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Opinion

Viewpoint: Historic case for historic times

Tuesday, May 13, 2008

Viewpoint: Historic case for historic times

It seems there is hardly a day goes past without history being made in the affairs of Northern Ireland. The latest development recalls one of the darkest days in the province's history, the Omagh bombing on August 15, 1998, when 29 people and unborn twins were killed.

For the past 10 years, the relatives of those killed and injured have been seeking justice. They are now embroiled in a ground-breaking legal action against five people they believe to have been involved in the bomb plot.

The relatives' civil action against Michael McKeivitt, Liam Campbell, Colm Murphy, Seamus Daly and Seamus McKenna, is the first time in the UK, and probably anywhere in the world, that ordinary citizens have taken on alleged terrorists through the courts. Their move followed the failure of conventional criminal prosecutions to bring those responsible for the bombing to book.

This legal action has taken a further historic twist with the court moving to Dublin to hear evidence against the five men. It is the first time that a Northern Irish judge has travelled to the Republic on official judicial business. Mr Justice Morgan is heading a special commission assisted by an Irish judge to hear the evidence. The hearing will take place in the Four Courts, a building which resonates with violent Irish history, being fired on by the British in 1916 and shelled by the Free State Army during the Irish civil war. It is an ironic, if apt, sitting for this court hearing.






The extraordinary legal co-operation which has led to the cross-border hearing is in stark contrast to what used to happen during the worst days of the Troubles, when relationships between the British and Irish Governments were at a low ebb. In those days, suspected terrorists lived freely in the Republic and even when evidence was produced to allow for their extradition, the Republic's courts often went to extreme literal interpretations of the documents to frustrate the process.

During the current hearings more than 2,300 emails and other documents passed between a US spy, David Rupert, who infiltrated the Real IRA, and his handlers will be read to the court. And up to 50 Garda officers could give evidence about the defendants and their alleged involvement in the Omagh atrocity. There can be no greater indication of how relationships between the two jurisdictions have improved.

We are living in exceptional times, with the restoration of devolved government in Northern Ireland, power-sharing between the political extremes, and relationships between politicians in Belfast, Dublin and London at an all-time high. However, the province, as well as communities in the Republic and other parts of the UK, paid a very high human price to reach this accommodation. This legal action, taken as a result of the worst single atrocity of the Troubles, bears witness to that terrible toll.

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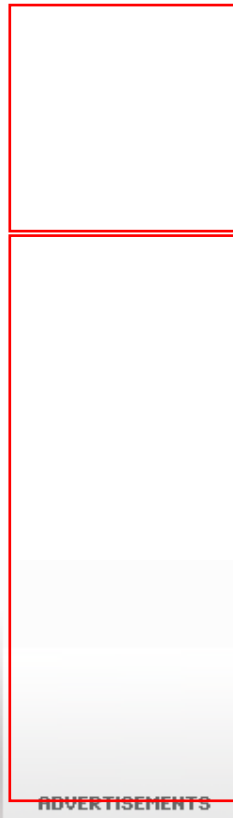
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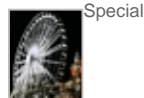
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