


[HOME](#)
[History](#)
[NewsoftheIrish](#)
[Book Reviews
& Book Forum](#)
[Search / Archive](#)
[Back to 10/96](#)
[Papers](#)
[Reference](#)
[About](#)
[Contact](#)

Faith and trust essential in truth processes

(Breidge Gadd, [Irish News](#))

Both Maurice Hayes and John Dunlop in their different ways and with no doubt different constituents in mind have recently raised the question of the usefulness of full public inquiries into the past.

Both inputs met with varying degrees of agreement and disagreement and, in the case of Maurice Hayes, a fair amount of angry responses.

However, we will be less than generous to the reputations of these long-standing campaigners if we dismiss their comments in the first flush of emotion, without taking the opportunity for a proper debate.

Many of us agree that full-scale public inquiries, after vicious civil unrests, are not the best way of getting at the truth or finding justice – indeed we know that 'the first casualty of war is truth'.

Certainly when we establish a judicial forum, employ legal experts of the highest quality (and highest expected income) working within adversarial rules, we do establish a process where winning or losing can become more important than justice. Unfortunately also, and not unconnected to the money spent on them and the time they take, public inquiries tend to become the end to be achieved – not a means to an end. Often, unfortunately there is no follow-up inquiry to see if practices have changed in light of lessons learned.

However, the people who demand and insist on the full formality of an inquiry are not stupid. They know all of the above. They are not unrealistic people and they are not naive about the scope and limitations of judicial institutions and the possibility of their delivering justice or truth.

So what causes this intensely angry response when people suggest other ways, such as a form of truth commission to get at the truth?

I think it comes down to one single element. People do not believe that the state, its institutions, especially its secret services and its security services, are anywhere near to voluntarily engaging in a truth telling process.

This article appears thanks to the *Irish News*.
Subscribe to the [Irish News](#)



In fact more and more people believe that the state will go to any lengths to cover up its murky role in past dirty dealings and killings.

Yet the absolutely critical element in any truth commission, whatever form it might take, is that all parties in the conflict are prepared to commit to a truthful account of their past behaviour including misdeeds. For the process to produce healing and bring about closure, good faith and trust are essential.

Unfortunately there is little evidence to persuade those who feel wronged by state institutions that these same institutions have any notion of being truthful about their past actions.

In fact many people are convinced that the reverse is true. Increasingly, in those judicial inquiries that the government has established, state bodies seem to be deliberately obfuscating.

Documents that even the dogs on the street knew should have been preserved have been inexplicably destroyed, 'lost' or simply not produced, even at the request of senior judges and coroners.

Some state witnesses have used every delaying tactic to avoid giving evidence and appear to be determined to go to exceptional lengths to avoid taking any responsibility for past actions.

In fact, laws have been rushed through Parliament to curtail the powers of the judicial forums established to seek the truth.

Such has been the apparent determination of the state not to allow the truth out that many people believe that the recent suicides in prison of two key witnesses in the Wright inquiry were anything but.

So Hayes, Dunlop and others such as the chief constable may indeed be right in their concerns about the inability of formal inquiries to produce what is needed in order to move forward.

However, people who feel wronged have confidence in these forums because at least they have the power to compel evidence from reluctant protagonists.

But until someone finds a way to persuade the relevant state institutions that they too must willingly, in a spirit of reconciliation, be truthful about their past deeds we are in a

stalemate situation.

Perhaps Drs Hayes and Dunlop could use their influence to convince the government and its agencies that the next move in truth processes is not for those who feel wronged but for them.

June 20, 2007

This article appeared first in the June 19, 2007 edition of the [Irish News](#).

[BACK TO TOP](#)

[About](#)

[Home](#)

[History](#)

[NewsoftheIrish](#)

[Books](#)

[Bookstore](#)

[Contact](#)