any process of reconciliation. It continues to deny and sublimate the violence of the most powerful actor in the equation, the northern state. It has generated an industry that is shallow, self-serving and profoundly Unionist in its inability to critique and challenge the state.

The particular view of former Republican prisoners is well summed up in a range of documents concerning Coiste's 'nation building programme' Coiste, 2003a-e). For example, as is outlined in their response to the 'Shared Future' document on the future of Northern Ireland, (a document viewed as coming avowedly from that tradition by Republicans), Coiste argued:

> …the role and agency of the British state in constructing and maintaining sectarianism through institutional activity and policy are

> absent from the document…the document ignores the pro-active role of the British state in creating the current divisions within our country and society – the role of its military and paramilitary forces; its Civil Service; judiciary; legal system; heads of industry/commerce…the British government chose to focus on fostering 'good community relations' as an alternative to establishing justice and equality (Coiste, 2003b: np).

The response of Coiste to the Shared Futures consultation provides some idea as to how Republican former prisoners view both community relations and wider process of conflict transformation. They see the problem as 'the colonial relationship between Britain and Ireland and the way in which 'the two communities' relate to the British connection with Ireland'. Ultimately the aim is 'national reconciliation' within the island of Ireland, but in the meantime they believe that the best way to promote 'good relations' within Northern Ireland is to promote 'equality (Coiste, 2003b: np).

Loyalist former prisoners have also expressed considerable misgivings concerning what they perceive as the community relations approach. They are certainly concerned at efforts which might be seen to either dilute their Protestant or Unionist culture or indeed to problematise aspects of that culture so that Protestant sectarianism becomes defined as the key impediment to peacemaking. While their relationship is ambivalent rather than directly antagonistic towards the British government and, of course they see Republicans as the prime 'enemy', their mistrust of the community relations approach arguably mirrors that of Republicans in some important ways. Former Loyalist prisoners would make common cause with Republicans concerning the need for human rights and equality protections for former prisoners, both of which are frameworks against which community relations has traditionally struggled (Jarman, 2002). Certainly the Republican identification of community relations with Unionism resonates with what many former Loyalist prisoners refer to as 'middle Unionism' or 'political Unionism'. In particular their characterisation of the latter throughout this research as anti-working class Loyalist, anti-prisoner, weak on rights protections and geared towards creating an illusory 'middle ground' was reflected in the comments of some former prisoners on the CRC.

As one former Loyalist prisoner suggested:

> My view of the CRC is that they provide a very cosmetic solution as to what they perceive to be the problems here…If all the nice people get together then everything will be all right…Some would regard it as two warring tribes. I have a different view. I see it as a political war between Nationalist and Unionist. If you could use a political analogy to the CRC; it used to be that they tried to find political solutions here without engaging the people who were involved in the violence, you are talking about agreement where Republican or Loyalist activists weren't consulted or brought in on it. The Good Friday Agreement for all its faults has survived longer than all previous initiatives because they have brought all those people in. That's the analogy I would draw with the CRC, I think they have tried in general to solve the problem exclusively without dealing with the real hard issues (Loyalist: Workshop, 24th June 2004).

The point in underlining these misgivings by both Republican and Loyalist former prisoners at this stage is to emphasise that both sets of protagonists view conflict transformation as a more ambitious process than that which they regard as traditional community relations work. In the foregoing chapters, we have explored precisely what is meant by conflict transformation in this context. While the breath of work in which former prisoners are involved in some of the most challenging communities in Northern Ireland certainly involves building relations both within and between such communities, it would be wrong to give the impression that it might easily be subsumed into the traditional community relations paradigm without some hard soul searching within that tradition. As another Loyalist ex-prisoner commented:

> Their [CRC] concept of community relations is flawed. They want clean community relations, nice Protestants meeting nice Catholics, not people with certain connections meeting others with certain connections. A lot of their projects are nicey nicey. Not that they aren't necessary in building relationships but they are afraid of the risky stuff. I wouldn't put Duncan (Morrow) in that bracket and a few others. When it comes down to the CRC Board, I think their policies are about safe community relations and safe projects. We keep talking about conflict transformation as a process for a generational change that won't be achieved by three-year funding cycles of wee projects…Some of us believe that government should have a conflict transformation pool, separate from, it could be part of CRC but it should be a separate fund. With task force to look at hard core, coalface conflict transformation. The response that we normally get it that it should be done through the existing services. Hard core conflict transformation between Republicans and Loyalists need a special task force to do that (Loyalist: Workshop, 24th June 2004).

7.2 Summary

This comparative failure to mobilise wider support from within Unionism and also internationally appears as a fault line with regard to many of the differences experienced between the Loyalist and Republican former prisoner communities that have been studied here. Evidently, there are clear discursive and ideological differences between Republicans and Loyalists and these divisions are manifest in terms of the alternative roles undertaken by each with regard to the 'prison experience'. However, there is also an evident place for Republicans to locate themselves within geographically bounded communities that offer distinct cultural and political support. Conversely, for Loyalists, the failure to garner such significant political or community support confines them to being one group within a more heterogeneous political community.

The division between Loyalist and Republican former prisoners is more than a division between ideological intent. The unfolding of imprisonment and the uneven capacity to draw upon community support indicates that the groups studied do not possess the same levels of political corroboration and international support. This means that ideological difference is a form of division which equates to alternative

political and cultural meanings and interpretations. The divisions that exist between various Loyalisms and Unionisms and also between Republicanisms and Irish Nationalisms is a further reminder that political difference and experience within Northern Ireland/Ireland is not merely between but also within dominant traditions and political groups.

As shown here the differences between Loyalist and Republican prison-based experiences highlights how imprisonment and post-imprisonment draws upon a mixture of shared, part-shared and unshared personal and political experiences. Thus the rationale of a conflict transformation model based upon the 'two traditions' model undermines the subtleties of knowledge, experience and the complexity of community background.

In sum, in terms both of working within and without, Republican former prisoners have the advantage over their Loyalist counterparts in that:

- they are empowered by the close relationship between former prisoner groups and macro-politics through Sinn Féin;

- the stigmatisation of former prisoners within Loyalist communities contrasts to the central role which their Republican counterparts have in community politics;

- the experience of criminalisation reflects on relationships both within and without for Loyalists but largely only without for Republicans;

- Republican former prisoners do acquire legitimacy and confidence from their integration into Republican communities;

- both groups of former prisoners are involved in conflict transformation in the sense of promoting social, cultural and economic change within their respective communities;

- Loyalists see themselves as being more committed to pushing conflict transformation towards relationships with the other community although, in part, this may reflect their less secure position within their own community.

Dialogue is impeded by suspicion and lack of understanding of the other's position and by stereotypical representations of the other. Even though prisoner groups have been prepared to promote change by working within the state since the inception of the Peace Process, criminalisation remains a major issue. It impacts differently on Loyalists and Republicans but does impede their effectiveness as agents of conflict transformation. The goal of both working within and without, however, is an interconnected separation and it does seem to be the case that former prisoners have a shared expertise that is helping attain this modest but still important form of transition from conflict to conflict transformation.

We close with the words of a well-known member of Northern Ireland's 'civic society' whose comments admirably sum up the ambiguities of the contribution of former prisoners to conflict transformation:

I think it is important that their peace building efforts should be supported and again it's a question of 'what is the return on that investment'? If the return on that investment is the integration into civil society permanently, of people who otherwise at risk of being sucked back into the maelstrom with all the expenditure involved in dealing with that situation, then I think that there is a worthwhile investment there to be made. It is part of the investment in the future and the view you take of it depends on the view you take of the importance of these people and their integration into normal society to the stability of Northern Ireland. I think it is highly important to stability. Probably the most powerful influences within the paramilitary and former paramilitary environment are the people who do want to move forward. There is bound to be an active internal debate and the best ambassadors for the future are people who are able to connect most easily with their colleagues and former colleagues who have been involved in struggle. Again they have got to be supported in doing that. I think government should support them in doing that (Interview, 8th February 2005).

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