The 30th Anniversary of a Grassroots Dialogue in Northern Ireland

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Abstract: When 'talks about talks' between the politicians in Northern Ireland were collapsing in 1992, what we needed was listening about listening. Robin Wilson (then the editor of the political affairs magazine, *Fortnight*) and I (then the professor of jurisprudence at Queen's University Belfast) co-founded Initiative 92, supported by a broad alliance of patrons across civic society and funded by Quaker and other charities. In the autumn of 1992, we established an independent commission of inquiry chaired by Torkel Opsahl, the Norwegian human rights lawyer. Submissions were invited from all-comers, including those who were then subject to broadcasting restrictions. The commission held hearings around Northern Ireland in January and February 1993. Their report was published on 9 June 1993, and then a major opinion survey gauged public reactions. This whole process of dialogue made a difference, playing a part in imagining what would happen if 'they', 'the other side' did this or that and how 'we' might react. Meanwhile, leaders of the different strands of nationalism were in their own dialogue, the Hume-Adams talks, the results of which were not made public. I wrote an article in the Irish Times on 14 October 1993 imagining what they might be saying. On 31 August 1994 came the first Irish Republican Army ceasefire, and I wrote in the Belfast Telegraph on 30 September 1994 an article imagining how unionists could respond constructively. Robin Wilson and I were called to give evidence to the New Ireland Forum in Dublin on 12 April 1995, after making a joint submission, 'Towards a Participatory Democracy'. It took until 1998 for the Good Friday Agreement to emerge from the talks between politicians, chaired by Senator George Mitchell, but this paper explores the lessons for dialogue in other contexts from this experience of grassroots dialogue through Initiative 92.

Keywords: Dialogue, Northern Ireland, Parity of Esteem

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Creating the Conditions for Grassroots Dialogue During the Troubles

This analysis of the value of dialogue in conflicts is informed by my personal experience of co-creating one such dialogue during the Troubles in Northern Ireland. Writing on the twenty-fifth anniversary of the famous Good Friday (or Belfast) Agreement of 1998, my aim is to describe how a citizens' movement called Initiative '92 came about in 1991, launched an independent commission of inquiry in 1992 inviting submissions from all-comers, held public hearings all around Northern Ireland in early 1993, reported and commissioned public opinion surveys to gauge reaction in the summer of 1993, then found further funding to ensure grassroots participants were supported in reflecting on the process, until first the IRA and then loyalist groups called their ceasefires in 1994. The search for peace had that high moment on Good Friday, 1998, but this grassroots dialogue which played a part in the progress in Northern Ireland is not so well-known. As the political process in Northern Ireland seems to have stalled, and as so many other conflicts or crises arise around the world, are there wider lessons from this particular dialogue?

As talks and 'talks about talks' between politicians were waxing and waning in 1991, those of us living in Northern Ireland needed some listening about listening. Accordingly, Robin Wilson (then the editor of the political affairs magazine, *Fortnight*) and I (then the professor of jurisprudence at Queen's University Belfast) co-founded Initiative '92, a citizens' movement supported by a broad alliance of patrons across civic society and funded by Quaker and other charities. In the summer of 1991, we chose the '92 to reflect both the coming year in which we intended to go public with this dialogue and our awareness that this might have seemed like the ninety-second or umpteenth initiative in the crowded public square of Northern Ireland during the Troubles.

Andy Pollak, the Initiative '92 co-ordinator on secondment from The Irish Times, explained that

> [t]he two men spent the following autumn sounding out opinion about their idea, and bringing together a group of people – most of them active in Northern Ireland's vibrant community and voluntary sectors – to act as a 'steering group'. The project began to get off the ground towards the end of 1991, when three major charitable trusts offered support: the Joseph Rowntree Charitable Trust, a charity known for its readiness to back both innovative ideas and projects aimed at broadening and deepening the concept and practice of citizenship and democracy, came in first with £100,000; it was followed

> by the Barrow Cadbury Trust with £50,000 … and the Northern Ireland Voluntary Trust with £25,000. (Pollak 1993, 391)

The Nuffield Foundation later contributed £25,000, and many other sums were received from trusts and individuals. The first four patrons or supporters mentioned by Andy Pollak were the leading cultural figures, 'writers like Seamus Heaney, Michael Longley, Jennifer Johnston and Brian Friel'. A management committee was established, chaired by Quintin Oliver from the voluntary sector. That group selected seven commissioners.

In the spring of 1992, Initiative '92 announced that an independent commission of inquiry would be chaired by Torkel Opsahl, the Norwegian human rights lawyer, with Marianne Elliott, Lucy Faulkner, Eamonn Gallagher, Eric Gallagher, Ruth Lister and Padraig O'Malley as fellow commissioners. The commission invited submissions from all-comers, including those who were then subject to broadcasting restrictions.

Andy Pollak continues his account of the process of dialogue by pointing out that confidence had to be developed in 1992:

> Through the summer and autumn, speakers criss-crossed Northern Ireland addressing public meetings, women's, Church, business, trade union, rural, student schools, youth and community groups and conferences. Twenty-nine public meetings were organised – all but a couple of them by Initiative '92's workers – in places as far apart (in every sense) as the strongly nationalist border areas of south Fermanagh and south Armagh and unionist north Antrim and Coleraine, from Bangor and Newtownards in the east to Derry and Limavady in the west. Outside Northern Ireland, speakers went to London, Dublin and Cork.
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> There were many private meetings too.... (Pollak 1993, 392)

On 10 November 1992, the political talks came to an end. It was a difficult time in Northern Ireland. On 16 October, a law student at Queen's whom I had tutored weekly, Sheena Campbell, had been followed out of the library and murdered. She was a mature student, 29 years old, with a young son. Before coming to Queen's, she had stood as the Sinn Fein candidate in the 1990 Upper Bann by-election where the Queen's senior lecturer in law, David Trimble, became the MP. As Christmas approached, with the deadline for submissions having been fixed for 11 January 1993, outreach workers helped community groups, including those formed for this purpose, to develop the confidence to make their submissions. More than 500 submissions were made by over 3,000 people. Then from 19 January to 23 February the Commission held seventeen public hearings around Northern Ireland, acknowledging the significance of a sense of place, choosing some of those who had made submissions and inviting others. On 23 February there was a Schools' Assembly in the Guildhall, Derry, and on 24 February, another Schools' Assembly was held in Queen's University Belfast. The commission's report was published on 9 June 1993 and a major opinion survey was commissioned to gauge public reactions.

My own contribution was submitted in January 1993, was ignored by the commissioners, who did not call me to speak at a public hearing but was picked up by *Fortnight* and then by Index on Censorship and published by them in September 1993. It was called 'Lost for Words' (Index on Censorship 1993).

Tragically, in September 1993, Torkel Opsahl suffered a heart attack and died. As the co-founders, therefore, Robin Wilson and I returned to promote and defend the report and the process, even though there were recommendations with which one or the other or both of us did not agree. Further funding had been secured to allow a small band of outreach workers, now led by Geraldine Smyth, to continue the dialogue for another year, encouraging reflection by participants and the next generations on the Opsahl process. Geraldine is a Dominican Sister with a doctorate from Trinity College Dublin so is sometimes referred to as 'Sister' and sometimes as 'Doctor', a small symbol of the overlaps between grassroots ecumenism and academe that was characteristic of this dialogue. She had recently returned from time in Dublin to Belfast and, after her time with Initiative '92, she went back to lead the Irish School of Ecumenics into Trinity College Dublin, where it has become a major centre for dialogue and ecumenism.

The original publication sold out, so a second edition in December of the same year was able to report the results of the opinion survey and carry some of the reactions to the report, including on its front and back inside covers. This is the edition to search for, should readers wish now to study the story of Initiative '92. Submissions can be read in the Linenhall Library in Belfast and there is open on-line access to a selection of submissions by Index on Censorship, together with a brief explanation of this process of dialogue by Andy Pollak, a note of appreciation for Torkel Opsahl, an account by Kate Kelly of the involvement of women in the dialogue and my own submission, entitled Lost for Words (Index on Censorship 1993).

As well as looking at the immediate aftermath of the Opsahl Report, there are two other analyses of the significance of Initiative '92 which bear rehearsing on this thirtieth anniversary, namely reflections from Professors Adrian Guelke and Marianne Elliott on, respectively, the tenth and twentieth anniversaries. I am therefore grateful to the Dialogue Society and this journal for the opportunity to offer some personal reflections on this experience for the thirtieth anniversaries of the public hearings, the school assemblies, and the publication of the report.

The primary question is: are there any potential lessons for dialogue in other contexts from this experience of grassroots dialogue through Initiative ’92? More specifically, since Adrian Guelke was a sympathetic observer and Marianne Elliott was one of the Opsahl Commissioners, are there any distinctive lessons from my perspective, as one of the two co-founders? In particular, I have been asked three sub-questions:

- what was the theoretical underpinning of this approach to dialogue?
- what were the special features of the context in the early 1990s, such as the levels and nature of violence or of the political stalemate, and
- what are the lessons, if any, for the very different context now in 2022 and for the years to come?

Even to set out the questions in this way is to recognise that one article cannot provide comprehensive answers. Life is different after the ceasefires of 1994, the Good Friday or Belfast Agreement in 1998, decades of an uneasy peace, the waxing and waning of economies in these islands and beyond, Brexit, lockdown, the environmental crisis, technological revolutions and various developments in Scotland, Wales, England and Ireland, as well as in Northern Ireland, including political, legal, constitutional, and social changes. There are many lessons from Initiative ‘92’s dialogue to apply to all these current challenges, just as there were many features of the early 1990s which made the conditions ripe for dialogue, and no doubt many theories which animated the different characters involved in Initiative ’92. I am merely offering what I have called ‘one view of the cathedral’ (Lee & Fox 1994, 5). Others will have their own perspectives. Every time Monet painted the cathedral at Rouen, the impression was subtly different. If others paint from a different vantage-point, their impressions will vary all the more. An understanding of the whole cathedral, and the points of view of diverse painters, cannot be captured in one glimpse. It might help, however, to understand the purpose of the cathedral, not only to see it clearly from the outside, in different lights and atmospheric conditions, but to appreciate it also from the inside.

One way of setting the scene for Initiative ’92, in answering that middle question about the context, is to look back at how violent the conflict was in the late 1980s and early 1990s, as it seemed to me in stepping inside that cathedral. Around the time of my interview at Queen’s University Belfast in the autumn of 1988, the Westminster government introduced broadcasting restrictions on the supporters of terrorism, reacting to a time of exceptional violence which can be traced, month by month, through the invaluable CAIN resource freely accessible on-line from the University of Ulster (CAIN 2023). A couple of years later, in September 1990, I found the grassroots conference of the Churches' Central Community for Community Work at Loughry College, Cookstown, to be an uplifting experience, listening to many community groups in dialogue about their activities. I was asked to edit the conference proceedings, which went to press at the end of the following month and was published in December (Lee 1990). Accordingly, I added a postscript on what had happened in what I described as that 'very violent' month of October 1990. For instance,

> On Wednesday 24 October, the IRA killed several people in separate incidents involving 'human bombs'. The people of the Derry border area, Catholic and Protestant, 'came together to pay their respects and to assert their wish to live together in peace… The Catholic Bishop of Derry, Edward Daly, denounced the IRA in the clearest of terms, at the funeral of Patsy Gillespie … 'The fruits of the IRA are strewn all over Europe, from a murdered infant in West Germany, to murdered tourists in Holland, to murdered pensioners in Enniskillen, to murdered Good Samaritans in our own city'

Bishop Edward Daly was himself a Good Samaritan and hero of the Troubles, famously risking his own life during the events of Bloody Sunday. This vignette of October 1990 gives those not then born or otherwise not aware of the history of the Troubles a sense of the violence and yet the resilience and determination of the churches and communities of Northern Ireland to reach out to one another in dialogue.

Later, I will suggest two conjoined lessons as answers from this time and context to the primary question, one on the *process* of inclusive dialogue – the challenge of learning to listen intently, and one on the *substance* of the Opsahl Report – the concept of parity of esteem. First, though, in the chronology, should come the immediate sequels to Initiative '92, both personal and political.

2 A Life-changing Dialogue

This whole process of dialogue made a difference, playing a part in imagining what would happen if 'they', 'the other side', did this or that and how 'we' might react. This was the major impact for the people and communities of Northern Ireland, but it also affected individuals. For example, leaders of the different strands of nationalism were simultaneously holding their own dialogue, the Adams-Hume or Hume-Adams talks, the results of which were not made public. I wrote an article in the Irish Times on 14 October 1993 imagining what they might be saying. On 31 August 1994 came the first IRA ceasefire, and I wrote in the Belfast Telegraph on 30 September 1994 an article imagining how unionists and loyalists could respond constructively. The loyalist ceasefire came on 13 October 1994. In a volume of essays edited by Wilfred Mulryne and Billy McAllister of Methodist College Belfast in honour of one of the Opsahl Commissioners, Reverend Eric Gallagher, in the same year, I had reflected on 'Parity of Esteem' (Mulryne & McAllister 1994). Robin Wilson and I were called to give evidence to the New Ireland Forum in Dublin on 12 April 1995, after making a joint submission, 'Towards a Participatory Democracy' (New Ireland Forum 1995). In each of these contributions to the quest for peace and justice, original contributions to research were informed by the time spent during the Initiative '92 dialogue listening to different views on ways forward. Parity of esteem means, in essence, living out the ideal of the same genuine respect for diverse traditions, communities, and people, regardless of 'majority' or 'minority' status or any other labels and even though sometimes majorities will prevail, or minority rights will be upheld against majority preferences. A participatory democracy is one in which all citizens have opportunities to contribute, to be heard and to listen in the public square, not only to have a vote every few years. These are conjoined twins underlying, and enhanced by, this grassroots dialogue.

Overlapping with the end of Initiative '92 and continuing until the end of my time in Northern Ireland, I was serving on two public bodies, the Standing Advisory Commission on Human Rights and the South & East Belfast Health & Social Services Trust. What I later called 'uneasy ethics' (Lee 2003) was not confined to the biggest constitutional questions but permeated the work of such bodies. Likewise, dialogue was needed not only between the judges and the judged but between all of us involved in, for instance, uneasy matters of medical law and ethics. As the academic lawyer member of the Standing Advisory Commission on Human Rights (SACHR), I led their work on equalising the age of consent to reflect parity of esteem for those of different sexual orientations, and on the most complex and sensitive issue of abortion law in Northern Ireland in 1993 and 1994, correctly predicting what the courts would decide and explaining why statutory change was needed, regardless of personal views on abortion and despite many people disputing this analysis through our process of consultation (SACHR 1993 & 1994). Twenty-five years later, this change has happened, and an academic study has recently revealed that government papers about my analysis (SACHR 1993) acknowledged at the time the significance of

> the publication of an influential report by Professor Simon Lee of Queen's University Belfast for the Northern Ireland Standing Advisory Commission on Human Rights. Lee argued that abortion law had

> been left to operate in a 'twilight zone', being so uncertain as to violate the standards of international human rights law… Abundant contemporary sources confirm Lee's finding that the law was confusing and poorly understood by the doctors required to operate within it… Lee's findings were widely reported… They were also fiercely contested…. (Sally Sheldon, Jane O'Neill, Clare Parker, Gayle Davis 2020)

Our NHS Trust focused on mental health, especially in diverse community settings. I was one of the non-executives, appointed presumably because of my interests in medical law and ethics, on the one hand, and community engagement on the other. Among the gifted executive members of the Board was the medical director, Dr John (now Lord) Alderdice, who was also then the leader of the cross-community Alliance Party and who is now an acknowledged expert on dialogue in conflicts.

Exactly one year after that first IRA ceasefire, I left Northern Ireland to start on 1 September 1985 as the rector and chief executive of Liverpool Hope University College, a joint Anglican-Catholic institution of higher education. This was an opportunity which also seemed timely for my family, as our three children were coming up to secondary school age, and to bring to a conclusion my work and daily involvement in the communities in Northern Ireland. Queen's kindly made me an emeritus professor and I have returned on various occasions over the years, but it was time to take the lessons of this dialogue into other spheres. I have rarely commented on this experience of grassroots dialogue in Northern Ireland, but I did have the opportunity to speak in the Knowledge Exchange Seminar Series at Stormont in 2017, co-organised by Queen's, Ulster University, and the Open University, where I was then working. This was thanks to Professor Leslie Budd of the Open University. It was the twenty-fifth anniversary of Initiative '92. My topic was 'Parity of Esteem Re-visited & Re-imagined' (Lee 2017a) and some of what I said then is incorporated below. Robin Wilson has remained in Northern Ireland and, tellingly for this purpose, when he left *Fortnight*, he created Northern Ireland's first think tank which he called Democratic Dialogue. Andy Pollak remained in Ireland and continued to work for peace and justice through cross-border initiatives. I recognise that for these friends, still living and working in much the same setting, it would be exhausting and counter-productive to be associated continually with these few years by being repeatedly drawn back to the Initiative '92 or Opsahl process or recommendations. In my case, I have turned to leadership roles in universities, pioneering partnerships across education, the arts and sport, other adventures in the voluntary sector, and now returning to my own research in law and cognate disciplines. Once or twice every twenty-five or thirty years, however, it is refreshing to reflect on lessons from this particular process of dialogue.

Meanwhile, back in Northern Ireland, it took longer than I had expected for the ceasefires to lead to political progress. Despite the good work of governments in London, Dublin, and Washington DC, it needed new political impetus, which came in 1997 with the election of Tony Blair's Labour government. Even so, it was not until 1998 that the Good Friday (or Belfast) Agreement emerged from the talks between politicians, expertly chaired by Senator George Mitchell from the USA. At the end of 1998, the leading politicians in Northern Ireland, John Hume and David Trimble, were jointly awarded the Nobel Peace Prize. These three developments were, of course, vital, namely an engaged, persuasive and lateral-thinking Prime Minister in London, the commitment of American political leadership, and the courage of domestic politicians in Northern Ireland itself.

The tendency has been, however, to overlook other contributing factors. These include the role of Irish politicians and the risk-taking of the previous Conservative government of John Major, through Peter Brooke and Sir Patrick Mayhew as Secretaries of State for Northern Ireland. Civil servants in Belfast, Dublin and London also took risks throughout the 1990s and doubtless earlier. Beyond politicians and other public servants, however, diverse elements of civil society played a largely unheralded part, from the churches to the trade unions and including this dialogue created by the Opsahl process, especially the opportunity it provided for many powerful and distinctive women's voices to be heard in the public square of Northern Ireland. While in 2023 it is natural that the media and politicians, including President Joe Biden, wanted to mark twenty-fifth anniversary of the Good Friday Agreement, there is still value in taking the opportunity to reflect on the thirtieth anniversary of the grassroots dialogue fostered by Initiative '92. This itself is a lesson, I would like to think, of more general application. I am fascinated by anniversaries but usually a political or media high moment was preceded by a much longer period of grassroots dialogue which will have an earlier timeline worth occasionally revisiting.

We were criticised in 1991, 1992, and 1993 for insisting that all-comers, even those then subject to broadcasting bans because of their support for republican or loyalist paramilitaries, would be welcome to participate in that dialogue. The 1993 Opsahl Report talked about bringing them in from the cold. It later emerged that there were simultaneously secret talks taking place between the IRA and the government. Our grassroots dialogue in 1992 and 1993 played a part in creating the conditions for the twin ceasefires in 1994. Given how long it took the powerful political players to get from that transformation to the Agreement of 1998, it was all the more remarkable how swiftly the charitably funded small secretariat and supporters of Initiative '92 had generated trust and engagement in life before the ceasefires. Those who now focus only on the 1998 Agreement cannot explain how the ceasefires happened and why they happened in 1994 rather than, say, 1984 or 1998 or 2023. There were multiple contributory factors, but one element was the ripple effect of this grassroots dialogue in 1993 and the community engagement with the report which was continued by Initiative '92 into 1994. It showed the supporters of violence that they could be listened to without the violence, it showed them that they would also be subject to searching questions, it indicated how others might answer, and gave confidence of reciprocity if steps towards peace were taken. As more and more women's voices were heard in the public square through the Opsahl public hearings, and as the sixth-formers' voices were heard through the school assemblies, so the mood among communities became more conducive to exploring new ways forward, converting the rhetoric of parity of esteem into practical steps towards ceasefires and then on to a political settlement.

An important lesson for other processes of dialogue in the midst of conflicts is how the Initiative '92 secretariat, now led by Sr Geraldine Smyth in succession to Andy Pollak, and outreach workers continued to promote grassroots dialogue for another year of extended support by our funders, through 1993 and 1994, to which I shall return.

3 First Reactions

Those reacting immediately to the Opsahl Report in June 1993 or in the next twelve months did not know that there would be the ceasefires to come in 1994 or that there would be the Belfast Agreement in 1998. It is worth, therefore, seeing who said what.

The second edition of the report in December 1993 helpfully carries on its front and back inside covers the following reactions, among others, to the original publication in June. Index on Censorship's judgement was that 'The Opsahl Report gave a platform to voices excluded elsewhere – from the Catholic and Protestant working women of Belfast to academics and lawyers – all tired of the old polemic. It gave hope that in Northern Ireland, too, an end is stirring.' The leading Irish political journalist, Mary Holland, said that it, 'demonstrates that literally thousands of people care passionately about the political, social, economic and cultural future of the North, and yearn for its divisions to be healed and for the two communities to work together.' The leading political scientist, Professor Bernard Crick in The Scotsman called it, 'The fullest and most judicious account of opinion in Northern Ireland ever made'. Dick Spring, the Tanaiste & Minister for Foreign Affairs said it was, 'an extraordinary experiment in public participation' and Sir Patrick Mayhew, the Secretary of State for Northern Ireland explained that 'The Opsahl Commission was established to encourage a public debate. It undertook the unique and valuable task of canvassing the views of a wide range of people and organisations in Northern Ireland.'

The Independent's immediate report by David McKittrick showed that local politicians were less enthusiastic. Even John (now Lord) Alderdice, who had spoken at one of our public hearings, unequivocally condemned the report:

> The Alliance Party thought it dangerously naïve on constitutional issues and ending violence. The party leader, John Alderdice, added: 'The proposals bear little relation to the realities which have been confirmed in the recent local government election and are not a framework for peace but a recipe for the Balkanisation of Northern Ireland.' (McKittrick 1993)

This hyperbole was perhaps understandable in that the Alliance Party was, and is, what we might now call non-binary and could be forgiven for focusing on the disadvantage of what I had called the 'two teams mentality' of some Opsahl analysis. Indeed, I had argued against this in my own submission. But it would have been helpful if the Alliance Party leadership, like many of its members, could have praised the *process* of the dialogue while continuing to argue for different ways forward.

The Opsahl Report was, however, discussed more constructively in the House of Commons and the House of Lords, and in Ireland, North and South, more widely, including in the Dail in Dublin, and in the European Parliament.

For example, in a debate in the House of Lords initiated by the Liberal Democrat, Lord Holme, in March 1994, he observed that 'it is very good to see genuine civic leadership emerging in Northern Ireland, responsible and far-sighted, drawn from both traditions, and confident enough to take the initiative'. Lord Williams of Mostyn, speaking for Labour, said, 'It seems to us that the real achievement of the report is that it has recorded views from a very wide spectrum of opinion in Northern Ireland, not all of which have been apparent or vocal in political dialogue in the past'. For the Conservative government, Baroness Denton responded by explaining, 'The Government believe that the main value of the report lies in the way that it has enlivened public debate throughout the community in Northern Ireland and outside...we believe that it provides an important source of ideas, emanating not only from the commission itself but from the many submissions made to it' (Hansard, 1994).

We kept up the interest at community level, where there was already such momentum, particularly among the churches. The flavour of this can be seen through essays in that book for Eric Gallagher (Mulryne & McAllister 1994) by Sr Geraldine

Smyth and Barry White, one of the leading journalists of the Troubles, who explained (Mulryne & McAllister 1994, 54) that Eric had a lifetime of experience in peace-making before, in 1992, he became

> 'a member of the Opsahl Commission, hearing submissions from politicians and non-politicians alike, about the way forward. To many it seemed like a pointless exercise, especially when the Stormont talks intervened but, by concentrating the minds of community groups on either side of the political divide, it offered a rare sense of empowerment to marginalised peoples. It provided an alternative focus to violence and perhaps played a subliminal role in helping the paramilitaries to rethink their objectives, preparing their minds for the twist and turns of the Hume-Adams initiative. Even if those outside ignored political analysis, it had a profound effect inside the prisons.

Dr Geraldine Smyth gave special credit to two Presbyterian ministers on the management committee of Initiative 92, Gordon Gray and John Morrow, for working 'indefatigably' on the dialogue which *followed* publication of the report, in the year leading up to the first ceasefires. With such support and commitment from within its ranks, their church was one of several to reflect meaningfully on the dialogue:

> The Presbyterian Church in Ireland in its response expressed 'deep gratitude to the Opsahl Commission for the quite excellent manner in which they conceived, carried out and reported upon the process of consultation with such a wide cross-section of the people of Northern Ireland' and acknowledged that the report 'will stand out as one of the most significant pieces of literature to emerge from the long era of the Troubles, and will … make an important contribution to helping people listen to one another, and become open to new possibilities of thinking and of action.' (Mulryne & McAllister 1994, 33)

We also did our best to keep the lessons of this dialogue in the media. For instance, in coming back to the management committee in the wake of Torkel Opsahl's death, I wrote on behalf of Initiative '92 three letters to The Independent in 1993, which they graciously published. I was pleased, though, that we disbanded, albeit a year later than originally intended, and let the process and the report speak for themselves or, more precisely, let the dialogue seep into the mainstream of thinking about ways forward for Northern Ireland. This was often without attribution but that did not matter. It was better that politicians who had decried the report, which they assumed was threatening to them, began to adopt its rhetoric and even, in some cases, its mindset. The lack of attribution or recognition was, curiously enough, a mark of success. It is only with the passage of time, a decade or two or three, that it is worth tracing the impact of some of the ripples of hope created by Initiative '92 and to answer those questions about its underlying theories and how it might apply to other contexts.

The best insight into dialogue through this grassroots initiative, in my opinion, came from Dr Geraldine Smyth in the last sentence of her essay about that follow-up year, pithily and powerfully explaining how dialogue needs its close sisters if it is to effect change. Having referred to both Eric Gallagher and Seamus Heaney, she concluded:

> Both these visionary Ulstermen have reckoned that the future need not be determined by the past, for all that the past can be a resource for the future. Dialogue and imagination, memory and hope are at the heart of that reckoning.

Eric Gallagher himself said of W B Yeats' famous phrase, 'peace comes dropping slow', 'It may come slow. It does not drop from heaven. Peace and structures have to be worked for' (Mulryne & McAllister 1994, 62–3).

The grassroots work, and even the dialogue, will not yield progress if they are not preceded, accompanied, and succeeded by those three elements identified by Geraldine Smyth of 'imagination, memory and hope'. In various ways, my own research, teaching, media involvement and community engagement have revolved around this quartet of dialogue and imagination, memory, and hope.

4 Tenth-Anniversary Reflections: Adrian Guelke

Indeed, anniversaries give us opportunities to consider the role of memory in making progress towards peace and justice. That is why I am writing now and why the structure of this reflection turns to two earlier reviews of our dialogue. Ten years on, in 2003, Professor Adrian Guelke gave a generous and insightful account (Guelke 2003). He noticed that the process took the submissions and hearings seriously, so that the bulk of the report was not about the commissioners' own recommendations but was indeed reporting the views of others.

In his judgement,

> The Opsahl Commission came to be associated with a single phrase that resonated throughout the province. The phrase was 'parity of esteem' ... at the time, it gave impetus to the belief that a political settlement was achievable ... The publication of A Citizens' Inquiry took place against the backdrop of the failure in 1992 of the Brooke/Mayhew talks among the constitutional parties. The Opsahl Commission's

> expression of confidence that the creation of a government within the parameters it put forward was a task that 'should not be beyond the realm of the possible and the practicable' was important in this context. Particularly significant was the fact that the Commission had reached this conclusion on the basis of submissions across the whole political spectrum, including Republicans and Loyalists. The implication was that an inclusive process would not necessarily make it more difficult to achieve a settlement, but on the contrary might actually enhance the prospects for political progress.

Adrian Guelke then noted the similarities between the Opsahl recommendations and the text of the 1998 Belfast Agreement, concluding that

> the similarities in a number of areas, especially the emphasis on an equality agenda, suggest that the Opsahl Commission's influence was more profound than that of a single memorable phrase.

I would add that it is not simply a question of whether the high-level political negotiators in 1998 copied the ideas which emerged from our grassroots process in 1993, it was that everyone had had five years in which to come to terms with what others were saying and how their own stated positions looked.

Sometimes, when we accuse others of not listening, they think, and sometimes say, that they have indeed been listening, they just do not agree with our point of view. One of the advantages of our public dialogue was that even those who disdained it at the time could learn from it what all sides, including their own, had been saying. In arguing about this or that viewpoint, they could decide for themselves if they really had been listening-but-disagreeing or not-listening or, listening-and-agreeing-to-differ-but-being-big-enough-to-show-that-they-really-had-been-attentive-to-counter-arguments. Indeed, in my own submission, I was trying to encourage a new vocabulary and to explain how sometimes ambiguity can help. Different participants in a dialogue might be talking past each other if they have different criteria or definitions, a theoretical debate called in my own discipline of jurisprudence the 'semantic sting'. Nevertheless, it can be helpful in edging towards peace from a conflict if opposed groups can notionally agree on a broad concept while actually having in mind different specific conceptions of what that might mean in practice. Indeed, this is one reason why Adrian Guelke's tenth-anniversary reflections were so pertinent, that the influence of our dialogue 'was more profound than that of a single memorable phrase'.

There are two extra reasons why Adrian Guelke's analysis is especially poignant. First, he is an astute observer also of the dialogue in his native South Africa, someone who understands the theory and practice of dialogue around the world. Second, he was one of those academics who not only risked his life in Northern Ireland by speaking out on all these matters during the Troubles but on whose life there actually was a violent attack. He survived when a gunman broke into his home near Queen's University Belfast in September 1991 only because the would-be killer's gun jammed.

5 Twentieth-Anniversary Reflections: Marianne Elliott

In 2013, 20 years on from her time as one of the Opsahl Commissioners, Professor Marianne Elliott wrote a magisterial article on the significance of the process of dialogue (Elliott 2013). As I moved in 1995 to work in Liverpool, in the same city where Marianne Elliott was based, I had come to follow more closely her own writings about the history of Northern Ireland, including her book, *The Catholics of Ulster: A History* (Elliott 2000), her essay on 'Religion and Identity in Northern Ireland' in a collection of lectures which she edited, *The Long Road to Peace in Northern Ireland* (Elliott 2002), through to her memoir, *Hearthlands* (Elliott 2017). The 2002 essay drew significantly on her experiences of community involvement in the Opsahl hearings. In particular, Marianne Elliott's 2013 article, on the twentieth anniversary, captured much of the value of Initiative '92:

> The idea of giving a voice to 'ordinary people' had come from a brainstorming session between Robin Wilson (then editor of *Fortnight* Magazine) and Simon Lee (professor of jurisprudence at Queen's University Belfast) late in 1991…Wilson and Lee raised the finance, persuaded 220 patrons and a team of dedicated field researchers to prepare the way and gain the trust of those very people who felt disenfranchised and had 'turned off' politics: most notably women, working-class Protestants, republicans, and the young.
>
> At the outset, the Commission was criticised by a number of politicians, but the northern press welcomed the initiative as something new. In the end every party – including Sinn Fein and the emerging loyalist political parties, the Ulster Democratic Party and Progressive Unionist Party – talked with us. The format of the Opsahl Commission has been followed by every subsequent commission. The principle that the public as well as the elected politicians deserve to be consulted is now generally accepted. I think, too, that giving people responsibility for the future also brings about some measure of acceptance of responsibility for the past. …

> The fundamental idea behind Initiative '92 and the Opsahl Commission was that of giving people the chance to express themselves – a chance, in other words, to overcome their obvious sense of frustration and helplessness…
>
> There is a tremendous unrequited thirst for dialogue among the people of Northern Ireland…
>
> Initiative '92 succeeded in encouraging women, and particularly working-class women, to become involved…
>
> The Opsahl Commission, then, consistently promoted the idea of people becoming participants in deciding their future, rather than remaining spectators as others decided it for them. As Torkel Opsahl wrote at the time, it was, 'an unprecedented, forward-looking experiment in public participation in political debate in a region that is usually characterised as politically rigid, undemocratic and backward'.

The year 2017 was when I turned sixty, and I had set myself the challenge of re-reading sixty books in the sixty days running up to my birthday (Lee 2017b). One was that huge tome on *The Catholics of Ulster: A History*. I asked Marianne Elliott what the inspiration was for her brilliant expression 'a resentful belonging' that she used in her final chapter of that history (Elliott 2000, 429–482). She said it was prompted by reflecting on Reverend Dr John Dunlop's 1995 memoir, *A Precarious Belonging*. Marianne Elliott's phrase, a 'resentful belonging', originally applied to Catholics in Northern Ireland and their attitude to the benefits of the UK's education system and welfare state. She explains her own experience in family and Catholic community life, in school and as an undergraduate in Belfast. John Dunlop's 'precarious belonging' originally applied to Protestants' fear that Westminster would sell them out of the United Kingdom. His memoir is equally fascinating on his lifetime of experience as a Protestant in Northern Ireland, including as Moderator of the Presbyterian Church. Both their concepts are insightful and helpful in understanding the challenges of dialogue in a number of other controversies, such as disagreements in university life, on independence for Scotland, on Brexit, and much else. Conflict is often to be explained by one group feeling resentful and another feeling precarious. In universities and in politics, we sometimes feel both simultaneously. I had been wondering why all sides in Northern Ireland were not listening as openly as we might have wished. In that 1994 essay on 'Parity of Esteem', I had taken issue with the phrase 'dialogue of the deaf' since those whose hearing is impaired or non-existent have taught us so much about how to communicate well but I understood the point often being made that others (and of course we ourselves) were not in a state of mind where they (and we) could listen attentively. I was still questioning how best to put this when the answer, it dawned on me belatedly, was given by Marianne Elliott in response to John Dunlop, that true dialogue is hindered by resentful and precarious senses of belonging. The process of articulating those inhibitions, and of addressing their causes, is vital to promoting dialogue in times, places, and societies of conflict.

The dialogue created by Initiative '92 benefited greatly from the quality and diversity of the seven independent Opsahl Commissioners. The grassroots involvement through the decades of Eric Gallagher and the academic brilliance of Marianne Elliott are the two examples I have given here but similar points could be made about each of the seven. Moreover, in the hearings, they lived out these values of listening and respecting all-comers. Eric Gallagher could hold his own with any leading historian, while Marianne Elliott's later memoir and her conduct of hearings with community groups demonstrated her rootedness in the communities of Northern Ireland.

6 My Thirtieth-Anniversary Reflections on 'Process': Learning to Listen

There might be thought to be little point in returning, even only once every decade, to this dialogue given that Adrian Guelke after ten years and Marianne Elliott after twenty years have captured the strengths of the dialogue so generously and powerfully. The premise of this reflection after thirty years is rather to offer a different perspective, partly because of my different role in the dialogue and partly because the world seems to have changed so much in the past decade.

My starting point is to consider how the combination of Robin Wilson and myself managed to kick-start this process of dialogue. On the one hand, this lacks the rigour of an objective account but, on the other, it at least has an insider's perspective. I would like to think that Robin might give his own account in due course, perhaps for the fortieth anniversary, but from my point of view he was an influential journalist, well-connected, vigorously independent, fearless, trustworthy, of unbounded energy and commitment, rooted in Northern Ireland and yet perceived by some to be unusual in Northern Ireland in being a secular liberal and a radical thinker. His day (and night) job as editor of the foremost political journal meant that he was constantly listening to a wide variety of views on ways forward.

How was I perceived? One advantage of having famous colleagues and students is that there is the occasional passing phrase about me in their biographies. For instance, one of David Trimble's biographers, Henry McDonald, kindly described me as, 'Simon Lee, a young left-liberal Englishman', which might say more about where others were on a left-centre-right spectrum (McDonald 2000, 108). Dean (now Lord) Godson in his biography of David (later Lord) Trimble explained my appointment to the Chair of Jurisprudence at Queen's in generous comments on my academic and media credentials (Godson 2004, 93). When I arrived at Queen's at the start of January 1989, it was already known from my writing that I am a Catholic and obvious that I am English, meaning that I was in neither of the two communities as characterised by the media. With the benefit of hindsight, I think that people assumed I would move back to England in due course, which could be seen as both positive and negative when it came to speaking out about issues of justice. It was often difficult for people who expected to work for a long time within their institutions or within Northern Ireland or the island of Ireland to take a public stand. For example, in a biography of a colleague who went on to be President of Ireland, Justine McCarthy reported on the storm around equal opportunities at Queen's, 'Throughout it all, Mary McAleese maintained a low profile, as did most of the senior nationalists on the academic staff. Only Professor Simon Lee from the law school, who later transferred to Hope College in England, publicly supported the students' (McCarthy 1999, 118).

This brings me to an important point about the combination of academic and media involvement in the creation of Initiative '92. I benefited from association with two influential institutions which carried authority in Northern Ireland, Queen's University Belfast and the BBC. I was employed by the former and given various platforms by the latter, including a weekly opportunity to speak on Radio Ulster's Talk-Back, and presenting series on religion on radio and television. Queen's was under scrutiny and criticism from all sides over unfair employment but it still carried enormous weight. Its main Lanyon building was on some of the banknotes of Northern Ireland, and I was one of many academics seen, on one news programme after another, walking in front of it before opining on the issues of the day, supported by the BBC's duty to be impartial. Universities and the media contribute hugely to dialogue in what is nowadays in academe called knowledge exchange and impact.

Even so, why did we choose to promote dialogue at grassroots level? In my own case, I had concluded my book *Judging Judges* in 1988 (Lee 1988, 208) with a call for 'more dialogue between the judges and the judged'. Later that year, my presentation at interview for my job at Queen's University Belfast was on how a 1987 essay by me on medical law and ethics, entitled 'Towards a Jurisprudence of Consent' (Eekelaar & Bell 1997, 199) could be applied to the constitutional future of Northern Ireland. To consent to a medical intervention, or a constitutional change, one must have the capacity to consent, be deciding voluntarily (not under duress), and be aware of the risks of proceeding (or of not going ahead) and of the alternatives. Even if all those conditions are satisfied, sometimes consent is overridden by public policy. If there is no capacity, in medical law a proxy must decide in the best interests of the patient. In politics, Westminster's direct rule could be regarded as the proxy. My argument at interview was that if I were appointed, I would work to ensure that the people of Northern Ireland would have that capacity, would be able to decide their future free of the pressure of violence, and would be aware of the pros and cons of the status quo or of other arrangements. This could only come about through a dialogue between the diverse citizens and communities of Northern Ireland and other interested parties.

Robin Wilson and others in the media were already promoting such dialogue. Dialogue was also being championed by other educational institutions and other elements in civic society, such as churches. For instance, that book about Eric Gallagher came from Methodist College, Belfast, a school which also attracted Catholics and people of other denominations, faiths, and backgrounds. The Methodists in Ireland were peacemakers, much as the Quakers are highly regarded as peacemakers in England and around the world. In concluding their preface, the editors (the principal and the chaplain of Methody) kindly thanked me in terms which might be applied to the wider work of all involved in Initiative '92 (Mulryne & McAllister 1994): 'Simon Lee, who planted the seed, and whose knowledge, expertise, generosity of time and incredible energy have ensured the production of this small acknowledgement of the esteem in which Eric Gallagher is held.' This underplays their own roles and that of David Gallagher, another member of staff at Methody and the son of Eric, as well as overstating mine. The generosity of time in all pioneering of dialogue came from our families while we were out in evenings and at weekends at Initiative '92 and wider community meetings. But the first and last elements of their generous praise do capture what is needed in dialogue. As the co-founders, Robin Wilson and I did plant the seed and energy was vital to keep the momentum going in the face of indifference from certain sections of the media, criticism from politicians and the violent context of the Troubles. We in turn, and the process, were sustained by the enthusiastic involvement of the management committee, the secretariat, the patrons, the funders, and the participants.

For example, the energy radiating from the sixth-formers in the school assemblies is still palpable from reading that chapter in the report, thirty years later (Pollak 1993). The image we used in promoting the opportunities to make submissions and to contribute to hearings and assemblies was of a microphone, as often handed to a member of the audience in a broadcast or in a community event. We were handing the mike to all-comers, including those who were previously voiceless in the public square. To do this on such a scale in such circumstances required the energy that comes from a passion for hearing those other voices and for seeing the impact they made on other listeners from diverse backgrounds. Robin Wilson and I shared involvement in the media, in academic analysis and in community engagement. These are the hallmarks also of the Dialogue Society.

In contrast to Robin Wilson, I was Catholic, English, and new to the scene but there was something in common: our experience in listening. I had written about Lord Scarman, known as the most liberal of UK judges, but also describing him as a listening judge. I wrote for the BBC's weekly publication, The Listener. I thought I had learned most in my undergraduate degree from my first hour in a law tutorial when our tutor constructively critiqued my fellow tutee's essay. Without saying anything, I learned how our tutor thought we should analyse cases. It was a front-row seat at a Socratic dialogue. The fellow tutee was Timothy Brennan, KC. The tutor happened to be Chris McCrudden, then a doctoral student in Oxford, but previously a law student at Queen's and now a professor there and one of the world's leading authorities on anti-discrimination law.

But I had more to learn about listening, especially from my wife Patricia's studies as a part-time student on the Masters in Ethnomusicology at Queen's University Belfast in the 1990s, about the role of listening in music generally and in particular the value placed on listening by the Venda, a community of 300,000 in Africa, as described by John Blacking in *How Musical Is Man?* (1974, 35). In the West, according to Blacking,

> children are judged to be musical or unmusical on the basis of their ability to perform music. And yet the very existence of a professional performer, as well as his necessary financial support, depends on listeners who in one important respect must be no less musically proficient than he is. They must be able to distinguish and interrelate to different patterns of sound... What is the use of being the greatest pianist in the world, or writing the cleverest music, if nobody wants to listen to it?

This struck me as an insight applicable to my day job promoting the public understanding of law and to my extra-curricular involvement in community engagement. It is also the reason why I think it is so misleading to focus now only on the politicians' agreement in 1998, important though that ultimately was. What would have been the use of the agreement being nurtured by one of the most renowned political negotiators in the world, as Senator George Mitchell was, if nobody at grassroots level had wanted to listen to the new order it was heralding?

Initiative '92 was about co-creating opportunities for different communities to listen to one another. My guardian angel in listening to diverse communities was the father of a King's College London law student. Clodagh Hayes told me, as I left King's in

December 1988, that her father, Maurice, would look out for me. Dr Maurice Hayes, later a Senator in Ireland, was a towering figure in Northern Ireland, the Ombudsman with a distinguished career as a civil servant, and, frighteningly, a student in the Queen's LLM in Human Rights Law. He urged me to keep quiet until I had listened sufficiently to local people and then he would find ways for me to make a contribution. He suggested that the organisers invite me to give the opening address at a conference of grassroots Catholic and Protestant church and community groups in September 1990, which became a little book, *Freedom from Fear: Churches Together in Northern Ireland* in the December (Lee 1990). He then arranged for me to chair the Cultural Traditions Group's conference in March, '*1991, All Europeans Now?*, which was also swiftly turned into a book (Crozier 1991).

Soon after that conference on European identities, I wrote a letter to The Times at the start of May 1991 about the value of the talks about talks, and the possibility of peace. This attracted the attention of Robin Wilson, who was then gracious enough to publish an article by me in Fortnight, initially pointing out that the secular, liberal left in Northern Ireland, led by Fortnight, ignored religion as if the Troubles were only about other aspects of belonging. Robin Wilson, while still convinced that I was wrong on various fronts, was wonderfully open to opposing views. This is how, from my perspective, it was natural that together we would plant the seed of what became a large-scale exercise in listening to one another and which brought individuals, community groups of longstanding, and new associations, including groups of women active in their communities, to the attention of the media and of decision makers.

7 My Thirtieth-Anniversary Reflections on 'Substance': Parity of Esteem

Adrian Guelke saw the expression 'parity of esteem' as central to the Opsahl Report. In that submission of mine, 'Lost for Words', I had suggested that the underlying concept of proportionality had a role to play but I readily accepted that parity of esteem was a better way of putting this. The pushback against it ranged from Councillor Reg (later Sir Reg and now Lord) Empey to the distinguished academic Professor Richard English. Reg Empey criticised parity of esteem in The Belfast Telegraph in an article on 17 August 1994, a fortnight before the IRA ceasefire. He misattributed it to the New Ireland Forum of 1984, whereas it surfaced in Northern Ireland's Constitutional Convention (to which Reg Empey was elected) in 1975. More recently, 'equality of esteem' was used by SACHR in 1990 and as 'parity of esteem' is usually credited to Sir Patrick Mayhew's December 1992 speech in Coleraine.

It was therefore necessary for me to set out the origins of the phrase. It was coined in the context of secondary education in the Norwood Report of 1943 to describe how different kinds of secondary education ought to be treated. This influenced the legislation in Westminster and Stormont later in the 1940s:

> Accordingly, we would advocate that there should be three types of education, which we think of as the secondary Grammar, the secondary Technical, the secondary Modern, that each type should have such parity as amenities and conditions can bestow; *parity of esteem* in our view cannot be conferred by administrative decree nor by equality of cost per pupil; it can only be won by the school itself.

In the 1960s, the manifest failure of parity of esteem in secondary education led to pressure for comprehensive education. Anthony Crosland, the architect of the change, had made the point in his 1956 book *The Future of Socialism* (Crosland 1956) that, 'It is curious that socialists, so often blind to the question of the public schools, should fail to see that 'parity of esteem' within the state sector, combined with a continuation of independent schools outside, will actually increase the *disparity* of esteem within the system as a whole.' But by the time he became Secretary of State for Education in 1964, he had decided to make a start and so issued a call to local authorities to create comprehensive schools in Circular 10/65, intending (we are told in a biography by Susan Crosland) to destroy every grammar school.

In 1975, the Rt Hon David Bleakley of the Northern Ireland Labour Party (NILP) introduced the concept of 'parity of esteem' into Northern Ireland's political discourse during the Constitutional Convention (Northern Ireland Constitutional Convention 1975, paragraph 147):

> The NILP recognises the need to look beyond the frontiers of Northern Ireland and to develop good relations with neighbours. But it stresses the need for realism; there is a price to be paid for North/South cooperation. In particular, the Irish Republic must not lay claim to the territory of the North and must acknowledge the right of the Ulster people to determine their own destiny. Equally, the North would recognise the value of cooperation, between equals, with the South. Such parity of esteem is essential for progress, but once it is established Irish people should find no difficulty in working out agreed forms of contact, beneficial to both parts of the island.

All the way through the 1980s, polytechnics campaigned to be acknowledged as universities. Curiously, it was the same Anthony Crosland, in the same year as he paved the way for comprehensive schools, who had seemed to entrench the binary system (which he called a dual system) and saying that there would be no new universities for ten years (a policy swiftly reversed). The merger of the Ulster Polytechnic and the New University of Ulster in 1984 paved the way for polytechnics to become universities across the Irish Sea. The tone was set by Lord Longford on 10 May 1989 in the House of Lords. Although her government initially resisted this proposal, by the end of her premiership in 1990, she had changed minds and the Conservative government under John Major forced the change through, against the wishes of many university leaders, in the 1992 Higher and Further Education Act. Lord Longford put the case like this:

> First, the polytechnics are a vital though much under-estimated element in our education system. Secondly, they have been disgracefully starved hitherto of adequate resources. Thirdly, they will never get fair play or achieve parity of esteem until the distinction is eliminated between them and the existing universities. The so-called binary system may have seemed a good idea at the time – I have an idea that I helped to defend it myself about 24 years ago in this House – but by now it has served its purpose. The binary system has had it.' (Hansard 1989)

As parity of esteem for polytechnics was approaching, the concept of parity of esteem was revived by Initiative '92's Opsahl process of listening to diverse voices in civil society. Sir Patrick Mayhew invoked it, in Coleraine and in Westminster, and it featured in the Good Friday Agreement in 1998. The Opsahl Commission recommended 'a government based on the principle that each community has an equal voice in making and executing the laws or a veto on their execution, and equally shares administrative authority' and that 'Parity of esteem between the two communities should not only be an ideal. It ought to be given legal approval, promoted and protected, in various ways which could be considered' (Hansard 1993).

The footnotes are interesting on the origin of these ideas: for instance, about the former, 'This proposal did not come directly from any single submission. However, its inspiration was the strong emphasis on the need for absolute parity of esteem between the two communities in Northern Ireland in a number of submissions: for example, the Corrymeela Community ...' and four named individuals (Pollak 1993, 123, footnote 2).

Sir Patrick Mayhew had welcomed the Report in Parliament in 1993, 'The Opsahl commission was established to encourage a public debate. It undertook the unique and valuable task of canvassing the views of a wide range of people and organisations in Northern Ireland' and was still emphasising the concept of parity of esteem in the marching season of 1996: 'We have to encourage parity of esteem and a balancing of the perfectly proper hopes, aspirations and fears of one side of the community against those of its counterparts. That is what we try to do' (Hansard 1996).

In 1998, under the Good Friday Agreement, the two governments,

> 1 (v) affirm that whatever choice is freely exercised by a majority of the people of Northern Ireland, the power of the sovereign government with jurisdiction there shall be exercised with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions and shall be founded on the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of parity of esteem and of just and equal treatment for the identity, ethos, and aspirations of both communities.

While this policy was developing, parity of esteem featured explicitly in the South African Constitution of 1996, s6 respecting languages. In this century, however, the concept of parity of esteem has been criticised or neglected in Northern Ireland more than it has been invoked. Martin Dowling, for example, has written of a 'parity of contempt' (Dowling 2014). Yet parity of esteem is alive and well and living in the NHS, where everyone seems to agree that it was enshrined in legislation by the Coalition Government in the Health & Social Care Act 2012, even though the term itself is not in the text of the legislation. On 19 March 2014, for example, David Cameron, replying to Ed Miliband, said, 'In terms of whether mental health should have parity of esteem with other forms of health care, yes it should, and we have legislated to make that the case' (Hansard 2014).

He meant that the Health & Social Care Act 2012 requires parity of esteem. David Cameron's coalition government was particularly proud of this although (a) it came about through opposition amendments opposed by the government, and (b) the phrase is not there explicitly. The expression is used in the NHS Constitution and Mandates but the Act itself simply begins:

> "1 Secretary of State's duty to promote comprehensive health service
>
> (1) The Secretary of State must continue the promotion in England of a comprehensive health service designed to secure improvement—
>
> (a) in the physical and mental health of the people of England, and
>
> (b) in the prevention, diagnosis and treatment of physical and mental illness.

Still, this combination of it being implicit in the legal texts and explicit in policy documents and wider discourse has brought great energy and impetus to mental health services and well-being. It brings me full circle to learning to listen through the pioneering work of the South & East Belfast Health & Social Services Trust.

Some will conclude, thirty years on from Opsahl, that parity of esteem has lost impetus in Northern Ireland, but others might judge that it is only beginning to make its full impact as the ripples from these other spheres and countries criss-cross the world. There are at least four broad reasons why progress towards parity of esteem has been slow:

- First, not everybody agreed with it in the first place, and it is still controversial as a concept. Sometimes it is said to be meaningless, sometimes it is a particular meaning to which someone objects.
- Second, there are now so many detailed rules on equality and non-discrimination that it might be thought to be unnecessary.
- Third, it might be that there is uncertainty or discontent about who is meant to show the esteem: is it a matter for the two governments only or also for politicians and others with public responsibility here or indeed for all of us?
- Fourth, it might be that the tension comes in that not only 'the two main communities' but others might wish to be shown such esteem.

If it is to be reinvigorated, what are the conditions in which parity of esteem thrives? On the one hand, it is not just about a resolution of a complex dilemma by an imposed outcome but rather is about the process of getting to a policy decision, involving listening to why others feel under-valued by the status quo or alternative proposals. The energy in the NHS around mental health is a good model for this and it is no coincidence, on this view, that parity of esteem has been most prayed in aid by processes of dialogue such as the Opsahl hearings or the political talks which led to the Good Friday Agreement. On the other hand, it is not enough for parity of esteem to be invoked only when we think someone else is not living up to it, if we are not reflecting on how we live out the idea, for instance by taking action ourselves, where we can. On the eightieth anniversary of the Norwood Report, we are now much more conscious of not blaming the victims of unjust treatment but, with those warnings, it might be worthwhile considering the Norwood Report's ultimate message by asking how can we cultivate an attitude in which we genuinely esteem other traditions and genuinely attract esteem from those who disagree with us?

8 Thirtieth-Anniversary Conclusions: Grassroots Dialogue

Thirty years after Initiative '92's public hearings, I have the honour of chairing the trustees of the William Temple Foundation. One of our last speakers of 2022 was Lord (Rowan) Williams who pointed out the methodology of the Independent Commission on the Constitutional Future of Wales, of which he is co-chair, which was established by the Welsh Government. The commission has made a point of going out and about to listen to people in their own communities. This emphasis on encouraging inclusive dialogue, from Northern Ireland to Wales and beyond, connects to points our Foundation has made throughout 2022 (Lee 2022).

A fundamental lesson from this grassroots dialogue of thirty years ago is that it only happens through commitment and encouragement. The twin values of our initiative were at one with those of the Quaker charities, the Joseph Rowntree Charitable Trust and the Barrow Cadbury Trust which led the way in funding what was then only the idea Robin Wilson and I had of dialogue: listening and striving to live out a commitment to what we now think of as parity of esteem. This alignment transcends the familiar distinction between process and substance. It has much in common at a practical level with the theoretical insights offered more recently by Richard Sennett on *Respect* (Sennett 2004).

This is why, in my opinion, even someone as committed to dialogue as John Alderdice was so critical of the Opsahl Report on its publication. I am sure that he still supported the process of dialogue, but he was reacting to the recommendations as the leader of the Alliance Party, which rejected binary distinctions such as assuming that everyone must be either a unionist or a nationalist. He could see the dangers in the commission's mindset. This did not deter me, however, partly because I was confident that, in time, the concept of parity of esteem would come to recognise both the non-binary and the fluid nature of some citizens' sense of belonging. It might even have been that it was necessary to go through the phase of 'two communities' arrangements to get to this point. Over thirty years, the Alliance Party has bounced back in polling, while the fortunes of the two parties of the Nobel Peace Prize winners, the Social Democratic and Labour Party and the Ulster Unionists, have faded by comparison to Sinn Fein and the Democratic Unionist Party. In 1993, in my opinion, the immediate reaction by the leading politicians of the Alliance Party to the Opsahl Report combined both a precarious and a resentful sense of belonging. They feared that the two blocs would squeeze the middle out of political existence, which would have seemed unfair to those in politics who had always tried to be peaceful bridge-builders. Rank and file Alliance supporters, however, and those from other parties across traditional divides, were more open to this dialogue than were their leaders.

This is a familiar pattern in dialogues in other societies in conflict. Politicians claim that their supporters will not allow them to make compromises, to contemplate alternatives, or to take risks. In fact, genuine consent to the status quo or to change can only emerge if risks, alternatives, and compromises are explored at grassroots level. The more open the dialogue, the more we hear, for instance, the supporters of violence questioned by the media and by fellow citizens, the better the prospects are for peace and, eventually, justice.

This is also why there is such danger in the contemporary 'culture wars' or 'cancel culture'. Dialogue between those who disagree is preferable to a monologue. Parity of esteem is more needed than ever, in Northern Ireland and beyond, but it need not be in two blocs. In Northern Ireland, the mirror image of veto rights between the two main ways of categorising community identities appealed to those communities in the 1990s. In the 2020s, we ought to be able to be more nuanced in recognising more diverse identities and shaping through dialogue more subtle structures to reflect the population's diverse senses of belonging and to overcome abstentionism.

It should be easier to do this in the 2020s than it was in the 1990s because of all that has gone before. Thirty years on, the time-lag does not seem so slow between the dialogue created by Initiative '92 through to the 1994 ceasefires and the Good Friday Agreement in 1998. It took that time, I think, for many families of the victims of violence to come to terms with the idea that those who had been, or who had supported, paramilitaries were being 'brought in from the cold'. Yet this was necessary for that political process, and it was prefigured in the Initiative '92 dialogue, which was open to all-comers including those then subject to the broadcasting restrictions. Thirty years on from listening to both the victims and the supporters of terrorism, my view is that the most significant lesson of the Northern Ireland dialogue and peace process rests in the transforming grace that comes from the parable of the labourers in the vineyard. Those who come late to participation in constitutional democracy, no longer supporting violence, are treated on equal terms with those who have laboured peacefully for so long. This remains a mystery to many, but it works. We involve all-comers in dialogue not *because* some of them have supported violence but *despite* that.

The last word on this thirtieth anniversary should go to one of those who had laboured long and hard in the vineyard, working for peace and justice through dialogue at grassroots level. Fr Denis Faul, a courageous and indefatigable parish priest and campaigner, 'said that addressing the Opsahl Commission at a Dungannon oral hearing made him feel like a citizen of classical Athens!' (Pollak 1993, 395). We know that the city of Athens was not as inclusive an arena as Initiative ‘92 sought to establish, but this sentiment beautifully captures the spirit of grassroots democratic dialogue.

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Bibliography

Blacking, J. (1974) *How Musical is Man?.* University of Washington Press.

Board of Education (1943) (The Norwood Report), Curriculum and examinations in secondary schools.

CAIN University of Ulster (1968-2023) Northern Ireland Conflict, Politics, and Society. Information on 'the Troubles'. Available at: https://cain.ulster.ac.uk.

Crozier, M. (1991) *All Europeans Now?*. The Institute of Irish Studies.

Dowling, M. (2014*) Traditional Music and Irish Society: Historical Perspectives*. Routledge.

Dunlop, J. (1995) *A Precarious Belonging: Presbyterians and the Conflict in Ireland*. Blackstaff Press Ltd.

Eekelaar, J. & Bell, J. (1997) (editors) *Oxford Essays in Jurisprudence* (3rd series)

Elliott, M. (2013) 'The Role of Civil Society in Conflict Resolution: The Opsahl Commission in Northern Ireland, 1992–93.' New Hibernia Review / Iris Éireannach Nua, 17 (2), 86–102. Available at: http://www.jstor.org/stable/24625187.

Godson, D. (2004) *Himself Alone: David Trimble and the Ordeal of Unionism*. HarperCollins.

Guelke, A. (2003) 'Civil Society and the Northern Irish Peace Process.' Voluntas: International Journal of Voluntary and Nonprofit Organizations, 14 (1), 61–78. Available at: http://www.jstor.org/stable/27927826.

Hansard (1989) The Polytechnics (Hansard, 10 May 1989). Available at : https://api.parliament.uk/historic-hansard/lords/1989/may/10/the-polytechnics.

Hansard (1993) Opsahl Report (Hansard, 28 June 1993). Available at: https://api.parliament.uk/historic-hansard/written-answers/1993/jun/28/opsahl-report#S6CV0227P0_19930628_CWA_18.

Hansard (1994) Northern Ireland: Opsahl Report (Hansard, 3 March 1994). Available at: https://api.parliament.uk/historic-hansard/lords/1994/mar/03/northern-ireland-opsahl-report.

Hansard (1996) Security Situation (Hansard, 11 July 1996). Available at: https://api.parliament.uk/historic-hansard/commons/1996/jul/11/security-situation

Hansard (2014) House of Commons Hansard Debates for 19 Mar 2014 (pt 0001). Available at: https://publications.parliament.uk/pa/cm201314/cmhansrd/cm140319/debtext/140319-0001.htm

Kelly, K. (1993) 'Staking a claim on the future'. *Index on Censorship*, 22 (8-9). Available at: https://journals.sagepub.com/doi/pdf/10.1080/03064229308535598

Lee, S. (1988) *Judging Judges*. Faber & Faber.

Lee, S. (1990) *Freedom from Fear: Churches Together in Northern Ireland*. The Institute of Irish Studies

Lee, S. (1993) 'Lost for Words'. *Index on Censorship*, 22 (8-9). Available at: https://journals.sagepub.com/doi/pdf/10.1080/03064229308535599

Lee, S. (2003) *Uneasy Ethics.* Pimlico.

Lee, S. (2017a) 'Parity of Esteem'. Parity of Esteem Re-visited & Re-imagined - Knowledge Exchange Seminar Series (KESS)

Lee, S. (2017b) 'Sixty Book Workout, Day 52: Marianne Elliott, The Catholics of Ulster, A History'. *Sixty Book Workout*. Available at: https://sixtybookworkout.wordpress.com/2017/03/16/sixty-book-workout-day-52-marianne-elliott-the-catholics-of-ulster-a-history/.

Lee, S. (2022) 'Reflections of 1942 in 2022'. Available at: https://williamtemplefoundation.org.uk/reflections-of-1942-in-2022/.

Lee, S. & Fox, M. (editors) (1994) *Learning Legal Skills.* Blackstone Press

McCarthy, J. (1999) *Mary Mcaleese the Outsider*. Blackwater Press.

McDonald, H. (2000) *Trimble.* Bloomsbury.

McKittrick, D. (1993) 'Commission on Ulster calls for power-sharing: Report attracts 500 submissions on how to break the political logjam in Northern Ireland', *The Independent. Available at:* https://www.independent.co.uk/news/uk/commission-on-ulster-calls-for-powersharing-report-attracts-500-submissions-on-how-to-break-the-political-logjam-in-northern-ireland-1490862.html

Mulryne, W. & McAllister, W. (editors) (1994) *Esteem: Liber Amicorum: essays in honour of Revd. Dr. RDE Gallagher.* The Methodist College: Belfast.

Northern Ireland Constitutional Convention (1975) Report Together with the Proceedings of the Convention and other Appendices

Pollak, A. (1993) 'An experiment in communication', *Index on Censorship*, 22 (8-9). Available at: https://journals.sagepub.com/doi/pdf/10.1080/03064229308535596, along with a note of appreciation for Torkel Opsahl. *Index on Censorship*, 22 (8-9). Available at: https://journals.sagepub.com/doi/pdf/10.1080/03064229308535597

Pollak, A. (editor) (1993) *A Citizens' Inquiry: The Opsahl report on Northern Ireland*, Lilliput Press.

Sennett, R. (2004) *Respect in a World of Inequality*. W. W. Norton.

Sheldon S., O'Neill, J., Parker, C. and Davis, G. (2020) 'Too much, too indigestible, too fast?' The decades of struggle for abortion law reform in Northern Ireland, The Modern Law Review, 83, 761. Available at: https://www.modernlawreview.co.uk/july-2020/much-indigestible-fast-decades-struggle-abortion-law-reform-northern-ireland/

Standing Advisory Commission on Human Rights (1993) Eighteenth Annual Report for 1992-3, Annex N.

Standing Advisory Commission on Human Rights (1994) Nineteenth Annual Report for 1993-4, Annexes L(ii) and N.