

History has still to be written.

A paper curated by Arthur Aughey & David Hoey.

- ↳ *The issue is not that 'history' is being rewritten, it is that the past is being recruited to serve political agendas.*
- ↳ *Historical truth-telling itself is the truth which historians tell; true to its evidence, true to itself, and true to other historical truths with which it is colligated.*
- ↳ *History is always being rewritten by historians, but we shouldn't leave 'the past' to those who have no interest in historical complexity.*

The Policy Exchange 'History Matters Project', chaired by Trevor Phillips, is an excellent initiative. It is a very hopeful sign of an intelligent response to the current challenge to historical literacy in public education and, on the streets, in social media, to the deeper impact on democratic legitimacy and the rule of law sometimes underlying the intention beneath those challenges. This paper draws attention to the relevance of the project's terms of reference to the matter of 'the legacy of the past' in Northern Ireland but it tries to understand that local controversy in terms of the larger debate about dealing with the past in the UK.

What do people mean by the commonly expressed concern about 'the rewriting of history'?

Surely history is always being 'rewritten'?

There is no 'definitive' account of any event or epoch. Historians are always revising, re-assessing and re-examining the evidence, either challenging received wisdom or providing more complex interpretations of 'what really happened'.

The key word is 'evidence'.

There are and always will be disagreements between historians on context or approach. Those disagreements occur within a discipline of knowledge which requires interpretation according to evidence – evidence that may be judged, added to, debated and disputed as the 'evidence obliges one to believe'.

Historians are judged not only by the veracity of what they write but also by their professional skills of verification requiring a certain intellectual austerity. There exists a common confusion amongst non-historians between historical knowledge which is incomplete and needing revision and 'partiality', 'falsehood' or 'propaganda'. It is easy to exploit this confusion to subvert serious historical argument.

Stressing the central importance of evidence and the 'record' will irritate those who want to achieve political results 'as the crow flies', those who are in a hurry to impose an interpretation on 'history', an impatience to 'cut to the chase'. Oakeshott described this style of 'history' as a pursuit in which we exercise our current moral and political opinions like whippets in a meadow on a Sunday afternoon. His term for this understanding of the past was 'practical history' and practical history is the past revised to conform to present purposes or to a political agenda.

'Practical history' is not an independent mode of enquiry but can be *only* the servant of the present. In fact, what is thought, believed, more importantly desired *now* (an eternal present) must impose its will on the evidence and on the record. In short, those who recruit history to their agenda are hostile, as was Stalin famously, to 'archive rats', to those infected with the virus of 'objectivism'.

David Hackett Fischer in his book *Historians' Fallacies* (1970) stated the problem of this sort of 'objectivism' for the political, agenda-driven activist.

"It is no easy matter to tell the truth, pure and simple, about past events; for historical truths are never pure, and rarely simple. And the process of historical truth-telling itself is never more intricate than the truths which historians tell. Every true statement must be thrice true. It must be true to its evidence, true to itself, and true to other historical truths with which it is colligated. Moreover, a historian must not merely tell truths, but demonstrate their truthfulness as well."

In response to hard evidential graft and archive rat credibility at the heart of historical debate the un-historical tendency recently is to link together the past with other objectives - truth and justice, truth and reconciliation, truth and restoration, for example. In these formulations 'history' becomes the high court of justice, the *last* day of judgement for the living and the dead, where the ruling has already been handed down, the verdict decided in advance of the evidence.

The issue of the moment is not that 'history' is being 'rewritten'. It is that the *past* (the recent past a nebulous idea of 'memory', the distant past a story of 'oppression') is being recruited to serve an agenda and historical thinking dismissed if it prevents one - and only one - moralising political whippet winning the race and becoming the undisputed champion.

It is right that groups and individuals can assert their views about public veneration, commemoration and display.

This must be protected even in the context of 'conflicted' societies such as Northern Ireland where the assertion by one community/section of the community of rights of public veneration, commemoration and display may well cause 'offence' to the other community/section of the community.

That's what a free society requires. In the wider context, public debate about either slavery or Empire is nothing new in British history and it didn't just spring into the head of protesters in the last few months. Raising awareness of racist attitudes and addressing (what used to be called) the 'life chances' of groups in society are valid forms of civic engagement. Sometimes impatience with results is understandable. However, that isn't the issue today. The issue we face is one where debate is being closed down, not opened up, where intellectual sovereignty is being asserted over national symbolism without debate, by Twitter edict, short circuiting democratic processes and expecting the state to comply with 'non-negotiable demands'. Indeed, what we've seen most recently has been an attempt to de-legitimise British history.

That is the large canvas of the ‘history wars’ but there is a connection between ‘the legacy of the past’ broadly conceived and legacy, truth, justice and reconciliation in Northern Ireland.

In Northern Ireland the purpose has been to impose one version of ‘the legacy of the past’, to make it about just one narrative, ignoring everything else as mere embellishment and detail. It is an attempt to make historical notions of ‘truth’ subordinate to a demand for ‘justice’ (stated in wished-for demands *now*), an understanding of ‘reconciliation’ that means others must reconcile themselves to this new single, unchallengeable narrative of ‘truth’.

Historians may disagree according to the canons of professional training and so do academic lawyers, human rights scholars as well as ‘peace and conflict’ researchers. Except in Northern Ireland it would seem, where there appears to be only one commonly accepted academic view as to ‘truth’ on all critical thought about the past.

There should be ample academic room for challenges to the dominance of that one narrative, without there being any effort to define all scepticism about its agenda as either a moral outrage or for its advocates to respond with a patronising recommendation that critics should re-educate themselves (in order to become ‘helpful’ to the peace process).

According to Cillian McGrattan, this dominant paradigm - ‘transitional justice’ - is replete with the language of restoration, reconciliation and truth recovery. The discursive strategy, he argues, is twofold.

First, it is ‘very hard to argue against these terms without seeming arbitrarily hostile’. If you are not ‘with us’ your views on legacy, truth, justice and reconciliation must be suspect and your interpretation of ‘the past’ equally suspect.

Second, the framing of terms by transitional justice advocates and theorists, he argues, contains ‘unspoken assumptions about the politics of the past and the methods of approaching it’, paying attention to ‘injustice’ only in its ‘systemic’ character. The ‘system’ is that which created the conditions for - and facilitated - the violence and human rights abuses of ‘the Troubles’. ‘Systemic’ means nothing other than the institutions and agents of the ‘British state’.

From these premises the conclusion follows that the ‘British state’ in (Northern) Ireland is the *fons et origo* of the *problem* - substitute ‘imperialism’ on the larger historical canvas - and its sovereign practice - law, justice and its enforcement - was always inherently unjust. As McGrattan points out, this approach is ‘saturated’ with political intent and the ‘point is to be always transitioning’ away from the ‘systemic’ injustice of the past, an injustice asserted and not proven.

Transitional justice presents a legalistic definition of the past and confines the complex history of the last 50 years to ‘the conflict’, above all to the state’s role in that conflict along with the behaviour of its ‘agents’. It is as if ‘the conflict’ is a freestanding historical experience and those involved in it were entirely defined by it. It makes ‘armed struggle’ the only past with a ‘legacy’ needing to be ‘dealt with’, the state and its agents now brought to account. It is – to use an ugly term – instrumentalising a partial narrative of the past. You could call it the ‘Black Taxi Tour of the Troubles’ – communities in ‘armed struggle’ against state forces, all sides equal ‘combatants’ in a ‘war’ but with the focus on one side – the ‘state’ in particular – now requiring ‘accountability’.

In sum, here is a 'legacy process' based on assumptions and methodology 'structurally' biased against any other view of the past – in short, one structurally biased against the British 'state' and yet (remarkably) one sponsored by the British government.

It has always been assumed that the major problem with this approach is the statistics of murder – the cold, bloody, evidence contained in, for example, the book *Lost Lives*. This is a profound error.

If we are to understand the history of the decades of sectarian terrorism in Northern Ireland it would be entirely wrong to dwell on statistics of murder only. This would ignore that the terrorist aim on the republican side was primarily 'Brits out' and on the loyalist side was sectarian anti-Catholicism. These campaigns involved the deliberate terrorist policy of inflicting life changing injuries, bombing commercial and other 'targets' across Northern Ireland. It ignores the consequences of those objectives on the communities from which the terrorism was organised and on whom it was perpetrated – intimidation and social control, extortion, kidnapping, torture and a culture of lawlessness; some of which persists today.

It ignores the purpose of which murder and bombing was part. It ignores the declared campaign objectives of terrorist organisations to wage economic war, to undermine the rule of law as well as to subvert democratic politics.

Most fundamentally, it ignores the voices of democratic politicians across the spectrum, those who throughout the decades of sectarian terrorism were adamant and courageous in their unstinted opposition to and condemnation of both republican and loyalist terrorism. If one cares to look at it *historically*, the democratic political parties, the British Government, the Irish Government, the churches, 'civil society', public opinion, the 'international community', all condemned the use of violence by republican and loyalist terrorists. It is remarkable today how this truth has become discounted. The Spanish academic Rogelio Alonso asked presciently in *The IRA and Armed Struggle (2007)*:

'What place will be occupied in history by those who, with immense civic and human virtue, have resisted using violence, in spite of having the same grievances as those who resorted to terror? The answer seems to be they will be written out of any place in 'dealing with the past'.

Hence the shift, as McGrattan describes it, to 'the smoke-and-mirrors methodology of the collusion claim'. This focuses sharply, and to the exclusion of all else, on the *assumed* responsibility of agents of the State – the claim that they directed loyalist murders, failed to prevent murder in order to protect its paramilitary agents and used those same agents to target and murder others. This is the 'dirty war' thesis which makes no differentiation between those upholding the law and those intent on denying it.

The complicity of the UK Government in its sanctioning of this narrative has become a scandal.

The past five years has witnessed an escalation in the effort to diminish and demean the efforts of those who held a line between order and chaos. The campaigns to weaken the historical authority of legal and public institutions by equating (morally and politically) the activity of undermining the rule of law with upholding it need to be challenged robustly and with greater energy than UK Governments have shown.

The casual disregard for history, and the consequently weak defence of the rule of law in addressing 'legacy issues' in Northern Ireland, reveals an intellectual and political incapacity to engage on the part of the Government. The same underlying features are found in other recent militant campaigns about 'the past', and the common factor is a soft response from Government.

The UK Government has given tentative indication of taking steps in respect of 'vexations claims'. Furthermore, in March this year the Government indicated its intention to substitute a simpler 'legacy' scheme for Northern Ireland in place of the complex (and tendentious) proposals negotiated in Northern Ireland in 2018. This suggests there is some recognition of the dangers of indulging a political process that tends towards retrospectively and prospectively undermining state legitimacy, a process that also seeks to control public understanding of the past.

Whether or not the Government has made a conscious decision to challenge the new 'historical' orthodoxies in Northern Ireland and the rest of the UK or whether it has simply made a political choice in response to some political pressure (from veterans in particular) in Great Britain, is difficult to know.

Any evidence of pushback is welcome, of course, but it is hard to accuse others of 'rewriting history' when there is a lack of intellectual rigour in challenging them when they do - apart from statements by Ministers that 'we won't allow the re-writing of history'.

History is always being rewritten by historians, but we shouldn't leave 'the past' to those who have no interest in historical complexity.

This paper was curated by Arthur Aughey & David Hoey;
with thanks to those who contributed with suggestions, comments and ideas.

Dissenting Voices is a loose collaboration of individuals, from the academic, legal and business worlds, to occasionally publish papers on topics of interest.