



TRUTH, DENIAL AND TRANSITION
NORTHERN IRELAND AND
THE CONTESTED PAST
CHERYL LAWTHER

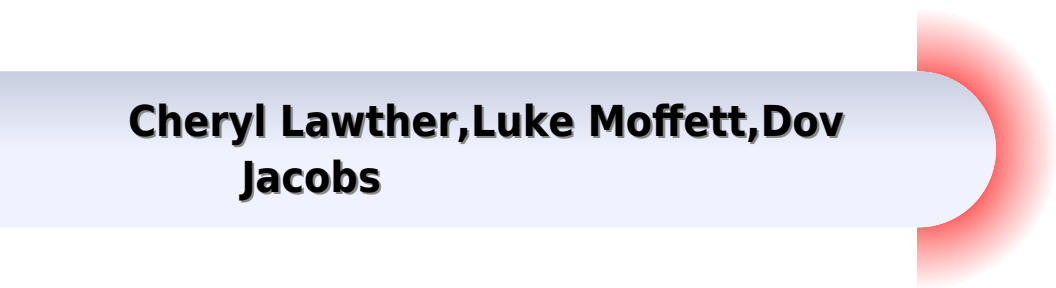
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Truth Denial And Transition Northern Ireland And The Contested Past Transitional Justice

**Cheryl Lawther, Luke Moffett, Dov
Jacobs**



Truth Denial And Transition Northern Ireland And The Contested Past Transitional Justice:

Truth, Denial and Transition Cheryl Lawther, 2018-10-08 Truth Denial and Transition Northern Ireland and the Contested Past makes a unique and timely contribution to the transitional justice field In contrast to the focus on truth and those societies where truth recovery has been central to dealing with the aftermath of human rights violations comparatively little scholarly attention has been paid to those jurisdictions whose transition from violent conflict has been marked by the absence or rejection of a formal truth process This book draws upon the case study of Northern Ireland where despite a lengthy debate the question of establishing a formal truth recovery process remains hotly contested The strongest and most vocal opposition has been from unionist political elites loyalist ex combatants and members of the security forces Based on empirical research their opposition is unpicked and interrogated at length throughout this book Critically exploring notions of national imagination and blamelessness the politics of victimhood and the tension between traditions of sacrifice and the fear of betrayal this book is the first substantive effort to concentrate on the opponents of truth recovery rather than its advocates This book will interest those studying truth processes and transitional justice in the fields of Law Politics and Criminology

Theorizing Transitional Justice Claudio Corradetti, Nir Eisikovits, 2016-02-17 This book addresses the theoretical underpinnings of the field of transitional justice something that has hitherto been lacking both in study and practice With the common goal of clarifying some of the theoretical profiles of transitional justice strategies the study is organized along crucial intersections evaluating aspects connected to the genealogy the nature the scope and the most appropriate methodology for the study of transitional justice The chapters also take up normative and political considerations pertaining to specific transitional instruments such as war crime tribunals truth commissions administrative purges reparations and historical commissions Bringing together some of the most original writings from established experts as well as from promising young scholars in the field the collection will be an essential resource for researchers academics and policy makers in Law Philosophy Politics and Sociology

Research Handbook on Transitional Justice Cheryl Lawther, Luke Moffett, Dov Jacobs, 2017-06-30 Providing detailed and comprehensive coverage of the transitional justice field this Research Handbook brings together leading scholars and practitioners to explore how societies deal with mass atrocities after periods of dictatorship or conflict Situating the development of transitional justice in its historical context social and political context it analyses the legal instruments that have emerged

Violence, Law and the Impossibility of Transitional Justice Catherine Turner, 2016-07-07 The field of transitional justice has expanded rapidly since the term first emerged in the late 1990s Its intellectual development has however tended to follow practice rather than drive it Addressing this gap Violence Law and the Impossibility of Transitional Justice pursues a comprehensive theoretical inquiry into the foundation and evolution of transitional justice Presenting a detailed deconstruction of the role of law in transition the book explores the reasons for resistance to transitional justice It explores the ways in which law itself is complicit in perpetuating conflict and

asks whether a narrow vision of transitional justice underpinned by a strictly normative or doctrinal concept of law can undermine the promise of justice Drawing on case material as well as on perspectives from a range of disciplines including law political science anthropology and philosophy this book will be of considerable interest to those concerned with the theory and practice of transitional justice

International Conflict and Security Law Sergey Sayapin, Rustam Atadjanov, Umesh Kadam, Gerhard Kemp, Nicolás Zambrana-Tévar, Noëlle Quénivet, 2022-07-21 This unique two volume book covers virtually the whole spectrum of international conflict and security law It proceeds from values protected by international law Part I through substantive rules in which these values are embodied Part II to international and domestic institutions that enforce the law Part III It subsequently deals with current challenges in the application of rules of international conflict and security law Part IV and crimes as the most serious violations of those rules Part V Finally in the section on case studies Part VI lessons learnt from a number of conflict situations are discussed Written by an international team of experts representing all the major legal systems of the world the book is intended as a reference work for students and researchers domestic and international judges as well as for legal advisers to governments and international and non governmental organisations Sergey Sayapin is Associate Professor and Associate Dean at KIMEP University School of Law in Almaty Kazakhstan Rustam Atadjanov is Assistant Professor at KIMEP University School of Law in Almaty Kazakhstan Umesh Kadam is formerly Additional Professor at the National Law School of India University Bangalore India and Legal Adviser with the International Committee of the Red Cross Gerhard Kemp is Professor of Law at the University of Derby in the United Kingdom Nicol s Zambrana T var is Associate Professor at KIMEP University School of Law in Almaty Kazakhstan No lle Qu nivet is Professor in International Law at the University of the West of England Bristol Law School in the United Kingdom

The Palgrave Encyclopedia of Peace and Conflict Studies Oliver P. Richmond, Gëzim Visoka, 2022-06-21 This encyclopaedia provides a comprehensive overview of major theories and approaches to the study of peace and conflict across different humanities and social sciences disciplines Peace and conflict studies PCS is one of the major sub disciplines of international studies including political science and international relations and has emerged from a need to understand war related systems and concepts and how to respond to it afterward As a living reference work easily discoverable and searchable the Palgrave Encyclopedia of Peace and Conflict Studies offers solid material for understanding the foundational historical and contemporary themes concepts theories events organisations and frameworks concerning peace conflict security rights institutions and development The Palgrave Encyclopaedia of Peace and Conflict Studies brings together leading and emerging scholars from different disciplines to provide the most comprehensive and up to date resource on peace and conflict studies ever produced

Victims of Terrorism Orla Lynch, Javier Argomaniz, 2014-10-17 This book examines the politicisation of victims of terrorism and the reality of the victimisation experience within the broader field of terrorism and the resulting conflict Victims of terrorism are a unique group of individuals whose experience is overlooked in

the current literature on terrorism Since 9 11 terrorism has risen to global prominence and has become a key topic of interest with regards to media attention and national security As a result many European countries as well as the USA have had to take active steps to protect and provide for the victims of terrorism particularly given the nature of victimisation post 3 11 Madrid and 7 7 London Recently we have also seen an increase in the political currency of the terrorist victim for example the lobbying activities and political involvement of the victims of ETA terrorism and the exceptionally powerful lobby in the USA that sees the involvement of victims of terrorism and their families in policy making and law enforcement transformations This book is based on extensive field work in Northern Ireland London and Spain and presents the results which focus on the needs and experiences of victims of terrorism and political violence and critically analyses these findings comparatively and in their own right The aim is to assess the provision of support initiatives in Northern Ireland mainland UK and Spain and understand if victims needs are being met by these initiatives but most importantly to construct a picture of the local and international interpretation of the experience of victimisation by terrorism This book will be of much interest to students of terrorism and political violence victimology criminology security studies and IR

The Oxford Handbook of Criminology Alison Liebling, Shadd Maruna, Lesley McAra, 2017 Beginning with the history of criminology this updated and revised edition deals with topics as diverse as policing substance abuse juvenile crime statistics prisons victims and organised crime in Britain

Constructing Victimhood Cheryl Lawther, 2024-11-18 *Constructing Victimhood* seeks to go beyond innocence and guilt to expand the criminological victimological and transitional justice image of who we see as victims what we hear as experiences of victimisation and who makes these determinations The book argues that the construction reproduction and politicisation of victimhood is structured not only by notions of innocence and guilt and the existence of complex victims but by larger questions concerning the existence of complex hierarchies of victimhood that supersede simplistic notions of good and bad victims Lawther also considers the exercise of voice the role of silence and the silencing of certain variants of victimhood in gender based crimes for example the politicisation of victims groups and the impact of unresolved legacies of violent conflict The author argues that in the failure to cast the transitional justice gaze more widely it is not only the voices in the cracks that will be overlooked but entire experiences of victimhood and victimisation If transitional justice is to live up to its claims of being victim centred widening its conceptual and practical boundaries to recognise the multiple and overlapping variables that construct and reproduce victimhood is essential Pursuing this line of enquiry *Constructing Victimhood* aims to change our understanding of victimhood in post conflict and transitional contexts

The Trouble with Truth Kieran McEvoy, 2011-02 This book explores the relationship the politics of truth recovery and its assumed links to reconciliation in the Northern Ireland Good Friday Agreement looking at issues of transitional justice and the ownership and forms of truth recovery

Transitional Justice and Legacies of State Violence Lisa White, 2015-03-05 As politicians public bodies and non Governmental organisations continue to profess an

interest in making peace with the past this highly original study explores the motivation significance and legacy of making public experiences of state violence in Northern Ireland Based on a synthesis of documentary material with the findings from a series of contemporary interviews this timely book uncovers the reasoning behind many Republican former detainees accounts of state violence and torture It examines the aims of those who went public during the conflict and discusses the meaning they attached to their stories and the various responses to them It also identifies some of the risks involved in criticising the violence of the British State and illuminates the ways in which truths are often contested in Northern Ireland both during the conflict and in the years which have followed A unique piece of interdisciplinary work the study disentangles and evaluates the discourses presented by former detainees and makes an innovative and interesting contribution to knowledge about transitional justice and legacies of state violence The book is suitable for social science scholars interested in human rights state violence criminology and transitional justice as well as those seeking to understand more about experiences of imprisonment and the legacy of the Northern Ireland conflict

Truth recovery in Northern Ireland Kirk Simpson, 2013-07-19 Northern Ireland has entered what is arguably the key phase in its troubled political history truth recovery and dealing with the legacy of the past yet the void in knowledge and the lack of academic literature with regard to victims rights is particularly striking This book newly available in paperback analyses truth recovery as a fundamental aspect of the transition from political violence to peace democracy and stability in post conflict Northern Ireland Kirk Simpson argues that it is essential for any process of truth recovery in Northern Ireland to provide the victims of political violence with the opportunity to express and articulate their narratives of suffering within the context of public dialogic processes He outlines a unique and original model that victims of political violence should be enabled to engage in meaningful truth recovery through a Habermasian process of public democratic deliberation and communication involving direct dialogue with the perpetrators of such violence This process of communicative justice is framed within Habermas s theory of communicative action and can help to ensure that legitimate truth recovery publicly acknowledges the trauma of victims and subjects perpetrator narratives of political violence to critical scrutiny and rational deconstruction Crucially the book aims to contribute to the empowerment of victims in Northern Ireland by stimulating constructive discussion and awareness of hitherto silenced narratives of the conflict This difficult and unsettling interrogation and interpretation of the conflict from a comparatively unknown perspective is central to the prospects for critically examining and mastering the past in Northern Ireland

Identity, Reconciliation and Transitional Justice Nevin T. Aiken, 2013 Building upon an interdisciplinary synthesis of recent literature from the fields of transitional justice and conflict transformation this book introduces a groundbreaking theoretical framework that highlights the critical importance of identity in the relationship between transitional justice and reconciliation in deeply divided societies Using this framework Aiken argues that transitional justice interventions will be successful in promoting reconciliation and sustainable peace to the extent that they can help to catalyze those crucial

processes of social learning needed to transform the antagonistic relationships and identifications that divide post conflict societies even after the signing of formal peace agreements Combining original field research and an extensive series of expert interviews Aiken applies this social learning model in a comprehensive examination of both the South African Truth and Reconciliation Commission and the uniquely decentralized approach to transitional justice that has emerged in Northern Ireland By offering new insight into the experiences of these countries Aiken provides compelling firsthand evidence to suggest that transitional justice interventions can best contribute to post conflict reconciliation if they not only provide truth and justice for past human rights abuses but also help to promote contact dialogue and the amelioration of structural and material inequalities between former antagonists Identity Reconciliation and Transitional Justice makes a timely contribution to debates about how to best understand and address past human rights violations in post conflict societies and it offers a valuable resource to students scholars practitioners and policymakers dealing with these difficult issues **Transitional**

Justice and the 'Disappeared' of Northern Ireland Lauren Dempster, 2019-06-11 This book employs a transitional justice lens to address the disappearances that occurred during the Northern Ireland conflict or Troubles and the post conflict response to these disappearances Despite an extensive literature around dealing with the past in Northern Ireland as well as a substantial body of scholarship on disappearances in other national contexts there has been little scholarly scrutiny of disappearances in post conflict Northern Ireland Although the Good Friday Agreement brought relative peace to Northern Ireland no provision was made for the establishment of some form of overarching truth and reconciliation commission aimed at comprehensively addressing the legacy of violence Nevertheless a mechanism to recover the remains of the disappeared the Independent Commission for the Location of Victims Remains ICLVR was established and has in fact proven to be quite effective As a result the reactions of key constituencies to the disappearances can be used as a prism through which to comprehensively explore issues of relevance to transitional justice scholars and practitioners Pursuing an interdisciplinary approach and based on extensive empirical research this book provides a multifaceted exploration of the responses of these constituencies to the practice of disappearing It engages with transitional justice themes including silence memory truth acknowledgement and apology Key issues examined include the mobilisation efforts of families of the disappeared efforts by a former non state armed group to address its legacy of violence the utility of a limited immunity mechanism to incentivise information provision and the interplay between silence and memory in the shaping of a collective societal understanding of the disappeared **Transitional Justice and the Politics of Inscription** Joseph Robinson, 2017-08-04 Taking Northern

Ireland as its primary case study this book applies the burgeoning literature in memory studies to the primary question of transitional justice how shall societies and individuals reckon with a traumatic past Joseph Robinson argues that without understanding how memory shapes moulds and frames narratives of the past in the minds of communities and individuals theorists and practitioners may not be able to fully appreciate the complex emotive realities of transitional political

landscapes Drawing on interviews with what the author terms memory curators coupled with a robust analysis of secondary literature from a range of transitional cases the book analyses how the bodies of the dead the injured and the traumatised are written into or written out of transitional justice The author argues that scholars cannot appreciate the dynamism of transitional memory space unless they first engage with the often silenced or marginalised voices whose memories remain trapped behind the antagonistic politics of fear and division Ultimately challenging the imperative of national reconciliation the author argues for a politics of public memory that incubates at multiple nodes of social production and can facilitate a vibrant democratic debate over the ways in which a traumatic past can or should be remembered *Justice in Transition*

Anna Eriksson,2013-05-13 This book provides a unique account of the high profile community based restorative justice projects in the Republican and Loyalist communities that have emerged with the ending of the conflict in Northern Ireland Unprecedented new partnerships between Republican communities and the Police Service of Northern Ireland have developed and former IRA and UVF combatants and political ex prisoners have been amongst those involved Community restorative justice projects have been central to these groundbreaking changes acting as both facilitator and transformer Based on an extensive range of interviews with key players in this process many of them former combatants and unique access to the different community projects this book tells a fascinating story At the same time this book explores the wider implications for restorative justice internationally highlighting the important lessons for partnerships between police and community in other jurisdictions particularly in the high crime alienated neighbourhoods which exist in most western societies as well as transitional ones It also offers a critical analysis of the roles of both community and state and the tensions around the ownership of justice and a critical unromanticized assessment of the role of restorative justice in the community

Dealing with the Past Nadine Fourie,1999 *The Politics of Trauma and Peace-Building* Cillian McGrattan,2015-10-23 In marked contrast to literary historical and cultural studies there has been a limited engagement with the concepts and politics of trauma by political science and peacebuilding research This book explores the debate on trauma and peacebuilding and presents the challenges for democratization that the politics of trauma present in transitional periods It demonstrates how ideas about reconciliation are filtered through ideological lenses and become new ways of articulating communal and ethno nationalist sentiments Drawing on the work of Jacques Rancière and Iris Marion Young and with specific reference to the Northern Irish transition it argues for a shift in focus from the representation of trauma towards its reception and calls for a more substantive approach to the study of democracy and post conflict peacebuilding This text will be of interest to scholars and students of peace and conflict studies ethnic and nationalism studies transitional justice studies gender studies Irish politics nationalism and ethnicity **Ex-Combatants, Religion, and Peace in Northern Ireland** J. Brewer,D. Mitchell,G. Leavey,2013-02-04 Studies of Northern Ireland's ex combatants ignore religion while advocates of religious interventions in transitional justice exaggerate its influence Using interview data with ex combatants this book

explores religious influences upon violence and peace and develops a model for evaluating the role of religion in transitional justice Unionist Voices and the Politics of Remembering the Past in Northern Ireland Kirk Simpson, 2015-12-11 Simpson offers a reflective and theoretical explanation of the ways in which unionists conceive of the past in the present post conflict environment He considers the ways in which scholarly literature has often painted an outdated and inaccurate portrait of a highly complex people

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