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**New social movement theory and the reparations movement in Northern Ireland
The case of the WAVE Injured Group and its Campaign for Recognition**

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**New social movement theory and the reparations movement
in Northern Ireland: The case of the WAVE Injured Group and
its Campaign for Recognition**

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BSc. (Hons) Psychological Trauma Studies

MA Conflict Transformation and Social Justice

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School of Social Sciences, Education & Social Work

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This thesis is dedicated to all members of the WAVE Injured Group, past and present. For without your perseverance and quiet dignity, there would be no pension for the injured. May your journey be an example to others who follow in your path to understand that justice, no matter how long it takes, will prevail.

ABSTRACT

Victims are one of the most important stakeholders in a peace process, but often the most powerless. This thesis explores this phenomenon by illuminating, through a sociological case study, the struggle for social change from one particular group of victims based in post-violence Northern Ireland: the WAVE Injured Group and its Campaign for Recognition. To offset their relative power imbalance, this new social movement engaged in contentious reparations politics and lobbied for bespoke material reparations, which they hoped would provide collective benefits to those injured during the Troubles. Guided by two intersecting theoretical frameworks, based on social movement theories and transitional justice scholarship, this thesis explores the chronological history of the campaign and the dynamic processes, which explain the origins of this movement, its active mobilisation, its framing strategies, and its interaction within dense informal networks. Faced with a series of social and political constraints, endemic to transitional societies, these victims employed a range of tactics in both the private and public spheres to maximise the support of influential allies and the wider public. Taking advantage of emergent political opportunities, thrown up by an ever-changing political milieu, this campaign, after nearly two decades of struggle, eventually secured a successful outcome in the form of a special injured pension. As an integral member of the WAVE Injured Group, this thesis provides a detailed insider's account of the campaign, based on an extensive range of personal contacts and personal knowledge of the campaign. This was enhanced by relevant qualitative interview data and internal documents retrieved from the movement's private collection. As such, this thesis conveys a substantial degree of originality into the career of a new social movement and its travails through the field of transitional politics.

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First and foremost, I need to convey my deep thanks and appreciation to all who agreed to give up their time and participate in what were sometimes very lengthy interviews. Without your input, this thesis would not have been possible. This includes individual victims and survivors from across Northern Ireland who were willing to welcome me into their homes and to trust me with their personal stories of harm, grief, and personal transformation. I hope that in my interpretation of your experiences, I have done you justice.

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supervisor, mentor, and friend, I would have been lost without your support, patience, and kindness before, during, and I hope, after this PhD. I thank for your encouragement over the years and for giving me the opportunity to speak about my own experiences, the campaign, and victims' issues within Queen's and beyond. I thank you for labelling me a 'moral beacon' all those years ago. This set me on a whole new direction. Most importantly, your calming attitude pulled me through so many hard times along the way. When at times I thought I was drowning in the deep end, you always guided me towards the shallow end and the completion of this thesis.

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instrumental in achieving the *Troubles Permanent Disablement Payment Scheme*, they would have got nowhere without your strong leadership, your motivation, and your know-how. You are as much members of the Injured Group as anyone else. Without the considerable human and material resources provided by WAVE, these injured survivors may never have met, may never have had the opportunity to mobilise, to enter the halls of power, and to fight for a collective benefits, not just for themselves, but for victims of violence across these islands. WAVE gave them the opportunity not only to air their voices as Citizen Educators and activists but to hone their message to appeal to a wider audience. It was only with these supports that the Injured Group could convey their shared grievances and demand social change.

Yet, without the members of the WAVE Injured Group there would have been no Campaign for Recognition. Hampered by years of invisibility, of being ignored, of being forgotten, you made the decision to come together to change this situation, to see each other as colleagues and as great friends. You decided to take to the streets and to quietly ask the public for support through your petition. You started this campaign. While many members came and went, while we had our disagreements and our fall-outs, you were all a part of this and deserve the thanks of those who were able to stay the course. As a group, you lost so many along the way and while they will never be forgotten, this only made you stronger. You persevered. You knew you could never give up. It is you who should all be thanked. To finish, I pay particular tribute to a group of people who I really got to know and love over the past ten years. You have inspired me and taught me so much and for that I am truly grateful.

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LIST OF ABBREVIATIONS

BBC	British Broadcasting Corporation
CGP	Consultative Group on the Past
CNR	Catholic Nationalist Republican
CRC	Community Relations Council
CV	Competitive Victimhood
CVS	Commission for Victims and Survivors
DLA	Disability Living Allowance
DUP	Democratic Unionist Party
IRA	Irish Republican Army
IVU	Innocent Victims United
NIAC	Northern Ireland Affairs Committee
NIHRC	Northern Ireland Human Rights Commission
NIMF	Northern Ireland Memorial Fund
NIO	Northern Ireland Office
OFMDFM	The Office of the First Minister and deputy First Minister
PCR	Peace and Conflict Research
PIP	Personal Independence Payment
PSNI	Police Service of Northern Ireland
PUL	Protestant Unionist Loyalist
QUB	Queen's University Belfast
RFJ	Relatives for Justice
RRA	Reshape, Rebuild, Achieve
RUC	Royal Ulster Constabulary
SDLP	Social and Democratic Labour Party
SEFF	South East Fermanagh Foundation
SF	Sinn Féin
SHA	Stormont House Agreement
SPAD	Special Adviser
TJ	Transitional Justice
TUV	Traditional Unionist Voice
UDA	Ulster Defence Association
UDR	Ulster Defence Regiment
UNSR	United Nations Special Rapporteur
UTV	Ulster Television
UUP	Ulster Unionist Party
UVF	Ulster Volunteer Force
VAST	Victims and Survivors Trust
VSG	Victims and Survivors Group
VSS	Victims and Survivors Service
WAVE	Widows Against Violence Empower
WIG	WAVE Injured Group

INTRODUCTION

If there is no struggle there is no progress ... This struggle may be a moral one, or it may be a physical one, and it may be both moral and physical, but it must be a struggle. Power concedes nothing without a demand. It never did and it never will.

Frederick Douglass, August 3, 1857

Victims matter. Victims are one of the most important stakeholders in a peace process, but often the most powerless. This thesis is a lesson in power. The power of those without political influence who realise the strength of their moral power. It is about the power of movements and the 'power in movement' (Tarrow 2011), and it is about the political power of governments to shape victim policy against victims' moral claims. In chronicling the journey of the WAVE Injured Group, a collective of people who set out to secure reparations, this thesis will take the reader through the undulating life of a new social movement embedded in a deeply divided society. Faced with an array of structural and personal constraints, this group of once disconnected individuals, some of the most severely injured during the Troubles in Northern Ireland (NI), recognised their 'shared grievances', fostered a 'politicized collective identity', and launched a campaign for social change that would benefit not just themselves, but others in a similar position (Simon and Klandermans 2001). Complemented by the external resources of the WAVE Trauma Centre, an influential victims support group, and engaging in 'contentious politics' with their local political elites, this group took advantage of a range of emerging 'political opportunities' to further their ultimate demand for a special pension (Tarrow 2011). Placing themselves to the forefront of the campaign in the political sphere and in the mass media, this vanguard performed a range of protest activities from an increasing 'repertoire of contention', in the hope that they could attract the support of influential allies and the general public (Tarrow 2011). The eventual success of their Campaign for Recognition is a testament to their dignity, magnanimity, solidarity, and sheer perseverance in the face of social and political contestation over claims to

victimhood, in the two decades since the signing of the Belfast/Good Friday Agreement in 1998. Moral power eventually triumphed over political power.

Chapter Overview

The thesis is structured into six chapters, in addition to this Introduction and a Conclusion. Chapter 1 sets out the theoretical frameworks at the heart of this project and consists of two distinct fields: social movement theories and transitional justice (TJ). From a sociological standpoint, the study of social movements allows us to gauge the workings of broader political structures of our society. Yet, as will become apparent through my review, this field intersects across disciplines to include political science, history, criminology, victimology, and social psychology. As such, this allowed me to delve into not just the macro-levels of social movement activity but also the intermediate meso-levels of networks and micro-level dynamics, which operate on individuals within and without movements. The second part of this chapter concerns the field of transitional justice, where societies attempt to deal with the aftermath of violent political conflict. My particular focus will be on one aspect of TJ: reparations. Reparations are viewed as a response to past injustices and are supposed to symbolise healing and provide redress and remedy for the victims. However, they are often met with opposition and are seldom fully progressed to the satisfaction of all victims. These obstacles will be explored throughout this thesis.

In Chapter 2, I outline my research strategy and the design of the project. In setting out my aims and objectives, I explain my reasons for choosing this particular case study and explain my closeness to the subject. As a member of the WAVE Injured Group, I had the obvious advantage of close 'insider' status and possessed intimate knowledge of the topics, the population, and the behind the scenes workings of the Campaign for Recognition. While this familiarity had its positives, it also contained risks. These potential pitfalls were discussed throughout the project through a constant process of reflexivity. Moreover, as this was a project based in the highly sensitive field of Peace and Conflict Research (PCR), there were potential risks to my

participants. Such ethical concerns were factored into all aspects of data collection and retention, through a long process of trust and negotiation.

Chapter 3 explains the origins of the case study and the political environment into which it emerged. Following nearly three decades of violent conflict, euphemistically known as the Troubles, Northern Ireland entered into a peace process at the end of the 1990s. Around the same time, victims' groups, recognising the lack of support for those affected by the violence, were formed and evolved into a government funded 'victims' sector'. It was to these groups that the main protagonists, once previously isolated and left to deal with their own personal issues, were drawn. Within this new context, these individuals began to recognise their common grievances and formed the first iteration of the WAVE Injured Group, under the roof of the prominent NGO, the WAVE Trauma Centre (hereafter WAVE). However, even with new resources available to this fledgling movement coming from WAVE, this collective failed to move to active mobilisation. Nevertheless, after a period of four years in latency, the second iteration, under a new leadership, emerged with a new strategy to take their new Campaign for Recognition public. This active phase was ultimately enhanced by the fostering of a 'politicized collective identity', built on an 'awareness of shared grievances', which enabled them to engage in a 'triangulated' 'power struggle' with political elites and the media (Simon and Klandermans 2001: 325-326).

In Chapter 4, I explore the outworkings of the mobilisation of the Campaign for Recognition in what remains a 'divided society'. To have their demands for reparations met, the Injured Group was required to enter the political arena. While transitional justice promotes the notion that victims should have a right to remedy, this is often set in contrast to what is fair or economically viable for the rest of society. Public resources need to be considered. These political realities were understood by the Injured Group and their limited prognosis reflected this. They thus decided to narrow their focus to seek a 'pension for the severely physically injured'. In doing so, however, by potentially excluding those with lesser injuries, they created a schism which threatened the broader collective. Moreover, alongside these economic considerations, the WAVE Injured Group was faced with the highly toxic local variant of the 'politics of victimhood' that bedevils many transitional societies (Breen-Smyth

2018: 230). These obstacles would prove intractable in the intervening years as the campaign persevered through the political structures and into the media.

Chapter 5 deals with the political stalemate into which the Campaign for Recognition became stuck. Exacerbated by a range of external issues directly and indirectly related to the 'legacy' of the conflict, the political institutions in Northern Ireland lurched from crisis to crisis on an almost yearly basis. This political instability coincided with the Injured Group's attempts to lobby for their demands and left little room for 'political opportunity' (Tarrow 2011). Undeterred, the group continued to work behind the scenes within an ever-widening range of networks to elicit the support of influential allies within politics, across civil society, and through the media. Moreover, faced with perpetual logjam, previously held positions on the complexities of victimhood, were modified to appeal to a wider audience in their new target arena, both Houses of Parliament at Westminster.

In Chapter 6, I discuss how the Injured Group struggled to move their Campaign for Recognition from a relatively engaged, while wholly intractable, political arena in Belfast to a political context in London, which viewed Troubles-related issues as 'devolved matters'. By employing a range of dramatic performances from their well-versed repertoire of contention, the group made two visits to Parliament to lobby MPs, peers, and government officials. Having secured the support of a cross section of peers in the House of Lords, the opportunity was seized to push through a legislative device, which ultimately secured a successful outcome for the campaign and provided a bespoke pension scheme for those injured during the Troubles. Yet, as I will discuss, when this scheme was passed back to the politicians in the Northern Ireland Executive to implement, the 'politics of victimhood' once again stymied its path. However, the Injured Group persevered by enlisting the services of the legal system to secure a modicum of justice in the face of decades of personal and collective struggle.

In the Conclusion, I reflect on the life journey of all three iterations of the WAVE Injured Group and its Campaign for Recognition, and the themes, which emerged from the primary interview data and the expansive range of primary and secondary data, compiled from internal WAVE documents, media reportage, government

documents and consultations. These themes are threaded throughout the four main empirical chapters, and illuminate a range of theories and concepts from within social movement scholarship and the field of transitional justice. I hope that the discussions herein will be of use to transitional justice scholars and activists alike. To finish, I reflect further upon my own position as an academic researcher and as an ongoing activist for victims and survivors of the conflict both in Northern Ireland and further afield and the broader lessons to be drawn from that experience.

CHAPTER 1 – SOCIAL MOVEMENT *THEORIES* AND REPARATIONS

This literature review will form the foundation of my thesis. To answer my research question as to what are the opportunities and constraints operating on the case study, that is, the WAVE Injured Group (hereafter WIG or the Injured Group) and its Campaign for Recognition, I have chosen to use the lens of social movement analysis and, in particular, *new* social movement theory (or theories). These analytic tools will be combined with theories of transitional justice, as the case study is located within a divided society transitioning from violent political conflict. An in-depth review of both fields will therefore be required.

Part One will focus on the question of what are social movements and why they are an important phenomenon for analysis. I will then offer a brief overview of the early models of social movement theory before moving into a more detailed exposition of more recent theories relevant to the case study.

Part Two will involve a comprehensive overview of the recently developed field of transitional justice with a particular focus on reparations for victims of politically motivated violence and the obstacles they face in securing repair and redress. This section will conclude with an introduction to the case, the WAVE Injured Group, and the political context in which it is located.

PART ONE: SOCIAL MOVEMENT *THEORIES*

THE UTILITY OF SOCIAL MOVEMENT STUDIES

Social movements came out of and were bound up with the ‘broad social changes that ushered in the modern age’ (Buechler 2016: 229). As modern society developed, so too did the movements, made up of people engaged in collective action, which were now seen as part of this change (Tilly 1978; 1984; 2008; Tilly and Wood 2009). In order to understand the ‘idea of conscious collective action having the capacity to change society’, we need to view social movements through a modern lens using

modern methods that emerged from the 'era of the enlightenment' (Neidhardt and Rucht 1991: 449). To analyse social movements, it is therefore reasonable to employ the lens of the social sciences and, in particular, sociology as the tool best suited to this task. In Stephen Buechler's introduction to his 'chronological survey' and 'sociological history', *Understanding Social Movements: Theories from the Classical Era to the Present*, the author proposed:

At the broadest level, social movements subscribe to the basic sociological insight that society is a social construction. For sociology, this construction stands in need of explanation, whereas for social movements, it stands in need of transformation. (Buechler 2016: 1)

As such, social movement scholars and activists have, over many decades, attempted to transform the field and develop theoretical ideas through empirical research. Nick Crossley (2002: 8) [emphasis in original] reinforced the importance of sociological investigation into social movements as they are viewed as, '*key agents for bringing about change within societies*'. Movements problematise the ways in which we live our lives and call for changes in our habits of thought, action and interpretation. They are, in themselves, manifestations of social change (Crossley 2002: 9). Movements are key currents in the flow of society and their actions can trigger chains of events that cannot always be foreseen or controlled (Crossley 2002). As Crossley (2002) argued, social agents seek change. The question is about what difference these agents can make to the 'various structural dimensions of their life, a question about the form and distribution of power in society and the adequacy and limits of democracy' (Crossley 2002: 9). Emphasising the importance of social movements sociologically, Crossley (2002: 9) [emphasis in original] argued that, '*[t]heir existence, successes, failures and more generally their dynamics ... allow us to gauge the workings of the broader political structures of our society*.' For Klandermans and Staggenborg (2002: x), social movement studies are now more than 'just a subfield of sociology but an increasingly important area in other disciplines', including political science, history, criminology, victimology, and social psychology. As such, the field of social movement studies has proliferated exponentially across interdisciplinary borders through an active process of 'cross-fertilization' (Klandermans and Staggenborg 2002: x). The same growth can be seen in the expansion of social movements themselves, moving from the fringes to the mainstream of society since

the seminal 'cycle of contention' in the 1960s (Tarrow 2011). It is with this ever-widening lens that this empirical case study will illuminate the field of social movement studies.

Illuminating, extending and refining the extant literature will not be the only aim of this research project. As Flacks (2004: 135; 138) pointedly asked, in relation to social movement research: 'Knowledge for What?'; 'What is all this analysis for? In what way does the validation, elaboration, and refinement of concepts provide usable knowledge for those seeking social change?' As an insider 'activist' myself, I feel that it is also my duty to leave something behind for those fellow activists who will follow in the wake of the WAVE Injured Group and its Campaign for Recognition; a somewhat 'successful' social movement (Schumaker 1975).

Throughout human history, there have been many instances where people have come together in a collective way to bring about some sort of social change. Charles Tilly described the phenomena as 'the sustained, organised challenge to existing authorities in the name of a deprived, excluded or wronged population' (Tilly 1995: 144). As I will explore in this review, there is a wide range of theories put forward by scholars from a variety of disciplines and ideological backgrounds who view the basis, mechanisms, and outworkings of such challenges from many different angles. While some viewed social movements as irrational mob behaviour influenced by strain and societal breakdown, others characterised participants as rational actors, who weighed up the costs and benefits of their participation, before deciding on which resources to expend. Later, theories, which emphasised the interaction of movement actors with the state and the role of political opportunities, were challenged by those who favoured the role of culture or emotions, as the reasons for movement participation.

Della Porta and Diani (2006: 20) defined social movements as:

[A] distinct social process, consisting of the mechanisms through which actors engaged in collective action: are involved in conflictual relations with clearly identified opponents; are linked by dense informal networks; [and] share a distinct collective identity.

In this view, conflictual collective action concerns how social movement actors are engaged in political and/or cultural conflicts, which either promote or oppose social

change. Conflict, in this sense, is defined by an oppositional relationship between actors who seek control over the same stake and make negative claims on each other. In this vein, della Porta and Diani (2006: 21) argued that simply addressing collective problems might not correspond with social movement action: action 'requires the identification of targets for collective efforts'. Social movement actors, as individuals and as organised actors immersed in a permanent negotiation within the movement, engage in sustained exchanges of resources in pursuit of common ends, while holding onto their autonomy and independence (della Porta and Diani 2006: 21). This differentiation between organisations and informal networks allows analysts to appreciate the 'space reserved for individuals within movements': where individuals can have a sense of being involved without having to belong to the organisation (della Porta and Diani 2006: 26). In this respect, 'social movements do not have members, but participants' (della Porta and Diani 2006: 26). On the necessary construction of identity, della Porta and Diani (2006: 21) argued that social movement processes emerge because of a developing collective identity; where a sense of collective purpose and a shared commitment to a cause exists in which activists regard themselves inextricably linked to other actors. Social movement membership is dependent on this mutual recognition between actors, therefore, 'the activity of boundary definition', that is, defining *we* and *them* is crucial for movement emergence and action (della Porta and Diani 2006: 21-22). Moreover, social movement dynamics come into play when actors perceive single episodes of collective action as components of longer-lasting action, rather than discrete events; aiding those involved to feel linked by ties of solidarity and communion with other protagonists (della Porta and Diani 2006: 23; see also Downton and Wehr 1991; 1997). Such links can also be maintained even after specific initiatives or campaigns are completed. This is a useful consequence, as mobilisation can easily be revived whenever favourable conditions recur: where 'movements often oscillate between brief phases of intense public activity and long "latent" periods' (della Porta and Diani 2006: 24; Melucci 1996a; Taylor 1989).

Della Porta and Diani's analysis is a useful starting point for understanding social movement collective action processes, but as they have admitted:

[N]o empirical episode of collective action ... fully correspond to any pure type. On the contrary, we can normally detect more than one process within any empirical instance of collective action. (della Porta and Diani 2006: 22)

In some ways this recognition, that empirical research on social movements may not correspond to any particular process or typology, may have led to what John Lofland (1993) termed 'Theory-bashing', that is, the ritual knocking down of a simplistic theoretical model erected by another author who goes on to announce his or her own contribution, instead of seeking to improve on previous answers. While this practice may have eased since Lofland's initial request, where certain scholars had sought to challenge themselves and improve their own work, to build on theory rather than knock it down, others had been accused of engaging in 'paradigm warfare' within the field (Tarrow 2004). With this in mind, this thesis will attempt to build on social movement theory rather than attack different aspects of it. I will review the vast range of theories already available to me within this field and seek to improve on the answers that my predecessors have given as to why and how people come together in a collective to bring about social change. My chosen case study, the WAVE Injured Group and its Campaign for Recognition is therefore a most suitable avenue with which to validate, elaborate, and refine the existing available concepts; as well as, leaving something for activists seeking social change to ponder and learn from.

In chronicling the life journey, the 'career' (Blumer 1986[1969]: 99; Cuzzocrea and Lyon 2011; Darmon 2008; Evetts 1992) of this social movement, on its temporal trajectory, I hope to illuminate certain aspects of the extant literature. As such, the origins of this social movement, the biographical experiences of the main protagonists, and how a litany of diagnosed common grievances nurtured a 'politicized collective identity' (Simon and Klandermans 2001), thus sparking mobilisation, will be the focus of this thesis. In taking this course of action, that is, pursuing a beneficial change in policy, the WAVE Injured Group became involved in 'contentious politics' (Tarrow 2011: 4). They did this by engaging in 'claim-making performances', and drawing upon a 'social movement repertoire' (Tilly 2008). All, in order to represent themselves publicly as worthy, unified, and committed (Tilly and Wood 2009: 4). Marking this tiny group out as a social movement, the actors

mounted an interactive campaign, involving multiple episodes of collective action, by directly targeting political elites, through lobbying; and the public, through the mass media. Drawn to the political route as the means to achieve their objectives, the group was required to consider the political environment in which they had to operate. These protagonists sought to take advantages of whatever 'political opportunities' opened up for them; opportunities, framed within a 'political opportunity structure' (Eisinger 1973). Opportunities which could shift the 'balances of political and economic resources' in their favour and convince them that their 'protest actions [could] lead to success in achieving a desired outcome' (Goldstone and Tilly 2001: 182-183). To understand how this movement set out on this trajectory and made decisions, which they hoped, would lead to change, I must first set out historical overview of what has come before.

A HISTORY OF SOCIAL MOVEMENTS

Having already explained the utility of studying social movements, it is important to understand that the multiplicity of theories, which have been used to explain the dynamics of what brings people together to act as agents of social change. This will require a short history of social movements. Stephen Buechler's (2016) *Understanding Social Movements* was a useful starting point, as it plotted out a definitive history of the field of social movements, helpfully framed within broader sociological theory. Buechler (2016: 4) highlighted the 'shifting context of disciplinary boundaries, intellectual currents, and movement challenges', and thus his contribution was the perfect roadmap from where my thesis derived some direction. Buechler's (2016: 4) contribution, however, as the author has admitted, cannot do 'justice to every permutation in social movement theory' that have been conceptualised and nor, within the confines of this thesis, could I. Although it is my aim to cover as much breadth as possible, I have been constrained by space and have therefore chosen to concentrate on the social movement theories most relevant to my thesis.

I will therefore begin with a brief overview of the 'classical' models of social movements. Prior to the 1960s, the study of social movements concentrated on the issues of labour and the domination of nation states. The main theoretical models available to scholars for the interpretation of social activism were the structural functionalist model (American school), which saw collective action as crisis behaviour, and the Marxist model (European school), couched in the centrality of the conflict between capital and the working classes (della Porta and Diani 2006: 6-7). I will analyse the European School later in this review.

Within the American school, much of the pre-1960s sociological studies of social movements concentrated on the collective behaviour of mass movements. Collective action was viewed as crisis behaviour. Collective behaviour analysts tended to categorise social movements, as anomalies, symptoms of system malfunction and strain, as being populated by irrational, marginal, socially isolated people who were oriented toward short-term, spontaneous action resulting from a wide range of frustrated expectations (Buechler 1993: 218; Blumer 1957; 1971; Davies 1969; Gurr 1970; Hannigan 1985; Turner and Killian 1987[1957]). Subsequently, Smelser (1962) promoted a more nuanced perspective on the nature of social movements, incorporating social structures as determinants of collective action.

The Sixties were marked as a particular period of social, economic, political and cultural protest across the United States. Zald (2007, in Buechler 2016: 110) argued that early iterations of the civil rights movement triggered a 'cascade of social movements', including student mobilisation, the anti-war movement, countercultural, environmental, feminist, and gay and lesbian movements. As Buechler (2016: 110) noted, functionalist theories related to consensus, maintaining equilibrium, and managing tensions were being challenged by notions of conflict (see also Coser 1956; Dahrendorf 1959); and alternative theories of power, conflict, and domination (Mills 2000[1959]; Gouldner 1970). Schwartz (1976: 135) argued that those who participated in social movements were 'at least as rational as those who study them', thereby challenging the premise of irrationality.

RESOURCE MOBILISATION

This rational orientation emerged through the work of Mancur Olson (1965), whose *The Logic of Collective Action* made claims around the rationality of collective action in which people are mainly motivated by short-term, microeconomic, instrumental, individualistic rationality. This new perspective, one with a political interpretation, which was 'more sensitive to the role of power and power struggles in mobilizing people for collective action', emerged under the generic title: Resource Mobilisation (RM) (Burton 1984: 48; McCarthy and Zald 1977; 1987[1973]; Oberschall 1973; Tilly 1978). Resource mobilisation sees social movements as an 'extension of politics by other means' (Buechler 1993: 218). Resources can be material – jobs, income, material goods – or nonmaterial – authority, moral commitment, trust, friendship, or skills (Oberschall 1973: 28). Mobilisation is thus 'motivated, coordinated and facilitated by shifts in these resources' (Crossley 2002: 79). McCarthy and Zald attempted to consolidate the RM paradigm by articulating that their approach:

[E]mphasizes both societal support and constraint of social movement phenomena [by] examin[ing] the variety of resources that must be mobilized, the linkages of social movements to other groups, the dependence of movements upon external support for success, and the tactics used by authorities to control or incorporate movements. (McCarthy and Zald 1977: 1213)

It was a challenge to all preceding approaches, which cited grievance and deprivation as the cause of movements, in that, grievances are secondary factors because they are sometimes 'defined, created and manipulated by issue entrepreneurs and organizations', rather than causing the movements to emerge: reducing social movement activity to a minimal economic analogy (McCarthy and Zald 1977: 1215). Movement preferences are characterised as demands. The opposition, the dominant forces, and thus, the counter-movements are, in effect, the supply side of the supply and demand equation (Crossley 2002). Critics have questioned this logic, in that, it does not take into account the 'collective, moral, purposive or solidarity incentives', which often motivates participants (Buechler 1993). There is no room in this theory for 'conscience constituents', people who act out of altruism (McCarthy and Zald 1977: 1216).

McCarthy and Zald's (1977: 1218) theory framed a social movement as opinions and beliefs that represent 'preference structures' for change. In order to spur action, these preference structures are morphed into complex, formal social movement organisations (SMOs) that seek to 'implement movement goals' (Buechler 2016: 117). Their emphasis, however, on the importance of formal organisations in the emergence and mobilisation of social movements was criticised by Piven and Cloward (1979) who argued that this centrality ignores the more informal collectives and networks that make up social movements, and fails to factor in the constricting conservative influence that comes with formal organisation. This could invite co-optation and deference to the political establishment and potentially inhibit the urge for radical action as a means of protest (McAdam 1982). McCarthy and Zald were also criticised for their lack of attention to the influence of culture, emotion and grievance on the emergence of contemporary movements (Williams 2003). McCarthy and Zald's (1977) theory was further elaborated upon in subsequent work (Zald and McCarthy 1979), which addressed the strengths and weaknesses of the rational choice model in Resource Mobilisation (RM). Charles Perrow (1979: 192-193) noted a split in the model by labelling two specific wings: 'RM I', which sees protest as 'the continuation of orderly politics by other (disorderly) means' (1979: 199); and 'RM II', which stems from economic models rather than political ones, à la McCarthy and Zald (1973). As Perrow (1979: 200) argued, '[i]deology, grievances and political power are the coin of RM I, but an economic-organizational, input-output model informs RM II.'

In contexts where SMOs are appealing to similar audiences and where ideological differences are extreme, the conflict can be intense and rancorous, requiring more commitment from participants to expend their resources. At other times, when similar SMOs face competition from counter-movements, they can choose to cooperate and downplay differences (Zald and McCarthy 1987). Zald and Useem (1987) focused on movement-counter-movement dynamics as ones where both sides engage in varying tactical repertoires creating intertwining reciprocal interactions. This could lead to direct confrontations, where they negate the other's tactics, or as attempts to influence bystanders to their cause. Other strategies attempt to 'undercut the moral and political basis of a mobilization' (Zald and Useem 1987: 264).

Persuasion is another strategy utilised by social movements who hope to convert opponents. Movements and countermovements can become involved in triangles where they attempt to influence outside authorities to their side of the conflict: requiring a two front strategy and a careful allocation of resources (Buechler 2016). These insights will be developed within later data chapters as the case, the WAVE Injured Group and its Campaign for Recognition became embroiled in such dynamics with external victims' group in the Northern Ireland context. In essence, Zald and Useem (1987: 270) emphasised that both sets of actors 'are nested in long waves of ideology and counter-ideology'; where the challenge is to develop ideologies that promote their cause as desirable, possible, logical or natural.

In summary, the resource mobilisation approach which sprang from the 'long decade' of contention in the 1960s was seen as an attempt to move beyond the traditional theories of collective behaviour which characterised collective action as a product of non-institutional, irrational, with spontaneous and amorphous origins emanating from social strain and deprivation made up of aggrieved individuals who sought their due. Collective actors were now to be viewed as rational people who could deploy their newly acquired resources to push for social change. Rejecting sentiments, emotions, and ideologies, these actors were now motivated by short-term, microeconomic, instrumental, individualistic rationality. Yet, others have argued that the existence of new resources may not automatically lead to action. They began to view social movements as players engaged in the political arena of ideology and grievance resolution. As Perrow (1979) posited, the resource mobilisation model had split into two specific wings (RMI and RMII), into political and economic strands. I will now examine this political strand, that is, Political Process Theory.

POLITICAL PROCESS THEORY

The evolution of political process theories (PPT) by the end of the 1970s were seen as a challenge to the ideas of resource mobilisation, which, in turn, were a response to earlier approaches of collective behaviour, relative deprivation, and social strain. Political process theories were seen as distinct from resource mobilisation but not

opposites. They could be viewed as 'twin responses to the same social, political, cultural, and intellectual context of the 1960s' (Buechler 2016: 125). Theories of political process echoed the political activism and social upheaval underway at that time (McAdam 2007). These scholars and activists challenged RM's downplaying of the ideological, grievance-driven and psychologically rooted aspects of collective behaviour and instead promoted notions of collective logic through solidarity, group loyalty, and political consciousness. I will now highlight three proponents of this new model, so clearly distinguished by Perrow's labelling of RM I and RM II: Charles Tilly; Douglas McAdam; and Sidney Tarrow.

In response to McCarthy and Zald's (1977) seminal statement on the rational actor theory, Charles Tilly (1978) brought forth a 'rival' model based on political process, emanating from earlier socio-historical analysis (see Tilly, Tilly and Tilly 1975). Within this approach, Tilly (1978) put forward two models: the 'polity model' and the 'mobilization model'. Tilly's 'polity model' provided a view on interest-group politics by identifying a particular population under the jurisdiction of a particular authority. Within this population is the polity. Within the polity are the government and groups who are members of the polity. Outside the polity are the challenging groups. The implications of this model are that not all members of a population have equal access to pursue their interests and alleviate their grievances through normal political strategies. Those outside the polity need to form a collective to have their interests recognised and this will have costs. This strategy could involve coalitions with external sources, which could pose risks to group autonomy.

The 'mobilization model' takes the perspective of the single movement and focused on the process of conflict by examining the relationships between group interests, organisational networks, mobilisation processes, and different dimensions of opportunity. Tilly (1978) identified group interests as a prominent factor of mobilisation. Such interests have a direct effect on organisation, mobilisation, and opportunity. With respect to organisation, Tilly distinguished two dimensions, which intersect one and other: categories – social identities based on shared characteristics; and networks – which concern how people are linked by direct or interpersonal bonds. The notion of organisation is characterised by group inclusiveness where one-

time passive individuals are turned into activists in public life and political struggle. Mobilisation is then defined by two factors: the quantity of resources accumulated by the group and the probability that expending those resources will deliver satisfaction. These principles can apply to defensive mobilisation, where groups respond to external threat; and offensive mobilisation, where groups pool resources in response to opportunities.

Tilly (1978) focused mainly on the dimension of organisational inclusiveness as the prominent factor in mobilisation and promoted pre-existing organisation as a prerequisite for effective action. Groups with a high degree of organisation are therefore primed for opportunities when they arise. Taking advantage of opportunity, however, involves a cost/benefit calculation by contenders. They must factor in dimensions such as repression/facilitation and how their actions will be responded to by those to whom they are trying to appeal. Another dimension of opportunity is power, or whether the group will prevail over the interests of others. Power is relative and is a prerequisite for collective action; weak groups may never be able act as the costs may be too high. The third dimension of opportunity is the interface between opportunity/threat, where opportunity relates to the vulnerability of other groups to the contenders and threats relate to the other's claims that damage the contender.

Later, Douglas McAdam (1982) advanced a critique of the classical model, which posited that groups were located in a pluralist system, and possessed the ability to access political power. As well as rejecting the pluralist assumption that psychological discontent is a trigger for action, McAdam, pointed out weaknesses in the resource mobilisation model, in five distinct ways. McAdam's first criticism was that RM blurred the distinction between outside groups and polity members: where the polity resembled established political lobbies and interest groups and true social movements find themselves excluded from normal politics. A second critique was the importance put on elite sponsorship of social movements as a way of bringing social change. McAdam argued that this assumption would be counter-intuitive to elites, who only do so under pressure or with the intent of undermining the challenger's efforts. His third criticism was that RM neglects the role of the mass base of SMs in

that it undervalues resources such as civil disruption or strikes that the masses have in their armoury. A fourth critique related to the concept of resources itself, which is characterised as ill defined, vague and problematic, enough to render it virtually meaningless (McAdam 1982: 33). His final criticism concerned grievances. Proponents of RM, such as McCarthy and Zald (1973), rejected the 'hearts and minds' approach, which effectively side-lined grievances as a trigger for action. McAdam, on the other hand, promoted the idea that grievances have a subjective side, which must be interpreted as a variable in explaining episodes of collective action. The upshot of these criticisms was that McAdam (1982: 34) concluded that RM provided a useful tool for analysing polity initiatives but could not account for genuine social movement activity. His theory of collective action thus made a clear distinction between the classical model of power as dispersed and pluralistic and the political process model of power resting in the hands of elites. The remit of social movements was to identify potential vulnerabilities in this power and to wait for the right circumstances or opportunities in which to challenge it.

The political process model identifies those circumstances highlighting the structure of political opportunities and the importance of indigenous organisational strength. Political opportunity can arise when the stability of a political system is vulnerable or when the movement can use its relative position to apply leverage. As McAdam (1982: 42-43) argued, opportunities can become manifest in two ways: they can reduce the gap between contenders and elites and make change somehow feasible; and they can enhance a contender's bargaining power and make repression too costly for the elites. With regards to organisational strength, McAdam argued that pre-existing organisation is necessary, as without this groups cannot take advantage of any potential opportunities when they arise. He went on to identify four critical resources that factor into this organisation: solid membership; solidarity incentives; effective communication networks; and a cadre of established leaders who can direct action when opportunities arise. Another factor identified by McAdam in the generation of collective action is that of cognitive liberation. This is a central tenet of his political process model. Cognitive liberation is comprised of three dimensions: actors must subjectively perceive that relevant sections of the social order are wrong

and unjust; fatalistic notions that change is impossible must be overcome; and actors must believe that their participation in the movement will be efficacious. Combined with pre-existing ties, cognitive liberation is likely to reinforce collective action as people come to appreciate their strengths in the face of more powerful elites and realise that change is achievable.

All of these factors may be useful in understanding how collective action emerges but there are other considerations that need to be taken into account as movements attempt to sustain their insurgency into the long term, inviting dangers, which could render the movement ineffective. McAdam highlighted this in two ways. First, a group's organisational structure could shift from being somewhat informal to more a formal, centralised, and bureaucratised form and potentially becoming an oligarchy, distant from its base. Co-optation is another danger, especially if the movement becomes dependent on outside resources. Furthermore, a movement may lose their base as they tie in with other constituencies in search of new resources. A second danger for the longer-term maintenance is the social control response to the movement. Weak movements can invite repression, as the cost to elites is low. Furthermore, movements must also consider that, due to their ability to create both threats to and opportunities for other movements to emerge, elites may attempt to control their efforts. Certain disruptive tactics may elicit repression while more conventional tactics, which may be ineffectual, could be tolerated. McAdam's broad theory concludes that just as the pluralist image of power as represented by earlier models is inadequate, so too is the notion that elite power is impossible to overcome. Historical evidence suggests that under the right circumstances elite power can be vulnerable to change and that such change is not dependent upon changes in social strain nor changes in access to external resources. For McAdam the political process model is best suited to explain the efficacy of collective action.

Sidney Tarrow was the third major proponent to advance a synthesised version of the political process model as a suitable theoretical framework in which to view social movements. Building upon the work of Tilly, McAdam and others in the field, Tarrow's *Power in Movement* (2011: 7) [emphasis in original], contended that social movements operate in the realms of 'contentious politics' through '*contentious*

collective action'. The contemporary social movements, which Tarrow examined, in many ways mirrored the historical movements of the past, in that, they were shaped by the particular dynamics brought forth by recurring 'cycles of contention' (Tarrow 2011). Contentious collective action 'serves as the basis for social movements' as it becomes the 'main and often the only recourse that most ordinary people possess to demonstrate their claims against better-equipped opponents or powerful states' (Tarrow 2011: 7-8). For Tarrow (2011: 6):

Contentious politics is triggered when changing political opportunities and constraints create incentives to take action for actors who lack resources on their own. People contend through known repertoires of contention and expand them by creating innovations at their margins. When backed by well-structured social networks and galvanized by culturally resonant, action-oriented symbols, contentious politics leads to sustained interaction with opponents – to social movements.

Tarrow's emphasis on this combination of social networks, framing, and mobilisation stems from earlier work by Erving Goffman on the concept of framing (1974), through William Gamson's (1992) concept of how social movements frame their grievances within emotion-laden 'packages' or in 'in "frames" capable of convincing participants that their cause is just and important', and by focusing on Snow *et al*'s (1986) work on the 'framing of "collective action"' (Tarrow 2011: 26). These concepts of framing and the social construction of grievance will be further expanded in the next section.

Collective action puts citizens at the heart of change by disrupting the power of elite decision makers: where 'ordinary people' achieve 'power' by 'challeng[ing] power holders, produc[ing] solidarities, and [giving] meaning to particular population groups, situations, and national cultures' (Tarrow 2011: 8). The power of collective action is that it brings people together in sustained interaction with opponents to find a '*social solution*' to their problems (Tarrow 2011: 8) [emphasis in original]. For Tarrow (2011: 8) social movements must 'first, mount[] collective challenges, second, draw[] on social networks, common purposes, and cultural frameworks, and third, build[] solidarity through connective structures and collective identities [in order] to sustain collective action'.

Tarrow's main contribution to the theory of social movements is characterised by a synthesis of the cultural processes inherent in social movement activity and their

engagement with the political process to bring about social change. For Tarrow (2011: 28-29) people engage in contentious politics:

[W]hen patterns of political opportunities and constraints change ... by strategically employing a repertoire of collective action, creating new opportunities, which are used by others in widening cycles of contention ... [where] they [then] bring people together around inherited cultural symbols ... [and] build on – or construct – dense social networks and connective structures.

Expanding on these elements, Tarrow (2011: 98) viewed repertoires of collective action as ‘performances’, employed by movements as forms of action which should be flexible and adaptable to changes in the environment, and can combine with a broad range of actors to force political leaders to deal with their issues. Such performances are aimed at ‘power holders’ and external ‘third parties’ and aim to encourage support for their claims (Tarrow 2011: 98). For most social movements, this means protest: as ‘protest is a political resource of the powerless’ (Lipsky 1968). Protest is characterised as ‘nonroutinized ways of affecting political, social, and cultural processes’ (della Porta and Diani 2006: 165). That is, ‘protest stands in for elections’; especially when it is backed up by the power of numbers (della Porta and Diani 2006: 171). As Wilson (1973: 227) noted, ‘social movements employ methods of persuasion and coercion which are, more often than not, novel, unorthodox, dramatic, and of questionable legitimacy.’ Protests are ‘sites of *contestation* in which bodies, symbols, identities, practices, and discourses are used to pursue or prevent changes in institutionalized power relations’ (Taylor and Van Dyke 2004: 268) [emphasis in original].

‘Disruption, violence, and contained behavior’ are the three broad types of performative collective action and are important because they, first, add excitement to public politics and, second, ‘help solidarity to grow through the interaction of the “performers” in protest actions’ (Tarrow 2011: 99). While disruption and violence can help activists to ‘signal their identity and reinforce their solidarity’, they can also be risky endeavours which can draw the ire of bystanders and authorities (Tarrow 2011: 101). This is of significant importance when interacting with the mass media. Journalists’ expectations may demand that any given protest or message is ‘newsworthy’, before they can grant suitable coverage. As Rochon (1998: 180) noted,

successful movements can capture the attention of the media by using newsworthy symbols and images – ‘the secret of movement access to the media is to engage in colourful protest’. These expectations can lead movements down a path that may backfire in the public mind and damage their image. Therefore, movements must be cognisant of how they frame their message. Contained collective action may be a more suitable plan of action in certain political milieus as this can ‘offer the advantage of building on routines that people understand and that elites will accept or even facilitate’ (Tarrow 2011: 99). Moreover, nonviolent direct action can foster a feeling of belonging: ‘a community that is formed in the process of struggle is a very precious thing, and fulfils a lot of needs that are not fully met in everyday life’ (Epstein 1991: 8).

Building on another ‘power in movement’, Tarrow promoted the importance of networks and organisations: where some networks are based on trust, others on information or resource exchange, still others on instrumental alliances (Tarrow 2011: 132). For Tarrow (2011: 124), ‘[i]nterpersonal networks are the most basic structure’: where participants socialise and build identity. Movements build on networks through the promotion of ‘friendships, interpersonal trust and shared perceptions’ (Tarrow 2011: 132). Passy (2003) argued that networks operate to create predispositions to action by enabling individuals to feel part of the ‘collective we’, and to render collective action meaningful, feasible, and worthwhile. As such being part of a network may positively affect a person’s decision to act, as part of a group rather than as an isolated individual. This bonding within networks can aid in the sustenance of social movements over time and can work as an ‘antidote to leaving’ (della Porta and Diani 2006: 118). Sometimes networks can work rhizomatically; at other times, they can operate vertically (Tarrow 2011: 132).

Movements, however, are not based on networks alone, they need some degree of formal organisation in order to keep together and remain vitalised. Movement organisation has three different meanings: ‘*the organization of collective action at the point of contact with opponents; advocacy organization; [and] connective structures or interpersonal networks*’ (Tarrow 2011: 123-124) [emphasis in original]. As such, organisations are useful, in that, they:

[P]rovide movements with strategic and tactical leadership, and with a focal point for the interaction of activists – a mechanism for framing how events and relationships are interpreted ... and a source for recruiting new members and identifying future leaders. (Tarrow 2011: 123)

The task of movement leaders is thus to balance between rigid structures and the flexibility required to keep informal networks connected. Tarrow (2011: 132) [emphasis in original] also suggested that, '[n]ot only do movement organizations build on networks; acting collectively can *create* networks.' For Tarrow (2011: 138), however, there is no single model of movement organisation and no single organisational trajectory: the role of formal organisational strength needs to be enhanced by 'informal connective tissue operating within and between'. It is with this flexibility that social movements can ready themselves to act when opportunities are presented and to retreat when constraints become too risky or onerous.

Looking back over the three significant contributions to the political process model it is clear to see how they contrasted with earlier models of collective action and, in turn, how they differed from the range of resource mobilisation approaches. Buechler suggested that this distinction should be viewed through two frames of reference. The 'high-altitude view' reveals the fault line between the classical model of collective behaviour, which analysed an 'initially fragmented, amorphous, apolitical, and psychological response to social strains and deprivations'; and the resource mobilisation/political process model which looked at 'collective action as an organized, rational, political response to shifting opportunities' (Buechler 2016: 140). The 'low-altitude view' is focused on the cleavage between resource mobilisation and political process models where 'the former emphasizes formal organization, elite sponsorship, external resources, rational actors, interest group constituencies, entrepreneurial leadership, and manufacture grievances', while:

[T]he latter underscores diverse organizational forms, informal mobilizing structures, solidarity and group consciousness within the mass base, indigenous resources, a more nuanced image of rationality, challenges outside the polity, shifting repertoires of contention, and the central role of opportunity. (Buechler 2016: 140)

The issue of grievance was at the centre of their final difference. Advocates of resource mobilisation saw grievances as irrelevant, which sometimes emerged as a response to resource availability rather than the other way around (Buechler 2016:

140). Political process theory put grievance back in the mix but 'secondary to organization, mobilization, resources, and opportunity' (Buechler 2016: 140). This secondary status, however, did not last for long. Proponents of grievance, as a catalyst for collective action, paved the way for the next paradigm in the study of social movements: framing and social construction.

FRAMING SOCIAL MOVEMENTS: THE SOCIAL CONSTRUCTION OF GRIEVANCE, MOBILISATION, AND IDENTITY

Alongside the emergence, in the 1970s and 1980s, of novel meso-level social theories – resource mobilisation and political process models – which had been conceived as a response to the inadequacy of the classical model, were a variety of new approaches that were both "smaller" and 'bigger' in scope' (Buechler 2016: Ch9). These approaches were two-fold: micro-level dynamics, focused on framing, signification, media, and the social psychology of protest; and macro-level processes, which examined how new movements functioned in a new type of society (Buechler 2016: 141). The theoretical shifts, which developed from functionalist concerns of integration and order to power and domination and then through to a political analysis of social movements, in the form of RM and PPT were, in the main, meso-level theories, which resonated with certain macro-level approaches. Micro-level notions of grievance, motivations, or interpersonal relationships were, in effect, downplayed or marginalised. As economic theories dominated the field, ideology and shared beliefs of injustice were given short shrift (Gamson 1992: 53).

Symbolic interactionism led the way for sociology (Blumer 1986[1969]; Berger and Luckmann 1991[1966]; Garfinkel 1967; Goffman 1959; 1974). Alongside these understandings, there was a broader 'cultural turn' in social theory (Buechler 2016: 142). Within this cultural turn, social movement theorists began to factor in the 'social construction of meanings, grievances, motivation, recruitment, and identity in the context of collective action' (Buechler 2016: 142). The cultural turn added a new dimension to the political orientation approach discussed in the previous section. A

new focus on how political movements framed their grievances as injustices, which required challenge, was developed.

Piven and Cloward (1979) proffered the notion that protest occurred if people became conscious that their rulers had lost their legitimacy and their institutional arrangements were wrong and unjust; and that participation is more likely if the people believe that their action will make a difference. McAdam (1982: 50) identified this process as 'cognitive liberation' where actors could subjectively define for themselves the possibility of change rather than having to rely solely on the structural dimensions of opportunity and organisation. William Gamson and associates (Gamson, Fireman, and Rytina 1982: 8-9) incorporated a social psychological analysis, accusing resource mobilisation proponents of neglecting the role of ideas, face-to-face-interactions, and political consciousness as factors in collective action. Their focus was on micro-mobilisation, interaction, and meanings. They argued that social psychology was not an 'antagonist' of, but an added 'indispensable component' of resource mobilisation (Gamson, Fireman, and Rytina 1982: 9). The authors placed contenders in a context where they face a system that legitimises existing authorities and must therefore loosen these bonds by delegitimising said authorities, through the adoption of injustice frames. These injustice frames are manifested in micro-level encounters with existing authorities requiring that challengers possess certain resources such as repertoires of knowledge for *doing* collective action. Challengers also required some organisational development if they hoped to overcome powerful authorities. These 'organizing acts' are useful for loyalty building, for managing logistics, for mediating internal conflict, and for the 'development of multiple spokespersons' (Gamson, Fireman, and Rytina 1982: 107).

Another dimension of micro-mobilisation is the deployment of 'divesting acts' which enable challengers to break free from a compliant sense of deference to authority. 'Rim talk' is one such act where challengers can undermine authority by challenging the definition of their situation through a collective process of questioning the taken-for-granted quality of the legitimating frame (Gamson, Fireman, and Rytina 1982: 116). Challengers must therefore reframe the issue through an 'injustice' lens, which define their situation as a violation that can only be rectified by challenging authority.

Reframing has two dimensions: (1) Attention calling highlights dubious acts by authorities; and (2) Context setting defines how an injustice frame should be applied to events as they happen (Gamson, Fireman, and Rytina 1982: 125-126). Challengers who possessed the expertise, who could organise, build cohesion, weaken the bonds of authority through divesting acts, and reframe effectively, would have a better chance of success.

The focus on social psychology and grievance formulation in the study of social movements was further elaborated on by David Snow, Robert Benford and others during the 1980s. What mattered to them was 'not merely the presences or absence of grievances, but the manner in which grievances are interpreted and the generation and diffusion of those grievances' (Snow *et al.* 1986: 466). Using Erving Goffman's (1974) notion of frames as interpretive schemata, the authors focused on the things that people involved in social movements used to identify, label, and understand as meaningful events. Frames help people organise their experiences and guide their actions through frame alignment: a process which links individual interests, values, and beliefs with social movement activities, goals, and ideologies (Snow *et al.* 1986: 464). Snow *et al.* (1986: 469-476) identified four frame alignment processes: frame bridging; frame amplification; frame extension; and frame transformation. Frame alignment is seen as an ongoing accomplishment of movement activity that 'cannot be taken for granted because it is temporarily variable and subject to reassessment and renegotiation' (Snow *et al.* 1986: 476).

Building upon this earlier work, Snow and Benford (1988) distinguished three types of framing: diagnostic framing; prognostic framing; and motivational framing. '*Diagnostic framing* identifies a problem and attributes blame or causality' (Snow and Benford 1988: 200) [emphasis in original]. Prognostic framing asks what is to be done to resolve the problem by framing solutions and identifying targets of change. Tactics and strategies will vary depending on who blame is attributed to in the first place. Motivational framing is concerned with the rationale for action and how to convince people through cognitive liberation that change is possible and that their participation will make a difference. For Snow and Benford (1988: 213), mobilisation not only depends on resources, organisation and opportunity 'but also on the way

these variables are framed and the degree to which they resonate with the targets of mobilization'. As such, framing processes were seen as complementary and supplementary to resource mobilisation and other structural perspectives (Benford and Snow 1992: 151).

As movement frames seek to challenge rival frames, in order to achieve movement goals, they become involved in a struggle with dominant interests that aim to keep them quiescent (Gamson 1988: 219). This struggle takes them into the broader field of political culture and mass media. Political culture consists of broad themes and counterthemes and it is within this context that movements operate (Buechler 2016: 150). Movements, however, can develop issue cultures, interpretive packages, and frames by assigning meaning to particular topics the movement confronts (Buechler 2016: 150). Mass media and media discourses also operate as part of the political culture and dominate as players in political and cultural conflict. Gamson (1988) elaborated on how frames can gain media prominence through a series of steps: (1) sponsoring activities can contribute to the prominence of a package, where powerful authorities can manipulate media practices and symbols within the discourse; (2) media practices can give prominence to official lines and make them the starting point of the discussion. This could be because of long-standing relationships with official sources, which they are wary of putting in jeopardy. Thus, movement discourses become secondary; and (3) central to achieving prominence is the cultural resonance between a package and the broader political culture. Again, official authorities have the edge on this area of influence. To overcome these disadvantages, movements are required to take actions, which could provoke new discourses and challenge dominant frames. Thus, '[c]ollective action is a vehicle for creating a contested discourse ... [that] exposes frame vulnerabilities in the official package' (Gamson 1988: 228). Movements must be ready to reorient media discourse when chinks in the armour of official discourses appear.

Furthermore, Gamson (1992) promoted political consciousness as a requirement for movement action, examining three components of collective action frames: injustice, agency, and identity. The injustice component is concerned with an emotion-laden cognition of moral indignation about how people have been harmed in some way.

This can be laid out in narrative forms that suit media discourses. The agency component of collection action frames conveys to the movement that their actions can be efficacious in changing supposedly impossible problems especially in the face of a 'political culture that encourages apathy, quiescence, passivity, and cynicism' (Buechler 2016: 152). Agency, itself, can be acquired when media portrayals grant some standing to actors. The identity component is concerned with the 'we' and 'they' definitions of challenger and target. Of all three components, Gamson (1992: 114) considered the injustice frame as the one, which 'facilitates adoption of the other elements', by increasing attention to and sympathy for movements.

Social movements and media can also be viewed as interacting systems (Gamson and Wolfsfeld 1993). This interaction, while being mutual, is also asymmetrical, in that, movements need the media more than media need movements. Although the media may need movements for stories, movements need media for mobilisation and widening their scope. What ensues in this interaction is a struggle over framing where the media can become the target as well as the medium of communication. Movements seek a level of standing, preferred framing, and sympathy from the media (Buechler 2016: 153). This can be achieved when movements have sufficient resources, organisation, planning, and division of labour, as well as goals, which are narrowly defined and understandable. From a media perspective, 'action strategies that emphasize spectacle, drama, and confrontation' are more favourable to their ends (Gamson and Wolfsfeld 1993: 124). This mutual dance has become a more prominent feature in social movement studies with the rise of mass media at the end of the last century and up to the present.

While framing has been placed at the centre of the social constructionist approach, other aspects of movement activity have also been viewed through this lens. Bert Klandermans (1984) analysed mobilisation as a socially constructed process. He divided this into two sub-processes: consensus mobilisation concerns efforts to gain support for a movement; action mobilisation motivates actual participation in the movement. Tackling the free-rider dilemma faced by the rational actor model when assessing participation, Klandermans' (1984: 585) social constructionist approach proposed that even though people may not know whether others will participate,

they do have expectations about the participation of others and its bearing on success. Movements will try to shape these expectations in the hope that it will become a 'self-fulfilling prophecy' (Klandermans 1984: 597).

In addition to mobilisation, collective identities are also socially constructed (Hunt, Benford and Snow 1994). In this instance, framing highlights conflict actors and attributes characteristics, motives, and consciousness to them. Actors are identified as protagonists, antagonists, and audiences (Hunt, Benford, and Snow 1994). Protagonist identity fields are those who participate in, are supporters of, or potential beneficiaries of movement goals. Framing protagonists involves making distinctions between in-groups and out-groups, thus creating a sense of 'we' in movements. Antagonist identity fields are defined as opponents of a movement, targets that shape tactics and strategy. They become the 'they' who the 'we' oppose (Hunt, Benford, and Snow 1994). Audience identity fields are 'imputed to be neutral or uncommitted observers who may react to or report on movement activities' (Hunt, Benford, and Snow 1994: 199). These actors can include 'media, powerful elites, marginal supporters, sympathizers, and bystander publics' who are capable of seeing protagonists in a favourable light (Hunt, Benford, and Snow 1994: 200). Audience reaction is important in determining future tactics and strategies in relation to what will resonate with other frames, what evidence needs to be marshalled, and how cultural symbols and narratives should be deployed (Snow and Benford 1988).

Although Hunt, Benford and Snow (1994: 204) understood framing and identity construction as emergent process they were keen to point out that social movement actors do not 'operate in a vacuum': '[h]istory, social structures, and cultural arrangements constrain SMO actors' interpretive work.' Such work depends on how actors perceive their 'reality' and as to whether certain conditions allow or prohibit them (Hunt, Benford, and Snow 1994: 204). Another example of the social construction of protest stemmed from the role of opportunity. Differing from the political process model which saw opportunity as a political or structural variable, Gamson and Meyer (1996: 276) proposed that '[p]olitical opportunities are subject to framing processes.' Their analysis found that these processes were more evident in internal struggles within movements and how they interpreted and assigned

meaning to external events. Thus, while a certain event may be seen as a setback to one actor, another actor could sense an opportunity. In this sense, the actor with the winning frame will decide the future direction of the movement.

Framing and social constructionist approaches became central to the overall analysis of social movements since their emergence in the 1980s and 1990s. Similar to resource mobilisation and political process approaches, they were a response to the cycle of movements prevalent since the 1960s. Social constructionists, however, did not attempt to replace the earlier paradigms with a new one. They claimed that they were 'filling gaps, correcting biases, complementing existing work, and restoring a micro-level dimension to social movement theory' (Buechler 2016: 156). While the micro-level orientation of social movements was being analysed by social constructionist approaches and the meso-level being analysed by resource mobilisation and political process models, an even *newer* paradigm emerged in Europe, which claimed to cater for the macro-level orientation of social movement analysis. The subject of these 'new social movement' theories will be addressed in the next section.

NEW SOCIAL MOVEMENT THEORIES

While the American School was continually developing tools for the analysis of social movements in the US, European scholars were working on theories to study and understand the workings of social movements on their own continent. These came to be known as 'new social movement' (NSM) theories. As outlined in previous sections the American school was focused on the evolution of analysis from collective behaviour, structural functionalism, symbolic interactionism, resource mobilisation, political process, and onto framing and social constructionist approaches. They also followed a strategy that was 'analytical, empirical, and scientific; occasionally empiricist and positivist; and nominally neutral or objective' (Buechler 2016: 158). European sociological approaches emerged from a different vintage; 'rooted in continental European traditions of social theory and political philosophy' (Buechler 1995: 441; Cohen 1985; Klandermans 1986; Klandermans and Tarrow 1988; Larana,

Johnston and Gusfield 1994): from the 'European "holy trinity" of Marx, Weber, and Durkheim' (Buechler 2016: 157). The new social movement theorists sought a shift from the Marxist tradition, which had 'focused on class cleavages, industrial conflict, working-class mobilization, and the prospects for proletarian revolt' (Buechler 2016: 158). These new approaches were characterised as a much-needed response to the:

[I]nadequacies of classical Marxism for analysing collective action [in that, (1)] Marxism's economic reductionism presumed that all politically significant social action will derive from the fundamental economic logic of capitalist production and that all other social logics are secondary shaping such action[; and (2)] Marxism's class reductionism presumed that significant social actors will be defined by class relationships rooted in the process that all other social identities are secondary at best in constituting collective actors. (Buechler 1995: 441-442)

Many of the movements that emerged during the 1960s, and thereafter, did not fit neatly within the Marxist paradigm of the homogenous proletariat versus the capitalists. Modern society itself was changing and so were the cleavages that triggered social movements. For example, since the end of the Second World War, there was a widening of access to higher education and the mass entry of women into the workplace, thus creating new structural possibilities for conflict (della Porta and Diani, 2006: 6). The structures of societal cohesion that had dominated the industrial era were crumbling. The post-industrial age brought a more fragmented and atomised society where people had different expectations and aspirations. Consumerism and individualism became the norm as neo-liberal politics gained a dominant position across many Western democracies. Wieviorka (2005: 8) claimed that, 'the working-class movement had lost its capacity to endow the struggles of one specific actor – the workers.' Crossley (2002: 151) argued that, '[t]he proletariat ... has been pacified and the labour movement ... has been integrated into society ... in the form of labour parties.' This saw a push to remove the 'theoretical privilege' afforded to the working class, as the driver of social change, and to identify 'other schisms, conflicts, and movements *at the heart of the modern social order*' (Crossley 2002: 151) [emphasis in original]. NSM theorists began to look:

[T]o other logics of action based in politics, ideology, as the root of much collective action, and they have looked to other sources of identity such as ethnicity, gender and sexuality as the definers of collective identity. (Buechler 1995: 442)

However, as Buechler (1995: 442) suggested, while new social movement theory can be viewed as a 'critical reaction' to classical Marxist assumptions, which some have argued should be displaced and transcended (Offe 1990; Eder 1993; Cohen 1983), others have sought to update and revise them (Barker and Dale 1998; Lavalette and Mooney 2013; Cleveland 2003). There were further criticisms of the new paradigm which stemmed from the apparent newness that the new social movement proponents were accused of claiming (Tarrow 1991). Melucci (1996a), for example, declared the newness debate as outdated and irrelevant. Buechler (2016: 158) approached the 'newness' element, inherent in the term, in two ways. First, NSM theory sits in contrast with the 'old' social movements of labour movements, working class-mobilisations, and challenges to capitalism. It does not assert that contemporary movements possess new features rather it speaks to the different cleavages at the heart of postindustrial society as compared to that which dominated the industrial age. A second way of looking at 'newness' is through the 'prevailing social structures', that movements are fostered within (Buechler 2016: 158). The paradigm need not be bogged down in debates, which fetishise or dichotomise NSM theory, instead analysts should:

[R]ecall the heuristic origin of the term to symbolize the transcendence of the "old" labor movement and the emergence of a new social formation with correspondingly different form of collective action. (Buechler 2016: 166)

With this approach, analysts can widen their scope to incorporate a range of opportunities to elaborate on the emerging contemporary social movements.

THEMES AND TYPES OF NEW SOCIAL MOVEMENTS

Such disagreement among the range of theorists led Buechler to conclude that even the term new social movement *theory* is a 'misnomer' (1995: 442). A more suitable approach would be to 'speak of "new social movement theories," with the implication that there are many variations on a very general approach to something called new social movements' (Buechler 1995: 442). Buechler (2016: 159-161) helpfully identified several themes prominent in most, if not all, of these versions of new social movement theories.

First, NSM theories highlight a distinct social formation that provides the context for the emergence of collective action' (Buechler 2016: 159). Second, is the claim that NSMs are direct responses to 'postindustrialism, late modernity, advanced capitalism, or postmodernity': to the 'colonizing efforts' of large, anonymous, institutional forces that exist in contemporary social formations (Buechler 2016: 159; Habermas 1984; 1987). The third theme involves the complex and diffuse social base of NSMs: either in the (new) middle classes (Eder 1993; Kriesi 1989; Offe 1985); or in statuses such as race, ethnicity, gender, sexual orientation, age, or citizenship (Buechler 2016: 160; Dalton, Kuechler and Burklin 1990). Fourth, NSM theorists tend to problematise the often-fragile process of constructing collective identities and identifying group interests, rather than assuming that and their interests are structurally determined (Hunt, Benford and Snow 1994; Johnston, Larana and Gusfield 1994; Klandermans 1994; Melucci 1989; 1996a; Stoecker 1995). Fifth, NSMs are concerned with the politicisation of everyday life, where the personal and private becomes public and political. Sixth, some NSM theorists place an emphasis on the role of postmaterialist values in contemporary collective action, as opposed to conflicts over material resources (Buechler 1995: 442; Dalton, Kuechler, and Burklin 1990; Habermas 1984, 1987; Inglehart 1990). Furthermore, instead of concentrating on strategies for maximizing influence and power, NSM theorists emphasised the importance of processes that promote autonomy and self-determination (Rucht 1988). Seventh, symbolic action in civil society or the cultural sphere is underscored by most strands of NSM theory as a major arena for collective action, alongside instrumental action in the state or political sphere (Cohen 1985; Melucci 1989; 1996a). Finally, instead of making the assumption that centralised organisational forms are prerequisites for successful mobilisation, new social movement theory prefers organisational forms that are decentralised, egalitarian, participatory, prefigurative, and ad-hoc and which recognise a variety of submerged, latent, and temporary networks that often undergird collective action (Melucci 1989; 1996a; Gusfield 1994; Mueller 1994). Such informal networks are more likely to organise in a non-hierarchical fashion and may not even recognise that they are social movements (Steinmetz 1994: 180). It is within these networks that new social movements immerse themselves in movement visions and values, pick their battles,

become visible, and then revert to latency and reorganise for the next fight (Melucci 1996a).

While Buechler's (2016: 161) themes distinguish NSM theories from other approaches, they could also be applied to other types of theories which focus on the 'political' and the 'cultural'. The political theory, with its neo-Marxist underpinnings, is characterised by a macro-level orientation in general and a state-orientation in particular (Buechler 2016: 161). While still recognising the importance of identity formation, grievance definition, and interest articulation, strategic questions and instrumental action remain the ultimate goals of social movements (Buechler 2016: 161). This version emphasised the potential for 'proactive, progressive change' forged in alliances between class-based and non-class-based actors (Buechler 2016: 161). It eschews the 'apolitical' nature of the cultural approach as being limiting the potential for change (Buechler 2016: 161).

The cultural version of NSM theory stems from a post-Marxist perspective which 'identifies the prevailing social formation in cultural or semiotic terms as an information society whose administrative codes conceal forms of domination' (Buechler 2016: 161-162). This version stresses that power and resistance have a decentralised nature, which focuses on 'everyday life, civil society, and the creation of free spaces between the state and civil society' (Buechler 2016: 162). It eschews strategic questions in favour of symbolic action that challenge dominant system logics. It views social actors as being defensive in nature, as reactions to the system. Various proponents of this approach reject the negative connotations of this apolitical label arguing that those movements involved in a political context are liable to co-option, marginalisation, or institutionalisation whereas the cultural approach sees it as a strength, giving movements a freer rein to challenge systemic power (Melucci 1989).

In this context of Buechler's useful typology, I will now explore the diverse theoretical perspectives of two exemplars in this new European paradigm: Jurgen Habermas (Germany) (1984; 1987); and Alberto Melucci (Italy) (Melucci 1980; 1981; 1985; 1988; 1989; 1994; 1995a; 1995b; 1996a; 1996b).

Jurgen Habermas And Communicative Action

Jurgen Habermas (1984; 1987) conceptualised his theory of modern social structure by 'distinguishing between a politico-economic system governed by a generalized media of power and money and a lifeworld still governed by normative consensus' (Buechler 1995: 445). Habermas' theory of communicative action identifies a distinction between the system – 'made up of institutions of the state and the economy' - and the 'symbolically structured' lifeworld (Habermas 1987: 303). The lifeworld is integrated 'by virtue of the mutual understanding achieved between interlocutors in local interactions' (Crossley 2002: 157). The system is integrated in a more impersonal manner by the balancing of inputs and outputs, supply and demand, at the macro-level.

Both parts are constructed through their interaction with the other. The system, however, follows an instrumental logic that gives prominence to power and money by detaching them from accountability and responsibility when things go wrong. This structure creates a problem for modern society, in that, there remains a conflict of interest, similar to the Marxist analysis, where the dominant forces of power and money (system) hold sway over the majority (lifeworld) in the form of colonisation, by regulating 'not only economic and political transactions, but also those concerning identity formation' (Buechler 1995: 445). The welfare state is a case in point. In the aftermath of post-industrialisation, modern societies faced crises of employment and economic inequality, with the state assuming the role of economic manager. The welfare state now has control of the economic resources of the majority; and its policies determine lifeworld relationships through bureaucratisation, at the behest of power and money. Thus, decision-making power is placed in the hands of the technocratic experts leaving the populace open to colonisation.

It is within this social structure that Habermas conceptualised the new social movements. He located them at the seams between system and lifeworld. Within these seams, NSMs are identified by two features: (1) they display a defensive character, defending the lifeworld from the system; and (2) they are primarily concerned with cultural reproduction over material reproduction. Buechler (1995) was critical of the wholly defensive posture of Habermas' conception. While

recognising that NSMs will not bring about complete societal transformation, Buechler (1995: 445) argued that NSMs can play a more 'extensive and progressive role ... than simply defending the lifeworld'. Others make similar arguments. Rucht (1988) while recognising that system priorities may provoke a defensive reaction, lifeworld interpretations may promote a more progressive response. Cohen (1982; 1983) highlighted the potential for the expansion and institutionalisation of civil society. Flacks (1988) promoted the growth of a democratic consciousness which brings together 'everyday life' and 'making history'.

On the theme of cultural reproduction in preference to material values, Habermas has captured the essence of certain NSMs. The new movements brought about a new form of politics, which was concerned with 'quality of life, projects of self-realisation, and goals of participation and identity formation' (Buechler 1995: 446). The pursuit and conservation of economic growth by system forces was anathema to the NSMs as it ignored the costs paid by the lifeworld. Moreover, as the emergent NSMs did not originate from traditional distributional struggles, system attempts to channel them by political elites through material compensation were futile. This point was further expanded by Alberto Melucci who saw the apolitical nature of the new social movements as their main barrier against political subsumption.

Alberto Melucci And The Social Construction Of 'Collective Identity'

Alberto Melucci's (1996a) conception of social movements in the post-modern world argued that they were a response to the new forms of social control, conformity pressures, and information processing. Melucci (1996a) dispensed with the notion that 'contemporary' movements have a political angle, but did concede that they were shaped by structural effects. This apolitical feature of contemporary movements provides a shield against their co-option by dominant political elites. By highlighting the peculiarity of modern forms of power, the contemporary movements, through collective action, emphasised the socially constructed nature of the modern world, positively inspiring hope that it can ultimately be reconstructed. Melucci (1996a: 20) defined collective action:

[A]s a set of social practices (i) involving simultaneously a number of individuals or groups, (ii) exhibiting similar morphological characteristics in contiguity of time and space, (iii) implying a social field of relationships and (iv) the capacity of the people involved of making sense of what they are doing.

The social construction of a movement, therefore, takes place in 'networks composed of a multiplicity of groups that are dispersed, fragmented and submerged in everyday life, and which act as cultural laboratories' (Melucci 1989: 60). In order to create social change, the NSMs utilise the 'free spaces' between the political power structures and everyday life; wherein they consolidate their collective identities through both representation and participation (Buechler 1995: 446). As Melucci (1996a) pointed out, social movements alternate between 'visible' phases, with high levels of public action in the media and in civil society, and 'latent' phases, where they regroup to discuss strategy and tactics, away from the public eye. It is here where 'identity is nurtured by the hidden actions of a limited number of actors' (della Porta and Diani 2006: 96).

For della Porta and Diani (2006: 91), '[c]ollective identity is a process by which actors recognize themselves – and are recognized by other actors – as part of broader groupings, and develop emotional attachments to them' (see also Polletta and Jasper 2001; Goodwin, Jasper and Polletta 2001: 8-9). These groupings can be based on shared values, attitudes, or lifestyles rather than being dependent on class, race, or ethnic proximity. In Melucci's view, personal identity as a means of fostering solidarity has been weakened in modern society. Traditional norms and sources of identity have been diluted and fragmented by rapid change, plurality of memberships, and the profusion of messages. Thus, identity needs to be defined and redefined in order for people to become involved in collective action. This social construction of collective identity is viewed as 'both a major prerequisite and a major accomplishment' of the NSMs (Buechler 1995: 446). As such, collective identity 'precedes and profoundly shapes any meaningful calculation of costs and benefits' of participants (Buechler 2016: 168).

In parallel with the social constructionist thinking within the American School around the same time, NSM theorists highlighted the importance of movements needing to

create some sense of 'we-ness' and belonging, if they are to prevail (Buechler 2016: 169). A process where 'individuals assess what they have in common when they decide to act together' (Melucci 1996a: 64). Identity construction is not, however, a 'precondition' for collective action (della Porta and Diani 2006: 93). It is through action, itself, that feelings of belonging come to be either 'reinforced or weakened': 'action produces and encourages continuous redefinitions of identity' (della Porta and Diani 2006: 93). It is therefore through this building of the collective 'we' and, just as important, the identification of an 'other', who is responsible for the actor's condition, which enhances mobilisation (Gamson 1992). Identity construction therefore implies a positive and a negative element, an 'us' and a 'them' (Melucci 1996a; Taylor and Whittier 1992). The construction of identities is thus related to the emergence of relationships of trust among actors. Trust between those within the group builds solidarity and helps them to face the inevitable costs and risks of participation and action. Furthermore, the process of collective identity is important in the continuity of a movement, in that, it 'connects and assigns some common meaning to experiences of collective action dislocated over time and space' (della Porta and Diani 2006: 95). Collective identity is therefore 'the outcome of exchanges, negotiations, decisions, and conflicts among actors' (Melucci 1996a: 4).

While collective identity is suggested as a process which builds the collective 'we', it should not be presupposed that all movement actors are homogenous and integrated within their groupings (Billig 1995). In this sense, actors may have multiple identities and will tend to bring their own allegiances, their own voices and feelings to the table (Calhoun 1994). Identifying with the movement does not automatically mean that actors share the same vision of the world. This creates a fluidity within the movement that, on one hand, can guarantee continuity of action, while on the other hand, throw up tensions. Such tensions can be detrimental to movement functioning and could lead to fragmentation, factions, schisms, and in some cases, movement demise. It is, therefore, the task of movement actors and, in particular, movement leaders, to overcome these tensions and to highlight that while they may participate in a common cause there should be an appreciation that their own individual motivations and expectations may be more diverse. This is important when movements become

visible as they must present themselves as a unified group with a consistent message, based on 'frame credibility' (Benford 1993: 692-693). Otherwise, they leave themselves vulnerable to attack from external dominant power holders (della Porta and Diani 2006: 106). Negotiation and accommodation of diverse multiple identities and expectations must be part of the latent stage of social movement activity. This requires a social process of building solidarity and consensus within the group before they mobilise. In ideal circumstances, social movements would be best suited to presenting themselves in ways which counter negative aspersions from external power holders and appeal to the public, through mass media, as 'good-faith carriers of worthy sentiments and orientations' (della Porta and Diani 2006: 107). As will be revealed throughout the following empirical chapters, the WAVE Injured Group engaged in many of these activities during its Campaign for Recognition. For the purposes of this thesis, however, Melucci's framework for understanding the social construction of collective identity will be but one essential aspect for my understanding of the case. This is not to say that the campaign will be viewed from a wholly apolitical or cultural perspective, all aspects of the field will be taken into consideration.

New social movement theories, as outlined above, have been viewed in some quarters as an alternative to US based theories of resource mobilisation, political process, and social constructionism. Proponents of new social movement theories, however, have argued that their approach to the study of social actors coming together to make social change is a complementary add-on to the discipline rather than a paradigm replacement. Buechler (2016: 232) has characterised the study of contemporary study of social movements as one of 'friendly rivalries, collegial debates, and a noteworthy willingness to entertain rival perspectives'. Buechler's typological distinction between political and cultural versions of new social movement theory is advantageous, as it helps to organise the variety of diverse dimensions and debates into two coherent positions. Even so, Buechler (1995: 459) stressed that such typological distinctions should not become 'conceptual straitjackets' that deny the complexity of the range of new social movement theories.

As Melucci (1985) and Klandermans and Tarrow (1988) noted, NSM theories are better suited to explain the 'why' rather than the 'how' of movement activism: the macro-level structures that shape them. While recognising that the diversity of NSM theories has strengths and limitations, Buechler (1995) called for them to be situated alongside other theoretical schools in this field. In essence, different theories speak to different levels of analysis. NSM theory addresses the macro-level structure of analysis; resource mobilisation theory speaks to the meso-level of organisation and strategy; and social constructionism deals with the micro-level of identity and grievances. Furthermore, certain levels of analysis within these paradigms converge and diverge at different identifiable points. The macro-oriented political version has distinct affinities with RM, while the more micro-oriented cultural version relates to social constructionism. Buechler's typology and assessment of new social movement theories, by exploring the links across levels and paradigms, enhanced the theoretical understanding and analysis of collective action for social change. It is from this basis that I will take my lead.

PART TWO: TRANSITIONAL JUSTICE AND REPARATIONS – AN ETERNAL STRUGGLE

This section explores the issues facing victims as they seek reparations, beginning with the historical context of reparations, before moving onto the types of reparations put forward in terms of transitional justice. The following section examines eligibility and the problems of dealing with the complexity of victimhood experiences. Such experiences bring forth questions around the contested nature of victimhood in societies in transition, paying specific attention to the situation in Northern Ireland.

INTRODUCTION

In the aftermath of violent political conflict, transitional justice (TJ) has become a normalised series of practices designed to deal with the needs, rights and demands of the victims (Bell, Campbell and Ní Aoláin 2007; de Greiff 2012; Girelli 2017; Lawther, Moffett and Jacobs 2017; Sandoval Villalba 2011; Teitel 2000). For the United Nations:

Transitional justice is the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. (United Nations Security Council 2004: 4)

One of the central tenets of TJ is the concept of reparations (de Greiff 2006a; García-Godos 2017; Hamber 2000; 2006a; Magarrell 2003; Roht-Arriaza 2004; Shelton 2005; Segovia 2006; Van der Merwe 2014; Wemmers 2014a), which 'are increasingly used to both symbolize healing and to remedy the consequences of collective violence in times of transition' (Moffett 2017a: 377); through the delivery of 'recognition, civic trust, and social solidarity' (de Greiff 2006a: 451). Reparations, as noted by Torpey (2003: 3), are in the 'narrow sense ... a response to past injustices'. In effect, they are designed to repair harms and wrongdoings inflicted upon individuals and groups. The United Nation's (2005: 7) *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law* (hereafter the *Basic Principles*)

require that states shall provide '[a]dequate, effective and prompt reparation [with the intention of] promot[ing] justice by redress'. However, as Moffett (2017a: 377) highlighted, reparations 'are complex legal constructions, often shaped and entangled with political, social and moral contentions'. Thus, the noble and moral intention of delivering for victims is not often carried out. States in transition from violent conflict are often met with a range of obstacles when attempting to implement reparations programmes, for example, the sheer volume of victims and a lack of resources to tend to them (Dixon, Moffett, and Rudling 2019).

Reparations programmes are mainly effected through five types of reparation to redress the harm of victims of gross human rights violations (GHRV): restitution; compensation; rehabilitation; measures of satisfaction; and guarantees of non-repetition (de Greiff 2006a: 452-453). All five of these measures should complement each other in remedying victims' suffering and restoring dignity, and can be tailored to address the many different experiences of harm that exist (Moffett 2017a: 380). Reparations can be directed at individuals or they can be collective, depending on how they are distributed (García-Godos 2017: 179). These can be:

[A]rrayed along a continuum from the purely symbolic to measures that are mostly material in nature ... [However, by] definition, all reparations have an important symbolic role in the process of building public trust and integrating victims into society. (Magarrell 2007: 4; see also Hamber 2006a)

Danieli (2014: 13) reiterated the symbolic value of a monetary payment to victims, in that, '[i]t's not the money but what the money signifies – vindication ... [t]he money makes it concrete ... and [shows] that somebody cares.' While much has been written about the inadequacy of putting a monetary value on the grievous harms experienced by victims of GHRV (Hamber 2000; Minow 2009), Magarrell (2007: 4) argued that, 'the material component of a reparation policy cannot ... be underestimated.'

Transitional societies that choose to provide material benefits such as compensation to the victims may judge that this could be the solution that meets their immediate and long term needs, for example, through bespoke services – see The Victims and Survivors Service (VSS) in Northern Ireland (Victims and Survivors Service 2019) – or through lump sums and special victims' pensions (Roht-Arriaza 2004; Sommer 2003; WAVE Trauma Centre 2019). It is important to note, however, that while reparations

programmes and compensation schemes share certain characteristics, they differ in a number of ways. Ludi (2012: 8-9) puts forward four markers which distinguish between the two concepts: (1) reparations are victim-centred; (2) the harm inflicted upon the victim is understood as a wrong and an injustice; (3) the criteria for eligibility makes a difference between deserving and undeserving victims; (4) reparations problematise the notion of direct and indirect responsibility. Compensation, on the other hand, can be focused on granting money to victims of natural disasters, accidents, or work-related injuries and is seldom concerned with the moral implications of the harm. The main point is that while both concepts recognise that victims suffered harm, the basis for reparations is determined by the acknowledgement that said harm is understood as a wrong. An injustice that deserves to be acknowledged in its own right. A wrong that is characterised as a wrongdoing, carried out by an actor, who targeted the victim for political, ethnic, ideological, or other reasons. By acknowledging the wrongdoing and providing apology or redress, it is argued that reparations have a purpose more noble than merely holding an individual or group legally accountable for the harm: by taking into account the needs and preferences of victims, and enabling the repair of both individuals and society, as a whole (Barkan 2003; McEvoy, Bryson, and Placzek 2019).

This current focus, at least on paper, of recognising individuals and groups has not always been the case (Girelli 2017: 27). As Barkan (2003: 101) noted, it has really only been '[o]ver the last two generations [that] the writing of history has shifted focus from the perpetrators to the history of victims.' It has been through victims' participation and highlighting grievances that they have gained this 'hard-won place at the table' (Girelli 2017: 25). It is through these struggles that victims, as individuals and collectives, have attempted to secure the redress that they believe they deserve. In response, transitional societies have tackled the issue of reparations for their victims and survivors using a range of approaches. These approaches may vary according to whether they emanate from the 'top-down' or the 'bottom-up' (Gready and Robins 2014). Moreover, they may be approached as responses to human rights obligations, to moral and ethical demands, to alleviate trauma, to tackle need, or as

a way of transforming the structures in which victims exist. These responses will be examined below.

REPARATIONS AS A HUMAN RIGHTS RESPONSE

Within the transitional justice framework, Moffett (2017a: 378) explained that, '[r]eparations are rooted in private law remedies ... reflecting principles of corrective justice [which] ... should correct the harm suffered by the injured party by trying to return to the position they were in before the harm.' In this respect:

[R]emedy under private law is based on the premise of seeking to return the victim to the *status quo ante* (original position) through *restitutio in integrum* (returning to the victim all they have lost). (Shelton 2005: 9 & 65, in Moffett 2017a: 378)

Critics, however, have argued that, paradoxically, any attempts to return the victim to the *status quo ante* are futile because it is inherently impossible to replace, for example, lost health and serenity, the loss of loved ones, culture, or peace (Roht-Arriaza 2004). De Greiff (2006a: 455) countered this by claiming that reparations processes should aim for something that 'goes beyond the satisfaction of individual claims', by promoting social solidarity, civil trust and recognition; reparations, and therefore, aim to construct citizenship. Brett and Malagon (2013: 260) [emphasis in original], citing examples in Colombia, take this further in positing that reparations should be considered as a step towards:

[E]manicipatory peacebuilding by addressing and redressing grievances of civil and political rights ... that speak to the socio-economic and structural roots of conflict through [victim-led] participatory processes that simultaneously address the *human need* for recognition.

Nevertheless, attempts to offer remedy to victims of violent conflict have taken place in a battlefield in their own right. In the period following World War I, the main recipients of any type of war reparations were the winning sovereign states, as evidenced by the demands set out in the Treaty of Versailles, which required Germany to pay 20 billion gold marks for offences against peace (Lu 2007: 200): a 'notorious' demand that Germany should succumb to the Allied powers and their form of 'victor's justice' (Torpey 2003: 4). Any notion that private citizens could

personally benefit from such payoffs was inconceivable. Three decades and another worldwide conflagration would pass before any thought could be given as to whether individual citizens or groups could be viewed as victims, deserving of consideration (Barkan 2003). This stemmed from the procedures that shaped the International Military Tribunals (IMT), or the Nuremberg Trials, after World War II. One of the outcomes of these trials was the introduction of new international crimes, crimes for which people should be held accountable. These new *crimes against peace* and *crimes against humanity* were based on the understanding that individuals and distinct groups were targeted by the Nazis: namely the Jews; the disabled; the Roma; and homosexuals (Wolfe 2014). However, as Zappalà (2003: 220) noted, the right to reparations for individual victims was missing from the charters of the IMTs. Danieli (2014: 11) reiterated this point, in that, ‘these laws did not take into account personal damage to victims [nor] the widows and orphans [of the dead].’ The recognition that individuals would become beneficiaries of reparations came much later.

As Danieli (2014: 11) pointed out, ‘[i]t took over two decades of arduous struggles in both psychiatry and law’ to bring about new laws in Germany that would compensate and provide restitution, in the form of the *Final Federal Compensation Law* (1965). This type of recognition would require that individual victims and groups of victims mobilise and campaign to make a change in the mind-set of sovereign states (Hein 2003). They needed to participate in what Torpey (2003: 3) termed, ‘reparations politics’. The 1952 Luxembourg Agreement between West Germany and Israel is a case in point (Colonomos and Armstrong 2006). This agreement provided for the transfer of compensation, initially from West Germany to the new state of Israel, as a means of aiding Jewish refugees to resettle. The agreement later applied to refugees beyond the fledgling state through the auspices of the Claims Conference, a conglomeration of Jewish refugees’ groups who lobbied for such an innovative measure.

Moffett (2017a: 378) claimed that this success was ‘based on moral indignation’ and the grabbing of the public’s attention to the justification for reparations. Torpey (2003) summarised that the posture taken, to listen to this lobby, by the new West German state, is an example of how that nation began, as Habermas (1971, cited in

Torpey 2003: 2) put it, to 'come to terms with the past'. As Torpey (2003: 2) noted, this set the tone for 'the official self-understanding of post-war West Germany', which was to assume political responsibility and make reparations. This direction, as suggested by Torpey (2003: 2), 'contributed mightily to the worldwide spread of Holocaust consciousness and set a standard of reckoning of the past that others have been forced to confront'. Recognition of the need to *atone* for the Holocaust set the model for how other projects oriented to come to terms with the past would develop. Willy Brandt's famous 'kneefall' in front of the Warsaw Ghetto Memorial in 1970 represented a powerful example of how symbolic performances can aid repair for past violations (Rauer 2006: 257). These expectations pressured other countries that wished to be regarded as legitimate to make amends for GHRVs, by compensating their victims and survivors (Torpey 2003: 3; Danieli 2014). Yet, as highlighted by Greenstein (2020), citing the case of German Romani Holocaust survivors from a social movement perspective, there were unequal variations as to which victimised groups received reparations based on the organisational capacity of their campaigning organisations.

Moving onto the latter years of the 20th Century with the 'advent of human rights', individuals' rights to reparations were now being recognised in international law (Moffett 2017a: 379; Evans 2012; International Criminal Court 2011: 36). This change could be witnessed in post-apartheid South Africa, in the new states emerging from behind the Iron Curtain, and across Latin America, where repressive regimes had reigned in terror for decades (Torpey 2003: 7; Arthur 2009). With international law acting as a bulwark against impunity, those who would advocate for victims saw a pathway for action. Individuals could now bring their cases against states, non-state actors, and more recently against individuals responsible for their harms through, for example, the International Criminal Court (Moffett 2017a: 379). Reparations were now being recognised as an instrument to acknowledge the suffering and dignity of the victim, as well as affirming the wrongs inflicted by the perpetrators (Moffett 2017a).

This rights-based approach (RBA) is firmly based on the notion that the victims, as legitimate bearers of rights, should be entitled to redress when their human rights,

as laid out in International Human Rights Law, have been violated, ergo, the violation is the trigger for a reparations award (Camins 2016: 139). 'To have rights is to be in a position to make demands of others' (Shue 1996: 13). As an example, Article 2 of the *International Covenant on Civil and Political Rights* (United Nations 1966) requires state parties to 'ensure that any person whose rights or freedoms ... are violated shall have an effective remedy ... [and] that the competent authorities shall enforce such remedies when granted'. The principle that the wrongdoer should pay comes from the *Basic Principles*, in that, any actor, be they the state or non-state armed groups, found responsible for causing harm should make reparations (United Nations 2005).

In practice, however, such requirements are often ignored by the 'competent authorities' in many post-conflict settings, especially when non-state actors are responsible for the wrongdoings. This is due to the reality that in many transitional societies, individuals or non-state armed groups are unlikely to have the capacity to deliver reparations because their organisations may have been dismantled or lack the wherewithal to provide material reparations: leaving symbolic measures, like apologies, or in some case the return of the disappeared bodies, as their only available options (Dudai 2011). In such cases, Shelton (2005) considered that the state should accept liability and provide reparations in lieu of accountable non-state actors. In this respect, the state acts in a 'subsidiary' role to provide prompt and holistic remedy to victims in its jurisdiction (Moffett 2015: 1). The rationale behind this expectation emanates from the *Basic Principles* (United Nations 2005: 4), whereby, the state is under a legal obligation as part of an international community, which 'keeps faith and human solidarity with victims, survivors and future human generations, and reaffirms the international legal principles of accountability, justice and the rule of law'.

Counter arguments, such as the undesirability of reparations, have been put forward which call attention to the fact that victims' rights entail obligations which result in costs for the duty-holders who need to consider issues such as the public purse (Freeman 2007: 31). Ultimately, individuals who did not participate in the harms, that is, the taxpayer, will be punished (Elster 2004). Such approaches, argued Gray (2009: 1048), where 'only the guilty should be punished ... impose an insurmountable barrier

against collective funding of reparations', and should therefore be opposed. Moreover, where the RBA is limited, is in its insistence of a sharp focus on the violation of civil and political rights. Structural and socio-economic rights violations tend to be ignored within the TJ discipline in favour of the imperatives set by dominant elites (Mandami 2000; Woodiwiss 2003). This highlights a backward-looking focus on past violations and a wilful blindness to what the future should hold (Gready 2011: 233). In place of such gaps, Gready and others have proposed the concept of transformative justice, a model on which I will expand later in this chapter.

REPARATIONS AS A MORAL AND ETHICAL RESPONSE

Where, on the one hand, the legal and rights-based approach for reparations emanating from international human rights law has an appeal across the higher echelons of society as a way of addressing the harms of the past, victims, on the other hand, looking up from the bottom, tend to appeal to society to provide reparations because it is, ethically and morally, the right thing to do. '[R]eparation represents the moral victory of the survivor' (Hárdi and Kroó 2011: 138). It has been argued that reparations are a concrete way for a state to acknowledge the wrongs done to victims and can add value to the reconciliation process by restoring dignity; affirming the values, interests, aspirations and rights of those who suffered (Truth and Reconciliation Commission 1998: 312). As Wemmers (1996) argued, '[w]hen victims feel that they are treated with respect or "standing", this sends the message that they are valued members of society. As such, '[r]eparations indicate a state's acceptance of responsibility for the well-being of its citizens' (Lean 2003: 187). This relates to the sense that such obligations represent 'special moral duties that individuals or groups owe to others either because of a particular action or undertaking, or because they are in a special relationship' (Thompson 2002). Such approaches are viewed as important for rebuilding social trust and fostering social harmony in the aftermath of violence (Wemmers 2014b: 39). Barkan (2003: 102) also promoted the notion that providing restitution to victims can carry 'tangible and intangible political and cultural benefits' for all of society: a win-win situation.

This moral obligation, seen through a backward-looking lens, attempts to correct past wrongdoings, not simply because the law demands it but because the harm is deemed unfair. Although the law may determine that people have legal enforceable rights, empathetic appeals to a sense of fairness are a useful tool for garnering public support. Fairness is a principle which appeals across wider society: that the world is just and fair (Wemmers 2014b). Lerner (1977; 1980), using a social psychological lens, put forward the concept of a just world theory where people need to believe that the world is fair and that, in general, people get what they deserve: the result of an inherent 'justice motive' within people. When this belief is threatened, for example, when innocent victims are created, people will attempt to counter this situation by supporting the victims. However, this is not always a given and as I will explore elsewhere in this thesis, victimhood is complex and thus, achieving the label of 'innocent victim' is contested in many transitional societies (Lawther 2014a).

Yet, Starzyk *et al.* (2014: 114) argued that this type of 'prosocial' response is more likely when people are able to help. Problematically for victims, if there is a sense that the harm is so immense and that victims cannot be helped then they may be seen in a negative light, deserving of their fate (Lerner and Simmons 1966). Thus enabling people to hold onto their 'belief that good things happen to good people and bad things happen to bad people, or that people get what they deserve' (Starzyk *et al.* 2014: 114). Such moral dilemmas can have a damaging effect on the notion that victims should be supported because it is a moral obligation. However, others have warned that, while the concept of reparations may be based on a notion that victims should be given support just because they have been victimised, this should not mean that victims' demands or actions should be free from scrutiny nor should victims be placed high on a pedestal, above criticism (McEvoy and McConnachie 2013: 505). They must 'be subject to the same level of respectful critical inquiry that ought to be applied to all relevant actors in a post-conflict context' (McEvoy and McConnachie 2013: 505). This can be extremely delicate as victims 'hold a strong justificatory, legitimising potential' due to their 'pain and suffering' which provides them with an 'unconditional entitlement, almost to the limit of un-disputability' (Girelli 2017: 14). For Lawther (2020: 1), the 'political currency of victimhood' can lead to a situation

where certain victims, metaphorically, those with the loudest voices, can dominate the political arena and 'silence' others. As I will expand later, such attributes can become detrimental to reparations movements. In this case, certain victims engaged in the 'politics of victimhood' (Breen-Smyth 2018: 230; Lawther 2014a), in direct 'competition' with other victims' claims to victimhood (Noor *et al.* 2012).

REPARATIONS AS A TRAUMA FOCUSED RESPONSE

Alongside the legal, rights-based approaches, and the moral arguments for reparations, the traumatic effects of violence on its victims has been put forward as meriting a positive response. The negative consequences of exposure to conflict-related trauma have been written about for millennia, leading to a vast amount of literature, which highlights a constituency of 'traumatised individuals', scarred by wounds, both physical and psychological, and in need of repair and rehabilitation (Govier 2015: 29; Herman 2001; Van der Kolk, McFarlane and Weisaeth 2006). Furthermore, due to the extent of their harm, victims are portrayed as helpless, unable to fend for themselves, lacking in voice and agency, incapacitated by their trauma (Herman 2001; McEvoy and McConnachie 2013; Morrissey and Smyth 2002; Pupavac 2002). Victims, in other respects, can be characterised as vulnerable. As people who lack the resources to recover from or change their situation and become socially isolated. This may stem from a paucity of resources before victimisation due to inherent structural conditions or after a specific event.

A trauma-focused approach to reparations has been viewed by some as therapeutic for the victims, for '[r]eparation aims to restore the victim and make them whole again' (Wemmers 2014c: 1). Danieli (2014) provided international and cultural examples of how reparations outcomes have been both materially and psychologically beneficial to victims and survivors. Conversely, there have been others, critical of the supposed therapeutic properties of reparations (Colvin 2006a; Caple James 2010; Feldman 2004; Pupavac and Pupavac 2012; Robins 2012a). Clamp and Doak (2012: 360) [emphasis in original] drew attention to a range of 'potential stumbling blocks for truly 'restorative' responses within democratically emerging

contexts' and called for a focus on restorative '*values* rather than *processes* or *outcomes*'. Moreover, Iliff, Maitre-Muhl and Sirel (2011: 2) warned against the potential 'adverse consequences of reparations', which could lead to 'the exacerbation of political tensions; victim re-traumatisation; the social marginalisation or exclusion of victims; and the creation of tensions with development or nation-building processes.'

Proponents, however, have argued that reparations may bring a positive benefit to society in general, in the sense that it can act as a dampener on pent up resentment through apology and societal acknowledgement of the wrongdoing (Tylim 2005). 'Recognition' of this harm and suffering, as argued by de Greiff (2006a: 451), restores the moral standing of victims as full citizens in transitional contexts. However, de Greiff warned against reparations being seen as an empty gesture or as a substitute for accepting responsibility. As an example, de Greiff (2016b: 15-16), in his report on the legacy debate in Northern Ireland and the issue of collective benefits and services for victims in that context, stated that, '[t]he fundamental challenge is that [they] become reparations only if they are accompanied and motivated by an acknowledgment of responsibility.' Hamber (2006a: 579-580) too, flagged up issues around the importance of the delivery process, in that, animosity may develop and victims may be re-traumatised if the environment does not factor in their grief and anger and allow for inevitable dilemmas to be 'verbalised, dealt with and appreciated as important components' of any reparations programme.

Staub (2006) has argued that by encouraging and enabling victims to participate in the co-production of processes of reconciliation and reparations, transitional societies can create positive structural conditions for the promotion of a positive identity through psychological change and healing by creating what Lederach (1998: 242) termed, a 'sense of participation, responsibility and ownership'. Wemmers (2014c) pointed to the notion that by understanding the importance of individual healing, transitional societies can enable a process of collective healing. It is within this frame that reparations are seen as forward-looking, aimed at reconciliation, as opposed to the backward-look rights-based approach. Hence, McEvoy's (2008) call for transcending the 'thin' rigid legalistic notions of transitional justice more generally

in favour of a 'thicker' and more bottom-up approach, applies directly to victim reparations and the efforts in particular to place victims at the centre of the debates concerning the design and implementation of any reparation process. The Victims and Survivors Forum, established alongside the Commission for Victims and Survivors in Northern Ireland, could be viewed as a pertinent example of this type of inclusive participation (Commission for Victims and Survivors 2019d). A victim-centred approach, which hears and acknowledges the voice of victims, should pave the way toward a 'renewed sense of dignity' and a reintegration of victims, and, of no less importance, perpetrators, back into society (Minow 1998: 92-93). Healing the trauma of victims can in itself, as argued by Prager (2008: 405 & 417), 'heal the nation' through liminal ad-hoc 'communities of redress': where individual victims and perpetrators, shorn of these identities 'present themselves as members of a new world-in-the-making'. Such an approach could lead to a process of 'mending holes in the social fabric', ripped apart by the conflict (Summerfield 1995). On an individual level, this could lead to a new understanding of the victim experience through revalidation, reintegration, meaning-making and potential post-traumatic growth (Tedeschi and Calhoun 2004; Kunst 2010).

REPARATIONS AS A NEEDS-BASED RESPONSE

While the aim of the trauma-focused response is to help heal the trauma of the past, the real and present needs of many victims can be lost in the elite political and societal imperatives of reconciliation and *drawing a line under the past*. A major problem for victims and their advocates is that, in the aftermath of violent conflict, victims' needs, politics, ideology, and understanding of past violence are inevitably varied and complex. Rather than being categorised as a homogenous bloc, victims should be viewed as heterogeneous with different backgrounds and different experiences of victimisation (Garcia-Godos and Lid 2010: 494). Some victims may seek prosecutions, truth, or some form of symbolic acknowledgement. Many others focus upon their immediate economic needs in the form of tangible, monetary reparations. For some, such as Van der Merwe (2014: 200), '[r]eparations are a

primary justice concern for most impoverished victims.’ From such a vantage point, Maslow’s (1968) *hierarchy of needs* is a useful way to see the priorities of impoverished victims: where their basic survival is paramount and ‘higher level’ notions of truth and justice become distant concerns (Van der Merwe 2014: 203; Robins 2011a; 2011b; 2012b; Vinck and Pham 2008; Wemmers and De Brower 2011). It is by addressing the basic needs at the bottom of Maslow’s pyramid, that victims can begin the journey of recovery and become self-actualised full citizens. ‘The best reparation from a victim’s point of view is something that is enabling’ (Robins 2013: 166).

This is borne out by a range of surveys which demonstrate that victims prioritise ‘immediate needs’ through reparative and distributive justice, over retribution (Waldorf 2012: 175). Marie Breen-Smyth’s (2012) detailed research into the needs of those severely physically injured during the ‘Troubles’ in Northern Ireland supports this type of prioritisation. Danieli (1992; 2014: 14) noted the example of former political prisoners in Argentina who ‘considered economic compensation to be their rightful reparation’ due to their loss of education and employment as a result of their incarceration. Danieli (2014: 14) suggested that, ‘[f]inancial reparations can also serve as an apology ... [a]n acknowledgement for the victims and survivors loss and suffering ... [where] the victim is thus embraced back by the society that ... allowed the harm to occur.’ Conversely, material reparations may be rejected by those to whom they are directed. Claire Moon (2012) highlighted the case of a victims group, one of the factions of the Madres de Plaza de Mayo, who refused what they termed as ‘blood money’; money that was offered to them as reparations for the disappearances of their children during the same conflict in Argentina. Their contention was that the monetary offer was tied into the politics of state-centric narratives of the past; that the state was applying social control to their suffering by buying their silence; and that any monetary offer was a wholly inadequate response to terror (Moon 2012: 193-195). The Madres were also ‘suspicious of the ‘two devils’ argument since it provided justification for the junta’s Dirty War and simultaneously implied the guilt of their missing children’; and, thus, by rejecting the material they also rejected the symbolic (Moon 2012: 194; de Greiff, 2006b: 10). This rejection was

mirrored in a similar stance by a section of victims in Northern Ireland to an offer of financial reparations in 2009 (Lawther 2014b); and later in contestations around the provision of a special pension to injured victims and the eligibility of non-state armed groups (de Greiff 2016; Moffett 2016a; 2016b).

By adopting an informed and honest approach to the varied individual and collective needs, transitional societies can begin to tackle the thorny issues created by the conflict and give victims some acknowledgement and recognition. It is with this recognition that victims become visible again, accepted by the community, open to a transformation of both themselves and their society.

REPARATIONS AS A TRANSFORMATIVE RESPONSE

As Segovia (2006: 666-667) argued, where the body politic is in favour of reparations, reparations should follow. Where there is no support, reparations may fail to materialise. With this reality in mind, there is a growing body of literature which points to the need for individual victims and groups to work from the ground up, rather than wait in vain for top-down assistance, by entering the political sphere in a struggle for recognition, effecting public attitudes, and bringing about political change in the face of unequal power dynamics (Arriaza and Roht-Arriaza 2008; Colvin 2000; de Greiff 2006a; Girelli 2017; Lundy and McGovern 2008; McEvoy and McGregor 2008b; Stanley 2008; Torpey 2003; Vinck and Pham 2008). This will require that they organise and mobilise to articulate their grievances or demands in the public sphere, in particular, through mass media, and an engagement with politicians, policymakers, and other interested stakeholders in civil society (Gready and Robins 2014). It is within this setting that victims and their advocates have been described as 'engines of change' (McEvoy and McGregor 2008a: 3). For Girelli (2017: 25), victims and survivors should celebrate the fact that through their experiences and struggles they have gained a 'hard-won place at the [transitional justice] table'. They are now recognised 'not only as addressees or ideal inspiration, but also as agents and shapers' within transitional contexts (Girelli 2017: 25). Such inclusion and acknowledgement has fostered empowerment in ways that victims are now

recognised as active subjects, resisters and survivors, who can make a significant contribution to the future, thus transforming their suffering from a burden to an asset (Girelli 2017: 25). Victims have faced many obstacles in this longstanding project but their 'relevance [has] constantly grown' (Girelli 2017: 27).

While Robins (2011a) called reparations the 'most victim-centered of the various transitional justice mechanisms', he also made the point that the transitional justice agenda is still bound to the priorities of elites characterised by prescriptive approaches, ignorant of the highly contextual demands of transition made by victims. Gready and Robins' (2014: 340 & 351) 'new agenda for practice' represented an attempt to transform the concept of transitional justice by shifting the focus away from the 'liberal' 'from above' legalistic rights-based approach toward a socio-economic and political focus based in 'bottom-up' everyday community concerns, with an emphasis on local agency and resources and the prioritisation of process rather than preconceived outcomes. As such, victims become active citizens and develop the 'civic competence' to fight their own battles (Madlingozi 2010: 213). In this sense, transitional justice as a concept is itself in transition (Fletcher 2015). Gready and Robins (2017: 957) [emphasis in original] proposed a reconceptualisation of the role of civil society in transitional contexts which:

[R]equires a shift from transitional justice, in which both the nature of transition and the forms justice takes are preconceived, to a focus instead on *justice in transition*, where both justice and transition are dynamic, diverse and contextual.

Robins (2013: 166) made the point that reparations are not ends in themselves, but are only the starting point of social transformation. Where drawing a line under the past is the core goal of transitional justice, drawing a line between the past and the present is the core goal of transformative justice: requiring participation, struggle, and resistance to elite driven imperatives (Gready and Robins 2014: 356-357). This approach, with its focus on participation and process, is put forward as 'potentially emancipatory' for the actors involved as it seeks a form of participation that not only engages with but transforms victimhood: empowering victims to mobilise and challenge power relations and to reshape the institutions and structures that had previously excluded them (Gready and Robins 2014: 357-358). Civil society and social

movements are at the heart of this approach. An arena where victims can become empowered to build their own capacities and mobilise on their own agendas, free of liberal elites and less constrained by traditional power relations, which dominate rights-based discourses and expectations (Gready and Robins 2017).

Relevant examples of social movements intersecting with transitional justice activism include the Madres de Plaza de Mayo in Argentina (Moon 2012) and the Khulumani Support Group in South Africa (Madlingozi 2007a; 2007b; 2010). For these groups and others, it was through the power of their collective identity that they acquired their dynamism and direction. Such organisation led to mobilisation, collective action, and a change in the way such groups were viewed by wider society. These movements, emerging from below, focused on a particular grievance and were bonded by a common identity. However, Gready and Robins (2017: 964) have pointed out that, in general, 'victims' movements have had little impact on transitional justice practice, despite their relevance to a discourse that increasingly claims to be 'victim-centred'. This is a reflection of the 'limitations of victimhood as a principal identity around which to mobilise ... [as it can be a] narrow conception [which could] exacerbat[e] a competitive politics of division' (Gready and Robins 2017: 964). A broadening of identity may be a better approach. Nevertheless, and even with a transformative approach in mind, victims have been met with many obstacles on their journey toward meaningful and substantive reparations. These hurdles will be explored in the next section.

OBSTACLES TO REPARATIONS

As above, there is a range of reasons put forward in the scholarship, which call on transitional societies to bring about the repair of those most affected by violent political conflict. As such, the notion of providing reparations after conflict has become 'normative' and 'customary' (Moffett 2017a: 379). In a perfect world, the victims would receive reparations and have their grievances addressed in a straightforward and holistic manner. Yet, these expectations, of universal rights available to all, are seldom met as the 'human rights framework is not neutral in the

value it places on different forms of suffering' (Van der Merwe 2014: 204). Despite the rhetoric of their victim-centredness, reparations programmes are fraught with difficulty and struggle to get off the ground as they can become complicated by the context in which they need to occur (Van der Merwe 2014: 200). Transitional justice mechanisms such as reparations 'are complex legal constructions, often entangled with political, social and moral contentions' (Moffett 2017a: 377). Such contention can often lead to non-implementation and frustration, leaving victims with a new sense of injustice on top of the other harms perpetrated upon them during the conflict. As such, 'victims [will] perceive the impact of the violation as continuing' (Robins 2011a: 28). Van der Merwe (2014: 201) posited that:

From a victim-centered approach, transitional justice's credibility rests largely on its ability to provide reparations [and] when the expectation of substantive change ... is not fulfilled, such credibility can be seriously eroded.

With this in mind, the remainder of this section will examine the range of obstacles faced by transitional societies as they attempt to provide reparations to victims. The inevitable entrance into the sphere of public policy making and political activism will bring victims into competition with the rest of society for their share of the oft-cited limited public purse (Freeman 2007: 31). A space where transitional societies can find the task of repair and redress beyond their capabilities (de Greiff 2009: 40; Segovia 2006). The scale of the victim population can be so immense as to make the task of providing full redress, to all victims, 'unworkable' (Moffett, 2017a: 380). Biondi (2003: 13), however, referencing reparations for US slavery, argued that such 'objections simply describe the enormity of the task rather than delegitimize it'.

Nevertheless, this political reality may lead to a narrowing of how many people could benefit from reparations. A point supported by Roht-Arriaza (2006: 2), who warned that 'broadening the scope of ... transitional justice to encompass the building of a just as well as peaceful society may make the effort so broad as to become meaningless.' De Greiff (2006a: 457), weighing up the notion of fairness to victims posited that, while victims' right to remedy should remain a priority, their amount of reparation should be limited, in line with resources constraints, and thus victims' expectations need to be managed. With expectations managed, Moffett (2017a: 381) suggested that, where 'sufficient effort and recognition is made ... [victims could be

left] psychologically satisfied'. To accept that what they received to be, as Hamber (2005: 137) put it, 'good enough'. However, due to the scale of the harms committed and financial constraints, many transitional societies tend to substitute individual material reparations for less expensive symbolic gestures in the form of collective reparations (Guillerot and Carranza 2009).

To render reparations programmes feasible, societies in transition often tend to prioritise their limited resources towards those who have suffered most as a result of the most harmful violations (Limón and von Normann 2011). Consequently, not everyone will be eligible. Moffett (2017a: 384) summarised a range of reparations programmes in countries such as Timor Leste, where there was a recognition that, '[w]e are all victims but not all victims are equal. We must acknowledge this reality and lend a hand to those who are most vulnerable.' This was also evident in Peru, where elderly victims were prioritised, given their greater vulnerability and limited time to avail of such measures (Moffett 2017a: 384). In Kenya, it was recommended that all victims would be included in their reparations programme (Moffett 2017a: 385). However, given the scale of the task, collective reparations were to be provided to all, while the most vulnerable would receive individual support, in the form of individual awards. Nevertheless, as Moffett (2017a: 385) pointed out, even with these innovative intentions, the Kenyan government had yet to implement the programme. Such are the limitations of reparations. Attempts to be all-inclusive are met with the cold reality of scale and resource priorities.

Moreover, in the immediate aftermath of conflict, victims may not be in a position to grasp fully what they need or how to acquire it. Victims may seek to normalise their position in society and assimilate rather than wanting to identify themselves as victims. Victims may feel silenced, marginalised, and excluded from the body politic due to traumatisation (Danieli 2014); a lack of social capital (Graham 2016); a lack of resources needed to engage in the public sphere; 'and/or are physically and culturally distant from the epicentres of power' (Girelli 2017: 14). Consequently, their voices may be missing from the debates on how to deal with the past. To fill this gap, victims and their advocates must enter the public sphere if they are to secure reparations. These actors, however, do not operate in a vacuum. Politics is at the core of

everything and the plight of victims is no exception (Findlay 2009; McEvoy and McConnachie 2013). In this environment, victims can be appropriated as instruments of the elites: in politics; in academia; in the media; or within non-governmental organisations (NGOs) (Girelli 2017: 13). Madlingozi's (2010: 211) construct of 'transitional justice entrepreneurs' – as people who seek out victims, categorize them, define them, theorize them, package them, and then disseminate them to the world, is reminiscent of the 'theft' (Christie 1977) of conflict by lawyers: where victims' voices were used as a means for the prosecution. The voice of victims becomes ventriloquised by the political imperatives of those who claim to speak for them.

Contests over the 'authentic' voice of victims became increasingly deployed by political actors from both right and left in the 1970s (McEvoy and McConnachie 2013: 492; Elias 1993; Fattah 1991; Walklate 2007). On the right, this meant more punishment for the perpetrators: on the left, there was a call to frame victimhood in a broader structural context (McEvoy and McConnachie 2013: 492). There was scant attention paid to what the victims wanted. Victims' agency was supplanted by punishment of the perpetrators: where 'victim empowerment is judged solely by the length of the prison sentence secured, regardless of the victims themselves' (McEvoy and McConnachie 2013: 493). Such has been the experience of those to whom transitional justice is supposed to be aimed. As Magarrell (2007: 2) warned, victims, usually in the initial stages, lack the political agency to ensure that their interests are prioritised meaning that elite driven interests are given precedence over the ordinary victims. Thus, the onus has fallen on victims themselves to take on the elites and to speak for themselves in search of reparations and redress, as demonstrated by the example of this case study: the WAVE Injured Group and its Campaign for Recognition (WAVE 2019).

A further obstacle for victims is one where they may find that, in terms of the balance of power in how political transitions are managed, the scales are tipped against them (Iliff, Maitre-Muhl, and Sirel 2011: 2). In practice, as Ferstman (2010: 407) has argued, the treatment of victims at a range of tribunals, from 1945 until recently, has only given 'sparse consideration' to victims' views. As Mertus (2009: 110) put it, in

describing efforts to advocate on behalf of victims of sexual violence at the International Criminal Tribunal for the former Yugoslavia (ICTY), '[speaking for victims was] like shouting from the bottom of a well.' Magarrell (2007: 2) contrasts this with the 'political weight' exhibited by members of state sponsored groups and non-state actors to pursue their demands. Demands which 'are often placated to maintain peace and security' (Moffett 2017a: 11). This could arguably be seen in the early stages of the Northern Ireland peace process, where there was a push to see paramilitary prisoners released on licence, while the issue of 'dealing with the past' was strategically avoided, as it was deemed to be 'too contentious' (Walsh 2017: 123). Diaz (2008) highlighted a similar situation in Colombia where the government placed their notions of what the transition would entail over the needs and demands of some victims by focusing primarily on the disbandment and reintegration of paramilitary groups.

This perceived lack of voice, agency, and balance, described above, means that victims are left to the whims of political will and compromise, both of which may be in short supply, thus, leaving victims to enter the realms of politics and public opinion to seek some form of redress. As Segovia (2006: 666-667) pointed out, where the body politic has a strong social and political coalition in favour of reparations their implementation is more likely to be successful. In contrast, where such support does not exist, implementation is extremely difficult. In this predicament, Segovia (2006: 667) suggested that those who seek reparations should:

[D]esign and implement a political strategy aimed at, on the one hand, making political groups aware of the importance of reparations, and on the other, building a social and political alliance in favour of such programs.

As such, those who advocate for victims may be required to frame their case in a way that will engender public support (Gamson 1992; Gamson and Wolfsfeld 1993). However, as Starzyk *et al.* (2014: 113) asserted, although most members of the public are usually willing to acknowledge that victims deserve support, 'reparations campaigns are frequently met with indifference and sometimes actively opposed.' This antagonism can be at its most potent in the political contestation of victimhood itself.

THE POLITICS OF VICTIMHOOD IN TRANSITIONAL SOCIETIES: IDEAL VICTIMS VERSUS COMPLEX VICTIMS

To become eligible for reparations, victims find that they must come forward and identify themselves. They must wear the label of victimhood (Walklate 2007). Being classified as a victim, in the strictest sense, as someone who has been victimised, 'is not an objective label and likewise ... victimisation is not an objective experience' (Jankowitz 2018: 69). Victimhood is subjective and involves 'socio-structural processes which subjectively construct and apply (or withhold) the victim label' (Jankowitz 2018: 69). These processes can have serious repercussions for those advocating for reparations in terms of who qualifies as a victim and who is excluded: as they must engage with the inevitable 'politics of victimhood' (Breen-Smyth 2018: 230; Lawther 2014a).

Even where the principle of reparations has been accepted, the process of implementation can become fraught with difficulty. As is the nature of monetary compensation, reparations programmes will have to be directed to individuals and thus will 'require a precise identification of the persons entitled to them ... as a way to deliver the concrete benefits to the individual recipient' (Magarrell 2007). Financial schemes are necessarily 'selective' (Magarrell 2007). The successful award of victimhood status can passport victims and survivors towards services and other benefits; while those 'who fail to get recognised are deprived' (Jacoby 2015: 517; Fowler Graham 2014). This point was echoed by Hearty (2016: 337) who pointed out that, '[b]eing defined a victim by law creates legally enforceable 'victims rights''. Moreover, in times of funding constrictions, competition can become fierce between groups (Fowler Graham 2014). This could inevitably lead to heightened tensions, as was the case in South Africa, where the recipients 'informed neither their neighbors nor even their immediate family members for fear of creating conflict ... [with] [w]omen, the elderly, and the disabled [feeling most at risk]' (Colvin 2006b: 189).

The UN *Basic Principles* on Reparations stipulate that victims are those who have:

[I]ndividually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute gross violations

of international human rights law, or serious violations of international humanitarian law. (United Nations 2005: 5)

As Teitel (2000: 134) projected, such broad definitions of harm are ‘potentially limitless’ as nearly everyone could claim to have been adversely affected by conflict. Morrissey and Smyth (2002: 7), in reference to the early stages of the Northern Ireland peace process, suggested that inclusive definitions, which relied upon ‘human suffering as the qualification for victim status were operationalised’, for the purposes of providing support. They characterised such definitions as ‘universalistic (or over-inclusive)’, which are not only practical or resource driven, they are also bound up in arguments around the morality of the conflict: who was to blame for the conflict and who suffered most. Furthermore, Morrissey and Smyth (2002: 5) posited that the notion of ‘universal victimhood’ is often claimed by armed groups in order to ‘justify their ... recourse to armed conflict [and] to depict their position as deserving of sympathy [and] support’. This is similar to Brewer (2010: 163) who argued that, ‘victimhood is highly politicized, for it encapsulates the moral virtues of the groups involved and addresses their separate claims to moral justification for the war.’ In the Northern Ireland context, this inclusive approach brought with it angry criticism, mainly emanating from within the unionist community and from former members of the security forces, who considered that they were being put into the same category as ‘terrorists’, especially those from the republican community (Morrissey and Smyth 2002: 7; Lawther 2014b). These differences between the main communities in NI will be further discussed in later chapters. As I will highlight, such angry criticism of the inclusive approach to victims has continued unabated. In transitional contexts, it is therefore not surprising that the identity of victims themselves can become the source of competition and controversy. Even those deemed eligible for reparations become targets for attack (Huyse 2003: 64).

Such an arena can lead to the creation of victim hierarchies, where those at the top receive recognition, while others are excluded. Victim hierarchies are constructed spaces dominated by questions of morality, of the ‘monochromatic’ good versus evil (McEvoy and McConnachie 2012: 534). A place here the ‘more deserving’ victims are pitted against those ‘less deserving’ (Walklate 2013: 79). Transitional landscapes are replete with naïve Manichean arguments, with loaded and emotive language, and

dichotomous labels such as the 'real' and the 'innocent' victims: in contrast to the 'evil', 'wicked', and 'undeserving' 'perpetrators' (Becker *et al.* 1990). A place where the 'ideal victim' reigns supreme (Bouris 2007; Christie 1986). Bouris (2007: 35-51) attempted to 'flesh out the ideal victim' by attaching labels of innocence: as civilian vs combatant; as real and pure victims; with a moral superiority; an absence of guilt; and lacking of responsibility or blame for their victimhood. This image is placed against the perpetrator as a binary opposite. As Christie (1986: 25) stated:

Ideal victims need – and create – ideal offenders. The two are interdependent ... The more ideal a victim is, the more ideal becomes the offender. The more ideal the offender, the more ideal is the victim.

This ideal victim is to be placed at the 'apex of a hierarchy of victimhood and becomes a symbol around which contested notions of past violence and suffering are constructed and reproduced' (McEvoy and McConnachie 2012: 532). Brewer (2010: 165) argued that some victims 'operate a hierarchy of suffering and attach to themselves and their kind a special victimhood' in which these 'hierarchies ... are often employed politically', and cynically 'decr[y] the suffering and harm of others'. Schwöbel-Patel (2016) highlighted the political economy of the 'fundraising image' of the ideal victim in our collective conscience. In a later argument, the same author emphasised how this image can be problematic when contextualised within an 'attention economy' that 'rewards the extreme and spectacular at the expense of the moderate and considered': where the 'ideal' victim is identified by a 'feminized, infantilized and racialized stereotype' of 'weakness and vulnerability', 'dependency', and 'grotesqueness' (Schwöbel-Patel 2018: 1).

Nevertheless, Morrissey and Smyth (2002) argued that, within violent protracted conflicts the reality is that such labels of innocence are problematic and indistinct. Brewer (2010: 164) argued for space to be given to notions of 'multiple victimhood'. Borer (2003: 1088-1089) tackled some of the assumptions made in the 'human rights discourse', which claimed that victims and perpetrators are two 'distinct' groups; that they are 'homogenous'; and that they are 'diametrically opposed'. Furthermore, Borer (2003: 1115) argued that, 'not all victims are the same, nor are all the perpetrators the same, and some victims are also perpetrators.' Bouris (2007)

proposed the concept of 'complex political victims': where victims can be perpetrators and perpetrators can also be victims.

The existence of these 'complex victims' muddies the waters in which victimhood is located. Primo Levi's (1989) stark description of the 'gray zone', within the Nazi death camps, is a pertinent example of how moral black and white discourses can be problematic. McEvoy and McConnachie (2013: 494) pointed to this 'messy' reality with the example of child soldiers, who can claim the badge of victimhood one day, yet, be labelled victimisers the next (see also Breen-Smyth 2007; Mani 2002; Minow 1998). Govier (2006: 29) pointed to a moment in time when a person is victimised in a 'paradigmatic act', but complicates this by highlighting that such acts happen within a wider structural context: where during the 'paradigmatic act [the] victim may well have been entirely passive and innocent [but] it does not follow [that they share] no responsibility for acts and policies in other situations affecting the conflict'. Alex Boraine (2000: 128) reasoned that:

To think of the perpetrators as victims is not to condone their actions or their deeds, nor is it to turn away from the many victims whose lives they destroyed by their activities. It is simply to try to understand something of the ambiguity, the contradictions, of war, of conflict, of prejudice.

Such complexity carries tension and division into the social, moral and political landscape of transitional societies; and thus, victimhood brings with it 'complex societal implications' (McNeill 2014: 2). Jacoby (2015: 517) suggested that, 'the notion of victim represents real people, but it can be moulded to promote a variety of different ethical and political goals.' Brewer and Hayes (2011: 74) contended that contests between victims and perpetrators become 'deeply moral matters' which can have an effect on public policy as well as determining how society moves forwards (or backwards) with its transition. These contests are best captured through the social-psychological lens of 'inter-group competitive victimhood' (Noor *et al.* 2012: 351).

INTER-GROUP COMPETITIVE VICTIMHOOD

'Inter-group competitive victimhood' (CV) stems from a combination of two tendencies which can manifest within intergroup relations in societies affected by conflict, that is, 'competition and a preoccupation with one's victimhood' (Noor, Brown, and Prentice 2008: 484). Noor, Brown, and Prentice (2008: 484) [emphasis in original], further explained that:

This concept refers to each group's effort to claim that *it has suffered more than the out-group*. Moreover, this competition over the quantity of suffering also implies some dispute over the *illegitimacy* of the suffering.

McNeill (2014: 35) asserted that even the 'very idea of "competitive" victimhood implies that some struggle is occurring ... [a] rhetoric[al] [struggle that] should be taken seriously'. McNeill (2014: 35) explained that, '[c]ompetition over victimhood occurs when groups start to argue over who is the legitimate victim and what the entailments are for the true victim.'

Noor *et al.* (2012: 358-359) put forward a selection of psychological functions for competitive victimhood: to increase in-group cohesiveness; to justify in-group violence; to deny responsibility; to avoid negative group emotions; to request compensation; and to recruit moral and material support from external sources. It is these functions, which have implications for societies in transition. While individuals, who have experienced direct violence, can engage in the phenomenon of CV, it is within the collective where CV can have a strong societal influence (Noor *et al.* 2012). As Rosland (2009: 298) [emphasis in original] argued, 'where suffering becomes something more than individual pain: where it through public accounts becomes something *social* with moral and political implications.'

Noor *et al.* (2012) set out a series of psychological mechanisms, which underlie the tendency for individuals and groups to engage in CV. One such mechanism is Moral Typecasting (see also Gray and Wegner 2009):

The tendency to classify moral actors into mutually exclusive roles of agents and patients [where the perception of victim identity becomes] dichotomous and nondivisible ... where only one group can be the "real" victim of the conflict. (Noor *et al.* 2012: 354)

CV may be further encouraged by group members engaging in another mechanism entitled 'Social Comparison' (Noor *et al.* 2012: 354). Drawing upon Tajfel and Turner's (1986) Social Identity Theory, Noor *et al.* (2012: 354) purport that, group members can 'achieve a positive evaluation of their in-group by downward comparisons with other out-groups'. Conversely, social comparison can also be threatening to an in-group's 'moral image' when it is revealed that the out-group has 'outperformed' them, for example, when 'one learns that ... the out-group has suffered more than the in-group': or as a form of an upward comparison. Thus, engagement in CV may reflect group members' attempts to alleviate the threat posed to their social identity (Noor *et al.* 2012: 354).

Biased individual memory may also contribute to CV, whereby one's own transgressions are recalled with a reliance on actively construed memories, which may be influenced by goals and motives, leading to the possible failure to represent the actual events by underestimating one's blame while overestimating one's righteousness and innocence (Kearns and Finchman 2005, cited in Noor *et al.* 2012: 354; see also Loftus, 2005; Wells & Loftus, 2003). Extrapolating this mechanism to the collective is straightforward. Following Pennebaker, Paez and Rime (1997), Noor *et al.* (2012: 355) argued that 'groups are likely to endorse and remember those events which affected them most.' 'Such events may be mythologized by groups [into totemic] 'chosen traumas'' (Volkan 2006). In the context of the Northern Ireland Troubles, the reaction to certain events such as Bloody Sunday in 1972, 'The McGurk's Bar bombing' in 1971 and 'Bloody Friday' in 1972 could be put forward as prime examples of this (McNeill 2014: 43). Noor *et al.* (2012: 355) summarised Volkan's (2006) assertion that 'under the influence of their chosen traumas, groups are less likely to display empathy for their adversary's suffering.' An approach which is in line with Mack's (1979) principle of '*egoism of victimization*' [emphasis in original]. This deliberate selective memory mechanism echoes Willmer's (2003: 5) observation that, '[i]n war, each side forgives itself easily for any wrong it does, covering up the atrocities its own people commit, while taking every scrap of evidence to argue the enemy's unforgivability.' Furthermore, Noor *et al.* (2012: 355) argued that biased collective accounts of inter-group conflicts and transgressions

may contribute to CV, in that, groups 'are often exposed to war promoting journalism rather than peace promoting journalism': where war promoting journalism tends to convey zero-sum perceptions which prioritise 'the here and now of the conflict over its root causes'. Such journalism could be viewed as being a contributor to the conflict and an impediment to conflict resolution (Lynch and McGoldrick 2005; Galtung and Lynch 2010).

Noor *et al.* (2012: 356) developed their concept by explaining why groups engage 'in discourses that highlight the unique nature of their suffering'. These discourses have a range of 'dimensions of suffering', which include physical, material, cultural, psychological, and legitimacy (Noor *et al.* 2012: 356). Within the physical dimension of suffering, if the numbers fit, groups may simply count their own dead, thereby highlighting their suffering as more severe and, in turn, devaluing the suffering of the out-group (Noor *et al.* 2012). A critique of the psychological dimension of suffering highlights how 'groups pay exclusive attention to their own psychosocial suffering while minimizing the suffering experienced by the out-group' (Noor *et al.* 2012: 357). Moreover, Noor *et al.* (2012) contended that, while it may be paradoxical for groups to compete for victimhood, there are a range of psychological functions available to individuals and groups who engage in CV. The paradox being that victimhood can sometimes bring forth connotations of weakness, helplessness, as lacking in agency, and as humiliating: even where the possession of this label may attract stigmatisation, dehumanisation, prejudice, and victim blaming (Noor *et al.* 2012). Nevertheless, victimhood status can also be utilised as a 'valuable psychological resource' (Noor *et al.* 2012: 358). Such resources could include an increase in in-group cohesiveness (Ignatieff 1993; Noor, Brown and Prentice 2008); the capacity to justify in-group violence (Frijda 1987; Mackie, Devos and Smith 2000); to deny responsibility (Cehajic, Brown and González 2009); to avoid negative group emotions; to seek compensation (Manzi 2007); and to recruit moral and material support from third parties (Simon and Klandermans 2001).

Such fierce competition around the eligibility of individual victims can have a profound effect on the implementation of reparations and public policy directed towards victims and survivors. It is within this context that this thesis will explore

competitive victimhood as a dominant factor on the demands for a special pension from the WAVE Injured Group and its Campaign for Recognition. Yet this factor is only one of many constraints, which have operated on this group since its inception. The milieu in which the Injured Group emerged was one of ongoing conflict, albeit relatively non-violent in comparison to what had come before. The low-intensity conflict, euphemistically known as 'The Troubles', was over. What remained was a battle of narratives about the causes and nature of that period: a metaconflict.

THE BATTLE OF THE NARRATIVES: METACONFLICT IN NORTHERN IRELAND

The signing of the Good Friday Agreement of 1998, which was seen as a foundation for peace in Northern Ireland, was built on the paramilitary ceasefires in 1994, following nearly three decades of violent political conflict. Having been affected by centuries of conflict related to its colonial history, the most recent conflagration, beginning in the late 1960s, known euphemistically as 'The Troubles', claimed the lives of over 3,600 people and left around 40,000 injured, in a population of approximately 1.5 million (Fay, Morrissey and Smyth 2001; McKittrick *et al.* 2001; Breen-Smyth 2012). This death toll equates to nearly 3% of the NI population. A rough extrapolation to the population of Great Britain would represent 111,000 deaths and 1.4 million injured. Cairns *et al.* (2003) highlighted that 16% of adults can be considered 'direct' victims and another 30% 'indirect' victims. The ripples of violence extended across the whole community and into many families, with approximately 20% reporting that they have had a family member or close relative injured or killed, and more than 50% personally knew someone who had been injured or killed (Cairns *et al.* 2003). While this violence could be characterised in a broad sense as 'collective violence', Brewer's (2010: 11) term 'communal violence', seems a better fit. This type of violence has three qualities: 'it involves the mobilization of group identities; its perpetrators and victims act as proxies for group interests; and it is embedded in the social structures in which it takes place.' As such, it mirrors Galtung's (1969) notion of 'structural violence', where social processes like religion, ethnicity, and class are

incorporated. Furthermore, Fay, Morrissey and Smyth (2001: 35) showed that certain groups and areas, especially areas of high deprivation, 'suffered disproportionately'. Those killed were overwhelmingly male, below the age of 39, and civilian (Bell 2003; Fay, Morrissey and Smyth 1999).

Assigning an adequate description to what type of society Northern Ireland is now can be problematic. While it would rightly be described as a 'divided society' (Oberschall 2007), the aftermath of the conflict could lend itself to viewing the current context as a 'post-traumatic society' (Ure 2008). Again, however, I am drawn to Brewer's (2010: 17) typology, which speaks of a 'post-violence society'. Nevertheless, for the purposes of this project, I will not be tied to any specific description. These terms will be used interchangeably to describe a society in transition from the daily occurrences of violence, which once ravaged this region. Moreover, terms such as 'The Conflict' or 'The Troubles', which come with their own loaded connotations, will be used throughout, and do not infer any political stance on my part. Yet, it could also be argued that Northern Ireland is not yet a post-conflict society. The daily routine of extreme violence may have ended, but there remains a feeling that what exists now can only be described as a 'negative peace', while the process of transforming the society towards a more 'positive peace' has been problematic (Galtung 1969). The past is not yet in the past in NI – 'The Past is the Present' (Rowan 2016a). A cursory glance at the local daily newspapers would throw up a litany of examples supporting this claim. Within these stories are demands for narratives to be heard and for narratives to be silenced. Consequently, 'the war of narratives has replaced the war of weapons' (Nolan 2014: 163).

The Northern Ireland conflict is deemed to have ended in a military stalemate with no clear winners or losers (Rowan 2016b; Sapone 2000). This may have contributed to the lack of, what Lyotard (1984) termed, a grand narrative: a metanarrative which the society could look to in order understand and to agree upon the context of the violence and conflict from which this region emerged. Instead, NI is left with a metaconflict. Hearty (2016: 334), expanding upon McGarry and O'Leary's (2006) explanation, describes this metaconflict as:

[A] continuing political disagreement over the causes and consequences of conflict. It is conflict about the conflict that revolves around rhetorical, political and historical debates on who started it, who suffered most and who is to blame for its misery.

Narratives of blame and responsibility for past violence found a home in the new fields of victim work and victim politics that emerged out of the Northern Ireland peace process, leading to political intractability and recrimination (Smyth 2003: 129).

Previously, victims were marginalised and disengaged from politics, in that:

[T]he bereaved and injured have no basis on which they may influence the political process. They have no political clout, they do not have the capacity to wreck the prospects for peace, nor do they have the power to command the ears of politicians. (Fay, Morrissey, and Smyth 1999: 2)

Consequently, many victims coalesced into distinct organisations and movements, especially in Protestant/unionist/loyalist (PUL) areas and mainly in opposition to the outcomes laid down in *The Belfast/Good Friday Agreement* (1998); which released political prisoners and set up power-sharing institutions (Bell 2003; Smyth 2003; Nagle 2009). They could now command political support from the Democratic Unionist Party (DUP), the Ulster Unionist Party (UUP), and the Traditional Unionist Voice (TUV). Under this umbrella, these organisations and their spokespeople often employ language such as ‘victims of terrorism’, ‘innocent victims’, and ‘innocents’ which ‘exclude others from the category of genuine victimhood’ (Smyth 2003: 128; Tyrone Courier 2019). As Jankowitz (2018: 10) pointed out, ‘these victims organisations and the political spokespeople with which they align are often referred to as the ‘innocent victims lobby’. This lobby became a central part of the heated debates, around the ‘definition of a victim’, which would fuel the metaconflict for another two decades (Hearty 2016; Lawther 2014b).

It was within this political context that the WAVE Injured Group, formed under the banner of one of the main victims groups, the WAVE Trauma Centre, emerged. The following chapters will examine the origins of this group of injured individuals and how they mobilised for reparations within this highly charged environment. This examination will delve into how they attempted to avoid the pitfalls of the metaconflict and promoted a more pragmatic approach to the complexity of victimhood in Northern Ireland.

CHAPTER 2 – RESEARCH DESIGN

INTRODUCTION

This research project has been years in the making. In many ways, it was destined that I wrote it, even before I realised it myself. This thesis is part of a long thread of personal activism, academic progression, and a journey through my own experiences of conflict-related trauma. In order to set the context of why I decided to undertake this project, it would be helpful to give a brief autobiography.

My “Troubles” journey began when I was 21 and injured in a gun attack at my home in Belfast in January 1994 (Gallagher 2016). I was shot six times at point blank range. The injuries I received were life changing. I survived the attack but spent many years recovering both physically and psychologically. I was left paralysed and now use a wheelchair to get around. Over the intervening years, I steered clear of the various victims’ groups that emerged across Northern Ireland as the ‘Peace Process’ progressed. Although I always had an interest in politics, I had never had the inclination to become involved in political activism.

This changed in the late 2000s. I had become interested in the ‘politics of victimhood’ (Breen-Smyth 2018: 230; Lawther 2014a) in Northern Ireland and the work that was being done to ‘deal with the past’. This ‘work’ exploded onto my television screen in 2009 with the launch of the Report of the Consultative Group on the Past (Consultative Group on the Past 2009) which was co-chaired by Archbishop Robin Eames and Denis Bradley (hereafter the ‘Eames/Bradley’ report). The furore and vitriol I witnessed that day sparked something inside me (BBC 2009b). I found it abhorrent that ‘Eames/Bradley’ would be shelved because of a backlash from certain victims’ groups and political representatives. That their loud voices could scupper, what I thought was a reasonable and well thought out package of measures to deal with the legacy of the conflict. I approached a local non-governmental organisation (NGO) WAVE Trauma Centre (n.d. –a) and another group in my local area, Victims and Survivors Trust (n.d.) to find a way to make my voice heard. I was asked to join both the management committee of VAST and the WAVE Injured Group (hereafter the Injured Group or the WIG). This gave me a new insight into the work that was going

on in the victims' sector, but I needed to know more. My own experience, as a direct victim of the conflict, was not enough. I needed to educate myself.

When I joined VAST and the WIG in 2010, I had no academic qualifications to speak of, apart from GCSEs and an A-Level in Politics. However, at the same time, I had just embarked on a degree course with the Open University to study the social sciences: my first foray into higher education since I left school in 1992. This was an exciting time for me as I immersed myself in this discipline and began to see the world through a new prism. It was also a time that new opportunities were presented to me. WAVE provides a range of education and training courses to its members, in the field of traumatology and conflict transformation. I jumped at the chance to learn more about my own trauma and how it affects others. I invited WAVE to bring one of their training courses to VAST and it was there that I took on an eight-week short course entitled *Grief, Trauma, and the Helping Relationship*. This was a revelation to me. It opened my eyes to my personal journey but also how the concept of trauma is one that has been involved in its own social and political battles. This gave me a thirst to learn more and led me to transition from the Open University to Queen's University, Belfast (QUB) to undertake the BSc.(Hons) Psychological Trauma Studies degree, which I completed in 2016. As I progressed through this academic path, gaining an understanding of trauma, its history, how it affects individuals and societies, and the political and social battles that advocates had to fight in order to gain recognition, I was learning in a practical way, how these processes affected people on the ground.

When I first arrived at WAVE in 2010, the WIG was in the early stages of organising a campaign, which asked that they, the injured, be included in any proposed mechanisms to 'deal with the past'. On reading 'Eames/Bradley', the group felt that the proposed Recognition Payment of £12,000 (to be paid to the families of those who were killed during the conflict), which consequently became a major controversy (BBC 2009a), excluded those who were injured. The Campaign for Recognition set out on a petition drive to collect ten thousand signatures to be presented to political representatives at Stormont, Westminster and the Dail. The campaign subsequently moved into a more political role by lobbying local politicians and engaging with the media and civil society to air their grievances and demands. My practice as an activist

and my knowledge from academia were blending into my assignments and into the WIG's rhetoric, framing strategies, and tactics.

Upon graduation from the degree, I immediately signed up to the MA Conflict Transformation and Social Justice at The Senator George J. Mitchell Institute for Global Peace, Security and Justice at QUB, with a view to, after completion, applying for a PhD at the same institute the following year. This PhD research project, however, began with certain aims and objectives that have changed over time, primarily because the main aim of the Campaign for Recognition was eventually realised. Originally, when I put forward my proposal, I had set out, in a similar vein, to blend my academic knowledge with my activism to add value to the WIG and the Campaign. Moreover, I had certain responsibilities as an academic to produce a valid and rigorous piece of research that I could stand over. This research project is a culmination of that academic progression but also a suitable bookend to the Campaign for Recognition that began well over a decade ago. The *Troubles Permanent Disablement Payment Scheme* is, essentially, in place and my project is complete.

AIMS AND OBJECTIVES

The aim of this project was to use new social movement theory and the field of transitional justice to understand the opportunities and constraints operating on a specific social movement located in a deeply divided society, which was affected by violent political conflict.

This topic was innovative in three ways. First, it applied new social movement theory to the transitional justice field through a case study that explored the mobilisation for reparations in the victims and survivor 'sector' in Northern Ireland. As a prominent member of that movement, I was, secondly, able to give an insider's account based on my extensive range of personal contacts and personal knowledge of the campaign as one of its organisers (Bryman 2004; Dwyer and Buckle 2009). This insider familiarity makes this PhD unique. Thirdly, the PhD uses new social movement theory to engage with social and political activism among victims of violent conflict in

Northern Ireland. This is also unique. The intention was to broaden this theory by illustrating the way in which social structural processes mediate the opportunities for victims to become involved in the political process.

I have chosen to concentrate on a specific case study, that is, the aforementioned Campaign for Recognition, which has been led by a lobby group, the WAVE Injured Group, based within the WAVE Trauma Centre (WAVE Trauma Centre 2019). The WIG, which was initially formed in 2002, has been lobbying elected politicians on the issue of a special pension since 2012. This campaign was contemporaneous to the research project and had been affected by fluid and unexpected political events since its inception. This volatility will be reflected throughout this thesis.

As a key member of the Injured Group, a primary aim of the project was to help get the pension proposal implemented. This would be beneficial to myself as the researcher, in that, I aimed to produce a thesis based on sound knowledge; for my colleagues within the WIG, who could use the findings to further the campaign; and more importantly, for the wider group of people who were left severely injured as a result of violent political conflict on these islands, who do not possess the resources to lobby for their own needs in the political sphere. In essence, this project fits within the normative aims of the 'new ethics' in Peace and Conflict Research (PCR) (Brewer, 2016; see also Hammersley and Traianou, 2014), in that, it was a worthwhile project which ought to be done to help transform the lives of people affected by conflict.

SAMPLE POPULATION

When considering the sample population of this project, it was important that I selected the right people. I fully understood that every decision I made, in the sample selection, was a 'political decision' that might have had an impact on the whole process (Harrison, MacGibbon and Morton 2001: 324). Therefore, my initial research design helped to assess the strategic value of who was chosen and of what value their contribution could mean to the final analysis. This process was guided by the principle of 'credibility', that is, whose data would maximise reliability and validity (Rubin and Rubin 2005: 64). Thus, it was important to identify a suitable sample of key

stakeholders, both internal and external, with a reasonable degree of experience and knowledge of the WIG, the Campaign for Recognition itself, and the issues surrounding it. My familiarity was used to great advantage in purposively selecting my sample, meaning access was relatively straightforward. It was necessary, however, to employ snowball sampling to locate certain participants, through relevant 'gatekeepers', where access was difficult or where new avenues opened up which required further investigation.

Key internal stakeholders are defined as people situated within the Injured Group (core members), past and present, and colleagues within WAVE. Additionally, I collected data from a wider range of participants, external to the group, but with a keen and knowledgeable interest in the campaign. The external sample consisted of six sets of participants: a) key policy decision makers: elite politicians, from across the political divide, based in Northern Ireland and Great Britain; b) representatives from the Commission for Victims and Survivors (CVSNI), the Victims and Survivors Service (VSS), who have been involved in policy formulation, consultation, and service delivery; c) external stakeholders in the victims' 'sector', for example, individual victims and victims' group leaders ('gatekeepers'),¹ including those who have indicated support for the pension and those with concerns around who would qualify; d) relevant academics who have written extensively on the issues and lobbied alongside the group; e) media representatives who have reported on the campaign; and f) representatives of non-state armed groups, as one of the issues blocking the campaign was the possible inclusion of injured state and non-state actors in future pension provision (see table on Page 87 for breakdown of participants).

¹ The term 'gatekeeper' is used to describe someone (a senior figure) who can provide access to members of a victims and survivors group. While the term can convey a negative connotation as someone who can deny access or hand-pick certain participants to protect the image and reputation of the in-group, this was not the case during my research.

Core Members of WAVE Injured Group	8 participants
Former Members of WAVE Injured Group	2 participants
WAVE Staff (current and former)	8 participants
Commission for Victims and Survivors	6 participants
Academics	2 participants
Civic Society	3 participants
External Victims (Individuals)	6 participants
External Victims (Victims Groups)	3 participants
Conflict actors (State & Non-State)	4 participants
Media	1 participant
Politicians and Civil Servants	12 participants
TOTAL INTERVIEWED	55 participants
TOTAL QUOTED IN THESIS	42 participants ²

This sample amounted to fifty-five people from across Northern Ireland and Great Britain who have been connected to the campaign since its inception and through ongoing engagement (see Appendix 3 for participant biographies). This included data from qualitative interviews carried out during my MA in Conflict Transformation and Social Justice Dissertation in 2017, which examined external perceptions of the Campaign for Recognition, and followed a similar methodology and interview schedule³. Collecting and analysing this voluminous, detailed, rich, deep data was time consuming and demanding, so I had planned to undertake the process over a period of nine months (from October 2018 to May 2019). This timeframe was, in the main, achieved. However, I did have issues with diary commitments for some participants, so their interviews happened later. The timeframe I had set out gave me concerns about the content of the data collected at that specific period in time. As stated above, the Campaign for Recognition was fluid and contemporaneous to the project. The data collection period coincided with a period of rapid change for the campaign. I was worried that data obtained from core members of the group (mainly, from October to December 2018) would become outdated by ongoing events. To mitigate this, I conducted a number of additional shorter interviews and follow up

² While fifty-five people were interviewed for this project, I have only included direct quotes from 42 participants. Space was one consideration but at other times the testimony was not deemed relevant or others had made a relevant point, which was put more succinctly and was therefore included. Some interview data was considered useful as background information.

³ Further consent for the use of the data from my MA dissertation was requested from these earlier participants and were required and agreeable to complete the relevant informed consent forms for this project.

questions via telephone and email with a few participants to add a sense of continuity to the process and to tie up loose ends.

ACCESS, TRUST, AND NEGOTIATING INFORMED CONSENT

As this project was based firmly in the realms of Peace and Conflict Research, it could have brought forth specific problems inherent to this field. Gaining access to participants in conflict zones is typically fraught with difficulty. In many cases, it may be a struggle to gain a broad coverage of people to interview. Potential participants may be hard to find and may not be available for interview due to the fear of their participation being discovered and used against them. In this specific project, however, such risks, with regards to personal safety, were greatly diminished due to the fact that widespread violence has receded in Northern Ireland and, as such, people were more willing to share their experiences of conflict, as well as their opinions on 'dealing with the past'. This newfound safety, however, may not have been enough for some participants to feel that they could freely share all of their thoughts and feelings on this topic for fear of opprobrium. Northern Ireland is a small place, and the risk that people could be identified may be problematic for access in certain sections of the community.

To mitigate many of the outlined risks above, I made sure that the participants gave full and comprehensive informed consent before, during, and after the project using written consent forms explaining the research and highlighting the importance of confidentiality, anonymity, if required, and the retention and protection of the data (see Appendix 1). This required a degree of honesty and openness in the status of the guarantees of confidentiality and anonymity, as suggested by Brewer (2016: 9; see also Tilley and Woodthorpe 2011). Wood (2006: 379) after reflecting on her fieldwork in conflict zones promoted the idea of how important it is to inform participants of all the known potential risks so that they can make an informed decision as to their participation.

Although it may have been easier and less risky to employ blanket anonymity, I gave all participants the choice of whether to be anonymous or identifiable. This type of

dilemma is well documented in qualitative research. Some participants may even want their identities to be known to readers for reasons of ownership or for wanting others to know what they thought and did at a particular time (Crow and Wiles 2008; Grinyer 2002; Scarth 2016). In the end, only three participants requested anonymity and, as such, I have given them pseudonyms. However, I did stress to the pair that even though I have attempted to anonymise them, it would be very likely that their identities would be known to others. They assured me that this possibility was acceptable to them.

This brought forth an additional dilemma for myself as an insider researcher. My insider status meant that I am more answerable to my participants. A point, put forward by bell hooks (1984), who noted that all researchers are increasingly faced with this type of situation. If I were to be honest to myself, and the participants, some of whom are now close friends and colleagues, I would also have to be honest to the data I was collecting. It would be a disservice to the project if I were to hold back any data that could be damaging to participants' reputations and in turn cause a rift in my own personal relationships with them. I informed the participants that there was a possibility that what they said could put them in a bad light but all were willing to accept this risk.

I was also keen to explain the concept of 'guilty knowledge' with participants (Feenan 2002). While I was not intending to ask questions, which may produce 'guilty knowledge' (Brewer, 2016: 5), there is always a risk, when conducting research, that people will try to divulge information that could put me in a compromised position, for example, knowledge of or participation in illegal activity. I needed to be aware of this possibility and explained the constraints of confidentiality within the rule of law. As Brewer (2016: 7) advised, participants should be made aware of the possibility of data being subpoenaed. As such, researchers should plan for this eventuality through negotiation with the respondent about the limit of the topics to be addressed (Brewer, 2016: 7). This situation, however, did not materialise during data collection. Furthermore, I was required to convey to the participants that, while I was free to interrupt the interview for whatever reason, they too were permitted to pause the conversation, to clarify certain aspects, or even to end the interview, if they so

wished. Participants were aware that they could withdraw from the project altogether, even after the data had been collected and analysed. All of this involved negotiation with the participants as to how the data would be recorded and later used in the thesis, and in the dissemination stage. I used a digital recording device from which the data was transcribed verbatim. The recordings were kept in a secure hard drive with password protection and locked in a cupboard. The paper transcripts are now secured in a locked cupboard.

As I expected, due to my insider status, the vast majority of my potential participants were willing to engage with the project. When access to potential participants was less straightforward, I engaged with relevant formal gatekeepers. I used my longstanding contacts within the victims' 'sector', within the political arena, and within academia to approach other participants. I still had to display to the gatekeepers, and to all participants, even close colleagues and friends, that I could be trusted. This required that I projected an air of confidence and an openness about the aims and objectives of the research without, as Goodhand (2000: 14) warned, encouraging unrealistic expectations in participants or gatekeepers. Gaining access through, or being 'vouched for', by certain gatekeepers actually provided me with an appearance of legitimacy in the eyes of some participants (Browne and McBride 2015: 40). This was the case when I interviewed a number of participants associated with the South East Fermanagh Foundation (SEFF), individuals with whom I had no previous contact. I had asked them during the interview what they knew about my background. Even though they had been given the participant information sheets prior to the interview and agreed to give informed consent, the word of Kenny Donaldson, the SEFF coordinator, that I was 'sound', was good enough for them (Mervyn Lewers, interview, 28 June 2019). This type of access does, however, come with certain risks, in that, gatekeepers could control which participants I could potentially interview. Weighing up the costs and benefits of this situation, I had to trust that Donaldson would provide a range of suitable candidates with an interest in the issue. During his own interview, Donaldson (Interview, 4 September 2019) revealed that as an organisation, SEFF receives a number of requests from academics every year for access to their membership. Their policy is to decide if the project could

potentially benefit victims and survivors and then notify their membership through their monthly newsletter of the opportunity to put themselves forward for interview. It was then up to the potential participants to inform SEFF that they were willing to participate.

All of these factors required that I gained the trust of participants in a slow and steady process. As put forward by Brewer (2000: 85), 'ethnographers need to trust the people they are working with and vice-versa.' This helped to encourage them to share their thoughts. Trust was built before, during and after the interview process. A point reiterated by Brewer (2000: 86) who stated that trust is not 'a one-shot agreement, which, once won need never be addressed again. Trust has to be continually worked at, negotiated and renegotiated, confirmed and thereafter repeatedly reaffirmed.' My position as an insider was advantageous to this trust-building requirement. As well as being a member of the WIG and the Victims and Survivors Forum (Commission for Victims and Survivors 2019d), my years of experience in the victims 'sector', along with my friendly and approachable nature, gave me access to a great deal of potential participants with whom I have fostered strong and friendly working relationships. As an injured person, myself, I was able to present an air of authority and legitimacy in the eyes of any participants as to how their thoughts and feelings were respected throughout this research process. On the other hand, my personal biography and public stance on a range of legacy related issues may already have been known to many of the potential participants, which could have inhibited trust building. This dilemma will be discussed below where I expand on the pros and cons of insider/outsider status in the Northern Ireland context.

ETHICAL CONCERNS AND MITIGATING RISK

A very important aspect of Peace and Conflict Research is the ethical responsibilities that the researcher has to his or her participants. Researchers in this field are tasked with gathering data, which may be highly sensitive and deeply embedded with the minds of individual participants who may have been affected by long-term violence. Accessing such data may bring forth strong emotions that could risk the health and

well-being of the participants through possible re-traumatisation (Browne and Moffett 2014: 22). Although the 'new ethics' is aimed at improving the lot of people in societies affected by conflict, there is also an inherent responsibility to do no harm (Brewer 2016; Wood 2006). This required that any conscious choices I made during the research process should have been made with ethical concerns in mind. Ethics, according to Hinman (2003: 5), is the 'reflection on our moral beliefs'. It was, therefore, critically important that the research process was carefully planned to anticipate ethical issues and to plan for adaptability and flexibility in the field to deal with the unexpected (Brewer 2016: 9).

Taking Brewer's (2016: 6) advice, I needed to assess whether certain information was worth collecting from my participants, meaning that certain questions could be excluded or data redacted for fear of adding further harm to potentially vulnerable people. I specifically informed participants, especially direct victims, that I did not need to hear detailed accounts of the incidents in which they were affected. Most, however, were willing to volunteer their traumatic experiences, regardless. In the end, two participants became upset during the course of the interviews as they recalled certain events that had occurred in their lives, not directly related to an event where they were injured, but to separate occurrences. In both cases, I gave the participants adequate time to gather their emotions and offered to end the interview, if required, but they refused and carried on with no further upset. Additionally, I asked a gatekeeper to check on the well-being of one participant on the day of the interview and followed this up at a later date.

Researchers must also be aware of potential participants' susceptibility to research fatigue, whereby they may have been involved in numerous research projects in the past and could suffer from frustration and disillusionment in this type of process (Browne and Moffett, 2014: 229). Thus, it was important to convey the benefits that this project may bring to what could be regarded as a deserving and worthwhile campaign, and to share any findings with participants. Such reciprocity, attempting to balance what each side of the research relationship gains from the process, is crucial in terms of promoting trustworthiness (Harrison, MacGibbon and Morton, 2001). This balancing process was important, as it has been argued that, intrinsically,

the researcher can gain much more than the people studied, in terms of extracting data and information for 'free' (Hammersley and Traianou, 2014: 4). Browne and Moffett (2014: 229) pointed to how 'reciprocity, knowledge exchange, and the long-term impact of engagement after the research [could] play an important part in researcher legitimacy, sustainability and respect for vulnerable individuals and the community.' This point was later reinforced by Brewer (2016: 9), as part of a 'research covenant' emanating from the 'new ethics', who views reciprocity as a 'form of intervention, acknowledgement and recognition, that goes some way to making a difference to [participants'] lives'.

It was critically important that I had a responsibility to myself, as a researcher, and as someone who was a victim of a traumatic event, to make sure that I would not be re-traumatised by my engagement with other victims who could potentially divulge sensitive material. I was well aware of this risk and spoke to my supervisor before engaging in fieldwork. We were satisfied that my previous experiences of engaging in this sector had given me a certain resilience against this risk.⁴ I will discuss in a later sub-section how I employed emotional labour to mitigate this possibility.

CHOICE OF RESEARCH APPROACH

In order to understand why my chosen sample, key internal and external stakeholders, held certain perceptions and understandings about the WAVE Injured Group, Campaign for Recognition, and other relevant issues, it was important that I chose a suitable research strategy. As with all research approaches, there are certain strengths and weaknesses. For the purposes of this project, I selected a qualitative research approach in the form of a case study. Snow and Trom's (2002) elaboration on the efficacy of the case study approach to the study of social movements was compelling. They proposed that the case study is defined by three core characteristics, which include an:

⁴ Following an application to the School of Social Sciences, Education and Social Work Ethics Committee during the summer of 2018, I received approval to proceed with the interview data collection process on 2 October 2018.

a) investigation and analysis of an instance or variant of some bounded social phenomenon that (b) seek to generate a richly detailed and “thick” elaboration of the phenomenon studied [and the context in which it is embedded] through (c) the use and triangulation of multiple methods or procedures that include but are not limited to qualitative techniques. (Snow and Trom 2002: 147)

The case in question is the WAVE Injured Group and its Campaign for Recognition, a single social movement. The study was both empirical and analytical. In terms of its relationship to social movement studies, the study investigated its analytical type, the social movement processes involved, and the illumination of a range of theories in this field. However, while this relatively tiny movement was the basis of empirical investigation, it was embedded in a wider social and political context. This would require a holistic elaboration of the case and encompass the micro-, meso-, and macro- factors operating on the campaign and its participants. This holistic analysis required a triangulation of multiple methods and multiple sources of data, both primary and secondary.

The strength of the qualitative part of this research approach helped me to achieve a rich depth of understanding into the participants thinking on what were highly sensitive and deeply embedded complex issues. This choice was based on the need to capture the views, meanings, and constructions of the people connected to the Campaign for Recognition. To find this meaning and understanding I was required to conduct in-depth interviews. Taking Brewer’s (2000: 35) advice, I needed to ask them questions in such a way that they would tell me their inner thoughts, in their own words. It was then for me to address the social context which gave meaning and substance to the collected data. As such, a quantitative approach, that is, conducting surveys or questionnaires, with closed questions, would not have been appropriate, as this would have required prior knowledge of the answers. Prior knowledge may not have been available nor would it have been appropriate to presume so within a project such as this. This is especially pertinent when it comes to accessing highly sensitive information from people who may be affected by violent conflict. It is also appreciated that there are some weaknesses in choosing a qualitative approach, in that, due to the nature of the project, I was only be able to select a limited number of participants. This required that I sacrificed breadth for depth. Depth, though,

comes at the cost of breadth and I may lose as much as I gain by choosing this approach.

DATA COLLECTION CONSIDERATIONS

Alongside various secondary sources including newspaper articles, television packages, press releases, government documents, and internal WAVE Injured Group minutes, in-depth interviews were the main instrument of data collection for this project. Interviews, according to Brewer (2000: 63) use a 'verbal stimulus (the question) to elicit a verbal response (the answer) from a respondent'. My verbal stimulus came in the form of open questions in semi-structured interviews using pre-prepared interview schedules as aides-memoire. These schedules focused on themes related to the campaign but were tailored for the different types of participants, both internal and external. As Blee and Taylor (2002: 94) elaborated, in the context of social movement research, interviewing 'makes it possible for participants to generate, challenge, clarify, elaborate, or recontextualize understandings of social movements'. Moreover, 'semi-structured interviewing strategies make it possible to scrutinize the semantic *context* of statements by social movement participants and leaders ... [as well as the] scrutiny of *meaning*' (Blee and Taylor 2002: 94-95) [emphasis in original].

It was necessary to fully prepare for the data collection process and plan for any eventualities that may have arisen. Such preparation involved many factors. The venue itself was important. This needed to be arranged in advance. I fully intended to meet as many of my participants in their own homes or wherever they felt most comfortable but this was not always possible. My disability, as a wheelchair user, required forward planning and possible accommodation from the participants to suit my needs. This early negotiation required that I approached the participants with tact and honesty. Some people find disability discomfoting so I may have needed to put their mind at rest. This may have impeded or discouraged interviewees from attending, although, I found that this was negotiated without much interference. Some were comfortable with me coming to their homes but I met most participants

in my office at the university. Some interviews were conducted at WAVE centres in Belfast and Omagh while others were carried out in South East Fermanagh Foundation's (SEFF) offices in Lisnaskea and Newtownstewart, and at Relatives for Justice (RFJ) in Belfast. I met a number of politicians at Parliament Buildings at Stormont, while participants who were based in London conducted their interviews over the phone.

As the organised interview is essentially a false social encounter, it can seem contrived. Interview data is socially constructed and situated depending on the social situation. My presence, as the interviewer, can have a negative effect on the interview in terms of openness and honesty from participants. People may not say what they really feel, they may seek 'social approval', or say things that are socially acceptable: all of which can minimise 'the articulation of extreme opinions and behaviour [thereby] exaggerating the centre' (Brewer 2000). This 'interviewer effect' was managed and moderated through reflexivity and an awareness of the situated understandings that the data represents (Brewer 2000). I will elaborate on my approach to reflexivity in a later sub-section. It was, therefore, necessary to make the interview feel as natural as possible, like a normal everyday conversation, but with a clear focus on the chosen topics. I was keen to build a rapport with all participants and thus employed all the necessary skills required of a researcher. I probed the participants, used prompts, read the social clues. I knew when to introduce sensitive information and when to say nothing. I needed to be an active listener, to read between the lines and to guide the interview to where I wanted it to go. Ultimately, I aimed to be in control of the encounter without the respondent knowing. In the main, this aim was achieved.

All of this required a well thought out interview schedule that was adaptable and flexible to every possible situation. The interview schedule (see Appendix 2) contained a wide range of questions directly related to the topic, thereby, inhibiting the interview drifting into irrelevant territory. In essence, the interview questions touched upon a range of themes with specific questions related to social movement activism and reparations. For example, when interviewing core and peripheral members of the WIG, I was interested in how they first came together as a group?

How they viewed themselves in terms of their identity as victims of the Troubles? What were their grievances? How did they mobilise for action? How did they interact with politicians, the public, and the media? What constraints did they face, both internal and external? How did they overcome disorganisation, burnout and internal fractures? How did they maintain momentum during latent periods? What resources did they avail of? How did they frame their campaign, in terms of rights, harms, needs, or the moral case? What networks were they engaged in? What were the issues that stymied the campaign for so long? How did they take advantage of opportunities when they emerged? What impact have they made? How has the Campaign shaped who they are now? Has it been worth the effort? External stakeholders were asked variations of these questions and their perceptions of the WIG but this was contingent on their knowledge of the campaign as outsiders.

All of this required that I memorised the interview schedule, as far as possible, to save from looking as though I was reading off a pre-arranged script. As the data collection period progressed, I found that I rarely needed to work off my script and as such, the interviews seemed more natural. This I hoped would aid the data collection process. There were, however, other mitigating factors that had to be considered if this process was to be successful, namely, my personal identity and position as a researcher, which I will outline below.

DATA ANALYSIS

The data analysis process was carried out during the summer of 2019. In the first instance, I read the raw interview data on hard copy using a manual thematic analysis process by taking notes of any salient themes that began to emerge. I then imported the data into NVivo, a Qualitative Data Analysis computer software package which aids data management and analysis. NVivo was useful as it organises data into manageable forms, which can be coded as themes for analysis. This process is used as 'a way of indexing or categorising the text to establish a structure of thematic ideas in relation to it' (Gibbs 2009: 60).

At first, I found Nvivo useful for collating the interview data and categorising it into manageable chunks relevant to the emerging themes but I soon decided to revert to transferring the data onto Word documents under certain themes which emerged from my new understanding of the theoretical frameworks and lenses of new social movement theories and transitional justice literature. This style of thematic analysis is useful for identifying, analysing and reporting patterns or themes within data sets (Braun and Clarke 2006: 6). Thus, my themes and patterns were theory driven from the literature. These foundations were further bolstered by my own personal understandings of the career of the case study, its history and fluid ongoing processes.

Yet, as I moved beyond my core interview data, which was supposed to form the basis of this thesis, and unexpectedly started to access historical documents within the WAVE servers, printed material, including personal letters, emails, and flyers, and later, the necessary inclusion of contemporary parliamentary debates, television and radio interviews, and newspaper articles, I began to see further patterns which pointed me in the direction of viewing this case study as one which should be shaped as a chronological piece, threaded with theory and narrative, with a marked beginning and, ultimately, a successful end. The following data chapters will therefore follow this linear, though not altogether straightforward, pattern, highlighting the emergent themes of origins, mobilisation, political stalemate, and success.

REFLEXIVITY: CONSIDERATIONS OF THE INSIDER/OUTSIDER IDENTITY

Although I was on an overall *mission*, as a member of the WAVE Injured Group, to see the Campaign for Recognition reach a successful outcome, the main objective of the research project was to gather the thoughts of the participants, both internal and external to the group. There were potential risks that my assumptions, beliefs, preconceptions, and personal bias could have clouded the research. These needed to be mitigated. In order to examine my own 'conceptual baggage', it was necessary

that I employed a degree of reflexivity throughout the whole research process (Kirby and McKenna 1989: 32). This analytical process helped to keep me honest. I kept a separate field diary, mainly used for personal reflection, in which I noted my thoughts and feelings about all aspects of fieldwork and analysis. As there is a strong possibility that my findings could be attacked and dismissed as being biased, due to my integral connection and obvious support for the campaign, I took this strong reflexive approach very seriously, in the hope that this has allowed me to produce rigorous findings that I can stand over.

When considering the risks to the credibility of this project, it was necessary that I constantly questioned myself as to how every decision I made could affect the process. It would not be an understatement to say that my activism and research activities have been all consuming for many years. As I mentioned in the introduction to this methodology section, I have been a member of the WIG for over a decade. This has brought with it a range of activities including lobbying, media appearances, blogging, presentations, speeches, discussions, consultations, and lectures. These activities were complemented by my academic learning journey, which included my undergraduate degree, Master's degree, and various short courses at a range of institutions. Without knowing it, especially in the early days, all of these experiences led to this research project. Even when I was 'wearing my activist hat', I was constantly using my newly gained knowledge as a scholar to underpin the WIG's arguments, in public and private. This built in me a sense of always having to look down on myself from above and analyse my own actions, those of the group, and the responses by those external to the campaign. I carried this type of consideration with me into this project and reflected on how my identity, my approach, and my personality affected this research.

In preparation for data collection, I had immersed myself in the literature related to social movements and transitional justice. This lens gave me a basis upon which I could understand the opportunities and constraints on the WIG, both internally and externally. Using my own experiences as an integral member of the group, I put together a series of questions that I would ask myself, as if I were a respondent. From this, it could have been possible for me to write the whole project from my

perspective, put my own spin on it, and publish the findings, as I saw them. This was not however the purpose of the project. My own positionality, my thoughts and feelings, which could in all honesty not be completely detached from the subject, were supplemented by the thoughts of many others, connected in some way to the campaign. This started a constant process within myself to get the right questions. However, I did not want the answers that I had given to be the same as the participants. I avoided asking questions, which could put words into their mouths. On occasion, their perceptions understandably tallied with mine, at other times they differed. Throughout the whole process, I wanted the voices of the participants to come through, as opposed to me speaking for them. Even though I had various discussions over many years, prior to this project, with a range of participants about all aspects of the campaign, a significant number of their responses were new to me. Such insights were very useful and created new avenues for subsequent interviews. Moreover, there was a distinct possibility that participants could have over-supposed or under-told, assuming my prior knowledge. This required that I asked the participants, before the interview commenced, to try to treat me not as a knowledgeable friend or colleague but as an outside researcher with limited knowledge of the issues, and to elaborate where necessary. I also employed certain rhetorical devices, such as, playing devil's advocate to aid in this process. All of these mitigations produced the type of rich, in-depth data that I was looking for, where participants could delve into the meaning of what the campaign was about for them.

As stated above, there needed to be an appreciation that while my identity, as an insider and as someone who was injured during the conflict, may bring certain advantages, in terms of access and prior knowledge, there was also the risk that it could inhibit the research process. As suggested by Merton (1972: 33) insider research has 'distinctive assets and liabilities'. At certain times, when interviewing WIG members I could have been considered an insider, on other occasions when collecting data from external actors, I was an outsider. This insider/outsider debate is an inherent challenge in all types of field research, and one that must be addressed (Merton 1972; Dwyer and Buckle 2009; Mercer 2007; Kerstetter 2012). Höglund (2011: 124) argued that the distinction is often difficult to apply in a clear-cut manner.

This would follow Mercer's (2007: 1) analysis that 'all researchers constantly move back and forth along a number of axes, depending upon time, location, participants and topics.'

Taking into consideration my own personal identity and positionality was a crucial part of being reflexive. Although I came to this project as a member of the WIG, I also possessed a variety of other identities and roles that could have had an influence on this research. No one can be categorised into one fixed identity at any given time. We all have multiple identities. When I started the research in 2017, I was still a male in my 40s, who had been injured during the conflict in Northern Ireland. Yet, I could be perceived as having other labels. I was someone who was clearly and visibly physically injured and disabled, as opposed to psychologically injured with an invisible disability. I was someone who was injured by a loyalist paramilitary organisation as opposed to a republican organisation or by state forces. I would be perceived as having a Catholic or nationalist identity as opposed to a Protestant or a unionist identity. I also had to *wear different hats* at different times in different settings. Alongside my membership of WIG, I was also the chair of VAST (until December 2017), and remain a member of the Victims and Survivors Forum. All these identities, which have been ascribed to me, were important to consider, especially in the context of a divided society like Northern Ireland. Such concerns were dealt with by Brewer (1991) in relation to an ethnography of the Royal Ulster Constabulary (RUC). I could not rid myself of these identities but being conscious of them could have mitigated problems.

With this in mind, certain aspects of my personal identity (or identities) could have triggered a reluctance from participants to be open and honest with me, as they may have been inclined to hold back their true feelings about the campaign for fear of offending me. I assured participants that this would not be the case. Moreover, my perceived religious background, my political identity, my victim identity, the identity of those who perpetrated my harm, could have become factors in the communication process with some participants (McEvoy 2006). Divisions in Northern Ireland society could lead to communication problems, possibly in the form of 'Telling' (Finlay 1999). Telling is a cognitive ethnic identification device used by many in Northern Ireland as a means of engaging in 'cultural reticence', in order to avoid meaningful 'inter-

cultural communication' (Finlay 1999: 1-3): resulting in a type of 'pseudo communication' (Burton 1978: 67). One implication of this reticence is that, the researcher 'may never ... get beyond [a] bland, superficial, coded communication' which can render any empirical data meaningless (Finlay 1999: 6). Logically, if the data were meaningless it would follow that the research itself could be deemed likewise. This risk was taken into consideration.

I was also recognisable as a 'visible' member of the Wave Injured Group, within in the victims 'sector', and in wider society because of ongoing media exposure. This has included giving interviews to documentary makers, to print journalists, contributing to talk radio programmes and their associated television programmes, as well as local news programming on television and radio. My views on the issues may already have been well known to any potential participants and this could have clouded the data collection process. It was important that my position on the pension and its implications did not adversely affect the interviews, as some people may vigorously disagree with me. I requested that, if, during the interview participants asked for my thoughts on the pension, that this should be left until the interview was completed. This request was not always possible and in one interview, in particular, I found myself being questioned by the respondent as to my opinions on a range of topics. I remember feeling uncomfortable at the thought of avoiding their questions. This experience, on immediate reflection, encouraged me to try harder in subsequent interviews to keep my opinions to myself and to stick to asking rather than answering questions. Looking back on the same interview, with a respected Parliamentarian, I came to the realisation that as the conversation progressed I may have been engaged in educating, or even lobbying, the participant on the pension issue, as this was someone who could have had the potential to further campaign, politically. In hindsight, while I was able to glean certain insights, this was an interview, which I would prefer to repeat.

EMPLOYING EMOTIONAL LABOUR

The research project looked at the perceptions of those within and without the WAVE Injured Group: both supporters and detractors. When dealing with close colleagues and supporters it was important that I attempted to create a critical distance from them. It was necessary that I asked hard hitting or awkward questions and took them to places that I would not normally go in normal everyday conversations with them. I needed to approach detractors and outsiders in a similar fashion. The detractors included those who were openly critical of the campaign, people who had concerns as to any consequences that the pension may bring. These consequences were related to the concerns that the pension may bring about a change in the current definition of a victim in Northern Ireland, or that non-state actors could be beneficiaries. As such, it was necessary that I prepared myself for any conflict relating to differences of opinion on the direction of the campaign. I had to be prepared to listen to any negative responses and to make sure that my opinions did not cloud either the interviews or the data analysis.

The same thing could be said for the interviews with former members of the Injured Group who left the campaign on less than amicable terms. Certain topics can be extremely emotive and I, as an insider, could have been at risk of being subjected to vociferous criticism for the stance that the Injured Group had taken. There was a risk that some encounters could be emotionally challenging and upsetting. This required that I drew upon my emotional reserves and engaged in what is known as emotional labour and emotional management (Hochschild 2003). For Hochschild, emotional labour is essentially concerned with how emotions are performed and managed in the workplace; about how raw emotions are suppressed and disguised to create a sense of pretence in order to benefit a certain social scenario. Emotional labour is inherent in the field of Peace and Conflict Research. It was necessary that I managed my emotions, my body language, and my behaviour as I engaged in the data collection process. I sought to mitigate this by speaking to my supervisor and friends and family about any such travails. Having conversations with myself in a reflexive way also helped me to take control of these fluid situations. In the end, none of my participants were confrontational, in fact, quite the opposite in the majority of cases.

My own identity as a direct victim of the conflict and as someone who suffered from the traumatic effect of that event needed to be taken into consideration. There was a risk that I could become re-traumatised by listening to others who could potentially recall similar incidents. As mentioned above, there were times when some of the participants got upset as they recalled sensitive life experiences. As someone who has been working in the victims and survivors' sector for many years now, I feel that I have in many ways built a sense of resilience as I meet others who have been traumatised. Not in the sense that I have become emotionally numb but more that, I can now empathise with their experiences rather than becoming upset myself. I conveyed to them that my own experience of telling my own story so many times and in so many settings has helped me to integrate it into my understanding of my own trauma and contributed to a sense of post-traumatic growth.

DISSEMINATION AND NEXT STEPS

Ultimately, now that I am in the final stages of this project, it is important to fulfil my duty of care to the participants. I must fully respect their agreements of informed consent. It is my duty to respect their confidentiality and to make sure their identity is kept anonymous, if requested. This only happened in two cases. Participants were also given an opportunity to review my chosen extracts, for the purpose of clarity and flow, before publication. I intend to publicise the findings of this research project, both popular and academic. This research needs to have impact. This will require that it is accessible, that it is jargon free and understandable to the public. My targets will include, first and foremost, the WAVE Injured Group; mainstream media, that is, newspapers and local television; the victims sector; policymakers; and politicians. On the academic front, I aim to extract relevant articles and a book.

Although this PhD is of use to me in a personal capacity, in the sense that it might further my academic qualifications and may act as a springboard in my career, it was also a serious attempt to bring forward rigorous research findings that would be useful to those so severely affected by the Troubles. If my research and wider understanding of the campaign and the wider political context has helped, in any

way, to see the Injured Pension implemented, then it will have fulfilled an important role in the field of Peace and Conflict research, which is to transform the lives of those affected by conflict. This, I hope, will benefit those who follow in the path of the WAVE Injured Group, as they too set out on a path towards truth, justice, or reparations.

CHAPTER 3 – GRIEVANCE DIAGNOSIS: ORIGINS OF A NEW SOCIAL MOVEMENT

INTRODUCTION

The amount of work we have put in and amount of people we have talked to recently, it's taking its toll on me. I thought, I'm fucking fed up, excuse the French. I'm fed up with this. It's getting us nowhere. What are we doing? ... Then I recently watched a UTV documentary about the 20th anniversary of the Omagh Bomb. I watched all those people that were injured. The blind girl. The woman that was burned. The other who lost her leg. And they don't speak up. I thought, well, we are speaking up and if we get this, it's not just us that will benefit. We will, across Northern Ireland, help people, in the same boat as us, who won't go through what we have had to go through, in terms of the patronisation that we have suffered. And that re-inspired me again ... Because it's not only you. You're not doing it for you. You are doing it for this 500 to 700 people that will benefit from this. (Peter Heathwood, interview, 1 October 2018)

Such attitudes, arguably stemming from an 'altruism born of suffering' (Vollhardt 2009), and a collective concern or 'moral obligation' for the welfare of other suffering victims (Warner, Wohl and Branscombe 2014), go to the heart of why people like Peter Heathwood expended years of time and effort, in other words, personal resources, into campaigning for those injured during the Troubles in Northern Ireland. Heathwood, a long-term member of the WAVE Injured Group, was seriously injured in a gun attack at his home in 1979, leaving him paralysed from the waist down. Similar to his comrades, the main 'protagonists' of this case study, whose personal biographies I will set out below, Heathwood displayed the sort of persistent determination that has brought the Injured Group to the brink of a successful outcome. Echoing Pam Oliver (1984), in recognising the inability of other victims to 'speak up' for themselves, the members of this small group exercised their own 'agency' (Robins 2017: 55). They amplified their collective 'voice' (Lawther 2020; see also McEvoy and McConnachie 2013), and conveyed the grievances of the many to those with the power to address them. The struggle for 'collective benefits' (Van Stekelenburg and Klandermans 2017: 107) would witness a 'transformative' (Robins 2017: 55) change in the lives of this group. From once disparate and 'unrecognised' victims (WAVE 2003a), to that of 'resilient victims' (Rudling 2019a: 433), capable of controlling their own destiny.

These considerations are at the crux of how this new social movement has managed to stay the course and to fight for material support in the form of a special recognition payment, an 'Injured Pension'. The origins of this movement, the biographical experiences of the main protagonists, and how a litany of diagnosed common grievances nurtured a 'politicized collective identity' (Simon and Klandermans 2001), thus sparking collective action, will be the focus of this opening empirical chapter. In taking this course of action, that is, pursuing a beneficial change in policy, the WAVE Injured Group would become involved in 'contentious politics' (Tarrow 2011: 4). By engaging in 'claim-making performances', and drawing upon a 'social movement repertoire' (Tilly 2008). All in order to represent themselves publicly as worthy, unified, and committed (Tilly and Wood 2009: 4). Marking this tiny group out as a new social movement, the actors mounted an interactive campaign, involving multiple episodes of collective action, by targeting political elites, through lobbying, and the public, through the mass media.

A key to the success of the group has been a close understanding of the broader political environment within which they made their claim. The protagonists took advantage of whatever 'political opportunities' opened up for them: opportunities, framed within a 'political opportunity structure' (Eisinger 1973). They sought to shift the 'balances of political and economic resources' in their favour, as well as maintaining the group's own faith that their 'protest actions [could] lead to success in achieving a desired outcome' (Goldstone and Tilly 2001: 182-183). Sidney Tarrow (2011: 165-166) proposed four salient dimensions to changes in political opportunities: opening up of access to participation; political realignment within the polity; the availability of influential allies; and cleavages within and between elites. In the context of Northern Ireland, a society transitioning from decades of violent conflict, the structures of political opportunity, into which this social movement emerged, while fraught with difficulty due to the increasing influence of 'the zero-sum nature of [consociational] electoral politics in a society divided along ethnic lines' (Acheson and Milofsky 2008: 77), would become considerably fluid. It was for the group to take advantage of potential opportunities as they arose.

Such opportunities would begin to emerge around the time of the peace settlement in 1998, as questions of to what to do for the victims of the conflict became the concern of politicians and policymakers. As a response, the state looked to incorporate civil society (Backer 2003), and thus facilitated the 'birth' of a new victims and survivors *sector*, out of which a range of victim support groups evolved. This is not to say that the state created the groups per se. Groups such as WAVE, founded in 1991, had already been providing support to victims without government funding. The difference now was the availability of 'ramped-up' resources to support these once ignored victims, which, according to Nagle (2009: 26), 'stem[med] from the perceived legal obligations of a responsible nation state' to attend to victims' needs. In doing so, the UK Government unintentionally 'creat[ed] a victims' sector, [and] constructed new forms of agency — victimhood — that [have] drive[n] fresh rounds of antagonistic ethno-political conflict' (Nagle 2016: 84). It was into this environment, this 'cycle of contention' (Tarrow 2011), that the WAVE Injured Group would later emerge. While made up of people from different social and ethno-political backgrounds, who were injured by a range of conflict actors, this group, after a period of internal schism, discussed in Chapter 4, sought to overcome their differing outlooks and identities to organise themselves as a nonviolent, nonsectarian, cross-community movement. They worked on diagnosing their key grievances, formulated a workable prognosis, and then to present both to those who had the power to resolve their problems: the elected politicians.

This was not a simple process. In fact, as is detailed below, it took years of hard work and perseverance to devise and present a range of coherent demands. Later complemented by the plethora of resources provided by the WAVE organisation, including human and material resources, external networks and connections, this collective would begin to enhance its collective identity and common solidarity, before deciding on a suitable action strategy. Spurred on by what is sometimes referred to in the literature as a 'suddenly imposed grievance' (Walsh 1981), or 'critical event' (Meyer and Staggenborg 1996: 1638), in the form of a perceived slight from one particular governmental initiative designed to comprehensively 'deal with the past', the Consultative Group on the Past (2009) (which will be discussed in

Chapter 4), the group eventually made the decision to move onto the streets of Northern Ireland to garner public support.

THE BIRTH OF THE VICTIMS' SECTOR

Dear Friend,

As a result of continuous reassessments of WAVE services, a clear need for a Forum for individuals who have been **injured** as a result of the 'troubles' [sic] has been identified. (WAVE 2002b) [emphasis in original]

So read the opening line of a letter inviting members of WAVE Trauma Centre (hereafter WAVE) to a meeting in their Belfast centre on 11 June 2002. This was the first time that WAVE, a non-profit non-governmental organisation (NGO) with a remit to provide support services to victims and survivors of the 'Troubles', attempted to bring together a specific group, exclusively for people who had suffered injury, as opposed to those bereaved. Such an exclusive call reflected the changing nature of WAVE. Founded, in 1991, as a grassroots-based self-help group, specifically by and for widows of those killed in the conflict, the management board of WAVE, an acronym of *Widows Against Violence Empower*, had recognised that there were many other *types* of victims present in society, in need of access to the range of support structures provided by WAVE (WAVE Trauma Centre n.d.-a). This recognition now included men, the widowers, as well as the children of those killed. The organisation later broadened its remit to include those who had suffered from physical and/or psychological injury. As pointed out by WAVE CEO Sandra Peake, this gap in support provision for the injured was highlighted by the arrival of a woman, in 1995, 'who had been injured in a bomb explosion [and found] that under [WAVE's] constitution, effectively she wasn't eligible; it was only an organisation for the bereaved' (Interview, 15 April 2019). Following an amendment to the constitution, WAVE began to reach out, through their band of outreach workers, to those who had been previously excluded. This change in WAVE's policy, the inclusion of an otherwise unrecognised and excluded cohort, laid the foundation for the WAVE Injured Group (hereafter the WIG or the Injured Group) and the birth of a new social movement.

WAVE, however, did not exist in a vacuum. It was one many victims and survivors groups (VSGs), which had emerged in response to the evident needs and demands of those directly affected by the violence (Nagle 2009; Potter 2004). The fact that they began to emerge was a reflection of how society and, in particular, government policy had dealt with the needs of the victims during the conflict. The statutory services in Northern Ireland, for most of the conflict, were 'silent' on the actual effects of the violence as a specific phenomenon (Healey 1996: 69). Practitioners, faced with an environment where 'sectarianism and inter-community conflict was commonplace', were understandably fearful and resistant to dealing with the 'impact of such conflict on the lives of clients' (Campbell *et al.* 2012: 2). As Breen-Smyth (2012: 70) highlighted, the system 'operated in silos', foregoing a joined-up approach to dealing with the needs of victims. This left the burden on individuals and their families, where many victims just simply stayed at home and got on with their lives as best they could; leaving a population of people isolated, with limited avenues of support.

The VSGs, situated in what has become known as the 'victims' sector', or the 'victims' industry' (Brewer 2010) were also part of the wider social and political milieu (Potter 2004; Gilligan 2006: 326). The birth of the groups during the late 1980s and early 1990s coincided with ongoing political developments in Northern Ireland and a fledgling peace process designed to bring an end to conflict and division. This ongoing process, which consisted of high-level multi-party talks, culminated in the internationally recognised peace agreement, the Belfast/Good Friday Agreement (Northern Ireland Office 1998), signed on 10 April 1998. This accord was built upon cease-fires by the main paramilitary organisations and saw the establishment of new consociational political institutions, which aimed to bring a new sense of stability to the region (McGarry and O'Leary 2004). These new structures included setting up a power-sharing regional Executive and legislative assembly (hereafter known as Stormont) with Members of the Legislative Assembly (MLAs) elected on a proportional representation basis and a mandatory cross-community coalition government. Some of those elected had previously been involved directly in the conflict, either as members of non-state armed groups or having served in the state's security forces. The Agreement also included provisions for structural reforms of the

criminal justice system, police, and security apparatus that had been symbols of the previous status quo (Walsh 2017). Additional measures were put in place to bring about the early release of a range of 'political prisoners' and a small number of state actors, who had been convicted of a range of offences, up to and including murder (McEvoy 2001). Furthermore, an independent international commission was created to deal with the 'decommissioning' of armaments belonging to non-state factions (Walsh 2017: 57). Such measures, characterised within the transitional justice framework as 'top-down' approaches, focused primarily on the needs of the state rather than those of the victims located in the 'grassroots', who tend to find that, in the main, they are neglected (McEvoy and McGregor 2008a; see also McEvoy and McGregor 2008b). One notable exception was the establishment of an independent commission set up to enable families to relocate their family members who were 'disappeared' by non-state groups during the conflict (Dempster 2019a).

The preamble to the 1998 Agreement (Northern Ireland Office 1998: 2) which recognised that, 'the tragedies of the past have left a deep and profoundly regrettable legacy of suffering', went on to proclaim that, '[w]e must never forget those who have died or been injured, and their families'. This new pact with the victims would need to be upheld, if Northern Ireland was to build a new society for those who arguably suffered the most: the victims. Providing for victims has been deemed vital for the creation of new socio-political systems, which are both inclusive and concerned with social justice (Goldstone 1995). Thus, the signing of the Agreement and the introduction of these top-down transitional mechanisms led to what Nagle (2009: 25) called a 'marked 'opening' of the political system to the issue of how victims should be supported'. The list of government funded initiatives and research reports during this period was quite expansive (Potter 2004); and included the appointment of a Victims Commissioner to deliver a report detailing issues facing victims of the conflict (Bloomfield 1998); on which I will expand below. Funding for the new groups was also increased. During this early period (1997-2007) the government 'furnished, by its own calculations, £43,962,152 ... on organisations they identify to be involved in providing support for victims' groups' (Nagle 2009: 26).

This strategic decision to fund a victims' sector was not without risk, especially in a society where the concept of victimhood is deeply contested (Lawther 2014a; Jamieson 2016; Brewer and Hayes 2011). This policy, for Nagle (2016: 88) led to 'new forms of collective identity and mobilization that generate[d] unintentional and even destabilizing results'. As such, the state, in its 'attempt to domesticate the issue of victims within the welfare state removed traditional notions of grieving and suffering from the private to the public sphere' (Nagle 2016: 91). In doing so, it employed a form of 'biopolitics' and kick-started 'the construction of the 'victim' identity' (Nagle 2016: 86). In this view, such interventions follow the notion of the 'system colonizing the lifeworld', [where] 'administrative planning' employed by the state, 'produces unintended, unsettling and publicizing effects' (Habermas 1988: 72). These effects can be represented through contentious behaviour as the lifeworld defends itself from the bureaucratic system. As Nagle (2016: 84) argued, the mobilisation of the nascent victims' movements in Northern Ireland mirrors such contentious behaviour, especially in relation to 'driv[ing] fresh rounds of antagonistic ethno-political conflict'.

This was evident in the make-up of the nascent groups, which began to fill the service and support gaps in the statutory sector. Some of the groups would become more than mere service providers. In channelling the voice of their *members*, they would reflect the social and ethno-political nature of the politics of Northern Ireland. There was a clear organisation of victims groups along religious and political identities, geographical location, the identity of those who harmed them (for example, republican, loyalist or state actors) and a co-ordinated strategy amongst unionist victims organisations, in particular, to advocate for a hierarchy of victimhood based on whether those killed or injured were deemed 'innocent' or not (Jankowitz 2018a; Lawther 2014a). As a result, the vast majority of the VSGs were categorised as single identity (Catholic, nationalist, republican (CNR) or Protestant, unionist, loyalist (PUL). One notable exception was the WAVE Trauma Centre, which from its inception was firmly nonsectarian and cross-community in its make-up, ethos, and practice. It was to WAVE that the main protagonists of this story were drawn – in many cases – for different reasons.

THE PROTAGONISTS

The 'protagonists', in this sense, derive their name from Benford and Hunt (1992: 38) who define social movements 'as dramas in which protagonists and antagonists compete to affect audiences' interpretations of power relations in a variety of domains'. While I interviewed fifty-five people (including protagonists, antagonists, and audiences) for this project, the reasons for which I laid out in the *Sample Population* section of Chapter 2, there are a number of core participants, who I must give a special mention. The main protagonists of the drama *troupe* that would become known as the WAVE Injured Group, attracted dozens of members in its near two decades of existence. Yet, in the intervening years, because of time and subsequent fragmentation, only a small number of participants remained in the collective.

Chronologically, based upon when they were injured, Paddy Cassidy, comes first. Paddy had received a spinal injury from a stray bullet, near his home in Belfast in 1971. Paddy suffered from severe chronic pain ever since, relying on callipers and crutches to get around. He was 28. Jennifer McNern was injured in a no-warning bomb in a busy café in Belfast city centre in March 1972. Both her legs were ripped off by the blast. She was 21. Her sister Rosaleen, who was sitting beside her at the time, also lost both legs and her right arm. Philip Gault was injured as he passed a no-warning car bomb in Belfast in July 1972, not far from his home. He was only nine years old. Philip suffered severe damage to his legs. His right leg has not grown properly since that day. Mary Hannon-Fletcher was injured in a drive-by shooting on her way home from the cinema in Belfast in 1975. She was 18. She was left paralysed from the waist down. Mark Kelly was injured in a no-warning bomb in a bar in Glengormley, on the outskirts of Belfast in 1976. He was 18. Mark lost both legs. Peter Heathwood was injured in a shooting at his home in 1979, in a case of mistaken identity. He was 26. Peter was left paralysed from the waist down and uses a wheelchair to get around. Peter's father, Herbert, who arrived on the scene in the immediate aftermath, died of a heart attack, resulting from shock. Margaret Yeaman was injured in a no-warning car bomb in Banbridge in 1982. She was 38. Margaret was instantly blinded in both eyes and still suffers from the effects of glass and

shrapnel pushing through her skin to this day. In 1985, Robert Barfoot was injured when the car he was travelling in, with a friend, was ambushed and attacked by automatic gunfire. He was 22. Robert was hit eight times and suffered paralysis from the waist down. In 1991, Alex Bunting was injured by an under-car booby trap bomb, which was placed under his taxi in a case of mistaken identity. He was 37. Alex lost his left leg and suffered severe damage to his right one.

The main commonality of the core membership of the WAVE Injured Group is that these individuals were all directly impacted by the violence of the Troubles. They were affected in ways that left a long-lasting imprint on their lives. They were the 'severely physically injured'. It is this core identity, which formed the basis of what I discuss below as the third and final iteration of the WAVE Injured Group. However, severe physical injury would not be the only membership criterion during previous phases of this movement. Earlier iterations consisted of people with less severe physical and/or psychological injuries. Yet, when the group eventually progressed into the political sphere and sought to influence the 'antagonists' (for instance, the politicians), different categories of injury became more visible and more important. This was in part put down to the realisation that to effect policy changes, the protagonists needed to appeal to external audiences within the media, civil society, and the bystander public to view their demands as worthy of attention and resolution. As I will explain in detail in Chapter 4, this decision would have repercussions as to the make-up of the group, its future direction, and threatened its very existence as underlying internal fissures emerged.

The membership of the Injured Group, during all three iterations, came from the cohort of those who were injured during the conflict. The fact remains that while over 3700 people lost their lives during the Troubles (McKittrick *et al.* 2001: 1552), 47541 were deemed to be injured (Police Service of Northern Ireland (PSNI) 2003). However, determining such a definitive figure for the number of injured has been considered problematic and can depend on how 'injury' is defined', leaving Breen Smyth to surmise a range spanning from 8,383 to 100,000 (Breen Smyth 2012: 9). Regardless of these figures, the protagonists in the Injured Group considered themselves direct victims. Many of those who survived these attacks woke up in

hospital beds, sometimes from long-term comas, to find that, in an instant, their lives had been irrevocably changed. While some considered themselves as lucky, in that, 'I think I was fortunate to still be alive' (Mark Kelly, Interview, 11 October 2018); others described themselves as 'less unlucky':

I would never call myself lucky. I call myself less unlucky. [Name redacted], a very good friend of ours, a neighbour, she was across the road and the back wheel of the car went straight across the road and ripped her leg clean off. So, I was right on [the bomb] and she was 30 yards from it and she had worse injuries than me. (Philip Gault, Interview, 15 October 2018)

After the initial shock of the bomb or gun attack, all of these protagonists faced a long and often uneven road to different levels of 'recovery'. Most had to do this alone without any joined-up support from statutory services. This was particularly the case for those who were affected in the early days of the conflict. As I have outlined, the majority of members of the WIG were injured in events that happened in the 1970s. The long-term effects of their injuries and subsequent psychological traumas were to be dealt with either at home or through general practice and wider hospital services. In effect, as mentioned above, social care provision was 'silent' on the actual effect of the Troubles (Healey 1996: 69). It was only with the emergence of the victim support groups in the later stages of the conflict that these individuals could find an outlet to approach for support. Jennifer McNern (Interview, 8 October 2018) described how she had not coped with her newly emergent psychological trauma, which was triggered by a series of events following the signing of the 1998 Agreement, twenty-six years after her initial injury:

That's just where my head was at the time. My family says: "Jennifer, you're really going to have to go and see about yourself, about looking after yourself." At that stage, as I was getting angry, I was also dipping very low, emotionally. Suicidal thoughts.

Alex Bunting (Interview, 4 October 2018) recalled how he too felt lost, with no way out of his trauma:

But I remember things were that bad and I felt shit. I think it was a build-up of depression and post-traumatic stress, to be honest with you, hatred. Because I really hated the people that had done this to me as I had lost every fucking thing. Life was finished, as far as I could see. I couldn't see any light at the end of the tunnel. My future was finished. So, what I did do and it's not a nice thing to say but I tried to commit suicide. [My wife] had went to bed and I said: "she's better off without me and the kids are better off without me. They

will have a better life without me.” Not thinking straight, I took [prescription medication] and I passed out. Luckily [my son] came down the stairs and he seen me lying there.

Other respondents recounted how they had sought help in other parts of the statutory care sector, but were subsequently signposted to WAVE as they could provide a more bespoke package for their needs:

I wasn't coping and I needed help. I went back to the doctor. The doctor was sending me to back a counsellor and the counsellor said: “I can't do anything for him. I'm not trained in dealing with the trauma”, and suggested coming here [to WAVE]. (*Victor*, interview, 30 October 2018)

Such was the existence for many of those who came forward to WAVE for support. WAVE became a way out. A model example of Judith Herman's 'Three Stages of Recovery': a place of 'safety'; a place of 'remembrance and mourning'; a place where they could 'reconnect' with themselves and others who had similar experiences (Herman 2001: 155). According to WAVE CEO Sandra Peake, the organisation receives clients/members in a variety of ways, for example, through 'GP referrals, political parties, media, [while] word of mouth is a big thing [with] self-referrals very high' (Interview, 15 April 2019). Once people arrived at WAVE, they soon found that there were a range of services available to them, including counselling, holistic therapies, welfare advice, befriending, and social interaction in the form of the Men's and Women's Groups. However, this notion of WAVE as a safe space for victims of trauma à la *Herman* could also be superimposed onto William Gamson's (1996: 31) description of 'safe spaces [as] limited access public spaces that permit the development of an oppositional culture': as 'free spaces' (Polletta 1999). This was witnessed within WAVE, where the organisation formed a specific support group for the families of those who were 'disappeared' by non-state armed actors during the conflict (Dempster 2019a). Combining 'quiet' diplomacy with public appeals for empathy, alongside political shaming tactics, this collective embarked on a campaign that would see the return of the majority of those missing (Dempster 2019a: 146). This group would later be described as 'a social movement — a very small social movement — but they are a social movement' (Dempster 2019a: 57). While WAVE was viewed primarily as an 'operational NGO', in that, it is typically a 'service provider', the Campaign for the Disappeared signalled a clear shift that WAVE would

aid victims and survivors by advocating ‘with’ and ‘for’ them in the public sphere, as an ‘advocacy NGO’ (Subotić 2012: 113). Many of the tactics that WAVE and the ‘Families of the Disappeared’ used during this campaign would later be used to promote the Campaign for Recognition for the injured.

THE GENESIS OF A NEW SOCIAL MOVEMENT

Alongside verbal data amassed from semi-structured interviews, relating to the initial coming together of an Injured Group, I was able to secure access to the WAVE servers to source a range of documentary evidence, including letters to members of the group, inviting them to meetings, and recorded minutes, detailing action plans. These primary documents, dating back to 2002, were somewhat rare, suggesting that the group was not particularly organised in a professional or formal manner. This observation was later reinforced by WIG members and WAVE staff alike during interviews.

The circumstances, which led to the formation of a group specifically set aside to coalesce around those who suffered injury, were set out by Paul Crawford, a former project worker with WAVE. Crawford explained that during an arts and craft project, which he had designed with the Men’s Group at WAVE, to build a large mosaic exhibit featuring a range of personalised stained-glass windows, one of the members remarked: “‘We’ve no injured up here””; there were no representations of those who suffered physical injury’ (Interview, 3 April 2020). Consequently, it was decided that the artist in charge of constructing the exhibit, a member of the Men’s Group, would design a separate window for this *nearly* forgotten group. ‘[B]etween us we decided to represent the injured with the symbol of a wheelchair’ – so, reads the opening line in the section of the book, *Don’t You Forget About Me* (WAVE 2007a) (a collection of stories which explained the meaning behind the individual panes in the stained-glass project). This realisation, by Crawford and the Men’s Group, that even though people like Jennifer McNern were already members of WAVE, their presence, up to this point, had been forgotten. The stained glass project thus:

[I]llustrated a huge gap [and] launched a lot of internal discussion, [where] it became clear that the injured really required a group of their own, for their unique needs. There was a cross-pollination. The stained glass came to an end ... but out of that the Injured Group came together. (Paul Crawford, interview, 3 April 2020)

The earliest written record of ‘a Forum for individuals who have been **injured** as a result of the ‘troubles’ [sic]’ stretches back to the aforementioned letter of invitation, sent out to the WAVE membership on 23 May 2002 (WAVE 2002b) [emphasis in original]. This letter included a list of ‘*Target Rules/Guidelines*’, which set out parameters of engagement, thus creating a space where members could feel safe with each other (WAVE 2002a) [emphasis in original]. The main caveat, marking this group as distinct from the stained glass project, was that this document set out who was invited to attend, that is, ‘[A]ll *physically* injured as a result of the ‘troubles’ [sic]’ (WAVE 2002a) [emphasis added]. While it did not explicitly state that the bereaved or those with psychological issues could not attend, it sent out a clear call to those WAVE felt had been previously ‘overlooked’ (Paul Crawford, interview, 3 April 2020). Such exclusivity, however, would unintentionally become a sore point in later iterations of the WIG and ultimately lead to serious fractures and recrimination (a situation I will discuss in Chapter 4). Moreover, in consideration of the diverse, cross-community, and nonsectarian nature of the WAVE membership, the guidelines pointed out that, ‘[i]n keeping with the ethos of WAVE, no judgement will be made on anyone nor will any section of the community be discriminated against.’ The document then set out a code of conduct and principles, which should be adhered to, stating that:

[W]hile individuals’ will organise their own agenda and/or activities, WAVE wishes to emphasise that this is not a therapy group. We will not deal with political issues such as amnesty, politics, individual circumstances or judge on innocence/guilt/right/wrong. (WAVE 2002a)

The document also outlined the issues to be addressed by the forum, including, ‘[r]aising the profile of the injured and tackling issues such as compensation, services, treatments, practical advances, influential people/organisations’ (WAVE 2002a). This primary document, however, created in May 2002, was the only data available on the WAVE servers that I could source from that particular year. A subsequent document relating to what was now officially named the ‘Injured Group’, refers to the minutes

of their 'second meeting', in June 2003, over a year after the initial invitation letter (WAVE 2003a). There were no available minutes for any inaugural meeting. Interviews with protagonists who were connected with WAVE at this stage were vague on why there was such a gap between the invitation and this second meeting, but according to a later document (WAVE 2003b) (26 August 2003), it appears that these meetings were held quarterly. Nevertheless, the June 2003 minutes reveal a range of concerns put forward as 'Action Points', to be raised with relevant elite politicians and policymakers. The 'lack of recognition' features as a central issue, where group members:

[S]tated that in some way, they were made to feel that they were lucky to have survived and that there was *no recognition* for the *injuries sustained, ongoing pain and discomfort and also to the wide spread ramifications of their trauma ...* [Which was compounded by] [t]he *lack of recognition* by local politicians and British and Irish Governments of the impact of the Troubles on the lives of those who had sustained injuries. The problems in relation to compensation, given that many felt that their compensation had been '*insulting*' given the nature of their injuries. (WAVE 2003a) [emphasis added]

The proposed prognosis, or 'Action', to remedy these issues consisted of the production of a 'lobbying document', as a first step, and the commissioning of '[a] large scale piece of work to be undertaken by QUB (Queen's University, Belfast) [as a] second step' (WAVE 2003a). This intention, to recruit external experts to produce a research report, signifies a realisation that the group's limited resources needed to be complemented by those with significant expertise. The presence of 'Professor Jean Orr from QUB' (a member of the WAVE management board) at this meeting shows how WAVE was able to incorporate people with different levels of experience alongside *ordinary* members of the group (WAVE 2003a). Together with additional issues such as support with 'house adaptations', support for 'family members', and a '[d]atabase of those injured', the group was concerned about the 'lack of specific services' in the statutory health sector, such as 'physiotherapy' and 'pain relief', which should be aimed directly and specifically at those injured as a result of the conflict; as '[s]ome of those injured were treated as no different to those affected by RTA's (road traffic accidents) despite the *nature and cause of their injuries*' (WAVE 2003a) [emphasis added].

This was an interesting perspective taken by the collective at this early stage. The group had begun to identify themselves as different to those injured in non-conflict related incidents or accidents. That they were injured by the hand of another, emanating from a society wracked by political violence, should somehow entitle them to separate provision from the same society, as it transitioned towards peace. Their 'causal stories' therefore set their policy changing agenda (Stone 1989). For the fledgling group, this appeared to be a matter of social justice and fairness. This sense of entitlement, while based in the notion that remedy and redress for victims should form an important element of post-conflict justice, left later iterations of the WAVE Injured Group embroiled in accusations, both internally and externally, that they were using their 'status' to promote an 'exclusive' category of victim: the severely physically injured (Bayer and Pabst 2018: 50). Nevertheless, the Injured Group, at this early stage, began to formulate the idea that, as a mobilised 'collective', they could move into the sphere of 'voic[ing] publicly ... an entitlement claim' (Bayer and Pabst 2018: 54-55).

At the third meeting of the WIG, August 2003, the outline of a lobbying strategy was beginning to take shape (WAVE 2003b). This (quarterly) meeting was attended by four members, including Jennifer McNern, Hugh Rowan (deceased), two others, whose names I have redacted; and two staff members, the director, now CEO, Sandra Peake, and an unnamed outreach worker. These minutes reflect an aim to publish a book featuring the experiences of the group as suggested by an outside facilitator from a local publishing company, who was also present at the meeting, that:

The content of these books can be useful in a number of ways, for example, to help to secure funding, to *raise public awareness* and can be a *valuable tool when wishing to lobby Ministers and MPs*. (WAVE 2003b) [emphasis added]

It is clear from these minutes that the group was already considering moving into the public and political spheres to have their concerns heard, by inviting government representatives to their meetings. Such approaches had to factor in the political context at that time. As mentioned above, the state was putting in place new infrastructures specifically designed to deal with victims' issues. These included the appointment of a UK Minister for Victims (Adam Ingram MP) at the Northern Ireland Office (NIO), who had responsibility for the new Victims Liaison Unit. This unit was

set up to support the implementation of the first Victims Commissioner's, Sir Kenneth Bloomfield, report, *We Will Remember Them*. This expansive report aimed to provide a framework which would 'consider [and recommend] practical measures to deal with pain and suffering experienced by victims', yet its outworkings became a major grievance for the group (to which I will expand in the next section) (Bloomfield 1998: 24). This note in the minutes sits in combination with an update on an approach to a media training company, with the aim of providing a 'workshop style course' for members of the group 'to include not just media skills but also the negative aspects of involvement with the press'. In another section of the minutes entitled '*Themes*', the group proposed that, in order:

[T]o ensure that the publication has focus, the group need to decide collectively on a number of themes to be covered within the discussions that take place. The injured group suggested a number of possible themes for discussion which include, *Recognition, Compensation, Reconciliation, Definition of a Victim and what the politicians are doing in relation to meeting the needs of those injured in the troubles* [sic]. (WAVE 2003b) [emphasis added]

These were central themes, which permeated the thinking of the WAVE Injured Group from 2002 onwards. The proposed book, which was not published until October 2009 (over six years from the initial mention in the August 2003 minutes), was clearly viewed as a 'valuable tool' for lobbying and to 'raise public awareness'. It could be argued that there was already a sense within WAVE itself, as an organisation, and the individuals in the Injured Group, that while there was a need to approach political representatives to effect policy changes, this needed to be enhanced by public support for their cause. Such thinking and strategic direction highlights how the group has already begun to consider how to frame, or 'diagnose' their grievances, by identifying problems and attributing blame and causality (Snow and Benford 1988: 200). The process of defining a suitable 'prognosis', that is, framing solutions and identifying targets of change, soon followed (Snow and Benford 1988: 200).

Yet, while the group was clearly in this mode in 2003, one obvious question is why it did not become 'visible' until much later. In fact, the first time the Injured Group appeared in the public arena (October 2009) was for the launch of the so-called 'Injured Book'; or to use its actual title, *INJURED ...on that day* (WAVE 2009a). One

reason for this may have been that it found itself in a perpetual latency. As Melucci (1996a) pointed out, social movements alternate between 'visible' phases, with high levels of public action in the media and civil society, and 'latent' phases, where they meet to discuss strategy and tactics, away from the public eye. It is within this latent phase where 'identity is nurtured by the hidden actions of a limited number of actors' (della Porta and Diani 2006: 96). For the first iteration of the Injured Group, this early phase was marked by a process of getting to know each other, itemising their grievances, and recognising that these grievances were being exacerbated by the social and political climate within the victims' sector and beyond. I will return to the issue of a visibility gap later in this chapter when I examine further, how the group had failed to 'micromobilize': to 'muster, ready, coordinate, use, and reproduce material resources, labor, and ideas for collective action' (Hunt and Benford 2004: 438). It was not until much later in the career of this social movement that this process was ignited by the addition of a well-resourced and connected leadership team, which was able to encourage and enhance 'coordinated participation', arguably leading to the shaping of a reenergised 'collective identity' upon which the group could build the confidence to take their private problems public (Hunt and Benford 2004: 438). Nevertheless, this early phase, while stop start in nature, laid the foundations for later iterations of the Injured Group by collating and diagnosing the grievances experienced by the 'unrecognised' injured.

FRAMING THE GRIEVANCE DIAGNOSIS

For Klandermans (1997), grievances form the basis of protest movements. Such grievances, from a social psychological perspective, include the 'experience of illegitimate inequality, feelings of relative deprivation, feelings of injustice, moral indignation about some state of affairs, or a suddenly imposed grievance' (Van Stekelenburg and Klandermans 2013: 888). Simon and Klandermans (2001: 324) posited that an 'awareness of shared grievances' is a 'necessary first step' on the road to people engaging in a 'power struggle' with blamed adversaries, which includes the involvement of society through a process of 'triangulation', and ultimately leads to a

'politicized collective identity'. This following section will outline a range of grievances, which became apparent to the individuals within the Injured Group as they began to share their experiences and recognise common themes. These individual grievances soon transformed from "my" experiences into "our" experiences'; experiences they 'targeted' against "them", that is, the local politicians; later supported by third parties, influential allies and the media, and thus further enhancing their 'politicized collective identity' (Simon and Klandermans 2001: 325-326).

The obvious place to start to consider how the Injured Group first framed their grievances is the minutes from August 2003. The focus of those minutes was on issues relating to 'Recognition, Compensation ... and what the politicians are doing in relation to meeting the needs of those injured in the troubles [sic]' (WAVE 2003b). In transitional justice terms, the Injured Group was in effect seeking 'reparations'; by linking their harms and grievances to their most pressing needs (Roht-Arriaza 2014). The following section will attempt to explore these themes as 'injustices' that required resolution. These perceived injustices need to be viewed in the context of that time. I will do this by first giving an outline of how injured victims were treated by the state, by political representatives, and by wider society. This will involve a closer examination of the range of government initiatives aimed at victims and survivors in the post-Agreement milieu and the ways in which they failed to address the needs of the injured.

The first of these initiatives was the appointment of a Victims' Commissioner. In November 1997, a commission was established by the UK Government, 'to look at possible ways to recognise the pain and suffering felt by victims of violence arising from the troubles [sic] of the last 30 years' (Bloomfield 1998: 8). Under the auspices of Sir Kenneth Bloomfield, this commission was tasked with providing a report through consultation with 'various organisations concerned with the welfare of the bereaved and disabled, as well as with community groups, churches and political parties' (Bloomfield 1998: 8). The subsequent report entitled *We Will Remember Them* was published on 29 April 1998, weeks after the signing of the Belfast/Good Friday Agreement. While Bloomfield (1998: 8) confirmed that he could 'consider [and

recommend] practical measures to deal with pain and suffering experienced by victims', it was for the Secretary of State for Northern Ireland to implement them. For Bloomfield (1998: 24) 'timeliness' was key: 'if victims can be recognised by action of positive economic, social, medical or psychological benefit to them there can be no good reason for delay.'

From this report emerged dozens of recommendations, some of which formed the basis of a charity aimed at providing practical support for victims and survivors, the Northern Ireland Memorial Fund (hereafter the NIMF or the Memorial Fund). Throughout the report, Bloomfield recognised many of the same issues and deficiencies that would later be pinpointed by the Injured Group in their deliberations. Collated under the theme of 'Recognition by Way of Practical Help', Bloomfield (1998: 26-39) highlighted: anxieties around the social security system, upon which many victims were dependent; 'inadequate' provision within limb fitting, wheelchair services, and the 'Pain Service', to which the report recognised a strong case for 'higher priority' to be given to the 'category' of 'disabled' victims; a recommendation that there 'should [be an] obligation ... on all employers [to] make allowances for those who face special difficulties'; and inadequacies within the Criminal Injuries Compensation Scheme (to be expanded below), which 'merited further serious review'. Moreover, Bloomfield (1998: 26) suggested that the 'State and society' could 'reasonabl[y]' be expected to take responsibility; and provide the type of:

[E]conomic support necessary to sustain [victims] in their tragically altered circumstances ... [in] so far as is practicable within available resources, [so they] do not suffer excessive economic disadvantage on top of the physical, mental, psychological or emotional burdens they have to bear. (Bloomfield 1998: 29)

Bloomfield (1998: 26) [emphasis added] concluded, 'with regret', that the failure of this 'modern social democracy', thus far, to prioritise such practical needs meant that this cohort of people would continue 'carrying into the future, alongside their physical or emotional injuries or loss, a *corroding sense of grievance*'. For the Victims' Commissioner, the direction was clear: victims should be looked after as a distinct group, over and above the rest of society. Yet, the fact that these grievances appeared in the thinking of the Injured Group, over five years after the Bloomfield

report was published, suggests that ‘politicians’ had not done enough ‘in relation to meeting the needs of those injured in the troubles [sic]’ (WAVE 2003a). The Injured Group still felt unrecognised; the issue of inadequate compensation was not resolved and, more importantly, their practical needs were not sufficiently being met (WAVE 2003b) [emphasis added]. Looking back on the early promise of the peace process, McNern (Interview, 2 October 2018) recalled:

[We had] the Good Friday Agreement. My hopes raised here ... Especially with combatants getting out [of prison]. They are obviously going to do something about this whole situation [around victims]. Because, at that stage, I was on benefits. And then we had the Bloomfield Report. I read that and he talked about the pension.

For McNern, however, these hopes were soon to be dashed. Channelling a ‘suddenly imposed grievance’ (Walsh 1981), in recalling a television interview with the then Secretary of State for Northern Ireland (1999-2001), Peter Mandelson, McNern (Interview, 2 October 2018) explained how:

Mandelson came on the television ... to say what was going to happen for victims. He said: “I will talk about that in a minute.” And he went on to talk about something else. Then he did come back and said: “The Memorial Fund will be set up”, and quickly went on. I was devastated. That was it! I just thought, how dare you just dismiss me?

In McNern’s view, the establishment of the Northern Ireland Memorial Fund (NIMF), a registered charity to deal with the practical needs of potentially thousands of victims, was not ‘*the most useful form of recognition*’, that she was expecting from Bloomfield (1998: 5) [emphasis added]. She had anticipated something more substantial and bespoke to her needs.

The NIMF was awarded charitable status in May 1999, with the aims and objectives of ‘introducing and sustaining programmes that support those who have suffered’ (Northern Ireland Affairs Committee 2005a). Recognising the ‘Financial Hardship’ of those who ‘face financial difficulties, ... as a result of shortfalls in the compensation process ... [and] continue to struggle to maintain a very basic standard of living’, the NIMF introduced among others, the ‘Small Grants Scheme’ (November 1999), ‘Discretionary Hardship Scheme’ (September 2003), and the ‘Short Break Scheme’ (Northern Ireland Affairs Committee 2005a). Citing a sample of positive feedback responses from recipients to the Fund’s initiatives, and in particular the Small Grants

Scheme, the NIMF claimed that it was ‘transparently clear [that they were] making a difference’ (Northern Ireland Affairs Committee 2005a). Responses included:

- I would like to thank the Memorial Fund for their kindness in sending me a £50 Christmas present.
- I would like to thank the Memorial Fund for the cheque you sent out at Christmas. This is the first help I have ever had from any quarter since my injuries in 1972. (Northern Ireland Affairs Committee 2005a)

Such positive responses to the ‘Small Grants Scheme’ and, in particular, to ‘£50 Christmas present’ were not universal. Jennifer McNern responded to the offer of this ‘unexpected’ *gift* in an entirely different manner. Recalling this ‘critical event’ (Meyer and Staggenborg 1996: 1638), McNern (Interview, 8 October 2018) [emphasis added] explained:

All of a *sudden*, this card came through my door. It was a Christmas card. All very jolly, wishing me a Merry Christmas and a Happy New Year. It was from the Memorial Fund with a cheque for £50 in it. I just thought: “Who on earth sat round the table and decided we would do this?” ... Oh, I was infuriated. I rang them and said: “Please come and take this cheque out of my house.” By the time I had finished I was so angry. “That is an absolute insult.” ... I would ring Stormont. I would get myself worked up into such a bad temper. But loving it, I was having a ball. I had never been angrier in my life about what had happened.

This ‘suddenly imposed grievance’ (Walsh 1981), had lit something inside McNern. While the anonymous respondent above was happy with the £50 Christmas cheque and felt recognised for the first time, McNern, felt it was too little too late. Even though the Government could argue that it did all it could to help repair the damage done to victims in establishing and funding the Northern Ireland Memorial Fund (NIMF), what it offered was not deemed ‘good enough’ (Hamber 2005: 137); for it was seen by the WIG as piecemeal, misdirected, and not sufficient to address their needs.

The sense of anger felt toward the NIMF was not exclusive to McNern. Philip Gault (Interview, 15 October 2018), a former chair of the WIG, recalled how he reacted to first hearing about the charity through the media, in 2005:

One of the times I hit the red mist was when a Northern Ireland Memorial Fund advertisement came on [the radio]. It’s not the exact words but was nearly like: “Have you had an accident ... come and have a holiday.” I blew a fuse. So, you can lose part of your leg, you have your injury and we are gonna

give you holiday. So, I phoned up Memorial Fund and they said about WAVE and that's how I arrived here.

For Gault, the offer of the 'Short Break Scheme', while presumably well intentioned by the charity, was not well received. The grievance, however, did have the consequence of Gault arriving at WAVE and meeting people with people with similar feelings, such as McNern. Following her own explosion of anger and subsequent depression, and encouraged by her family, McNern (Interview, 8 October 2018) approached her GP where she 'was put on antidepressants', and soon after, signposted to WAVE:

I didn't know even know there were victims' groups. I didn't know anything. I came to WAVE and said: "Look, I can't understand why am feeling like this. Since all the change, since peace, really. I have just got so angry and upset and depressed." And they said: "You are not the only one, coming through these doors to have these feelings." I was so relieved. I thought I was a nutcase. I said: "Right, now I have got somewhere I can go to talk about this." ... I was going home in the car and I was elated. Elated that there was somewhere I could come to, not every day and every week, who understood the way I was feeling.

WAVE, thus became a place where McNern could find a release valve for her anger, a place where people with similar experiences, feelings, and mutual grievances could come together to empathise with each other and to build social solidarity, an 'affinity group' (Gamson 1992: 62-63). Similarly, it was at his first meeting with the WIG in 2005, where he first met Jennifer McNern, that Philip Gault had a 'sudden' realisation that the anger he felt, not just at that instance with the NIMF, but at the loss he experienced over the decades as a result of his injury as a nine-year-old boy, needed to be 'channelled into something more positive' (Philip Gault, interview, 15 October 2018). Elaborating on the connection between his sense of loss, subsequent anger, and newfound cause, Gault (Interview, 15 October 2018) recalled how he:

[M]et Jennifer and you know, she had obviously lost her legs. But there was a connection. You know what, it was probably the best thing that happened to me. I got a slap in the face. "Stop being so angry with yourself and everyone around you. Here's somebody that was more unlucky than you. You can get angry but..." You then focus on a different fight. Your fight is not with everybody around you here. Your fight is focused in a different direction.

Interviewer: At who?

Focused at society. Now look at how we are fighting for a better system. That was where that nucleus started. That all started in about 2005. Jennifer had

been involved in something before that because she said: “I have been here before and it all died a death.” I said: “Well, let’s not let this die a death.”

It was with this recognition that even though the members of the group had a shared sense of loss, to varying degrees, their anger would need to be channelled into a sustainable fight if they were to effect a positive remedy. They began to recognise that their long-term personal grievances, which had been exacerbated by the inadequacies of Bloomfield and the NIMF, if pooled together as collective grievances inflicted upon a larger group rather than individuals, could convey a stronger message that major change was necessary.

A further personal grievance, which was conveyed by the majority of participants, and recognised a collective injustice, emanated from their perceived treatment by the bureaucratic Criminal Injuries Compensation Scheme, put in place to compensate those injured or bereaved by the conflict. Their grievance was not just that they felt that they were underpaid, but that the ‘system’ of assessment was confrontational, degrading, and intruded into their ‘lifeworld’ (Habermas 1988). This grievance with the ‘system’ itself remained a constant frame within the WIG in the intervening years. Participants made numerous references to the compensation system during their interviews; none of them complimentary. One major theme revealed how the Injured Group felt judged by society, where people assumed that those injured were adequately compensated, when in most cases, their awards were not reflective of their long-term needs. As McNern (Interview, 8 October 2018) explained:

People thought you got millions. I remember in a newspaper report where it was announced: “McNern sisters to receive a million.” One of the headlines! But people believed that. “You couldn’t be that injured and not get properly compensated.” But whenever you tell, you know, when you’re against the Northern Ireland Office and the Compensation [Scheme], you take what you get.

This public misconception also upset other members of the group, who felt that to be asking for *more* money from the government stigmatised them as ‘greedy’, as ‘beggars’ (Alex Bunting, interview, 4 October 2018). The most prominent theme, however, was the degrading and inconsiderate way they were treated by the justice system and the High Court. Bloomfield (1998: 28) recognised this grievance by explaining that:

I should add here that many of those victims to whom I spoke found the procedures complex, baffling, frustrating and on occasion humiliating. Some were very well satisfied by the quality of the legal advice they had received; others thought they could have been better advised. A critical moment comes when an applicant has to decide whether to accept an offer made to him/her. Some felt that they had faced an invidious choice between acceptance of an unsatisfactory award and the consequences of further delay, perhaps leading to a court appearance and the prospect of adversarial cross-examination.

These themes of complexity, frustration, and especially humiliation experienced during the compensation process, touched upon by Bloomfield, scream out from many of the interviews. For Alex Bunting, severely injured by an under-car booby trap bomb in 1991, his day at Belfast Crown Court was ‘a really, really scary situation’ (Interview, 4 October 2018). Mervyn Lewers (Interview, 28 June 2019), a double leg amputee and member of South East Fermanagh Foundation (SEFF), a rural victims’ group, also injured by an under-car booby-trap bomb, explained how the High Court experience was overbearing:

[It was] [d]egrading. A bunch of barristers in that wee room. “Can we have a look? Drop your trousers” I looked at my solicitor: “Are these boys serious?” I said: “Not happening. There’s a mountain of paperwork there sitting in front of you, guaranteed medical notes in there” ... I was fuckin’ pinned in the corner. I couldn’t get past them. It was a small room, like this ... I left anyway, [and] my solicitor said to me down the road: “I think you blew it today.” I said: “Honestly, I don’t give a fuck anymore, they can keep it all.”

Another (anonymous) participant, *Victor* (Interview, 30 October 2018), recounted a similar situation where he too left before the court process was complete:

I walked out of the compensation [assessment]. I was there from eight o’clock in the morning till half eight at night. I was in an out of more bloody rooms, stripped off. Not for doctors, but for barristers. Poring over me. No, pawing over me ... I just walked out ... I just settled. I probably lost out on compensation as well. I just couldn’t cope. It was so adversarial ... But then when I did get the money, I didn’t even want it. To me it was unearned money, dirty money.

Mary Hannon-Fletcher, paralysed in a drive-by shooting in 1975, aged 18, recalled a similar experience which highlights how her gender and appearance could have been used to discriminate against her in the decision-making process at the High Court: ‘My barrister said: “You know, we think it’s better if you don’t go in. You know, you’re too pretty. And you’re smiling all the time. It’s going to look bad”’ (Interview, 19 October 2018). For Philip Gault (Interview, 15 October 2018), who suffered severe

lifelong damage to his legs, as a nine-year-old in 1972, his compensation award was based on a serious misassumption of his life expectancy:

Compensation for me was £28,000. As they told my father, I was only going to live to 37. They weren't just as cold as that but, they were saying: "Given the injuries he's had, the medications he's taking, the likelihood of...". You know it was based on a thousand pound a year. A grand a year for the next 28 years.

Mary Hannon-Fletcher spoke about a similar presumption about her life expectancy, after having been told at 18 that 'she would not be expected to live beyond the age of 32' (Interview, 19 October 2018). Mary is now in her sixties. Dennis Godfrey (Interview, 12 November 2018) [emphasis added], a former senior civil servant in the Northern Ireland Office (NIO), recalled how it took a ministerial intervention to prevent a survivor of the 1998 Omagh Bomb from having to undergo such an ordeal:

This thing about the appalling way that people were treated when they were looking for compensation. People who had barristers circling them and all that stuff. And that was still going on and I remember [name redacted] as Victims' Minister ... was horrified by the whole process ... [and] there was a woman from Omagh who have been badly burned in the Bomb who was due for this *dreadful scar assessment*. And [name redacted] says: "This isn't gonna happen. I'm not letting this woman stand in her underwear with people standing around her."

These excerpts highlight a system that did not deliver satisfaction for those it was supposed to compensate. It was an adversarial system, which did not provide redress, dignity, or acknowledgement to victims. It was not designed as such. It was a criminal compensation system, not reparations. To remedy these inadequacies, and see to the long-term needs of victims, there would need to be a retrospective look at this system.

Bloomfield, in *We Will Remember Them*, recognised that the compensation schemes which operated during the conflict were problematic, and recommended that 'there should be a comprehensive review of the "fitness for purpose" of Criminal Injuries compensation in serving the needs of victims of violence' (Bloomfield 1998: 50). Subsequently tasked with carrying out this review, Bloomfield forwarded to the Secretary of State, Peter Mandelson, a series of 64 recommendations; the majority of which were accepted (Bloomfield, Gibson and Greer 1999). However, the first recommendation that, '[f]inancial assistance should be provided to those

inadequately compensated in the past', was '[r]ejected in favour of additional financial support for past victims of the Troubles through various channels including the NI Memorial Fund' (Bloomfield, Gibson and Greer 1999). There would be no retrospective consideration given to their plight. They would have to be content with the charitable aid doled out by the Memorial Fund.

Former Injured Group member, Hugh Rowan (now deceased) expressed his sense of personal grievance with Bloomfield, specifically, and the UK Government, generally, in a written submission to the House of Commons Northern Ireland Affairs Committee (NIAC) in 2005. Referencing a personal conversation with 'Bloomfield during his consultations', Rowan felt 'assured' that Bloomfield 'would be making recommendations to address [the] issue [of how] Victims/Survivors of the 70s (1968-1974) had been unfairly treated and poorly compensated' (Northern Ireland Affairs Committee 2005b). Yet, when *We Will Remember Them* was published, Rowan charged that victims, especially injured victims, were led 'up the garden path', as these *assurances* were not delivered because it was not deemed legally possible and the government 'feared it may cost top [sic] much' (Northern Ireland Affairs Committee 2005b). Rowan, juxtaposing this lack of political will against the decision to amend legislation to effect the early prison release of non-state armed actors, which he described as a 'kick in the teeth' for victims, went on to highlight that while:

[T]hese prisoners are free to get on with their lives back [sic] by government [it is] Victims/Survivors who have been left injured/disabled [that] haven't been as fortunate ... Where is the Justice in that? (Northern Ireland Affairs Committee 2005b)

This 'injustice masterframe', which Gamson, Fireman and Rytina (1982: 123) described as a process which 'facilitates a way of viewing a situation ... that expresses indignation over a perceived outrage and which finds some agency to blame for the transgression', was also put forward by McNern (Interview, 8 October 2018) in her reference to 'combatants getting out [of prison early]'. Moreover, Rowan's charge that the report was a 'whitewash to placate victims while the Government proceeded with prisoner releases', mirrors McEvoy and McConnachie's (2013: 494) assertion that victims' needs can be side-lined or even 'instrumentalised' in favour of more powerful political imperatives.

Such perceived injustices became starker, when these individuals began to realise that the lives they had before their injuries, the opportunities to make a comfortable life for themselves and their families, were severely hindered as they left their hospital beds and re-entered the world. Many injured victims were left to fend for themselves in the employment market alongside the rest of society. Before they were injured, all members of the Injured Group had been in meaningful employment and could provide for themselves and their families. After spending months in hospital recovering from catastrophic, life-changing injuries, the injured found that the lives they had before were gone. They could not walk straight back into their jobs because in many cases this was physically impossible. Their newly acquired disabilities prevented access. Bloomfield was cognisant of these barriers when he stated that there 'should [be an] obligation ... on all employers [to] make allowances for those who face special difficulties' (Bloomfield 1998: 29). The world that disabled victims re-entered during the Troubles differs to today. There were no disability discrimination laws in place to enable people to re-enter the workplace. The Disability Discrimination Act did not come into being until 1995 (RAMH n.d.). For people like Jennifer McNern, who lost both legs in a bomb in 1972, it was a constant struggle to get around in a 'society that disables you', yet, it was a struggle in which she was willing to engage: 'I would have always been kicking off about ramps. I have always wanted things to be accessible' (Interview, 8 October 2018).

For Peter Heathwood (Interview, 1 October 2018), his newly acquired disability, paralysis from the waist down as a result of a shooting in 1979, meant that during the early 1980s, he was unable to re-enter any of the occupations he once held:

I was a qualified schoolteacher and then I was the sales team manager in an insurance brokerage company. When I get out of hospital, I went back to Queen's University in 1986 and did a course in information technology, which was just starting then. I went back to the insurance people and they said: "Peter, no you couldn't do that job any more. It's about being a big tall guy with a good suit and the smile. You couldn't turn up at a house in a wheelchair." ... They didn't want me. ... As for teaching, they wouldn't have me either. They said: "Oh, we can't bring all the classes to the ground floor. Oh, there are steps into the school." I was told go home and just sit there. "You're only going to live for about 10 or 15 years anyway. Go home. Enjoy

it.” They were putting me down. They were putting me in a box and that’s not me.

Alex Bunting recounts a similar experience of total loss, as he recuperated for a year in hospital. He was a self-employed owner of a private taxi company in Belfast, when his taxi was targeted with an under-car booby-trap bomb in 1991:

The business was going down the tubes. The house was not getting paid ... I had taken out a mortgage, I had taken out loans for my business. That all went. I lost all that ... I tried to claim from my business insurance for loss of earnings, but they wouldn’t pay out because this was deemed to be terrorism and it didn’t qualify. (Alex Bunting, interview, 4 October 2018)

Jennifer McNern (Interview, 8 October 2018) explained how the ‘derisory’ compensation she received, in the early 1970s, was consumed by household rates bills for her disability-adapted home: ‘I had to downsize, sell the house.’

These extracts reveal a system, which neglected those who were disabled by the Troubles. Those who were left behind were filled with a deep sense of grievance, of unfairness, of injustice. Moreover, they were not only looking behind at the opportunities lost, they were fearful for the future. As many of them had missed the opportunity to regain meaningful employment, they had spent a lifetime on state benefits. They had neither built up life savings nor contributed towards a work-based pension. In many cases, they were now entering their senior years with the stark reality that they would continue to be dependent on a minimum state pension. This could not continue. Something needed to change. For the Injured Group, the answer to their problems had been evident from their early meetings. They needed to feed their grievances into the political process, if they were to effect changes in policy. They needed, as a collective, to enter into realm of contentious politics (Tarrow 2011). This would eventually see the Injured Group emerge from its latent phase into a more visibly active phase. It would see them engaging with the public and the media and framing their grievances through an ‘injustice masterframe’, based on the nature of victimhood, evident within the politics of Northern Ireland at the time the group was formed (Gamson, Rytina and Fireman 1982: 123; Nagle 2009). Such framing would see a change in how their initial grievances could be transformed into new grievances, as they were met with resistance from within and without. Such ambitions, however, took some time to be realised.

EARLY TEETHING PROBLEMS AND EARLY ‘DEATH’

Having set the wheels in motion to form a ‘Forum for individuals who have been injured as a result of the ‘troubles’ [sic]’ (WAVE 2002b) [emphasis in original], WAVE supported the members of the newly formed WAVE Injured Group with resources necessary to mount a reparations campaign. Edwards and McCarthy (2004) set out five types of resources: social-organisational, moral, cultural, human, and material resources. Social-organisational resources relate to infrastructures, social networks, and organizations’; moral resources relate to ‘legitimacy, solidary support, sympathetic support, and celebrity’ support; cultural resources encompass all the ‘artifacts and cultural products’ available to the movement and ‘include tacit knowledge about how to accomplish specific tasks like enacting a protest event, holding a news conference, running a meeting, forming an organization’, among others; human resources include ‘labor, experience, skills, ... expertise’; while material resources include finances, ‘property, office space, equipment, and supplies’ (Edwards and McCarthy 2004: 125-128). WAVE ultimately provided all of these resources: a place to meet; designated staff to send out invitations, to organise meetings, to take minutes; and staff with previous experience of working on the campaign for the families of the disappeared (Dempster 2019a).

As noted above, while the initial invitation to set up a group for the injured was sent out in May 2002, the WAVE Injured Group did not emerge publicly until October 2009, when it organised a public launch of their book: *INJURED ...on that day* (WAVE 2009a). The question is: why? Why did the WIG remain largely private for over seven years? What were they doing for all that time? What ultimately gave them the impetus to make their private problems public? How did they go public? What was the reaction of their target audience when they eventually emerged? The previous section touched on how the WIG had put together a list of diagnosable grievances which they prognosed as being resolvable, if relevant social policies could be implemented by the politicians and policymakers: their targets of grievance. The early diagnosis of grievances as detailed in the aforementioned minutes from June and August 2003 (WAVE 2003a; b) were the only written evidence that could be sourced from the WAVE servers. From these meetings, the group was making plans

to invite the 'recently appointed permanent under-secretary Angela Smith MP' to WAVE to lobby her on their grievances. Did they meet her or any other politicians or policymakers at this particular time? The answer to that is no. The group just seemed to vanish. There were no recorded minutes for any meetings after those of August 2003. It seemed that, in the words of McNern to Gault, the group just 'died a death' (Philip Gault, interview, 15 October 2018). I would argue that there are a range of intersecting reasons why this may have happened: a lack of membership; a lack of leadership, structure, and motivation; and a lack of political access.

Paul Crawford, former WAVE project worker, gave a possible explanation as to the sudden 'death' of the group at this time, suggesting there may have been a dearth of active members to take the group forward (Interview, 3 April 2020). Jennifer McNern recalled being a part of the group up to August 2003, but had to take a step back for approximately two years as her late mother was suffering from dementia, leaving her to take on a caring role. Furthermore, Hugh Rowan, who attended the initial Injured Group meetings, was, according to Alan McBride (McBride 2020a), a transient member of WAVE, 'a bit of a lone ranger [who] ... preferred to be his own man', and infrequently engaged. According to Crawford, finding and encouraging injured people to come along to a 'new Forum' was extremely difficult, for a number of reasons. The injured members of WAVE at this time were a small and socially isolated cohort. WAVE is a group that mainly works from self-referrals. The injured had just not come forward in large enough numbers. It could also be argued that this was due in part to their rationale for participation. They not had come to WAVE in order to participate in a social movement; rather they were signposted to the organisation as service users. They were only members of WAVE in the sense that they attended counselling and holistic therapies. The setting up of a discrete Injured Group in 2002 only attracted a small number of 'injured' people who, for a variety of reasons, could not commit their time and resources. Without continued participation, there would be no solidarity and without solidarity, there would be no participation. Hunt and Benford (2004: 439) define solidarity as 'the ability of actors to recognize others, and to be recognized, as belonging to the same social unit'. The Injured Group had not fully recognised each other as a collective at this early stage, not enough to spur

contentious collective action. Without this mutual recognition, there could be no commitment to the group.

Another possible factor as to why the group may have lost momentum at this early stage was the lack of leadership and structure. Paul Crawford left in early June 2003 to move to another position outside WAVE, leaving responsibility for the group to an ever-changing team of outreach workers. This change in personnel continued up until August 2008, when Alan McBride (WAVE project co-ordinator) was instructed to take over the strategic direction of the Injured Group, as its facilitator. Crawford's departure left a gap in how the group was organised and focused. The roles of outreach workers and project workers were inherently different. Outreach workers were focused on going out to the homes of those socially isolated and encouraging them to engage with WAVE. The project worker's role was to organise specific activities for members when they eventually engaged with others at WAVE. As the designated project worker, Crawford had the responsibility to bring groups together, as specific entities on set days, to participate in a range of projects such as gardening, arts and crafts, storytelling, day trips, and retreats. Such activities are particularly useful for forging bonds and resource generation (Goodson 2005). The Injured Group did not work this way. It was different in structure to the other established groups: the Men's Group and the Women's Group. As stated earlier, the Injured Group was brought together because of an afterthought in a Men's Group art project. As such, it was a 'top-down' decision from WAVE management to form a group: there was no 'bottom-up' call for it. It could also be surmised, from Crawford's perspective that the lack of an active leader, after he left WAVE, led to a downturn in the early momentum of 2002-2005.

Furthermore, the group suffered from a lack of access to key policy makers. While the aforementioned Victims' Liaison Unit (2001: 5), looked after a range of issues such as the '[m]anagement and provision of grant aid to the Northern Ireland Memorial Fund [and matters in the] reserved and excepted fields in Northern Ireland ... such as compensation, criminal justice, security and dealing with 'the disappeared'', it worked under the auspices of the UK Government through the Northern Ireland Office (NIO), and was therefore primarily accountable to MPs based in Great Britain

(GB). The Victims' Unit, on the other hand, established in 2000 was accountable to the Office of the First Minister and deputy First Minister (OFMDFM), a department within the devolved Stormont administration. This unit, based in Northern Ireland, was charged with developing suitable programmes 'to address [and] ... meet the strategic needs of victims ... [and to] [a]rticulat[e] the case for victims within the devolved administration' (Victims' Liaison Unit 2001: 5). The distinction between the two units was important in the context of ready access to politicians and policymakers. It was difficult, in the extreme, for citizens in Northern Ireland to convey their grievances to a majority of GB based MPs to lobby for resolution, whereas Stormont MLAs were relatively accessible to their voters. In October 2002, however, shortly after the WIG was formed, this route proved impossible. What became known as 'Stormontgate' brought the already teetering institutions crashing down (Irish Times 2005).⁵ Easy access to local politicians with the power to change policy did not return until 2007, when the devolved institutions were restored. Such a gap may have severely diminished the potential repertoires of action available to a newfound social movement.

All three factors outlined above: a lack of membership; a lack of leadership, structure, and motivation; and a lack of political access, stunted the initial momentum of this collective of injured victims. These impediments saw the group stuck in a cul-de-sac from the mid-2003 to mid-2005. There was no strategy for mobilisation, for taking their collective grievances out of WAVE and into the public eye. The WAVE Injured Group, or the first iteration of it, had effectively 'died a death' (Philip Gault, interview, 15 October 2018).

⁵ Stormontgate refers to a police raid on Sinn Féin offices in Parliament Buildings at Stormont and a number of other premises in Belfast after a year-long inquiry into an alleged republican spy-ring. Four people are arrested and hundreds of documents seized. Subsequently, the UK Government suspended the devolved institutions and reimposed Direct Rule.

THE SECOND ITERATION OF THE WAVE INJURED GROUP: NEW LEADERSHIP, NEW MEMBERSHIP, NEW FOCUS

Although the WAVE Injured Group had ‘died a death’, this did not mean that the needs of the injured were wholly ignored or forgotten. WAVE, as an organisation, continued to advocate for the injured. WAVE representatives met regularly with a range of politicians, public servants, and relevant stakeholders. By the mid-2000s, WAVE had become as one of the largest, funded victims’ group and thus commanded a significant amount of influence within the victims’ sector and in political circles. That reach included the UK Government’s department dealing with victims’ issues, the Victims Liaison Unit at the Northern Ireland Office (NIO). Dennis Godfrey (Interview, 12 November 2018), a former NIO Director of Communications, and current management board member at WAVE, recalled that:

Before 2007 ... the NIO would act as a kind of post office or post box for WAVE. We would issue their press releases every now and again. We just issued them. We didn’t write them or edit them or whatever.

Professor Marie Breen-Smyth, who later worked with the Injured Group, similarly characterised WAVE as the ‘favourite child of the government’ (Interview, 14 February 2019). This close connection saw various UK government ministers and civil servants invited to WAVE for a range of lobbying meetings and social events, including Victims’ Minister, Des Browne. While it could be argued that, this closeness may have had a tempering effect on interactions between WAVE and the NIO, the data demonstrates that the Injured Group did not shy away from criticising this government department, especially during the later stages of the movement, from 2016 onwards (as will be discussed throughout Chapters 5 and 6).

In line with WAVE’s mission to advocate for its membership, a separate ‘ad-hoc Lobby Group’ was established to:

[I]dentify issues affecting victims and survivors and to lobby relevant government departments/ministers on their behalf ... *mark[ing] an important juncture in the overall development of WAVE* as the role and function of the organization up to that point had focused solely on support provision. (WAVE 2006b) [emphasis in original].

This ‘Lobby Group’ produced a small number of reports around this time, giving WAVE a solid and robust evidence base on which to assess the needs of its

membership, while also scrutinising developments in the wider victims' sector (WAVE 2005; 2006b; 2007b). Citing the recent report from the new Interim Victims Commissioner, Bertha McDougall, they paid particular attention to the recommendation that, 'The Memorial Fund is phased out [for a] new fund ... [to provide] '[a]n annual payment ... to help improve the quality of life for those ... severely injured' (McDougall 2007: ix, in WAVE 2007b) [emphasis added].

The existence of the 'Lobby Group', of which future Injured Group facilitator Alan McBride was a member, coincided with the birth of the second iteration of the WAVE Injured Group. In mid-2005, with membership of the Injured Group having tapered off and activity at a standstill, the outreach team was charged with trying to reignite the injured collective. Linda Molloy, one of the outreach workers at the time, recalled sending out letters to the WAVE membership: 'to start this new group with just injured people' (Interview, 23 October 2018). *Victor* (Interview, 30 October 2018), a former member of the Injured Group, who wished to remain anonymous, recalled how at first, the members were unsure of what they wanted to achieve:

We didn't really know ourselves ... We came along thinking can we get some help for the injured. At the time, we hadn't thought much about lobbying. It was more to see if we could get funding to get help with pain relief ... We did try to make the group grow. A lot of it was word of mouth. [We] tried sending out the letters but there's not always the finance to send out stuff all the time.

Philip Gault (Interview, 15 October 2018) recalled his arrival at those early meetings and how the conversation evolved into talking about financial reparations:

It was about services, physio, and recognition for what happened ... So, all those things were getting mentioned ... So, we put all these aims down and then pension was added on the bottom. It wasn't called a pension. It was called a financial package. Not a financial package like the Northern Ireland Memorial Fund where you got a holiday or "have a washing machine" or "here's a wee cheque at Christmas."

Yet, while this second iteration of the Injured Group was given a renewed sense of focus, and was proactively recruiting injured members to come on board to discuss their grievances, it too, like the initial group in 2002, began to lose momentum. *Victor* (Interview, 30 October 2018) described how they struggled, without an effective leadership team, to build a solid foundation:

There was no chair ... It wasn't that formal ... Linda moved on, there was different [outreach workers] ... but they never really got the Injured Group ...

So, I went to Alan (McBride, WAVE Belfast project coordinator) and said: “This Injured Group is falling away, we need to do something about it ... if WAVE can’t provide a member of staff to run it, we’ll run it ourselves.” He said: “Well, would you mind if I got involved? I’ll become the facilitator.”

Alan McBride’s recollection concurs with this account. To ensure that he could dedicate ‘his [work] time’ to the group, McBride approached WAVE CEO Sandra Peake who made the ‘operational decision’ to allow him to ‘work once a month with the Injured’ (Interview, 5 November 2018). In his first letter sent out to the WAVE membership (27 August 2008), McBride set out a direction for the group under his role as facilitator. Alerting the entire WAVE membership to the existence of an Injured Group, McBride hoped that, *‘existing members and those that haven’t been for a while could be joined [by] others ... [to] agree a plan of action for the next 6 months (WAVE 2008a) [emphasis added]*. McBride’s introductory letter mirrors Hunt and Benford’s (2004: 438) ‘pivotal aspects of micromobilization that pertain to participation’ which include: ‘(1) production of new participation, (2) reactivation of lapsed participation, (3) sustaining of current participation, and (4) enhancement of existing participation’. His decision to become the lead facilitator of the Injured Group was a game changer for the future direction of this collective.

Leadership is a very important facet to any social movement, as leaders ‘inspire commitment, mobilize resources, create and recognize opportunities, devise strategies, frame demands, and influence outcomes’ (Morris and Staggenborg 2004: 171). Good leaders can motivate new people to join a movement through a process of ‘frame bridging’ (Snow *et al.* 1986: 467). They can also motivate members to stay the course, by pointing the way through difficult periods of contention through ‘frame amplification’, by encouraging participants to keep the faith that their actions could have a successful outcome (Snow *et al.* 1986: 469-470). Effective leaders can bring added value to the ‘strategic capacity’ of social movements by employing ‘strategic thinking’ which is ‘reflexive and imaginative’, and which ‘reflect[s] on the past, attend[s] to the present, and anticipate[s] the future’ (Ganz 2004: 180). These attributes were reflected in McBride involvement for the remainder of the campaign. However, while McBride was the facilitator, he did not want to be their leader; he wanted to create leaders, from within. ‘While WAVE started [the group], like any

good piece of community work or community development work, what you want to see is people doing it for themselves' (Alan McBride, interview, 5 November 2018).

Furthermore, McBride's own identity was important when it came to his relationship with the group. He was an insider, in respect to being a victim of the Troubles, but also an outsider, as he was not strictly injured. While he came into the group as a WAVE employee, he too had been affected. His wife and father-in-law were both killed in the IRA bomb attack on the Shankill Road in Belfast in 1993. He did not view himself as a victim in the same way as those he worked with over the next decade. When asked if he was part of the group, McBride (Interview, 5 November 2018) answered in the negative, he was an outsider:

I facilitate the Group. I'm not injured. I'm not campaigning for myself. I'm not campaigning for something that I want for me. Which is actually refreshing for me because quite often, I'm a selfish individual, quite often I'm campaigning for things that I want, for me. I think this is one campaign that I have got involved in which I have no... where there is no financial or any other reward for me in this, other than the actual deeply satisfying reward of seeing a group of people that I have worked with ... really grow into this very formidable campaigning machine.

This attitude reflects the qualities that Ganz (2004: 188-189) attributed to effective leadership teams which are made up of both 'insiders' and 'outsiders'; where 'outsiders whose vocation entails serving those constituencies are likely to derive more intrinsic rewards from their work than those whose motivation is solely instrumental or occupational'. Although McBride used his own personal resources to help improve the capacity of the group in the intervening years, he also recognised his own deficiencies by introducing the membership to other networks of outsiders with expertise in community organising, academic research, politics, and the media. Such collaborations brought new ideas and tactics into the group's repertoire of contention. McBride and WAVE continuously utilised their wide range of networks to connect those at the bottom with those at the top. This approach is closely related to John-Paul Lederach's (1997: 39) 'peacebuilding pyramid', in which WAVE, the organisation, occupied a 'mid-level' position and ensured that the 'grassroots' Injured Group could access and interact with 'top-level' politicians and policymakers. I will expand on these networking opportunities in later chapters.

All respondents praised McBride's leadership and sense of optimism, especially when success seemed a distant prospect. McBride's approach differed significantly from that of previous 'leaders' of the Injured Group. While this may largely be down to his personality and outlook, his role within the organisation, as WAVE Belfast's project coordinator, could also be viewed as a significant factor. Similar to Paul Crawford, McBride's role in WAVE was to organise specific groups towards projects that brought them together as a collective, for example, art and storytelling. As discussed above, *INJURED ...on that day* (WAVE 2009a), published in January 2009 and publicly launched in October 2009, is a case in point. This book, a compilation of short stories featuring members of the WIG, which recount their injurious incidents, was first mooted in the recorded minutes of the WIG in August 2003, as a 'valuable tool' for lobbying and to 'raise public awareness' (WAVE 2003b). In a similar vein, such publications, formed out of 'story-telling' projects, have been utilised by a range of groups for advocacy, to rectify the historical record, or to achieve legal justice (Kelly 2005: 119; Hackett and Rolston 2009; Lundy and McGovern 2005; Senehi 2002); or in 'the cultivation of empathy against indifference' (Kurasawa 2009: 95; Dybris McQuaid 2016).

While the 'Injured Book' was primarily viewed as an advocacy tool, during my interviews, many of the participants were keen to point out that it was also the first opportunity to 'tell their story', and to have it 'heard' in public. Furthermore, members of the Injured Group became an integral part of WAVE's ongoing *Trauma Education* enterprise, where the bereaved and injured, as so-called 'Citizen Educators', are given the opportunity to visit schools, colleges, and universities across the island of Ireland to educate future social workers, nurses, doctors, and counsellors to talk about the effects and long-term consequences of being caught up in the traumatic events of the past (Duffy 2012; WAVE Trauma Centre n.d.-b). It was here that the Injured Group learned to hone their stories to suit specific audiences. This practice proved particularly useful when it came to interacting with the media and politicians in later years.

By the time the first edition of the book was published in January 2009 (with an extended second edition in 2014), it had become part of the Injured Group's arsenal

in its new 'Campaign for Recognition' that it later took to the streets of Northern Ireland and into the corridors of power at Stormont. However, the fact that it took six years to complete the book highlights the lack of momentum and focus, which afflicted the group during this period. McBride's introduction changed this. His approach is what had been missing from the previous iteration of the group. As Paul Crawford put it, 'WAVE lacked a member of staff with the right "I'm just gonna do this" sort of attitude' (Interview, 3 April 2020). McBride filled this gap. His leadership added a new sense of impetus and momentum. While people had come together in 2002, and again in 2005, to talk about their grievances, they had failed to mobilise their 'resources to influence the interests of others who control the resources one needs—the use of power' (Ganz 2004: 180). The mere fact that they had come together simply as 'injured victims' was not enough to spark visible collective action. Their inherent identity, as people who had been victimised, alongside grievance formation, did not automatically lead to a strategy, which would see their problems resolved. As discussed in the previous section, the lack of consistent membership and participation meant that the group lacked solidarity and commitment. They had also failed to fully foster or construct a salient 'collective identity': a sense of 'we-ness' and 'collective solidarity, efficacy, and agency' (Snow 2013: 267). This required action if the group was to move to the next stage, that of visible mobilisation.

FOSTERING A COLLECTIVE IDENTITY

As Bert Klandermans has argued, '*[c]ollective action is not a very common response to injustice. When confronted with injustice, ... [m]ost people will continue to do what they are used to doing, that is, nothing*' (Klandermans 2002: 887) [emphasis in original]. The Injured Group had not done 'nothing'. They had come together and taken the first step of itemising their 'shared grievances' (Simon and Klandermans 2001: 323). However, they had not taken the next necessary step of solidifying a 'politicized collective identity', by engaging in a strategic 'power struggle' (Simon and Klandermans 2001: 324-326). Before they could consider creating a 'politicized collective identity proper' (Simon and Klandermans 2001: 323), they needed to find

a way of articulating their collective claims making while navigating the familiar binaries of Protestant/unionist/loyalist (PUL) and Catholic, nationalist, republican (CNR) and frame a discrete small 'p' political identity - 'The Injured'.

Whether by accident or design, the aforementioned 'Injured Book' itself became an important source of identity construction. The actual process of putting the book together and its publication provided an opportunity for group members to get to know each other's stories, and to recognise how they could be put to use as a lobbying tool (Hackett and Rolston 2009). Moreover, those within the Injured Book could now see themselves as a distinct grouping, located within the 'boundaries' of the WAVE Injured Group (Taylor and Whittier 1992). The 'bereaved' within WAVE had their books – *Every Picture Tells A Story* (WAVE 2003c), *In My Shoes* (WAVE 2006a), *Don't You Forget About Me* (WAVE 2007a) – as well as discrete support groups – the Families of the Disappeared (WAVE Trauma Centre n.d.-c). The Injured Book provided a discrete identity for this group, which was key if the second iteration was to avoid the failures of its previous incarnation. The first iteration, or to loosely apply McAdam's (1995) term, these 'early risers', had started a process of grievance diagnosis, which still held validity for the second iteration. So, too was their initial prognosis. This required that group took their private problems public, to present them to the politicians to resolve, for it was 'they' who held the power. Identifying 'them' (politicians and policymakers), however, was not sufficient to foster a 'collective identity': the group needed to view 'them' as their opposition, as 'antagonists' (Hunt and Benford 2004: 445). This would be achieved through a process of 'boundary framing' (Hunt, Benford and Snow 1994: 193). Yet, while 'boundaries locate persons as members of a group ... it is group consciousness that imparts a larger significance to a collectivity' (Taylor and Whittier 1992: 114). This relates to the notion that that 'collective identities are *talked* into existence' through 'narratives, framing processes, emotion work, and interactions with antagonists' (Hunt and Benford 2004: 445) [emphasis in original]. What McAdam (1982: 50) termed 'cognitive liberation'.

This type of work was especially important in the newly emergent group coming together under the facilitation of McBride. Again, McBride's initial and ongoing

influence marked him out as a '*Social Innovator*' (Graham 2016: 98) [emphasis in original], as someone who could enhance the process of building 'social capital' within the group. Firstly, through the employment of 'positive forms of bonding social capital', in building trust; and also through recognising their collective identity as *The Injured* (Graham 2012: 63). Positive social bonding was encouraged through a range of social activities, including guitar lessons and the formation of an Injured Group 'band' named 'Wrong Direction', which performed at the annual *WAVE's Got Talent* concerts. This was further complemented by 'internal bridging' exercises, in overcoming any inherent social and ethno-political differences; and later followed by 'external bridging', in positively reaching out to other groups and politicians across society (Graham 2016: 98). Such practice was essential in the light of there being a multiplicity of identities and experiences within the second iteration of the WAVE Injured Group

By the beginning of 2012, the membership of this group had reached approximately 30 people, though not all attended the monthly meetings with the same consistency. Keeping the group cohesive required extensive '*talking*' and '*negotiation*' in the intervening years (Hunt and Benford 2004: 447) [emphasis in original]. Moreover, as alluded to in a previous section, the Injured Group was made up of people from across Northern Ireland. Many of them had never met before. While they were all injured in some way, they were not all coming with similar identities. There were gender and age differences; differences in political, religious, and ethnic backgrounds; class differences; regional differences, both urban and rural; their injuries were different, some were physical, others were psychological; and their victimisation was caused by a range of armed state and non-state actors. This collective was the epitome of a heterogeneous 'new social movement'.

As discussed in Chapter 1, new social movement memberships differ in their make-up as compared to the 'old social movements'. While the old movements, in the main, formed around homogenous 'class consciousness', the new movements worked from altogether different 'ideolog[ies], origins, structure[s], [political] style[s], and goals' (Dalton, Kuechler and Burklin 1990: 10). Thus, from a new social movement perspective 'the collective search for identity is a central aspect of

movement formulation' (Johnston, Larana and Gusfield 1994: 10). It was through this search for a collective identity and a strong identification with people just like them that the Injured Group was finally able to make the breakthrough into collective action in the public sphere. This disparate group of people, whose main commonality was that they were injured, came together in the 'free space' of the WAVE Trauma Centre and formed a strong collective. They left their 'everyday lives' and used the resources provided by WAVE as a 'cultural laboratory' (Melucci 1989: 60); to engage with 'political power structures' by consolidating their 'collective identities' through both 'representation and participation' (Buechler 1995: 446). In addition, over time, they came to see themselves not only as individuals who were injured in a range of separate incidents; they were now 'The Injured'. Part of the WAVE Injured Group, but also part of the wider 'injured community', of the many thousands of people who had been affected during the Troubles

Increasingly, the group saw themselves as not only fighting for themselves or their fellow members of their small collective, but rather as the public face of people who they had never met nor would they ever be likely to meet. In promoting the concept of fighting for 'collective goods', for 'collective benefits', and representing people beyond their membership, the Injured Group followed in the footsteps of range of movement organisations which made similar claims (Amenta *et al.* 2010: 290; Tilly 1999). As such, they were the vanguard of a new social movement. Of course, their collective identity was not set in stone. It would be strengthened and weakened, redefined and renegotiated as the group moved through various stages of contention and collective action. Moreover, degrees of injury and disablement would enter into the mix and cause a breakdown in trust and internal solidarity, especially when the group began tactically to frame a more exclusive focus; on those who were physically injured, as a more politically feasible first objective. This would drastically reset the movement's 'boundaries' and had major ramifications as to the membership and collective identity of the Injured Group in the intervening years. I will return to these implications in the next chapter.

At the same time as the WAVE Injured Group was revitalising under the facilitation of McBride, in early 2009, and beginning to grow in numbers, their main grievance

with the system, of being forgotten and unrecognised through ‘feelings of relative deprivation’ and ‘injustice’ (Klandermans 1997), was further exacerbated by another ‘critical event’ (Meyer and Staggenborg 1996: 1638), or ‘suddenly imposed grievance’ (Walsh 1981), through a perceived slight from Consultative Group on the Past (CGP). The CGP, a consultative body made up of civil society representatives, was tasked with undertaking an 18-month long consultation across the UK and Ireland into finding suitable ways of ‘dealing with the past’, and producing a final report (Consultative Group on the Past 2009). Although the CGP had met with the Injured Group in WAVE during its public consultations, when its report was published in January 2009, there was, in the eyes of the group, little mention of their grievances or any solid plan for resolving them. This omission, which will be discussed in the next chapter, arguably led to the emergence of an Injured Group that was now fully primed to take their long-held and now more recent grievances into the public eye.

CONCLUSION

Societies emerging from periods of protracted violent conflict regularly find that those who arguably suffered most, the victims and survivors, who tend to remain hidden during the periods when the violence is raging, often come forward for help and support when the conflict ends. Northern Ireland after what was colloquially known as the ‘Troubles’ was no different. Following the peace settlement, the Belfast/Good Friday Agreement, in 1998, the question of what to do for the victims became a growing concern for politicians and policy makers. While there can be a concerted effort to build new political institutions and deal with structural reforms to policing and the release of ‘political’ prisoners, the state would look after the needs of victims by facilitating a ‘victims’ sector’, inhabited by a range of victims’ groups, which was furnished with considerable funds to provide the necessary support. This policy, according to Nagle (2016), unintentionally led to the construction of a victim identity within the groups and formed a practice of destabilising contentious behaviour that would permeate through the body politic.

The case at the centre of this case study, the WAVE Injured Group and its Campaign for Recognition, emerged from one such victims' group, the WAVE Trauma Centre; bringing together a group of people under the common identity of victimhood, specifically, that of injured victims. United behind the common goal of fighting for reparations for the injured, this collective kick-started a 'new social movement', and displayed the traits common to such movements, as described by the extant body of literature. Spurred by a range of perceived grievances, including how they were treated by the state's historic criminal compensation systems, by the charitable foundation set up to deal with their current needs, and the lack of any future protections to take account of their lost opportunities, this small group would lead the vanguard for those that they perceived to be invisible, forgotten and unrecognised by this conflict-torn society.

The core protagonists within this movement, while made up of people from different social and ethnopolitical backgrounds, who were victimised by a range of conflict actors, overcame their own differing outlooks and identities and formed a new collective identity within a nonviolent, nonsectarian, cross-community movement; as they set about entering the political sphere to make their inherently private problems public. This public phase, however, did not happen overnight. Affected by a range of 'teething problems', it took a number of years before the Injured Group emerged from its latent phase of collating their grievances and nurturing their new identity, before deciding on a suitable action strategy to take forward into the political sphere. Bringing together their own personal resources, the protagonists were complemented by the organisational resources of WAVE, including the secondment of a facilitator, access to WAVE premises, its material resources, and an introduction to a range of networks and contacts within civil society and the political arena.

Spurred by a 'suddenly imposed grievance', a perceived slight by a novel, yet substantial initiative to 'deal with the past' (outlined in the next chapter), this new social movement began to strategise how they would take their campaign to the streets of Northern Ireland, to the famous steps of Parliament Buildings at Stormont, and to the front door of the UK Prime Minister at 10 Downing Street. While entering the public and political spheres in the hope of having their grievances resolved, the

group were also met with the political reality that has impeded progress on many victims' issues in the years following the Belfast/Good Friday Agreement, the ways in which victimhood is mapped onto the metaconflict concerning the causes and nature of the Troubles. Yet, before the group could take its campaign public and tackle these external constraints, the members would first have to overcome a range of internal problems, which had the potential to fracture the collective before it even started. These travails will be explored throughout the next chapter, as I delve into how the Injured Group negotiated such obstacles and sought to attract support for their cause through the media and through their expanding networks, within this toxic political milieu.

CHAPTER 4 – MOBILISATION: COLLECTIVE ACTION IN A DIVIDED SOCIETY

INTRODUCTION

The transformation of a loose collection of disparate injured victims, brought together under the roof of the WAVE Trauma Centre, into a more cohesive group was examined in the previous chapter. This chapter will consider the next stage in the evolution of this particular ‘new social movement’, that of moving their private problems out of the safe environs of WAVE and into the public sphere: the process of mobilisation. Mobilisation, by definition, suggests motion, fluidity, and change: meaning that the group itself would be subject to these effects. As will become apparent, this process would have profound implications for the make-up and direction of the Injured Group. The following extract from Alan McBride (Interview, 5 November 2018) sets out the ever-changing nature of this collective as it crystallised into a campaign group proper:

So, I was at a lecture and we were doing work on ... Tuckman’s ‘Storming, Norming, Forming, Performing’ theory of group work. Those are the stages that groups go through. So, when you first go to a group you are Storming, everybody is looking for who is in the group, what position. Then you begin to Norm around certain group values. I mean, you can see this in any group, even the Injured Group. Then once you Norm, you start to Form and the group becomes a cohesive unit and you start to work together. Then when you do that you start to Perform... I mean if you think of the history of our Injured Group it worked out exactly like that.

As detailed in the previous chapter, the introduction of a ‘leader’ like Alan McBride into the WAVE Injured Group, in the middle of 2008, was described by many insiders as a game-changer. While McBride had misremembered the order of Tuckman’s (1965) theory (Forming, Storming, Norming, and Performing) during his interview, he was correct in describing how the group worked through these stages, with the aim of eventually ‘performing’ in the public sphere. Bringing with him not only his experience as a facilitator, McBride could also easily access the extensive material and human resources of the WAVE Trauma Centre. In order to have their grievances addressed, the Injured Group was required to act out in a way that culturally resonated with their antagonists – the political classes – and their wider audience –

civil society, the media, and the public. Behind the scenes they rehearsed their strategy and tactics; and began to 'triangulate' (Simon and Klandermans 2001: 325), by building alliances with influential allies and others with suitable expertise. Added to this, two 'suddenly imposed grievances' (Walsh 1981), in the perceived dismissal of their concerns by the Consultative Group on the Past, and the refusal of the Commission for Victims and Survivors to 'champion' their cause, the Injured Group ultimately 'took to the streets' on a petition drive to directly ask the general public for its support and endorsement.

Such direct action was complemented by a new strategy of engagement with the mainstream media, where the group framed their grievances and lack of recognition as grave 'injustices', heaped upon their historic injuries and continued suffering. Furthermore, the conscious and deliberate act of placing those with the most severe and visible injuries, the wheelchair users, the blind, the amputees, the 'grotesques' (Schwöbel-Patel 2018: 715-716) to the forefront of the campaign became a useful tactic, for the purpose of shaming their political leaders into acceding to their demands. This course of action, however, to prioritise the most severely physically injured, would unintentionally lead to internal fractures within the group, as certain members, who carried less visible, but severe psychological injuries, began to feel that the physically injured were becoming a privileged category; in a perceived hierarchy of victimhood (Jankowitz 2018a). While such schisms can be fatal to social movements, the Injured Group would later view this potential constraint as an opportunity to streamline its membership into a smaller, more cohesive lobby team, before setting out on the process of intensive engagement with their locally elected politicians. This compact lobby group would soon morph into the third iteration of the WAVE Injured Group.

As noted above, the next stage in the evolution of the group was hampered by their demands for recognition being thrust into the broader toxic metaconflict arguments around the statutory definition of victimhood in Northern Ireland. Specifically, this debate focused on the legitimacy of 'complex political victims' (Bouris 2007; Brewer 2010: 163-169; Brewer and Hayes 2011; Elster 2004: 108-110; Moffett 2016b), where blurred distinctions occur around the status of those who can simultaneously be

considered as victims and perpetrators; and whether such problematic categories should be eligible to access the same type of material reparations as ‘the innocents’ (Advocacy for Innocent Victims 2018); or ‘ideal’ victims (Christie 1986). Pitched against a number of counter-movements from opposing *sides* of the ethno-political divide, in the form of politicians and *politicised* external victims’ groups (Breen-Smyth 2018), the WAVE Injured Group attempted to seek to steer a ‘neutral’ path through this debate, in the hope of avoiding being dragged into the ‘quagmire’ (Peter Heathwood, interview, 1 October 2018) of ‘competitive victimhood’ (Noor, Brown and Prentice 2008; Noor *et al.* 2012). As will be explored in this expansive chapter, this position proved difficult to maintain, as the campaign became the victim of this intractable logjam of who may qualify as a victim and who may be excluded.

“RUBBING SALT INTO THE WOUNDS”: THE CONSULTATIVE GROUP ON THE PAST

The Consultative Group on the Past (hereafter the CGP or alternatively ‘Eames/Bradley’, named after its two co-chairs, The Right Reverend Lord Eames, former Archbishop of Armagh, and Mr Denis Bradley, the first Vice-Chairman of the Policing Board), was established by the then Secretary of State for Northern Ireland, Peter Hain, in June 2007, ‘to find a way forward out of the shadows of the past’ (Consultative Group on the Past 2009: 14). Following in the footsteps of Bloomfield’s *We Will Remember Them* (1998), and other research projects that had been put forward to deal with the past, such as those from the local NGO Healing Through Remembering (2002; 2006), this consultative body, made up of a variety of civil society representatives, was given a remit to engage with relevant stakeholders and to present recommendations, which they hoped would be taken on board by the ‘Governments and the Executive [and made] a reality’ (Consultative Group on the Past 2009: 14).

WAVE was one such relevant stakeholder. In an expansive response to the CGP (January 2008), WAVE (2008b) highlighted the worries of their membership. While proposals were put forward to address important tenets of ‘Dealing with the Past’

such as: 'Truth Recovery'; 'Acknowledgement'; 'Memorial'; 'Legal Framework'; and 'Suggested Principles for Dealing with the Past', the organisation expressed particular concerns about the fate of the 'Injured' in this consultation response (WAVE 2008b: 2-6). Although the Injured Group did not submit a separate official group response, its concerns were clearly articulated to the CGP. Including this written response from WAVE, the CGP received, '290 written submissions and 2086 standardised letters ... met privately with 141 individuals or groups ... [and] conducted meetings across Ireland, north and south, and in Great Britain' (Consultative Group on the Past 2009: 13). One such meeting was with the Injured Group, which hosted both Eames and Bradley at their Belfast centre in early 2008. The group, in the time shortly before McBride's involvement (from September 2008), was already in the habit of inviting local politicians and civil society representatives into to their monthly meetings under the leadership of the outreach workers, but, as Alan McBride put it, 'the politicians were coming and it was basically just a "get to know you" session. There was no strategy. They didn't want anything from them' (Interview, 5 November 2018). When the CGP came to WAVE, the group expected more. They reasonably expected that their concerns and grievances would be heard and addressed in the final report: '[B]oth Denis Bradley and Robin Eames ... were made fully aware of their particular needs' (WAVE 2009b). Indeed, McBride (Interview, 5 November 2018) told me that he brought the then wheelchair-bound and gravely ill Hugh Rowan to a public meeting of the CGP using a rather expensive wheelchair taxi, on a ninety-mile round trip, using WAVE's expense account:

Hugh was in very bad shape at this stage. All paralysed from the neck down ... it was a really aggressive ugly meeting. You would have had a lot of criticisms of the panel ... There was a slagging match going on in the hall ... The meeting lasted about an hour and a half and then Hugh says to me: "I wanna speak." So, I motioned for the microphone and I am holding it to his mouth when he spoke, and that's when he said those immortal words. He says: "My name is Hugh Rowan, I was injured", and then he said: "Don't forget about us." And that's what he said. That was it... Which was very, very poignant. And given, I think, they did fuck all for them, well, that's another story.

Hugh Rowan's clarion call: "Don't forget about us", became *the* main slogan of the Injured Group in the intervening years and was printed on their large banners and other materials as their campaign progressed. The fact that Rowan's cry for help was

picked up in media reporting the next day, according to McBride (Interview, 5 November 2018), was also instructive as to how such simple messages, from individual victims, can cut through the 'aggressive' and 'ugly' political contests about victimhood which characterised part of the CGP meeting in Ballymena that night.

Yet, when the CGP report was published in 2009, the WIG felt ignored. Despite the fact that the report features the word 'injured' on 17 occasions, they felt that it contained nothing substantive for them, specifically (Consultative Group on the Past 2009). There were no recommendations as to how the various grievances formulated by the WIG, such as dealing with inadequate past compensation, would be resolved, even though Eames/Bradley recognised that the previous system had failed victims (Consultative Group on the Past 2009: 91). In response to these past failings, the CGP put forward a financial remedy: a remedy, however, with a twist. The recommendation that victims 'should receive a one-off ex-gratia recognition payment of £12,000', was to be solely directed to 'the nearest relative of someone who died as a result of the conflict' (Consultative Group on the Past 2009: 16). There was no mention of a specific package for the injured (Northern Ireland Affairs Committee 2009: Ev 48). Jennifer McNern (Interview, 8 October 2018) described the report thus: '[This] was another slap in the face, basically. You're not recognising the trauma here, of people who have been very, very seriously injured. It just rubbed salt into the wounds'.

However, the CGP did recommend that the recently constituted Commission for Victims and Survivors (hereafter the Commission or CVS) was 'best placed ... to take account of and address the issues [related to] the needs of victims and survivors ... highlighted [in the report]' (Consultative Group on the Past 2009: 90). In its official response to the CGP, the Injured Group stated that:

[Although] [t]he Injured are mentioned ... for some reason the 'responsibility' of looking after their needs have been left to the Commission for Victims and Survivors, who to date have not indicated how they seek to do this. (WAVE 2009b)

The CVS had been set up by the Office of First Minister and deputy First Minister (OFMDFM) in 2008 to provide advice on policy pertaining to victims and survivors. For the WIG, the intervening years had produced a range of policy research

documents, but no tangible change to their present situation or future well-being. The provision they received from the Northern Ireland Memorial Fund was proving insufficient and the wheels of bureaucracy appeared to turn very slowly (see for example, Community Relations Council, cited in Northern Ireland Affairs Committee 2009: Ev 48). Subsequently, the Northern Ireland Affairs Committee (2009: 22), in their December 2009 report on the Report of the Consultative Group on the Past, nearly a year after it was first published, recognised the need to include the injured in any financial support package. Yet, the fact that the Victims and Survivors Service (2014: 4), an 'arms-length body', distinct from the CVS, which administers OFMDFM funding to victims and survivors, was not 'incorporated ... [until] 27 March 2012', nor operational until May 2012, indicates the length of time it takes for government departments to put policy proposals into action. The WIG felt that they had been 'palmed off' to the CVS and pushed to the back of the queue, whereas the bereaved and their needs would be dealt with first. For some, time was running out. Hugh Rowan, a strong voice within the group, who had been living in severe chronic pain and physical deterioration, resulting from injuries received in a gun attack at his home in August 1972, died in August 2008. His death, and the death of several members of the WIG in the intervening years, struck hard into the core of this collective. These losses, however, were in turn used to frame their grievances as urgent and in need of immediate resolution, as well as strengthening the collective identity of the group.

One key approach of the WIG was to offer pragmatic solutions to seemingly intractable, '(if not impossible)' problems (WAVE 2009b). At this stage, however, in May 2009, the Injured Group felt that this pragmatism had been ignored. They had invited Eames/Bradley to WAVE, shared their concerns, and yet, in their opinion, they were side lined. Whilst the group subsequently sent their response to the CGP, this too proved futile, as the Report of the Consultative Group on the Past was itself effectively ignored. Ironically, the recommendation and subsequent rejection, from some quarters, of a £12,000 recognition payment (an issue to which I will return in the next chapter) was arguably the issue which caused the whole report to be later *shelved* by the UK Government (Northern Ireland Affairs Committee 2009).

CONTENTIOUS COLLECTIVE ACTION: FROM SLUMBER TO SURGE

While the CGP was consulting across the UK and Republic of Ireland at the direction of the UK Government, politicians and civil servants based at Stormont, under the auspices of the OFMDFM's Victims Unit, had started a consultation process on an 'overall strategic approach [to dealing with] a range of issues relating to victims and survivors' (Victims Unit 2008: 3). This would later evolve into the new ten-year *Strategy for Victims and Survivors: November 2009* (Victims Unit 2009). The Injured Group viewed this consultation as a prime opportunity to have its voice heard.

Following a meeting of the Injured Group (8 September 2008) (WAVE 2008c), a decision was made to submit a response to the Victims Unit's consultation. The deadline of 31 October 2008 gave the group a brief six-week timeframe in which to respond but, newly energised under the leadership of McBride and with 'Victor, Jennifer and Philip ... taking on the bulk of the work [in] producing the ... response' (WAVE 2008d), they published the first official document from this second iteration of the WIG, entitled *Injured persons group response to the strategic approach for Survivors* [sic] (WAVE 2008e). Additional action points from the 8 September 2008 meeting included, the need for all meetings to be minuted (a practice that had not been implemented since August 2003); invitations to be sent to the Victims' Unit and Commission for Victims and Survivors, requesting meetings with the Injured Group; planning for '[a] major conference targeting the needs of the Injured to be held the following Autumn'; continued engagement 'with all political parties', planning for 'Socials ... [as] [t]he WAVE Injured Group is not just about lobbying and advocacy but also about providing social experiences for members'; and continuing to document and transcribe personal stories for the 'forthcoming Injured Book' (WAVE 2008c). It is clear from this meeting (8 September 2008) and subsequent meetings at this time that the WIG was clearly emerging from a period of latency and slumber into a new and energised collective with clear direction and strategic targets at which to aim.

A subsequent letter to the group from McBride, inviting members to a further meeting, concluded with a message of encouragement: 'It would be great if you could

make this meeting as I believe the Injured Group has taken on a new life and it would be great to build on the momentum that you have all created' (WAVE 2008d). McBride sent similar letters to the group at regular intervals over the next number of years, inviting them to meetings and informing them of developments. Such letters encouraged attendance and at times contained warnings about the group losing momentum and focus. As such, finishing the 'Injured Book' became a focal point for the group. McBride conducted some of the interviews and transcribed the entries, while other members submitted their own. Portrait pictures of members were added, along with newspaper clippings from the time of injury, and the title, *INJURED ...on that day*, was chosen. A funding application was secured from the Community Relations Council (CRC) to print a run of 2000 hard copy books as a first edition: an indication of the importance of WAVE's and McBride's resources to the Injured Group. This task was completed within two months of McBride's secondment as WIG facilitator and demonstrates their new approach.

In addition to completing the book, the group began to write letters to relevant stakeholders and people of influence within civil society to raise awareness of its existence. These included invitations to Injured Group meetings as well as letters of complaint (WAVE 2008f). One such letter, which was very instructive, set out their newly constructed common identity 'boundary' (Taylor and Whittier 1992) as 'people who have been *disabled* both physically and/or psychologically' (WAVE 2008f) [emphasis added]. It went on to highlight the 'suddenly imposed grievance' (Walsh 1981), of additional 'barriers' being put in their way, following the first official outing of the WIG, at a public event hosted by the CVS:

[B]arriers [such as] the choice of venue ... [which was] unsuitable [as it] had no accessible parking ... the layout of the meeting [where] [n]o thought appeared to have been given to spaces being made available so as wheelchair users had a choice of where to sit. (WAVE 2008f)

Accentuating this oversight, by highlighting actual physical barriers, the group framed this as an indication of how they had consistently been overlooked, in comparison to the 'bereaved', further perpetuating the perceived 'hierarchy of victimhood' (WAVE 2008f). Their approach to the Commission, however, while being critical was also quite conciliatory and positive, in 'wish[ing] [the CVS] continued success' and stating

that their 'alliance would be greatly valued' (WAVE 2008f). Subsequent meetings were set up with the CVS but, as will be discussed below, no such close alliance was formed. Nevertheless, the WIG pushed on with their strategy of 'triangulati[ng]' external support (Simon and Klandermans 2001: 325). Taking advantage of WAVE's reach, the group invited Sir Kenneth Bloomfield to a meeting, out of which emerged an article from the former Commissioner, entitled *Disability and Caring*, and featured in a subsequent *WAVE Newsletter* (WAVE 2009c), where he laid out how 'other societies which had experienced protracted civil conflict', such as, Spain and Israel had made available 'extraordinary pensions' related to 'his or her degree of disability'.

INJURED ...on that day was printed in early January 2009 and ready for distribution. The group was putting plans in place for a public launch in April 2009, using the media as part of their strategy to make their personal stories public issues. Moreover, recognising the power of using celebrities to promote their cause, they had approached Simon Weston, the famous Falklands War veteran who had been severely disfigured during that conflict, to speak at the launch. Celebrity endorsements are especially 'credible' for cases like the WAVE Injured Group, where the 'celebrity commands the details of the issue, evidences sincere and longstanding commitment, and donates his or her own time' (Edwards and McCarthy 2004: 129). Weston, however, 'was looking for too much money ... [so we did not] feel that [that he was] a runner ... [Nevertheless] Terry Waite [had] agreed to do it for just expenses but he [was] very busy' (WAVE 2009d). In fact, Terry Waite, the famous Middle East hostage negotiator during the 1980s, and later a long-term hostage himself, waived his travel and accommodation expenses and agreed to host the event in October 2009, as he would be in Belfast at that time visiting family (McBride 2020a). Thus, this part of the public facing action plan was stalled for the best part of a year. That aside, the group continued to focus on other places to take their grievances.

CRYSTALLISING THE ‘CAMPAIGN FOR RECOGNITION’

While the introduction of Alan McBride, bolstered by the organisational resources of WAVE, was instrumental in encouraging the Injured Group to put a campaign proper into action, there was also a recognition that they needed the help of others. McBride, cognisant of his own weaknesses in organising the Injured Group as an effective social movement, used his own personal networks to invite influential outsiders to the group. Professor Marie Breen-Smyth, who, as well as producing a wide range of research reports and books into the Troubles, had struck up a friendship with McBride from their time working on ‘The Forum for Peace and Reconciliation in Dublin’ in the mid-1990s (Breen-Smyth Interview, 14 February 2019). She too was enlisted to help with the campaign. She injected energy and new ideas as to how the group could set about forming an actual campaign underpinned by research, with ensuing demands targeted at people who could make a difference supported by evidence. Another major juncture in this newly energised period emanated from a residential, or retreat, where the Injured Group was put up in a country hotel for three days to discuss strategy (12-14 May 2009); as well as getting to know each other in a relaxed social setting. Goodson (2005: 217) has argued that these types of events are useful to the process of social movement bonding, by building ‘consistency and trust’.

It was from this ‘hothousing’ event that their strategy on a way forward was crystallised. The notion of the WAVE Injured Group, as a group of ‘people who have been disabled both physically and/or psychologically as a result of the conflict’, who met on a ‘monthly basis to share experiences, identify common grievances and objectives as well as providing emotional support for each other’ (WAVE 2008f), had now transformed into a campaign with a capital ‘C’ – the ‘Campaign re: compensation/recognition’ (WAVE 2009e). A letter (dated 22 May 2009) updating the group on ‘next steps’ following the residential, proposed four meetings for the month of June 2009, instead of the usual monthly meeting: where the ‘set[ting] up [of] the Campaign re: compensation/recognition ... is now our top priority and will take precedent over the Conference and book launch’ (WAVE 2009e). Significantly, this was the first time that the Campaign for Recognition was cited in an internal

WAVE document. From these meetings emerged an 'Injured Group Action Plan' (19 June 2009) (WAVE 2009f), which set out a timetable of activities for the upcoming year: 'June – September 2009 – Preparation for Campaign; and 'September 09 – June 2010 – Campaign for Recognition'. In preparation for the campaign, the group identified, among other things, the need for upskilling in areas of 'media training, secretarial skills, and spokespeople'; the appointment of a 'chairperson'; and the drafting of a 'Compensation letter' to be sent out to a range of politicians and civil society representatives (WAVE 2009f). While ultimately unsuccessful, the Injured Group also applied for a substantial financial grant from the CRC's Victim/Survivor Groups Development Grant Scheme to help upskill their members in 'media training' for their 'PR strategy' (WAVE 2009g). This application was also instructive in setting out the aims of the campaign and their demands, including the 'improvement of bespoke health services for the injured' and 'financial recognition' (WAVE 2009g).

The campaign, once in motion, would involve the commissioning a research project assessing the needs of the injured ... '[to] [i]nvestigate what happened in Spain and Israel – bring on board Sir Kenneth Bloomfield, Brice Dickson (former Chief Commissioner of the Northern Ireland Human Rights Commission (NIHRC)), and CAJ (The Committee for the Administration of Justice, a local human rights NGO)'; setting up a conference to highlight these needs and launch the Campaign for Recognition, meeting with 'political parties, Victims Commission, etc [sic]'; and holding a 'press conference – release names of parties, commission, etc [sic] who support the campaign – *shame those that don't*' (WAVE 2009f) [emphasis added]. It is clear from this passage that the Injured Group was considering how it could attract the support of influential allies to aid them in building a campaign based on robust and valid research, with which to lobby politicians. They were also aware that they needed to engage in the conflictual act of tactically shaming those parties that failed to stand with them.

Further documents emerged during this period, which the group disseminated to a wider audience. Laying out in relative detail their perceived grievances, mainly with regard to the compensation system, the aforementioned 'Compensation letter', which was posted to a range of politicians and civil society representatives, pointed

to Bloomfield, Gibson and Greer's (1999) proposals to 'top-up' previously inadequate compensation awards. Citing international examples, such as Israel's victims' compensation system (see also Sommer 2003), as '*generous, encompassing not only cash benefits but a wide range of concessions and benefits in kind*'; and Spain's approach as 'much more humane and generous than the system applied in Northern Ireland', the letter emphasised the perceived injustice that emanated from the lack of recognition for the 'injured' within 'the Eames Bradley Report' (WAVE 2009h) [emphasis in original]. Framing their grievances within an 'injustice masterframe' (Gamson, Rytina and Fireman 1982: 123), the group conveyed to its 'audience' a range of suitable solutions, including 'a good will gesture and *monthly pension ... determined by the level of disability and trauma experienced by each individual* (WAVE 2009h) [emphasis added]. Condensing the 'Compensation letter' into an easily distributable flyer, the group made clear their aims and strategy for the forthcoming campaign, where they:

[A]im[ed] to become powerful advocates for our cause ... to empower ourselves through our own efforts, [and] with the support we obtain from our representatives, friends and supporters ... to persuade the powers that be of the justice of our cause and the urgency of our needs.

Ultimately, we aim to bring about a time when the group is redundant, because the needs of the injured are well provided for.

... We believe that society has a *moral obligation* to provide us with the means to maximize our quality of life, given that we were damaged in a collective conflict that left some of us to suffer for the rest of our lives, while others went relatively untouched. (WAVE 2009i) [emphasis added]

This two-page flyer highlighted not just the diagnosed grievances, in terms of their experience of illegitimate inequality, feelings of relative deprivation, feelings of injustice, and moral indignation about their situation (Klandermans 1997), and potential prognoses, but also how they would achieve it. Through external 'triangulation' (Simon and Klandermans 2001: 325), and promoting the 'moral' case for reparations.

Another interesting note that should be taken from this flyer is the change in name from the 'Campaign for Recognition' to the 'Recognition for All Injured Campaign'. This interchangeable nomenclature would become a common feature of the campaign over the intervening years. A letter sent to First Minister, Peter Robinson

and deputy First Minister, Martin McGuinness on 22 December 2009 (WAVE 2009j) cites the term 'Campaign for All Injured (CAI)'. Later iterations of the campaign used the name 'Injured Pension Campaign', highlighting the changing priorities of the Injured Group as time passed on. A call for recognition, however, was the main frame, which ran through all iterations of the Injured Group. From its earliest soundings in the 26 August 2003 meeting (WAVE 2003b), to later documents reviewed throughout this project, the demand for recognition featured prominently. While recognition appears as a recurring theme, McBride (Interview, 5 November 2018) argued that it also became a cogent rallying point, as a direct response to the Eames/Bradley report:

I mean you have to remember the whole thing that came out of Eames/Bradley was the Campaign for Recognition, the Recognition Payment. That's when money came into it. That's when they first started thinking about money ... whenever the Eames Bradley thing came out with the £12,000 Recognition Payment, that's when they started to call the campaign, the Campaign for Recognition.

Such dexterity by the Injured Group, to use the contemporary discourse of others as a way to reframe their own rhetoric, was evident throughout the data.

TRIANGULATION: STEPPING ONTO THE PUBLIC STAGE AND PLAYING TO THE AUDIENCE

With the Campaign for Recognition crystallised and a manifesto for change ready for distribution, the next key element of the strategy involved honing the public message. To begin the interactive process of politicising their collective identity, the group would be required to step onto the public stage and 'triangulate' wider society within their 'power struggle' (Simon and Klandermans 2001). The 'Campaign for Recognition' was officially launched alongside the public unveiling of *INJURED ...on that day* (WAVE 2009a) – on 6 October 2009 at the Royal Victoria Hospital (RVH) in Belfast. The choice of venue was both significant and poignant. The 'Royal', as it is commonly known, was the first place to which many of those injured during the conflict would have been brought after a bombing or gun attack. It was a venue to which the group would return in December 2018, for the launch of 'The Injured

Exhibition' (a collection of large-scale photographic portraits of the Injured Group), to be further discussed in Chapter 6.

The symbolism was not lost on the group, as was their political nous to use vivid cultural symbols in their media representations. The front cover of the 'Injured Book' itself, displays a photograph depicting pieces of shrapnel, taken from the body of one of the members of the group, Alex Bunting, which was blown into his body by an under-car booby-trap bomb in 1991 (see image on Page 164). The shrapnel was in fact a collection of coins, which were part of Alex's box of loose change that he used as a taxi driver. This image was used in a variety of different ways over the years, including as a poster, as a large scale print on permanent display in WAVE Belfast, and as the front cover of a major research report, *The needs of individuals and their families injured as a result of the Troubles in Northern Ireland* (Breen-Smyth 2012), commissioned by WAVE. Such stark symbolism was essential as the group brought the Campaign for Recognition into the public domain through a range of interactions with the mass media in the intervening years.

The Injured Group's initial mainstream media incursion was aided by the coverage they received at the launch of the 'Injured Book'. Their press release managed to attract various local reporters from both the local press and television. Subsequently, the group was approached within days to appear in a package for BBC One Northern Ireland's *The Politics Show* on 11 October 2009 (The Politics Show 2009). Jennifer McNern agreed to be interviewed on camera in her home. In this five-minute segment, which featured footage from the book launch, Jennifer explained that the group felt that they had been forgotten by their political representatives in the years before and after the Agreement. This package was directly followed by an interview with the two OFMDFM junior ministers, Gerry Kelly of Sinn Féin and the Democratic Unionist Party's (DUP) Jeffrey Donaldson, who were questioned about Jennifer's grievances and demands. That government ministers could be held to account on issues related to the injured by the media, due to an intervention by the group, was a significant moment for them.

Thereafter, they would take every opportunity they could to get themselves into the public eye. *Victor* (Interview, 30 October 2018) explained how a chance meeting with



INJURED ...on that day (2009)

Image courtesy of WAVE Trauma centre

the 'head of UTV News', following a letter of complaint from a member of the group on how footage relating to a family member was used on *Ulster Television* (UTV) had caused considerable distress, led to a discussion about the campaign and an opportunity to be heard. From this meeting, the group was asked to appear in a series of eight two-minute VT packages with individual members of the group, and a final studio interview on the local daily evening news programme *UTV Live at Six* (14-18 December 2009) (UTV Live at Six 2009a; 2009b; 2009c; 2009d; 2009e). This flurry of media interaction continued into 2010, when on 1 February, three Injured Group members were invited into the *BBC Radio Ulster* studios to talk about the campaign on *The Stephen Nolan Show*, a popular talk radio show that goes out every weekday morning (The Stephen Nolan Show 2010). These interactions with the media added much needed impetus to the campaign and helped the group gain confidence that, if their message could resonate with interested media outlets, then the same might be said for the wider public.

Letter writing, press releases, and engagements with political and civil society representatives, including a meeting with the Irish President, Mary McAleese, at her official residence in Dublin, continued. Press releases were usually spurred by newfound grievances, brought forth by external political developments, which the group framed to their advantage. The aforementioned press release targeting First Minister Peter Robinson and deputy First Minister Martin McGuinness (dated 22 December 2009), which was not in any event picked up by the media as having provided inadequate financial support over the Christmas period despite their political claims to the contrary, is a case in point (WAVE 2009j). Framing Stormont policy initiatives to dealing with the needs of the injured as 'paltry', 'unfair', 'exploitative', and 'politically timed', especially 'in the light of the scandal of MPs expenses' shows how the group was able to grasp the opportunity to frame external political events as a way to argue for fairer treatment for themselves (WAVE 2009j). This was further highlighted by their focus on developments emanating from the major political deal on 5 February 2010, on the devolution of policing and justice powers from Westminster to Stormont (BBC 2010c). One such development from this deal was the commitment by the UK Government and Northern Ireland Executive to

provide funds to the Police Service of Northern Ireland (PSNI), to cover claims from former police officers on hearing loss injuries, mainly from the now disbanded Royal Ulster Constabulary (RUC), which stood at that time at £421.3m (Assembly and Executive Review Committee 2010: 229). This arrangement was viewed by the group as another example of how they felt unjustly and unfairly bypassed and ignored by a process of political expediency and political favouritism, and was highlighted in the *WAVE Newsletter* – May 2010 (WAVE 2010a). The same article also criticised the position of the Commission for Victims and Survivors as failing to address the issues raised by the WIG (WAVE 2010a). This criticism would continue to build in the intervening years, a topic to which I will return later in this chapter.

Regardless, the group pushed forward with the campaign, and continued to find ways to build support across civil society and with the wider public across the region. This required that the Injured Group caught the attention of a wider audience of bystanders by utilising ‘specific tactics of public protest’ from their emerging repertoire of contention (Taylor and Van Dyke 2004: 264). As such, the group was faced with the strategic dilemma of identifying which tactics were most suitable for their task and if the group had the required human and material resources to employ them (della Porta and Diani 2006: 181). ‘Protest – or the collective use of unconventional methods of political participation to try to persuade or coerce authorities to support a challenging group’s aims’ lies at the heart of a social movement’s tactical repertoire (Taylor and Van Dyke 2004: 263). Protest can come in many shapes and forms: ‘political persuasion’; ‘violent acts’; or ‘cultural forms of expression’ (Taylor and Van Dyke 2004: 263). While the Injured Group had totally discounted ‘violence’, they had considered, according to Alan McBride (Interview, 5 November 2018), more ‘*disruptive*’ forms of protest to get their campaign into the public eye, such as, the idea of blocking one of Belfast’s main motorway junctions or chaining themselves to the main gates of the Stormont parliament (Tarrow 2011: 99) [emphasis in original]. However, as Alan McBride responded, the group favoured a more ‘*contained*’ style of protest, one that would ‘offer the advantage of building on routines that people understand and that elites will accept or even facilitate’ (Tarrow 2011: 99) [emphasis in original].

The group decided to keep going down the 'political route', through lobbying (Alan McBride, interview, 5 November 2018). This followed advice from external allies such as Marie Breen-Smyth who, in addition to her initial meeting with the group in the early part of 2009, also met them on 17 September 2009 to discuss their progression, and to 'fine tun[e] its aims and objectives ahead of the Recognition Campaign' (WAVE 2009k). Ideas from the first meeting included letter writing, delegating roles, meeting with politicians, as well as introducing the idea of a petition. This meeting reignited the petition as another potential action prong in their repertoire of contention: with ten thousand signatures as their intended target. Initially the group struggled to amass signatures, relying solely on friends and family. An online petition was set up on ipetitions.com (n.d.). WAVE, as way of support, also posted copies of the petition to its membership in the hope of gaining a critical mass, but this too faltered. To hit their target required a change in direction; they needed to aim wider. Agreeing that they needed to go out onto the streets, to ask the public for support brought with it the realisation that they needed to approach the petition in an altogether different manner. The group produced two documents, which set out the main planks of the campaign: a 'Summary of Main Points' and a shortened 'Campaign Bullet Points' (WAVE 2010b; 2010c). This was useful for keeping the group 'on message' (Alan McBride, interview, 5 November 2018).

Their first 'public' petition drive was held at the City Hall in Belfast City Centre on 3 December 2010 (see images on Pages 168 & 169), where they 'braved the cold ... [and collected] 870 signatures' on the first day of an 'Arctic blast' (WAVE 2010d). Over the next 14 months, the Injured Group spread out across Northern Ireland, taking the petition to eight different locations. However, moving the petition onto the streets was not without its risks. Along with the potential for face-to-face rejection by individuals who walked on by, there were incidents where the public reception was markedly hostile. As Alex Bunting (Interview, 4 October 2018) recalled, 'We got abused.' Victor (Interview, 30 October 2018) recollected that 'the petition was a struggle ... doing it on the street ... there was a lot of bad reaction ... Antagonistic, not so much abusive. Things like: "Are you lot at it again? All you want is money".' Or:



Petition drive at Belfast City Hall – 3 December 2010

Image courtesy of WAVE Trauma Centre



Petition drive at Belfast City Hall – 3 December 2010

Image courtesy of WAVE Trauma Centre

“Did you not get well paid already?” (Margaret Yeaman, interview, 5 November 2018). The assumption that those injured during the conflict had already been ‘looked after’ by the state, in terms of compensation, permeated through the responses. Other members of the public questioned the legitimacy of those injured through conflict, by marking themselves as a distinct group entitled to support, asking: “[W]hat about people in car crashes? What makes you different?” (Jennifer McNern, interview, 8 October 2018). Pointed questions over which *type* of victims, specifically in terms of ‘innocent’ victims or ‘terrorists’, were directed at group members: “Who’s this for? No, I’m not signing for them” (Mark Kelly, interview, 11 November 2018). Such questions would later become the core of future political logjam, as will be explored further below.

On the plus side, the public petition events gave the group the chance to educate the public, that is, their target ‘audience’, and to share their experiences, and gain support and encouragement (Hunt, Benford and Snow 1994: 199). Audience reaction is important in determining future tactics and strategies in relation to what will resonate with other frames, what evidence needs to be marshalled, and how cultural symbols and narratives should be deployed (Snow and Benford 1988). Alex Bunting (Interview, 4 October 2018) reflected on certain positive interactions as an opportunity:

You were getting other people who would support you, one hundred percent. Once you explained it, they could relate. Some would say: “I didn’t really understand that.” Everybody thought that if you were blew up or if you were an innocent person, that you were well looked after.

Reflecting on these opportunities to inform the public of their predicament, Jim Moody (Interview, 21 November 2018) highlighted how these interactions could be quite moving and upsetting for some listeners:

[W]e ended up telling people (students) a short story of what happened to us. This was outside Queen’s Student Union ... They were amazed. Jennifer McNern was there at the time, and I said: “See that woman sitting there, that woman was out in Belfast city centre with her sister shopping and they called into a restaurant for something to eat and a bomb went off and she lost her two legs. And they were breaking down, some wee girl started to cry. She couldn’t believe that that happened in her country, in her city.

While the act of engaging with the public contained risks for the Injured Group, in terms of rejection and in some cases antagonism, the process of protest itself helped the members to 'reinforce internal solidarity' around their collective identity as victims (della Porta and Diani 2006: 192). They were becoming protective of each other. They found positives in the fact that they were now exercising their own agency. They were gaining in confidence and building their self-esteem. They were strengthening their case. They were feeling supported. They were empowered. Moreover, they were now ready to hand the petition over to the politicians and, armed with a public mandate; they were fully expecting to have their grievances resolved.

THE 'INJURED REPORT': PRESENTING THE EVIDENCE

The petition itself was ready for delivery by May 2012. Handover day was planned to coincide with the publication of the aforementioned 'Injured Report' or '*The needs of individuals and their families injured as a result of the Troubles in Northern Ireland*' from Professor Marie Breen-Smyth (Breen-Smyth 2012) (see image on Page 172). In April 2011, with funding secured and following a competitive tender, WAVE commissioned Marie Breen-Smyth to lead the project. From the outset, Breen-Smyth chose a participatory approach. According to Injured Group minutes (WAVE 2011), Breen-Smyth 'want[ed] a sub-group of injured people to work alongside her on the project and this will be primarily physically injured people'. Moreover, when it came to making the significant decision as to the focus of the study, and specifically the '*primary inclusion criteria* for participants [as those who had suffered] life threatening or disfiguring *physical injury*', while only including those with psychological injury if they had suffered from the 'primary inclusion' (Breen-Smyth 2012: 17) [emphasis added], Breen-Smyth was clear that this was her 'call' (Interview, 14 February 2019).

This decision, unbeknown to Breen-Smyth at that time, would not only have ramifications as to the make-up of the group, by causing a serious fracture in its membership (to be discussed in the next section), but also on the direction of policymaking decisions, as the group moved into the political sphere. As Breen-Smyth

Injured in the Troubles: the needs of individuals and their families

Executive Summary - May 2012



Breen-Smyth (2012) *Injured in the Troubles: the needs of individuals and their families*

Image courtesy of WAVE Trauma Centre

(Interview, 14 February 2019) explained, the decision to 'limit [the] definition [was due, in part, to] the limitations of the funding and the timescale'. A further issue with the definition of injury is laid out in the final report, with respect to there being 'no obvious viable definition of what should be considered as 'injury' [with] existing estimates ... likely to [have] been based on a variety of different definitions' (Breen-Smyth 2012: 19). In setting out the need for 'further work' to be undertaken, Breen-Smyth (2012: 25) called for additional research to identify a 'more definitive figure for the total population of injured people ... [by] defin[ing] the parameters of injury more clearly including differences between physical and psychological injury. By identifying parameters, Breen-Smyth (2012: 25) proposed that 'a threshold' could be put in place to decide which injury will or will not be 'considered sufficiently severe in order to warrant inclusion in the group of people considered to be injured as a result of the Troubles'. Prophetically, Breen-Smyth (2012: 25) recognised that this could 'result in policy and scientific challenges and may be an area of political contest'.

A further insight by Breen-Smyth relates to how she felt WAVE and the Injured Group would want to use this research in the political sphere, as part of the Campaign for Recognition. Being cognisant of the problems in defining the parameters of injury and having already produced a plethora of previous studies into the effects of the conflict in Northern Ireland, including the:

Cost of the Troubles studies ... [which gave] you a look at psychological injury and the prevalence and incidence in the population ... I knew how tricky it was... And I think the other thing about psychological injury in terms of the campaign, in terms of the success chances of making something stick. What's going to catch the public imagination, what's going to shame politicians, are the wheelchair users; not the people who can't go out their front door because they're agoraphobic. So, I think there was also a pragmatic aspect to it as well. (Marie Breen-Smyth, Interview, 14 February 2019)

Capturing the 'public imagination' and 'shaming politicians' by putting the visibly injured to the forefront became a central tactic in the public-facing strategy of the campaign. For Stuart Magee, former WAVE employee who was seconded to the Injured Group, this tactic 'captures the imagination and it makes it more morally difficult for politicians or the media or whatever to paint the project in a negative light'. Echoing Schwöbel-Patel's (2018: 715-716) characterisation of how victims are

required to construct a 'grotesque' 'horrific' 'spectacle', in order to 'induce empathy'; to 'grab', as Mike Nesbitt (UUP MLA, former victims commissioner, and former news anchor for Ulster Television (UTV)) (Interview, 19 November 2018), put it, that 'little window of opportunity'. This was all important within this highly competitive 'attention economy' (Schwöbel-Patel 2018: 722). For Nesbitt (Interview, 19 November 2018), putting the 'wheelchairs' at the front was crucial, as:

It's so easily understood. I mean visually to look at the Group and see you in wheelchairs, and to understand that the story of how you got to be in a wheelchair is universally horrendous. It could have happened to anybody, any of us. It's just so easily understood.

This notion of promoting the visual impact of the extreme harm suffered by the Injured Group, alongside the 'horrific nature' of their stories (Mike Nesbitt, interview, 19 November 2018), was also addressed by Dennis Godfrey (Interview, 12 November 2018), former Director of Communications, who has worked closely with the Injured Group since 2013:

I have often said, it has to be about the personal stories. I think we handle it well and, individually, everyone handles it well. They know people retell their stories, not for sympathy, or self-aggrandisement or whatever, but just because people need to know. I think that is crucial. People need to see the reality of, and even at a very prosaic level, moving five or six wheelchairs around a building. People have to see that. They need to see Peter's legs convulsing, when he has to move them. And I know Peter (Heathwood) says, sometimes he feels embarrassed, telling and re-telling his story. But it's never a question of "Me, me! I will perform and tell you this is gut wrenching story" ... It has to be for a purpose.

That 'purpose', according to Peter Heathwood, was to let people know what it was like to 'live 24 hours in our bodies', thus echoing Starzyk *et al.* (2014: 121-122) who recommended that victims campaigning for reparations should '[g]ive outsiders an inside view through education and perspective taking – the process of "stepping into the shoes of another"'. Heathwood (Interview, 1 October 2018) explained:

Unfortunately, the injuries thing had to be the main thing, although you don't like doing that, talking about it. If you could get somebody to live 24 hours in our bodies, they would know what we are talking about. So, we had to try and relay that to them ... You had to prostitute yourself a wee bit. And I am very much aware of that and I hate doing it but I know you have to try to get somebody to see what it is like for us every day. And you can't do that without telling them.

Yet, while this tactical decision was consciously taken by the group, to place a small cohort of members in front of the media, to be the face of the campaign, there was also a certain reticence about individual members becoming labelled as ‘professional’ victims (Breen-Smyth 2018: 230). Brewer *et al.* (2018: 41) refer to the ‘cultural and political tropes’ of victimhood, where ‘celebrity-like victims’ are constructed. This is not to say that such victims are ‘fame-seeking’, but that they have ‘fame thrust upon them by the regularity with which they give voice to the standardized scripts that they can be certain of articulating’ (Brewer *et al.* 2018: 41). For Peter Heathwood (Interview, 1 October 2018), this was something to be particularly ‘wary of’:

Celebrity victim is a very cruel title to use. It’s cruel and it’s just, I’m not saying any of us are, I’m just saying I would be wary of it. That’s why I like to see more women doing the interviews rather than us, as well. Spread it out. I think it’s not a phenomenon we have to worry about. But you would need to have it on your radar and be careful of that.

Jennifer McNern (Interview, 8 October 2018), supported Heathwood’s fears around putting up the same people in front of the cameras, citing an anecdotal example when she was criticised for her media interactions, yet was adamant that this should not discourage people from ‘pushing ahead’ with their campaigns:

In the beginning because I felt a bit as if I was on television too much ... Also, because this person once said about me: “She thinks it’s all about her.” I was devastated ... I just thought: “No, it’s not true. It might look like that but...” ... I think that, possibly there was a time... there are different people who are in the limelight all the time. But I suppose they have to be, to keep their campaign going or to keep whatever they are pushing ahead.

Alan McBride, himself a well-known face within the Northern Ireland victims’ sector, and in the media, rejected the notion of celebrity victimhood. In his eyes, the term is used to ‘silence’ those victims who have ‘the courage to put their head above the parapet and actually speak out’, to diminish their agency:

Interviewer: You were seen as that celebrity victim?

Well, I don’t like that word – celebrity victim – but I know what you mean. It is a slur of a word. And I’ll tell you for why it’s a slur of a word. Because celebrity victim in my sense is someone that has had the courage to put their head above the parapet and actually speak out. And because there’s not that many people who do that, then the media tend to gravitate. And, it’s lazy journalism to be quite honest. Because quite often, they will go for the person they know, instead of coming for the person they don’t know and they can’t find. This term - celebrity victim - is a very derogatory term. Depending on

how you mean it, of course. And I know that you weren't meaning it to be derogatory. But there are people that... I remember this guy that I worked with when I managed a kid's football team and he was one of our volunteers and he was saying: "Alan" he said, "your wife's murder hasn't done you a button of harm." And I says: "what do you mean?" And he says: "Sure, you're practically a celebrity now." And I said: "Fuck off. That disgusts me that you would even say that." (Interview, 5 November 2018).

While cognisant of the risk of being tarred with the 'slur' of celebrity victimhood, the Injured Group pushed ahead with the Campaign for Recognition, with the visibly injured leading the 'vanguard'. The physical handover of the petition is a case in point. The Injured Group, while it may have been visible in the media in late 2009, and on the streets in various towns and cities across the region collecting 10,000 signatures and conversing with the public, was not seen again in the public eye until 17 May 2012, when they brought their petition to Stormont. Performed as a symbolic display, captured by television media and the press, the Injured Group, paralysed wheelchair users, the blind, walking amputees and those suffering with psychological injury led their supporters up the famous steep gradient of the Stormont estate to the steps of Parliament Buildings (see image on Page 177). For Alan McBride, the imagery of that day was 'iconic':

I think it was really important. I think when people gathered there, we absolutely wanted to put the wheelchairs front and centre. I mean, Alex Bunting came in his wheelchair, instead of walking (on his prosthetic limb). We wanted the wheelchairs. And that walk with the wheelchairs and all support behind it, pushing people up the hill, I thought was very powerful. One of the most powerful images of the whole campaign. Even, I think in terms of the Troubles and the aftermath, it's just one of those iconic images. And the big 'Don't Forget the Injured' banner (Interview, 5 November 2018).

With the 'wheelchair users' at the front of the entourage, they handed over their petition to the legacy spokespeople of the five main parties (DUP, Sinn Féin, SDLP, UUP, and Alliance). Even this 'performative' act was stage managed for full effect:

We got a lot of photographs with all the MLAs coming. I mean, the optics, the big bags and stuff like that, that was stuff that didn't come from Sandra (Peake). That came from the group. I can remember the argument, like, 10,000 signatures don't look like much. You could probably fold them up and stick them in your back pocket. How can we make them look as if we have done something substantial? So, we got them all rolled up into scrolls and we put them into big hospital bags. Which I think did the trick. (Alan McBride, interview, 5 November 2018)



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May 2012**

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The ‘big hospital bags’ to which McBride referred were, in fact, large pillow cases with “HOSP PROP” (Hospital Property) visibly stencilled on the side (see image on Page 179). This was to symbolise the time spent by many of the injured in the various hospitals across the region, as a result their injuries. In keeping with the symbolism, and later that day, the Injured Group and their supporters decamped to Musgrave Park Hospital - a local hospital that specialised in post-injury rehabilitation, and where many of the injured spent long periods of recovery - for the launch of the report by Professor Breen-Smyth (2012). Within a week, the petition was physically handed over to politicians at Dáil Éireann (the Irish Parliament) in Dublin, and brought to the front door of 10 Downing Street, for the attention of the Prime Minister, David Cameron. Subsequently, the ‘Injured Report’ was accompanied by a documentary entitled *Injured* featuring members of the WIG alongside injured people from other groups and none; and was itself launched in September 2012, at a popular venue in Belfast city centre (Northern Visions NvTv 2012).

Following this public exposure, the campaign retreated into ‘latent’ mode (Melucci 1996a) to their headquarters at WAVE Belfast, to discuss the next phase of their strategy and to digest the ‘Injured Report’. In the months following the petition handover and publication of the Injured Report, the wider Injured Group set about selecting a smaller sub-group to be the vanguard of their political lobby to take their grievances to Stormont, when it resumed parliamentary business in the autumn of 2012. This process, however, would not be without its problems and would eventually lead to a plethora of internal constraints and a significant fracture within the group: between those with severe physical injuries and those with psychological injuries. This will be the focus of the following section.

SCHISM: CREATING AN INTERNAL HIERARCHY OF VICTIMHOOD

Intra-organisational conflict within victims’ organisations is nothing new (Kovras 2017; Rudling 2019b). To be effective it is important that groups present a united front (Hardin 1997). However, this requires a degree of internal negotiation and unity



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performance, especially within a transitional justice context (Rombouts 2004). For Rudling (2019b: 2) [emphasis in original], such ‘internal deliberations’ can engender conflict ‘*inside* these ‘black boxes’ [where] victims-members deploy agency *amongst* themselves ... [which] may end in adjustments of mission statements, member withdrawals, purges or even fragmentation’. The WAVE Injured Group was no different.

When the Injured Group returned from their summer break in September 2012, the prospect of taking the campaign into the heart of government was prominent in their thinking. They first had to decide on which grievances to focus. Using the recently published ‘Injured Report’ as a new *manifesto*, now based on solid empirical evidence, the group sifted through the expansive list of twenty-one recommendations, as put forward by Breen-Smyth (2012: 23-26). They attempted to home in on a reduced range of issues that, on the one hand, were prioritised as desirable to their specific needs and, on the other hand, were deemed feasible and could potentially be delivered by politicians. Breen-Smyth’s (2012: 23-26) recommendations were laid out under five main headings:

- Financial support for injured people and their families (7 recommendations)
- Welfare, mental health, and wellbeing (4 recommendations)
- Justice (2 recommendations)
- Integration (3 recommendations)
- Victims’ policy, service development, and acknowledgement (4 recommendations)
- Further work: measuring the size of the population of injured people (1 recommendation)

In an internal discussion paper (dated 14 September 2012) (WAVE 2012a) which set out their priorities, the group selected ten recommendations, which they arranged into three categories: Financial support; Practical help; and Justice. A revised draft, however, (dated 1 October 2012) (WAVE 2012b) was pared down to five key recommendations arranged into two categories; with ‘Justice’ now excluded. Noting that ‘the key recommendations were around financial support and practical help that the injured require as they get older and their conditions deteriorate’, the group emphasised that, ‘[i]ssues around justice were a feature but they were very much a secondary concern’ (WAVE 2012b). This prioritisation of basic needs over justice

mirrors Maslow's (1968) *hierarchy of needs*: where their basic survival is paramount and 'higher level' notions of truth and justice become distant concerns (Van der Merwe 2014: 203). Thus, of Breen-Smyth's (2012: 23) surviving recommendations, 'Financial support' featured as *the* top priority, with 'Practical help' secondary.

A recommendation relating to the retention of the Memorial Fund became moot when it was replaced by the Victims and Survivors Service (VSS) in May 2012 (Breen-Smyth 2012: 23). However, the group maintained a close watch on this new service and subsequently had a considerable input into improving service delivery for injured people, through the Victims and Survivors Forum (to which I will expand below). Further recommendations emanating from the 'Injured Report' were not altogether ignored and were later brought forward by the Injured Group to the VSS for approval, such as: 'an additional heating allowance ... for injured people suffering from restricted mobility and who suffer from profound coldness as a result of circulation problems or neurological damage' (Breen-Smyth 2012: 23). From its inception, the VSS has provided, in various iterations (currently the Persistent Pain scheme) an annual grant of up to £500 towards the cost of home heating and/or electric bills (Victims and Survivors Service n.d.). Bespoke services for the severely injured are still provided by the VSS, arguably to the detriment of other services, which were no longer available to bereaved siblings and other categories of victim (Northern Ireland Assembly 2014).

The central focus for the Injured Group was therefore on the financial situation faced by those within their 'boundary'. Their financial well-being, with many reliant on state benefits, became all the more precarious as a result of the 'current review of disability benefits', as highlighted by Breen-Smyth (2012: 11). The election of the Conservative led Liberal Democrat coalition government in Westminster in 2010, and its agenda to introduce 'Austerity' measures, through the *UK Welfare Reform Act (2012)*, as a response to the 2008 global financial crisis, created enhanced anxieties amongst the ranks of the Injured Group (BBC 2010b). Incapacity Benefit, which had previously been provided 'for people who cannot work because they are sick or disabled', was replaced by Employment and Support Allowance (ESA), with the proviso that

claimants undergo an onerous Work Capability Assessment (Turn2us n.d.-b; Ryan 2019).

Furthermore, there was a major concern within the group that their status as victims and thus entitlement to support from the VSS could also be denied. Access to certain schemes under the old Memorial Fund, and later the VSS, were dependent on the client being entitled to the higher care component of Disability Living Allowance (DLA) (Northern Ireland Assembly 2014: 10). DLA was a UK government scheme designed to provide 'money for people who have extra care needs or mobility needs (difficulty getting around) as a result of a disability' (Turn2us n.d.-a). With DLA being replaced by a new benefit, Personal Independence Payment (PIP), many feared they would be disadvantaged if they did not qualify for the higher levels of this new benefit. Thus, it could have arisen that an eligible victim, who received support from the VSS one day and found that their DLA entitlement was removed or reduced, could find that they were no longer entitled to full support from the VSS '*Financial Assistance*' scheme.

The Injured Group found themselves in this political and social reality. Their fears and concerns around their present and future financial situation were now heightened by the external political realities of the UK Government's 'Austerity' cuts. This external political atmosphere, of tightening budgets and government cuts, would also play a part in the next stage of the campaign as the group decided on how to choose a frame that could resonate with the local politicians. This required that they framed a prognosis that was both economically feasible and easy to implement. It was therefore essential that they selected the right team to lead their lobby into Stormont.

The process of selecting who would emerge from the Injured Group to advance their demands was fraught with tension and difficulty. As discussed above, McBride regularly despatched invitation letters to those who had shown an interest in the group to attend meetings and events, since taking up his role in 2008. By autumn 2012, the group had grown in size to approximately 30-40 members. Attendance, however, was entirely voluntary. This easy-going informal nature saw some members attend more than others. Moreover, the Injured Group was made up of people from different social backgrounds with varying degrees of confidence, ability, and

aptitude; including those with cognitive impairments, resulting from their injuries. This required skilful facilitation by McBride (Philip Gault, interview, 15 October 2018). Given the varying levels of commitment and capacity, it was untenable for all members to attend political lobby meetings at Stormont. Inevitably, it required a 'vanguard' that could speak for the rest of the group. Within the main group, some people had a louder voice than others. That is not to say that members were shouted down, rather, those with a stronger voice and a handle on the issues at hand, came to the fore as natural leaders. Peter Heathwood (Interview, 1 October 2018), a future delegate of the Injured Lobby Group, pointed out that those selected:

[H]ad always been the talkers in the group, if you know what I mean? It would have been the case of who could put the case rather than sending somebody up is going to sit and say nothing; because they're scared of the politicians or something.

For Mark Kelly (Interview, 11 October 2018), the goal was to select a strong and varied delegation, representative of society, of the cause of their victimhood, and the subject of the 'Injured Report': the severely physically injured:

We needed it not to be too large but we needed it to be representative of those who had been affected by whomever, and gender balance and all of those things were taken into consideration. To make it as representative and as reflective of the [Injured Report] study and of the Northern Ireland society, those affected, the seriously injured. That was our goal. So, it was a compromise, but it was a planned compromise. I felt, on a personal level, that's a strong group of people who will go up and do the business.

Those designated to speak on behalf of the group had to convey 'frame credibility' (Benford 1993: 692-693), that is, does the person engaging in movement-related framing activity seem credible to the antagonists and the audience? Thus, the 'status and prestige' of the delegation will have a marked effect on the 'perceived plausibility' of the demands: 'their power rests not only on what they say and how well they say it, but also on who they are' (Benford 1993: 693). In addition, the 'visual aspect' of sending 'somebody in a wheelchair' was well appreciated by the group (Philip Gault, interview, 15 October 2018). More importantly, however, it signalled a crucial divergence as to who would lead the next stage of the Campaign for Recognition, and for whom the Injured Group was now advocating: the 'severely physically injured'. The roots of this divergence were twofold: the perceived cultural power of the visibility of severe injury and the economic feasibility of financial redress

by keeping the number of potential beneficiaries to a minimum. Accentuating these frames mirrored Starzyk *et al.*'s (2014: 118-120) recommendation that victims who are seeking reparations should not only convey to their audience the effects their past and 'continued suffering', they must also demonstrate the 'idea of feasibility', if they are to engender support. This divergence, however, would eventually cause the fracture of the main group and lead to the Injured Lobby Group becoming the sole representatives of the third iteration of the WAVE Injured Group.

For *Victor* (Interview, 30 October 2018), the earlier decision to focus Breen-Smyth's 'Injured Report' solely on the severely physically injured sowed the seeds of discontent within the group:

[When] Marie [Breen-Smyth] got the tender to do it ... I argued against it ... I thought it would cause a rift in the group ... Because it was just for the physically injured [not including the psychologically injured] and I think I've been proved right in what I said at the time. It wasn't an intentional thing to split the two of them up. But whoever was giving the money out said: "No, we've only X amount of money, go out and do one side, not both." And I think that's what's happened. I don't think it was a deliberate thing by Sandra or anybody here in WAVE to do that ... At the time, I think, there was a lot of people within the group who were totally stunned the group went down that way. I know there's an awful lot of people still feel that they've been let down.

Another former member of the group, Jim Moody (Interview, 21 November 2018), argued similarly that:

First of all, I think it was titled wrong. Severely Injured. That there gets me. That they're only looking after one particular group of injured, which was the severely, and this is where my fallout came with the Injured Group, you know what I mean, the severely injured. At the time I was severely injured. I was shot five times. I could have died. Am I severely injured now? No. Back then I was seriously injured and this is why I had a fallout with the Injured Group because the report with Marie Breen-Smyth, it all aimed at one particular group.

Mark Kelly's (Interview, 11 October 2018) recollection that the tighter definition of injury within Injured Report set the course for the more focused but ultimately exclusive framing of a 'severely physically injured' category, concurs with those above:

When the emphasis, and some of us felt that, the only way to win this... was because the study featured primarily, well, it was about the seriously physically injured, and once that term was used, the seriously physically injured and their needs and those of their families, that started to fracture the

group. And the argument that we were being faced with was, well, we didn't come to terms with accepting the permanence early enough on I think, to prevent the fracture. You know, the permanence of the psychological injury. And therefore, others felt they were going to be left by the wayside.

In part, the reasoning was practical, the empirical evidence with regard to the needs of the physically injured was readily available to present to the politicians and policymakers. Conversely, there was little or no evidence base to argue for those with psychological injury. Therefore, when it came to the final selection, it was those with 'credible', tangible, visible physical injuries who made it into the lobby group; a point emphasised by Jennifer McNern (Interview, 8 October 2018):

I can't remember the process clearly. But I suppose really, you had to be disabled, you were in a wheelchair. Somebody who could speak and all the rest of it. It was important to get the visuals of wheelchairs, and people who were blind and things like that.

In late 2012, shortly before the lobby group set out on a series of meetings with political representatives from the five main parties on the Stormont Executive (the Alliance Party, the Democratic Unionist Party (DUP); Sinn Féin; the Social and Democratic Labour Party (SDLP); and the Ulster Unionist Party (UUP)), tensions around the decision to focus attention on support for the physically injured were laid bare. The Injured Group engaged in a series of discussions, or 'negotiations', to resolve these tensions. These frictions were in effect 'frame disputes' (Benford 1993). Frame disputes occur within movements when there are disagreements not just over a 'shared *diagnosis*', but also their '*prognosis*' of how their problems 'ought to be transformed' (Benford 1993: 679) [emphasis in original]. In the case of the Injured Group, their 'frame dispute' was around '*frame resonance*'; about how their 'reality should be presented' to their target 'audience', the local politicians, to effect change (Benford 1993: 679) [emphasis in original]. With the visibility of injury frame relatively settled, arguments were put forward to justify the economic feasibility frame of their proposals in the eyes of politicians (Starzyk *et al.* 2014). This came in the midst of the 'Austerity' agenda undertaken by the UK government, which threatened to cut the 'block grant' to Stormont by £1 billion a year over a four-year period (Campbell 2014). Taking their lead from Breen-Smyth's (2012: 9) report, on the potential size of the injured population 'which range[d] from 8,383 to 100,000', the group was concerned

that their demands could be too easily dismissed by politicians as unfeasible. With this in mind, the principal internal argument centred on the logic that, if the group asked for everyone, including those with psychological injury, to be provided with a 'guaranteed minimum income safety net' of a special injured 'pension', as recommended by Breen-Smyth (2012: 13), then the costs could be too high and the politicians would be more likely to reject the proposals entirely. This follows Segovia's (2006: 670) finding that 'governments will wield technical and economic arguments as an excuse to obstruct the provision of resources for reparations', when there is no political coalition in favour of such a scheme; especially when governments have to balance the needs of victims against the rest of society. The strategy therefore was to focus on those with severe physical injuries. As Peter Heathwood (Interview, 1 October 2018) explained, there was a concern that the feasibility issue, factoring in the political and economic climate, would present an obstacle if financial redress for psychological injuries were to be included in the group's initial framing strategy:

It began to get to the point after Marie Breen-Smyth had costed the thing at around £3 million: "Okay, what level of psychological injury is going to get the same as what's wrong with us?" And that became a point of discussion and I do remember some of the guys got sort of pissed off that they felt that they weren't going to be getting what we were getting. Not because we wouldn't give it to them but because if it went to that level of funding, for a government to do it would have been just: "No way." You know, you wouldn't have been talking about £3½ million a year you would have been talking about a hell of a lot more.

From this, and as an attempt at compromise, those advocating within the group for the physically injured only, proposed that this framing strategy be used as a wedge issue, 'a foot in the door' (Alex Bunting, interview, 4 October 2018), which, once opened, would allow others to enter. Mark Kelly (Interview, 18 October 2018) was one such proponent of this strategy:

I argued strongly [for the strategy], so I suppose I may be one of those responsible for this split, so, it was to say: "Listen guys, let's get the one across the line that we think we can win and that'll open the door for a judicial review or whatever else might come along."

There was no escaping the sense of grievance and disgruntlement among certain sections of the group. Nevertheless, the lobby group, made up of those exclusively with physical injuries, started the first round of meetings with the parties in

November 2012, and laid out their specific demands. In a further attempt to assuage those who were feeling excluded, a section of a letter updating the Injured Group on the progress to date (dated 21 January 2013) (WAVE 2013a) stated that:

Whilst the focus at this stage of the Campaign has been on the physically disabled, those suffering psychological trauma have not been forgotten about. Each meeting with the political parties begins with an appeal for work to be done with regards to mapping the needs of the psychologically traumatised.

Looking back to this period in 2012, in his interview in October 2018, on the assurances given to the psychologically injured within the group, McBride admitted that:

I have to say, I disagreed with [the] analysis ... that ... "Look, we will get the foot in the door and come back for the rest." I, personally speaking, I don't think it's gonna happen. I don't see people with psychological injury ... I certainly don't see them getting any cash awards. I never really believed that would happen and I always just thought that we were maybe just leading them up the garden path, a bit. But, that said, that doesn't mean to say that we can't highlight the fact that there is a lot of people here who were psychologically traumatised as a result of the Troubles. That's why we did the conference with David Becker where the spotlight was very much on psychological trauma. I think we should raise psychological trauma ... for better trauma services ... I think we should absolutely make that case. (Interview, 5 November 2018)

As alluded to by McBride, WAVE organised a conference in 2013 that focused 'solely on psychological trauma' (WAVE 2013a) with the renowned expert on trauma and psychology, Prof. Dr. David Becker of Sigmund Freud Private University, Berlin, as the keynote speaker. This conference, however, did not suffice in appeasing members who continued to feel aggrieved. Those who attended the lobby meetings saw themselves as a distinct sub-group of the Injured Group: they were the severely physically injured, and they were in a different boundary from the rest of the Injured Group. While they may have suffered psychologically and emotionally in the years after the conflict, as set out in the previous chapter, they identified as somehow different to the others. Although the plight of the psychologically injured was mentioned as something which needed further work and resolution, the main focus of the political meetings was narrowed to one main aim: financial assistance for the 'severely physically injured'.

With the membership of the group selected, the WIG decided to focus in on the notion of a 'guaranteed minimum income safety net' and/or a special injured 'pension' as recommended by Breen-Smyth (2012: 13). This was the only recommendation from Breen-Smyth's original list presented to their political representatives in the autumn of 2012. Following their visits to Stormont, the lobby group would report to the main group. The first round of political meetings were characterised as 'largely positive' (Magee 2013: 2), in that, their limited proposals were accepted as feasible and doable. By focusing on a relatively small number of severely physically injured victims, the cost could be kept to a reasonable level. The group were also keen that the proposals would be brought forward with cross party support through the Executive, as a reflection of the non-sectarian cross-community make-up of the Injured Group. As a result, it was suggested by one political representative, from the Alliance Party, that an all-party working group be formed among the MLAs to work on the details, before bringing a bill through the Executive or a 'Private Member's Bill' (PMB) to the Assembly (WAVE 2013b). There was also talk of an invitation to give evidence to the Committee for the Office of First Minister and deputy First Minister. Neither of these suggestions materialised.

The meeting with the DUP delegation, however, was particularly important in terms of how the group moved forward. The group found themselves at the sharp end of a series of pointed questions about the detail of their proposals, to which they could not meaningfully respond. These included what 'form any Injured Pension would take, how eligibility would be assessed and the potential numbers of those who would receive such assistance' (Magee 2013: 2). These constructive criticisms set the group on the path to conducting further research to bring back to Stormont in 2013. To produce this research, WAVE moved inside their organisation and seconded their welfare rights officer, Stuart Magee, to the group. Magee, a trainee barrister at the time, together with Mary McCallan (a WAVE advocacy worker), worked to address some of the technical challenges and sought to find analogous schemes in other conflicted or post conflict contexts (Stuart Magee, interview, 19 November 2019).

That work formed the basis of what would become the research report *Exploring Models for the Proposal of Special Pension Provision for those Injured in the Northern*

Ireland 'Troubles (Magee 2013). To date, all further iterations relating to a model for a special pension, including from the Commission for Victims and Survivors (2014a; 2014b), the Democratic Unionist Party (2014a), and the UK Government (Northern Ireland Office 2019a), are largely based on the template put forward in this document. Working from the definition of severe injury set out by Breen-Smyth (2012), Magee (2013: 2) stated that:

“The Injured” ... refers to those who suffered life threatening or disfiguring physical injuries in the Troubles. It is proposed that PTSD should be taken into account when assessing those who were physical injured, but only where it has been established that a physical injury exists in relation to the Troubles as a primary test of eligibility.

The publication of Magee’s report in May 2013 and its intended use as the main lobbying tool for the Campaign for Recognition further widened the cleavage within the Injured Group. The criteria setting out who would be eligible to claim were particular points of contention for the already aggrieved cohort of those with psychological injury:

- a) That the claimant suffered physical injury(s) as a result of Troubles related incident(s)
- b) That the injury(s) has resulted in disablement. (Magee 2013: 3)

An Injured Group meeting (22 April 2013), set aside to discuss the implications of Magee’s paper, where ‘emotions were running high’ (WAVE 2013c) ended in acrimony. Jim Moody (Interview, 21 November 2018) remembers this specific meeting as a turning point for him:

I started to rebel against the group because I thought WAVE were creating a hierarchy of victims within the group. They were more concerned about the amputees, the paralysed people and the blind people. The rest of us didn’t matter ... But there were people in that room that night, [a member whose brother was killed, who] went off the rails, drugs, alcohol, never worked a day since, so he’s no pension. He’s still affected by what happened to his brother. That means he was psychologically affected by the conflict but as far as WAVE were concerned, he’s not entitled to a pension, and that really pissed me off.

Moody’s reaction was indicative of how the psychologically injured *faction* felt after the decision to push for a special pension, exclusively for the physically injured, was officially set out in black and white. While the cleavage had been widening, this meeting witnessed a clear fracture within the group. Further Injured Group meetings were held, which involved the lobby group reporting to the main group on the

progress of their meetings with political representatives, but overall attendance dwindled as the 'psychologically injured' began to stay away. As McBride (Interview, 5 November 2018) recalled: 'I think what was happening was that the psychologically injured were saying: "Look, there is no point us going up there if you not are talking about us"'.

This fracture could have meant the end for the Injured Group and the Campaign for Recognition. Such internal conflicts and 'frame disputes' can be fatal to social movements (McAdam 1982; Snow and Benford 1992). With attendances falling, momentum and support could have been lost. Philip Gault, however, who was chair of the Injured Group at that stage, recollected that there were always tensions within in the group, even before Magee's paper was produced (Interview, 15 October 2018). Alex Bunting (Interview, 4 October 2018), however, felt that the main body of the Injured Group began to turn on the smaller lobby group:

The wider group didn't want to know because once they came out of... the people with psychological injuries, they sort of turned on us, in a sense of: "Why are you not fighting for us?" They then turned it, where they disliked what we were doing and they thought that we were traitors, going on and leaving them behind. But that wasn't the way of it.

It was therefore the Injured Lobby Group, a streamlined version of the main Injured Group, who were left to take on the mantle of the WAVE Injured Group. This third iteration, as I will illuminate throughout the rest of this thesis, would emerge from this schism and build on their exclusive but tight collective identity as the 'severely physically injured' and become a more cohesive entity. As Benford (1993: 694) suggested 'intramural conflicts are [both] detrimental and facilitative of movements' (see also Coser 1956; Oberschall 1973). While the major 'frame dispute' around which credible frames would resonate with the antagonists and their targeted audiences could have been detrimental to the very existence of the Injured Group, it transpired that the lobby group was free to take forward a more coherent frame to the politicians: the single issue of a pension for the severely physically injured. Displaying a credible and cohesive front would protect the movement from outside attacks and the potential for antagonists to 'divide and conquer' (Benford 1993: 696). The previous pool of resources made available to the Injured Group by the sheer force of numbers, which were crucial in the collection of the petition, was now be

concentrated in the hands of a few, making the movement's decision-making processes around the strategy of political lobbying more efficient. With its internal fractures *resolved*, it was time for this iteration of the Injured Group to take the Injured Pension Campaign to the next level. The Injured Lobby Group would take Magee's proposals into the political arena, into the victims' sector, and into the public sphere through the mainstream media. It was within these spheres that the group would encounter, not only a wide range of external constraints, but also opportunities, which they would eventually frame to their advantage.

THE COMMISSION FOR VICTIMS AND SURVIVORS: WHO ARE THE CHAMPIONS?

The Magee report became a central resource for lobbying work with politicians and policymakers. One of the most important stakeholders was the Commission for Victims and Survivors (CVS) (formerly The Commission of Victims and Survivors (2009)). The CVS had been established under *The Victims and Survivors (Northern Ireland) Order (2006)* to 'be the primary source of advice to government on victims and survivors issues' (Victims Unit 2009: 6). By this stage, May 2013, the role of Victims Commissioner had been filled by a single appointee, Kathryn Stone (appointed in September 2012). Previously, in what was clearly a messy political compromise, the Executive had appointed four commissioners to the CVS with equal powers (BBC 2008a; 2008b). Furthermore, three members of the Injured Group, Jennifer McNern, Peter Heathwood, and Alex Bunting, were also members of the Victims and Survivors Forum (hereafter, the Forum). They had been selected by the Stone's predecessors to participate in this body from September 2009.

The Forum, as set out in the *Strategy for Victims and Survivors* (Victims Unit 2009: 7) was established to 'act as an advisory body to the Commission', on matters relating to victims and survivors; and was made up of approximately twenty-five people, representative of victims and survivors from across the region. The Commission, and therefore the Forum, was required to address three key areas: 'a comprehensive needs assessment to inform the development of services; dealing with the 'past'; and

building for the future' (Victims Unit 2009: 6). While Forum members could advise the commissioners on government policy, it was for the commissioner to make the final decision on advice to ministers. As such, the Injured Group were of the opinion that the Commission was the vehicle to consider their grievances and design suitable policy advice. The group had hoped that the CVS would 'champion' their cause.

Previously, the Injured Group had met with the Stone's predecessors on a number of occasions as far back as 2009 and had asked this organisation to take up the mantle for them. In a letter (dated 16 November 2009) to the CVS following a meeting with two commissioners at WAVE (22 October 2009), the group asked if they had:

[R]ais[ed] the proposals discussed at the [WAVE] October Meeting with your fellow Commissioners on the 3rd November 2009. The Injured Group are keen to learn the outcome of that meeting and in particular *if the Commission are now in a position to fully support the campaign.* (WAVE 2009!) [emphasis added]

This request for the Commission to 'fully support' the campaign would become a bone of contention for the group. So much so that they felt the need to write to the Commission again, in March 2010, to bemoan the fact that since their letter in November 2009:

[W]e have not received a response from you in relation to this, so we write to ask you again, 'will the Commission support the Recognition for All Campaign'? ... [Without this support] the Campaign lacks an effective Champion [sic] to take the case to government. *The CVSNI should be that champion as your whole reason for being is to serve the interests of Victims and Survivors*, and the issue of recognition repeatedly comes out on top of issues many victims and survivors want to see addressed. (WAVE 2010e) [emphasis added]

Despite the apparent lack of support, the reasons for which I will discuss below, the Injured Group continued lobbying both within and without the Commission through the Forum. The proximity of the Injured Group to this statutory body gave them access to a range of networks, an insight into ongoing developments in the sector, and a voice in how they should be shaped. They could help to educate and influence others who orbited within their sphere of influence. While the Forum itself met in full plenary sessions on a regular basis, the members were also designated into smaller working groups. Jennifer McNern and Alex Bunting had been placed onto the 'Services' group.

Alex Bunting recalled how his time on the 'Services' group helped him to realise that he could actually influence policy from his position; that he could make a difference. He took up the case of a fellow member of the WAVE Injured Group who, after having lost both of his legs as a result of a so-called paramilitary 'punishment' attack, discovered that that he was to be excluded from support from the aforementioned Northern Ireland Memorial Fund (NIMF). Bunting decided to intervene. As Moffett (2018a) has argued, victims of such attacks are often seen as 'bad victims ... somehow 'deserving' of receiving mutilation and disability through 'kneecappings' as paramilitary vigilante justice, because they were involved in 'anti-social behaviour''. The NIMF had, up to this stage (circa 2011), a policy of excluding this category of 'victim' from support provisions. 'Punishment' attacks, while carried out by non-state actors, were not viewed as Troubles-related. Bunting (Interview, 4 October 2018) brought the case directly to the NIMF when the Forum invited their board to a plenary meeting:

In the end they all agreed that you can't exclude these people. And that changed it and they started to pay. So, that was one great thing. And I said to myself: "Fuck, this works! I can change things by doing what I'm doing. By pushing."

This realisation, that he, and the Forum, had the power to change policy for injured people had a profound effect on Bunting. It set in motion a newfound confidence that change could be achieved through the agency of individual victims working under the remit of the Forum: that their voices could be heard. Additional problems with the NIMF were identified:

Then we went into... we had to say it, saying that the Memorial Fund was useless for provisions for wheelchairs for people. For people needing things done in the house. You were getting £50 or £150 at Christmas or whatever. It was a pittance ... We said: "Look, we need money. People need money." We then met [the NIMF] ... and we asked for a small payment per person per month. They came back and said: "Right, we are going to give you £20 per week to help." And the biggest stumbling block, I remember at that stage was the DHSS (Department of Health and Social Services) and how it would affect your (means tested state benefits). But we got round that; by talking to them. And that was the first time that we had set up a scheme where severely injured people would get that £20-a-week. (Alex Bunting, interview, 4 October 2018)

While such small victories for ‘severely injured people’ through the Commission and Forum were welcome, attracting support for the main prize (the ‘Injured Pension’) proved a much harder task. Although the Injured Group had been expanding its networks within the victims’ sector, and exerting its influence within the Forum on policy matters related to the welfare of the injured, promoting a specific pension for the injured was met with resistance. According to the Injured Group/Forum members, the commissioners were not convinced that this was something that could be won. Peter Heathwood (Interview, 1 October 2018) [emphasis added] recalled how he and others first brought their ideas to the Forum:

And the argument went: “We were all working and we were all young and we never had a pension. Why doesn’t the State give us a pension as part of our compensation?” And I remember Brendan McAllister (Commissioner) actually said: “*Peter, you have no chance of getting a pension. There is no political will at Stormont to do that.*” That was his exact words at that time. So, it closed down within the Forum. It never really got anywhere because the Commissioners weren’t pushing it. But we were still doing the WAVE thing. Agitating in the background.

While critical of the commissioners’ analysis of the perceived lack of political will at Stormont to advance such a scheme, Philip Gault (Interview, 15 October 2018), pointed to a lack of will within the CVS itself to take the pension issue forward:

[They] always tried to slide away from it, to defuse it, to move away from it, to divert it. [They] never really wanted to deal with it. [They were getting] £60,000 a year ... to fight and advocate, to be that champion for victims and yet [they] wouldn’t take on that thorny, that problem, that we were talking about. And maybe [they] just didn’t want that fight. And to me that was what he was getting paid for, to fight for us ... They [were] just at loggerheads with [each other]. I think that was because of their political scenario.

Gault’s allusion to the ‘political scenario’ highlighted the problematic make-up of the Commission for Victims and Survivors at this particular time and related to the fact that there were four commissioners in place rather than, as had been envisaged, one. As noted above, this messy compromise came about because of the inability of the then First Minister, Ian Paisley, and deputy First Minister, Martin McGuinness to select a single candidate who, in their opinion, could command the support of a divided public, especially within the victims’ sector. For Alliance Party MLA, Stephen Farry this decision set the organisation up for potential ‘disaster’; one that would see the ‘Balkanisation of the commission’ (Northern Ireland Assembly 2008a). This

prediction came in response to the assertion by Sinn Féin MLA, Francie Molloy, in an Assembly debate on 31 March 2008 that it was:

[A]ccepted by most as important that the four commissioners would represent different strands; that they could each reflect the views of their respective communities. The commissioners each operate in different ways, and victims would perhaps feel more comfortable dealing with someone that they knew, or who represented their own point of view. (Northern Ireland Assembly 2008a)

Nevertheless, I would argue that the decision to appoint four commissioners had an effect on neutering support from the Commission regarding the Campaign for Recognition. In the context of having four individuals with equal power, critical and difficult decisions on policy advice and direction could not be moved forward, without the agreement of all. During interviews with three of the four simultaneous commissioners, Bertha McDougall, Mike Nesbitt, and Patricia McBride, this point was reluctantly conceded. Bertha McDougall (Interview, 10 January 2019) recalled how this decision by the Office of the First Minister and deputy First Minister (OFMDFM) affected their progress on dealing with certain issues relating to victims and survivors:

No matter how hard you worked, it meant that every decision had to go through four people, which really was very time-intensive, and it wasn't perceived by the community as a very good decision ... I think that it would've been better [for OFMDFM] to make a difficult choice and have one person.

In a similar vein, the following exchange with Mike Nesbitt (Interview, 23 January 2019) is instructive:

[I]t plays into the difficulty of appointing four co-equal commissioners ... Can you run a police service with four co-equal police chief constables? Within that, there were personalities who wished to retain control and so would have been less amenable to compromise than I think I would have been instinctively to support current support groups and let them and get on with it.

Interviewer: Champion them, for want of a better word?

Yes. Whereas others might have been a bit more, "let's keep the control within the Commission". And let's also be cautious because if we champion Group A, Group Z may say, "that's not right." ... I think the fact you had the four co-equals just put the brake on and introduced an element of cautiousness, which was counter-intuitive to me.

The lack of power to make decisions may have been one aspect of their reticence but, as Heathwood pointed out, the commissioners also appeared to believe that a

pension would not be politically achievable through either Stormont or indeed the UK Treasury. On the one hand, the CVS was sceptical that the cost of such a scheme would be feasible and, on the other hand, there were concerns that politically this scheme would ‘face political resistance [if] anyone who had been injured by their own act [was] able to access support’ (Patricia McBride, Interview, 24 June 2019).

Whether or not the Commission’s decision to dismiss the notion of a pension at this time was down to the lack of corporate consensus on its feasibility and eligibility concerns, the political will of local politicians, or even that the ‘clock ran out on [their] three-year term’, is moot (Patricia MacBride, interview, 24 June 2019). The Injured Group perceived this iteration of the Commission as a failure. In fact, they did not just fail. They made no serious attempt to try to scope out or bring a pension proposal forward because ‘there was some concern within the organisation that to make such a recommendation wouldn’t go down well politically’ (Patricia McBride, interview, 24 June 2019). In effect, they left the job to WAVE and let time run out.

When their replacement, Kathryn Stone, was appointed in September 2012, the Injured Group was more hopeful that things could change. After all, victims and survivors now had a single commissioner in charge who could make her own decisions, and potentially act on them. The Injured Group was particularly complimentary of Stone’s approach to the issues that mattered to them. In a television interview on the daily news programme *UTV Live Tonight*, Stone had put forward the notion of a ‘Civilian Covenant’ and an ‘Injured pension for all’ (*UTV Live Tonight* 2013). Explaining this concept, Stone juxtaposed the recent political conversations in the UK around a potential ‘Military Covenant’ or Armed Forces Covenant against the need for a special covenant for civilian victims of the Troubles. When the Armed Forces Covenant was introduced, it represented ‘a promise from the nation that those who serve or have served in the armed forces, and their families, are treated fairly’ (Ministry of Defence 2019). For Stone, taking her lead from the Injured Group, from whence the notion originated:

A Civilian Covenant [would represent] something equal and parallel for people who haven’t served, but who have been bereaved or injured or traumatised by what happened [in Northern Ireland] ... An Injured Pension would also be

in parallel with countries such as Greece, Spain, and Italy where people have been injured and they receive a pension. (UTV Live Tonight 2013)

This shift in emphasis within the Commission towards the pension was enhanced by the new networks being created within the Forum by the Injured Group members. One positive example of working closely with the Commission was on a specific issue of welfare mitigations resulting from proposed changes to social security benefits under the *UK Welfare Reform Act (2012)*. This legislation had the effect of applying swingeing cuts to the overall welfare budget and stoked fear into poor and disabled people across the UK (Beatty and Fothergill 2013; 2016; Ryan 2019; Tomlinson 2012). The Injured Group argued that these changes in entitlement provision could have a significantly more detrimental impact on the injured of the Troubles than other cohorts. Stone (Interview, 18 December 2018) recalled inviting McNern and Bunting to a meeting with the UK Minister of State for the Department of Work and Pensions, Lord Freud, to deal with their concerns 'about welfare reform and we talked to him about the pension [too]'. This meeting, and subsequent meetings with the relevant policymakers in the NI Executive, arguably led to a raft of mitigations to future welfare reforms, with some bespoke mitigations specific to victims and survivors (Devenport 2016). In a subsequent report on this and other welfare issues, Evason (2016) highlighted, '[t]here is concern that this method of assessment (for Personal Independence Payment (PIP)) may not fully capture the consequences for claimants in Northern Ireland of conflict-related injury' (Evason 2016: 8). Consequently, anyone with such an injury who failed to reach the 'magic number of eight points' in a PIP assessment, but did score 'at least four points in the reassessment should be awarded an extra four points ... The payments should be for a period of 1 year' (Evason 2016: 8).

Furthermore, according to Margaret Bateson (Interview, 5 June 2020), current CEO of the Victims and Survivors Service (VSS), the VSS was tasked with alerting those victims who were receiving DLA, that 'welfare reform is happening' and with their 'consent, to try and minimise the need for a face-to-face assessment'. For Bateson (Interview, 5 June 2020), the reason these mitigations came into being was down to the work going on:

[B]ehind the scenes, which we weren't aware of at the time ... But I think most importantly the reason why it happened is that the Victims' Forum and, in particular, Alex Bunting were pushing for the idea of avoiding re-traumatisation and avoiding reassessment.

These mitigations, however, soon became the subject of metaconflict arguments around the definition of a victim, as DUP leader:

Arlene Foster was concerned that some ex-paramilitaries could benefit from a proposal that those with conflict-related injuries should get a priority ... because of a failure to change the definition of a victim of Northern Ireland's Troubles ... "We believe that only innocent victims should be recipients of money and they should be the people we help as priority patients." (BBC 2016a)

Nonetheless, the DUP agreed to fully implement the mitigations as they would 'benefit the "vast majority" of innocent victims who have suffered as a result of violence' (BBC 2016a). The intersection between such metaconflict debates and the broader pension debate will be developed further below.

In conjunction with these networking opportunities, which opened up to Injured Group members on the Forum, the Commissioner took a keen interest in the pension proposals. While the Commission's policy team had already been part of the steering group on Breen-Smyth's (2012) research team in 2011-12, it was not until Stuart Magee (2013) published WAVE's 'Pension Paper', in May 2013, that the Commission was able to produce their own proposal. Following a meeting with the Injured Group and the Commission's policy team on 22 May 2013, the Commission's subsequent paper directly mirrored Magee's proposals. The Commission Advice to Ministers paper: *A Pension for people severely injured in the Troubles* (Commission for Victims and Survivors 2013: 3), (dated September 2013) singled out the Injured Group for praise:

The Commission has been informed on this issue by meeting with the WAVE Injured Group and has received a paper from them on the issue of special pension provision for those injured in the Northern Ireland Troubles. The Commission wishes to thank the group for their work in this area and this is reflected in the information in the paper below.

With the apparent support of the Commission, in May and June 2013, the Injured Group was ready to take Magee's pension proposals forward. A series of meetings took place with the five main political parties at Stormont. All parties agreed that the

proposals were doable and feasible (WAVE 2013b; 2013d; 2013e; 2013f; 2013g). Using data from the Northern Ireland Memorial Fund and the Victims and Survivors Service, Magee (2013: 4) identified the potential number of recipients (1007), a model for how the recipients could be assessed, a graded system for weekly awards based on degrees of disablement, and a projected cost for the scheme. Meetings with deputy First Minister, Martin McGuinness, and the First Minister's Special Adviser, Emma Little (now Little-Pengelly), led to an instruction to the Commissioner, Kathryn Stone to undertake further and more intensive research into the proposals which, alongside other external political developments to be discussed in the next chapter, culminated in the publication of *Pension for the Severely Injured Project: Final Report*, in June 2014 (Commission for Victims and Survivors 2014a).

This report was conducted for the Commission by the independent consultancy firm RSM McClure Watters. Consequently, the WAVE Injured Group, as one of the main stakeholders, was called to give its input (Commission for Victims and Survivors 2014a: 10). While the report set out in detail how the scheme might operate in terms of its 'legislative and operational underpinnings', it did not provide recommendations on the '[a] general definition of "injured in/by the Troubles" ... [as] this is a matter for policy makers to decide' (Commission for Victims and Survivors 2014a: 20). This issue of defining victimhood became the key stumbling block, which would ultimately stymie the proposal in the intervening years. Determining who could and indeed more importantly, who could not qualify for any pension became a seemingly intractable cause of disagreement within the victims' sector and between the main political parties, in particular, those within the OFMDFM, which held the victims and survivors portfolio, the DUP and Sinn Féin.

LOGJAM: METACONFLICT AND THE DEFINITION OF VICTIMHOOD

As already explored in detail at the end of Chapter 1, determining who can be ascribed the label of 'victim' has been the subject of intense contestation in Northern Ireland and across the globe. A contest, which can have legal, moral, and policy

implications (Borer 2003; Brewer 2010; Brewer and Hayes 2011). While the local variant of the toxic 'politics of victimhood' had been ongoing during the course of the Troubles, debates around the definition of a victim intensified during the peace process and in the years since signing of the Belfast/Good Friday Agreement (Breen-Smyth 2018: 230). In this respect, 'the victim' was 'elevat[ed] ... as a prominent cultural icon of the peace process' (Gilligan 2003: 26). With the introduction of core government funding for victims' groups after 1998, as discussed in the previous chapter, arguments over who legally qualifies as a victim entitled to support proliferated. In 1998, the then Victims Commissioner, Sir Kenneth Bloomfield, sparked controversy when he was accused of creating a hierarchy of victims by 'largely ignoring those who had been victims at the hands of security forces', and focusing mainly on the victims of non-state actors (Bell 2003: 1102). When Bloomfield published, *We Will Remember Them* (Bloomfield 1998: 14), he professed that many 'feel strongly that any person engaged in unlawful activity who is killed or injured in pursuit of it is a victim only of his own criminality and deserves no recognition for it'. In 2002, however, when the *Reshape, Rebuild, Achieve* (RRA) document was introduced by the Victims Unit, under the auspices of the OFMDFM, setting out a new government strategy to deal with the needs of victims, there was a recognition that, while 'it is virtually impossible to come up with a comprehensive definition ... a definition was used in the consultation which received broad support' (Victims Unit 2002: 1). Therefore, this 'broad[ly] support[ed]' definition described a victim as:

The surviving physically and psychologically injured of violent, conflict related incidents and those close relatives or partners who care for them, along with those close relatives or partners who mourn their dead. (Victims Unit 2002: 1)

In adopting this definition, the Victims' Unit had clearly moved towards an inclusive 'harm-based model' (Álvarez Berastegi and Hearty 2018: 6). This closely matched a later approach adopted by the United Nations (2005: 5), which described victims as those 'who individually or collectively suffered harm'. The RRA definition, as agreed at that time, by the OFMDFM (then led by First Minister David Trimble of Ulster Unionist Party (UUP) and deputy First Minister Seamus Mallon of the Social Democratic and Labour Party (SDLP)), was viewed by some critics, as too inclusive, as it did not take into account the identity or circumstances surrounding the conflict-

related incident in which the person became victimised (Devenport 2005). From this perspective, the identity of both victim and perpetrator was of the utmost importance, and promoted a 'blame-based model' of victimhood, where 'victims can only be 'innocent', meaning that those who are also members of [non-state] armed groups cannot be victims' (Álvarez Berastegi and Hearty 2018: 7). Qualification for victimhood in this sense was therefore based on one's status as a blameless and pure innocent victim: the blameless 'ideal victim', like Christie's (1986) 'little old lady' victimised by a vicious assailant, that is, the 'ideal perpetrator'.

The RRA strategy, itself, featured 50 recommendations for delivering practical services and support for victims, however, many of them were not implemented as the Stormont Assembly was suspended shortly afterwards in October 2002, due to the aforementioned 'Stormontgate' controversy. Thus, it was for the UK Government's Northern Ireland Office (NIO) to continue its work on providing for victims and survivors through its administration. As set out in the previous chapter, the responsibility for victims and survivors was, until 2005, split between the Victims Liaison Unit, under the direction of the NIO, and the Victims Unit at OFMDFM. An earlier outworking of Bloomfield's 1998 report saw the establishment of the Northern Ireland Memorial Fund (NIMF), under the auspices of the NIO, and with the 'underlying aim', according to a former NIMF co-founder, Daphne Trimble (2018) (wife of the former First Minister (1998-2002), David Trimble):

[O]f assist[ing] in healing the wounds of our deeply divided society, by focusing on the needs of those most closely touched by the Troubles, the injured and their carers, and the bereaved.

This 'underlying aim' of providing 'grants', 'schemes', and doing 'reconciliation work' had, however, some caveats, in that, as Trimble (2018) claimed, 'under the light touch regulation of the NIO we were firm in our resolve to exclude perpetrators.' Trimble (2018) [emphasis added] noted that this changed when:

[T]he political landscape ... shifted to a DUP/SF led executive [and] responsibility for the NIMF was moved to Stormont [in 2007], specifically to OFMDFM [which] insist[ed] that *we must include perpetrators*, otherwise they would cut all of our funding [and thus became a] *bitter pill* for the board to swallow.

It could be argued that this 'bitter pill' emanated from the creation of a *statutory* definition of victim. During the period of direct rule from Westminster from 2002 to 2007, when the Stormont Assembly was in suspension, the then Secretary of State for Northern Ireland, Peter Hain (now Lord Hain) introduced a statutory instrument, the *Victims and Survivors (Northern Ireland) Order (2006)*, to the UK Parliament for the purpose of establishing a new Commission for Victims and Survivors. This statutory instrument (*Victims and Survivors (Northern Ireland) Order 2006: 2-3*) (hereafter The 2006 Order) refers to a victim and survivor as 'an individual appearing to the [Commission] to be any of the following:

- a. Someone who is or has been physically or psychologically injured as a result of or in consequence of a conflict related incident.
- b. Someone who provides a substantial amount of care on a regular basis for an individual mentioned in paragraph (a)
- c. Someone who has been bereaved because of or in consequence of a conflict related incident.

In a similar vein to the RRA definition, this all-inclusive statutory definition was also firmly based on the Álvarez Berastegi and Hearty's (2018: 6) aforementioned 'harm-based model'. Fowler-Graham (2014: 39) highlighted the importance of this definition as 'it sets the limits of who qualifies as a victim for legal purposes, and by implication, for purposes of funding and victim support.' There is no mention within this statute of identity, of responsibility, or culpability, or from whence the harm originated, it simply recognises 'that there is a common experience of loss, suffering and need' (Lawther 2014b: 71). Indeed, UN Special Rapporteur, Pablo de Greiff (2016: 14), in his report on the state of the post-conflict landscape in NI, characterised this definition as 'overly [inclusive], compared with familiar definitions in international documents'. Hearty (2016: 336) pointed out that 'this legislatively defined victim is not modelled on the ideal victim typology.' Consequently, all victims, including 'complex political victims' (Bouris 2007), that is victim/perpetrators, have been entitled to support services, through the Northern Ireland Memorial Fund and later the Victims and Survivors Service. These services included psychological support, physiotherapy and holistic therapies, social support, and most pertinently, 'self-directed' (cash) payments to help alleviate financial hardship faced by victims and survivors (Victims and Survivors Service 2019). Severely injured victims, in particular,

have also benefitted from extra support towards the extra costs of home heating and disability aids in recent years.

While this fully inclusive definition is broadly supported by the nationalist parties and victims' groups, unionist opponents argue that it creates a 'moral equivalence' between *their* innocent victims and victimised illegitimate perpetrators, who were to blame for their own victimhood (Lawther 2014b: 62). In general terms, those on the unionist side understand the nature of the past as one marred by 'terrorism' and argue for the exclusion of perpetrators from any support schemes. While, the nationalist/republican perspective on the past is framed as political violence and therefore tend to support more inclusive schemes (Álvarez Berastegi and Hearty 2018: 2). Moreover, it has been argued by unionist politicians and victims groups that the 2006 Order retrospectively legitimised the actions of republican non-state actors, and so, in a zero-sum scenario, lessened or diluted the 'Protestant Unionist Loyalist' narrative of loss and suffering (Lawther 2014b).

Fowler-Graham (2014: 40) collated a collection of proposed alternative definitions, mainly crafted by the unionist political parties, 'which stand in stark contrast to the legislative definition'. These alternative definitions mirror the demands from a petition termed the 'Charter for Innocent Victims and Survivors of Terrorism', launched by Innocent Victims United (IVU) (Innocent Victims United 2013a; b; 2015), 'an umbrella organisation for 21 victim/survivor support groups with a combined membership of over 11,000 people.' It should be noted that the overwhelming majority of this group were victims of republican violence. IVU subsequently called for a public referendum on this issue (Rutherford 2015). These calls were later reiterated by one of the main constituent groups within IVU, South East Fermanagh Foundation (SEFF) in '*A Covenant with Seriously Injured Innocent Victims/Survivors of Terrorism,*' which proclaimed that, '[t]he current definition of victim ... must be reviewed and replaced to take account of the issue of innocence', characterising 'the innocents' as those 'injured through terrorism or criminal violence' (Advocacy for Innocent Victims 2018) [emphasis added]. Accordingly, there has been a range of unsuccessful attempts by those opposed, to have the definition amended with the

intent of excluding complex victims; coming mainly from the DUP (BBC 2009a; 2010a; Irish Independent 2010; Manley 2018).

However, in the early days of the reformed Stormont Assembly following the St Andrew's Agreement in 2006, with the DUP and Sinn Féin at the head of the new power-sharing executive, the DUP was attacked on its flanks by the Ulster Unionist Party (UUP) for 'fail[ing] innocent victims in Northern Ireland', when the DUP 'failed' to take the opportunity to change the definition, while the Executive was introducing legislation to accommodate four victims' commissioners, instead of one (Ulster Unionist Party 2008a). This stance from the UUP could be viewed by a cynic as somewhat hypocritical, considering it was the UUP, in conjunction with the SDLP, which first introduced an all-inclusive definition in the aforementioned RRA strategy in 2002. Nevertheless, 'expecting' a DUP amendment to the Executive bill, which could be debated 'on the floor of the Assembly', the UUP claimed that it was 'extreme[ly] disappointed' when this failed to materialise 'in light of their long-standing claims that they are against the existing definition' (Ulster Unionist Party 2008a). As stated by UUP MLA, Tom Elliot, with the prospect of not having:

[A] definition of a 'real' victim created soon we could find ourselves with former IRA members championing themselves as victims of the troubles [sic] in Northern Ireland. The very thought of that makes me and many other sick to our stomachs, and it simply cannot be allowed to happen ... Instead of cutting deals with Sinn Féin/IRA the DUP should make sure that the definition of a victim is as it should be, someone who suffered because of paramilitary violence and not the sickening terrorists who brought suffering to so many. (Ulster Unionist Party 2008a)

Standing accused of failing to stand up for 'innocent victims', for fear of 'causing repercussions within the DUP Sinn Féin alliance', the OFMDFM postponed the passage of the Commission for Victims and Survivors Bill at the Consideration Stage in April 2008 (Northern Ireland Assembly 2008b; Ulster Unionist Party 2008b). For the OFMDFM, tackling the issue of definition, at this early stage in their new relationship, could be destabilising. Instead, they chose to implement what UUP MLA Basil McCrea termed, a political 'fudge' (Northern Ireland Assembly 2008c). Deputy First Minister, Martin McGuinness set out the OFMDFM's position on definition, in that, the politicians would pass this politically contentious decision to the victims themselves:

We recognise the difficult issues that surround the definition of “victim”. Victims and survivors should consider that issue. We will, therefore, request that the proposed victims’ forum makes it a priority to examine the definition of “victim” and brings forward its proposals. (Northern Ireland Assembly 2008a)

For SDLP MLA, Dolores Kelly, this was an abrogation of responsibility:

The forum’s first piece of work should not be the divisive issue of the definition of a victim. Political parties have had little agreement on that point, and it would stymie the advantages for victims and survivors if the forum had to deal with it. (Northern Ireland Assembly 2008c)

Consequently, according to Alan McBride (Interview, 5 November 2018), who was nominated to the Pilot Forum in 2009, the definition of a victim was their first item of work. However, after much heated discussions it had to be ‘parked as there would never be a consensus reached on it’ (Alan McBride, interview, 5 November 2018). While the DUP did not attempt to change the Westminster definition of a victim at Stormont in 2008, it would continue, in the intervening years, to bring forward a host of ultimately unsuccessful amendments and Private Members Bills to both Stormont and Westminster. Sir Jeffrey Donaldson MP (DUP) (Interview, 8 March 2019), who had been at the forefront of these attempts, when asked about the DUP’s motives, responded thus:

I think that our view is that someone like Sean Kelly (a non-state actor (IRA) injured while planting the ‘Shankill Bomb’ in 1993) should be excluded from the schemes that are there to benefit innocent victims ... That it is morally indefensible that the State compensates people who became victims as a result of an act of terrorism engaged in by themselves ... And it’s not just injured victims. I mean the definition that we were seeking to introduce would have applied across the board. So, it would have included deaths as well. Thomas Begley for example, who was the accomplice of Sean Kelly, would also be excluded.

Interviewer: But he’s dead, it wouldn’t matter?

Yes, but his family benefit from, potentially benefit from victim’s funding. There would be some schemes from which his family would benefit from but there would be other schemes from which they would be excluded, depending on the type of scheme you’re talking about.

Kenny Donaldson (Interview, 4 September 2019), a well-known ‘gatekeeper’, and spokesperson for IVU and Director of Services at SEFF, was supportive of this stance:

This may sound harsh to some, but I remember [being asked] about the widow of an IRA member who was killed. Is she not a victim and should she

not receive some support? Again, I take no glee in the fact that lady is without a husband, on a Christian, human level, none whatsoever. But you also have to ask yourself what is she a victim of? Is she a victim of the choices that her husband had taken which ultimately then led to his own murder or his own death? What is she a victim of?

Peter Robinson (Interview, 20 March 2019) [emphasis added], former leader of DUP (2008-2016) while reiterating that the party had always been consistently opposed to the 2006 Order, recognised that they had to operate within its parameters until such times that it might be amended:

Well obviously it was a Direct Rule definition, which we opposed at the time. It was a general view in unionism that, by definition victims cannot include victim makers ... [However] there are some things that pragmatically you have to accept. The definition is there and if you can't change it then you have to work with it, and that's okay for the issues that were on the table, but when you're bringing in a *new issue* and you have the *opportunity to dispute it*, that made the difference.

That the pension proposal was viewed as a 'new issue', one that had to come before the Stormont Assembly for approval, and not specifically tied to the 2006 Order, essentially gave the DUP and others the 'opportunity to dispute it'. Those opposed to the definition could argue that this novel proposal was somehow different from previous support structures and could therefore exclude, as former DUP MLA, Junior Minister, MP, and Special Adviser, Emma Little-Pengelly (Interview, 2 August 2017) [emphasis added], put it, a 'small group of very *unworthy* people':

This pension is special attention for victims of the Troubles. Those who, through no fault of their own, have ended up in this situation because of the Troubles of Northern Ireland ... If a person has killed themselves by planting a bomb then he is not a victim ... The same goes for those who were injured doing this ... If we are doing something to recognise the *special* category then that category needs to be a *worthy* category of those people who were the victims of a criminal act of another. The very basic dictionary definition of victim is somebody who has been injured by the hand of another. I think that people thought it was very topsy-turvy that we are living in a place where actually they are categorised in the same category as somebody else who has caused it to themselves. In fact, the 2006 Order definition has hindered a lot of the work for victims and survivors because of the *contamination* of the overall issue by this *small group of very unworthy people* who themselves were the victim makers.

Little-Pengelly's allusions to 'contamination' and the 'worthy' and 'unworthy' victims are reflective of what Noor *et al.* (2012; see also Beiss 2006: 52) have described as

‘inter-group Competitive Victimhood’ (CV). Such references represent moral typecasting, that is, ‘the tendency to classify moral actors into mutually exclusive roles of agents and patients ... where only one group can be the “real” victim of the conflict’ (Noor *et al.* 2012: 354). Also included in this exclusive category, of *real* victims, are the wide range of injured armed state actors who served during the Troubles. Rejecting the notion that these actors were active combatants in the conflict, Kenny Donaldson stated that, ‘they just wouldn’t identify with it. They’d say: “What were we combatting with?”’ (Interview, 4 September 2019). Likewise, on the charge that state actors were involved in criminally victimising others, Donaldson resorted to the ‘Bad Apple Theory’; where these state organisations upheld ‘the rule of law’, and only those who ‘dishonoured the code’ by participating in criminal acts, and were later convicted, can be considered active participants (Interview, 4 September 2019). For Donaldson, these ‘bad apples’ were *personae non-gratae* in the eyes of the constituency of retired police officers and soldiers, who make up the core membership of SEFF: ‘They’re embarrassed by them; they’re angered by them, because their name’s been tarnished through it’ (Interview, 4 September 2019).

Espousing the polar opposite position, Mark Thompson, CEO at Relatives for Justice (RFJ), a victims group representing a mainly nationalist/republican membership, explicitly considered a wide range of state actors as active participants in the conflict. For Thompson, (Interview, 23 July 2019), the promotion of the ‘Bad Apple Theory’ is:

[C]ode for cover and continuing this narrative that the State might have made some mistakes that are regrettable, republicans were at fault, loyalists reacted and shouldn’t have done and were foolish to do so but the principal protagonists of the conflict were republicans. Now, republicans of course were the principal protagonists of the conflict. They did stuff that was horrendous, wrong and unjustifiable, without question. But to focus solely on that, with no regard to all of these people in the Special Branch, Military Intelligence ... the Intelligence Service and political advisors as if they’re somehow this benign force for good and that they fought evil, is complete rubbish.

Similarly, Michael Culbert (Interview, 25 April 2019), a representative from the republican ex-prisoner group *Coiste na nIarchimí*, placed injured state and non-state actors in the same category, while differentiating them from civilian victims:

There are people who were hurt, injured, killed, I know this sounds callous, who definitely shouldn’t have been targets, it was just very unfortunate and

it was just awful and they were victims of the IRA, as well as loyalists and the British military ... I mean, a member of the RUC and the British Army who willingly goes out in patrol. Is he not putting himself in a situation where he's going to get injured during an intense insurgency? Fully aware, fully able, fully armed up and yet is injured. And that's legitimate? And the other isn't legitimate. From our perspective, we were legitimate. That's the whole issue. It's legitimacy. It's the narrative.

It is within this prism of the 'battle of narratives' around the 'legitimacy' of certain conflict actors' violent acts that the issue of victimhood is based (Breen-Smyth 2018: 222). For unionism, republican claims to victimhood are merely cynical attempts to enlist political sympathy and support for their cause. Kenny Donaldson questioned the reasons for victim/perpetrators' claims to victimhood, echoing Morrissey and Smyth's (2002: 5) notion of 'universal victimhood', which is claimed by armed groups in order to 'justify their ... recourse to armed conflict'. 'For (injured perpetrators) to assume the mantle of being victims is a betrayal of what they actually done. I think it's political that people are requiring that equation issue' (Kenny Donaldson, interview, 16 June 2017). From Donaldson's perspective, the narrative prevails that his constituency is deserving of support because they have clean hands (de Greiff 2006a: 457), for they made the conscious choice not to engage in violence or support loyalist paramilitaries:

We had every human reason to retaliate, to take up arms and to seek vengeance. We didn't do it, but you know what, now we're almost in the margins. Because it's the people who were involved in that violence who are now sewing up the arrangements – who are now part of the 'Establishment'. We're now left in a space where we are actually 'anti' that solution. That's the sort of weird part of it all. (Kenny Donaldson, interview, 4 September 2019)

The accusation that their stance is somehow 'anti' peace process – that they are classed as 'dinosaurs' (Hamber and Wilson 2002: 45) – only added to Donaldson's sense of grievance. For Donaldson, the pension issue was 'the last big stand' for his constituency, the members of SEFF and Innocent Victims United. Pitting the fight over the pension alongside their longstanding grievances with the outworkings of the peace process, especially in relation to the early release of paramilitary prisoners, and the distant prospect of future criminal prosecutions, Donaldson (Interview, 4 September 2019) contended that:

[I]t's about a political equation and for people who did not turn to violence, that's the last big stand that they have. It really matters to them, because, do

they believe those 95% of crimes are going to be resolved and that people are going to serve two years in prison? Do they jack? There's no will to do it. So, what's there left to actually fight for?

In contrast, Thompson (Interview, 23 July 2019) claimed that, 'there is nobody with a clean set of hands in this conflict'. Levelling the charge of 'hypocrisy' and 'double standards', Thompson (Interview, 23 July 2019) highlighted how the 'public purse' had been used to implement transitional justice type measures for, 'the Security Forces industry ... to the tune of £1.2 billion ... [and] given the levels of collusion and State violence and murder ... there wasn't an eyebrow raised or question asked'. Thompson (Interview, 23 July 2019) contended that unionist 'concerns' about the pension were firmly based in the narrative of the 'metaconflict' of attributing blame and 'the further criminalisation of Republicans', and that, if one set of armed actors is to be excluded, then all armed actors should be excluded. Yet, in the interests of 'peace', Thompson (Interview, 23 July 2019) called for the inclusion of the 'small handful' of injured complex victims:

We're in a circumstance where [unionists] are blocking it, and they're blocking it out of hate and prejudice and spite and all of those things against republicans. And [the WAVE Injured Group] are the target of it ... We need to move forward and we need to just embrace the fact that there's a small handful of people that have been harmed and if we really want to make peace here and if we really want to build the future and if we really want to help people, then we just got to do it. In the same way we had to soak it up and suck it up that the people involved in collusion and shoot-to-kill all walked off with pensions, and we were powerless to do anything against them.

Donaldson was somewhat less sympathetic to this idea. To have these perpetrators' needs taken care of using money from the same pool of resources set out for 'victims' was anathema: for they should be looked after by their own state-funded 'ex-prisoner groups' or the 'PIRA (Provisional IRA) family' (Kenny Donaldson, Interview, 4 September 2019). Echoing Elster's (1992) view that the allocation of scarce resources in any community is an inherently political process, Donaldson (Interview, 4 September 2019) claimed that:

The mistake was made at the start, that anyone who potentially was a perpetrator of violence or a family member, should never have been receiving support through Victims' and Survivors' Services money.

Furthermore, Donaldson (Interview, 16 June 2017) expressed that the constituency he represents was steadfast on the principle that they would sacrifice the pension if

complex victims were to benefit on the same terms: 'I can only say what I hear when they tell me they would rather have nothing than to compromise that principle'. Emma Little-Pengelly (Interview, 2 August 2017) echoed this sentiment, highlighting the concerns of 'innocent victims' and the prospect of causing further emotional harm:

It's much more about the genuine hurt. I have sat in rooms with people who have wept over the idea that these people will be included. To have somebody who is severely injured or a carer for somebody severely injured, hurt to the point of crying over the idea is just wrong.

This notion that the potential awarding of a pension or compensation to a 'perpetrator' could have a traumatising effect on victims is something that has been adjudicated upon by the Council of Europe, whereby victims 'should be protected as far as possible from secondary victimisation' (Council of Europe 2006). 'Secondary victimisation means the victimisation that occurs not as a direct result of the criminal act but through the response of institutions and individuals to the victim' (Council of Europe 2006). Little-Pengelly's concern for her constituency, however, resonated with another mechanism within CV: dimensions of suffering (Noor *et al.* 2012: 356), where groups engage 'in discourses that highlight the unique nature of their suffering'. A critique of the psychological dimension of suffering highlights how 'groups pay exclusive attention to their own psychosocial suffering while minimizing the suffering experienced by the out-group' (Noor *et al.* 2012: 357). Others have argued elsewhere that politicians, as 'part of a wider political agenda' can find expression in the suffering of victims, who they claim to 'protect' but can also 'manipulate their suffering, often for their own political ends' (Hamber 2006b: 133-134). Certainly, the evocation of 'traumatized' is a technique which has been used to 'trump' political progress in conflictual societies (Little and Rogers 2017). However, there may be additional reasons as why these 'innocents' were wary of including 'perpetrators' in the pension. Kenny Donaldson (Interview, 16 June 2017), for example, indicated a certain caginess from the his constituency to engage in problematising the issue, of tackling the notion of complex victimhood, for fear of opening an uncomfortable internal debate, within themselves, as individuals, and within their groups:

How could you adjudicate on it? There are people who have been injured in those ways, within the IRA (Irish Republican Army) and within the UVF (Ulster Volunteer Force), and at the point in which they were injured, they may have been in civilian form, if you like. But then it's clear that they have also been also responsible for other criminal activities and events and then you're in the realms of... Well, it's highly complex that. But I personally sense from this constituency, we are working with, that folk just don't want to go into that grey area. Because once you go into that grey area then it just keeps pulling and pulling.

This reticence to go into the 'grey area', to tackle complexity, echoes the CV mechanism known as 'biased individual memory' (Noor *et al* 2012). Whereby one's own transgressions are recalled with a reliance on actively construed memories, which may be influenced by goals and motives, leading to the possible failure to represent the actual events by underestimating one's blame, while overestimating one's righteousness and innocence (Kearns and Fincham 2005; Noor *et al.* 2012). This deliberate selective memory mechanism resonates with Willmer's (2003: 5) observation that:

In war, each side forgives itself easily for any wrong it does, covering up the atrocities its own people commit, while taking every scrap of evidence to argue the enemy's unforgivability.

This notion of unforgivability, in the context of demands for contrition and remorse, before forgiveness and victimhood could be granted to complex victims, features throughout my interview data for this thesis. Such unforgivingness allows the 'innocents' to pin all the blame on the out-group, while avoiding their own responsibilities, as the blameless in-group (Noor *et al.* 2012). Such in-groups may be characterised as 'granfalloon', a term coined by Vonnegut (1963: 34). Granfalloon, which describe proud and meaningless associations of human beings, exist to help associate members make sense of the world and to promote self-esteem and pride in the in-group (Banyard 1999: 47). As such, and to the detriment of the Campaign for Recognition, the 'innocents' would continue to instruct their political leaders to hold firm and to keep to their narrative of innocence within their in-group. Such 'granfalloon' are difficult to pierce (Vonnegut 1963: 34).

In sum, opposing sides in the battle for 'real' victimhood engage in a zero-sum game, where, if one must win, the other must lose. This zero-sum game encapsulates the inter-community cleavages and the party-political nature of the metaconflict

inherent within Northern Ireland. When asked why the pension was blocked the participants were in broad agreement: politics. As Sean Murray (Sinn Féin legacy representative) (Interview, 17 July 2017) stated: ‘The problem is that there is a political difficulty’. Doug Beattie (Interview, 27 July 2017), while expressing a sense of shame and exasperation at the delay of such an important issue, highlighted party political reasons and the pervasive existence of zero-sum politics:

This is because of party politics. This is a political issue. It’s incredibly political and the bottom line is that because of the win/lose politics that we have. Because if unionists, and I’m ashamed to say this, but I’ll say it anyway, but if unionists were to turn around and say: “Yes, give a pension to all, including those members of the IRA who have injured themselves, while trying to maim and kill, they get it too” – that will be seen as a loss. And for Sinn Féin, it would be seen as a win ... If Sinn Féin thought about the greater good, they would take the lead and say: “No, let’s just take these (complex victims) out and we’ll give it to the 500.”

Little-Pengelly resonating with Beattie’s assessment of the zero-sum politics of NI, echoed Rosland’s (2009: 298) analysis that, ‘suffering becomes something more than individual pain: where it through public accounts becomes something *social* with moral and political implications’ [emphasis in original]:

When an issue becomes a public issue, if somebody, if a party is seen to capitulate or if Sinn Féin is seen to give in on the victims’ definition, then they will be perceived by their supporters as capitulating. So, it’s lose/win. Sinn Féin have put themselves clearly bound to this public position and I think this contributes to their lack of willingness to show any compromise on this issue. (Emma Little-Pengelly, interview, 2 August 2017)

The apparent lack of self awareness from Little-Pengelly in this extract is quite telling, in that, her position and that of her party made up the other half of this zero-sum conundrum.

“THE TEN”: NEUTRALITY OR MAGNANIMITY?

With these dynamic zero/sum contests over the definition of victimhood prevalent in the political sphere, and within the victims’ sector, it was highly unlikely that the pension proposal could pass through Stormont without controversy. Knowing that they could be drawn into this argument, the Injured Group had to devise a strategy on their public ‘line to take’ on the issue, while maintaining group unity and cohesion.

While they had formed a strong collective identity as *severely physically injured victims*, this did not mean that they were automatically agreed on other categories of victimhood. To achieve a collective position therefore required an internal discussion and negotiation around what the individual members thought about the definition of a victim and who may, or may not, qualify for a pension.

As explained in the previous chapter, the Injured Group, and WAVE as an organisation, was made up of people from across the community divide in Northern Ireland: Protestants, Catholics, unionists, nationalists, loyalists, republicans, and those who do not identify with any of these labels. It also included people who had been harmed by all of the armed actors in the conflict, including the Irish Republican Army (IRA), the Ulster Defence Association (UDA), and the 'security forces': Royal Ulster Constabulary (RUC) and the British Army. As a result, discussions had to be carefully managed within the confines of WAVE. While personal opinions were allowed, *extreme* views had to be mediated. This was evidenced in the aforementioned 'Target Rules/Guidelines' (WAVE 2002a) document, which set out the rules of engagement for WAVE members coming into WAVE premises and specifically, the newly formed Injured Group. Reflecting the diverse nature of the WAVE membership, the rules pointed out that:

In keeping with the ethos of WAVE, no judgement will be made on anyone nor will any section of the community be discriminated against ... We will not deal with political issues such as amnesty, politics, individual circumstances or judge on innocence/guilt/right/wrong. (WAVE 2002a)

Tackling the definition of a victim and deciding whether the Injured Group agreed with it had to be done in a sensitive way. WAVE had already bought into the all-inclusive nature of this definition by including people who had previously been members of combatant groups to become members and receive services. Including such people, those who were connected to groups which caused harm to others, was not without risks. Such risks, however, were mitigated as far as possible. As Sandra Peake (2020) pointed out to me:

Anyone coming to WAVE is made aware that we are an inclusive organisation and individuals come from all walks of life. However, we wouldn't have people in the building who harmed others. There are people who have been affected by the Troubles who are seen off site, or in evening appointments or at times when there is no chance others will be around. Particular groups may not be

open to some people. The issues of care, sensitivity and safety are crucial. The only exclusions are those who have a continued involvement in violence whether Dissident (Republican) or Loyalist as they are continuing to support or perpetuate violence against others. There are parameters set in place to ensure we give a good service to everyone; however, we won't put anyone into a position in which they could be retraumatised.

For the Injured Group, however, making an entry into the political arena required that they engage the political realities of the issues facing them. They could not ignore the political arguments. They had to find a way to discuss them as a group and agree a consensus position on the issue of the day: the definition of a victim.

In 2013-2014, questions were being asked as to how many people could potentially qualify for the pension. A figure of '1007' potential recipients had been put forward by Stuart Magee (Magee 2013: 4). Over time, however, Magee's projection was whittled down to a notional figure of 500 potential recipients, as the Injured Group held discussions with representatives of the newly constituted Victims and Survivors Service (VSS), and were provided with statistics as to how many people had access to specific schemes aimed at providing support for the seriously injured. Only people who were in receipt of the higher rate care component of Disability Living Allowance (DLA), a UK government social security benefit, could qualify for this specific scheme. This figure of 500, while not altogether based on hard evidence since it could not account for potential hidden victims, became *the* go-to number that the Injured Group purported in all its subsequent projections. The framing of this number was important if the Injured Group was to convey to power holders and the public that their proposals were economically feasible. A figure for potential complex victims was also introduced. According to Peter Heathwood (Interview, 1 October 2018), the figure of ten former combatants, who had been seriously injured during armed actions in which they were involved, came from the VSS:

Ten former paramilitaries who were injured, from different organisations had applied for help from them. And apparently, that's what I am being led to believe. That's where the 'Ten' figure comes from.

Sandra Peake (Interview, 15 April 2019) corroborated Heathwood's assertion that this 'came from the VSS'; and from then on, this total of ten people, or 'The Ten' as they came to be known, became the notional figure to pit against the wider pool of 500 severely injured (Godfrey 2017). The Injured Group, by 2013, as was discussed

earlier in this chapter, had been reduced in size from the larger group of around thirty people to the smaller core lobby group. This core, along with WAVE staff, set about finding a consensus position on the issue of the notional 'Ten' complex victims, of which four were purported to be republicans and six were loyalists. The problem for the Injured Group was that there was no consensus position on their eligibility. In the end, their public position was, in effect, not to have a public position. If asked for their view on the eligibility question, the group replied that that was 'a political decision' and not a question for victims. For Alan McBride (Interview, 5 November 2018), this 'neutral' decision was made:

[B]ecause I think we would have had mixed messages. And I think there was a kind of decision that we had to allow people to... it had to be a matter of conscience ... I think the only way we could do this, with any credibility, was stay away from this and to allow our politicians to sort that out. Had we have had one voice on it, maybe that would have been helpful. I just think that the best way for us to deal with it was to say: "Look, that's a political decision." I don't think it's a copout, necessarily.

According to Peter Heathwood (Interview, 1 October 2018), the reticence to convey a public position was more around the fear of getting dragged into a political 'quagmire':

The reason was that we didn't want to get into the quagmire and have it shouted at us from one side or the other that: "You favour this or you favour that." If we leave it to the politicians, the blame stays with them and not us ... Again, we can't be itemised, as [name redacted] said: "The Discriminatory Pension of WAVE." We have avoided all that type of insult. Or we don't have [name redacted] calling us: "The Provo Pension Campaigners." Nobody can say that to us and that's to our credit.

There was no sense from the Injured Group, however, that complex victims should be automatically excluded, as a rule. On the contrary, some felt that the group had displayed a degree of magnanimity, but that even this position could be used against them. A point highlighted by Injured Group member, Mary Hannon-Fletcher (Interview, 19 October 2018):

I think it's good to be magnanimous and just include everybody. And to be honest with you it didn't matter what we did. You know, if we had have said exclude them then we wouldn't have had Sinn Féin on our side. You were in the middle, between a rock and a hard place, what are you going to do? And I think that that's not our fight. It's not our fight.

Moreover, others felt a sense of collective punishment, in that, their magnanimous and pragmatic approach, to include a small number of complex victims if it meant the scheme was delivered for the many, was being frustrated by those who favoured exclusion. As Injured Group member, Margaret Yeaman (Interview, 5 November 2018) pleaded, 'why should we all have to suffer because of ten? It doesn't matter, they can get the pension, whatever. As long as we got it.' Alex Bunting (Interview, 4 October 2018) conveyed the notion that the human complexity of the conflict itself, should be taken into consideration: 'Why should I judge any other person who is a victim or survivor? It's not up to me.'

Such reasoning displayed by these members of the Injured Group projected not only a 'pragmatic' compromise (Jankowitz 2018a: 6) which could see the proposals accepted, but a moral compromise on the status of complex victims, as human beings deserving of support. As such, the Injured Group could be described as 'moral beacons' (Thomas 1999); as 'first generation' direct victims espousing humanitarian attitudes, through a process of 'everyday life peacebuilding', toward those who may have been involved in meting out violence (Brewer *et al.* 2018: 263; Brewer 2010; Brewer and Hayes 2011; Brewer *et al.* 2017; Brewer, Hayes and Teeney 2018). However, as Brewer *et al.* (2018: 263) warned, such magnanimity has its temporal limits, where moral beacons can become disillusioned and alienated if they continue to experience 'social injustice and structural disadvantage'. Even with this capacity for individual magnanimity on display, it was agreed as a group to hold back their internal views on the eligibility issue, by employing a degree of 'emotional labour' (Hochschild 2003). As alluded to by Alex Bunting, this decision may also have been down to nonsectarian cross-community nature of WAVE, as an organisation. While they were individuals with their own opinions, they were now part of the WAVE Injured Group, and operated under a WAVE banner. This may have had a tempering effect on how individual messages were conveyed in public, especially on the definition of a victim and who might qualify for a pension. Veering away from *politics*, at least in public, may have been their only option. For some, this approach had its advantages. Former First Minister, Peter Robinson (Interview, 20 March 2019), reflected on WAVE's cross-community status and lack of political alignment:

I think the group will be regarded as being a respected organisation. That's important. It's not seen as an organisation that's got an axe to grind for any particular political view. That makes it a lot easier for politicians to deal with the group. The fact that it is cross-community is an advantage as well. So, you know, there is nothing with the group that will cause any politician from any side of the community to sit back or to withdraw slightly and wonder, "should I touch this organisation?" That can't be said for all, so, I think those are the advantages and I think they have put their case forward in a very articulate way and they have a strong case to start with.

Whether this non-sectarian cross-community common identity lent credibility to the Injured Group's message or made it easier to access politicians remained to be seen. Their decision to follow a 'neutral' path was still filled with risk. Nevertheless, with this approach agreed, if the group felt that they would be shielded from criticism on the eligibility issue, they were mistaken. As Howard Zinn (2018) once stated, 'You can't be neutral on a moving train.' They would later choose a different public position when the issue became stuck in intractability (to be outlined in Chapter 5). By taking a neutral line at this juncture, however, the public debate around who should or should not qualify was left to external elements in political circles and groups within the victims' sector. It was with these external groups, alongside wider civil society, that the Injured Group would have to engage if they were to push the issue forward. They could not stay within the boundaries of their own cross-community bubble indefinitely.

EXTERNAL GROUPS: ALLIES OR ADVERSARIES?

The Injured Group's external networking processes not only involved lobbying local politicians, but also other relevant stakeholders and gatekeepers in the various NGOs and victims' groups across the region and beyond. The human rights organisation *Amnesty International* had been working on an extensive research project, which culminated in the final report: *Northern Ireland: Time to deal with the past* (Amnesty International 2013). Both Peter Heathwood and Alex Bunting, through their Forum connections, contributed to the research. Captured in the section 'Exclusion of injured victims', they laid out their various concerns and grievances (Amnesty International 2013: 53-54). Furthermore, the Injured Group secured a series of

meetings with the Belfast branch of the International Committee of the Red Cross (n.d.). Moreover, three separate US Consul Generals made visits to the Injured Group at the WAVE Belfast centre. In addition, on 9 March 2018, a small delegation of the Injured Group made a visit to the European Commission in Brussels, and gave a presentation on the 'Injured Pension' to an assembled audience of MEPs and a range of victims' groups from across Europe (European Commission 2019).

Yet, while the Injured Group lobbied these international NGOs and transnational political elites in the hope that their engagement would 'boomerang' (Keck and Sikkink 1999: 93) back to Northern Ireland, they were also cognisant of the range of external victims' groups operating within the region. As noted above, from the beginning of the peace process, the state set about developing a publicly funded victim's sector to provide a range of services and resources to victims and survivors. While the state may have devised the sector to 'repair individual victims', many of the groups, especially the unionist ones, emerged as *defensive* 'social movements', intent on 'challeng[ing] a peace process they view[ed] as profoundly unequal and which victimize[d] their ethnic group' (Nagle 2016: 83-84).

The majority of groups that inhabited the sector mirrored the traditional ethno-national divide and included groups such as SEFF, on the unionist side, and RFJ, which represented victims from a mainly nationalist/republican perspective. This is not to say that victims' groups were inherently sectarian or political, rather, their political outlook may have been dictated by the consensus opinion of their membership. The main groups with a unionist bent generally consisted of people who had been former members of the RUC, UDR, and civilians harmed by republican non-state actors, for example, the IRA. Whereas groups on the nationalist/republican *side* mainly consisted of people affected by violence inflicted by loyalist groups, the British Army, and the RUC. WAVE, as already mentioned, did not fit neatly into these categories, they represented victims from all perspectives. For the WIG, however, the perception prevailed that these groups operated in an overtly 'political' manner, by aligning closely with certain political parties. For the WIG, the notion of forming formal alliances with external groups, which, due to their differing interpretations as to the potential outworkings of the 2006 Order and its implications for pension eligibility,

labelled them as ‘counter-movements’ (Koopmans 2004: 27), was loaded with risk. This did not, however, rule out attempts to form loose alliances or to reach out for support, albeit rather tentatively.

An early approach was made to one of the main unionist victim ‘gatekeepers’, Kenny Donaldson. As a prolific author of open letters to both the unionist-leaning *Belfast Telegraph* and *News Letter* newspapers, Donaldson had been promoting the notion that a public referendum should be called to decide on the definition of a victim (Rutherford 2015). This brought him to the attention of the author, who had also engaged in sending similar open letters to the local daily papers, albeit with a differing perspective on legacy related issues (Gallagher 2015). At an informal meeting in July 2015, the author and Donaldson discussed ways through the eligibility impasse. Introducing Donaldson to the work of Queen’s University academic, Dr Luke Moffett (2014, 2016a), who had written an article on the pension issue, which mentioned a ‘review panel’ for complex victims, the author attempted to add complexity to the arguments.

With this intervention, Moffett (2016a: 312) proposed ‘a way forward’, identifying potential three avenues to deal with the victim/perpetrator issue – a non-discriminatory approach, a review panel, or a private trust fund. The non-discriminatory approach mirrored the current provision for victims and survivors through the Victims and Survivors Service and ‘is consistent with human rights law that everyone should have access to effective remedy for serious injury or death’ (Moffett 2016a: 312). Later, UN Special Rapporteur, Pablo de Greiff (2016: 15) agreed, advocating that:

Ideally, the sole criterion triggering eligibility for reparations is having been a victim of a human rights violation [and] since human rights protections are indifferent to the identity, affiliation and even past behaviour of the person concerned, a programme that adopts this notion would not preclude anyone on these grounds.

However, de Greiff (2016: 15) also proposed the provision of ‘separate programmes’, to address the issue of ‘ex-combatants with disabilities (whose injuries were not the result of human rights violations)’. Those without ‘clean hands’ (de Greiff 2006a: 457). As a compromise, Moffett (2016a) put forward two separate programmes for

consideration. The first was the possible creation of a review panel, which could expedite the claims of severely injured civilian victims while separately determining the eligibility of victim/perpetrators. Such a review panel is included in the *Civil Service (Special Advisers) Act (Northern Ireland) (2013)* (hereafter the SPAD Act) (which I will discuss further in the next chapter). This act began as a Private Members' Bill (PMB) brought forward by Jim Allister, MLA, a right wing unionist politician and outspoken critic of republicans and the 'peace process', to exclude convicted members of paramilitary groups from being employed as special advisers to Northern Ireland government ministers (Moffett 2016a: 314; see also Hearty 2016). This review panel might consider whether the excluded person has shown contrition; has taken reasonable steps to assist the police in any investigations; and takes into account the views of any victim of the offence (*Civil Service (Special Advisers) Act (Northern Ireland) 2013: 2*). In a similar vein, but discarding notions of contrition and assisting the authorities, Moffett (2016a: 314) proposed that:

For the purposes of the pension bill the panel could take into account the time victimised-perpetrators served in prison, gravity of their offence(s), their disability, and the impact of their serious injury in daily life.

Finally, Moffett (2016a: 316) proposed that:

To avoid the pension bill handing a 'terrorist' a monthly government cheque, a private trust fund could be established as part of the pension bill for those seriously injured individuals who were members of paramilitary groups. Those 'innocent' victims who suffered serious injuries would automatically receive their pension from the government. However, those victimised-perpetrators would receive a comparable amount through the private trust fund, allowing them access to a pension as a victim, without attaching government money to it.

This final proposal attempted to deal with the symbolic nature of reparations, in that, if the state was to provide reparations to victim/perpetrators then it might somehow be legitimising them and their actions. Moffett (2016a: 316), however, conceded that this proposal may be the least viable as 'it may be difficult for such groups to fund raise such money and may not be palatable to victimised-perpetrators as it concedes that there is a hierarchy of victims.' Nevertheless, this issue could conceivably be covered under the principle that governments should act in a 'subsidiary' role in lieu of unaccountable non-state actors (Moffett 2015a). Moffett's proposals were offered

as a way through the impasse and became a template on which the group sought to find compromise.

Following the informal discussion with Donaldson and the introduction of Moffett's proposals, there was a notable change in tone in Donaldson's next letter to the *News Letter* (19 August 2015). While Donaldson (2015) made clear that he was opposed to 'terrorists receiving the pension', he also referenced an 'appeals mechanism' to deal with complex victims:

Time is running out for those who suffer serious injuries through terrorism. Politically the contentious issue of terrorists receiving the pension needs to be taken off the table either through politicians having the courage to rule it out outright or through politicians creating an appeals mechanism not dissimilar to what was done around the SPAD Bill for which those who hold a conviction for crimes perpetrated would be required to go through.

In a further elaboration, Donaldson (Interview, 16 June 2017) asserted that republicans must give up the glorification of their 'criminal' acts and express 'remorse' in order to move themselves into a 'different space':

If the SPAD Bill model was to be developed, then those who formerly were involved in acts of a criminal nature, and if there is an expression of remorse and a commitment to retribute [sic] to those you harmed, and through living by a different way, then that puts somebody in a different space. Different than someone who would continue to revel and to glorify in what they did. Because, on one hand they are seeking support for injuries that they sustained, and that's one argument, but if they are continuing to revel in the actions they committed, which injured other people, to me that's just warped.

Other responses, to the notion of repentance, were conflicted and vague. Little-Pengelly (Interview, 2 August 2017) was reticent in demanding a 'sackcloth and ashes approach', but required a condemnation of one's past, alongside an end to 'narrative setting and revisionism':

It ties in to Luke Moffett's review panel because many of these people are still actively involved in narrative setting and revisionism. It's not even to the point of repentance, I don't think many are demanding a sackcloth and ashes approach. The victims, I've spoken to, are asking for some acknowledgement that this was wrong and shouldn't have happened. That murder and violence was wrong. To condemn what happened. And there is still a reluctance and refusal to do that. I think that is appalling and very hurtful to victims.

The view from the nationalist/republican participants on a review panel approach, differed somewhat from their unionist counterparts. Andree Murphy (Interview, 30 May 2017) (Deputy Director at Relatives for Justice) was highly critical:

My response to [a review panel] at the time was that it felt like there was a soup kitchen being set up for people (non-state actors) who had been engaged in actions, and that never affected people who were state actors. And it just played into the narratives around the good guys and the bad guys of our conflict.

Sean Murray (Interview, 17 July 2017) (Sinn Féin legacy representative) agreed:

Why should people be treated differently, in the sense that, they have to go through a review panel? Because it's back to the narrative again. Because, are you saying: "people from a republican perspective were baddies and the rest were goodies, and I'm talking about state forces here, and not talking about civilians, who were caught up?" Because that feeds into the narrative, the British state narrative that they were piggy in the middle here and the republicans were the problem. They were the cause of the conflict. And we are saying, from a republican perspective, that that is totally unacceptable.

Alex Attwood (former SDLP MLA) (Interview, 23 June 2017) took a more pragmatic line:

[The SDLP] would want the model to apply to everybody ... whatever their background, and independent of whether they have a criminal record or not. Although, we may have to think laterally, as the way Pablo de Greiff was indicating. But, if you actually look at what de Greiff said, he wants to be inclusive, but he recognises that the principle of gross human rights violation will apply not to everybody. But he recognises that people, who that might not apply to, still suffered severe disablement and therefore they need to have support, but funded through a different mechanism.

While the introduction of different mechanisms or more nuanced approaches to the eligibility impasse may have softened some once firm positions, it was clear from the interviews that the Injured Group was cautious about forming formal alliances with external groups. For Alex Bunting (Interview, 4 October 2018), the problem lay in how he felt external groups perceived the group's 'neutral' stance:

The problem that we have is ... it's Kenny Donaldson and the groups. They see us as against them because we are not fighting against the 'Ten' people. We are not saying that they are murderers and they are terrorists. We don't talk like that and neither should we. But that's why they don't like us. [And] if you read what Kenny Donaldson writes, "the innocent victims", it always reverts back to the police, the army and UDR. So, he's not actually talking about us: civilians.

Peter Heathwood was critical of certain external groups, which through peer 'pressure' required their in-group to 'toe-the-line', to prevent their members, who may be in favour of an inclusive pension, from speaking for themselves for fear of being labelled a 'Lundy' (a colloquial unionist term for traitor) (Interview, 1 October 2018). This perception mirrors Graham's (2016: 91) [emphasis in original] characterisation that certain '*In Loco Parentis* leaders' have a strong hold over their members' personal stances on certain issues. Who presume to 'speak for' them (Alcoff 1991), as 'transitional justice entrepreneurs' (Madlingozi 2010); thus diminishing their agency (Lawther 2020). Alan McBride (Interview, 5 November 2018), on the lack of external collaboration, reflected that this might have been down to an operational reticence within WAVE to engage in external formal relationships:

We haven't really gone out and canvassed their opinion. Now that could be because, again, back to the politics about WAVE wanting to plough their own field, as it were and not really wanting to... I mean, we don't have a real track record of doing things in partnership with others. We tend not to play 'Big Politics' with issues ... So, WAVE, we have never really been politically affiliated.⁶

Sandra Peake (WAVE CEO) (Interview, 15 April 2019) conceded that WAVE, at a possible disadvantage, consciously avoided becoming closely aligned to political parties on either side of the traditional divide, for fear of being co-opted. On the positive side, this sense of total independence gave WAVE the opportunity to work through the 'middle' and to avoid accusations of promoting certain political positions.

It was this political reality, this *realpolitik*, in which the Injured Group found themselves. While it may have been beneficial for the Injured Group to have built a formal cross-community coalition of victims' groups, which as McBride (Interview, 5 November 2018) suggested 'would have been hard to ignore', it was recognised that there was a minimal chance of finding consensus on the eligibility issue. This reality meant that instead of certain external groups and political parties being considered as potential allies, they were, in effect, 'adversaries' (Kriesi 2004: 74). While the pension proposal could potentially benefit their members or constituents, the groups

⁶ It should be noted that Alan McBride is a member of the Alliance Party. He conveyed to me, however, that his membership of that party is in a 'personal capacity' and he has 'a very firm boundary around [his] party political activism and [his] activism for WAVE' (McBride 2021).

and the politicians, in the words of Peter Heathwood (Interview, 1 October 2018), wanted it 'on their terms'. By lobbying their respective political representatives to hold the line, on either side of the debate, the groups were acting as 'counter-movements' to the Injured Group (Koopmans 2004: 27). The zero-sum arguments were effectively reduced to: 'If one terrorist gets the pension, then nobody gets it', on the unionist side; and, '[a]s far as we would be concerned it has to be either everybody or nobody', as explained by Seanna Walsh (Interview, 31 July 2017) from the republican ex-prisoner group, *Coiste na nIarchimí*.

Nevertheless, the Group continued to work informally with any relevant stakeholders who could progress the pension campaign. The problem for the Injured Group, however, was that while they attempted to find a compromise solution to the blockages on the specific issue of eligibility, they found themselves entangled in the wider arguments and events that had plagued politics in peace process Northern Ireland. The political milieu into which they emerged in 2013 was one marked by an upsurge in metaconflict discourse. This involved the mobilisation of a range of individual victims and victims' movements, unhappy with the ongoing political situation. These interventions would have major ramifications for the political institutions and more importantly for the WAVE Injured Group, the Campaign for Recognition.

CONCLUSION

In sum, the WAVE Injured Group was re-energised between 2005 and 2012. During this period their collective identity as 'injured victims' became formalised and with new leadership and additional resources provided by WAVE, the group became a visible 'player' in the public sphere as an authoritative voice on the issue of the pension. They also used the methods of all good social movements by recruiting the services and support of influential allies and others with the expertise to undertake the necessary evidence gathering and research projects to bolster their arguments for the relevant politicians and policymakers. Further energised by the lack of recognition from the CGP and relative disinterest from a structurally dysfunctional

CVS, the Injured Group took to the streets for a petition drive, to ask the public to support their now concrete 'Campaign for Recognition'. This process assisted in building internal solidarity around their collective identity for their imminent entry into mainstream media and the political sphere. Engaging with the media involved a process of consciously framing the Injured Group as 'grotesque' (Schwöbel-Patel 2018: 1), vulnerable, and visibly injured victims, in need of exclusive support due to the severe and horrific nature of their injuries.

Cautious about media engagements at this intermediate stage, the group reverted to a latent state to digest and dissect the vital evidence contained within the so-called 'Injured Report', before deciding on a feasible solution to their long-held grievances: a special pension for the 'severely physically injured'. This course of action, however, brought to the fore an ongoing internal tension within the group, leading to an irreversible fracture and significant decrease in membership. Paradoxically, this schism, instead of dealing a fatal blow to the campaign, led to a streamlining of the group into a smaller, more cohesive unit, with a core identity of those with 'severe physical injury'. Such cohesion was vital as the Injured Group began their intensive engagement with local politicians. Not only had they to convince these elites about the merits of their case, they also encountered counter-movements, for instance, the external victims' groups, who introduced their own interpretations as to how these reparative proposals should be designed and implemented. These interventions brought the Injured Pension debate right into the heart of the ongoing metaconflict mapped onto the contests over the statutory 'definition' of victimhood in Northern Ireland.

In a similar fashion to many post conflict jurisdictions across the globe, defining who can 'qualify' for the label of victimhood in Northern Ireland became the subject of political contestation. With the creation of the 'victims' industry' (Brewer 2010) following the Belfast/Good Friday Agreement in 1998, and the allocation of material resources to victims' groups and individual victims, these arguments intensified. This fed directly into the eligibility issue, with a particular focus on complex victims. Following traditional ethnopolitical lines, this generally meant that those from a unionist persuasion argued that non-state actors, or in their terms, 'terrorists', should

not be eligible to qualify for support in the same way as *their* 'innocent' victims. In contrast, nationalists broadly supported the inclusive statutory definition.

For the Injured Group, the prospect of coming down on a fixed public position on either side of this metaconflict debate was filled with risk and one they attempted to side step. Instead, they chose to remain agnostic on the issue and pursue a 'neutral' position, in the hope of avoiding the 'quagmire' of 'competitive victimhood'. This position proved difficult to maintain as the campaign became embroiled in the fervent political atmosphere that plagued the Stormont institutions around this time. Such constraints required that the group adapt and find new opportunities to progress their cause.

CHAPTER 5 – POLITICAL STALEMATE

INTRODUCTION

To take their Campaign for Recognition forward, out of its latent phase of collating grievances, devising strategy, deciding on tactics, and resolving internal fissures, the WAVE Injured Group was required to enter the political arena. Having already approached the wider public to garner support through a petition drive, the collective embarked on a new phase of their strategy by sending a smaller, more streamlined number of representatives to engage with their local elected politicians.

However, the timing this ‘new’ phase could not have been worse. In terms of expecting a cross-community consensus on their proposal for a special pension, the Injured Group attempted to mobilise in a particularly toxic political environment. This included interventions from a cohort of victims aggrieved by the peace process and its outworkings including, for example, the employment of ex-combatants within the political structures at Stormont and proposals for the construction of a peace and reconciliation centre at the site of the former Maze prison. Metaconflict arguments around these issues and other legacy related matters such as the statutory definition of victimhood had grave implications for the political institutions and for the Campaign for Recognition.

As political opportunities to progress their campaign became mired in metaconflict arguments, the group looked to highlight their issues within the mainstream media as a way to engender public support and to put pressure on politicians. This strategy posed inherent problems for the group, as they too needed to enter the metaconflict arguments, and risked losing control of their ‘neutral’ stance on the definition of victimhood. In fact, as I will explain later in this chapter, faced with the prospect of perpetual political logjam, the Injured Group relinquished this stance, and took a position on the eligibility status of complex victims. However, even this attempt to find a way through the impasse proved to be fruitless, as the political institutions at Stormont, following years of perpetual dysfunction and annual ‘hothousing’ negotiations were suspended, leaving the UK Government at Westminster to take control of the levers of power. While this could have been viewed as an

insurmountable obstacle, in that, there was now no local mechanism with which to see pension legislation introduced, the Injured Group viewed it as an opportunity to change course.

2013-14: A TOXIC POLITICAL ENVIRONMENT

The work of the WAVE Injured Group was constantly affected by the external political environment, from its first iteration in 2002, its second iteration from 2008, and subsequently. Although by 2013, the political institutions at Stormont, which had been in stasis from 2002 to 2007, were now operating, with local politicians in full control of victims' policy, tensions in the one-time 'working' relationship between the 'big two' parties in the Executive, the DUP and Sinn Féin, were manifest. These cleavages, which were later widened by a range of events, directly related to the conflict, had a dampening effect on the pace and direction of the Injured Group and its Campaign for Recognition.

While the Injured Group did not receive Commissioner Stone's aforementioned *Pension for the Severely Injured Project: Final Report* (Commission for Victims and Survivors 2014a) until late 2015, they were aware, when it was completed in mid-2014, that it set out how such a scheme might work by detailing a clear way forward on its internal workings, the long-term costs, and the potential number of recipients based on degrees of disablement. The Injured Group's earlier work, as set out by Stuart Magee had been vindicated (Magee 2013). The group, however, became aware of a glaring gap. The report steered clear of resolving the issue around the eligibility of complex victims. They were also presented with another gap, that of a Victims Commissioner. Kathryn Stone left Belfast in June 2014 to take up a new position in Westminster (Belfast Telegraph 2014a). The position of Commissioner was not filled until Judith Thompson was appointed in July 2015, a gap of 13 months. This left the pension report in the hands of the politicians who directed the Commission to produce it in the first place, The Office of First Minister and the deputy First Minister (OFMDFM). This joint office was now led by Peter Robinson (Democratic Unionist Party (DUP)) and deputy First Minister Martin McGuinness (Sinn Féin). It was

for this pair to make the final decision on the potential implementation of a pension scheme. This proved to be a decision that neither party could agree on and left the Injured Group somewhat stranded.

As is well documented, the relationship between the DUP and Sinn Féin had often been fractious (Moore *et al.* 2014: 176). In the negotiations which led to the restoration of the Stormont Assembly at St Andrew's in Scotland in 2006 (Northern Ireland Office 2006), the DUP and Sinn Féin, having won the majority of votes at previous Assembly election in 2003, emerged as the *de facto* joint leaders of Northern Ireland. Ian Paisley, who had been a vehement opponent of all things republican, took office alongside the former IRA leader Martin McGuinness: a sight that left many who followed Irish politics astounded. Their overtly friendly partnership in the new political dispensation was viewed as one of mutual respect and understanding. Paisley's tenure as First Minister, however, was short-lived (politics.co.uk 2008). Many in his party were unhappy with his approach to Sinn Féin and in particular, McGuinness, where the duo was dubbed 'The Chuckle Brothers' (thejournal.ie 2014; Belfast Telegraph 2017). The DUP was constantly vigilant about how this public relationship affected their electoral base. While it was still the largest Unionist party having overtaken the Ulster Unionist Party (UUP) in previous elections, the party was still prone to political attacks from its flanks, from both the UUP, and the more extreme Traditional Unionist Voice (TUV), led by one-time DUP Member of the European Parliament (MEP), Jim Allister. Paisley was replaced as First Minister by long-time deputy leader, Peter Robinson in June 2008. Robinson's public approach to the joint office was less jovial and more business-like. The relationship with Sinn Féin cooled over this period but in the main, remained pragmatic. According to Mitchel McLaughlin (Interview, 5 February 2019), a senior Sinn Féin figure at this time, Robinson and McGuinness had 'developed a *modus vivendi*'. The Injured Group was hopeful that when they approached this joint office, asking them to implement a pension, they would be met with this pragmatic attitude. The group knew that their proposal would be politically difficult for both parties to agree upon, especially with the issue of 'The Ten' complex victims, but they anticipated that it could be resolved

behind the scenes and away from the public eye. These hopes were to be quickly dashed.

VICTIMS IN THE POLITICAL ARENA: THE SPECIAL ADVISERS ACT AND THE MAZE/LONG KESH CONTROVERSY

Legacy remained a hotly contested area in 2013 when the Injured Group began in earnest to lobby for their pension. While there were still repercussions emanating from the 'shelving' of the Eames/Bradley report in 2009 (Consultative Group on the Past 2009), over the so-called 'Recognition Payments' for all bereaved families (BBC 2009a; 2009b), and subsequent unsuccessful attempts by the DUP to change the 2006 Order at both Stormont and Westminster, there were additional political complications for the *working* relationship between the DUP and Sinn Féin, in relation to issues brought into the public domain by other victims of the conflict.

One example, in particular, concerned the sister of a young woman who was killed by the IRA in 1984. In May 2011, Ann Travers was made aware through the media that one of the people, Mary McArdle, convicted of the murder of her sister, Mary Travers, was appointed as a special adviser (SPAD) to a newly elected Sinn Féin minister at Stormont (BBC 2011). This decision to appoint a former IRA prisoner to this highly paid role was characterised by Ann Travers as having a retraumatising effect on her. Presenting evidence to the Committee for Finance and Personnel at Stormont, Ms Travers (Northern Ireland Assembly 2012: 2) stated that, '[t]his appointment has made my family and me revisit something so dreadful, which we never wished to revisit'. In the ensuing political fallout, Jim Allister (TUV) brought forward a Private Members Bill – *Civil Service (Special Advisers) Bill (2012)* – (hereafter the SPAD Bill) which sought to ban anyone with a serious criminal conviction (sentenced to more than five years) from applying for SPAD posts (Hearty 2016: 334). In practical terms, the only party that this law could actually penalise was Sinn Féin, due to their connections with the republican ex-prisoner community and the current political situation (Hearty 2016: 334).

The passage of this bill through the Assembly was mired in metaconflict discourse about the conflicting rights of the ‘innocent’ victims versus the ‘victim-makers’. In explaining her support for the SPAD Bill, Ms Travers, argued that this ban was ‘about protecting all victims ... [v]ictims [who] deserve the very important human right not to be re-traumatised time and again’ (Northern Ireland Assembly 2012: 2). Ms Travers also surmised that the appointment of Ms McArdle to the ‘very important [position of special adviser, a position] at the very heart of government ... was for a job well done: a reward’ (Northern Ireland Assembly 2012). Incidentally, Mary McArdle was ‘moved on to another position’ within Sinn Féin, in March 2012 (Maguire 2012). Critics of the SPAD Bill argued that it was a prime example of metaconflict discourse, which supported the:

Unionist conflict narrative and their post-conflict identity [in that, it was a law which would] benefit only a selectively particularist group of victims by satisfying retributive interests directed against a selectively particularist group of perpetrators. (Hearty 2016: 335; 337)

The SPAD Bill was one of many examples of how victims’ issues were permeating into the political sphere at Stormont and dominating the airwaves. This issue, specifically, would later have repercussions for the pension proposals. Sinn Féin, in particular, appeared to feel isolated by this controversy. For this piece of legislation to pass through the Assembly, a majority vote was needed. With all the unionist parties in support of the SPAD Bill, it was up to the other main nationalist party, the Social Democratic and Labour Party (SDLP), to decide its fate. If the SDLP voted against, it would fall. Subsequently, Ann Travers met with their party leader and, after much handwringing within the party, they decided to abstain; allowing the bill to pass (belfastdaily.co.uk 2013; Belfast Telegraph 2013). The SPAD Bill became law in 2013 and one man lost his job as a result (Devenport 2013; BBC 2013a). The SDLP would later be expected to consider a similar scenario when the pension issue was brought to Stormont. However, at this stage, the passing of this act was welcomed by supporters of Ms Travers as a victory for the ‘innocent’ victims; and in many ways, empowered this section of the victims’ sector (TUV 2013).

The success of the SPAD Act was followed up by another legacy related campaign, which further widened the cleavage in the DUP/Sinn Féin relationship. This related

to a proposed Peace and Reconciliation Centre based at a site, which once housed Northern Ireland's main prison - the notorious H-Blocks - where many convicted non-state actors served their lengthy sentences (mazelongkesh.com n.d.). The Maze/Long Kesh (MLK) site also contained the prison hospital where the ten IRA 'Hunger Strikers' died in 1981. While this proposal was deemed controversial within unionist circles, the DUP had initially made a 'corporate decision' to support the project (BBC 2013b). First Minister Robinson and deputy First Minister McGuinness were in charge of bringing this project forward as part of the overall Programme for Government - 2011-2015 (Northern Ireland Executive 2011: 33). Planning permission was granted in April 2013 (BBC 2013c) and the construction project was ready to commence. This led to a backlash from opponents of the proposed redevelopment who argued that it could become a 'terrorist shrine', and lobbied to have the proposal stopped (BBC 2013d). This included people like Ms Travers, by this stage a member of the aforementioned Victims and Survivors Forum, Jim Allister TUV MLA, representatives from a range of unionist VSGs, the Orange Order (BBC 2013e), RUC widows organisations, and the Ulster Unionist Party (UUP) (BBC 2013f). This collective pressure led to Peter Robinson effectively pulling the plug on the project in August 2013, when he sent the subsequently dubbed 'Letter from America' to his elected party representatives to inform them that he was withdrawing his support for the project (Robinson 2013). Thus, without the joint consent of the OFMDFM, the project was finished. When interviewed for this project, Peter Robinson (Interview, 20 March 2019) lamented on the constraints of electoral politics when considering how complex political issues, and the public arguments surrounding them, which require nuanced 'paragraphs and paragraphs to answer [can be shot down by] shibboleths and simple slogans'. Robinson (Interview, 20 March 2019) continued:

You don't have the time to give the detailed answer to a simple slogan and I mean, I think I lost the battle on the Maze issue on that. You know it was easy to argue it was a shrine for Bobby Sands and you know, it literally would have taken pages to answer the issue. On that issue those who had even within my own party, who put the proposal forward, backed out of it.

Interviewer: Right. So, you lost the battle in the party never mind in the public, as well?

Yeah. Well, it was lost when the Ulster Unionists, the TUV and the Orange Order and others all came out. That put the pressure on people in my own

party and I was literally at the end, left on my own with the issue and rather than dump it, I indicated that I couldn't get it through at this time, that I would return to it, something to that effect. Which was intended to be precisely that, but I would come back to the issue when the circumstances were better.

Mitchel McLaughlin (Interview, 5 February 2019), however, reflected that the failure to follow through on this already agreed action in the Programme for Government led to a permanent fracture in relations:

Robinson and Martin McGuinness did develop a *modus vivendi* on a whole range of stuff ... The big thing ... that derailed any further development of that was the [Maze/Long] Kesh proposal ... [When] you got the letter from Florida [from Peter Robinson], calling it off ... That was the end of everything.

For McLaughlin, Robinson's failure to follow through on the MLK project sowed the seeds for an altogether unhealthy working relationship between Sinn Féin and the DUP. From now on, no agreements between these two main parties could be relied upon. Any remnants of trust were shredded with this 'Letter from America', or as one senior republican figure coined it, 'a letter bomb from Florida' (Mallie and Rowan 2013). Moreover, when Robinson returned from his summer holiday in Florida, he was to enter a 'deepening crisis' at Stormont (Mallie and Rowan 2013). One which was exacerbated by his decision to withhold consent for the MLK project. This concerned ongoing social tensions that had flared up during the course of 2013.

HAASS/O'SULLIVAN AND THE STORMONT HOUSE AGREEMENT

While 2013 was a year marked by political contention over victims' issues at Stormont, it was also plagued by social and cultural unrest within the wider community, in the form of street protests, street violence, and:

[R]ows over the reduced flying of the Union flag on Belfast City Hall and continuing marching disputes ... [and a] commemoration of the IRA's dead in Tyrone [where] Republicans have been accused of "cultural war". (Mallie and Rowan 2013; see also Hearty 2015)

As a result of these ongoing tensions, the five parties which made up the Stormont Executive, in their May 2013 strategy: 'Together: Building a United Community, recognised obstacles that [we]re frustrating the movement to a society based on

equality of opportunity, good relations, and reconciliation’ (The Panel of Parties in the Northern Ireland Executive n.d.). In consideration of these obstacles, the parties:

[P]roposed a way forward involving the establishment of a Panel of Parties in the NI Executive (“Panel”) to consider parades and protests; flags, symbols and emblems, and related matters; and *the past*. (The Panel of Parties in the Northern Ireland Executive n.d.) [emphasis added]

The announcement that this ‘Panel’, led by the independent chair, Ambassador Richard Haass, who had previously served as US envoy to Northern Ireland from 2001 to 2003, and vice chair, Dr Meghan O’Sullivan, was made in early July 2013 (BBC 2013g). The Panel of Parties in the NI Executive (hereafter Haass/O’Sullivan) commenced its series of meetings in mid-September, in the midst of not just continuing social tensions, but also this most recent political crisis. This context set the tone for the Injured Group’s entrance into the political and public spheres with their own pension proposals. While the Panel had a remit to bring forward a suite of recommendation on matters related to parades and protests, flags, symbols and emblems, it was ‘the past’ that eventually took up more than half of this 40-page report. The proposed recommendations were, in the end, not fully agreed by the Executive, even after ‘seven drafts’ (McEvoy and Bryson 2016: 72). This was due to what Haass described as ‘a lack of leadership on the Unionist side’ (Clarke 2014), in the face of disapproval from unionist victims’ campaigners and ‘hardline loyalists’ melded together in ‘an anti-Agreement movement’ (Black 2014), which had been mobilised by the earlier ‘Flag Protests’, the SPAD Bill, and the MLK controversy.

However, Haass reflected that the political parties had ‘made the most progress on the past’ (Haass 2014). Contained within the document, were a suite of transitional justice type measures designed to facilitate historical investigations, information retrieval, a story-telling archive, and an overarching unit to examine patterns and themes (Northern Ireland Executive 2013). In an attempt to explain why so much ‘progress’ had been made on the past, Haass (2014) surmised that:

Possibly, it was because less had been said and written about this issue, the result being that parties and their leaders were less dug in. It is also possible that the powerful and moving voice of many survivors and victims encouraged politicians to think creatively.

It was this latter point, that others have commented on, which supports Haass' conjecture that the voice of victims and survivors came through in the range of meetings with the Panel. Alex Attwood (Interview, 23 June 2017), a former SDLP MLA, projected that, 'Richard Haass was radicalised in his time here, in a positive way, because of his exposure to victims and survivors'. The WAVE Injured Group was one cohort of victims who were primed to raise their voices at this time. WAVE, as a prominent victims' group, managed to secure a meeting with Haass/O'Sullivan to present their case as to the way forward on a range of legacy issues and, according to WAVE CEO Sandra Peake, this included a representative of the Injured Group (Interview, 15 April 2019). Moreover, the reach of the Injured Group, through its network of connections within the Victims and Survivors Forum, meant that Haass/O'Sullivan were given further opportunities to hear directly from those injured. Kathryn Stone, Victims Commissioner during this period, when asked if the Injured Group had made a difference in getting their concerns onto the agenda, commented that, 'there was a profound difference made ... the very articulate detailed description of the lived experience ... had a real impact on those people' (Interview, 19 December 2018). Neil Foster (Interview, 11 January 2019), policy adviser for the Commission, reflected on this intervention: 'The Forum was involved in the process ... and you were involved with WAVE in making the issue ... and then that was taken up within their reporting too.'

Foster's allusion to the 'reporting' from Haass/O'Sullivan could arguably be in reference to the section of the final published draft proposals. It is within this text that one can read how the Panel was moved to consider this constituency of victims and how their voices came through:

The first requirement of any comprehensive treatment of the legacy of the past must be to provide for the social and health needs of victims and survivors ... The burden of their pain and loss has been exceptional and has been borne with remarkable dignity, patience, and grace ... Often, victims and survivors continue to suffer from physical disabilities, emotional trauma, social anxiety, and other concerns stemming from the conflict that merit support and assistance. (Northern Ireland Executive 2013: 20)

The plight of the severely injured, in particular, came through in one specific set of recommendations, which took cognisance of their specific circumstances, when Haass/O’Sullivan asked:

[T]he [Victims] commissioner ... *to give special consideration to those who lost years of their working life to severe physical or mental injury as a result of the conflict, as has been done in similar situations in other countries.* In addition, as these victims age, their need for medical, emotional, financial, and other support may rise, and we believe it is crucial that the assessment *take particular note of their circumstances and financial requirements.* (Northern Ireland Executive 2013: 21) [emphasis added]

Among all of the other expansive recommendations laid out in these proposals, which were pertinent to ‘Dealing with the Past’, such as truth recovery, criminal justice, and oral history, this section was the first time that the needs of the severely injured, as a specific subset of victims, were clearly pinpointed as something which required ‘special consideration’. The Injured Group had managed to push their proposal onto the political ‘agenda’ (Schumaker 1975: 494).

Within months of the Haass/O’Sullivan recommendation, alongside continued lobbying and input from the Injured Group, the Commission completed the aforementioned *Pension for the Severely Injured Project: Final Report*, in June 2014 (Commission for Victims and Survivors 2014a). As already alluded to, this report did not set out any recommendations as to how the eligibility criteria could be reconciled with the all-inclusive definition of a victim, as set out in the 2006 Order. With all of the other external problems that had dogged the internal relationship between the DUP and Sinn Féin, the prospect of agreement over this issue seemed distant. This became clear from First Minister Peter Robinson’s initial response to the *Final Report* and the recommendation from Kathryn Stone, in the Commission’s *Advice on Dealing with the Past: A Victim Centred Approach* report (Commission for Victims and Survivors 2014b), that the pension ‘should be implemented immediately’ (BBC 2014). For Stone, quoted in the media on 8 May 2014, ‘there is nothing worse than trying to explain to someone they can't have financial security because there is still political discussion about who is entitled to it’ (BBC 2014). In a stinging public response to the Commissioner, Robinson stated that:

Throwing an idea like that out is one thing ... Agreeing what the detail of it should be is something entirely different ... I will not be putting my hand to

any proposal that is going to reward those that have been engaged in terrorism ... So, definitions become important in that context. (BBC 2014).

A subsequent meeting of the Injured Group with deputy First Minister, Martin McGuinness on 10 June 2014, while welcomed by the group, proved fruitless in terms of moving past the impasse over the eligibility issue and, in particular, 'The Ten'. Sinn Féin continued to argue that those with qualifying injuries should be included regardless of their identity or past behaviour. While further meetings with the DUP, led the Group to conclude that they were at the opposite end of this argument and were not prepared to countenance the inclusion of complex victims. With this in mind and the stark realisation that behind the scenes lobbying with the political parties was stuck in a cul-de-sac, the group decided to bring the issue back into the public eye.

By mid-2014, the Injured Group, as well as having the ongoing support of Alan McBride, was also joined by another influential ally, Dennis Godfrey, a former Director of Communications at the Northern Ireland Office (NIO), who had recently joined the management board at WAVE. Bringing a wealth of media experience, Godfrey's introduction to the group has been recognised by all members as being of critical importance. His contribution was not only in how the group had been able to use the media to get their main message into the public domain, but also by gaining access to his expansive network of political connections. Godfrey's personal relationships with a range of former NI secretaries of state, including Peter Hain MP (now Lord Hain), was instrumental in the group accessing the halls of power in Westminster and beyond. A 2014 post on Peter Hain's blog, taken from a *Belfast Telegraph* article on wider legacy issues, makes an early mention of the pension campaign, thus highlighting the issue for Westminster politicians:

One practical example – which came from the Wave Trauma Centre, Northern Ireland's largest cross-community victim support group ... is the proposal for a pension for the severely injured, who have been unable to build up an occupational pension, to give them some security and dignity as they grow older. (Hain 2014)

This was important because niche issues such as the pension had previously been unheard of in this arena. Godfrey was also central in placing the issue of the pension into a range of local media outlets in Northern Ireland. An open letter, based on a

blog article written by the author on Queen's University, Belfast's *Compromise After Conflict* website, which was sent to the local newspapers, and printed in the *News Letter* on 27 June 2014, framed the thoughts of the Injured Group at this time (WAVE 2014a). Setting out its stall, the group highlighted how its diverse cross-community status had coalesced around a collective identity as seriously injured victims. The missive goes on to itemise their grievances in a way that they hoped would to appeal to the better nature of their public audience by focusing on how they suffered in the past, continue to suffer in the present, and fear for the future; echoing an approach suggested by Starzyk *et al.* (2014: 118) with regards to victims campaigning for reparations. Proposing a suitable prognosis, the group explained that the current obstacles were solvable through political will and compromise (WAVE 2014a).

Alongside this new approach, the Injured Group set out the need for a possible 'Plan B [as the] preference to have all party support ... remains an obstacle' (WAVE 2014b). Within weeks, their 'Plan B' arrived in the form of a proposed Private Member's Bill (PMB) from the DUP. Such an intervention was expected. It had been previously discussed as a possibility in earlier talks with the party, which, in turn, produced a public consultation document entitled *Providing for Severely Disabled Victims: Consultation* (Democratic Unionist Party 2014a). With this proposal, the DUP decided to forego any cross-party agreement with Sinn Féin and to proceed with the pension proposal on their own terms. While the consultation document praised the 'hugely valuable [work of] the WAVE Injured Group', the party clearly set out a pathway on complex victims (Democratic Unionist Party 2014a: 4 and 15-16) – by excluding those 'wholly or partly responsible for the criminal act which resulted in their physical disability' and 'those who - are, or ever have been, convicted of membership of a proscribed organisation' or 'been convicted of an offence connected to terrorism' [emphasis added]. While the Injured Group was welcoming of any proposals, which might move the process forward, they were also wary of coming out and fully endorsing a scheme that was so clearly taking an exclusionary position on complex victims. There was a fear that by moving from their desire for cross-community consensus, the group could be seen as being co-opted by the DUP and to be taking a particular side on the eligibility issue. To support the DUP position, risked putting

themselves at odds with Sinn Féin, and their desire to include all victims based on the 2006 Order.

Although the group was relaxed about moving into the realms of contentious politics, they were wary of getting caught up in party political machinations and alienating themselves in the eyes of one section or the other. The Injured Group, and WAVE as an organisation, as well as being concerned that the DUP was considering using this proposal as a back-door way of changing the definition, were also suspicious that they were using the pension issue as a political stick to attack Sinn Féin. This logic follows Starzyk *et al's* (2014: 120) rationale that campaigning groups should 'avoid disparaging the group and systems whose support [they] are seeking'. Nevertheless, the group decided to give the DUP initiative a chance and forwarded its own response. Moreover, the group actively encouraged others to submit to the DUP project. Letters, based on the aforementioned open letter to the media, were sent out, on the one hand, to a range of MLAs and civic society representatives and, on the other hand, to WAVE members and supporters, urging them to participate in the consultation (WAVE 2014c). The DUP's legacy spokesperson, Jeffrey Donaldson MP, met with group during this time and while tacitly supporting the PMB, the group sought assurances that this was not about changing the 2006 Order. As recalled by Jennifer McNern (Interview, 8 October 2018), 'there was a time when Jeffrey Donaldson told us they would not use pension as a means to changing the definition of a victim.' This was important for the Injured Group as they were still committed to maintaining their 'neutral' path on the eligibility question.

As the Injured Group awaited the results of the DUP consultation, the Stormont Executive continued its enduring cycle of disagreement and dysfunction throughout 2014; all the while remaining susceptible to external events, mainly on issues related to the past. These included a major controversy, in March 2014, over so-called 'on the run letters'⁷ which led to the collapse of a case against an alleged IRA bomber at the Old Bailey in London (Belfast Telegraph 2014b); the arrest of Sinn Féin President,

⁷ The "On the Run letters" controversy relates to a series of so-called "Comfort Letters" which were distributed by the UK Government authorities to almost 190 republicans who had left the UK jurisdiction, which assured them that they were not being sought by British authorities on a range of Troubles related activities.

Gerry Adams, in connection with the murder and disappearance of Jean McConville in 1972 (McDonald and Watt 2014); ongoing discord in relation to banned Orange Order parades in Belfast (McAdam 2014a; McDonald 2014); and political disagreements within the Executive over the Stormont budget and UK Government plans to introduce stringent welfare cuts to Northern Ireland (Campbell 2014). In a speech marking the 20th anniversary of the Provisional IRA's ceasefire in August 2014, deputy First Minister, Martin McGuinness, highlighted how political 'inertia', and the 'stagnation and the absence of progress' were 'the real threat to the political institutions' (McAdam 2014b). He accused:

[T]he DUP and the UUP of retreat[ing from] from dialogue, compromise, agreement and reconciliation [by rejecting the] enormously important work carried out by Richard Haass and Meghan O'Sullivan, [and moving] into a coalition with rejectionist unionism and loyalist paramilitaries. (McGuinness 2014)

This political dysfunction led to another end of year hothousing session for the main NI political parties, this time including the UK and Irish Governments, who participated in intensive negotiations lasting eleven weeks at the NI Secretary of State's headquarters at Stormont House. The result, by Christmas 2014, was the Stormont House Agreement (SHA) (Northern Ireland Office 2014). In a similar vein to the failed Haass/O'Sullivan proposals, the Stormont House Agreement devoted much of its attention – 34 out of 75 paragraphs – to 'dealing with the past'. With significant relevance for the Injured Group, Paragraph 28 stated that, '[f]urther work will be undertaken to seek an acceptable way forward on the proposal for a *pension for severely physically injured victims* in Northern Ireland' (Northern Ireland Office 2014: 6) [emphasis added]. Although this paragraph was seen as a political 'fudge', not a definite timetabled agreement to put a pension scheme in place, there was cause for some celebration. While Haass/O'Sullivan previously made mention of the need for special consideration for this cohort, this was the first time that there had been an official undertaking that a 'pension for severely physically injured victims' was agreed upon by the local political parties and both the UK and Irish governments.

For the Injured Group, 2014 was viewed as a year where some progress had been made. Moving into 2015, the WIG would continue to monitor what 'further work' was being undertaken in relation to the pension. This included writing to both the

Northern Ireland Office and the OFMDFM with Freedom of Information (FOI) requests to ask specifically when any official 'pension' meetings were held and which politicians and officials attended. In rejecting this request, the NIO and OFMDFM replied that, 'on balance it is not in the public interest to disclose the information at this time' (WAVE 2017a). However, according to an unnamed official at the OFMDFM, who I will dub *Val*, this work was undertaken, during 2015, by 'officials right across the system [who] were instructed to take forward implementation and to bring papers to an implementation group which has representation from all the parties' (*Val*, interview, 2 June 2017). This group, known as the Stormont House Implementation Group (SHIG), built on the previous work of the 'Victims Commission ... the WAVE Injured Group and ... the research that had been carried out by Spence and RSM McClure Watters' (*Val*, interview, 2 June 2017). In relation to the eligibility issue, *Val* (Interview, 2 June 2017) was more circumspect and realistic about what they could or, more to the point not do:

Now the issue for us was always going to be who is going to be eligible for a pension but we didn't get into that. What I decided to do was, let's focus on the bits that we can actually bring to the party leaders and say: "this is how it's going to work". So, we looked at the mechanics of how much would it cost. How will it be delivered. How would it be funded ... Those sorts of, if you like, mechanical issues about the pension ... And we brought a series of papers to the parties. And they were agreeing to the stuff that we were putting in front of them. It was actually - we were making progress. We got to a pretty advanced stage which was - all those mechanical issues were agreed ... And the next stage was supposed to be - I would go away and work up a public consultation papers on pension and bring it back to the group.

This public consultation, according to *Val*, did not happen. The political disagreements that had marred the previous political mandate of the Northern Ireland Assembly continued well into 2015. These included Sinn Féin withdrawing from an agreement set out in the Stormont House Agreement on introducing welfare reforms (BBC 2015a); and the murder of a man in Belfast which according to the PSNI involved members of the supposedly non-existent Provisional IRA (Clarke 2015a). This led to another political crisis which seen the DUP intermittently boycott Executive meetings, in what was described at the time as a 'hokey-cokey' routine (McKeown 2015). Again, this crisis was followed by new political negotiations involving the parties and the two governments, culminating in the Fresh Start

Agreement (Northern Ireland Office 2015). For *Val* (Interview, 2 June 2017), this new political crisis had a detrimental effect on the implementation of the pension:

[I]n the run-up then to Fresh Start talks [where] I was told: "Just to put a hold on all that work." Which I did. And then we led into the Fresh Start talks and obviously we know that everything to do with legacy and victims was taken out of the final political agreement. And so, I didn't have a mandate any more to do any further work on the pension.

While politicians continued with their political disagreements on a whole range of issues, including, at the time of writing (July 2021), the continued non-implementation of the 'legacy' sections of the Stormont House Agreement, the Injured Group continued to look for ways of breaking the pension logjam by assisting politicians to agree an 'acceptable way forward', in accordance with Paragraph 28 (Northern Ireland Office 2014). While their previous framing strategy of highlighting grievances, and prognosing solutions had put the pension firmly onto the political agenda, it was proving difficult to secure 'policy responsiveness' (Schumaker 1975: 494). This required that they readjusted, or realigned, their framing strategy, to reach and persuade a wider audience that their demand was worthy of resolution. To do this the group had to use their expanding networks of support and enlist the help of others, people with a wider skill set or expertise, especially in the realms of human rights. They also considered expanding their frames into the field of transitional justice and reparations.

EXPANDING FRAMES: REPARATIONS IN A DIVIDED SOCIETY

As the group had little knowledge or experience in the field of transitional justice or reparations, it was necessary that they sought the advice of external experts. Dr Luke Moffett, a senior lecturer in the School of Law at Queen's University, Belfast was one such expert. During interview (6 March 2019) Moffett, recalled first hearing about the pension issue after watching a *BBC One Northern Ireland* documentary featuring Injured Group member, Peter Heathwood. *Memory Man*, first broadcast on 4 Feb 2013, chronicled Peter's story as an amateur archivist of Troubles related programming and referenced the Injured Group and his involvement in the Campaign for Recognition (Memory Man 2013). Subsequently, Moffett was heavily involved in

two major conferences (Dealing with the Past Conference: 25 February 2014 & Remediating the Past, Healing for the Future Conference: 3 October 2014), organised in conjunction with Queen's University and the Commission for Victims and Survivors, in which Peter, Jennifer McNern, and Alex Bunting (Injured Group members) were also involved, as members of the Victims Forum (Commission for Victims and Survivors 2014c). These networking opportunities led to an approach where Moffett was asked to support the group, using his academic research on reparations. A draft version of Moffett's entry on the Slugger O'Toole blog (3 December 2014), *Time for a pension for those seriously injured during the Troubles* (Moffett 2014), was shared with the group in the days preceding an Injured Group meeting, to which Moffett was invited, with senior officials from the Irish Department of Foreign Affairs, who, at that time, were part of the team working behind the scenes on the Stormont House Agreement negotiations. This expansive blog post, and later, an academic article, was Moffett's first public contribution to the pension campaign and set out, from a human rights perspective, the case for the pension and possible solutions to the eligibility impasse (Moffett 2014; 2016a)

While Moffett has continued to work with and alongside the group, in his own capacity, ever since, his focus on the pension issue through a transitional justice lens, as primarily rights-based reparations, was not immediately taken up as a specific framing opportunity by all in the Injured Group. In recalling his first meeting with the group, Moffett (Interview, 6 March 2019) conveyed a common reaction from those uninitiated with the concept of reparations as being conflated with 'the Treaty of Versailles':

[Whereas] the Troubles and reparations aren't talked about. Or any other sort of conflict. I suppose that's how it shapes everybody's views. I think sometimes in the DUP, it's shaped by that sort of view too. That it's for reparations against the State, the State is responsible, the State are the bad guys. That's not the case.

Moffett's reference to the DUP and their approach to reparations was underlined during an interview with Emma Little-Pengelly (a former DUP MP, MLA, and Special Adviser to former First Minister, Peter Robinson), who dismissed the idea that the state (in this case, the Stormont government) should be responsible for reparations

(in their strictest sense); where the 'vast majority' of 'fault or responsibility' for the conflict should rest with 'unrepentant' 'non-state' 'terrorist organisations':

My sense about the term reparation is that it reflects a payment in recognition of fault or responsibility. In terms of the victims of the Troubles, the vast majority were carried out by terrorist organisations that were non-state and this idea that the State then gives reparations on behalf of these organisations, most of them at that time were completely unrepentant about what they had done, and remain unrepentant in my view would not be appropriate or right. That is why the DUP does not see this proposal as a reparation payment but rather government supporting the needs of victims. (Emma Little-Pengelly, interview, 2 August 2017)

By failing to recognise the principle that governments should act in a 'subsidiary' role, in lieu of unaccountable non-state actors, to provide prompt and holistic remedy to victims in its jurisdiction, Little-Pengelly was failing victims (Moffett 2015a: 1). This limited view was bolstered by former First Minister, Peter Robinson (Interview, 20 March 2019), when questioned about the inherent rights-based nature of reparations, while also diminishing the role of the 'State' in causing the 'damage':

In most cases reparations come from those who have caused the damage in the first place and therefore that's why it's called compensation, because the government is giving compensation, not for something they did, but for something somebody else did and I suppose you could add to that, and their inability to stop it. So, generally speaking, I would regard reparations as somebody atoning for what they have done and that isn't the case here ... I think [the State is] compensating people for the violence that was caused to them and while in some cases, the State might have been involved, in most cases it will not have been, except to the extent that the state has a responsibility for the security of every individual so it has some responsibility for failing to stop the violence.

In delving into what members of the Injured Group perceived reparations to mean, it was clear that while they did not focus on the legal obligations of the State as duty-bearers to provide redress, acknowledgement and recognition of their harm was a prominent feature of their thinking. Jennifer McNern (Interview, 8 October 2018) when asked about the meaning of reparations stated that:

I would have called compensation first. And then I remember one day saying: "I just hate that word, compensation." It's just a word I hate. Then somebody says: "Use reparations, because that's what this is." So, it's about repairing what has happened. You can't bring back legs and give strength to your arms and give people back their eyes. Reparation to me is a way of, it's just another way of saying: "How can we help you? We are acknowledging that this is

happened to you. We are acknowledging your needs. And how can we repair?”.

Peter Heathwood (Interview, 1 October 2018) was not altogether concerned with the terminology and focused more on what acknowledgement and redress meant to him:

Okay, it has more legal definitions as reparations but when it comes down to the bottom line, it's an acknowledgement. But it's all the same thing. Here is something to help you live the rest of your days, independently. It's the same name, really, but when you get the Queen's professors in on it and the academics, they like using different words but it's the same thing when you get down to grassroots level for us. They can call it a pension or they can call it reparations, as long as we get. As long as we get it, that's acknowledgement.

Alex Bunting concentrated on the 'rehabilitative' and 'symbolic' nature of reparations in the provision of specific services for victims and their families, that will aid them in 'resum[ing] a full life' (Manirabona and Wemmers 2014: 75-76; 83):

It would include what the VSS (Victims and Survivors Service) does ... healthcare and maybe getting it paid for privately. For the likes of ourselves, the severely injured, you are talking about if people need wheelchairs or lifts. (Alex Bunting, interview, 4 October 2018)

Others, such as Alan McBride (Interview 5 November 2018), were wary about framing the campaign through an 'academic' transitional justice framework, intertwined with human rights expectations, especially in the context of the contested nature of human rights talk in Northern Ireland, and instead preferred to keep the focus on the 'personal', and the pension as a response to 'need':

I think when we get down that road it becomes more of an academic exercise ... the stuff with Luke Moffett and Queen's ... And I think what we need to do is to keep it very much focused on the personal. That's why the bigger issue is the moral argument. It's the needs-based argument ... But the other thing, I would say about the whole rights agenda in Northern Ireland is that it's not something that has really brought politicians to the negotiating table or has made a difference between deals being done and deals not being done. The DUP, quite often, could drive a horse and cart through human rights legislation. If they don't like it, it doesn't matter if it's a human right or not, it will not be happening.

Stuart Magee (Interview, 19 November 2018), who has worked with the Injured Group from 2012, displayed an attitude similar to McBride on how the campaign was framed on 'needs', again reflecting on the problem of human rights in the context of Northern Ireland politics:

I certainly think that the narrative about rights has become politicised in some ways. Human rights are obviously a legal concept but in the same vein, political wishes can also be framed as rights as well ... I think the most persuasive argument that I have heard for a pension has always been that there is a demonstrable need for it.

These interviews speak to the politicised understanding of human rights in Northern Ireland. Human rights discourses, as well as victims' issues, are highly contested in this society (Harvey 2001, Grech 2017). They tend to mirror the differing social and political backgrounds, in that, those of Catholic, nationalist, republican (CNR) background are comfortable with human rights discourse in relation to legacy issues, in contrast to some from a Protestant/unionist/loyalist (PUL) background, who view this discourse with suspicion (Mallinder 2019). As the former First Minister Peter Robinson (Interview, 20 March 2019) [emphasis added] told me, '*...rights-based issues is Sinn Féin terminology and they use it for everything including issues that aren't rights.*' In a similar vein, Mike Nesbitt (Interview, 23 January 2019), former Victims Commissioner, current UUP MLA and former UUP leader (2012-2017), also pointed to the notion that human rights is a concept, which some unionists find uncomfortable:

I think politically, unionism seems to struggle with human rights and I have no idea why. Why wouldn't you want human rights? I don't get it. I think unionism feels human rights as a notion has been appropriated by nationalists. And it's wrong to think that way. Everybody should be very keen to have human rights and to have those protected and have delivery on them.

While the concept of reparations was useful for the Injured Group to contemplate as a framing opportunity, it was not taken forward as their main injustice frame. They understood that using human rights could take them deeper into political contestation and inescapable cul-de-sacs with their political representatives. Therefore, they needed to develop different frames, to appeal to the better nature of politicians and to the wider public, through the media, to help them to consider the needs of the injured.

THE ‘PROVO PENSION’ AND THE MEDIA PARADOX

For the Injured Group, framing their campaign through a transitional justice lens, by claiming a *right* to reparations, would not work in the context of this divided society, where rights-talk was highly contentious. They needed to portray their cause as one based on the moral case. As a group of people who were unjustly treated in the past were looking for a measure of social solidarity and social justice as they faced an uncertain future of poverty and suffering. They continued to persevere with this approach with both politicians and the public. This involved the group reengaging with the main political parties at Stormont, as well as with the smaller parties who they had not previously lobbied, including Traditional Unionist Voice (TUV), the Green Party, NI21, UKIP, People Before Profit, and other independent MLAs. This was due to the real possibility that a DUP Private Members Bill could potentially be brought onto the Assembly floor, and thus the votes of all MLAs could prove crucial. It was also important that in a legislature of 108 members, they were all aware of the issue.

The Injured Group was cognisant that the pension proposal was a niche issue. Only certain MLAs and special advisers who were previously seconded to deal with the Injured Group were over the detail of what was being proposed. To combat this knowledge gap, it was decided that the group should get themselves ‘invited’ to the various annual party conferences, staged throughout the year. These networking events gave the participants the opportunity to speak to politicians and party members, in smaller fringe meetings and at the much larger plenary sessions. It was within these spaces that they could convey their stories of suffering and appeal to an otherwise inaccessible audience. For the SDLP conference (15 November 2014), the group was invited to speak to the full plenary, in the slot immediately prior to the Leader’s Speech, ensuring as full an audience as possible. At another event (27 November 2014), Peter Robinson, in his leader’s speech to the DUP Conference, laid out their plans for the pension, again stressing their intention to ‘...*explicitly exclude terrorists from receiving this pension support*’ (Democratic Unionist Party 2014b) [emphasis added] – a clause that was greeted with rapturous applause and cheering by the DUP party faithful. Certainly at the time I felt that this suggested elements of the DUP were more interested in bringing forward a pension scheme that was more

about who was excluded, rather than who might benefit. This intervention did not sit well with the Injured Group at the time. Relentless, they continued to tour the 'conference circuit' to promote their cause and find a way through the impasse.

At the Alliance Party conference (14 March 2015), Peter Heathwood, during an informal conversation with an acquaintance, Liam Clarke, a well-known print journalist, explained the reason for the group's attendance and set out the political obstacles. What followed was the front-page headline, 'Injured terrorists could get Troubles pensions' (Clarke 2015b) (19 March 2015), in the *Belfast Telegraph*, one of Northern Ireland's most popular daily newspapers. The main splash (on the website), which read: 'Disabled ex terrorists may get £150 a week pension', was placed above a large photograph depicting a stock image of a 'terrorist' dressed in paramilitary fatigues, wearing a balaclava mask and brandishing an automatic assault weapon (Clarke 2015c). This headline, gave the Injured Group cause for concern, as they might lose control of the frame, and allow others to reframe the take-home message as "Pensions for 'disabled ex terrorists'". One such proponent of this message was Jim Allister of the TUV, an arch critic of the DUP, who had already coined the phrase: the 'Provo pension', in May 2014, to decry the:

[I]dea that terrorists injured while visiting death and destruction upon others should receive a pay out from the State rightly appalled innocent victims the length and breadth of Northern Ireland when it was suggested in Eames-Bradley ... There should be no Provo pension but innocent victims ... should have their hurt and suffering acknowledged. (Allister 2014)

While Allister's press release from the previous year did not gain much public traction, the group feared that stark front-page headlines could promote the idea that this was primarily a pension for 'Provos', a colloquial term for members of the Provisional IRA: a message that could severely damage their much-needed public support. One unintended, but arguably beneficial, consequence of the *Belfast Telegraph's* front page was that it brought the pension to the attention of investigative journalist, Ciaran Tracey, from the award-winning BBC documentary team, *Spotlight*. As Tracey (Interview, 30 April 2019), recalled:

I remember seeing an article, to the effect, some sort of Provo to get a pension. I thought there has got to be more to it ... I'm not saying that the facts were wrong, the facts weren't wrong ... [but] it was reductionist, you know. It's not untrue if you want to say that but it characterises everything

you are about to read, even if what you are about to read is balanced and true, which it was, that still puts quite a look on it ... But because of that headline we went to you guys and we did what we consider to be a very, very proper version of the same story, so, maybe, if that headline hadn't occurred, we would have never seen the story and we wouldn't have come to you guys.

Thus, emerged the paradox of the 'Disabled ex terrorists may get £150 a week pension' headline, which brought forth not just the fear that the pension issue could become too controversial, but also the opportunity to have the issues aired in a more in-depth way, factoring in the complexities. The mass media and, in particular, journalism plays an integral role in the production of public discourse and public opinion (Sheafer and Dvir-Gvirsman 2010). In transitional societies, this role 'matters a great deal' in terms of how the media reports on the complexities of the peace process (Rice and Taylor 2020: 1). All too often the focus is on 'conflict frames' that simplify past-grievances, issues, and decisions which can undermine post-conflict peace efforts (Galtung and Lynch 2010). On the other hand, journalists have been encouraged by advocates of 'peace journalism' to focus on solutions rather than differences (Lynch and McGoldrick 2005). Considering the reach of the BBC and, in particular, the reputation of the *Spotlight* brand, the group made the decision to engage; culminating in a thirty-minute documentary, which subsequently aired on *BBC One Northern Ireland* on 2 June 2015 (Tracey 2015; Spotlight 2015). This programme included interviews with Jennifer McNern, Margaret Yeaman, and the author, as members of the Injured Group; along with a former part-time soldier in the Ulster Defence Regiment, who had been injured when the school bus he had been driving was blown up by a booby-trap bomb in 1988. For Tracey, however, the inclusion of a complex victim, a former republican prisoner, who had later been injured in a loyalist gun attack at his home, was 'vitally important' (Interview, 30 April 2019). Expanding on this, Tracey (Interview, 30 April 2019) explained that:

[W]e were fairly certain about what the position [of] ... let's say victims who were [gesture] inverted commas, "innocent", in fact drop the inverted commas, the innocent victims ... would be, but wouldn't it be part of a bigger dealing with the past narrative to actually hear from a combatant who had been injured? And then we could all interrogate it as we like, as individuals, we could all have our say; we may still go, do you know what, no way, they don't deserve a thing but as a vehicle to hear the very powerful needs of the innocent victims, I mean, what a worthy contribution I thought to provoke the debate that had been happening in Stormont policy rooms under the radar.

The *Spotlight* programme was viewed by the Group as ‘an excellent programme’ (Alex Bunting, interview, 4 October 2018): and in ‘PR ways’ a great opportunity ‘to try and show, it could have been anybody. It could be you, could be your relative, could be somebody like that’ (Peter Heathwood, interview, 1 October 2018). This follows Starzyk *et al.*’s (2014: 121-122) logic of helping people to see the situation from their perspective, to identify and empathise with the injured, that these things could have happened to them or someone close to them. Expanding on the public relations point, Heathwood was also keen to point out how stark and emotive imagery, à la Schwöbel-Patel (2018), is crucial in garnering sympathy by conveying the human aspect of the pension campaign, while also reflecting on the stigma that can be attached to those injured, especially to men, during the conflict:

Margaret Yeaman pushing Jenny (McNern) in the wheelchair. A blind woman pushing a wheelchair. That says it all. And I think the more women we get in our campaign the better. Because they look at us and you have said this yourself: “that they must’ve been bad boys.” You know, that stigma because we were men. But when it’s women, they don’t get that ... The more women we get in the better. And again, I’m being crude here, we are going for that sympathy vote there, and no other reason. But I think we have to try and manipulate our audience. (Peter Heathwood, interview, 1 October 2018)

While Heathwood, in his own words, was unashamed in going for the ‘sympathy vote’ through stark imagery, Tracey (Interview, 30 April 2019) was keen to point out that his choice of imagery throughout the programme was based on his ‘intention to tell the truth’:

I thought what would make the most point to the audience would be the sheer truth and unabashed honesty of the situation. I very delicately, and I wouldn’t have done this unless I knew we had trust in the room, but I did ask Margaret would she lower her glasses. The point was that an IRA bomb denied her of her sight. I wanted Northern Ireland to see that somebody planted a bomb that did this to this gracious and generous woman and that that ought to be seen and ought to be known.

The *Spotlight* programme gave the Injured Group the opportunity to have the Campaign for Recognition aired to the Northern Ireland audience in a way that contrasted with previous reportage on the front-page of a local daily newspaper. It gave the audience the chance to hear the nuances and complexities of the proposals alongside the problems faced by the Injured Group. It restored a sense of trust in journalism that even Tracey (Interview, 30 April 2019), in his early meetings with the

group, recognised had been damaged: 'I saw differences in the opinion of should we engage with these journalists or are they just going to once again, probably bite us.'

This newfound trust was short-lived as the group moved onto another platform, again on the BBC, but in a different medium: that of talk radio and a televised spin-off show. Following the transmission of *Spotlight* programme, *The Stephen Nolan Show*, a popular and populist weekday phone-in show on *BBC Radio Ulster*, contacted the Injured Group to discuss the issue (The Stephen Nolan Show 2015). *The Stephen Nolan Show*, and in particular its host, Stephen Nolan, is well known for its somewhat sensationalist and controversial approach to news items in Northern Ireland. A format, which invites members of the public to call in to air their views on the matters of the day. *The Stephen Nolan Show's* approach to the 'news' in a politically divided society such as Northern Ireland has been criticised as being 'tabloid, populist journalism'; so much so, that this style of reporting has been dubbed the "Nolanisation of the news" (Porter 2010).

Previously, several members of the Injured Group appeared on the show at the outset of the campaign in 2010, and conveyed that this had been a positive experience, with the issue dealt with in an empathetic and sensitive way. At this stage, however, no controversial political arguments had emerged. Now, that the eligibility issue was front and centre and highly political, the group was wary of engaging with this format. Nonetheless, the author was invited on, 'down the line', to speak to the issues brought up by *Spotlight*. The usual host, Stephen Nolan, was not in the chair that day and the BBC's political correspondent, Enda McClafferty, filled his place. The consensus among the Injured Group was that the piece went well and without controversy. The follow up invitation to appear on *Nolan Live*, a televised weekly spin-off show, later that evening, was accepted. What followed was an experience that left 'a bad taste in the mouth' of participants (Alex Bunting, interview, 4 October 2018).

The main segment of the hour-long *Nolan Live* show (3 June 2015) featured the Injured Pension issue, and focused primarily on the controversy over complex victims (Nolan Live 2015). In the studio audience were Alex Bunting and the author. The whole thrust of the conversation was, "Why should terrorists get a pension?" The

host, Stephen Nolan, failed to address the positives that such a pension might make to the lives of those in the studio, and instead became fixated on the zero-sum argument of who could be classed as a victim. Stark stock images featuring another masked man brandishing an automatic assault rifle juxtaposed beside a woman, who had been badly burned in the infamous Omagh Bomb in 1998, and who was also in the studio audience, were displayed on the giant screen behind the stage, as the host asked: 'Are these two people the same?' Alex Bunting (Interview, 4 October 2018) recalled his experience on the show that evening, as one of being under pressure to focus on the:

[B]ig story of the perpetrator [and] not the positives ... [To answer] questions about which we should not have been answering. It should have been them (the politicians onstage) who should have been answering, as legislators, not asking victims ... And in one particular case, I remember he said about "The Ten". I don't think you should ask me that. I am not here to be the judge of other victims. He always does that ... I definitely wouldn't go back onto *Nolan*.

This charge of a '[p]reoccupation with [n]egativity', or a 'perceived undue focus on negative politics and societal unrest', has been levelled at *The Stephen Nolan Show* elsewhere (Rice and Taylor 2020: 9), and was picked up by Jennifer McNern (Interview, 8 October 2018), who held similar views on this format:

All those sorts of shows are sensationalism ... it's the same then as the Eames Bradley thing. The press really jumped at that as well. And that stopped that. That's how they can be powerful by being sensationalist.

This experience was one that saw the Injured Group resile from engaging with certain parts of the media, in the short to medium term, and put their focus into 'quietly' working behind the scenes to find a 'quiet diplomatic' solution to the pension proposal (Dempster 2019b). This work was becoming increasingly frustrated, however, as potential political avenues were turning into cul-de-sacs. The group needed to navigate new routes. By late 2015, this meant that they had to consider the merits of their aforementioned 'Plan B': The DUP's Private Members Bill.

THE DUP PRIVATE MEMBERS' BILL: FROM PLAN B TO PLAN C

With no prospect of achieving cross-party consensus and a pension bill emanating from the OFMDFM, the Injured Group decided to opt for 'Plan B', and to work with

the DUP on making their Private Members' Bill (PMB) a reality. Emma Little-Pengelly, a former Special Adviser to Peter Robinson, who, alongside Jeffrey Donaldson MP, was the main DUP contact for the Injured Group, presented a draft bill to Injured Group in October 2015. This was slated to be introduced by another DUP MLA, Brenda Hale. By the end of September 2015, Little-Pengelly had been promoted within the party and co-opted as an MLA, and subsequently appointed as a junior minister within the OFMDFM, a month later (BBC 2015b; Irish Legal 2015).

The introduction of the PMB, however, was delayed by the political crisis at Stormont concerning the murder of Kevin McGuigan by IRA members as discussed above – which saw the DUP intermittently boycott Executive meetings (BBC 2015c; McKeown 2015). Day-to-day politics were severely hampered by this controversy. The delay caused by this period of inactivity was concerning for the Injured Group, as the timeline for getting a bill through the Assembly mandate was time sensitive, with an election due to be held sometime in early 2016. The first time the group was given access to the draft PMB was 22 October 2015 and, as expected, it contained specific criteria to exclude people who had been 'injured by their own hand'; and more controversially, those with previous convictions for paramilitary activity (Democratic Unionist Party 2015).

To pass such a bill through the Assembly, the DUP required Ulster Unionist, Alliance, and SDLP support. It was suggested that Little-Pengelly should work with the SDLP to make the draft 'SDLP-friendly' and amend certain sections, which that party could accept. Alex Attwood, former SDLP MLA, who was the party's legacy lead, became the go-between for a series of meetings, which took place over this short period, to find a suitable compromise. After a series of emails between Little-Pengelly and the Injured Group, where the junior minister stated that the PMB had been submitted to the Speaker's Office for approval, it transpired that by mid-December 2015, the effective deadline for submitting Private Members Bills, no such bill had been lodged. Subsequent meetings with Attwood also revealed that the SDLP interactions with Little-Pengelly on the PMB had been minimal, and there was no real attempt to find agreement on the part of the DUP (Alex Attwood, interview, 23 June 2017). This caused a sense of severe disappointment within the Injured Group, who felt misled

by the DUP. A subsequent letter from the Injured Group addressed to Little-Pengelly and the new leader of the DUP, and now First Minister, Arlene Foster (appointed on 11 January 2016), set out their grievances and asked that the pension be included in the DUP's forthcoming election manifesto (WAVE 2016a).

This setback did not deter the group. Effective social movements, such as the Injured Group, tend to react positively to constraints and seek out new opportunities. Internal WAVE emails between Injured Group members, which I reviewed for this project, reveal that they were considering changing tack by bringing in other political actors to find a way forward. While the DUP had initially taken a tentative step towards a PMB, there was nothing stopping another MLA from doing the same when the new Assembly mandate emerged from the May 2016 election. The Injured Group, with the help of external allies, would design their own bill, which they would present to an appropriate MLA, outside the DUP and Sinn Féin. Again, the group reengaged with the Victims Commission. The three members of the Injured Group, McNern, Heathwood, and Bunting, who remained on the Victims Forum, had kept the issue alive within this body during the thirteen-month absence of a Commissioner, following the departure of Kathryn Stone in June 2014. As such, when the new Victims Commissioner, Judith Thompson, appointed in July 2015, the pension issue was primed for action. The visit to Northern Ireland of the *United Nations Special Rapporteur (UNSR) on the promotion of truth, justice, reparation and guarantees of non-recurrence*, Pablo de Greiff, in November 2015 was the first time the Injured Group formally met with the new Commissioner to discuss the pension proposal. De Greiff (2016: 3) and his mission were in the region:

[T]o assess the work undertaken by the Government, at both the national and devolved levels, in the areas of truth, justice, reparation and guarantees of non-recurrence, and to advise on further efforts to address the legacy of the violence ... during the "Troubles".

As a relevant stakeholder, the Injured Group provided evidence to the UNSR, alongside a range of other groups and civil society representatives. While the resultant report (de Greiff 2016: 14), published a year later in November 2016, portrayed the 'controversy over pensions' as an 'apt illustration of how far the legacies of the past are from being resolved', the group did not wait on its findings

and continued to seek their own resolutions through the Commission and within civil society.

Alongside this initiative, Dr Luke Moffett (Interview, 6 March 2019), attempted to fill, what he termed, the ‘knowledge gap [and the] capacity gap’, by writing academic articles; providing ‘private briefings for different groups, ex-combatants, victims’ groups, policy makers in the government, and lots of politicians’. Furthermore, Moffett set about drafting his own model legislation, with considerable funding from the Queen’s University Impact Scheme. Moffett, using the expertise of Daniel Greenberg, a former ‘Parliamentary Counsel’ and ‘lawyer specialising in legislation and the legislative process’ (Greenberg n.d.), drew up two draft bills: one with a ‘review panel’ to consider victim/perpetrators separately; and another ‘non-discriminatory’ all-inclusive model (Moffett and Greenberg 2016a; 2016b). By June 2016, Moffett was ready to share these model bills with the Injured Group and various interested parties, including representatives from republican ex-prisoner support groups, in the hope that they could be persuaded to accept the ‘review panel’, as a compromise on the eligibility issue. As Seanna Walsh (Interview, 31 July 2017), from the republican ex-prisoner group *Coiste na nIarchimí*, recalled:

Luke Moffett came in and basically tried to sell the idea that we would buy into a two-tier sort of system of addressing the pension issue and we gave him short shrift. One arguing former republican activists are excluded and the other that they should be included on the same basis as everyone else ... As far as we would be concerned it has to be either everybody or nobody.

This response from Walsh did not come as a surprise to the Injured Group. The eligibility issue was, from both sides of the argument, becoming wholly intractable. Meetings with Sinn Féin and the DUP during August 2016, reinforced the hard reality that they could not, or would not, come to an agreed position to take it forward as Executive legislation. Relations between the DUP and Sinn Féin had been further soured by the recent result of the UK Brexit referendum (22 June 2016), on which both parties held polar opposite perspectives. The significance of the ever-deepening cleavage was, in Dennis Godfrey’s (Interview, 12 November 2018) opinion, a further blow to the possibility of getting the pension through Stormont:

I think the dramatic change for me, I think came after Brexit. We had a meeting (with Sinn Féin) in June, then we had a meeting in December, here

(in WAVE), before Christmas. By then they (Sinn Féin) had really toughened. At one point, I think at that June meeting where Gerry Kelly (MLA) left to vote and we were left with Spike (Sean) Murray (Sinn Féin's lead official on legacy), where there was almost a sense of: "Look, you know that we can't actively support this but... if you get it through: Good luck." And that was almost as close as: "You have won the argument and there will be no Petition of Concern because we know we wouldn't get it through anyway. And if the DUP and the SDLP and Alliance and Ulster Unionists, if they vote it through, then fair enough." I think when they came back in December after Brexit. That was not going to happen. The lines had hardened.

Godfrey's allusion to a 'Petition of Concern' refers to the mechanism within the Assembly's parliamentary structures where, effectively, any political party, or coalition of parties, can veto any given bill, if they can muster the signatures of 30 MLAs. Following the May 2016 Assembly election, however, Sinn Féin had only secured 28 seats and would need the support of others to block any potential pension bill. The Brexit issue was also a significant impediment, in terms of capturing the attention of politicians and the media. Brexit became an all-consuming political 'black hole', which expended most of the legislative time and energy of politicians across these islands (see O'Toole 2018, McEvoy, Bryson and Kramer 2020). As Marie Breen-Smyth (Interview, 14 February 2019) commented:

I think there is so little political space anywhere. I think all the oxygen in politics is sucked up by Brexit. So, until that gets resolved I can't really see people having the energy to focus on anything else substantial. And even if you could make Brexit disappear then you are in a political arena where other issues are deemed to be much more urgent and sexier than yours. So, you already had an uphill struggle with these issues to begin with ... you can just forget about it, really, in terms of doing anything useful at the moment.

Nevertheless, further political developments came in September 2016, which saw the resumption of talks between the parties to address the stalled Stormont House Agreement mechanisms. Briefings from political representatives to the Injured Group indicated that the pension proposal would be included, but hopes were dashed, when, by mid-October, it became clear that the pension had been left aside and no formal discussions on the issue had taken place during these talks. This led to a new flurry of collective action from the group. A draft 'question' aimed at the First and deputy First Ministers was written, with the intention of a 'friendly' MLA asking it on behalf of the Injured Group in the Assembly. Significantly, while the question did not make it past the Speaker's Office, the group's main target, which had always been

Stormont, was now widening to include the UK Government at Westminster (WAVE 2016b). This change in tactics and direction stemmed from the growing conclusion that the pension was tied up in a Gordian knot at Stormont. In order to break the deadlock, the Injured Group needed to get creative. One option was to consider if their longstanding 'neutral' stance on the eligibility issue was still of use.

CHANGING THE DYNAMIC: 'INJURED THROUGH NO FAULT OF THEIR OWN'

In October 2016, the Injured Group drafted a new open letter, asking a range of civil society leaders to write to the OFMDFM and the Secretary of State and push them on the pension (WAVE 2016c). This letter set out the history of the Campaign for Recognition and highlighted the intractable political blockages. There was also a pointed reference to the Social Investment Fund, an initiative set up by the OFMDFM to 'deliver social change' (The Executive Office n.d.); and to a recent initiative, agreed by the Executive and the UK Government and funded to the tune of £50m, encourage paramilitary organisations to transition from violence and paramilitary activity (BBC 2016b). Viewing these initiatives as further examples of 'suddenly imposed grievances' (Walsh 1981), by juxtaposing the treatment of the 'severely injured' alongside the 'paramilitaries', the letter conveyed the salient point that, while:

The WAVE Injured Group recognise that the paramilitaries who so grievously damaged them have to leave the stage and do not begrudge this money being used to help Northern Ireland transition ... [they] wonder how this money could be found so quickly when they have been campaigning for years with nothing to show for it beyond tea and sympathy. (WAVE 2016c)

More significantly, however, this letter contained a novel angle on the eligibility issue, one that the Injured Group had publicly avoided up to this stage. The new call for support opened with the line:

We are writing on behalf of the Injured Group at the WAVE Trauma Centre to ask for your support as they continue to campaign for a special pension for those who suffered horrendous injuries *through no fault of their own* during the Troubles in Northern Ireland. (WAVE 2016c) [emphasis added]

Before this intervention, the Injured Group had stuck to the line that politicians and policymakers should decide the eligibility criteria. After an internal discussion, the

group decided, by consensus, to accept a new line that those injured during a paramilitary action, for example, planting a bomb or a gun attack, in all likelihood, would not qualify for a pension scheme emanating from either Stormont or Westminster. While the group had tried to find compromise, and were not advocating the automatic exclusion of such individuals, they had come to believe that the argument to have them included was lost. The report by UNSR Pablo de Greiff had also just been published and this fed into the thinking that those who had been ‘injured by their own hand’, could be viewed as different to those who were not. As noted above, while De Greiff (2016: 15) argued that the sole criterion triggering eligibility for reparations is having been a victim of a human rights violation, he also suggested the provision of ‘separate programmes’, to address the issue of ‘ex-combatants with disabilities (whose injuries were not the result of human rights violations)’. As Peter Heathwood (Interview, 1 October 2018) reflected:

It was a slight deviation but it falls within the human rights law, that you can’t damage your own rights by hurting yourself. Basically speaking, we are acknowledging there is a difference but were not saying that they shouldn’t be dealt with.

Sandra Peake (Interview, 15 April 2019) recalled that the decision to go with this new line came with a ‘pragmatic view’, as an attempt to get around the ‘stumbling block’. However, as an organisation, WAVE needed to consider the views of the ‘bereaved’ on eligibility:

We always must be mindful of the bereaved. If you have a bereaved person and their loved one has been killed by somebody has come in to do that and subsequently been injured, it would be very difficult for them. We know of examples of where that would be the case and they have been vocal about it. I can understand that. I think as an organisation that works with bereaved and injured people, that it would be wrong for us not to highlight that. (Sandra Peake, interview, 15 April 2019)

Nevertheless, the Injured Group, in taking this ‘pragmatic’ approach, was cognisant that it was now supporting, to a certain extent, one political position and putting itself against another. However, this new approach did leave some in the group feeling uneasy. Alex Bunting (Interview, 4 October 2018), while agreeing to go down this route, looked back with a sense of regret:

I didn’t like that. But then again, the group agreed. Now, I’m part of the group that agreed and that’s fair enough but, you know, we should have stayed with

the first equation and stayed out of it completely. I understand people saying: "As long as we get it, who cares?" And you know, if those guys are excluded, that's not my fault. But I don't want to be the judge, jury and executioner and say: "I'm judging you." Because it's not up to me ... It was a bad taste in my mouth. Let's put it like that.

Jennifer McNern (Interview, 8 October 2018) expressed similar feelings and was relieved that she, personally, did not have to explain it in the media:

I don't think I was involved in any media stuff around it because, thank God, because I wouldn't have been able to get myself out of it. I found it difficult myself. I just don't think we had the language to explain it.

The reticence displayed by the Group to move from their 'neutral' stance to a more 'pragmatic' approach was based in their humanity towards, as Hannon-Fletcher described 'those poor ten people' (Interview, 19 October 2018). However, there was also a sense that they did not want to be associated with the political arguments put forward by political parties and victims' groups from the unionist tradition. When asked whether the change 'brought the Injured Group into the politics of it all', McBride (Interview, 5 November 2018) responded in the affirmative:

It did a bit. In fact, I think and am I right in saying that one of the unionist politicians, Arlene Foster, actually mentioned that phrase that we'd used. So that kind of gave her, I guess, a bit of a stick to beat the other side with, in a sense, that we were now coming out and saying this.

Alex Bunting (Interview, 4 October 2018) agreed with McBride, that it put the Injured Group on the 'same page as the DUP':

Exactly, it was great for the DUP to hear us saying that and for them other groups to say: "[The WAVE Injured Group] are seeing sense now." But to me, I don't like to be seen as classed the same as them.

These 'uncomfortable' compromises taken by the Injured Group at this stage were, in the main, kept 'hidden' as they managed to keep their outward sense of collective unity intact. External actors, however, who had worked with the group, were perceptive enough to notice the internal tensions. Linda Dillon (Interview, 23 July 2019), Sinn Féin's victims' spokesperson, was one who, while opposed to the new stance, was sympathetic to the position the group found themselves:

I remember some of the fallout of that ... you could see it, and it wasn't massively public within WAVE but you could actually, you could see the fallout for the group probably in a way and even in some peoples' reactions to the group and how they treated them after that. I have no doubt it was a very difficult move for the group to take and I am sure that sometimes when I am

sitting in the room and I am talking and I am trying to finding a way forward, that there has to be people in that room that are thinking, if it wasn't for people like you, I wouldn't be sitting here and fighting for this.

Others, including Mark Thompson (Interview, 23 July 2019), director at RFJ, while understanding the motivations behind the decision, was more critical of the group for not 'holding out':

I actually thought that was wrong from my point of view ... and I can understand you are on a ticking clock and something has to happen. But what it was really doing, in my view, it was feeding the State narrative, and because they were controlling the situation, they were trying to funnel you down a path that ... that was acceptable. And to the DUP, that was music to their ears ... I felt there was strength in just holding out. But listen, you know, that's alright for me to say. I'm standing here able-bodied, I'm not going home in a wheelchair, I'm not dealing with all the difficulties in a house and all the pressures and everything that comes with that. That's fine enough for me to sit here and say, but for me, I thought it was a departure.

To sum up the decision to go public with the new language of 'injured through no fault of your own', Dennis Godfrey (12 November 2018) recalled that due to the intractable nature of the issue, it was necessary to realign the framing, as a way to move the issue forward:

We got a bit of stick for saying 'through no fault of their own' but as well as the practical politics, presentationally, we were stalling a bit and we needed to reset the agenda. In November 2016 we said: "Look, let's get this back to the core argument here." Here is a group of people who were injured through no fault of their own, and therefore it is wrong that they should be held up because of an essentially political dispute around the eligibility of a very small number of people. And we have said: "If everybody gets it, we as the Injured Group can live with it. If there has to be exclusions or different ways of dealing with it, we can live with that." We have made our position clear on 'through no fault of their own'. But it's not right to say: "You (the injured) decide." Because I think that would let politicians abrogate their responsibility.

I know we got a bit of adverse social media reaction on it but it did give the campaign a boost. It got us back to setting the agenda. I'd love to be able to say, that's exactly how I planned it. In practical terms it got us top of the news on *Good Morning Ulster* (BBC Radio Ulster morning news programme) and it got us wide media attention and that was important to keep the campaign in the public eye. Mervyn Jess (BBC News correspondent) coming up to film in WAVE on the back of it was great. That clip that he just picked at the end, of Mark putting his prosthetic legs on was so powerful. I had never seen that before. That little clip of somebody putting their legs onto their stumps. That's what we needed to do, I'm afraid, to make this story real for people. It was four seconds or something like that but it had a huge impact.

For Godfrey, a former Director of Communications at the Northern Ireland Office (NIO), who was well versed in the power of the media to frame a story, this new juncture was crucial for the Injured Group. The press release, which announced the open letter to civil society leaders, was one that attracted a range of reporters from both the BBC and ITV news teams, as well as from the print media. Godfrey's reference to Mervyn Jess relates to an extensive news package filmed by the veteran journalist for *BBC Newsline* (2016), *BBC One Northern Ireland's* evening news programme, and featured footage of the Injured Group at their subsequent press conference in WAVE on 22 November 2016. Alongside the stark imagery described by Godfrey of a train of wheelchairs moving from one part of WAVE to the other, with the camera filming them at ground level, and Mark Kelly, a double amputee, reattaching his prosthetic legs, there was also a display of old wheelchairs, walking sticks, white sticks, and prosthetic limbs stacked up in the middle of the room where the press conference was held. A montage of short video clips put together from interviews with Jess, gave the Injured Group the opportunity to voice not only their grievances but also to show how much they had suffered and continued to suffer from their injuries; a situation exacerbated by the lack of recognition from the political establishment. This public cry for help and the positive response they received from within civil society, gave the group a new impetus to move the campaign into the political arena, again.

While this departure away from the long-held 'neutral' position on eligibility, to use the language of 'injured through no fault of their own' could be viewed as 'a short-term ploy to give the campaign a boost', which it arguably did, Godfrey was keen to point out that the change in approach emanated from the overwhelming realisation that the prospect of Stormont implementing the pension was becoming increasingly distant (Godfrey 2020a). The Injured Group had to consider moving from their local political environment to a new venue: Westminster. Discussions between Godfrey and Lord Hain as to the possible inclusion of those 'injured by their own hand', through Westminster-based legislation, brought home the reality that this would be virtually impossible to achieve. The political optics of the UK Government providing pensions for injured IRA men and women would not be well received within the UK

Parliament or the British media. These political realities will be discussed in the next chapter, but first I will expand on the dwindling opportunity to push for the pension in Stormont.

“POLITICS AFFECTS EVERYTHING”

While the Injured Group was aware that the prospect of Stormont implementing a pension was increasingly slim, they continued to persist. Using Moffett’s draft bills, the group arranged a new round of meetings with the local parties, who, at this stage (29 November 2016), were still in negotiations with the UK and Irish Governments on the Stormont House Agreement (SHA) legacy structures. While the SHA mechanisms would have to be legislated for through Westminster, the pension proposal was considered a devolved matter. Therefore, while the recent open letter had asked people of influence to lobby Stormont, the group also requested that:

[I]f the devolved institutions are, for whatever reason, unable to deliver on this we ask that the Government at Westminster step in because the severely injured are a legacy of Northern Ireland’s past that must be addressed and it would be shameful if they were left behind. (WAVE 2016c)

This request to UK Government to step in and not just view the pension as a ‘devolved matter’ was another signal that the group was widening its target of grievance to include Westminster; primarily due to the possibility that Stormont could implement pension legislation was narrowing. This fear was heightened by the announcement by the Assembly Speaker (22 September 2016) that he was suspending all future Private Members’ Bills due to a ‘record’ number of bills already in the system (Manley 2016). Nevertheless, the group gave Stormont another chance to come through, and in the aftermath of another round of meetings with the parties (throughout November 2016), they proposed that the UUP and the SDLP, which had now left the Stormont Executive and were part of a new ‘Official Opposition’ (Williamson 2016), along with the Alliance Party, form a ‘rainbow coalition’ to bring some iteration of Moffett’s model bills through the Assembly. *Secret talks*, away from Sinn Féin and the DUP, were opened up, with the author, Dr Moffett, and representatives of the three smaller parties on 5 December 2016, to scope out what form of bill could muster

sufficient support to become law. Realistically, it was expected that the ‘contentious’ cases would have to pass through some sort of review panel as suggested by Moffett, while the vast majority of applicants should pass through relatively easily. All were hopeful that compromises could be made and agreement could be reached.

The following day, however, saw these tentative plans suffer an irreversible setback. On 6 December 2016, the BBC *Spotlight* programme aired an episode, which revealed a multi-million pounds scandal involving First Minister, Arlene Foster, and her connections with a flawed renewable energy scheme, Renewable Heat Incentive (RHI). This scandal had grave consequences for the Stormont institutions (Spackman 2016). The political crisis which ensued left all normal political activity in flux, including talks on the pension, as further complications around an Irish language scheme emerged (McElduff 2016; Meredith 2016). These crises caused a severe breakdown in relations between the DUP and Sinn Féin, leading to deputy First Minister, Martin McGuinness, tendering his resignation and collapsing the Executive on 9 January 2017 (Logue and Cullen 2017). This move effectively closed down the Assembly and triggered a snap election, which took place on 2 March 2017.

However, before the Assembly closed for the election campaign, the Injured Group was invited to give evidence to the Stormont committee that scrutinises the Executive Office (the new name for the Office of First Minister and deputy First Minister (OFMDFM)). The invitation to speak in front of this committee, 25 January 2017, was issued by its chair, Mike Nesbitt, former victims’ commissioner and now UUP MLA, on what turned out to be the final piece of business of an Assembly that did not sit again until January 2020. It was at this meeting that the political obstacle of eligibility was laid bare, exacerbated by the fact that politicians now found themselves in the mouth of another election campaign. When DUP MLA, Christopher Stalford, was asked, by the author, to bring the pension scheme through in an all-inclusive way, he responded by highlighting the political reality facing elected representatives, as they consider their main resource, that is, their electoral base:

As you know, *politics affects everything*. If in, say, May 2015 we had indicated a preparedness to allow pensions to be paid to people like that [complex victims], with the greatest of respect, I think that others in the unionist

community — political unionism — who compete with us for votes would have crucified us for it (Northern Ireland Assembly 2017: 5) [emphasis added].

This admission by Stalford was quite telling: ‘politics affects everything’; and politicians fear electoral crucifixion, mainly from within their *own* base, when they tackle such complex issues. Former First Minister, Peter Robinson (Interview, 20 March 2019) also reflected on this dilemma (expanding on what was said on page 232):

Well, I suppose every elected representative will be different in this. It will be an issue in some constituencies more than others. Just, and knowing from the consultation, elections are won and lost on simple issues, you know, people don’t look at the caveats and the small print in any of those issues. In an election you get your slogan down to three or four words at the most and that’s what you campaign on. And it is very easy to campaign on a simple issue like they are giving pensions to terrorists.

Interviewer: The ‘Provo Pension’ as it was named by some?

Yeah. And it could be said literally as a shibboleth and it takes paragraphs and paragraphs to answer and that’s the worst circumstance you can get into in an election process because you don’t have the time to give the detailed answer to a simple slogan ... And again, people with one eye on the elections, they want to be on the right side of arguments.

Such were the problems faced by the Injured Group during its campaign. They had to constantly deal with the party-political realities at Stormont. The system which emerged from Belfast/Good Friday Agreement in 1998 and modified at St Andrew’s in 2006, is based on a consociational framework in which the two main ethnic blocs of unionism/loyalism and nationalism/republicanism share power in an Executive drawn from the Assembly and are subject to ‘voting mechanisms that require cross-community consent’ (McGlynn, Tonge and McAuley 2014: 274). The political parties, once elected, must designate whether they represent either of the main blocs or none. The electorate is therefore given the *choice* of voting for political parties to lead their bloc, to become defenders of their interests as ‘ethnic tribune leaders’ (Mitchell, Evans and O’Leary 2009: 397). As such, identity politics still runs ‘rampant’ throughout devolved politics: where political parties fight within their own ‘tribe’ to be the *de facto* leader (Brewer 2014). There is also a second battle of who will be the biggest party overall: where the winning leader becomes First Minister and the *loser* becomes the deputy – in reality a largely symbolic distinction since their actual

powers are identical. As such, the balance of power within the blocs and between the blocs is of utmost political importance in this party-political system. The problem for the Injured Group was that the issue of the pension was always politicised and always subject to the demands of the next election. From 2009 to 2017, there were ten elections and the Brexit referendum, which all had an arguable impact on the momentum of the Campaign for Recognition.⁸ When I asked Alex Bunting (Interview, 4 October 2018) if election cycles affected the campaign, he replied:

Well, they do, in a sense, because straightaway what happens is the barriers go up: orange and green. It's orange and green, orange and green. Everything stops dead. And they will use this: "They are gonna pay terrorists a pension" against them.

Similarly, Jennifer McNern (Interview, 8 October 2018) recalled that elections cycles constantly stunted their momentum:

[B]ecause then everything stopped; and they went into election mode. And if it wasn't that, it was: "it's Easter break, it's Christmas break, it's summer break". And that has gone on and on; and next year it was the same thing. During elections there was no room for compromise whatsoever. Everybody was sticking to their guns. Compromise was not a word that they used.

The Injured Group had been hopeful in the aftermath of the 2016 Assembly election that behind the scenes progress could be made on the pension issue as there was supposed to be a three-year gap until the next contest – the European Parliament election in 2019 but then the Brexit issue came to dominate local and UK politics. Owen Smith (Interview, 9 April 2019), former Shadow Secretary of State for Northern Ireland and supporter of the Injured Group, was less forgiving of political parties that failed to carry through 'controversial pieces of policy':

I think politics always plays into it but the reality in Northern Ireland, just as anywhere else in politics, it's never a good time to do anything and there's always an election in the offing or an election just gone or an election coming up, you know. Those things can't be impediments to doing the right thing. They are excuses more, than the reality.

⁸ European Parliament Election, 2009; Westminster General Election, 2010; Northern Ireland Assembly Election 2011; Northern Ireland Local Elections, 2011; Northern Ireland Local Elections, 2014; European Parliament Election, 2014; Westminster General Election, 2015; Northern Ireland Assembly Election, 2016; BREXIT Referendum, 2016; Northern Ireland Assembly Election, 2017; Westminster General Election, 2017; European Parliament Election, 2019; Westminster General Election, 2019

Either way, the pension issue had become a victim of political failure. While the Injured Group had put their grievances and potential prognosis onto the 'political agenda' as a concrete commitment in the Stormont House Agreement, they had not, yet, convinced their elected politicians to legislate for and implement a fully funded and operational scheme (Andrews and Edwards 2004: 497; Schumaker 1975: 494-495). The pension was too deeply entangled in the battle of narratives – the metaconflict. This had been the case since the issue of eligibility first raised its head.

By the time of the 2 March 2017 Assembly Election, which followed the resignation of Martin McGuinness, and his premature death due to the rapid onset of a terminal illness, the Injured Group was convinced that the prospect of seeing the pension passed at Stormont was all but gone. This election saw Sinn Féin gain considerably from the 2016 Assembly election, while the DUP was chastened by the results (McDonald and Grierson 2017). In the immediate aftermath, the Secretary of State, James Brokenshire, called for all-party talks to resume the Executive and to discuss all outstanding issues, including the Stormont House Agreement. The Injured Group learned through a resumption of their *secret talks*, in April 2017, with the UUP, SDLP, and Alliance on their potential Private Members' Bill, that the pension was once again not included in these discussions. Moreover, the all-party talks appeared to be going nowhere and the parties were gearing up for the possibility of yet another Assembly election.

In a further twist, UK Prime Minister, Theresa May, in an attempt to gain more seats in the House of Commons to push through the Brexit result, gambled on a snap Westminster General Election, which took place on 8 June 2017. The gamble failed and she was left with a hung parliament. By 26 June, after a period of intense negotiation, the Conservative Party with the help of a 'confidence and supply' agreement with the ten newly elected DUP MPs, formed a new government and moved to bring Brexit through Parliament. This arrangement arguably dealt another blow to the chances of getting Stormont up and running again with the DUP seeming to have an unfair advantage (Boland 2017). While this new political reality may have been considered a major constraint, as it left the Injured Group with no local political forum to stake its claim, the campaign remained undeterred. In this absence,

pressure would have to be brought to bear on the UK Government and its Northern Ireland Office to take the pension forward – and a meeting was arranged with the Secretary of State for Northern Ireland, James Brokenshire MP.

Changing target and attempting to put the pension proposal on the Government's agenda required that the Injured Group revamped its earlier framing strategies for an altogether different audience. Instead of appealing to the better nature of their local politicians, who had at least some common experience of the effects of the Troubles, they would now have to focus their attention on Westminster, by lobbying the 650 members of Parliament and countless peers in the House of Lords. For this endeavour, the group needed to adapt its framing to educate a much less familiar political audience.

CONCLUSION

In sum, the WAVE Injured Group sought to influence local political actors but the campaign was stalled by the relationship between the legacy of the conflict and the contemporary body politic. Direct interventions from aggrieved victims into the fledgling Stormont institutions, with the Special Advisers Act and the controversy around the proposed peace and reconciliation centre at the Maze/Long Kesh site destabilised the often-fragile relationship between the two main parties in the power-sharing Executive, the DUP and Sinn Féin. The hope espoused by the Injured Group that cross-party consensus and compromise could be achieved in relation to their pension proposal was soon diminished, not helped by perpetually divisive election cycles. While the issue made it onto the political negotiations table during Haass/O'Sullivan in 2013, the Stormont House Agreement in 2014, and the Fresh Start Agreement in 2015 – continuous disagreements and instability meant that it was not progressed at Stormont. The decision to align with a DUP Private Members Bill strategy led to disappointment. A separate attempt to progress a bill with the SDLP, UUP, and Alliance also failed when the Assembly was suspended for three years. When these avenues began to turn into cul-de-sacs, the movement changed tactics and direction by continually realigning their frames.

While some of these frames and tactics were deployed behind the scenes within the political sphere, the group continued to promote their demands within the mainstream media. This was not without risk. Depending on the type of reportage, the group's control of the narrative was lost at times within metaconflict arguments around the definition of a victim. Nevertheless, they continued to engage with the media when a suitable opportunity presented itself or if it was deemed necessary to intervene to correct a certain narrative in their favour. The most important shift in the public stance of the Injured Group was the decision to break with their long-held position of remaining 'neutral' on the issue of the eligibility of complex victims, a matter that proved to be wholly intractable. Faced with inertia and no recourse to effect legislation at home, the movement shifted their focus across the Irish Sea to the UK Parliament at Westminster.

CHAPTER 6 – TAKING THE POLITICAL OPPORTUNITY AND MAKING AN IMPACT

INTRODUCTION

I would have to say, if you didn't get the pension, I think it's been a failure. No matter how good you performed or dress it up. And no doubt, when you write that history, you will always try to see the good in what you did. And there's a lot of good in what you did. A lot of stuff you should be proud of, but ... you know, that makes it seem as if it's almost irrelevant if you get it or not. I mean, let's be honest about this, if you don't see one penny piece of a difference in your pocket, then it's been a failure. (Alan McBride, interview, 5 November 2018)

Injured Group facilitator, Alan McBride pulled no punches in his blunt assessment as to how he would view the eventual outcome of the Campaign for Recognition. If, after years of campaigning no pension was to be provided, then the WAVE Injured Group, in his view, will have failed. This type of unequivocal assessment as to the success or failure of a social movement has been at the heart of movement literature for decades (Giugni 1998). Some view success in terms of the realisation of 'new advantages' through policy change, or the 'acceptance' of the group as legitimate (Gamson 1990). Amenta and Young (1999: 25) have argued that this approach has 'liabilities', in that, just because a challenger may fail to achieve its stated programme, it may yet win other 'substantial collective benefits for its constituents'. Thus, while recognising that the introduction of the pension would be 'an achievement to take to the grave', Injured Group member, Peter Heathwood (Interview, 1 October 2018), was keen to claim that the group has been involved in shaping other 'collective goods' for injured people: '[E]ven within the VSS (Victims and Survivors Service), and although we complain about it, we have been responsible for getting it down a certain road' (Interview, 1 October 2018). Moreover, Heathwood (Interview, 1 October 2018) viewed his participation in the campaign as personally 'enrich[ing]' and 'empower[ing]':

When I go back to the times when I was trying to get back into teaching (post-injury), I had 30 job applications and they never even gave me interviews. They more or less told me to go home and sit in a corner, that you are a waste of space without saying it in so many words. [Bangs the table] This campaign has shown me that disabled people like us can get together and fight for something that is right and just and we will hopefully get it. So, for me it's a

big [middle finger gesture] to them guys back then, who were telling me: “You are on the scrapheap.” I could have made a contribution. I could have worked. I could have done something. But this has re-empowered me. This is a personal thing with me. Inside me. This is something that I would get out of it on a personal level. Besides the benefit of having the pension, obviously. But that sort of motivation. You know, this was a massive effort. We were told at the start that this was virtually impossible. And if we get it. Wow! What an achievement for us.

Likewise, Jennifer McNern (Interview, 8 October 2018), indirectly rejecting McBride’s claim that no pension equals failure, asserted that the campaign itself was of value, that the injured have, to a certain extent, been ‘recognised’:

I wouldn’t say that it was a waste of time, absolutely not. As I say the pension, and good services would be the icing on the cake. If we don’t get that we have fought a good fight. We have got the injured recognised as such but now it’s just: “Watch this space.”

This optimistic, yet realistic, attitude kept the Injured Group, now in its third iteration, in good stead. Yet, while accepting the positive personal benefits of participation and the opportunity to shape other collective benefits within the victims’ sector, they were also determined to achieve a successful outcome, to have their grievances resolved in the political arena. Such determination was personified by Alex Bunting (Interview, 4 October 2018):

I will never give up. Never, never, never. I will keep at it as long as I have got a breath in my body and as long as the group wants to keep at it.

As such, and taking my lead from the Injured Group and their determination to ‘succeed’, I will examine in this chapter the latter stages of this social movement as it sought to make an ‘*impact*’ in influencing government policy in its favour, by gaining a ‘collective good’ for its constituency (Amenta and Young 1999: 22) [emphasis in original]. Within this analytical framework, I will gauge ‘*impact*’ and judge whether the movement’s actions were of any consequence, by determining whether the issue at hand becomes ‘privileged ... and the political system becomes biased toward the group so favored. [Where] [t]he issue is effectively removed from the political agenda in favor of the group’ (Amenta and Young 1999: 32). For Schumaker (1975: 494-495), this relates to the degree of responsiveness a movement can achieve. These degrees are viewed through five distinct stages, beginning with ‘access responsiveness’, where authorities are initially willing to hear concerns; to placing the issue on the

‘agenda of the political system’, that is, ‘agenda responsiveness’; then onto legislative enactment through ‘policy responsiveness’; and ensuring that policies reach the ‘output’ stage through implementation; where the final degree of responsiveness is judged by the ‘impact’ the change makes to the lives of the beneficiaries, by alleviating their underlying grievances (Schumaker 1975: 494-495).

As noted above, in the period after the restoration of the Stormont institutions following the St Andrew’s Agreement in 2006 through to 2016, the Injured Group and its Campaign for Recognition had effectively stalled. With the Stormont institutions once again in suspension in 2017, and no sign of immediate restoration, the Injured Group, fixed on the political path as the main route to making an impact, made the logical decision to change target and look to their ‘new’ leaders for support. Moving the campaign to Westminster, while logistically more difficult, proved to be, through a strategic expansion of network activity, relatively straightforward. Having already had years of experience in promoting their campaign within Northern Ireland aimed primarily at a local audience, the Injured Group deployed many of the same tactics to engender support across the Irish Sea. Recognising that this legislative body was largely ‘ignorant’ to the grievances of the case study, the Injured Group embarked on two separate visits to London to lobby and *educate* these politicians about the long-term effects of the Troubles – to have them step into their shoes (Starzyk *et al.* 2014: 121-122).

Faced by a reluctant UK Government, which viewed the pension proposals as a ‘devolved matter’, the Injured Group went on to recruit a range of influential elites, including MPs, specifically a handful of NI shadow secretaries of state from the House of Commons, and peers from the House of Lords. As well as drafting a number of carefully crafted speeches for these allies, which conveyed the core themes of the campaign through ‘injustice’ master frames, the group also attempted to build a cross-party coalition to introduce a pension ‘policy’ through Westminster (Schumaker 1975). From this, the group hoped to springboard to full implementation, that is, ‘output’, and then onto ‘impact’, and the alleviation of their underlying grievances (Schumaker 1975).

This chapter will explore key moments in the latter stages of the Campaign for Recognition. As this research project ran concurrently with the ongoing campaign, meaning that a range of the interviews with core participants were undertaken before certain events unfolded, the data will be complemented with primary data from the Injured Group's own internal documents and press releases, alongside a vast array of data taken from official government documents, debates in both Houses of Parliament at Westminster, newspaper articles, television and radio interviews, social media websites, and High Court rulings. This data will illuminate how the Injured Group took advantage of emergent political opportunities, which became apparent in this new political context. Following Tarrow's (2011: 164-166) dimensions of opportunity, the group utilised their 'increasing access' to power by working hand-in-hand with their new 'influential allies', who were well placed to exploit the 'electoral instability' of a UK Government hamstrung by a wafer-thin majority. This Westminster based strategy proved, in many respects, to be fruitful. However, as I will explain at the end of this chapter, the Campaign for Recognition was once again thwarted when the nascent scheme was brought back to Northern Ireland for implementation.

“THAT WOULD BE A *DEVOLVED* MATTER”: BACK ON THE POLITICAL ‘AGENDA’

Having made the decision to change target, away from the now defunct Stormont institutions, the first task for the Injured Group was to persuade Westminster politicians and, in particular, the UK Government, to take the pension onto its agenda (Schumaker 1975: 494). Going back to a meeting with the previous Secretary of State, Theresa Villiers, who met the Injured Group at WAVE on 29 May 2013, the pension issue was clearly for her, a 'devolved matter', to be dealt with by Stormont. By the end of an Injured Group meeting with her successor, James Brokenshire MP, at Stormont House, the Northern Ireland Office's (NIO) Belfast base, on 19 July 2017, this position had not changed. Prompted by an intervention from a *Belfast Telegraph* reporter, who Alan McBride had personally contacted to publicly highlight the Injured

Group's disappointment after the meeting (McAdam 2017a), a 'spokesman for Mr Brokenshire', quoted in that newspaper the following day, stated that:

[The Secretary of State] was "keen to listen to what [WAVE and the Injured Group] have to say and will reflect carefully before considering the next steps for taking forward the legacy consultation". But in relation to the pensions proposal he added: "*It is a devolved issue.*" (McAdam 2017b) [emphasis added]

This position proved difficult to overcome, with the Secretary of State conveying to the Injured Group that the 'best way to move forward would be to get Stormont back up and running and have it resolved there' (WAVE 2017b). While this became a 'mantra' from this Secretary of State and later from his successor, Karen Bradley (appointed on 8 January 2018), the group was undeterred. They looked for other opportunities within the Westminster structures.

One such route came through the shadow secretaries of state for Northern Ireland. As mentioned in Chapter 4, Dennis Godfrey had connections within the UK Parliament from his time at the NIO, and used these networks to introduce the group to a range of MPs, peers, and political advisers. Godfrey's access to such political actors highlights how the group was able to take advantage of one of Tarrow's (2011: 166) dimensions of political opportunity – the presence of influential allies. While former Secretary of State, Peter Hain, had already been made aware of the pension campaign and had raised it in the House of Commons during Northern Ireland Questions (HC Deb 28 January 2015), his successors would require a potted history of the Injured Group and its Campaign for Recognition. This follows Starzyk *et al's* (2014: 121-122) recommendation that victims should '[g]ive outsiders an inside view through education and perspective taking – the process of "stepping into the shoes of another"'. Vernon Coaker MP, Shadow Secretary of State from September 2015 to June 2016, was the first in his position to visit the Injured Group at WAVE (21 December 2015). His successor, Dave Anderson MP (June 2016 – June 2017) came for a similar educational visit on 13 October 2016. However, it was not until Owen Smith MP was appointed as Shadow Secretary of State (14 June 2017 – 23 March 2018) that the Injured Group felt as though they were gaining traction at Westminster. While Coaker was aware of the issue and Anderson had asked pertinent questions of the Secretary of State in the House of Commons in relation to the pension (HC Deb 7

December 2016), the group had not yet focused their full attention towards this political arena. Smith's arrival, however, coincided with the new strategy of Westminster as the only possible route to success. The connection with Godfrey was also of vital importance to this relationship. Smith had previously worked as a special adviser to Paul Murphy MP during his time as Secretary of State (2002-2005), alongside Godfrey, when Stormont was in suspension and Direct Rule was reimposed (2002-2007). On hearing that Smith had been appointed to the shadow position, Godfrey immediately got in touch to invite him to meet the group. As a result, on his first official visit to Northern Ireland, Smith came directly to the Injured Group on 19 June 2017, five days after his appointment. It was through these crucial networks that the Injured Group began to make their way onto the agenda at Westminster, where they fought to make the pension a UK Government 'legacy matter' rather than a Stormont-based 'devolved matter'.

Considering the potential difficulty in persuading the UK Government to bring the pension forward through primary government legislation, the Injured Group used all available methods to get some form of legislation through the Houses of Parliament. The DUP, with their 'confidence and supply agreement' and newfound 'special relationship' with the Conservative government, was viewed as one potential avenue to success. While the Group had been 'disappointed' by the failure of the DUP's Private Members' Bill (PMB) at Stormont in 2015, they decided once again to lobby the party to ask if they could use their new position to bring a PMB through Westminster. At a meeting with DUP leader, Arlene Foster and Jeffrey Donaldson MP, at Donaldson's constituency office, in August 2017, the Injured Group put the suggestion to the party. After a period of reflection, in which the party weighed up the possibility of using their 'one' PMB, supposedly 'gifted' to them by the UK Government, to either change the definition within the 2006 Order or go with the pension proposal, the DUP opted for the latter. Emma Little-Pengelly, now an MP following the June 2017 general election, was selected as the suitable 'Private Member' to take the bill forward.

By December 2017, Little-Pengelly was involved in meetings with the Injured Group and the Victims Commission, in an attempt to draw up a bill that could successfully

navigate the parliamentary process. This avenue was viewed as a long shot by the group. Not only did they have little faith or trust in Little-Pengelly actually drafting a bill, the reality was that PMBs rarely become law. For the group, their best hope was that once this bill started out on its parliamentary journey, they could convince the UK Government to co-opt it and take it through into law as a government bill. This required that they continued to lobby the Secretary of State who, by the beginning of 2018, was now Karen Bradley MP (appointed on 8 January 2018). The group had also sent an application, in January 2017, to appear in front of the Northern Ireland Affairs Select Committee, a body of MPs, which scrutinises the UK Government on matters related to Northern Ireland. The request was later granted, when a group of MPs came to WAVE Belfast, as part of that committee's regular external visits to the region, on 1 February 2018. This visit, however, while considered a worthwhile exercise in terms of widening support for their cause, was marked with a certain amount of concern, in that, the Injured Group's reputation for magnanimity and pragmatism may have preceded them; as one of the MPs, Kate Hoey, remarked to Peter Heathwood and the author during their introduction: "Are you the ones who want to give pensions to terrorists?" (Peter Heathwood, interview, 1 October 2018). Hoey's off-the-cuff remark, was arguably a reflection of her ongoing close relationship with a range of 'counter-movements' (Koopmans 2004: 27), that is, the unionist victims' groups, 'hard-line' loyalists, and the DUP, as fellow travellers on the unionist metaconflict narrative and pro-Brexit lobby (Bryson 2018a; 2018b; Maxwell 2017; Unionist Voice 2017; 2018; News Letter 2019). Nevertheless, this meeting was followed by a visit from another powerful committee, this time from the Irish Parliament or Dáil Éireann's *Good Friday Agreement Implementation Committee* on 21 February 2018. Political momentum was beginning to build outside the dormant Stormont vacuum.

At the same time, the Injured Group continued to enhance its media profile by inserting well-timed articles in local and international outlets. Dennis Godfrey penned an article for the *thejournal.ie*, a popular news-based website based in the Republic of Ireland, which was primarily aimed at putting pressure on Sinn Féin, as the only all-Ireland party (Godfrey 2017). The pension was also highlighted in another article by

politico.eu journalist Peter Geoghegan (Geoghegan 2018). The main media draw for this period, however, was through a series of *BBC One NI* documentaries entitled *Survivors*, which featured members of the Injured Group including Alex Bunting, Mary Hannon-Fletcher, and Robert Barfoot (BBC 2018a). All the while, the Injured Group had taken advantage of the reach of social media websites such as Facebook and Twitter. Alongside members using their own accounts, WAVE Trauma Centre regularly posted information highlighting relevant activity on the pension front, including visits from politicians and notable civil society representatives. Certain posts and tweets got more traction than others did but the strategy was clear: the pension must be kept on the agenda and in the public eye. These media interludes set the stage for the next stage of the Campaign for Recognition: a trip to the Houses of Parliament at Westminster.

WESTMINSTER BOUND: CHANGING TARGET

This trip to London had been a long-term plan for the Injured Group, once the decision was made to change target. Prior to the visit to Westminster, the group had developed a written summary of the campaign, highlighting the main points upon which they sought redress and recognition (WAVE 2018a). As well as printing hard copies, to hand out in person, this education pack, with the help of Owen Smith, was sent to all MPs by email in advance. Essentially, the visit to London was an educational exercise; an opportunity to convey to MPs what it was like to be a 'severely injured' victim of the Troubles (Starzyk *et al.* 2014: 121-122). Apart from the ten DUP MPs and a handful of others who had had some contact with the group, the Injured Group and its Campaign for Recognition was completely unknown to the vast majority of politicians based in Great Britain. The 'Troubles' were considered to be in the past, a problem supposedly resolved by the Belfast/Good Friday Agreement in 1998. The primary mission of the group was to highlight that this was not the case and to make themselves known to these politicians who were now, in effect, in control of the political structures in Northern Ireland. The Campaign letter, itself, introduced the Injured Group members and detailed their injuries and the effect that these had on

their lives. It then went on to describe how badly they had been treated by the inadequate compensation systems of the past, and the fears they had for the future. A run through of the life history of the campaign explained why they had now moved to Westminster and the problems they faced in trying to convince the Government to acquiesce on its untenable resistance to intervening, in what it considered a 'devolved matter'. In addressing this obstacle, the letter stated that:

This is not a devolved matter, a welfare matter, a social security matter, a pension matter. This is a legacy issue, plain and simple. The severely injured people of the Troubles are THE [sic] physical manifestation of this legacy ... It is an indictment on our modern politics that the most vulnerable people in our society, arguably those most affected by the violence, have had to beg for redress for the past seven years. (WAVE 2018a)

The group hoped that their message would be read and understood but were conscious that, to really make a difference, they needed to do it in person. The date was set for 20 March 2018. Owen Smith, Shadow Secretary of State for Northern Ireland, organised the invitations required to access Parliament, while his staff guided the group through the myriad of events and meetings they had planned for the three-day visit. The first meeting, on the evening of their arrival was with the ten DUP MPs and their leader, Arlene Foster MLA. Assurances were given by the DUP that they would soon be tabling a Private Members' Bill in the House of Commons, which, while cautiously welcomed, considering the previous DUP attempt at Stormont, was accepted as a positive development. The following morning saw the Injured Group and their carers spread across the Westminster site for a range of meetings with MPs from Sinn Féin, the Scottish National Party, the Labour Party, the Liberal Democrats, the Conservative Party, and the International Committee of the Red Cross (ICRC). Again, the optics of portraying this group of disabled victims were put to good use on WAVE's social media networks. Moreover, the sight of a large group of people being pushed about in wheelchairs, struggling with walking sticks, and white sticks turned many heads in the long corridors, lobbies, and cafeterias which sprawl this vast complex, leading to impromptu conversations from MPs, including the Leader of the Opposition, Jeremy Corbyn, who were curious as to why the group was there.

Significantly, the date for the trip had been chosen to coincide with Northern Ireland Question Time, enabling the group to maximise their chances of gaining media

attention from the local press and television crews, which tended to be in situ for this monthly occurrence. Because of Dennis Godfrey's well-placed press release, pre-arranged radio interviews were conducted from their hotel rooms, down the line to *Good Morning Ulster*, BBC Radio Ulster's morning news programme; and other local (NI based) radio stations for their hourly news bulletins. Moreover, and unbeknown to the group at the time of booking, that afternoon's sitting of the House of Commons featured a marathon two-hour debate on issues related to the ongoing suspension of Stormont; which was now well into its second year (HC Deb 21 March 2018a). As such, representatives of the local NI media were there in larger numbers, and Dennis Godfrey, using his network of contacts, was able to set up a series of interviews with *BBC NI* and *Ulster Television* (UTV) on College Green, the well-known open-air media centre adjacent to the Palace of Westminster. In a TV news package broadcast on *BBC Newsline*, *BBC One NI*'s evening news programme, the reporter was deftly able to splice footage of the Commons' debate on the political inertia at Stormont, with footage of a group of people who, due to this impasse, have had to 'drag' themselves across to London to seek redress (BBC Newsline 2018). Other media outlets picked up on the visit and after interviews with the Injured Group, put out headlines such as: 'People disabled in Troubles treated as an 'embarrassing inconvenience'' (Moriarty 2018); and 'Troubles Legacy Raises Disability Rights Issues in Northern Ireland' (Dodd 2018).

The Commons debate itself, was quite positive in relation to the pension. While the Second Reading of the *Northern Ireland (Regional Rates and Energy) Bill (2018)* was concerned with pushing through powers which would allow the Secretary of State, Karen Bradley MP, to continue to make key budget decisions in lieu of Stormont ministers, there were numerous interventions made by a range of MPs on the pension, who pointed to the fact that members of the Injured Group were present in the Public Gallery, looking down on proceedings (HC Deb 21 March 2018a). In fact, Stephen Pound MP went so far as to name the individual members of the Injured Group who were in London, and paid tribute to their campaign during his contribution (HC Deb 21 March 2018b). Such interventions highlighted the reach that the group was beginning to display in this new political arena and how forming strong

alliances with powerful and influential allies could get their issue onto the agenda. During the same debate, Owen Smith initiated an exchange with Karen Bradley by highlighting the somewhat hypocritical stance that, while the UK Government was reluctant to intervene, the purpose of the debate that day was ‘precisely’ to ‘intervene on the renewable heat incentive scheme ... and on regional rates’, both devolved matters (HC Deb 21 March 2018c).

The Injured Group viewed the trip as a success. They had taken full advantage of their opportunity to get the pension onto the agenda at Westminster. Further meetings were organised with Lord Peter Hain who assured the group that he would do all in his power to bring a positive result. Hain’s support was of critical importance to the group, as he was well known as a dogged campaigner, especially from his days in the Anti-Apartheid Movement (Hain n.d.). His longstanding personal friendship with Dennis Godfrey proved vital in giving the Injured Group access to another avenue at Westminster: The House of Lords. Hain’s first significant intervention for the group came when the *Northern Ireland (Regional Rates and Energy) Bill (2018)* moved into this chamber for scrutiny. Following Owen Smith’s lead in the Commons, to insert the pension issue into the previous debate (21 March) which dealt with the political limbo caused by the collapse of the Assembly, Hain made an impassioned plea to his fellow peers to consider ‘a group of remarkable people for whom that limbo is particularly cruel’ (HL Deb 27 March 2018). Recounting in detail some of the stories of suffering faced by the group because of their injuries, and the struggles and political obstacles they faced as they sought recognition, Hain, considering the absence of the devolved institutions, called on the Government to:

[S]tep in now, because it would be *shameful* if the *people who have suffered so much through no fault of their own* were told that nothing can be done because of political buck-passing. On 20 February, in the other place, the Secretary of State said that she recognised the Government’s responsibilities to,

“provide better outcomes for victims and survivors—the *people who suffered most during the troubles* [sic]”.—[*Official Report, Commons, 20/2/18; col. 33.*]

I agree, and I appeal to her and to the Minister to act now. They have the power to do so. *It is a very small amount; it would not be noticed on the overall allocation for Northern Ireland or, indeed, the Whitehall budget.* It would not

be noticed at all. I have met men and women in the WAVE trauma group who by any definition have “*suffered most*”, in the Secretary of State’s phrase. (HL Deb 27 March 2018) [emphasis added]

In this section of his speech, Hain, echoing Starzyk *et al.*’s (2014: 118-120) call to highlight suffering and feasibility, used the Secretary of State’s words from an earlier Commons debate, on a matter unrelated to the pension, against her. The added significance of this intervention is that the speech, for the most part, was written in conjunction with the Injured Group, and in particular with Dennis Godfrey. In fact, Owen Smith’s speech, the previous week was given the same treatment. These collaborations became integral to the future direction of the group’s focus on Westminster and highlighted the importance of having influential allies by their side. Godfrey continued to update Hain and others on the detail of the campaign over the next period and accentuated the pertinent frames, making them relatable to a Westminster audience. The only sour note of this trip was the removal of Owen Smith, who lost his shadow cabinet post two days after the visit, over a disagreement on Brexit with the Labour Party leader, Jeremy Corbyn. Smith, however, would continue to support the group from the backbenches. His replacement, Tony Lloyd MP, was soon to become acquainted with the Injured Group and received regular briefings from Godfrey, long before visiting the Injured Group at WAVE Belfast in November 2018.

Furthermore, within days of their return from London, the group were quickly summoned to meet the Minister of State, Shailesh Vara MP, to discuss the pension at Stormont House, while Karen Bradley made a visit to WAVE on the same day (26 March 2018). The visit to London had clearly put some pressure on the Northern Ireland Office and they had to be seen to respond. The ‘devolved matter’ mantra was still repeated *ad nauseum* during these meetings and in the public arena, but this did not deter the group. They took heart in the new revelation from Owen Smith in the aforementioned debate (HC Deb 21 March 2018d) that, according to ‘the House of Commons Library and an independent Queen’s counsel ... there is no constitutional reason why the Secretary of State cannot legislate ... on the victims’ pension’.

This revelation gave the group enough ammunition to continue to pressure the Government to relent on its resistance to intervene, and to legislate for a pension.

Such support was crucial. It would have been highly unlikely that the group could have utilised the resources of the House of Commons Library or a QC to obtain this type of information. This was all the more important in light of the realisation that the long-awaited Private Members' Bill from the DUP, presented to the Commons on 2 May 2018, turned out to be insignificant, coming in the form of a Ten-Minute Rule Bill: the *Victims of Terrorism (Pensions and Other Support) Bill (2018)*. This was a profound, yet somewhat expected, disappointment to the group. Ten Minute Rule Bills are, in effect, merely an opportunity for MPs to voice an opinion on a subject, 'rather than a serious attempt to get a bill passed ... [and thus] they rarely become law' (parliament.uk n.d.). As such, this bill never made it past its first reading as no formal draft was put forward for a second reading and was thus universally viewed by the group as another wasted opportunity from the DUP. As well as being a waste of time, especially when the DUP supposedly possessed some power over the Conservatives, it was also seen as another example of political representatives paying lip service to victims and survivors of the Troubles. If the party was genuine in its support for the pension then surely a fully drafted Private Members Bill would have been the most suitable vehicle through Parliament. While tempted to publicly call out what they felt was DUP duplicity, the Injured Group held back and decided to persevere without them.

#MENTIONTHEPENSION: ADDRESSING THE LEGACY OF NORTHERN IRELAND'S PAST

The next political opportunity for the group to have their voices heard came when the UK Government launched their long-awaited consultation – *Addressing the Legacy of Northern Ireland's Past* – on the legislative structures, which emerged from the Stormont House Agreement: beginning 11 May 2018 and set to run until 10 September 2018 (Northern Ireland Office 2018a). This period culminated in a particular heightening of the metaconflict around legacy. In particular, the smaller of the two unionist daily newspapers, the *News Letter*, launched a campaign entitled 'Stop the Legacy Scandal', which provided a two-month long 'platform' to a range of

‘academics, lawyers, churchmen, ex security forces, commentators, politicians [and victims]’, to present a:

[N]eglected view on legacy ... that the state prevented civil war in the face of a republican-led terror campaign ... [a]mid the endless reports on allegations of ‘collusion,’ claims of army wrongdoing and conspiracies about ‘spooks’.
(News Letter Editorial 2018)

While most of the daily essays were focused on the mechanisms within the Stormont House Agreement, some highlighted unionist opposition to the 2006 Order definition of victim and its relevance to the Injured Pension (Donaldson 2018; Trimble 2018; Bashir 2018; Allister 2018; Funston 2018; Ellis 2018).

The government consultation produced what was arguably the largest ever response to this type of process, in that, the NIO reported that they ‘**received over 17,000 written responses**’ (Northern Ireland Office 2020a: 3) [emphasis in original]. As expected, however, the Injured Pension, which was included in the original Stormont House Agreement in 2014 (Article 28), was excluded from this process. While this was a disappointment, it was also viewed as an opportunity to shame and embarrass the Government and to highlight that the injured, who already had long held grievances of being written out of previous proposals to deal with the past, were once again being excluded. Question 14 of the consultation document which asked, ‘Do you have any views on different ways to address the legacy of Northern Ireland's past, not outlined in this consultation paper?’, was viewed by the Injured Group as their opportunity to have the pension included (Northern Ireland Office 2018a: 48).

The group began to lobby extensively to make sure that any organisations or individuals who were intending to submit a response, would highlight the need for the pension in this section. This involved another round of meetings throughout the Summer of 2018 with all the political parties and a range of civic society organisations including: the head of the Catholic Church in Ireland, Archbishop Eamonn Martin, delegations from the Presbyterian Church, the Orange Order, the trade unions, the Northern Ireland Human Rights Commission, Amnesty International, the Irish Government, the US Consul General, and the Victims Commission. This led to a large number of submissions from across political and civil society organisations in which the pension was included in their official responses (Commission for Victims and

Survivors 2019a: 7; Democratic Unionist Party 2018: 15; McEvoy *et al.* 2018: 1; Pat Finucane Centre 2018: 6; Presbyterian Church in Ireland 2018: 5-6; Relatives for Justice 2018: 15; Sinn Féin 2018: 13; South East Fermanagh Foundation 2018: 27; Ulster Unionist Party 2018: 8; Victims and Survivors Service 2018: 27). Moreover, the expansive response from Queen's University Belfast Human Rights Centre (2018), led by Luke Moffett focused solely on the Injured Pension. As an additional tactic, the group encouraged their social media followers, especially on Twitter, to use the hashtag '#MentionThePension' when sharing and tweeting about the consultation (Commission for Victims and Survivors (NI) 2018; Eastwood 2018; 2019; Gallagher 2018; Jankowitz 2018b; Moffett 2018b; QUBHumanRightsCentre 2018; Templer 2018; WAVE Trauma Centre 2018;). 'Mention The Pension' became the easy to remember slogan that accompanied all Injured Group media correspondence and personal conversations during this highly active period, keeping the campaign on the public agenda.

The Commission for Victims and Survivors had also commissioned a 'population survey [through] the Northern Ireland Statistics and Research Agency [where it was found that] 73% [of respondents] supported the provision of a pension for the severely injured' (Thompson 2018). For a social movement such as the Campaign for Recognition, garnering the support of the public was crucial for their cause and follows previous predictions within the literature that 'important external factor[s]' such as 'public opinion' can lead to 'legislative change' (Giugni 1998: 379). All of this pressure arguably led to a significant number of responses to the consultation, which put the 'Victims' pension' at the top of the list of 'different ways to address the legacy of Northern Ireland's past, not outlined in this consultation paper', as set out in Question 14:

[Where] [m]ost **narrative** respondents who commented on the issue of a victim's' pension agreed that those who have been injured as a result of Troubles-related violence ... should receive a pension. (Northern Ireland Office 2019c: 30) [emphasis in original]

For the Injured Group, this period was marked by an upsurge in political and public activity, which was paradoxically boosted by the lack of a functioning political outlet in Northern Ireland. They had taken the opportunity to move their lobbying focus

from Stormont, which essentially was a dead end. They continued to capitalise on the new attention they were receiving from civil society across Northern Ireland because of the consultation on the SHA. More importantly, however, they also kept chipping away at the UK Government, trying to find a way past its nauseating ‘devolved matter’ mantra.

With added impetus and confidence that Westminster could be their best, and in reality, only avenue to success, the Injured Group, among others, continued to put pressure on the Secretary of State. Arguably, this led to Karen Bradley writing to the Victims Commissioner to formally request, on 24 May 2018, ‘further advice on a way forward on the proposal for a pension’ (Northern Ireland Office 2018b). This request stemmed from an earlier meeting with the Commissioner, and explained how Karen Bradley had:

[M]et people injured during the Troubles and had been deeply moved by their stories ... [and while] [t]his was intended to be for the Northern Ireland Executive to take forward ... [in its] absence ... [she] was aware of how deeply upsetting and frustrating the continuing delay is for those who suffered so much during the Troubles. (Northern Ireland Office 2018b)

Bradley’s initial request was followed up by another letter on 6 August 2018, which set out ‘the scope for that advice’, and included a commitment to share this advice with the main political parties and ensure that NIO officials work with Executive Office officials and the Commission ‘during the formulation of the advice to allow a forum for joint discussion on progress and the resolution of any issues which arise’ (Northern Ireland Office 2018c). While public pronouncements from the NIO continued to convey that the best way forward was to ‘get Stormont back up and running’, the UK Government was beginning to concede that it could possibly intervene (Bell and PA 2019). This formal request, ‘under article 6(4) of the Victims and Survivors (Northern Ireland) Order 2006’ was arguably enough to suggest that cracks were showing in the ‘devolved matter’ mantra (Northern Ireland Office 2018c). With more pressure, the Injured Group was convinced that the Government could bring forward the required primary legislation and, if not the Government, they would find another way through Parliament.

This left the group with two viable options: A Private Members' Bill or an amendment. With Little-Pengelly's Ten-Minute Rule Bill going nowhere in the Commons, there were ongoing discussions around the possibility of bringing a bill through the House of Lords. While peers in the House of Lords, the lower chamber of the UK legislature, had the power to introduce such bills, their passage through both houses of Parliament was fraught with difficulty. If a bill introduced in the Lords goes through all the required stages as any other public bill, and if an MP supports the bill, it continues in the Commons; but as they are viewed as a lesser priority than Commons bills, they are therefore unlikely to have much, if any, time devoted to them (parliament.uk n.d.). A more promising option would be through attaching an amendment to a UK Government bill as it passed through Parliament, in the hope that it would be accepted by the Government or alternatively won on a division (simple majority vote). The prospect of losing such a vote could see crucial government bills stalled. For a vulnerable government, sitting on a wafer-thin majority, this prospect was likely.

The first attempt to attach an amendment to government legislation came during the passage of a bill brought forward by Karen Bradley in October 2018. With Stormont still in suspension, the Secretary of State had to introduce yet another piece of legislation – the *Northern Ireland (Executive Formation and Exercise of Functions) Bill (2018)* – for the purposes of saving the Government from moving into full direct rule by suspending the deadline for calling an Assembly election for a time-limited period, enabling civil servants to take certain decisions, and permitting UK ministers to make certain public appointments (parliament.uk 2018). After an Injured Group meeting with representatives from the Alliance Party in Belfast the previous day, it was suggested that a member of the UK based Liberal Democrats, a 'sister party' of Alliance, could be approached to insert an amendment calling for the pension, into this bill. Highlighting the total flexibility of the Injured Group to react to political opportunities, with considerable haste, Christine Jardine MP was appraised of the pension issue and put forward the proposal, in 'Amendment 22', that:

In the absence of Northern Ireland Ministers, senior officers of Northern Ireland departments, giving due regard to advice from the Northern Ireland Commissioner for Victims and Survivors, *shall prepare a scheme to provide a*

pension to those who are regarded as seriously-injured arising from an incident associated from the conflict in Northern Ireland. (HC Deb 24 October 2018a) [emphasis added]

Several interjections were made by a range of interested MPs during this debate, including Owen Smith MP (HC Deb 24 October 2018b), Labour shadow front bench MP, Karin Smyth (HC Deb 24 October 2018c), and shadow Secretary of State, Tony Lloyd MP (HC Deb 24 October 2018d), in support of this amendment. However, as it would not have attracted sufficient support to pass through a division, it was withdrawn. Moreover, it was clear within this debate in the House of Commons that, while Karen Bradley had asked the Commissioner to provide advice on progressing the pension, she and the Government were still unwilling to intervene in such matters, reiterating that she did:

[N]ot want to be in direct rule because it is wrong for the people of Northern Ireland ... [M]any of the interventions that the Government have taken over the years have been as a result of the wishes and the agreement of the parties in Northern Ireland to ask Westminster to take action in certain areas, but victims' pensions is still a devolved matter. (HC Deb 24 October 2018e)

This response was insufficient in the view of the Injured Group. The best place for legislation may have been through the Stormont Assembly at the hands of local politicians, but as has already been outlined, there was minimal chance of this happening. Westminster was now the only hope. By 30 October 2018, the *Northern Ireland (Executive Formation and Exercise of Functions) Bill (2018)* had made its way into the House of Lords for scrutiny. Lord Hain, who had previously brought the issue to attention of the Lords on 27 March 2018, had been working behind the scenes with a wide range of peers to form a significant Cross-Bench (cross-party) consensus on the need for the pension to be resolved. Seizing the opportunity to act, Hain with the co-sponsorship of senior grandees in the Conservative Party, Liberal Democrats and Cross-Bench peers, inserted an amendment, where:

[The Government] *must direct senior officers of Northern Ireland departments, giving due regard to advice from the Northern Ireland Commission for Victims and Survivors, to prepare a scheme to provide a pension to those who are regarded as seriously-injured arising from an incident associated from the conflict in Northern Ireland.* (HL Deb 30 October 2018a) [emphasis added]

The debate that followed was a game-changer for the Injured Group. Not only did six more peers, including Lord Eames (co-chair of the Eames/Bradley report) and Baroness Smith (a former Victims' Minister during the 2002-2007 period of direct rule), speak in favour of the amendment, Hain, again with the support of Godfrey, crafted an impassioned speech which delved into the personal lives of the Injured Group and detailed their grievous injuries and how their subsequent treatment by the State was deemed insulting. Citing Jennifer McNern's recent pension award from her employee contributions, for one year's employment, before she was injured at the age of 21, Hain disclosed that she:

[R]eceived a final settlement on her pension contributions in the form of a lump sum. It was taxed at 20%. She received a magnificent £25.39, which, frankly, is an insult to somebody in her situation. (HL Deb 30 October 2018a)

Hain's speech, while interlaced with emotive imagery about the plight of the Injured Group, and downplaying the overall cost to the Treasury, was also highly critical of the Government's hypocritical position that it 'cannot undermine the devolution settlement by interfering or, as I would prefer to describe it, intervening' (HL Deb 30 October 2018a). Citing recent examples where the Government had recently intervened, for example, by injecting Treasury money, 'to the tune of £25 million' into a scheme to tackle paramilitary activity and changing the law in Northern Ireland around medical cannabis, Hain interjected that, '[i]t would be absolutely shameful if the people who have suffered so much were told, "We feel sorry for you, but not sorry enough to do anything about it"' (HL Deb 30 October 2018a). Facing the strong possibility that they could lose a division in the Lords, and therefore see the bill collapse, the Government's Minister in the House of Lords, Lord Duncan pleaded with Hain to withdraw the amendment, by offering instead, the promise that the Government would write to the Victims' Commissioner to ask her to 'her to include a date from which payments shall be made':

However, if, despite our best efforts, that Executive have not been restored by the time updated advice on a pension issue has been provided by the Victims Commissioner, the Northern Ireland Office will consider how the matter can be progressed. (HL Deb 30 October 2018b)

When asked by Lord Cormack, a senior grandee of the Conservative party, if the Minister could ask the Commissioner to commit to providing her advice ‘within six months at the most’, Lord Duncan replied:

I am in a slightly invidious position because I cannot give a date—but I know that six months would be very far away and would be unacceptable to us. I cannot say that specifically, but we will make progress as quickly as we can because we recognise that this is not a matter that can be left to languish.

... My word—I have been given a sheet of paper. We will guarantee within six months. So, yes, we will be able to do it within six months and I hope that that will therefore give some comfort to noble Lords that we take this matter with the utmost seriousness and we will move it forward. (HL Deb 30 October 2018b) [emphasis added]

The handover of this ‘sheet of paper’ from Chris Flatt, a senior NIO official, was the first firm ‘commitment’ that the Government would introduce a pension policy into legislation, if Stormont has not been restored by the time the Commissioner’s advice was issued. With reservations, Lord Hain agreed to withdraw the amendment and while awaiting assurances and clarity from the Government, that it was serious about resolving the issue ‘within a specified time’ (HL Deb 30 October 2018c). Not that this meant that the Injured Group would slow down or release its pressure on the Government. They continued to keep a visible presence in the mainstream media and on social media.

BUILDING MOMENTUM: TRIANGULATING MEDIA SUPPORT

On 11 October 2018, the BBC released a series of six four-minute videos featuring monologues from the Injured Group. This collection of hard-hitting shorts entitled *Survivors: Disabled by the Troubles* was posted directly to the *BBC iPlayer* website (BBC 2018b). The idea for these video shorts emerged from the more expansive BBC series *Survivors*, which aired on BBC One Northern Ireland at the beginning of 2018, as a way to condense the human story of the Injured Group into manageable chunks, which could hold the attention span of the public and busy politicians in future lobbying events. The first public event at which they were able to share the videos was the launch of their ‘*INJURED ...on that day*’ photographic exhibition on 6 December 2018. This exhibition displayed ten single portrait colour photographs of

the members of the Injured Group, with one line of text laying out their names and ages at the time of their injuries. The images were printed onto large six-foot-by-six-foot pull-up roller banners (see image on Page 290). The venue chosen for the opening event was again, the Royal Victoria Hospital, in Belfast, where the Injured Group had first launched their book, *INJURED ...on that day* (WAVE 2009a) in October 2009. Again, the launch of the photo exhibition was well attended by the media and a range of civic society representative and local politicians. The world-famous local actor and longstanding WAVE patron, James Nesbitt, was part of a panel, including members of the Injured Group, who addressed the audience. Enlisting the support and endorsement of celebrities is considered an important resource in the armoury of a social movement. Celebrity endorsements are especially 'credible' in cases like the Campaign for Recognition where the 'celebrity commands the details of the issue, evidences sincere and longstanding commitment, and donates his or her own time' (Edwards and McCarthy 2004: 129). Taken from the WAVE press release, and as part of the opening speech, Nesbitt set the tone:

When you look into the faces of those featured in these powerful images you don't see people looking for sympathy let alone pity. They are survivors. They have reconstructed their lives. They have 'moved on' but what they will not do is to move aside. (WAVE 2018b)

The speech from the Injured Group conveyed a similar message. As well as being a call to politicians to implement a pension scheme, the speech set out the purpose of the exhibition:

To make us visible again. To remind people that we still exist. These images cannot be ignored. Their size alone rules this out. Six foot by six foot. They will be hard to walk past. They tell the story that we are still here. That we survived. The accompanying biographies are short and to the point. They only state what happened in that instant in time, when we were injured. There is no indication as to who injured us. There is no judgement or blame apportioned. That is not what we are about. They are just statements to the fact that we were severely injured and that we are still here. (Gallagher 2018)

This event sparked the interest of the local media and brought the Campaign for Recognition back into the public eye (Little 2018; Maginness 2018; Belfast Telegraph 2018; Black 2018). In fact, two of the main local papers, the nationalist-leaning *Irish News* and the unionist-leaning *Belfast Telegraph* (Armoudian and Milne 2019: 5-6),



WAVE Injured Group's '*Injured ...on that Day*' Photographic Exhibition at the King Edward Building – Royal Victoria Hospital, Belfast – 6 December 2018

Image courtesy of Neil Harrison Photography

featured the issue as part of their Editors' leading articles the following day. Gaining the support of such influential outlets was viewed as significant. As Wolfsfeld (2001: 32) argued, in relation to the 1998 Belfast/Good Friday Agreement, 'when the media do adopt a particular frame [in support of something], it can have a significant impact on the political process'. The editor of the *Irish News* (Irish News Editorial 2018) [emphasis added] characterised the non-resolution of the pension issue as:

[A]n intolerable situation for people who have already been through *more suffering than many of us could begin to imagine* ... What does it say about our society that ... the *grievously injured are still worried about funding and anxious for the future?* ... While acknowledging there are complex issues around the whole area of legacy and addressing the past, it is *deeply regrettable that the gravely injured feel their voices are not being heard* ... That must change.

In a similar vein, the editor of the *Belfast Telegraph* (Belfast Telegraph Editorial 2018) [emphasis added], while being critical of 'our stay-away politicians', conveyed the group's main message to their expansive readership:

For decades they have been the *invisible victims* of the Troubles, the men and women *grievously maimed by terrorists*, but now they are making their presence felt ... Like the bereaved, they have been shamefully failed by local politicians, who are still stuck at the stage of arguing over the definition of a victim ... This *inaction* is even more *shameful* given that MLAs are being paid for failing to do their jobs, while those whose lives have been changed irrevocably through the actions of terrorists get nothing. It would take a heart of stone not to be moved by the stories of the 10 people whose portraits were displayed ... Surely it is just sheer humanity that the demands of this *relatively small number of people* are met, if not by our *stay-away politicians* then by the Government at Westminster. They are not asking for anything they do not deserve and not only should any pension be for the rest of their lives, it should be backdated and it should be paid soon.

These editorials, along with the newfound media attention on the issue, spurred the group into another period of visible public action with the sole intent of influencing much needed public opinion. At the beginning of 2019, the group pinpointed a range of venues across the region in which to display the exhibition. These events involved Injured Group members accompanying the exhibition and giving similar speeches to invited audiences and the media, including a successful event in Derry's famous Guildhall. Other examples included visits to a grammar school, two community festivals, and a weeklong display in Queen's University, Belfast. Again, however, while the group took advantage of the media spotlight, they were also involved in behind

the scenes activity with the Government, stemming from its commitment to the House of Lords to further progress the pension issue in the face of the ongoing Stormont stalemate. This included a period of intense activity to make sure that the requested update on the Commissioner's advice was brought forward as soon as possible.

Following the commitment by Lord Duncan in the House of Lords that the UK Government would seek to progress the pension issue within six months, the Northern Ireland Office (NIO), at the beginning of December 2018, put in place a team of officials to work with the Victims Commission and the Injured Group. These co-design meetings were of the utmost importance as this is where officials, who in many cases were ignorant, in the truest sense of the word, to the nuances and the human stories behind the written advice. By the end of December 2018, the Commission was ready to hand over the first part of their updated advice to the NIO. However, this preliminary paper, *Victims and Survivors Pension Arrangement (VASPA) Advice Paper - December 2018* (Commission for Victims and Survivors 2018a), only focused on the pension in terms of the physically injured as opposed to those with psychological injury. With a sense of urgency to get the scheme up and running, and with the assumption that assessing physical injury might be an easier task, the Commission pushed for the structures to be set up straightaway, while waiting for the second part on psychological injury to be formulated. Incidentally, the inclusion of those with psychological injuries – a cohort that the Injured Group had initially decided might cause framing difficulties as to the feasibility of the proposal, a decision that led to a schism with the group (as discussed in Chapter 4) – was determined by the Commission in its earlier report (Commission for Victims and Survivors 2014a); as it was made clear, following legal advice, that to make a difference between physical and psychological injury could be discriminatory. The NIO, however, was of the mind to wait until the full report was complete before proceeding.

Tasked with scoping out the parameters for those with psychological injury, the Commission enlisted the services of prominent researchers and practitioners working in the area of clinical psychology to put forward ideas as to how assessments for this

cohort would be determined. At the same time, the Commission had been continuing consultation with the main political parties in Northern Ireland, to sound out how they could contribute to the Commission's ongoing work on the pension. This was done through the Pension and Need Working Group (PNWG): a group made up of members of the Victims and Survivors Forum (Commission for Victims and Survivors 2018b). While Bunting, Heathwood, and McNern had been members of the Forum under the previous Commissioners, their membership elapsed when Judith Thompson took on the role in 2015, and subsequently selected a new Forum. However, in order to maintain a sense of continuity, Thompson elected to keep the trio on the PNWG. Combined with another handful of new Forum members, including the author, this group would work to see the pension implemented.

There was, however, some friction between the Commission and WAVE on the ongoing formulation of the advice to the NIO. While both organisations worked towards the same objective, their approaches and expectations were different. There were concerns within WAVE that the Commission was moving too slow in bringing forward their update. From a WAVE point of view, the work on the pension structures was already completed in 2014 with the *Pension for the Severely Injured Project - Final Report* (Commission for Victims and Survivors 2014a). Any update on this report therefore required a light touch. Yet, the Commission had been first asked to undertake this work in May 2018, and it was now well into 2019. There were also concerns that the Commission was not working as closely with WAVE, as they would have liked. An email to the Commission from the Injured Group revealed these worries:

There is also a sense that the Commission was holding its cards too close to its chest on their December advice and that as per the Secretary of State's Terms of Reference, there should have been a more inclusive engagement with interested stakeholders i.e. WAVE ... Could we suggest that the December advice be shared asap [sic]. (WAVE 2019a)

Moreover, while the December advice was not ultimately released to WAVE until 19 March 2019, there were concerns emanating from CVS/WAVE meetings that the updated advice was flawed, in that, certain recommendations put forward to the NIO, in terms of the potential annual awards, were somewhat less than the original projections. Instead of working on the sliding scale of payments, in accordance with

the ‘degrees of disablement’ as set out in Magee’s (2013) original report, which would see beneficiaries receive between £2000 to £10000 per year, the Commission proposed that the average figure of £5000 would be the maximum payment. This discrepancy was later ironed out in discussions with WAVE, but the episode revealed significant fissures in the relationship. As Dennis Godfrey put it: ‘[p]erhaps they weren’t across the detail but that in itself is a cause for concern’ (WAVE 2019b). While the Commission assured WAVE that the December advice paper was a draft, which could be revisited (WAVE 2019c), WAVE decided to submit their own independent report to the NIO, based on their longstanding interpretation of how the scheme should work (Magee 2019). Having drafted Stuart Magee, author of the original ‘Pension Paper’ in 2013, this report also differed from the Commission’s December advice, in that, it included a foreword, which, in somewhat emotive language, personalised and humanised the need for the scheme in the eyes of those who might benefit, by inserting many of the themes that they had used in their previous lobbying speeches and letters. These themes highlighted how:

[Their] physical injuries [we]re permanent and [we]re at the very top of the scale: bilateral amputees, paraplegic, those blinded; [how they were] the forgotten victims of the Troubles; [how wrongful] assumption[s] [were made] that they must have been looked after [by the compensation system already]; [how they were] unable to work again and had no opportunity to build up occupational pensions and as a result have to survive on welfare benefits; [how they came] from diverse backgrounds, women, men, Catholic, Protestant, working class, middle class; [how they] were not people ‘in the wrong place at the wrong time’ [that] they were at work. They were at home with their family. They were having a coffee in a cafe. They were walking home after an evening at the cinema. They were in the right place where they should have expected to be safe and secure; [how they had] ‘moved on’ [but would not be] move[d] aside; [and how they] deserve[d] no less [than to] live the rest of their lives with as much independence and dignity as possible. (Magee 2019: 2-3)

The Commission’s December update, however, was viewed as devoid of the personal touch and the type of language that could elicit empathy from the politicians and policymakers, a point conveyed to the Commission in a later meeting. Consequently, the full update, *Victims and Survivors Pension Arrangement (VASPA) Advice Paper – May 2019*, included a foreword from Commissioner Thompson, where a short biography of Jennifer McNern’s experiences were shared with the reader and a call

to the politicians and policymakers that, 'the VASPA must be designed with an empathy and understanding of the experiences that Jennifer and others like her have had' (Commission for Victims and Survivors 2019b: 2). While this detailed update was forwarded to the NIO at the end of May 2019 for consideration, the Injured Group had already been laying the political groundwork at Westminster, in anticipation of the advice being accepted by the Government.

A RETURN TO WESTMINSTER: THE FINAL PUSH

With momentum building towards the strong possibility that the UK Government was serious about implementing the pension, with its 'six-month commitment', in lieu of a reformed Executive and Assembly at Stormont, which by spring 2019 was already into its third year of suspension, the Injured Group made plans to return to Westminster. This time the group brought the photographic exhibition and honed their speeches for a Westminster audience. They also had in their possession a box full of glossy pocket-sized booklets depicting the exhibition, along with copies of the most recent edition of *View* magazine (View Digital 2019), an independent social affairs publication, in which Alan McBride coincidentally featured as guest editor. With Jennifer McNern's *INJURED ...on that day* photograph taking up the front cover and a series of interviews with the Injured Group inside, this issue was seen as another helpful platform with which to promote the Campaign for Recognition (see image on Page 296).

As usual, the media was well briefed in advance of their event (WAVE 2019d), which was held in a conference room at the Palace of Westminster, on 27 March 2019; and again, featured James Nesbitt as the main speaker (see image on Page 297). A Press Association (PA) article, with varying headlines on the theme – 'Cold Feet star James Nesbitt urges financial assistance for victims of the Troubles' (Wylie 2019a); and 'Actor urges financial support for victims of the troubles [sic] amid scandalous' Brexit waste' (Wylie 2019b) – featured in a range of local newspapers including the *News Letter* (Wylie 2019a); *Belfast Telegraph* (2019a); and the *Irish News*, interestingly, in both its *News* section (Wylie 2019c), and its *Entertainment* section (Irish News 2019)



Front cover of View Digital magazine – March 2019

From social affairs magazine VIEW – (VIEWdigital.org)



**The WAVE Injured Group at the Houses of Parliament, Westminster, London -
27 March 2019**

Image courtesy of WAVE Trauma Centre

on the website; thereby focusing in on the 'celebrity' element of the event. Wylie's copy was also picked up by the *ITV News* website (ITV 2019) and, more obscurely, by an 'Online Magazine for Care Professionals' *careappointments.com* (Wylie 2019b); while *Forces Net* (2019), a website aimed at the British Armed Forces, also covered the event. The event served up the opportunity for the Injured Group to convey their stories of hardship and suffering to the assembled media, which fed into headlines, such as, 'Troubles victims 'feel punished for surviving' says campaigner' (McHugh 2019). The *BBC NI News* team attended and put together a video package, which featured on their lunchtime and evening news programmes *BBC Newsline* (2019); and led to a lengthy interview on *BBC Radio Ulster's Evening Extra* programme (Evening Extra 2019). A range of MPs, Government Ministers, peers, and other civil society representatives, including the former Victims Commissioner, Kathryn Stone, were there to hear the call, from Nesbitt, for Westminster to step in and legislate for a pension for:

[P]eople who have lived through experiences that almost defy imagination ... [Who] have surpassed all expectations and survived the predicted prognosis of hard lives and early deaths ... [Who] want ... a degree of financial security so that they can live the rest of their lives with as much independence and dignity as possible. [Who] are not asking for a huge amount. [Who] want to be able to get their grass cut. [Who] want to know that they can afford to put a slate back on the roof in winter. [Who] want to take their grandchildren for a treat just like any other grandmother. [Who] want to live as long as they can in their own home with the people who they love and who love them around them. And that's why [they] are here today, in the heart of government. They need those who have the power to make a huge difference to their lives to do what is right. (WAVE 2019e)

That afternoon, before leaving for the airport, the Injured Group held, in their opinion, a very constructive meeting with the aforementioned, Lord Duncan and his NIO officials, where he 'reiterated his support for the Pension and made a number points that [the Injured Group] think are important and are taking as commitments' (Godfrey 2019). In this personal communication, sent within days of the trip on 2 April 2019, from Dennis Godfrey to Peter Hain, Godfrey highlighted that the Minister 'sees the Pension as free standing and not necessarily linked to or having to wait for other legacy legislation that will come out of the Stormont House Agreement'; moreover, in 'terms of timescale he repeated the position [that] there would be progress after

the Victims' Commissioner submitted her advice and that progress would take legislative form'; and when 'asked ... if the Pension could be in place by the end of the year, he said: "I see no reason why not"' (Godfrey 2019). This letter, however, also conveyed some trepidations, in that, '[Lord Duncan] appears to be in a more forward position than the SoSNI (Secretary of State for Northern Ireland) (Godfrey 2019). These concerns, that the Government was not totally committed to moving on the pension and intervening in devolved matters, became starker, when a WAVE delegation, including Injured Group members, met with Karen Bradley in Stormont House on 5 April 2019. A letter to the Victims Commission from the Injured Group revealed that, in sharp contrast to her Cabinet colleague, Lord Duncan, the Secretary of State, stuck to the "this is a devolved matter' mantra' (WAVE 2019f). The letter goes on to say that:

The Secretary of State said that she wanted to do something but could not say how it could be done. She said that: "... we are working on it", but refused to say that following the submission of the Commission's updated advice, that work done by officials would lead to legislation ... Either way, the WAVE Injured Group is in effect now being told that they need to literally drag themselves back to London to make the case all over again. (WAVE 2019f)

To receive such mixed messages from two Cabinet Ministers left the Injured Group disappointed and frustrated. It did not stop the group from pushing towards their goal. They continued to work with Lord Hain to keep the pressure on in the House of Lords and with the Shadow Secretary of State, Tony Lloyd, in the Commons. For Hain, the Government's previous 'commitment' on the pension issue was now viewed as deeply personal. When asked, in an interview around this time, if he thought that, the Government would 'take the pension on', Lord Hain (Interview, 24 April 2019) replied:

Well, it better. Because it's promised me, the Lord's Minister, Northern Ireland Minister, Iain Duncan, has promised me on the record that they intend to act and soon, within a matter of months he said, when he made that promise ... I only withdrew that amendment (HL Deb 30 October 2018c), which would have been carried, as he conceded in private to me, because he gave me an absolutely cast-iron assurance that they would act and that if we pressed the amendment it meant that the Bill went back to the Commons ... which would then delay the whole process of the Bill, which was necessary. So, that was the basis that I withdrew the amendment, but it was on the basis of a solid promise which has been repeated by the Secretary of State, and I

expect that to be honoured, and if it isn't then there will be consequences in Parliament.

Interviewer: What sort of consequences?

Well, I'm not going to go into that in detail.

Interviewer: Do you see this coming through as primary legislation?

And I mean if it isn't then I'll move another amendment for the appropriate bill because Northern Ireland bills pop up all the time ... [And] there's cross-party unanimous support.

Hain's commitment to holding the Government to its 'promise' was crucial in keeping the issue on the political agenda. Behind the scenes, Hain continued to work with Cross-Bench peers, raising questions in the Lords chamber as to the urgency of the matter (HL Deb 27 June 2019). The political dynamic in Westminster at this time was one of flux. The Conservative party was in the process of choosing a new leader, and thus a new Prime Minister, following the resignation of Theresa May as leader on 7 June (BBC 2019). The winner of this contest was announced on 24 July 2019 as Boris Johnson. Fears that the new PM would dissolve Parliament and call a General Election, added to the impetus to get pension legislation passed. Therefore, the introduction of *Northern Ireland (Executive Formation) Bill (2019)* into the House of Commons on 4 July 2019 was viewed as another prime opportunity for progress. Similar to the previous bill, the *Northern Ireland (Executive Formation and Exercise of Functions) Bill (2018)*, in which Hain had tactically withdrawn his amendment, this bill was important to the Government in postponing the introduction of direct rule (Torrance 2019: 4). It was also a bill, which could be subjected to amendment, as it passed through its various stages in the Commons and the Lords. For the Injured Group and its allies, this was a 'political opportunity' not to be missed (Tarrow 2011).

It is worth noting, before I discuss amendments related to the Injured Pension, that this bill became somewhat controversial, in that, MPs with an interest in other areas related to Northern Ireland, also decided to intervene. While the pension was one issue that could not be resolved by the Stormont Assembly, other highly contested social issues, such as, the reproductive rights of women and marriage for same-sex couples, had also been set aside for a number of years (McCormack 2019a). Following significant lobbying at Westminster by social activists, amendments were introduced

to progress legislation that would allow same-sex couples to marry and to provide access to a more liberal abortion services in Northern Ireland (HC Deb 9 July 2019a). The passage of this bill therefore attracted considerable media attention; and the attention of those interested in progressing the pension issue.

The first intervention to progress the pension issue came in the form of an Opposition amendment in the House of Commons. Tony Lloyd, the Shadow Secretary of State inserted a clause which stated that, 'A Minister of the Crown must [issue a] report on progress made towards preparing legislation to implement a pension for seriously injured victims and survivors of Troubles-related incidents' (HC Deb 9 July 2019b). The subsequent debate in the Commons, however, brought up many of the contentious issues, which had plagued the pension in the intervening years since it became a live issue, that of eligibility and the definition of a victim. Such metaconflict arguments were injected into the debate by a range of Conservative MPs and several members of the DUP. In fact, the DUP went as far as to insert an amendment which determined that 'the Secretary of State must make regulations to amend the definition of "victim" in [the 2006 Order] ... so that the definition applies only to a person who is injured or affected wholly through the actions of another person' (HC Deb 9 July 2019c).

Others attempted to defuse some of the contentious aspects surrounding definition and the pension. Taking advantage of Dennis Godfrey's offer to help in crafting his speech, Owen Smith, now a backbench MP, in order to 'illustrate and humanise the issue of a pension for severely physically disabled victims of the troubles [sic]', began by recounting, in some detail, the events surrounding the night when Peter Heathwood was injured and the immediate aftermath when Peter's 'father, Herbert, arrived at the scene thinking that his son, Peter, had died, and collapsed of a heart attack and died' (HC Deb 9 July 2019d). Promoting pragmatism as a way of resolving the pension issue, Smith went on to speak to the main blockage around the eligibility of complex victims, by pleading that 'we must not let the perfect be the enemy of the good' (HC Deb 9 July 2019d). Nevertheless, as the Opposition's amendment merely called for a 'report on progress', and did not demand the immediate implementation of the pension proposal, it was accepted by the Government (HC Deb 9 July 2019e).

Not content with the value of waiting on a progress report from the Government, Hain and his Cross-Bench allies, seized the newfound opportunity to tag another amendment to this new bill, as it arrived in the House of Lords on 15 July 2019. Amendment 21 (HL Deb 15 July 2019a) [emphasis added] entitled, “*Pension for victims and survivors of Troubles-related incidents ...*”, stated that:

The Secretary of State *must make regulations* to give effect to a *pension for those severely injured through no fault of their own ...* in line with advice ... submitted in May 2019 from the Northern Ireland Commissioner for Victims and Survivors, and to provide that those who qualify for the pension should receive it back-dated to 23 December 2014, being the date of signing of the Stormont House Agreement ... [and] must be in force no later than 21 October 2019 ... If a Northern Ireland Executive is formed before they ... come into force, any regulations ... shall cease to have effect.

In effect, this amendment, if accepted, and in the event that the Stormont Executive was, by 21 October 2019, still in suspension, would bind the UK Government to legislate for a pension scheme for those injured through no fault of their own. Furthermore, the amendment called for the payment to be back-dated to the signing of the Stormont House Agreement, the place where the local politicians and the two governments first set out that, ‘[f]urther work [would] be undertaken to seek an acceptable way forward on the proposal for a pension for severely physically injured victims in Northern Ireland’ (Northern Ireland Office 2014: 6). The notion of back-dating the payment emanated from an argument put forward by the Injured Group that, if the pension had been implemented at this time, then the recipients would already be enjoying the benefits of it. This was judged a fair compromise. In framing such arguments, the group had previously pointed to one of Breen-Smyth’s recommendations from *The needs of individuals and their families injured as a result of the Troubles in Northern Ireland* (Breen-Smyth 2012: 13), where the call was made to back-date any ‘special pension payment’ to the Belfast/Good Friday Agreement in 1998. For members of the group, the Good Friday Agreement marked the end of the conflict and the beginning of a new dispensation. One in which they felt that they should have received their fair share of the peace dividend, in the same way as politicians were given new roles in the resultant political institutions, and some paramilitary prisoners were released early from long-term custodial sentences.

It was against this backdrop that Hain and the co-sponsors to this amendment, Lords Cormack, Bruce, and Eames, set out their call for the UK Government to make the pension a reality. Focusing on the thorny eligibility question, Hain wanted:

[T]o make it absolutely clear, as is explicitly set out in my amendment, that I am proposing and asking for the support of this House for a pension for those *severely injured through no fault of their own*. I can think of few more perverse cruelties than for a widow who lost her husband in a terrorist incident, received barely enough compensation to bury him and had to raise a family in the most difficult financial circumstances, to discover that the person who planted that bomb—who survived but was injured—was to receive a special pension from the state 30 or 40 years later. That would be shocking. (HL Deb 15 July 2019b) [emphasis added]

Addressing the issue of the all-inclusive definition of a victim as set out in the 2006 Order, which was passed when he was Secretary of State, and the exclusion of those ‘injured by their own hand’, Hain claimed that:

One of the aims of that order was to ensure that everyone impacted by the Troubles would have access to the services that they and their families would need, regardless of their circumstances. We provide those services through the National Health Service and the Victims and Survivors Service ... That is as it should be. We are a civilised society and we do not turn people away from services. However, this pension is a very different matter. It is not a service but a recognition of the great harm done to men and women through no fault of their own. (HL Deb 15 July 2019b)

In response, the Government Minister, Lord Duncan, while accepting the substance and intention of the amendment, requested that it be temporarily withdrawn until a small number of technical issues were resolved. Within two days, the amendment returned to the Lords, and with some adjustments inserted by the NIO, it was accepted by the Government. The most significant change to the original amendment from 15 July 2019 was the omission of, as Hain put it, ‘the crucial words, “through no fault of their own”’ (HL Deb 17 July 2019a). Accepting that these words could not appear on the face of the bill on the ‘advice of parliamentary counsel, because they were not sufficiently legally precise’, Hain asked the Government Minister to confirm that:

[F]or the record that the intent and purpose of, “through no fault of their own”, remains in the Bill as amended, especially in Section 3(d), covering whether or not an applicant has a conviction for an offence. (HL Deb 17 July 2019a)

This caveat, explained Hain, that an applicant to the scheme who has a conviction for an offence, meaning ‘a terrorism-related or serious criminal offence’ (HL Deb 17 July 2019a), relates to the section laid out in the new amendment, concerning eligibility where someone was convicted in connection with the event in which they were injured, that is:

Regulations ... must make provision as to the eligibility criteria ... which may, in particular, relate to ... the nature or extent of a person’s injury; ... how, when or where the injury was sustained; ... [and] whether or not a person has been convicted of an offence. (HL Deb 17 July 2019b)

The theme, ‘through no fault of their own’, was emphasised by various peers in this debate, in as much the same way as it had been in previous debates in Stormont on the issue. Those who had been euphemistically *injured by their own hand* would be explicitly excluded from the scheme. While the words did not appear in the legislation, the Lords made their intentions clear – ‘It is crucial that in every piece of literature distributed, and in every announcement made, those words, “through no fault of their own”, are emphasised time and again’ (Lord Cormack (CON)) (HL Deb 17 July 2019c). Unionist peers (Lord McCrea (DUP)) were particularly adamant that ‘terrorists’ were excluded:

On reading it, I was rather alarmed that the words, “through no fault of their own” ... were missing. I would certainly not accept that anyone who was injured through fault of their own—in other words, terrorists—should be allowed to receive a pension. That would be not only an insult but an absolute shame. I know that it would certainly be deeply hurtful to those across the community who have been terrorised and injured through terrorist activity. (HL Deb 17 July 2019c)

All of the contributions made by these peers highlighted the strong but unsurprising objection within the UK Parliament to the notion that those injured while engaged in ‘terrorist activity’ could be included. It would have been politically impossible for this Parliament to consider this option. This was particularly underscored by an article, which appeared in *The Sun* newspaper on 16 July, under the somewhat misleading headline, ‘TERROR HANDOUT’ Jeremy Corbyn pushes for law change that could hand pensions to IRA terrorists’ (Wells 2019). Referencing the Opposition amendment calling for a report into progress on the Government’s approach to a pension from the previous week in the Commons, the article, which bizarrely singled out the Labour leader for criticism, featured commentary from a lawyer who represents families of

IRA victims in Great Britain, and characterised the intention of the scheme to mean that:

[E]ven the IRA terrorist who blew off his fingers building his bombs is entitled to a pension ... By the back-door, taxpayers will be paying terrorists a state-funded pension ... And it means that terrorists' own victims, as taxpayers, will be forced to finance the retirement of the very people who took their limbs, their loved ones and their lives. Corbyn must know this and it's monstrous. (Wells 2019)

Conservative MP, and member of the Northern Ireland Affairs Committee, Maria Caulfield, was also critical of MPs who approved this fast-track legislation, as it came back into the Commons on 18 July. Posting on the social media website, *Twitter*, she claimed that:

Parliament voted today to give IRA terrorists compensation without even knowing because most MPs never even read the amendments and were so completely obsessed with Brexit they missed this. Well done everyone. (Caulfield 2019)

In a reported response on *Twitter*, Lord Duncan was quick to make the point that the 'Pension will NOT [sic] be available to those injured by their own hand. This is NOT [sic] a pension for terrorists' (Rainey 2019a). Such coverage in the British press and on social media was nothing new to the Injured Group.

THE BATTLE OF THE NARRATIVES REDUX: A COMMISSIONER UNDER FIRE

While the *Northern Ireland (Executive Formation) Bill (2019)* had been progressing through Parliament since its First Reading on 4 July 2019, emerging media reports on the pension issue did not reappear until Wednesday 17 July 2019. Much of the media focus on the bill centred on the amendments, which dealt with changing the law on women's reproductive rights and equal marriage. Even Hain's initial amendment on Monday 15 July went largely unnoticed. What changed the media dynamic, however, was not the revised amendment, but the publication of the aforementioned updated advice from the Victims Commissioner to the Secretary of State on the morning of Wednesday 17 July. Although the Northern Ireland Office had already been

presented with this report in May 2019, the Commission made the decision to make the official publication a public event.

With a range of media representatives from print, radio, and television invited to Parliament Buildings at Stormont, the Commissioner, Judith Thompson, set out her recommendations to a room full of politicians, victims' groups, and civic society representatives (Moriarty 2019a). This event gave the Injured Group another opportunity to convey their stories of hardship and human suffering to the wider public (Moriarty 2019b). In essence, the majority of the report was non-controversial, as it was merely an update on the previous Commission for Victims and Survivors (2014a) report, which scoped the costs and mechanisms involved in implementing the scheme. Similar to the 2014 report, however, the Commissioner did not address the issue of eligibility and complex victims. In fairness, when the Secretary of State requested that the advice be updated, in May 2018 (Northern Ireland Office 2018b), with the intended 'scope' clarified in August 2018 (Northern Ireland Office 2018c), there was no instruction to deal with the definition issue. As Judith Thompson explained, in a subsequent article in the *News Letter* (Rainey 2019b):

This was because officials recognised that my office operates under the Victims and Survivors (Northern Ireland) Order 2006; therefore to make recommendations contrary to this legislation would be outside the law.

In effect, all injured victims who met the qualifying criteria could be eligible for the pension in the same way they were eligible for services provided by the Victims and Survivors Service. Relatives for Justice Director, Mark Thompson, welcomed the report, claiming that the provision of the pension to all potential recipients:

[W]ould be societal recognition of their injuries – a long overdue form of practical and symbolic reparation – and would restore a sense of dignity. It would be a measure of our compassion and humanity as a society. It is the right thing to do. (Thompson 2019)

In support of the 2006 Order, 'which rightly sets out in law an inclusive definition of a victim', Mark Thompson (2019) contended that, '[t]his has been the only logical, workable and successful solution'. In sharp contrast, the unionist response was vociferously critical of the Commissioner's agnostic stance. Within minutes of the conclusion of the event, the Victims Commissioner was in the *BBC Radio Ulster* studio in the basement of Parliament Buildings, explaining the import of her advice to the

popular lunchtime phone-in show *Talkback*, while the production staff lined up a barrage of callers to come on and discuss the issue. The opening line from the presenter set the tone for the hour-long debate:

The Victims Commissioner wants the Government to introduce a pension for those who were badly injured during the Troubles, including those who carried out attacks. But, can it be right that that the state should give a pension to someone who was injured while planting a bomb? (Talkback 2019)

Lost in the fog was the fact that that the Commissioner's hands were tied by the legislative definition of victim which established the Commission in the first place. This set the stage for a counter-movement backlash. Coming through in a plethora of articles in the local papers and television news packages where, in the main, victims of republican violence were interviewed and asked to convey their thoughts about the report and the position of the Commissioner (Ulster Human Rights Watch 2019). Such articles featured examples where, in one instance, the carer of a former soldier in the Ulster Defence Regiment (UDR) who suffered a severe brain injury as a result of an IRA bomb, stated that they would not accept a pension, 'if injured ex-paramilitaries also receive one' (Fowler and McCormack 2019). Another injured former UDR soldier conveyed how 'disgusted' he would be:

[T]o think that the guy that put the bomb under my car could have the same pension. Sick is one word I would use - how can that happen? ... I would say, give it to the *real victims* like myself who have been blown up and maimed. Nobody forced these people to go out and do what they did. Like others, I would feel very strongly about not accepting this pension in this way. That's an extremely hard thing to say as well because I could be doing with this pension. It would be a great, great help to my family. But we have morals and it would be very hard to do. (Preston 2019) [emphasis added]

For many of these victims, to accept a pension which could also benefit 'ex-paramilitaries' would be to accept 'blood money', and this was something that they were not willing to countenance (Moon 2012; Lawther 2014b; de Greiff 2006a: 461).

In another development, Michelle Williamson, whose parents were killed in the IRA bomb attack on the Shankill Road in 1993, started an online petition, addressed to the Prime Minister, entitled, *Pensions for victims NOT for terrorists* (change.org 2019), which stated:

THIS IS JUST WRONG! would [sic] America pay a pension to Bin Ladens [sic] family or perhaps the family of Timothy McVeigh YET THIS IS EXACTLY WHAT

SHE (the Commissioner) IS PROPOSING Help stop this Farce and insult and sign this petition.

Within days of the Commissioner's event, a coalition of unionist victims' groups, including South East Fermanagh Foundation (SEFF), was calling on Ms Thompson to resign (Rainey 2019b). This call was publicly supported by the unionist political parties, Ulster Unionist Party (UUP) (Rainey 2019c), the Traditional Unionist Voice (TUV) (Allister 2019), the Orange Order (Rainey 2019c), a range of individual victims of IRA violence (Bradfield 2019; Lewers 2019; Quinton 2019); and somewhat belatedly, the DUP (Rainey 2019d). Despite these mounting calls for her resignation, the Commissioner stated that she would continue in her role (Morris 2019), and accept another term when her tenure was up for review at the end of her four-year term in August 2019 (Belfast Telegraph 2019b).

Others, however, such as Alliance Party deputy leader, Stephen Farry, supported the Commissioner's position and characterised unionist criticisms as 'a political hatchet job'; as 'stirring the pot' and creating a 'politically manufactured problem' (Edwards 2019). This decision to reappoint was now in the hands of the new NI Secretary of State, Julian Smith MP, who had replaced Karen Bradley, on 24 July 2019, following the installation of Boris Johnson, as Prime Minister. Ulster Unionist peer, Lord Empey characterised this choice as an 'early test' for Smith:

If he reappoints Judith Thompson ... he will be endorsing her view that the pension should also be available to those who staged attacks. This is totally unacceptable. He should make it clear that she will leave her role on 31st August as scheduled. (Empey 2019)

Regardless, Smith made the call to extend Thompson's role for another year (McGovern 2019). A decision described by UUP MLA Doug Beattie as a 'slap in the face for thousands of victims' (Belfast Telegraph 2019c). This political furore was fed back into the later stages of this ongoing bill and formed the basis for an *Urgent Question* on the eligibility issue from the DUP's Emma Little-Pengelly (HC Deb 22 July 2019a). In reply, The Minister of State, John Penrose MP, declared that he was:

[D]elighted to ... clear up some worrying misconceptions ... [and to restate] that [this] should not become a pension for terrorists. There is no moral equivalence between a bystander badly injured in a terrorist explosion through no fault of their own, and the people who manufactured the bomb, placed the bomb and detonated the bomb. (HC Deb 22 July 2019b)

The Opposition Front Bench made clear that Labour was also in favour of the principle of eligibility for those injured ‘through no fault of their own’ (HC Deb 22 July 2019c). The Bill received Royal Assent on 24 July and was now an act of law (*Northern Ireland (Executive Formation etc) Act 2019*). If the Stormont institutions were still in suspension by 21 October 2019, the pension regulations would come into effect. A range of counter-movements still had reservations about the eligibility criteria. On the one hand, Relatives for Justice issued a statement calling the ‘Pension Amendment ... hypocritical, and leaves those in need behind’ (Relatives for Justice 2019), while, on the other hand, a sceptical Kenny Donaldson from SEFF stated that, ‘[w]e’ll believe pension ban for terrorists when we see it’ (Donaldson 2019). In September 2019, the UK Government published their *Report pursuant to the 2019 Act in relation to Victims Payments Scheme* (Northern Ireland Office 2019b); leading to a further debate on the issue where the point was made clear by NIO Minister, Nick Hurd MP, that:

[T]he guiding principle ... is that we see this as a pension that is not designed for terrorists or those injured at their own hand ... I do not believe there is consensus in this place to move forward without that guiding principle. I do not think that this Parliament, under any Government, would seriously propose making payments to terrorists or those injured by their own actions. (HL Deb 9 September 2019)

It was clear from Parliament that when the detailed regulations were to be introduced, as per their ‘guiding principle’, the UK Government would most certainly exclude those who were *injured by their own hand*.

BACK TO STORMONT: A SUCCESSFUL OUTCOME OR CONTINUED STALEMATE?

On 21 October 2019, as had been expected and ‘hoped’ for by the Injured Group (McBride 2019), the Stormont institutions were still in suspension and thus, Section 10 of the *Northern Ireland (Executive Formation etc) Act (2019)* came into force. This section, entitled ‘Victims’ Payments’, set out what was required by the UK Government:

The Secretary of State must by regulations establish a scheme under the law of Northern Ireland which provides for one or more payments to be made to, or in respect of, a person who has sustained an injury as a result of a Troubles-related incident ... [and these regulations] must be made before the end of January 2020 and come into force before the end of May 2020. (*Northern Ireland (Executive Formation etc) Act 2019: 8-9*)

For the Injured Group, this juncture should have been marked as a cause for celebration. Their reticence to rejoice, however, was influenced by their long years of disappointing experiences, in that, 'the job would not be done until they saw their hard-fought pension payments appear in their bank accounts' (Alan McBride, interview, 5 November 2018). This tempered approach resonated with what some social movement scholars have argued, that is, for a social movement to claim success, 'influence' (Andrews and Edwards 2004), or 'impact' (Amenta and Young 1999), the mere acts of first, getting their demands onto the political agenda, and second, having them passed into legislation are not sufficient markers to indicate the positive 'consequence' of a social movement (Amenta and Caren 2004). For Amenta and Edwards (2004: 497) it is 'policy enactment and implementation [that is] the most visible and celebrated indicator of influence'. While the 21 October juncture was an important date in terms of 'policy responsiveness' (Schumaker 1975: 494), or 'legislative passage' (Amenta *et al.* 2010: 291), both 'output responsiveness' and 'impact responsiveness' proved more difficult (Schumaker 1975: 495).

With the Northern Ireland Office now in full control of the policy implementation in lieu of Stormont, the decision was made to undergo a public consultation process. Thus, on 22 October 2019, the consultation document: *A Legal Framework for a Troubles related incident Victims Payment Scheme* was published (Northern Ireland Office 2019a). In the foreword, the Secretary of State, Julian Smith MP, proclaimed that the Government's commitment to a 'crucial element of the Stormont House Agreement's proposals' meant that, 'as a society we have a moral duty to acknowledge and recognise the unacceptable suffering of those seriously injured in the Troubles' (Northern Ireland Office 2019a: 2-3). The document went on to state that:

The WAVE injured group is to be particularly commended for having fought bravely, tirelessly and passionately for a scheme of regular payments to be

made to the injured. It is right that we pay tribute to their hard work and campaigning in getting us this far. (Northern Ireland Office 2019a: 6)

Again, the Injured Group set about the process of informing the public of the existence of what was now called the *Troubles Permanent Disablement Payment Scheme*, to encourage people to make their own submissions as to how it should be shaped. Reiterating the 'guiding principle' of excluding 'those injured by their own hand', it was clear the Government had moved on from debating the eligibility issue (Northern Ireland Office 2019a). As such, the UK Government was accused of departing from the 2006 Order definition of a victim (McCormack 2019b). How that would play out in Northern Ireland, where this issue had been a major blockage remained to be seen. In recognition of the need to find some consensus on how the design of the scheme, the NIO met with the main political parties and a range of victims' groups, including the Injured Group. This period of activity coincided with the reestablishment of the Stormont institutions under the *New Decade, New Approach* (NDNA) deal on 9 January 2020 (Northern Ireland Office 2020b).

Furthermore, at the end of January 2020, the Executive Office (TEO), which had been nominated by the UK Government, as the departmental lead in establishing the scheme, put together a co-design 'Sectoral Implementation Working Group' (SIWG) made up of representatives from the WAVE Injured Group, RFJ, SEFF, VSS, CVS, and a team of TEO officials. The inclusion of individual victims and victims' group representatives in this body, working alongside policy makers, was an important signal that their knowledge and lived experience mattered when it came to the design and implementation of the scheme. While Brett and Malagon (2013: 259) have argued that such 'participation by victims seeks to empower citizens [in relation to] the design of reparations processes', inclusion in this group was also crucial for the furtherance of both 'output' and 'impact responsiveness' (Schumaker 1975: 495). With this working group in motion, it was expected that the 29 May 2020 target date to open the scheme for applications, would be met. Tentatively, however, the sector awaited, from the Secretary of State, the regulations and clarity on exclusions.

In a question to the Prime Minister, Boris Johnson (29 January 2020), in the House of Commons, on the question of eligibility, the point that this was a pension only for



Secretary of State, Julian Smith MP, meets the WAVE Injured Group the day after the Victims Payments Regulation were laid before Parliament – 1 February 2020

Image courtesy of WAVE Trauma Centre

'those who have been injured through no fault of their own' was reiterated once again (Irish News 2020a). Within two days (31 January 2020), the UK Government response to the consultation, which received '367 responses' including around 40 submissions from all the main political parties and a range of NGOs, civil society organisations and victims' groups, was published (Northern Ireland Office 2020a: 4; 35-36; WAVE 2019g; Commission for Victims and Survivors 2019c). On the same day, the Secretary of State laid *The Victims' Payments Regulations (2020)* for the '*Troubles Permanent Disablement Payment Scheme*', before Parliament and released them to the local politicians and the public.

What followed was a political furore within the newly reformed Stormont Assembly between Sinn Féin, the unionist parties, and the UK Government (Beesley 2020). Regulation 6(1), entitled *Convictions*, set out the Government's intent on how complex victims would be dealt with by the scheme (*The Victims' Payments Regulations 2020*: 4). While there had been a sense of *fait accompli* within Sinn Féin and groups like Relatives for Justice (RFJ) (O'Cearnaigh 2020), as to the status of those 'injured by their own hand', these regulations went further. Included within was a caveat that the Victims Payments Board and/or the Secretary of State would have scope to exclude others with relevant convictions (not related to the injury), if it was considered 'inappropriate' to award a payment. A relevant conviction is characterised as those which have been spent or unspent and excluded under the under the *Rehabilitation of Offenders (Northern Ireland) Order (1978)* that is, longer than thirty months. In effect, this meant that if someone had been convicted of a politically motivated offence in the early 1970s and later released, but was subsequently injured in a conflict related incident, not of their doing, could find that they were potentially ineligible for an award. In this event, such cases would be directed to a review panel, similar to Moffett's (2016a) proposal, where the individual circumstances would be examined on a case-by-case basis (BBC 2020a).

For Sinn Féin, this was seen as an 'act of bad faith' by the UK Government, and a deliberate attack on their constituency, in which they claimed that potentially thousands of people from the republican community could be excluded (O'Cearnaigh

2020). A point echoed by Relatives for Justice (2020a), which accused the Government of promoting, its:

[O]wn partial narrative of the past, [and running] a coach and horses through the 2006 Order's definition of victims ... [As such] [t]his Bill shamefully introduces a hierarchy of victimhood ... [The scheme, due to its] Westminster [centric origins, factored in] no appreciation of the complexity of our conflict [and held] the potential to undermine confidence in the devolved bodies just as they are re-established. This is pernicious in the extreme.

In contrast, unionist reaction reflected the polar opposite view. First Minister Arlene Foster welcomed the regulations as a:

[M]assive and welcome step forward for the *innocent victims* of our Troubles. It is particularly welcome that this pension will *only be for those who were injured through no fault of their own*. It was immoral that the 2006 order categorised *innocent victims alongside the perpetrators of acts of terror*. This pension will be awarded to people of all faiths and none but it will not be awarded to *victim makers*. That will be welcomed by many across *all communities*. (Black 2020a) [emphasis added]

Again, the pension issue was played out on the airwaves through zero-sum metaconflict arguments. Moreover, as the Government had made clear within the legislation that the funding for the scheme would be taken from the Northern Ireland Consolidated Fund or 'Block Grant', and not directly from the UK Treasury, the potential for its feasibility became an issue. This was witnessed in an immediate intervention by a surprisingly united Executive Office, when First Minister Foster, sitting alongside deputy First Minister O'Neill at the Committee for the Executive Office on 5 February, made clear that 'it is actually not possible for the costs to be absorbed within our existing [Northern Ireland] budget' (Northern Ireland Assembly 2020a). Foster also called on the 'Government ... to deal with it ... [as] [t]he events that gave rise to the pensions that will be paid to innocent victims happened during a time of direct rule' (BBC 2020b). As a way of resolution, the UK Government pointed to the existence of monies that had been previously set aside for the Stormont House Agreement legacy infrastructure and extra funds within NDNA. In the view of RFJ, this meant:

[T]hat victims' rights to acknowledgement, truth and justice are being played off against the need for a scheme for the injured. This only adds to the cynicism and disregard on display. (Relatives for Justice 2020a)

As the immediate public furore died down, the victims' groups and the politicians set about sifting through the detail of the regulations. Regulation 6(4) stated that:

The Secretary of State may issue guidance to the Board regarding the circumstances in which a relevant conviction or exceptional circumstances makes entitlement to victims' payments inappropriate. (*The Victims' Payments Regulations 2020*: 29)

The Secretary of State, at this stage, Brandon Lewis MP, who had replaced Julian Smith during Boris Johnson's cabinet reshuffle on 13 February 2020, thus held the key as to how this current political argument played out in the intervening months. While the interested parties awaited this document, the SIWG met again in early February and on 4 March 2020, to flesh out the structures and fine details of the scheme, including application forms and IT systems. This March meeting, however, would prove to be the last time this working group would meet until late May 2020, as there emerged another development that proved to have an impact, not just on the implementation of the Injured Pension, but on the social, economic, and political systems of the entire planet: The Coronavirus.

'DENY, DELAY, AND DEATH': LOGJAM REVISITED

With the onset of restrictions and lockdowns due to the threat of the Covid-19 pandemic from the beginning of March 2020, all physical meetings of the SIWG were suspended. While there was a shared understanding that the local politicians and the civil service would be distracted by the health crisis, which could cause a delay to the opening of the scheme, as intended by 29 May 2020, there was still an expectation that the Executive Office department would continue to build on the work that had commenced in January 2020. There were concerns, however, within WAVE and the Injured Group that some aspects of the regulations, which should have been put in place by a certain date (24 February 2020), preceding the Coronavirus crisis, had been missed without explanation. These included the appointment of the President of the Board and its members, who would oversee the scheme, and the requirement that the 'Executive Office must in writing designate a Northern Ireland Department to

exercise the administrative functions of the Board on the Board's behalf' (*The Victims' Payments Regulations 2020*: 29).

The failure to comply with the regulations in terms of departmental designation was also picked up by Doug Beattie MLA in the Assembly: 'I am concerned that nobody has been nominated to be the administrator for this, given that it will go live in three weeks (Northern Ireland Assembly 2020b: 5). Moreover, a letter to the First and deputy First Minister from WAVE in mid-April, to ascertain the status of these mandatory requirements, deepened concerns, when even an acknowledgement of receipt was ignored. At the end of April, WAVE, fearing another logjam, put a call out to the Executive Office officials to resume the working group via Zoom. The subsequent meeting, which was arranged for 20 May, just nine days before the supposed start date of the scheme, revealed a series of issues, which sent shockwaves through the Injured Group and the wider political sphere.

The political climate following the NDNA deal in mid-January, which saw the political parties *agree* to a new way of doing politics, was further bolstered by the onset of the Coronavirus crisis (Devenport 2020). First Minister, Foster and deputy First Minister, O'Neill, while split on the initial response to the pandemic (McBride 2020b), emerged as a strong double act during daily live press conferences. This united front, with regard to the Stormont Executive's early response to the pandemic, did not extend to the outworking of the *Troubles Permanent Disablement Payment Scheme*. It soon became clear that the inaction over departmental designation and how the scheme would be funded had little to do with the health crisis and more to do with politics. While the two parties were in tacit agreement around the funding issue, that is, that the UK Treasury should burden the costs not the NI Block Grant, they were still in opposition over the issue of who would qualify. With Arlene Foster and the DUP content with the exclusionary elements, Sinn Féin's Michelle O'Neill was adamant that she '[would] certainly ... not stand for any discrimination ... [where] a whole section of the population who had been injured will be left out' (Archer 2020). The main problem for any further implementation of the scheme was based in the set-up of the Stormont power-sharing framework. Without the written agreement of both equal parties in the Executive Office, no direction could be given to designate a

department to enable civil servants to ‘exercise the administrative functions of the Board’ (*The Victims’ Payments Regulations 2020*: 29). This additional logjam, mirroring the previous decade of delay and blockage, was devastating for the Injured Group (ITV 2020). To get past this new obstacle required a return to their repertoire of action by a) bringing this issue back into the public eye and b) working behind the scenes to find new opportunities through the current impasse.

In the days before the 20 May SIWG meeting, in anticipation that they would be presented with a negative response to their concerns around the delayed implementation of the scheme, the Injured Group and WAVE had engaged solicitors to assess the legal standing of the Stormont Government in relation to its legal obligations to have the scheme operational by 29 May 2020. The scheme was now set in law. Parliament had made its decision and it was for the Northern Ireland Executive, in particular, the Executive Office, to implement. As an inferior institution, Stormont could not defy the will of the Westminster Parliament. As had been confirmed in the Miller case on Brexit (see further McEvoy, Bryson & Kramer 2000), Westminster parliamentary sovereignty was ultimately unaffected by devolution. Nevertheless, the Executive Office set its face against the sovereign institution and refused to follow the law. Specifically, the Executive Office had failed to designate a department to administer the scheme by 24 February 2020 and, while the 29 May deadline had not yet been crossed, their inaction thus far would make this an inevitability. This reality formed the basis of the next strategic action for the Campaign for Recognition: the group would bring forward a judicial review and let the courts decide on the matter.

Launching a judicial review was no easy matter. Court costs were prohibitive. To overcome this, a single applicant who could be entitled to Legal Aid had to be found. After some internal discussion, it was decided that Jennifer McNern would lead the case. While others in the group may also have been entitled to Legal Aid, Jennifer’s personal identity was an important factor in deciding that she should be the chosen applicant. Jennifer’s ‘credible’ identity as a victim; a severely physically injured victim, who had lost her legs in a notorious no warning bomb at the Abercorn Restaurant in Belfast City centre in 1972; as a woman; as someone who was approaching her

seventies and could convey a sense of urgency; and as someone with no political affiliations or political axe to grind, made her the perfect candidate to be the public face of this action. The first part of this legal action was to present to TEO, and specifically First Minister Foster and deputy First Minister O'Neill, a Pre-Action Protocol letter to inform them that they were in breach of the law and could be the subject of a judicial review if they failed, within a two-week window, to remedy McNern's concerns. This letter was due for delivery in the week beginning Monday 25 May 2020 and planned to coincide with a new media blitz by the Injured Group and its influential political allies at Stormont and Westminster. This coordinated response, however, became a victim of external events.

While the 20 May meeting of the Sectoral Implementation Working Group did indeed bring to the fore, evidence of inaction by the TEO, an immediate approach to the media was deemed premature. The group decided to wait for a few more days until the legal action was ready. However, as the group had experienced during the years of the campaign, timing was not always in their control. A question by Doug Beattie MLA that same afternoon in the Committee for The Executive Office at Stormont to Foster and O'Neill, in relation to the ongoing delays and the failure to designate, was picked up by the media and transformed into a news item on the *BBC News NI* website, on the morning of 21 May 2020 (Northern Ireland Assembly 2020c; McCormack and O'Neill 2020). Now that the 'news' was out, WAVE had to respond. The first intervention came in the form of a tweet on the social media website Twitter, stating: 'It's shameful that the Victims Payments scheme that the WAVE Injured Group campaigned for and achieved will not start next week as the law requires' (WAVE Trauma Centre 2020a). This sparked an avalanche of social media interest on Twitter and Facebook, where a range of WAVE posts and tweets were shared, commented on, and retweeted by supporters, a number of politicians including former secretary of state, Julian Smith (Smith 2020a), celebrities (Davidson 2020a; 2020b), and civil society representatives (Rowan 2020). The posts from WAVE formed part of a new daily campaign to commence on the 29 May, and featured a picture of an injured person or their carers along with a short biography, leading with the headline: 'Day One without the Injured Pension...', and so on (WAVE Trauma

Centre 2020b; 2020c). The posts also included new hashtags such as #LetRightBeDone, #PayThePension, #TheLongLongRoad, #TheWayWeWere, and #WhereIsTheFunding. The tweets tagged Arlene Foster, Michelle O'Neill, and the Secretary of State. These daily posts, at the time of writing (July 2021), are still ongoing with the core messages altered to reflect the ever changing circumstances.

Furthermore, the pension impasse featured on the front and inside pages of the national and local press and their related websites (Irish News 2020b; Irish News Editorial 2020a; McCormack 2020a; 2020b; McCormack and O'Neill 2020; McGonagle 2020; Morris 2020a; Rainey 2020a; 2020b). Following the 21 May intervention, Injured Group members were put forward to appear on *BBC One NI* news programmes (BBC Newsline 2020), ITV News (ITV 2020), and on *BBC Radio Ulster* and *BBC Radio Foyle's* morning, afternoon, and evening news and talk radio programmes over the next period (The Breakfast Show 2020a; 2020b; Evening Extra 2020a; 2020b; Good Morning Ulster 2020a; 2020b; 2020c; Talkback 2020a; 2020b). The voices of the group and its supporters were heard across the news cycle, as strategic press releases were forwarded to the media on a daily basis. For the Injured Group, the charge put forward against the politicians was akin to the well-rehearsed republican slogan often aimed at the UK Government with regards to its legacy policies: 'Deny, Delay and Death' (Rodgers 2019; Talkback 2020a). A critical mass of mainstream and social media interest was crucial in highlighting the sheer sense of injustice, and was reflected in the written word of journalists (Morris 2020a), commentators (Kane 2020), and members of the public, in open letters to the papers (Larmour 2020). The main themes, which emerged from these sources, conveyed that the handling of the scheme 'added salt to [victims'] wounds' (Little 2020); as 'Shameful. Shoddy. Scandalous. There aren't strong enough words in the dictionary to describe how atrociously victims in Northern Ireland have been treated' (Breen 2020a); and a '#Scandal ... shoddy treatment' (Mallie 2020).

Politicians bore the brunt of the anger and blame for the delay, with the figureheads of Foster and O'Neill taking the most flak. Secretary of State, Brandon Lewis, also came in for criticism. On the evening of Thursday 21 May, *BBC One NI's* popular political discussion programme, *The View*, which already had prearranged interviews

organised with Lewis and the Victims Commissioner, Judith Thompson, to discuss wider legacy issues, found that the pension delay, which had been the hot topic that day, dominated the programme (The View 2020). In his interview, Brandon Lewis, while coming under pressure on the issue of funding continued to reiterate that the issue was exclusively a 'devolved matter' to be funded from the block grant, not the UK Treasury (The View 2020). Thus, this position became the news the next day. As such, Lewis' reaction sparked a further reaction and so on, meaning that the continuous news cycle kept the issue on the public agenda (McClements 2020a; 2020b; Morris 2020b; 2020c; 2020d; 2020e; 2020f; 2020g; Morris and Young 2020). This was evident during the Executive Office's next daily Covid-19 press conference (22 May 2020) which saw a pension related question being posed to the FM and DFM, signifying a notable departure from the sole focus on the pandemic, which had exclusively been the case up to that point. In their respective responses, both ministers were adamant that the UK Government, as the drafters of the scheme, should be responsible for the funding of it (Northern Ireland Executive 2020). This became a crutch that both relied on as a joint position. The second problem, however, the eligibility issue, remained exclusively a Sinn Féin concern.

The following week saw an intervention from the Victims Commissioner who sent an open letter to the Prime Minister and the Executive, highlighting how it was 'cruel, callous and insulting that this shameful stand-off [over funding was being] played out in public', imploring 'that this legislation is implemented immediately' (Commission for Victims and Survivors 2020). Further interventions came from Parliament, in both the House of Commons, where the new shadow Secretary of State, Louise Haigh MP, after a zoom meeting with the Injured Group, highlighted the issue on Twitter (Haigh 2020a; 2020b), on the BBC (Evening Extra 2020c), tabled an Urgent Question to the Secretary of State in the House of Commons (HC Deb 4 June 2020); and also in the House of Lords, where Peter Hain, among others, kept the issue on the political agenda (HL Deb 2 June 2020; 3 June 2020). Moreover, Hain, on the back of a press release (Hain 2020), managed to insert himself into the press and onto *BBC Radio Ulster* alongside members of the Injured Group (Talkback 2020b). Stormont too, debated the topic at this time in both the Assembly (Northern Ireland Assembly

2020d), and at the Committee for the Executive Office (Northern Ireland Assembly 2020e). In a further development, the new Justice Minister and Alliance Party leader, Naomi Long, following significant lobbying from WAVE, made the unilateral decision to 'volunteer' that her Department of Justice would administer the scheme if nominated by the Executive Office (McClements 2020b).

The Secretary of State, Brandon Lewis, also became the subject of scrutiny at this time. One of the main blockages to the scheme was that of the eligibility criteria to be adhered to by the Victims' Payments Board. Set out within the regulations was the proviso that the 'Secretary of State may issue guidance to the Board regarding the circumstances in which a relevant conviction or exceptional circumstances makes entitlement to victims' payments inappropriate' (*The Victims' Payments Regulations 2020*: 4). In order to introduce some clarity and to counter unhelpful speculation as to the extent of the Secretary of State's reach into the Board's decision-making processes, Lewis was coming under pressure to publish this guidance. This pressure was increased when a 'leaked' copy of the guidance made its way into the hands of BBC political correspondent, Enda McClafferty and was published on the *BBC News NI* website (7 June 2020) under the headline, 'Troubles pension: Criteria for blocking settlements revealed', with the opening line 'Details of "exceptional circumstances" which may be used to block former prisoners from receiving a Troubles pension have been obtained by the BBC' (McClafferty 2020a). For the Injured Group, headlines such as this were viewed as unhelpful. From their reading of the regulations and the 'leaked' guidance, ex-prisoners would not be automatically blocked from receiving settlements, but would have their applications heard by the Board on a case-by-case basis. Demonstrating their media reach, the group was able to immediately contact McClafferty via email to point out what they felt was an inaccurate frame:

The headline and opening paragraph of your story on the Injured Pension running on the BBC NI website is highly tendentious and frankly misleading. It is up to the NIO to justify any criteria applied to the scheme but as far as the WAVE Injured Group is concerned to suggest as the headline does that the sole purpose of the draft guidelines is to block former prisoners is not borne out by anything that was revealed [today]. (Godfrey 2020b)

As a result, within two hours of the email being sent to McClafferty, the entry on *BBC News NI* website was amended to reflect the following:

‘Troubles pension: Criteria for ex-prisoners to receive settlements revealed’

Details which may allow some former prisoners to receive a Troubles pension but block others have been obtained by the BBC. (McClafferty 2020b)

Within days of the ‘leaked’ guidance being revealed to the BBC, it was expected that Lewis would publish the official version (10 June 2020) (McClafferty 2020c), but this was not to be as the publication of the guidance was put on hold later that day (McClafferty 2020d), leaving public clarity around the exclusions in limbo. The guidelines were not published until mid-August, over two months later.

THE COUNTER-MOVEMENT BACKLASH

The initial momentum achieved by WAVE, the Injured Group, and their supporters, which saw an upsurge of interest within mainstream media for a period of weeks was met with significant counter-movement activity. These responses emanated from within the metaconflict arenas, which had previously stymied the pension issue. The immediate response came from the republican perspective. While Sinn Féin had already made it clear that the party was unhappy with the scheme and would continue to withhold consent on departmental designation, representatives from Relatives for Justice appeared in the media to voice their concerns. This was manifested in a range of TV and radio interviews, articles in the local press (Murphy 2020a; 2020b; Young 2020a), and various posts on their website and social media accounts (Murphy 2020c; Relatives for Justice 2020b; 2020c; Thompson 2020). Opposition to the scheme was also evident within the republican ex-prisoner community over the summer of 2020 (O’Fiach 2020). Alongside the Derry based ex-prisoner organisation *Tar Abhaile* (McDaid 2020), the three main Belfast based NGOs, which also represent this community, *Tar Anall*, *Tar Isteach*, *Coiste na nIarchimí* launched their own campaigns highlighting their grievances with the scheme, which would:

[S]ee severely injured political ex-prisoners being denied victim status and access to the pension scheme, while state forces gain access to the scheme without restriction ... [Where] continued denial of equal citizenship to political ex-prisoners must end and the ongoing attempts by the British Government to criminalise republicans must be challenged. (Tar Anall Belfast 2020a)

While mainly active on social media networks, through a series of posts featuring short video interviews with ex-prisoners who, under the regulations, could potentially be excluded (Relatives For Justice 2020d; 2020e; Tar Anall Belfast 2020b), alongside a range of bereaved people (Morris 2020h; 2020i; 2020j; 2020k; Tar Anall Belfast 2020c; 2020d; 2020e), and, in particular, women (Morris 2020l; 2020m), this public facing campaign saw the erection of a number of 3m x 2m signs, prominently placed on the main thoroughfares across predominantly nationalist/republican districts of Belfast. These massive posters were designed to appeal to the local constituency and ‘mobilise support’ through the evocation of a ‘collective memory’ against the old ‘enemy’ – the British Government (Lynch and Joyce 2018: 188). *Tar Anall*, the group responsible for many of the signs, set out their grievances:

25,000
Republicans and Nationalists were imprisoned.
Many were tortured and ill-treated.
Their torturers and abusers will have
unrestricted access to the Victims’ Pension.
A PENSION FOR ALL VICTIMS
(Tar Anall Belfast 2020f) [emphasis in original]

YES To A Victims’ Pension For ALL
NO To Discrimination
NO to Criminalisation or Exclusion of Victims
A PENSION FOR ALL VICTIMS
(Tar Anall Belfast 2020g) [emphasis in original]

By invoking a sense of collective victimhood, in claiming that by virtue of the imprisonment of ‘25,000 Republicans and Nationalists’, these groups were arguing that they too were ‘true victims’ of the conflict (Smyth 2001). This claim would disregard the reasons for their incarceration, because ‘[m]any [of them] were tortured and ill-treated’, making them “‘victims of injustices’” (Joyce and Lynch 2017: 1078). That their claim to victimhood is strengthened by such ‘historical injustices’ (Lynch and Joyce 2018: 187), and further compounded by the possibility that ‘their [alleged] torturers and abusers will have unrestricted access to the Victims’ Pension’ (Tar Anall Belfast 2020f).

By mid-June, the implications of what the scheme could mean for certain victims was further problematised by the case of ‘a former republican prisoner left paralysed in a

loyalist gun attack' in 1997, who had previously been convicted in 1979 of 'leaving a hoax bomb outside a house and of IRA membership' and given a 16 year sentence (Breen 2020b). Christy Cummings who 'continues to assert his innocence, [with] his case ... under consideration by the Criminal Case Review Commission', 'hand delivered' a Pre-action Protocol letter to the Secretary of State in an attempt to have the exclusionary elements of the scheme overturned (Breen 2020b). Like many of the Injured Group's interventions, the symbolism of a paralysed man in a wheelchair handing over a letter on the famous Stormont estate was captured by the TV cameras and featured on the local news programmes that evening (Relatives for Justice 2020f). The details of the Cummings case and the circumstances in which he was injured, which were highlighted by Andree Murphy (Murphy 2020b) (Deputy Director of RFJ) in her weekly local newspaper column spoke directly to the issues of complex victimhood discussed above:

Did you think 22 years after the signing the Good Friday Agreement that a former prisoner in a wheelchair would have to be expressing remorse to strangers before he would be allowed access to a pension for injuries he sustained while preventing an LVF gang from massacring children at a disco? Did you think the British government would be pitching him against other people in wheelchairs before anyone would get a pension?

Christy Cummings was also interviewed by the BBC for a short news package (BBC Newsline 2020), and later had an open letter printed as a platform piece in the Irish News (Cummings 2020). Such mobilising, emanating from the republican perspective, did not go unanswered. Prompted by conversations with the Injured Group, Luke Moffett entered the debate to counter some of the more hyperbolic claims by adding a degree of context and clarity to the issue on the airwaves (The Nolan Show 2020; Evening Extra 2020d), and in the press (Moffett 2020a; 2020b; 2020c).

Not to be silenced, those within unionism, who had been at the forefront of arguing that the Injured Pension must exclude 'terrorists', entered this very public debate with their own counter-campaign. Leading the vanguard was the NGO Ulster Human Rights Watch (UHRW). Working in conjunction with the unionist daily newspaper, the *News Letter*, this organisation 'launched a two-week mini-campaign ... to highlight the failure to deliver the Victim's Payment Scheme', beginning on 29 June 2020 (Ulster Human Rights Watch 2020a; News Letter 2020a; News Letter Editorial 2020a).

While directing criticism at the UK Government for failing to fund the scheme, UHRW categorically blamed Sinn Féin and republicans for the delay (Ulster Human Rights Watch 2020b; 2020c; 2020d; 2020e; 2020g; 2020h; 2020i). Daily metaconflict headlines included calls from victims of ‘terrorism’ who claimed that: ‘Perpetrator and victim are two different things, says sister of man murdered by loyalists’ (Ulster Human Rights Watch 2020f); ‘Plea to MPs not to treat terrorists like victims’ (Ulster Human Rights Watch 2020j); ‘I am not the same as terrorists who forever changed my life ...’ (Deeney 2020a); and the front page splash, ‘Victim: I won’t accept pension ‘blood money’” (Deeney 2020b). SEFF, specifically Kenny Donaldson, continued to have his say on the ongoing delay (Donaldson 2020a; 2020b; 2020c).

With such debate permeating through the public discourse, it was important to the Injured Group that they avoided such overt political discussions and remained focused on an approach that had held them in high regard over the many years of their campaign thus far, that is, to try to avoid publicly blaming others for the delay. This meant that they continued to promote an ‘injustice’ frame, concerning this recent ‘suddenly imposed grievance’, that is, the delay (Walsh 1981). This sense of injustice was heightened when the group learned of the death of one of their close colleagues, Paddy Cassidy. Paddy had suffered a spinal injury from a stray bullet, fired near his home in Belfast in 1971 at the age of 28 (WAVE Trauma Centre n.d.-d). Suffering from daily severe chronic pain ever since, and relying on callipers and crutches to get around, Paddy, died on 22 June 2020, aged 77. His death was marked by tributes across the media: on the airwaves (newstalk.com 2020); in the House of Lords (HL Deb 10 July 2020); and in the press (News Letter 2020b; Bain 2020a). This included an open letter in the *Belfast Telegraph* from former Secretary of State, Julian Smith (Smith 2020b), who recalled meeting Paddy when he visited the Injured Group at WAVE, the day after the regulations were laid, on 1 February 2020 (BBC 2020c). Paddy’s death drove home to the group the precarity of their situation. A situation further exacerbated by their fears around the Coronavirus and their vulnerability as ‘shielded’ citizens. This shielded status meant that the Injured Group was unable to attend the funeral. They were, however, able to pay their own socially distanced tribute to their fallen comrade, by meeting up along the route as the cortege made



The WAVE injured Group pays a socially distanced tribute to the colleague Paddy Cassidy who died on 22 June 2020

Image courtesy of Neil Harrison Photography

its way to the crematorium (see image on Page 326). A sight captured by the media and accompanied by interviews with the group and Paddy's family (Black 2020b). Yet, while all of this political and media interest was crucial for the Injured Group in keeping public opinion and sympathy on their side, it seemed that the people with the power to designate a department and, in effect, begin the full implementation of the scheme, Arlene Foster and Michelle O'Neill, were not for moving. The Injured Group had to seek an alternative course through the impasse.

A LEGAL REMEDY: THE HIGH COURT JUDGEMENT

While the political impasse had been prominent in the media, the legal process had been going through its motions, behind the scenes. Both ministers, through their joint Executive Office, had failed to respond adequately to the aforementioned Pre-action Protocol letter, which had demanded that they follow through on their legal obligations set out in the legislation. In response, Jennifer McNern instructed her solicitors to seek leave for a judicial review against the pair. In preparation for the case, the legal team which, in practical terms, was acting solely for McNern worked closely with the Injured Group and WAVE to garner, in detail, the history of the pension issue, the political machinations that had blocked it, and the importance of its resolution.

This collaboration was important in terms of capturing the human story. While the case was to be fought on a point of law, in that, the Executive Office had failed to comply with the legislation, the identity of the applicant was crucial in progressing the case through the courts. The preliminary hearing, which took place on 26 June 2020, revealed that another applicant, Brian Turley, one of the so-called 'Hooded Men', a victim of inhuman and degrading treatment at the hands of the British Government in 1971, had also filed for leave to apply for a judicial review on similar grounds to McNern, with the exception that Mr Turley had included the Secretary of State as a respondent to his complaint (Irish News 2020c). Arising from this development was the major concern that only one case would proceed. In fact, counsel for the Executive Office and the Secretary of State had jointly argued that the Turley

application should proceed at the expense of McNern. Thankfully, for the Injured Group, the High Court judge, Mr Justice Gerry McAlinden decided to hear both cases together in mid-August 2020. To drop McNern, given her identity as a victim of a high-profile atrocity during the 1970s and also that she had been at the forefront of the campaign to bring the scheme about, was not, in the view of the judge, in the public interest.

In the run up to the full hearing, which opened on the morning of Monday 17 August, there had been a relative lull in media activity. Luke Moffett published a platform piece in the *Irish News* (15 August) under the headline: 'Victims have been turned into second class citizens' (Moffett 2020d). This coincided the release of the long-awaited guidance from the Secretary of State on Friday 14 August. Accompanied by a statement from Brandon Lewis (Lewis 2020), and media reportage (Bain 2020b; Hewitt 2020a; 2020b; Moriarty 2020; Rainey 2020c; Young 2020b), these guidelines reiterated the UK Government's position on the eligibility status of those with convictions (Northern Ireland Office 2020a). It could easily be argued that this release was timed to coincide with the opening of the case and to tie up any loose ends from the Secretary of State's obligations to the scheme. Nevertheless, when Mr Justice McAlinden began to delve into the skeleton arguments and hear the submissions of all parties, it became clear from early on in which direction he was moving. In summing up the first day, the judge insisted that:

The only sensible interpretation of what is happening here is that there's been a deliberate decision to try and stymie this scheme because there's a fundamental disagreement (over) who can and cannot apply for pensions ... You cannot mess about and delay taking that step because of a disagreement in terms of who is entitled to apply for compensation ... I cannot think of any other circumstances which would cry out more clearly for a declaration from the court of unlawful behaviour than this scenario. (Erwin 2020)

In his final judgement on Friday 21 August 2020, Mr Justice McAlinden was equally scathing. While directing blame at both First Minister Foster and deputy First Minister O'Neill for holding up the scheme as a way of 'extracting some form of concession from the Secretary of State' on funding, Mr Justice McAlinden went on to highlight that the 'the real crunch issue' for the DFM was that of the potential exclusion of 'Republicans with relevant convictions' (*McNern & Turley, RE: Application for Judicial*



**The WAVE Injured Group arrives at Royal Courts of Justice - Belfast for the ruling
by Mr Justice McAlinden – 21 August 2020**

Image courtesy of Neil Harrison Photography



The WAVE Injured Group address the media following the ruling by Mr Justice McAlinden – 21 August 2020

Image courtesy of Neil Harrison Photography

Review 2020). Ultimately, the judge ruled in favour of McNern and Turley describing the respondent's core defence as 'arrant nonsense dressed up in the guise of reasoned legal argument' (*McNern & Turley, RE: Application for Judicial Review 2020: 10*). He declared that the respondents were acting unlawfully and concluded that in doing so they 'demonstrate[d] either wilful disregard for the rule of law or abject ignorance of what the rule of law means in a democratic society' (*McNern & Turley, RE: Application for Judicial Review 2020: 11*).

Public opinion, in terms of mainstream and social media reportage and commentary was equally as scathing (Bradfield and Young 2020a; 2020b). Across the board, the Executive Office and, in particular, Sinn Féin were excoriated for their stance (Breen 2020c; News Letter 2020c), with some calling for the party to 'foot the bill' for the court costs (Breslin 2020a; 2020b). While Arlene Foster claimed that that this ruling was 'a damning judgement' on Sinn Féin's approach and a 'massive win for innocent victims' (Bradfield 2020), others were correct to point out that the First Minister 'didn't veto' her joint department being legally represented in the first place (Hughes 2020). Sinn Féin was quick to respond. While on the one hand accusing the 'British government' of acting in 'bad faith', by introducing a scheme that 'will be exclusionary, discriminatory and divisive', Michelle O'Neill, in a statement released immediately after the ruling declared that she was 'left with no alternative other than to designate a department' (O'Neill 2020). As expected, the Department of Justice was designated to lead the scheme (Belfast Telegraph 2020). Within the Injured Group there was a feeling of 'huge sadness' for their lost colleagues (Breslin 2020c), and righteous anger from McNern, in that:

I should never have had to take this case. I and other members of the WAVE Injured Group ... have been campaigning for too many years and until recently on our own for recognition and acknowledgement for the forgotten victims and survivors of the Troubles. (Young 2020c)

For the Injured Group, this ruling was a vindication of the Campaign for Recognition. No longer could they be ignored by the politicians. The Court's determination represented the securing of 'the fourth degree of responsiveness', in that the legislation would be 'fully enforced' (Schumaker 1975: 495). Accordingly, the Injured Group was once again thrust into the media spotlight, outside the High Court in

Belfast. Banks of press and television cameras were there to capture the scenes, while reporters interviewed the willing participants for an extended radio segment (Evening Extra 2020e), for the TV evening news (ITV Evening News 2020; BBC Newline 2020), and in a range of press articles over the following week (Breen 2020d; Irish Times 2020; Irish News 2020d). No sooner had the positive messages of support subsided, when the issue was put back onto the airwaves. A tweet on the social media website *Twitter* from senior Sinn Féin MLA, Martina Anderson, while highlighting her objections to the scheme, juxtaposed the projected cost of the scheme (£800m), (Edwards 2020; Black 2020c), against those, she claimed the scheme was aimed at:

£800 MILLION 4 [sic] Pensions mainly for those who fought Britain's dirty war in Ireland

£800M mainly 4 [sic] those involved in Collusion

£800M mainly 4 [sic] British Troops like Paras who murdered ppl [sic] on Bloody Sunday in Derry and Ballymurphy

£800M mainly to discriminate, criminalise and exclude. (BBC 2020d)

This tweet thrust the issue back into the public eye in a way that the group had hoped would be consigned to the past by the court ruling. While it was deleted after six hours by the MLA, and who within 24 hours, had *apologised* for posting this 'clumsy' tweet (McGovern 2020), the damage had been done. Immediately approached by the media for comment, Jennifer McNern appeared on the BBC's early morning news programme (Good Morning Ulster 2020d), to describe the tweet as 'very hurtful and insulting', adding:

If you see the people who are applying for this pension, they are blind, they are paralysed and they are amputees. That is the people who will avail of this pension when it opens. (BBC 2020d)

Described as 'offensive' (Rainey 2020d), 'shocking' (Rainey 2020e), 'sick' (Ainsworth 2020), 'insulting' (Manley 2020a), 'hate speech' (News Letter 2020d), and an act of 'DARVO', that is, 'Deny, Attack, Reverse Victim and Offender' (Meredith 2020), the controversy would hear calls for Anderson's resignation (News Letter Editorial 2020b) and parliamentary censure (Manley 2020b; Rainey 2020f), during three days of solid media attention in which the since deleted tweet went viral. Although this level of ire could be expected from unionist quarters, the nationalist leaning Irish News Editorial

described Anderson's remarks as 'dispiriting' (Irish News Editorial 2020b) and 'unhelpful' to a 'party still smarting from [the court] ruling' (Manley 2020c). While some rejected Anderson's apology (Rainey 2020g), and others characterised it as an act of 'damage limitation' by Sinn Féin (News Letter 2020e), Jennifer McNern, would declare that, 'I personally don't need apologies ... I just need the payments to be put in place' (BBC 2020d). In May 2021, in what may be an unrelated development, after a process of 'reorganisation' within Sinn Féin, Anderson declared that she would not be standing in the next Assembly election (McClements 2021).

This magnanimous and pragmatic attitude personified the approach of McNern and others in the WAVE Injured Group to the Campaign for Recognition. In the near two decades of its existence, in its three iterations, those who had come together to fight for the 'injured', had consistently attempted to find a pragmatic and dignified way through the metaconflict discourse. It was this attitude that enabled this group to make inroads on at least one mechanism of the transitional justice framework: reparations. Without the WAVE Injured Group, there would be no *Troubles Permanent Disablement Payment Scheme*. Without their collective action, without their resilience, and without their persistence, the plight of the injured may have been left to the whims of politicians and policymakers to decide which 'piecemeal' policies would be best suited for this section of the community.

SUCCESS: TRANSFORMATION AND GROWTH

Overall, the Campaign for Recognition, through all its faults, can be considered a relative success. By illuminating many of the constraints faced by the campaign and highlighting the opportunities grasped by the movement in overcoming these obstacles, this case study provides valuable lessons for a range of transitional contexts. Yet, its success may be characterised as somewhat limited. The eventual provision of a special reparations payment may aid in the recovery of a relatively small number of victims and survivors, by providing a certain degree of recognition and acknowledgement, but it will not salve the wounds of many others across this society.

In fact, because the pension proposal, which emanated from the WAVE Injured Group, was initially framed to be limited in scale, for the ‘severely physically injured, as a way of accentuating the ‘feasibility’ of the scheme (Starzyk *et al.* 2014: 118), other categories of victim may find that they are excluded. Certain criteria, including close proximity to a conflict-related incident, may have to be met in order to qualify (*The Victims’ Payments Regulations 2020*). While this may be relatively straightforward for someone with a physical injury to prove, those suffering from psychological injury could face difficulties, especially the bereaved and, in particular, women. It is easy to comprehend how the loss of a loved one in a violent incident can be such an overwhelming experience as to lead to severe psychological trauma, but the lack of physical proximity to the event may prove an obstacle to qualification. As the vast majority of those killed during the conflict were male, it makes sense that those left behind, their partners, were female. Many women may not have been present at the scene or might have been held back for their ‘own good’, in the immediate aftermath of a killing. This could leave a substantial section of society with the same feelings of exclusion as those who started the Campaign for Recognition in the first place and could lead to a sense of resentment, where the injured are placed above others on the hierarchy, albeit a ‘pragmatic hierarchy’, of victimhood (Jankowitz 2018a: 6).

In some ways, this situation may be viewed as a reverse image of how the Injured Group started. If one considers the sense of grievance towards the focus of the recommendations on those bereaved during the conflict, within *We Will Remember Them* (Bloomfield 1998) and the *Report of the Consultative Group on the Past* (2009), in terms of delivering mechanisms to provide truth, justice, and a £12,000 Recognition Payment, while at the same time *ignoring* the injured, it is easy to see how new grievances could be created. This is especially the case when one considers that many of the recommendations in these reports, and those within Haass/O’Sullivan (2013), and the Stormont House Agreement (2014) have yet to be implemented. Recent statements by the current Conservative government would lead many to believe that the formation of an overarching structure to conduct Article 2 compliant investigations into the vast bulk of conflict related deaths may

never happen (Northern Ireland Office 2020d). Again, much of this stalling is due to the metaconflict, the 'battle of narratives', and the fact that successive UK Governments have failed to live up to their international obligations (Black 2021; Holder 2021; McEvoy *et al.* 2018). As such, the pension saga is a microcosm of the wider legacy debate, where many of the same arguments for and against investigations emanate from within the same quarters engaged in the pension debate.

In the face of government inaction, a range of campaigns groups have formed, calling on authorities to enact legislation stemming from previous recommendations *agreed* in the Stormont House Agreement (Time for Truth Campaign n.d.). While their tactics and strategies mirror those of the Campaign for Recognition, in fostering a 'politicized collective identity' among victims, and 'triangulating' public support through certain sections of the media, the prospect of a successful outcome for many victims seems distant (Simon and Klandermans 2001: 323). Only a handful of campaigns have been relatively successful so far, with some able to secure access to the coronial system through litigation (Judiciary NI 2021), while others have seen UK Supreme Court rulings effectively ignored by the government (The Supreme Court 2019). Lacking from their repertoire is an essential resource, crucial to the success of the pension campaign, that of, influential allies within the body politic at Westminster. Without this access, these campaigns have to rely on the support of external allies within the human rights sector, litigation, and the sheer persistence of their participants. The government, however, could, and should, save victims from having to continually campaign, lobby, and litigate, by putting in place the structures of the Stormont House Agreement. Again, the continual denial of victims' right to truth and justice, in the same way injured victims were for so long denied material reparations, is a moral indictment of this transitioning society and can only lead to further grievances and injustices.

Yet, while the denial of truth, justice, or reparations has led to years of frustration, anger, and disappointment for many victims and survivors of the conflict in Northern Ireland, the process of fighting for social change has brought significant benefits to a number of participants in the reparations movement, at least. This reality should act

as a boon to future reparations activists. As above, by actually ‘participating’ in the campaign to bring about social justice for people like themselves, the Injured Group members were fulfilling the ‘emancipatory’ potential offered by the path of ‘transformative justice’ (Gready and Robins 2014: 357). This path witnessed an overwhelming sense of empowerment. Peter Heathwood (Interview, 1 October 2018), for one, juxtaposed the nature of perpetual rejection in the employment field following his disabling injury against the sense of achievement his participation in the campaign, characterised, as noted above on Page 270, as a ‘middle finger’ to a once disempowering society. Alex Bunting (Interview, 4 October 2018), too, after surviving a suicide attempt due to a profound sense of loss following a bomb attack, would later recognise that his intervention, to have victims of punishment attacks included in service provision, ‘worked’, giving him the impetus to push forward with the campaign. At one time, their solitary voices were being suppressed, left, like Jennifer McNern, to shout at Secretary of State, Peter Mandelson, on her television. Collectively, and aided by the expansive resources provided by WAVE, McNern and the Injured Group regained their agency and raised their voices, together. While the delivery of the ‘pension ... would be the icing on the cake’, the ‘fight’ or struggle, which ‘got the injured recognised’ and mainstreamed the issue in the public eye, was deemed just as important (Jennifer McNern, interview, 8 October 2018).

Speaking to the positive context of participation in the ‘struggle’ itself, McNern conveyed the possibility that individual members of the Injured Group may have experienced post-traumatic growth (PTG). First conceptualised by Tedeschi and Calhoun (1996; 2004: 1), as an ongoing process in which individuals who ‘struggle [with] highly challenging life crises’ can go on to experience ‘positive change’, including an ‘increased appreciation for life in general, more meaningful interpersonal relationships, an increased sense of personal strength, changed priorities, and a richer existential and spiritual life’. The route to growth is assumed to be cultivated by engaging with ‘supportive others’, especially those who have ‘been there’, through self-disclosure of past traumas for the purpose of ‘narrative development’, incorporating new perspectives, and reconstructing the meaning of their struggle (Tedeschi and Calhoun 2004: 8-9). While it was beyond the scope of

this project to conduct research using quantitative tools to discern whether growth could be confirmed, these *symptoms* of PTG were recognised by Injured Group participants themselves. The long-term processes traversed by these self-supporting individuals, their historic trauma narratives, as once silenced and invalidated individual victims were transformed into new narratives. They were now agentic survivors, engaged in a power struggle to bring about tangible change, which would not only benefit their collective, but others, who did not have the ability and opportunity to speak for themselves.

This growth process was enabled through the continual retelling of their narratives, honing them for specific audiences, for example, through the 'Injured Book', as Citizen Educators, as speechwriters, as interviewees on the media, and as active campaigners in the halls of power. The advantage of 'empathetic acceptance', to their traumatic disclosures and positive narratives, from their audiences within the media and across wider society, only added to their growth (Tedeschi and Calhoun 2004: 12). Such social acceptance, enhanced by the progressive image of the group as wholly cross-community, as somewhat *forgiving* moral beacons, as victims who could transcend their suffering and transform it into something positive, acted as an affirmative feedback loop and encouraged the participants to continue with the campaign. These positive experiences, while interspersed with years of frustration, disappointment, and anger at the delays, should act as valuable lessons to emerging movements. The struggle for reparations may not be easy but it can be worthwhile. While the aims of the campaign may not always be met, the process itself can be rewarding for participants and can add meaning to their lives.

By the end of the Campaign for Recognition, it was evident that the movement had made a profound mark on the transitional landscape in Northern Ireland. The participants were well known in the victims' sector, in political circles, and commanded a strong visible presence as victims' representatives within mainstream media. The campaign also had a profound impact on the daily lives of the participants. Their identities had been transformed from that of individual victims of violent political conflict into leading activists, as members of the WAVE Injured Group. Their camaraderie, their connectedness, and their strength shone through during their

interviews and in how they conducted themselves in private and in public. This campaign is a testament to the moral power of this group of people and an example of sheer persistence.

Despite all of these positives, it may also be true that, like campaigners involved in any kind of lengthy struggle against injustice, it may be also possible for participants to feel at times that they are 'trapped' by the campaign. Their long-term low socioeconomic position, in many ways caused by their initial injuries, exacerbated by societal barriers to employment and compensation, left many to survive on basic state benefits. For them the quest for a pension was based on basic needs: 'We kept going because we needed to. We need this' (Peter Heathwood, interview, 1 October 2018). 'All we are living on is welfare. We are classed as beggars here. And we are. We were begging. We were begging to live' (Alex Bunting, interview, 4 October 2018). These calls for help reveal the sad reality of this campaign and the fact that they had to fight for over a decade for reparations. Even though many of them suffered horrific historic injuries, exacerbated by continual physical deterioration and chronic pain in the intervening years, they could not escape their duty to see out the campaign to its conclusion. They would 'never give up ... I will keep at it as long as I have got a breath in my body' (Alex Bunting, interview, 4 October 2018).

This should be the moral lesson for those in power. The failure to implement basic reparations measures in the aftermath of violent conflict, forces victims to take their private problems into the public sphere to 'beg' for support, and symbolises a moral stain on societies such as Northern Ireland. This reality makes a mockery of the recognition set out in the preamble to the Belfast/Good Friday Agreement in 1998, that 'the tragedies of the past have left a deep and profoundly regrettable legacy of suffering ... [and] [w]e must never forget those who have died or been injured, and their families' (Northern Ireland Office 1998: 2). Lessons should be learned from this failure and must not be repeated in the future: lest we doom future generations of victims to the same fate.

DISCUSSION AND CONCLUSION

INTRODUCTION

This concluding chapter, in the first instance, sets out a comprehensive summary of the life journey of the case study, the WAVE Injured Group and its Campaign for Recognition. While social movement theories are threaded through this summary, the next section deals with the implications that this empirical study poses for the social movement field. The following section highlights how the case study with its focus on social movement scholarship intersects with the relatively recent field of transitional justice and its effects on victims of violent political conflict. Subsequently, I will lay blame at the door of certain political leaders, over a number of years, for a moral failure to provide prompt and effective reparations for those injured during the Troubles, by allowing the local variant of the toxic ‘politics of victimhood’ (Breen-Smyth 2018: 230; Lawther 2014a) to permeate throughout the peace process in Northern Ireland. Finally, I will explore the positive and negative aspects of conducting research as an ‘insider’ researcher before closing with a personal insight as to the implications of the Campaign for Recognition for my colleagues and myself.

THE CAMPAIGN FOR RECOGNITION: A NEW SOCIAL MOVEMENT IN ACTION

It was within the transitional context of Northern Ireland, a society wracked by nearly three decades of violent political conflict that the case at the centre of this case study, the WAVE Injured Group and its Campaign for Recognition would emerge. Consisting of a relatively small collective of people, severely harmed both physically and psychologically by the violence, this group would form the basis of a powerful *new* social movement. Distinct from historic social movements, which mainly formed around wider class solidarity, this group of disparate and previously unconnected individuals would coalesce under a common bond of victimhood. Their initial emergence would coincide with the development of a fledgling peace process, which was built on paramilitary ceasefires in the mid-1990s and a political peace agreement in 1998. For the core participants, this peace process represented a ‘top down’

approach and did not recognise the lived experience of those 'below'. Not content with the pace or extent of government support for those injured and in need, the group set out on a path of securing reparations for themselves and others in a similar situation. Framing these shortfalls, alongside historic grievances relating to previous compensation systems and barriers to employment for those with disabilities, through an easily understood 'injustice' masterframe (Gamson, Fireman and Rytina 1982), the Injured Group took their campaign into the media to highlight their situation and to engender empathy. Bolstered by public support, the group framed their grievances, now transformed into feasible prognoses, to their chosen targets – elite politicians, with the power to effect policy change. For the Injured Group this campaign was an exercise in challenging that power.

This process was far from straightforward. It required that the group followed a pathway set out by previous social movements, that of mounting 'contentious collective challenges' (Tarrow 2011: 11). Such challenges took the form of 'disruptive', but never violent, 'contentious episodes', marked by culturally resonant behaviour and tactics; through protest (Tarrow 2011: 12). These included a public petition, a book launch, staged demonstrations, photographic exhibitions, press conferences, and informal political lobbying. However, these collective challenges would not have been possible, had it not been for the existence of a 'common purpose' (Tarrow 2011: 10). People do not give up their time and effort to engage in this type of 'risky' or 'costly' activity without good reason (Tarrow 2011: 12). For the Injured Group, the reason was economic necessity. Following their injuries, many of them had experienced relative deprivation and a dependency on state benefits. The alleviation of their present situation, exacerbated by fears for the future, represented their common interest. However, this reality was not sufficient to spur mobilisation. There needed to be a '*recognition*' of their common interests; one they could translate into action (Tarrow 2011: 11) [emphasis in original]. This required a sense of social solidarity built upon a common collective identity. This identity, based on their recognised status as 'The Injured' was transformed into an enhanced 'politicized collective identity', through their engagement in a strategic 'power struggle' with the authorities (Simon and Klandermans 2001: 324-326). It was this 'sustained' struggle,

an accumulation of 'collective episodes', lasting from the mid-2000s to the present, which marked the Campaign for Recognition off as a new social movement (Tarrow 2011: 12).

These 'collective episodes' did not occur in a vacuum, nor were they consistently dynamic. They were created as the movement encountered changes in 'political opportunities and constraints' (Tarrow 2011: 12). Initially, the Injured Group's progress was arrested by a range of 'teething problems', due to a lack of membership and structure, as well as political constraints, typified by the initial suspension of the political institutions at Stormont from 2002-2007. As such, with no opportunity to engage in a power struggle, the first iteration of the group effectively 'died a death' (Philip Gault, interview, 15 October 2018). The second iteration, which coalesced around 2005, was relatively more successful in actual mobilisation. There was an injection of resources, embodied by new leadership, an increase in membership, and an entry into the public sphere with the petition. Internal constraints, however, would emerge, causing a serious fragmentation in its membership. Yet, while such schisms can be fatal to social movements, this juncture was perceived as a new opportunity to strengthen the group into a smaller, more cohesive entity, with an added flexibility to react quickly to external political developments. Armed with a credible and economically feasible proposal, in the form of a bespoke pension for the 'The Severely Physically Injured', the third iteration of the Injured Group began the all-important process of direct engagement with politicians.

Despite convincing their local politicians that the pension proposal was doable by placing it firmly onto the political agenda as part of the Stormont House Agreement, the campaign became stuck in an intractable metaconflict argument over the eligibility of complex victims. Undeterred by this ongoing constraint, the group 'triangulated' support through an effective media strategy and the recruitment of influential allies (Simon and Klandermans 2001). Recognising the suspension of the political institutions at Stormont in 2017 as an opportunity rather than, as it was during the previous hiatus, a political constraint, the group 'trigger[ed] [a] new phase of contention' and took the campaign to Westminster, the new seat of power (Tarrow 2011: 12). By employing well-rehearsed tactics from their repertoire of contention,

the participants made two high-profile visits to London (in 2018 and 2019) to, in effect, educate this new audience of their situation.

Following this period of intense lobbying and bolstered by a critical mass of support within the House of Lords, spearheaded by Lord Hain, the pension proposal was strategically attached to a legislative bill and passed by an electorally weak and eventually acquiescent UK Government. While this juncture should have been viewed as a successful outcome, the campaign encountered yet another obstacle in the restarted Stormont institutions at the beginning of 2020, once again, stemming from the metaconflict issue of eligibility. While hampered by the physical restrictions put in place by the Coronavirus pandemic, the group nonetheless continued to look for solutions. Reinforced by WAVE's legal representatives, the group mounted a successful legal challenge against the First and deputy First Minister to force their joint office to implement what was now named *The Troubles Permanent Disablement Payment Scheme*. While at the time of writing (July 2021), applications for this scheme are yet to be received, the intervention of the High Court, in August 2020, and later the Court of Appeal, in April 2021, an opening date has been set for 29 August 2021. In essence, the Campaign for Recognition, a new social movement, led by a small vanguard of severely injured victims, stands out as a success story and one that should be an inspiration to similar reparations movements in the future. I will return to this claim below. First, I would like to discuss the broader significance of my findings to the field of social movement theory.

NEW SOCIAL MOVEMENT THEORY: IMPLICATIONS FOR THE FIELD

The foregoing summary vividly illuminates the importance and utility of social movement theory (or theories) in understanding the workings of broader structures in society and the processes that effect social change. As Crossley (2002: 8-9) [emphasis in original] argued, 'movements ... *are key agents for bringing about change within societies* ... [as] they are, in themselves, manifestations of social change'. The WAVE Injured Group and its Campaign for Recognition was one such

manifestation. Not content with the status quo, this small collective, through its own agency, and the support of others, instigated a social transformation. From a sociological standpoint, the in-depth investigation and analysis of this particular movement, using a case study approach, both extends and refines the longstanding theoretical frameworks conceptualised by a wide range of social movement scholarship.

While early sociological theories saw social movements as irrational mob behaviour influenced by societal strain and breakdown, others would characterise participants as rational actors, who would weigh up the costs and benefits of their participation, before recruiting and mobilising additional resources, both endogenous and exogenous. Subsequent theories, which emphasised the interaction of movement actors with the state and the role of political processes, would be challenged by those who favoured the role of culture or emotions, as motivations for movement participation. Subsequently, theorists and activists were concerned with mapping out the efficacy and success or failure of social movements by measuring how they effected policy change. As a result, theoretical contests emerged between the differing paradigms, descending into what was once characterised as 'theory-bashing' (Lofland 1993), and 'paradigm warfare' (Tarrow 1999; 2004).

This project avoided these battles and instead, through an inductive approach, illuminated the significance of a wide range of conceptual frameworks for understanding the nature of the case and how it progressed. This called for a holistic approach and an understanding of structural considerations, of societal constraints and political opportunities; and cultural considerations, of individual meanings and beliefs. As such, I viewed the vast array of social movement scholarship as a smorgasbord, where I could select which concepts would best help me understand the emerging themes. These themes not only highlighted the micro-level processes at the heart of the group's origins, the importance of grievance (Klandermans 2013), of 'politicized collective identity' construction (Simon and Klandermans 2001), of 'micromobilization' (Hunt and Benford 2004: 438), and of sustained participation over time through social bonding (Downton and Wehr 1991; 1997), but also the meso- and macro-levels in which movement would interact. The meso-oriented level

of analysis illuminated the prominence of resource mobilisation and this 'basic action group's' (Rucht 2013: 171) relationship with WAVE, as the overarching 'social movement organisation' (SMO), and its place within the wider victims' sector, the 'social movement community' (SMC) (McCarthy and Zald 1977). This included an analysis of the movement's widening reach within its 'dense informal networks' (della Porta and Diani 2006: 21) to garner support across civil society, in political circles, and from the public, through sustained engagement with the media. This public phase, however, while enabling the campaign to go 'mainstream' invited 'countermovement' activity, leading to a loss of control in the group's message and the design of the pension proposals. From the macroscopic point of view, the thesis highlighted the contested political context of a society transitioning from violent political conflict, the ongoing 'cycles of contention' (Tarrow 2011), the exacerbation of 'suddenly imposed grievances' (Walsh 1981), the ever changing 'political opportunity structures' (Tarrow 2011), and the implications for these social actors embedded within. Moreover, this overarching perspective shone light on whether the Campaign for Recognition had been a success, judged in terms of which levels of 'responsiveness' it had achieved (Schumaker 1975).

Neither of these levels of social movement analysis took precedence. Instead, the case study illuminated the importance of synthesising all levels of analysis. To focus on either level in its own right would have constricted my ability to provide a rich detailed and thick elaboration of this case and its relevance to social movement scholarship. Yet, an extension and refinement of existing social movement theories, by exploring a previously unexamined case, was not the only outcome of this research project. These explanatory theories when blended with a range of theoretical frameworks, which have emerged from the relatively recent field of transitional justice, illuminated the particular challenges facing those movements, which vie for reparations in post-conflict societies.

REPARATIONS: IMPLICATIONS FOR THE FIELD

In the aftermath of violent political conflict, transitional justice (TJ) has become a normalised series of practices designed to deal with the needs, rights and demands of the victims with the aim of ensuring accountability, serving justice, and achieving reconciliation. One of the central tenets of TJ is the concept of reparations, which 'are increasingly used to both symbolize healing and to remedy the consequences of collective violence' (Moffett 2017a: 377). The United Nations General Assembly's (2005: 7) '*Basic Principles*' require that states, using a *top-down* approach, provide '[a]dequate, effective and prompt reparation to promote justice by redress[]'. Yet, such noble and moral aims are rarely delivered by societies in transition, as reparations 'are complex legal constructions, often shaped and entangled with political, social and moral contentions' (Moffett 2017a: 377).

Hence, it has become the norm for victims to coalesce into social movements, at the 'grassroots' level, to fight for recognition 'from below' (Tapia Navarro 2019). This case study was no exception. Far from symbolising healing and remedy, the foregoing chapters portrayed a long and difficult struggle, marked by disappointment, frustration, and loss. As such, the travails of the WAVE Injured Group mirror a range of similar reparations movements around the world (Adhikari and Hansen 2013; Laplante and Theidon 2007; Madlingozi 2007; 2010; Robins 2011a; 2012a; Vinck and Pham 2008). Rejecting piecemeal and inadequate 'top-down' state initiatives, the Injured Group set out on a campaign calling for a self-designed 'victim centred' package, in the form of a bespoke 'Injured Pension'.

To effect this policy change required that the group entered into the field of 'reparations politics' (Torpey 2003: 3). As was outlined, the journey into politics was not straightforward. Already constrained by their own lack of resources, in terms of having no previous experience of community organising, academic research, political lobbying, or engaging with the media, these individual victims would have to learn 'on the go'. Although they were garnered with a plethora of external resources from WAVE and others within the victims' sector, academia, and wider civil society, the Injured Group would be stymied by political constraints all too familiar to transitional societies, that is, the 'politics of victimhood' and the economic necessities of the state

(Breen-Smyth 2018: 230; Lawther 2014a). In response, this somewhat flexible social movement action group would not only recognise and act on any emergent opportunities, they set the agenda and engaged as political actors in their own right. As outlined and threaded throughout the previous empirical chapters, the Injured Group's chosen 'repertoires of contention' mirrored those set out in the reparations literature. For example, the group accentuated Starzyk *et al.*'s (2014: 118-122) recommendations that victims should not only convey to their audience the effects their past and 'continued suffering', they must also demonstrate the 'idea of feasibility'; as well as giving 'outsiders an inside view through education and perspective taking; the process of "stepping into the shoes of another"'. Furthermore, mirroring Schwöbel-Patel's (2018) emphasis that victims should accentuate the 'grotesque' nature of their harms, the Injured Group placed those with visible physical injuries to the forefront of the Campaign, in terms of media appearances, lobbying, and in the prioritisation of who should qualify for the pension proposal.

This is not to claim that the group had lifted such recommendations directly from the range of academic 'handbooks', related to social movements and transitional justice. Nor am I arguing that the Injured Group was working from a blank sheet, in designing a wholly novel campaign strategy. On the contrary, while the Injured Group's tactics and framing strategies were instinctive and organic, grown through direct experience and a critical understanding of their political and cultural milieu, they were enhanced through common sense and common knowledge of movements past. In this context, they would develop their own 'civic competence' (Madlingozi 2010: 213). This meant that as the campaign progressed, and when the situation demanded, these now seasoned political operators would prioritise certain frames and rhetorical devices over others. While wary of the limitations, in the Northern Ireland context, of promoting their demands in terms of human rights, the group juxtaposed the need for recognition against previous perceptions of invisibility; the therapeutic possibilities of social solidarity against continued traumatic suffering; the alleviation of their material needs against their relative poverty; and the moral claims to reparation against the abject political failure of bickering elites.

Such observations should act as a lesson to future grassroots movements. While TJ scholarship has been extended and refined in recent decades to include empirical examples of successful (and unsuccessful) movements, including this thesis, attempts to create a universal template for a successful reparations campaign should be approached with caution. Although many of the micro- and meso-processes of social movement mobilisation could be transferred to similar situations, the wider macro perspective and the political and temporal contexts will differ. No two situations will be the same. While political constraints such as the contested definition of victimhood have emerged in post-conflict societies, the nature of these contests were determined by parochial narratives and context-specific dimensions of competitive victimhood within Northern Ireland's in-groups. However, following the example of the Injured Group, future reparations movements would be wise to adopt their approach. They should avoid highly sensitive and controversial political arguments over the definition of victimhood and promote pragmatic solutions. They should avoid taking rigid positions and be open to compromise. They should push the moral case for reparations and accentuate the human cost of violence over abstract concepts of victimhood. They should be flexible and alert to any political opportunities, which may arise. Above all, they should persist.

Persistence was key to the success of the Campaign for Recognition. Dogged persistence and luck. From the outset of first iteration of the Injured Group, in 2002, it was clear that society had a moral duty to provide remedy and redress to those who had suffered most: the victims. The state recognised this by fuelling the victims' industry in Northern Ireland. The injured victims who entered this sector for support instinctively knew this too, as they set about framing their common grievances. Yet, without the necessary personal resources to ignite active mobilisation, they faltered. The second iteration was markedly more successful. They had fortunately re-emerged at a time (2005-2008) when WAVE could complement their renewed recruitment successes with the leadership skills of Alan McBride. Likewise, the third iteration was lucky that their journey into the political and public spheres was bolstered by the arrival onto WAVE's management committee of Dennis Godfrey in 2013. Godfrey's previous career as the NIO's Director of Communication brought not

only an insight into the art of public relations, an essential tool for any social movement, but also personal access to a range of influential political elites at Westminster, especially Lord Peter Hain. Moreover, while the Injured Group had been considering moving the campaign to Westminster in late 2016, the subsequent collapse of the NI Executive and Assembly in January 2017, proved to be somewhat fortuitous, in that, they could circumvent the wholly intractable political logjam at Stormont and target the UK Government instead. This political opportunity was grasped through a timely legislative opening and proved critical to the introduction of the *Troubles Permanent Disablement Payment Scheme*.

THE MORAL FAILURE OF POLITICAL LEADERSHIP

Yet, considering the fact that the persistent efforts of a group of severely injured victims, to bring about a comprehensive reparations scheme, was a major reason for its success, highlights a fundamental failure in the so-called peace process in Northern Ireland, and should act as a lesson for transitioning societies. Societies emerging from violent political conflict are faced with a range of obstacles, which they must overcome if they are to move towards a peaceful future. During peace processes, political elites tend to favour the establishment of political structures as a way of achieving stability, as was the case in Northern Ireland. In this context, they prefer to look forward as opposed to looking back, with an emphasis on 'drawing a line in the sand' and 'moving on'. As such, victims, and to a certain extent, 'perpetrators', represent an uncomfortable reminder of past abuses. Their presence in the present poses difficulties, as was evidenced throughout this project. The priorities set out in the Belfast/Good Friday Agreement are a case in point. While most of the thirty-five page document was concerned with 'Constitutional Issues' and the setting up of the political institutions, five short paragraphs related to the early release of paramilitary 'Prisoners', and only three were concerned with 'Reconciliation and Victims of Violence' (Northern Ireland Office 1998). There were no concrete proposals about how to deal with the variety of needs and demands of those affected by the violence. Issues of truth, justice, and reparations were

considered too difficult to deal with at that time. Yet, as time went on it became clear that these issues, on a political level, would continue to remain *too difficult to deal with*. Hence, while there was a range of ‘top-down’ reports and initiatives coming from Bloomfield (1998), Eames/Bradley (2009), Haass/O’Sullivan (2013), and the Stormont House Agreement (2014), no effective comprehensive transitional mechanisms have ever been implemented.

As such, victims, across the board, have been left behind. This represents a moral failure in political leadership. Instead of taking their constituencies forward, politicians have not only allowed the noxious ‘politics of victimhood’ (Breen-Smyth 2018: 230; Lawther 2014a) to permeate across society, some have actively encouraged it. While it is understandable that victims, on an individual level, who have been left traumatised by their experiences, may engage in certain forms of ‘competitive victimhood’ (Noor *et al.* 2012) as a way of feeling safe within their in-groups, it is unacceptable that political representatives play on this and avoid their moral duty to consider the wider picture for all victims. There has been a tendency to view the needs of victims through a legal and political lens, throwing up technical difficulties, rather than a moral prism of ‘doing the right thing’ and providing for victims. Certain politicians have allowed their fears of electoral ‘crucifi[xion]’ to outweigh their responsibility to engage with victims’ issues in a holistic manner, underpinned by political generosity (Northern Ireland Assembly 2017: 5). Others have stoked the ‘battle of narratives’, the metaconflict over who was most to blame for the violence, thereby promoting the hierarchical supremacy of the ‘innocent’ over the perpetrators (Kenny Donaldson, interview, 4 September 2019). These decisions, while supported by certain sections of their in-groups, effectively stymie the design and implementation of transitional mechanisms, which could alleviate many of their own in-group concerns. Calls for truth, justice, and reparations from certain groups are essentially blocked for fear that the ‘out-group’ which, may also benefit, will chalk up a win against them in this perpetual zero-sum contest. The long-running dispute over the Injured Pension was a microcosm of this battle.

Throughout the interviews, especially from the unionist participants, the prominent theme was that those who had been engaged in violent acts were undeserving of

support through any proposed pension scheme. For 'terrorist' 'perpetrators', to benefit would represent a 'reward' for their actions (Michele Nixon, interview, 3 April 2019). Those euphemistically 'injured by their own hand' should be excluded altogether, for they had been authors of their own misfortune. Unionist participants were adamant on this principle. Some went as far as to call for the exclusion of bereaved family members of deceased non-state actors, for example, the 'Shankill Bomber', Thomas Begley, from potentially accessing financial support from the Victims and Survivors Service (Jeffrey Donaldson, interview, 8 March 2019). Others stated that they would rather forego the pension if it were brought through on an all-inclusive basis. Yet, there was no evidence from the interviews that those entitled to support from the VSS have refused this on the basis that under the 2006 Order definition, those with a 'terrorist' background, already receive support. Moreover, calls to change the definition, as evidenced by a series of failed legislative attempts by the DUP at Stormont and Westminster, proved pointless. These exercises in futility were more about politicians being seen to be doing something for victims than actually doing something worthwhile for them.

The WAVE Injured Group would actively avoid engaging in 'competitive victimhood'. Characterised as a 'quagmire' (Peter Heathwood, interview, 1 October 2018), they instinctively knew that such zero-sum contests would see their campaign stuck in a political cul-de-sac. Publicly, they would eschew apportioning blame in the direction of former armed groups, politicians, or victims groups. In media interactions, they would promote a neutral stance and deflect the difficult question on the eligibility issue as one that the politicians should answer, not victims. Initially, this position was formed around an acceptance that this issue was not fully agreed within the group. Some were adamant that all, regardless of their background and the circumstances of their harm, should be included. Others were ambivalent. While this may have been considered a useful outward-facing strategy in terms of not alienating potential supporters, within both the political and public spheres, privately, and over time, especially after the second iteration was pared down in size following the split, they would move to a position where they were more in favour of an all-inclusive scheme. This magnanimous position, borne out of their ability to empathise with those who

had been injured, even 'by their own hand', would become problematic. Faced with perpetual gridlock, and the realisation that the Westminster context would ignore complexity and involve a binary choice, they made the difficult but pragmatic decision to accept the premise that this cohort, principally non-state actors (as state actors were exempted from such scrutiny) with self-inflicted injuries, would be excluded. Their principled position on full inclusion would prove untenable, leaving some in the group with a 'bad taste in [the] mouth' (Alex Bunting, interview, 4 October 2018).

These intolerable situations, pitting victims against each other in the public square, forcing them to engage in long and arduous campaigns, pressuring them into having to make difficult decisions in relation to the status of other victims, could be avoided if so-called political leaders would take the lead to design and implement '[a]dequate, effective and prompt' remedies for their citizens (United Nations 2005: 7). Instead of engaging in petty 'black and white' arguments over the nature of who should or should not be eligible for reparations, which have proven, in a range of conflict settings, to cause rancour and intractability, political elites, should embrace the 'grey' complexity and push for compromises that will see the needs of victims alleviated. While some victims may feel that, their principles would be tarnished if they accepted 'blood money', the reality holds that most would readily accept financial support, as was the case with the all-inclusive Victims and Survivors Service. Many victims are more pragmatic and resilient than some politicians would suggest. Moreover, the act of speaking on behalf of 'The Victims', as some politicians are wont to do, suggests a homogenous entity, which speaks with one voice. This approach can be both folly and disingenuous.

As evidenced throughout the research, even within the WAVE Injured Group, victims are heterogeneous. They may come to agreed positions on certain issues but these can change over time, especially when victims fully engage with others and consider the context and implications of these positions. For politicians, this means that they too can engage with victims and change the way they perceive certain social problems, rather than remain beholden to potentially emotional reactions to what are usually highly sensitive issues. Such engagement may lead to compromise and a timely solution to wholly predictable conundrums, in relations to delivering

reparations. With this approach, it is possible for politicians to forego political obstacles and argue, alongside potential beneficiaries of reparations, for more inclusive mechanisms, which embrace an empathetic moral framework for dealing with the past. This may remove the need for victims, some who may have suffered and continue to suffer from horrific harms, to enter the realms of 'reparations politics' and expend their own valuable time and energy to fight for what should be theirs by right. No longer would victims, such as, Peter Heathwood (Interview, 1 October 2018) feel the need to 'prostitute' themselves; to accentuate the 'grotesqueness' (Schwöbel-Patel 2018) of their injuries in public for what, in real terms, is a relatively modest support package, that will hopefully tend to their basic needs. To do otherwise, to continue to ignore victims' rights, represents a moral stain on political leaders and should act as a lesson for current and future transitional societies.

CONCLUDING THOUGHTS FROM AN 'INSIDER/OUTSIDER' RESEARCHER

In undertaking this research project, I set out with the aim of understanding the life journey of the WAVE Injured Group and its Campaign for Recognition. To illuminate the opportunities and constraints operating on this new social movement. As an integral member of this movement, an 'insider', I was already acutely accustomed to the inner workings of this campaign and the wider field in which it was situated. This provided me with considerable advantages as the project progressed. Access, which can be problematic for outsiders engaging in Peace and Conflict Research (PCR), proved relatively straightforward. All participants were more than willing to engage and to have their testimonies recorded, analysed, and later disseminated by me. This was true for participants across the board, not just my close colleagues in the group. Even some of the unionist politicians and victims group 'gatekeepers', with whose approach to the pension proposal I would have generally disagreed, were open to giving me truthful and fulsome testimony. This was based on years of familiarity and a certain amount of trust. Trust that had been built through engagement with the

campaign and an understanding of our divergent positions on the thorny issue of eligibility. Even those individual victims from SEFF, who I had never met before, were forthcoming, as their main ‘gatekeeper’, Kenny Donaldson, had ‘vouched’ for me (Michele Nixon, interview, 3 April 2019; Mervyn Lewers, interview, 28 June 2019). We all knew where we stood and we were *mainly* comfortable with our own positions.

I say *mainly* comfortable because at times there was a sense that some participants were slightly embarrassed that their principled stances may have led to a delay for the pension proposal; as well as conveying a fear that they could be judged as being unforgiving or insensitive. This emerged across the political divide. Some unionist participants, when expressing their position on exclusion, especially in relation to bereaved families of non-state actors receiving support from the VSS and VSGs, prefaced their comments with statements such as ‘... this will sound harsh, but...’ (Kenny Donaldson, interview, 4 September 2019); or ‘I don’t think they should be involved in victims groups at all to be honest with you. But, I’m maybe being a bit...’ (Michele Nixon, interview, 3 April 2019). Those from an opposing political perspective, such as Sinn Féin’s spokesperson on legacy, Linda Dillon (Interview, 23 July 2019), were also somewhat circumspect about their positions. By ‘accept[ing] that [Sinn Féin] might have been part of the problem’, Dillon went on to recognise that when her party engaged with the Injured Group, ‘there ha[d] to be people in that room that [we]re thinking, if it wasn’t for people like you I wouldn’t be sitting here and fighting for this ... the same could be said for you now’. Mark Thompson (Interview, 23 July 2019) (RFJ) was aware that his stance on inclusion for all was, ‘alright for me to say. I’m standing here able-bodied, I’m not going home in a wheelchair, I’m not dealing with all the difficulties’. Michael Culbert (Interview, 25 April 2019), a former republican prisoner, at one stage felt the need to convey to me that, ‘[I]t’s a terrible awkward thing talking to the like of yourself about this’. In these situations, I felt it was important to reflect back to participants that I respected their positions, both as an interviewer and as a member of the Injured Group. For all their obvious discomfort during the interviews, however, I felt that none of the participants held back on fully expressing their opinions. As such, I was confident that

the interview data was rich, deep, and valid. My initial concerns, as set out in the methodology section, around participants possibly holding back for fear of offending me were not realised. This methodological insight illuminates the obvious benefits of 'insider' research, in terms of access and the production of truthful qualitative data from what were highly sensitive conversations.

Such insights into my subjects' approach were complemented with a reflexive assessment of my own positionality and personal bias as an 'insider' academic researcher and advocate. While I first approached this research project with an academic bent, and was therefore expected to employ critical objectivity, it was difficult to escape the fact that I was living the life of an insider activist, embedded in the case study itself. This presented both opportunities and dilemmas. On the positive side, my ongoing academic progression, including this project, bolstered my skills as an active advocate for the Injured Group. My accumulation of knowledge in both social movement studies and the transitional justice field fed into my activism and, on occasion, the group's strategic direction. This thirst for knowledge stemmed back to my initial contact with WAVE and the Injured Group. Having undertaken a number of short courses in WAVE when I first joined the group in 2010, my eyes were opened up to the concept of trauma and its implication for both the individual and wider society. This entry into psychosocial education as a way of dealing with my own traumatic experiences led me onto the BSc.(Hons) Psychological Trauma Studies. This undergraduate degree, run in conjunction with WAVE's Trauma Education team and Queen's University, Belfast, provided me with a solid foundation in all aspects of trauma, in particular, the social and political aspects of victimhood within transitional settings. Blending my activism with knowledge of the field through empirical and theoretical study, I was able to speak to the issues the campaign faced with newfound confidence and added credibility, especially when facing the media. The next stage of my academic progression, an MA in Conflict Transformation and Social Justice, again at Queen's, further enhanced my skills in this field, while at the same time, my direct activism fed into my assignments and learning. This dual approach has been beneficial to my growth as both researcher and activist and has given me a global view of the entire transitional justice field and how it intersects with social movement

scholarship. Furthermore, my proximity to the university setting opened up a range of networks, providing me with opportunities to engage with fellow academics, students, and others in civil society, to not only widen their understanding of the Campaign for Recognition as a way of lobbying, but to give them an insider view of the behind the scenes processes involved in reparations movements. This project is a culmination of that work.

Yet, with these positive outworkings of this dual role came personal dilemmas as to how I approached the project and the campaign. Since I joined the Injured Group and immersed myself in the campaign, it has taken over my life. My identity, or part of it, before engaging with WAVE, was that of a victim of the Troubles. Upon meeting others, with similar experiences and grievances, this single identity was transformed into a new collective identity as part of the WAVE Injured Group. Solidarity was built. We became politicised. We had new aims, new strategies, and a new focus. Once we started on the campaign, we could not stop until it was over; until we had achieved a successful outcome. This single-minded approach, especially in the face of oppositional counter-movements and our antagonists, the politicians, only strengthened our bonds. We became close friends, more than just participants in the movement.

This presented a range of difficulties as to how I approached data collection and analysis. For this data was not just a collection of interviews from research subjects, transcribed onto a series of abstract documents. These interviews were the voices of real people with real traumas, real hopes, real fears, and real anger. This included those external to the group, some of whom I disagreed with on the core issues, who had their own legitimate concerns as to the outworkings of the campaign. This required that I tackled the interviews and analysis with honesty and integrity. When I submit this project, these same people will be able to read, not only their words, but how I interpreted them and how I threaded them within the theoretical and conceptual frameworks of transitional justice and social movement scholarship. As an insider, I will have to face these people and stand over my interpretations. I do not have the luxury afforded to outsider researchers, who can disappear from the daily lives of their research subjects. However, with this reality in mind, and with the

potential risk of offending those with whom I have forged close bonds, I remain confident that my analysis is both frank and fair. As such, I will be able to look this *sample population* in the eye and stand over my findings.

Overall, completing this project and being part of a movement that should bring about redress for a significant number of people who were injured during the Troubles has been both a privilege and a burden. Both the campaign and my academic progression have been inextricably linked. One has affected the other. When I started the research, the campaign was still in motion. The opportunities and constraints were ebbing and flowing. The political situation was in flux. Stormont was collapsing. New targets were in sight. The project, in particular, the research design was also in development. Interviews were in progress. Voices were being heard. Yet, these interviews could only capture a specific moment in time. My initial selfish hope, that the aims of the campaign would be achieved before I completed data collection, was not to be. As such, I was unable to capture the thoughts of the participants from a backward looking perspective to include reflections on a successful outcome. They could only convey their thoughts on the origins of the campaign, its progression, and the constraints they had encountered. Success was still a distant hope. Such are the deficiencies of conducting research in fluid situations. It is difficult to neatly bookend the Campaign for Recognition, in the past tense, and what it *meant* to participants because it is yet to be completed. While the core participants in the Injured Group were able to encapsulate that, their journey was worthwhile, in terms of personal growth, they were unable to demonstrate the value of receiving the cash payments that they had fought for, because the scheme is yet to be implemented. Instead, I hope, if I am permitted, as a member of the WAVE Injured Group to speak on their behalf, to sum up the Campaign for Recognition and what it means in terms of reparations as a way of symbolising healing in a society in transition.

If the aim of reparations is to remedy the harms of the past in a prompt and effective manner and enable reconciliation, then the authorities in this transitioning society have failed. Far from reconciling society, especially victims and survivors, the piecemeal way they have *attempted* to deal with the past, has only led to more rancour and division. By ignoring legacy in the 1998 Belfast/Good Friday Agreement

because, it was 'too difficult' to deal with at the time, left the onus on victims themselves to come up with fixes. The Injured Group represented but one example. By failing to provide for this cohort of severely injured people, politicians forced them into the toxic 'politics of victimhood' (Breen-Smyth 2018: 230; Lawther 2014a). Initial, possibly naïve, hopes that their pension proposal would achieve cross-community support were soon to be dashed. They had hoped that their approach to the issue, of political generosity and compromise, would be matched by the politicians that made up their power sharing government. Instead, they were treated like a political football.

Even now, in July 2021, with the launch of the scheme imminent, the members of the Injured Group are reluctant to celebrate success, such has been the experience along this journey. As was laid out, even after the pension was passed into law in July 2019, the group encountered further delay and acrimony. While the release of the *Regulations* in January 2020, which reignited the eligibility issue, leading to an extended period of litigation, was bad enough, the unseemly political spat between the Northern Ireland Executive and the UK Government over funding was even harder to take. This led to further litigation and an eventual acceptance that the funding would be taken from the 'Block Grant', which covers expenditure for all aspects of Northern Ireland society, including health and education. While cognisant of their now legal right to receive their hard won pension, the group remains fearful of how their claim to reparations could be seen as siphoning money from other essential services, especially in the aftermath of the Coronavirus pandemic. Moreover, with the Secretary of State, Brandon Lewis, offering to release money set aside for outstanding legacy issues related to the Stormont House Agreement to pay for the pension, the group is now in fear of being thrown into conflict with other victims, who were seeking truth and justice (McClafferty 2021).

To have those injured during the Troubles feeling a sense of guilt that they have created a kind of Frankenstein's monster is abhorrent. Yet that is where they are. They took on the mantle for the injured, for people who could not speak for themselves, to bring about some small measure of redress. They expended their own personal resources over many years while losing close members along the way. They

faced down personal insults and criticism from different quarters. They put themselves in front of the media and shared their most personal experiences of trauma and loss. Yet they did so with honesty and dignity. They did not ask for the earth. All they wanted was ‘a few quid to get someone in to do the garden or pay for a few tiles on the roof’ (Peter Heathwood, interview, 1 October). They just wanted to be able to have ‘a few spare pound left over to take my grandchildren out for ice cream’ (Margaret Yeaman, interview, 5 November 2018). They just wanted to be recognised, to be visible again. Yet, once their campaign is over, all they really want is to disengage from lobbying, retreat from ‘visibility’ back into ‘latent’ mode (Melucci 1996a). To enjoy the rest of their lives as ordinary citizens, content with the knowledge that even though their lives were once marked by the horror of the conflict, they made a difference and left a legacy, which will benefit so many others.



The WAVE Injured Group

Image courtesy of WAVE Trauma Centre

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APPENDIX 1

INTERVIEW SCHEDULE

Injured Group Members

BIOGRAPHY

I am going to ask you a few questions about yourself and why you got involved

- What brought you to WAVE? Your injury?
- Why choose WAVE? Why not other victims' groups?

IDENTITY

Victimhood

- I want to talk about your identity
- What do you think of the terms victim and survivor?
- Do you consider yourself as a victims' advocate?
- An advocate for injured victims or all victims? Bereaved etc?

Disability

- Some people have labelled the group as disability advocates – What do you think of this label?
- Do you consider yourself as a disability advocate?

Multiple Identities?

- Are any of these identifications or labels relevant to you?
- Do you have multiple identities?

GRIEVANCES

I want to talk about the group before the Pension Campaign. The early days of the group.

- Were you active on victims' issues before WAVE?
- What did you think was the purpose of the WAVE Injured Group at that time?
 - Social? Political? Trauma focussed?

- How did you come to join the main Injured Group?
- What was the main grievance of the Injured Group?
- What spurred the grievance?
- Did you contribute to Eames/Bradley meetings?
- Did you receive compensation from government as a result of your injury?
Talk about that.
- Were you able to work after your injury? Why not?
- Talk about the Welfare system
- Fear of the future?

AGENCY

Mobilisation

I want to talk about how the Group began to think about doing something about changing their situation (left out of Eames/Bradley).

- Talk about the WAVE Injured Book?
- The Campaign for Recognition? What did recognition mean back then?
Pension? Services?
- How was the strategy decided upon?
- Why not direct action?
- Talk about the petition.
- Whose idea was it?
- What was the purpose of it?
- Did you know what you wanted then?
- Were you able to explain yourself?
- Did you go on every trip?
- How did you feel when you were asking strangers on the street to sign it?
- What was the public reaction?

FRAMING

- How is the Pension Campaign framed by Injured Group?
- Is embarrassment an effective strategy?
- Is being emotional about your suffering effective

Cultural representation of victimhood

- Wheelchairs/Prosthetics/Blind at the forefront of representation
- Does stark imagery matter?
- Launch of the petition, Press releases.
- The Injured Book, Posters. Exhibitions

Framework - Issue Framing

- Is it a moral issue?
- Is it a victims' right issue?
- Is it a needs issue?
- Is it a trauma focussed issue?
- Is it a human rights issue?
- Is it about Reparations?
- Are there pros and cons of using these frames?

Paradox

- Helpless victims or empowered activists? Paradox?
- Does this keep you frozen in victimhood – the constant talking about your injuries and your life
- Or is it politically useful to be the victims – access to politicians
- Can this create empathy – does it work?

HUMAN RIGHTS/REPARATIONS AND ACKNOWLEDGEMENT

- What do you know about the concept of reparations?
- Who should provide reparations? Those who harmed you? The state? Society?
- Who should receive reparations? The injured. Their carers. Bereaved
- Should it be wholly financial?
- What do you think about the concept of acknowledgement in transitional societies?

NETWORKS

WAVE

I want to talk about the support you received from WAVE.

- Did you see it as a service delivery organisation when you joined or as an advocacy group?
- Did you feel part of something at WAVE? Were you comfortable with other victims?
- WAVE resources – Minibus/Organisation/Petitions/Connections/Influence

I want to talk about the staff at WAVE– their strengths/constraints

- Alan McBride – Trust Coordinator – Seconded to help Injured Group.
- Sandra Peake - WAVE Board support?
- Dennis Godfrey - NIO/Govt insider? Media role?

Ownership of the Campaign

- Who owns the Campaign?
- Does it matter?

Academic Research

How did academic research support the Campaign?

- Were you involved in the Needs of the Injured research project?
- What did you think about the Injured research? Marie Breen Smyth. Was it useful?
- What about the research into the Pension by Stuart Magee?
- Did you have the confidence to engage on the issues?
- Outside Academics? Moffett et al? Has this helped or hindered?
- Do you feel that academics are part of the Campaign?
- Was there any tension when academics got involved?

Other Networks

- Did the establishment of Commission have any bearing on the Injured Group?

- The Victims Commission? Helpful? Partners or separate?
- Talk about the work of previous Commissioners on the Pension (The 4), Kathryn Stone, Judith Thompson.
- The Victims Forum? Help or hindrance? Space for debate? A space to make the case?
- Other victims (IVU/RFJ/FAIR/PFC) – individuals and groups? Help or hindrance?
- Do you work behind the scenes to change the views of others?
- Why not work directly with other groups who supported Pension?
- NGOs – Amnesty/Human Rights Commission/Churches? Any real support or lobbying
- Early days? Meetings with Ministers? Lord Freud? Stormont Departments. Civil Servants?
- Contributing to Welfare mitigations?
- Victims Service? Changing service provision for Injured within VSS. Did your voice matter?
- Did this cause resentment among bereaved? Funding cuts

INTERNAL CONSTRAINTS

I want to talk about the Group itself and some of the problems and constraints it has faced, both internally and externally.

Organisation

- How was the group organised? Did it have a formal structure?
- Chair, Vice-Chair, Secretary? Who organised the meetings? Informed members?
- Did anyone take minutes?
- Was there a clear objective during meetings?
- How did meetings develop?
- Were protocols followed or was it more haphazard?
- Did it seem professional?
- Were there votes? Is it based on democratic process?

- Do you have trust in your colleagues?
- Is everyone's opinion valued?

Talk about the change from the larger group to the lobby group.

Lobby Group

- What was the reason for the smaller lobby group?
- What was the procedure for picking the members of the Group?

Fragmentation

- Talk about the fragmentation of the Injured Group? Was there a split?
- Visible disability vs Invisible disability?
- Talk about the internal arguments? Severe physical vs less severe physical vs Psychological injury?
- What was the reasoning to concentrate on severe physical injury?
- Did you ever feel like leaving the group when these arguments were going on?
- What kept you there?

Newcomers

- Talk about newcomers? Has this changed the dynamics?
- Do they fit in?

VOICE

Whose voice is heard?

- How do you manage different voices within the Injured Group?
- Who is in control? WAVE staff or Injured Group members.
- How does the Group manage conflict and tensions?
- Is it up front or do people grumble behind the scenes?
- Did this affect relationships?
- Are some voices louder than others? Do some people put you off?

Public victimhood

- Are you known to the wider public as a victim?
- Do you consider yourself a “celebrity victim”?
- Is this a slur or to be celebrated?
- Are some people more up front in the media?

REGRETS

- Do you have any regrets about joining WAVE and the Injured Group?
- Were there times when you felt let down by members of the group or WAVE?
- What could the Injured Group have done better?
- Did it lose momentum over the years? Why?
- Why was it not more public?
- Was it too easy on the politicians?

EXTERNAL CONSTRAINTS

Blockage

- Why has the Pension yet to be provided? What are the barriers?
- The “10”. Where did this figure come from?

Competitive Victimhood.

- Tell me what you think about the term ‘innocent’ victim?
- Do you think the term is helpful in the context of NI society?
- Would you class yourself as an innocent victim? Does this label matter?
- Is there a hierarchy of victims?
- Should there be a hierarchy? Of Need? Of Harm?

Other Victims’ Groups

- Talk about other victims? Bereaved vs Injured
- Other victims’ groups. “One terrorist gets, then nobody gets”.
- Blood money? “I will not take a Pension” What do you say to these people?
- How do you work with these other Groups/Individuals who you disagree with on the issues?

- Is there any quiet diplomacy – Behind the scenes work?

Victims' Commission/Forum (Present)

- Blurring of lines – Forum vs WAVE Injured Group
- Leaving the Forum – the Pension Sub-group

The Public

- Apathy
- Ignorance
- Indifference
- “Not Affected” – not my problem.
- Or is there a groundswell of public support?

POLITICAL OPPORTUNITY

- Was Direct Rule conducive? Could you have approached NIO ministers?
- Were the conditions right for lobbying? Stormont from 2007?
- Post- Eames-Bradley? January 2009

- What was the format of the political meetings?
- Did the politicians listen to you?
- Were your concerns taken seriously?
- Did you go on every visit to Stormont?
- Haass/Stormont House Agreement? Help or hindrance?
- SPAD bill? MAZE prison/Letter from America
- Elections.
- Has the Stormont impasse provided a better opportunity?
- Excluded from NIO Consultation. Help or hindrance?
- Westminster lobbying?

Politicians

- Talk about working with politicians.
- Talk about support from politicians.
- And negatives experience.
- Political – is it too difficult for politicians to agree?
- Political leadership?

Eligibility

I am interested in the “eligibility issue” and how the Group responded

The “10” “Injured by their own hand”

- Talk about the argument within the group around the “10” - “Injured by their own hand”. When did this first arise in the Group?
- How was it managed? Avoid. Not our problem. Up to politicians to decide?
- How did it make you feel to argue about people who caused harm?
- Do you care if the “10” get it?
- Some in the Group are more willing to be inclusive (The “10”) than others – how does this work out?

The Group had previously stayed clear of the “eligibility issue” in the public sphere until November 2016, then they release the “INJURED BY THEIR OWN HAND” press release.

- Did this compromise the message and “moral high ground” that the Group inhabited?
- Did this cause difficulty with political reps especially Sinn Fein?
- Did it cause tension within the Group?
- Did it last?

MEDIA REPRESENTATION

- Has the media been supportive? Has it been a hindrance?
- Media training?
- NVTV? Talkback? Spotlight? Newspapers? Nolan show? Early days? Bobby Clarke on morning show. UTV. Latter days - Nolan TV show – UTV and BBC News packages.
- What about social media?

- Is your campaign media friendly? Does it convey a positive message?
- Did you have any bad experiences of the media?
- Did this discourage you from engaging with the media?
- Did this have an effect on campaign? Did it quieten the campaign?

OPPORTUNITIES

Strengths

- Describe the main strengths of the Group and how it has impacted on the political sphere.
- The stories? The voices? The arguments? The unity? The pragmatism? The harm?

Confidence

- Talk about your involvement with the Injured Group and how it may have built your confidence to enter the public sphere, to ask for the pension, and to engage with politicians

Solidarity/Friendship

- Describe the relationships you have built within the group, have they been strengthened by your involvement in the Campaign?

Empowerment

- Are there any positives that you can take from your engagement with the group and the campaign itself?
- Has the campaign had a positive influence on your life?
- The outcome or the process? Has the process itself been important to you?

A Movement of Transformation

- Even though the pension has yet to be realised, would you consider the campaign to be a success?
- Public awareness? Has it helped society to understand the needs of the Injured?
- Has the campaign had any influence on other areas, e.g. better services for victims, an acknowledgement that injured victims need more support?
- Do you think the Group has changed the way people talk about victims' issues, especially the Injured?

THE FINAL OUTCOME

- Are you optimistic or pessimistic about the pension's success?
- Do you think the UK government could bring this through?
- Will you ever give up?
- What happens if the Pension is implemented? What next for you?
- Do you think something will be missing from your life?
- Will you continue to be an advocate?

APPENDIX 2

Informed Consent Form

New Social Movement Theory and the Reparations Movement in Northern Ireland

PURPOSE OF STUDY

You are being asked to take part in my research study, as part of my PhD thesis. Before you decide to participate in this study, it is important that you understand why the research is being done and what it will involve. Please read the following information carefully. Please ask me if there is anything that is not clear or if you need more information.

The purpose of this study is to understand the opportunities and constraints operating on the demand for support and reparations, in the form of a special pension, from those severely injured during the period of violent conflict in Northern Ireland, colloquially known as the 'Troubles'. This case study, the Injured Pension Campaign has been led by a lobby group, 'The WAVE Injured Group', based within the WAVE Trauma Centre. I need to state from the outset that I am and have been an integral member of the Injured Group since 2010.

Taking part in this study is entirely voluntary. If you decide to participate it is very important that you sign this form to show that you are willing to take part and that I have your permission to use, if requested, anonymised extracts from the interview.

STUDY PROCEDURES

I intend to conduct interviews with selected participants which should last 30-60 minutes. I will focus on a range of themes related to the Pension Campaign and related issues. I will meet you in a venue of your choice: your home or somewhere where you feel comfortable. However, this may not always be possible. I need to inform you that I use a wheelchair, so certain buildings may still be inaccessible. If this is the case, I would hope that we could arrange an alternative venue that is acceptable to you.

RISKS

As I intend to discuss certain issues relating to the conflict in and around Northern Ireland there may be a risk that sensitive material relating to death and injury emerges during the interviews. This may bring forth strong emotions and there is a risk that the mental health of participants may be adversely affected. If this should occur, I will suggest a pause in the interview, or I could reschedule the interview, or I would suggest that you withdraw from the interview. Furthermore, I could signpost you to a range of service providers (included in the information sheet) who are versed in dealing with those who have been affected by the conflict.

Furthermore, you may decline to answer any or all questions and you may terminate your involvement at any time if you choose. You are free to inform me if you wish to

avoid any issues that make you feel uncomfortable. You are also free to pause the interview to clarify any issues you have.

There is also a risk, when doing research in divided societies affected by conflict, that participants will try to divulge information, for example, knowledge of or participation in illegal activity that could put the researcher in a compromised position. It may be necessary for me to suspend the interview to inform you of the limits of confidentiality under the law. These incidents include, but may not be limited to, incidents of abuse and suicide risk. As with all interviews, the rule of law provides that any interview data may be subpoenaed where necessary.

BENEFITS

The benefits are that we will understand better the opportunities and constraints on the Injured Group, by gathering data on the perceptions of key internal and external stakeholders on the issue of the Injured Pension, in the hope that the findings could be used to inform public policy. This project will also add to the body of knowledge already available to those who seek to help divided societies recover from violent conflict. This project fits within the aims of the 'new ethics' in Peace and Conflict Research, in that, it is a worthwhile project which ought to be done to help transform the lives of people affected by conflict. I hope that it will be beneficial to my colleagues within the group, who can use the findings to further the Campaign; and more importantly for the wider group of people who were left severely injured as a result of violent political conflict on these islands and who do not possess the resources to lobby for their own needs in the political sphere.

CONFIDENTIALITY

I will keep your participation in this research study confidential to the full extent provided under law. Participant data will be kept confidential except in cases where the researcher is legally obligated to report specific incidents. These incidents include, but may not be limited to, incidents of abuse and suicide risk. As with all interviews, the rule of law provides that any interview data may be subpoenaed where necessary.

I will strive to keep your identity anonymous, if you so wish. There may be, however, limitations to this as you will be part of a relatively small sample population and the identity of many of the participants may be easy to deduce. If you choose to participate, you are free to withdraw from the interview at any time and to withdraw your permission for the use of the interview data, up to the period when I begin to write up my thesis.

When considering anonymity, I will assign code names and numbers to all participants and attach these to all related documents and notes. These codes will only be known to me. No names will be used that could identify participants. Instead, I may use a range of pseudonyms. I may also be required to redact certain parts of the interview extracts if there is a risk that participants could be identified.

I intend to use a digital recording device to record the interviews from which I will transcribe the data verbatim. The recordings will then be transferred to a portable

hard drive with password protection and stored in a locked safe at Queen's University, Belfast. The paper transcripts will also be secured in a safe. All data will be kept for five years after the project is completed and then destroyed in accordance with Queen's University's data handling policies.

CONTACT INFORMATION

Additionally, if you have questions regarding your rights as a research participant or you have concerns or general questions about the research, they can be addressed by my supervisor, John Brewer at j.brewer@qub.ac.uk or 02890973835 or at the Mitchell Institute (at the above address).

VOLUNTARY PARTICIPATION

Your participation in this study is voluntary. It is up to you to decide whether or not to take part in this study. If you decide to take part in this study, you will be asked to sign a consent form. After you sign the consent form, you are still free to withdraw at any time and without giving a reason. Withdrawing from this study will not affect the relationship you have, if any, with the researcher. If you withdraw from the study before data collection is completed, your data will be returned to you or destroyed.

CONSENT

I have read and I understand the provided information and have had the opportunity to ask questions. I understand that my participation is voluntary and that I am free to withdraw at any time, without giving a reason and without cost. I understand that I will be given a copy of this consent form. I voluntarily agree to take part in this study.

I require that my identity is anonymised

I do not require that my identity is anonymised

I wish to see extracts of the data from the interview intended for use in the thesis

I do not wish to see extracts of the data from the interview intended for use in the thesis

Participant's name (Print) _____

Participant's signature _____ Date _____

Investigator's signature _____ Date _____

APPENDIX 3

Interview Participants (in order of date of interview)

Andree Murphy – interviewed 30 May 2017 – Deputy Director of Relatives for Justice (RFJ), an Irish based human rights NGO providing holistic support services to the bereaved and injured of the conflict, based in West Belfast.

Val – interviewed 2 June 2017 – Former senior civil servant in the Northern Ireland Civil Service, based at Stormont.

Judith Thompson – interviewed 9 June 2017 – Former Commissioner for Victims and Survivors (2015-2020).

Tom Roberts – interviewed 13 June 2017 – a former loyalist prisoner, who is Project Co-ordinator of Ex-Prisoners Interpretative Centre (EPIC), an organisation that helps loyalist prisoners resettle in the community.

Kenny Donaldson – interviewed 16 June 2017 & 4 September 2018 – Director of Services at South East Fermanagh Foundation (SEFF), which was formed in 1998 to help support innocent victims and survivors of the Troubles in South East Fermanagh but which is now a region wide organisation as well as supporting victims across Great Britain and The Republic of Ireland. Kenny is also a spokesperson for Innocent Victims United (IVU), an umbrella organisation for 23 victim/survivor support groups with a combined membership of over 11,500 people.

Alex Attwood – interviewed 23 June 2017 – was, until recently, a Social and Democratic Labour Party (SDLP) Member of the Legislative Assembly (MLA) for West Belfast. He held the party portfolio on justice and legacy matters.

Sean Murray – interviewed 17 July 2017 – Policy Adviser for Sinn Féin in their Assembly operation on Policing, Justice, and Legacy issues and a senior member of Sinn Féin's negotiating team.

Doug Beattie – interviewed 27 July 2017 – Ulster Unionist Party (UUP) MLA for the Upper Bann Constituency and held the position of justice spokesman, which covers

issues related to the legacy of the conflict in Northern Ireland. Doug is the current leader of the UUP, since May 2021.

Seanna Walsh – interviewed 31 July 2017 – Former republican prisoner. Sinn Féin councillor in Belfast City Council and director at *Coiste na nIarchimí*, a republican ex-prisoner group.

Emma Little-Pengelly – interviewed 2 August 2017 – Former Special Adviser to First Minister Peter Robinson; former Member of the Legislative Assembly (MLA), former Junior Minister at the Office of the First Minister and Deputy First Minister; and former Member of Parliament (MP).

Peter Heathwood – interviewed 1 October 2018 – Core member of the WAVE Injured Group. Injured in 1979.

Alex Bunting MBE – interviewed 4 October 2018 – Core member of the WAVE Injured Group. Injured in 1991.

Jennifer McNern – interviewed 8 October 2018 – Core member of the WAVE Injured Group. Injured in 1972.

Mark Kelly MBE – interviewed 11 October 2018 – Core member of the WAVE Injured Group. Injured in 1976.

Philip Gault – interviewed 15 October 2018 – Core member of the WAVE Injured Group. Injured in 1972.

Professor Mary Hannon-Fletcher – interviewed 19 October 2018 – Core member of the WAVE Injured Group. Injured in 1975.

Robert Barfoot – interviewed 22 October 2018 – Core member of the WAVE Injured Group. Injured in 1985.

Linda Molloy – interviewed 23 October 2018 – Former WAVE Outreach Worker.

Victor – interviewed 30 October 2018 – Former member of the WAVE Injured Group.

Alan McBride – interviewed 5 November 2018 – Current WAVE Co-ordinator and facilitator for the WAVE Injured Group since September 2008.

Margaret Yeaman – interviewed 5 November 2018 – Core member of the WAVE Injured Group. Injured in 1982.

Dennis Godfrey – interviewed 12 November 2018 – WAVE Management Board member (since 2013) and former Director of Communications at the Northern Ireland Office.

Stuart Magee – interviewed 19 November 2018 – Former WAVE Welfare Advice Officer.

Jim Moody – interviewed 21 November 2018 – Former member of the WAVE Injured Group.

Beth McGrath – interviewed 23 November 2018 – Former management board member of the Northern Ireland Memorial Fund.

Margaret Bateson – interviewed 28 November 2018 – Current CEO of the Victims and Survivors Service.

Kathryn Stone – interviewed 19 December 2018 – Former Commissioner for Victims and Survivors (2012-2014).

Bertha McDougal – interviewed 10 January 2019 – Former Interim Commissioner for Victims and Survivors (2006-2008). Former Commissioner for Victims and Survivors (2008-2012).

Tina McCann – interviewed 11 January 2019 – Former Head of Communications and Engagement for the Commission for Victims and Survivors.

Neil Foster – interviewed 11 January 2019 – Chief Policy Adviser for the Commission for Victims and Survivors.

Mary McCallan – interviewed 16 January 2019 – Former WAVE Advocacy Officer.

Mike Nesbitt MLA – interviewed 23 January 2019 – Former Commissioner for Victims and Survivors (2008-2012); Current Member of the Legislative Assembly (MLA) at Stormont; Former leader of the Ulster Unionist Party (UUP).

Lord Robin Eames – interviewed 25 January 2019 – Member of House of Lords; former Archbishop of Armagh Primate of All Ireland; and Co-chair of the Consultative Group on the Past.

Jeff Smith – interviewed 29 January 2019 – Former police officer in the Royal Ulster Constabulary (RUC). Injured by IRA landmine explosion in 1985; and WAVE member.

Mitchel McLaughlin – interviewed 2 February 2019 – Former Sinn Fein MLA and Deputy Speaker of the Stormont Assembly.

Denis Bradley – interviewed 13 February 2019 – Co-chair of the Consultative Group on the Past.

Professor Marie Breen-Smyth – interviewed 14 February 2019 – An academic with a background in the study of political violence, conflict and international relations. Author of Breen-Smyth (2012) *The Needs of Individuals and Their Families Injured as a Result of the Troubles in Northern Ireland: Final Report*.

Jan Crawford – interviewed 15 February 2019 – Member of the Victims and Survivors forum and wife and carer for her injured husband, Garry Crawford.

Garry Crawford – interviewed 15 February 2019 – Civilian, injured in an IRA landmine explosion in 1992.

Dr Luke Moffett – interviewed 6 March 2019 – Academic and senior law lecturer based at Queen's University, Belfast.

Sir Jeffrey Donaldson – interviewed 8 March 2019 – Former MLA, former Junior Minister at the Office of the First Minister and Deputy First Minister; current Member of Parliament (MP); current leader of the Democratic Unionist Party (DUP), since June 2021.

Peter Robinson – interviewed 20 March 2019 – Former First Minister of the Northern Ireland Executive (5 June 2008 – 11 January 2016); former MLA, MP, and leader of the DUP.

Ernie Wilson – interviewed 3 April 2019 – Former part-time soldier in the Ulster Defence Regiment (UDR). Injured in an IRA bomb explosion in 1988. Member of SEFF.

Michele Nixon – interviewed 3 April 2019 – Sister and carer for her brother Grant Weir, former soldier in the UDR. Injured in an IRA landmine explosion in 1979. Member of SEFF.

Owen Smith – interviewed 9 April 2019 – Former Labour Party MP and shadow Secretary of State for Northern Ireland (14 June 2017 – 23 March 2018).

Sandra Peake – interviewed 15 April 2019 – CEO WAVE Trauma Centre.

Lord Peter Hain – interviewed 24 April 2019 – Former Labour Party MP and Secretary of State for Northern Ireland (6 May 2005 – 28 June 2007). Current member of the House of Lords.

Michael Culbert – interviewed 25 April 2019 – Former republican prisoner. Director at *Coiste na nIarchimí*, a republican ex-prisoner group.

Ciaran Tracey – interviewed 30 April 2019 – Investigative journalist with BBC *Spotlight* programme.

Patricia McBride – interviewed 24 June 2019 – Former Commissioner for Victims and Survivors (2008-2012).

Mervyn Lewers – interviewed 28 June 2019 – Former police officer in RUC. Injured by IRA under-car booby trap bomb.

Lindsay Boal – interviewed 3 July 2019 – Former chair of the Disabled Police Officers Association (DPOA).

Mark Thompson – interviewed 23 July 2019 – Director of Relatives for Justice (RFJ), an Irish based human rights NGO providing holistic support services to the bereaved and injured of the conflict, based in West Belfast.

Linda Dillon MLA – interviewed 23 July 2019 – Sinn Féin MLA. Party spokesperson on Policing, Justice, and Legacy issues.

Paul Crawford – interviewed 3 April 2020. Former project worker at WAVE Belfast.

Roger – interviewed 21 April 2020. Former WAVE representative.