

Appendix A

Notes made on topics /arguments covered and intertextuality in news media texts on July 7th 2010.

For each article coded the publication, topics covered and headline are in black whereas explicit intertextual references and aspects of cosmopolitanism in blue.

Articles retrieved on Lexisnexis.com and BBC.co.uk for 6-7th July with search terms: "torture" OR "inquiry" OR "guidelines" OR "complicity" OR "green paper"

<i>The Guardian</i>						
Headline followed by aspects relevant to cosmopolitanism	Topics covered & Elements of intertextuality; also comment on genre, style and discourses; and, also aspects of cosmopolitanism below					
Headline: Government to compensate torture victims as official inquiry launched	Cameron sets up inquiry	Moved to prevent courts disclosing damning information	Members of inquiry panel	Concerns over secrecy, but support for inquiry in general	New interrogation guidelines for UK intelligence office has loopholes	Andrew Tyrie and Shami Chakrabati quote
Explicit intertextual references	David Cameron's statement to the Commons; promise made in opposition	Binyam Mohamed hearings and A & Others hearings	Cameron's statement: Notes how inquiry will not be able to compel former ministers or foreign officials to attend	Highlights ministerial responsibility; quotes Andrew Tyrie advocating public inquiry	Highlights potential for facilitation of torture	
Cosmopolitan law	No direct reference					
Moral Cosmopolitanism	Cameron quoted on "questions over the degree to which British officers were working with foreign security services who were treating detainees in ways they should not have done"					
Nationalism (methodological?)	Reference to US threat to cut off intelligence if revealed CIA intelligence re interrogations					
Cosmopolitan Nationalism (& other post-universals)	No direct reference					
Response to risk	No direct reference					
Deliberated Cosmopolitanism (& counter-terrorism arguments)	Widespread welcome of inquiry reported; deliberation on issues in intertextuality row above					
Cultural Cosmopolitanism (& identities, values, (banal) practice)	Reference to Cameron statement that no British officer was "directly involved" and Cameron's reference to "foreign security services" methods in comparison					

Appendix 1- Number of articles by each publication on selected events related to counterterrorism and Northern Ireland 1971-1979

Row	Chronology	Event	<i>The Times</i>	<i>The Guardian and The Observer</i>	<i>Daily Mail</i>	<i>The Sun</i>	<i>Daily Telegraph</i>	Total
1	10/11/1966	Amnesty International Report on Aden	1	1	1	1	1	5
2	19/12/1966	UK Government commissioned 'Bowen Report' on torture in Aden published	5	3	4	3	3	18
3	05/08/1968	Banned Civil Rights March in Derry results in violence by police against protestors broadcast internationally	3	4	0	0	0	7
4	14/08/1969	British Army sent to Northern Ireland in response to the Battle of Bogside	16	20	7	20	18	81
5	03/07/1970	Fall Road Curfew: 34 hour curfew where army searches many houses in Catholic area	3	8	2	3	4	20
6	06/02/1971	First British soldier killed - Gunner Robert Curtis	3	5	3	0	2	13
7	09/08/1971	Internment commences: 1000s of Catholics leave their homes, violence erupts	15	15	10	7	17	64
8	17/10/1971	<i>Sunday Times</i> publishes article on interrogation of internees and sensory deprivation	5	4	1	1	9	20
9	08/11/1971	Amnesty International Report on Ill-treatment of internees	1	2	1	2	1	7
10	16/11/1971	Compton Report published on abuse during internment	20	17	8	5	9	59
11	04/12/1971	McGurks Bar bombing - kills 15 originally thought to be IRA actually UVF	2	8	3	4	4	21
12	30/01/1972	Bloody Sunday - 14 killed by the British Army (1 shot in back)	22	23	8	15	18	86
13	02/03/1972	Parker Report published and Edward Heath announces to parliament that 5 techniques will not be used without consulting parliament	5	7	5	3	5	25
14	23/03/1972	Stormont PM Faulkner resigns, Direct Rule from UK announced	27	21	10	12	19	89
15	19/04/1972	Widgery Report published with favourable conclusion on role of army	11	10	6	4	7	38
16	31/07/1972	Operation Motorman	10	10	3	4	12	39
17	20/12/1972	Diplock Report published: recommends trial without a jury	4	3	1	0	0	8
18	21/07/1972	Bloody Friday - 9 killed by the Provisional IRA	3	9	3	5	5	25
19	14/05/1974	Loyalist strike starts after Sunningdale Agreement eventually brings down Powersharing government	3	3	2	1	2	11
20	17/05/1974	Dublin and Monaghan bombings - 32 killed	4	4	6	4	4	22

21	28/05/1974	Brian Faulkner resigns as Chief Executive of power-sharing Executive	4	11	11	8	12	46
22	05/10/1974	Guildford bombings kill five; Guildford 4 and Maguire 7 later convicted	6	3	10	4	8	31
23	21/11/1974	Birmingham pub bombings kill 7; 6 convicted 12/05/1975	24	18	18	17	15	92
24	25/11/1974	Prevention of Terrorism Act: 2 days detention without charge possible, then could apply for further 5	4	7	7	7	6	31
25	05/12/1975	Internment finishes	4	4	2	2	5	17
26	02/09/1976	European Commission on Human Right's ruling that sensory deprivation techniques constituted torture	3	5	3	3	4	18
27	02/03/1977	<i>Tonight</i> programme on BBC1 on stress poitions and beatings at Castlereagh	0	2	0	0	1	3
28	19/04/1977	ECtHR Court case commences	1	4	0	0	2	7
29	27/10/1977	Inhuman and degrading treatment by <i>This Week</i> Thames TV Peter Taylor with unchallenged statement by Chief Constable Newman of RUC	0	1	0	0	2	3
30	18/01/1978	ECtHR decision on ill-treatment of internees in 1971	5	2	1	1	4	13
31	05-12/06/1978	Approximate date of leak of Amnesty report	1	9	0	0	1	11
32	13/06/1978	Official publication of Amnesty report	4	3	1	0	1	9
33	16/03/1979	The Bennett report on interrogation procedures	0	6	4	4	9	23
		TOTAL	219	252	141	140	210	962

Appendix 2 – Coding form used for articles on Counterterrorism in Northern Ireland 1971-1979

Publication, date, headline/title, author	The Sun, 3/9/76, 'Torture Turmoil; Britain Lashes back over the 'guilty' verdict', Roger Carroll, p1
Intertextual recontextualisations of discourses, genres and style.	'an international commission' reported to find Britain 'guilty' – use of inverted commas detracts from validity? Pithy tabloid style prompts focus on UK clash with Irish government References to use of five techniques in 1971
Macrosemantic structure	Headline 'Torture Turmoil' - sub headline 'Britain lashes back over the 'guilty' verdict – lead paragraph focuses on relations between Irish and British governments; last paragraphs quote from the ECHR report
Comment on order of discourse	UK government leads
Legal Cosmopolitanism (including Human rights law; selectivity; politics)	Reported that Irish have taken decision to take case to ECtHR Liam Cosgrave Irish coalition government leader – “Because of the importance of the human rights issues involved, the Irish Government have referred the case to the court for final adjudication”
Moral Cosmopolitanism (including secondary roles of responsibility i.e. through complicity; individualism)	Suggested that Irish government not doing enough against IRA. Rees quoted “Irish government playing into the hands of the Provos”
Nationalism (including methodological nationalism or cosmopolitan nationalism; intermestic dynamics)	Lead paragraph focuses on relations between Irish and British governments
Comment on whether crisis and risk promotes cooperation or conflict	Merlyn Rees criticised Irish governments decision – “We should be concentrating our united energies on defeating the gunmen and the bombers who menace the lives and well-being of peaceable citizens in both our countries” – Rees quote
Comment on emotions	
Comment on cosmopolitanisation	Cosgrave quoted “The court proceedings will not stop us from continuing to co-operate closely in defeating the Provisional IRA, who ignore all human rights”
Relevant spatial or temporal constructions	Reported ECHR report from yesterday and decision of Irish government yesterday to take to ECtHR
Deliberation and discursive strategies exclusionary?	Focus on UK government firstly, then Irish government.
Recognition of heterogeneity within actors (i.e. states)?	No explicit evidence found.
Cultural cosmopolitanism (including relations with other perhaps through banal practice?)	IRA irrational. UK government rational, but giving less priority to detainees human rights than Irish.
Provision of contextual analysis (perhaps a focus on violence?)	Very focused on violence and political conflict – context for UK torture given as IRA 'Menace' – context for IRA violence not given.
Anti or pro state and non-state violence	Mitigating remarks: Reference to compensation paid to victims of ill treatment and promise not to be used again

Appendix 3 - Number of articles by each publication on selected events related to UK complicity in torture in 2010

Row Number	Date	Event	Daily Mail	Daily Telegraph	Guardian	Times	The Sun	BBC	TOTAL
1	27/01/10	UN Report on Secret Detention	1	1	2	0	0	1	5
2	07/02/10	Gita Saghal challenges Amnesty International association with NGO Cageprisoners	0	0	0	1	0	0	1
3	10/02/10	Binyam Mohamed Court of Appeal ruling that 7 summary paragraphs detailing CIA's treatment of Binyam Mohamed must be revealed	4	4	9	6	3	13	39
4	26/02/10	Binyam Mohamed Court of Appeal ruling published in full	4	2	7	2	1	11	27
5	23/03/10	Amnesty releases report on UK counter terrorism day after letter to press.	0	0	1	0	0	0	1
6	25/03/10	Joint Committee on Human Rights publication of report on counter terrorism	2	1	1	0	0	1	5
7	04/05/10	Cannot hold civil claims trial in secret- Court of Appeal ruling	1	1	3	2	1	2	10
8	14/05/10	Human Rights Watch requests inquiry	0	0	1	0	0	0	1
9	21/05/10	Hague's first announcement of torture inquiry	1	1	3	0	0	1	6
10	03/06/10	UN dialogue on HRC report on secret prisons	0	0	1	0	0	0	1
11	09/06/10	Council of Europe welcomes Inquiry	0	0	1	0	0	0	1
12	06/07/10	Torture claims: David Cameron announces inquiry - see letter sent to Sir Peter Gibson; announces mediation and guidelines publication	8	3	9	7	2	5	34
13	12/07/10	New documents released by high court	0	0	1	0	0	0	1
14	15/07/10	Guantanamo papers: The UK's handling of detainees	0	0	1	1	0	5	7
15	20/07/10	Reprieve: Torture inquiry chairman is 'compromised'	2	0	1	0	0	2	5
16	29/07/10	Torture inquiry judge does not have conflict of interest, government says	0	0	1	0	0	0	1

Appendix 3 (Continued)

Row	Date	Event	Daily Mail	Daily Telegraph	Guardian	Times	The Sun	BBC	TOTAL
17	14/09/10	Victims must be allowed to speak at torture inquiry, say civil rights groups [in letter to Sir Peter Gibson]	1	0	0	0	0	0	1
18	19/09/10	Liberal Democrats set out terms for torture inquiry	0	1	1	0	0	0	2
19	27/09/10	Equality and Human Rights Commission concerns re guidance for interrogating foreign suspects	0	0	0	1	0	1	2
20	28/09/10	Claims torture warnings pushed aside for Britain to join US in 'war on terror'	1	1	1	0	0	0	3
21	03/10/10	MPs set out list of torture inquiry demands in letter to judge [including looking into ministerial responsibility]	0	0	1	0	0	0	1
22	28/10/10	MI6 chief: we have nothing to do with torture and rights abuses	3	5	3	7	4	7	29
23	09/11/10	Bush on torture: Waterboarding helped prevent attacks on London	6	4	8	10	5	9	42
24	16/11/10	Guantánamo payout deal is climax of years of denials of UK role in rendition	6	3	5	8	5	12	39
25	17/11/10	MI5 officer escapes charges over Binyam Mohamed torture case	0	1	1	0	0	1	3
26	30/11/10	Al-Qaida man challenges conviction over 'Britain's role in his torture'	0	0	1	1	0	1	3
27	11/12/10	Day for Shaker Aamer	0	0	0	0	0	1	1
	TOTAL		40	28	64	46	21	73	271

Appendix 4 Coding form used for articles on UK Complicity in Torture

Publication, date, headline	The Guardian, 7/7/2010 , Headline: Government to compensate torture victims as official inquiry launched
Intertextual recontextualisations of discourses, genres and style.	Focus on Cameron's statement.
Macrosemantic structure	Cameron's statement reported first.
Comment on order of discourse	Government leads.
Legal Cosmopolitanism (including Human rights law; selectivity; politics)	Compensation out of court suggested.
Moral Cosmopolitanism (including secondary roles of responsibility i.e. through complicity; individualism)	Cameron quoted on "questions over the degree of which British officers were working with foreign security services who were treating detainees in ways they should not have done"
Nationalism (including methodological nationalism or cosmopolitan nationalism; intermestic dynamics)	Reference to Cameron statement that no British officer was "directly involved" and Cameron's reference to "foreign security services" methods in comparison
Comment on whether crisis and risk promotes cooperation or conflict	Reference to US threat to cut off intelligence if revealed CIA intelligence re interrogations
Comment on emotions	
Comment on cosmopolitanisation	
Relevant spatial or temporal constructions	No direct reference
Deliberation and discursive strategies exclusionary?	Widespread welcome of inquiry reported; deliberation on issues in intertextuality row above
Recognition of heterogeneity within actors (i.e. states)?	No direct reference.
Cultural cosmopolitanism (including relations with other perhaps through banal practice?)	Reminder of British innocence as primary actor in mistreatment of detainees.
Provision of contextual analysis (perhaps a focus on violence?)	Little context provided.
Anti or pro state and non-state violence	No direct reference.

Appendix 5 - Number of articles published for selected significant news media events related to the passage of the Justice and Security Bill*

	Date	Event	Guardian	Telegraph	Times	The Sun	Daily Mail	BBC Website	TOTAL
1	18/11/2009	The High Court allows in principle, introduction of secret evidence in civil trials	1	0	1	0	1	0	3
2	04/05/2010	The Court of Appeal overturns the previous ruling "firmly and unambiguously"	2	1	1	0	1	1	6
3	16/11/2010	Ken Clarke announces mediated out-of-court settlement	6	3	8	5	5	12	39
4	16/03/2011	Lord Neuberger speech on Open Justice	0	0	0	0	0	0	0
5	13/07/2011	The Supreme Court unanimously dismisses the government's further appeal	1	0	1	0	0	0	2
6	19/10/2011	Government publishes a Green Paper	2	1	1	0	1	1	6
7	04/04/2012	Joint Committee on Human Rights publishes report on Green Paper	9	4	1	4	9	5	32
8	29/05/2012	Justice and Security Bill published	7	4	1	2	5	4	23
9	15/06/2012	Lords Constitution Committee Report on Bill published	0	3	1	0	0	0	4
10	19/06/2012	Second Reading House of Lords (i.e. first debate)	2	0	0	0	0	2	4
11	06/07/2012	Lords Constitution Committee Report on Norwich Pharmacal implications of Bill	0	0	0	0	0	0	0
12	09/07/2012	1st Committee Sitting House of Lords	0	1	0	0	0	0	1
13	11/07/2012	2nd Committee Sitting House of Lords	0	0	0	0	0	0	0
14	17/07/2012	3rd Committee Sitting House of Lords	0	0	0	0	0	0	0
15	23/07/2012	4th Committee Sitting House of Lords	0	0	0	0	0	0	0
16	12/09/2012	UN Special Rapporteur on Torture expresses concerns on Bill at Chatham House	1	0	0	0	0	0	0
17	26/09/2012	Secret courts plan voted against at Lib Dem conference	5	1	1	1	1	2	11
18	15/10/2012	UK accused of helping to supply arms for Northern Ireland loyalist killings	1	0	0	0	0	0	1
19	15/10/2012	Secret courts plan criticised as 'Kafkaesque' by Amnesty International	1	1	0	0	1	1	4
20	16/10/2012	Guardian website story on colonial case lawyers fear of secret courts	0	0	0	0	0	0	0
21	13/11/2012	Joint Committee on Human Rights publishes 2nd report on Bill	1	1	0	0	1	1	4
22	20/11/2012	Master of the Rolls, Lord Neuberger Speech on Open Justice	0	0	0	0	0	0	0
23	21/11/2012	2nd report stage in House of Lords including division votes on amendments	2	1	1	1	2	2	9
24	18/12/2012	Second Reading in House of Commons (i.e. first debate)	0	1	1	0	1	1	4
25	28/01/2013	Publication of House of Commons Committee Stage Amendments	1	1	0	0	2	1	5
26	04/03/2013	House of Commons Report Stage	3	4	4	1	6	3	21
27	07/03/2013	Third Reading in the House of Commons	0	0	0	0	0	0	0
28	26/03/2013	Final vote on Commons Amendments in the House of Lords	1	0	0	0	2	0	3
		TOTAL	46	27	22	14	38	36	182

*LexisNexis.com database and the BBC news website were searched for articles on the date of event and the following day. Articles were retrieved from results from searches with six or seven key terms selected for each event i.e. "Lords" or "lord" or "justice and security" or "secret courts" or "secret justice" or "closed material".

Appendix 6 – Coding for news articles on the Justice and Security Bill

Publication, date, headline, writer.	<u>NOW JUDGE PAVES WAY FOR MI6 SECRECY IN CIVIL CASES</u> DAILY MAIL (London), November 19, 2009 Thursday, 580 words, BY JAMES SLACK
<p>Intertextual recontextualisations of discourses, genres and style.</p> <p>Intertextuality with other fields? Hybridised fields? Comment on order of discourse</p> <p>Hierarchical semiotic structure?</p>	<p>Language suggests opposition to closed material procedures. For example in the lead paragraph:</p> <p>“BRITAIN took another lurch towards 'secret' justice yesterday when a judge ruled that the state can for the first time withhold evidence from people involved in civil cases.”</p> <p>The article quotes sources opposed to closed material procedures first - the lawyers of the detainees and Amnesty International.</p> <p>The final source cited is in-favour of closed material procedures - the Home Office.</p>
<p>Cosmopolitan Human rights law Referred to? Accurately? Intermestic? Selective application evident? Moral Cosmopolitanism (including secondary roles of responsibility i.e. through complicity; individualism)</p>	<p>Tone is hostile to attempts to limit open and natural justice – only indirect reference to human rights law here.</p>
<p>Nationalism (including methodological nationalism or cosmopolitan nationalism; intermestic dynamics)</p>	<p>Suggestion that Britain has not traditionally adopted such un-judicial procedures.</p>
<p>Cosmopolitan Outlook Comment on whether crisis and risk promotes cooperation or conflict</p> <p>Comment on emotions</p> <p>Comment on cosmopolitanisation</p> <p>Relevant spatial – i.e. boundaries? Or temporal constructions?</p>	<p>No direct reference noted.</p>
Deliberated cosmopolitanism	

<p>Deliberation and discursive strategies exclusionary?</p> <p>Comment on argumentation</p>	<p>Quotes activist, legal and government sources.</p> <p>Supports arguments opposing the 'secrecy' element of CMPs.</p>
<p>Cultural cosmopolitanism</p> <p>Identity construction (self/other/group), perhaps through banal practice?</p> <p>Recognition of heterogeneity within actors (i.e. states)?</p> <p>Focus on the self, us, or the West?</p> <p>On the state – failure to recognise non-state actors? (i.e. Jirgas, drones?)</p>	<p>Tone is one of suspicion to the Security Services and government – describing the plans as “Kafkaesque”</p>
<p>Contextualising of work</p> <p>Provision of context (or not)?</p>	<p>Value of British institutions, especially legal ones and established principles.</p>

Appendix 7 - Number of articles found for selected significant news media events related UK news media coverage on US drone strikes in Pakistan and Yemen (terms used in search engines included drone, drones, UAV, unmanned aerial vehicle, missile, targeted killing and assassination)

Row	Date	Title	The Times & Sunday Times	The Sun	Guardian & Observer	Daily Mail & MOS	Telegraph & ST	BBC	TOTAL
1	05/11/2002	CIA missile kills al-Qaida suspects in Yemen	5	1	1	3	2	5	17
2	30/10/2006	Attack on Madrassa allegedly killed 81-83	2	0	2	2	3	7	16
3	22/11/2008	Drone attack kills fugitive British militant	2	0	3	2	1	2	10
4	23/06/2009	Attack on Funeral of Niaz Wali Mehsud between 67-83 killed	1	0	1	0	0	1	3
5	07/08/2009	Taliban leader Baitullah Mehsud killed in air strike	8	1	7	0	2	4	22
6	14/01/2010	CIA drone strike missed Mehsud, say Pakistani Taliban	0	0	1	0	1	1	3
7	31/03/2010	All individual drone strikes in March 2010	0	1	0	0	1	9	11
8	30/11/2010	Wikileaks: Pakistan backs US drone attacks on tribal areas	2	0	3	1	2	4	12
9	16/12/2010	Drone attack 'kills two Britons' in Pakistan	0	1	1	1	2	4	9
10	17/03/2011	Suspected US drones kill 38 in Pakistan	1	0	0	0	0	1	2
11	17/03/2011	Nour Khans father killed in drone strike - over 40 killed	0	1	0	0	1	3	5
12	30/09/2011	Islamist cleric Anwar al-Awlaki killed in Yemen	8	5	13	1	6	12	45
13	17/12/2011	William Hague questioned over British role in drone strikes	1	1	0	0	0	1	3
14	30/01/2012	Obama admits covert drone program exist on Google Chat	0	0	0	0	0	2	2
15	11/03/2012	William Hague facing legal action over drone strikes	1	0	1	0	0	1	3

16	30/04/2012	White House in first detailed comments on drone strikes	1	0	0	0	0	3	4
17	04/06/2012	Al Libi, Al Qaeda number 2 killed by Drone Strike	3	1	5	1	1	11	22
18	25/09/2012	New Stanford/NYU Report Published	1	0	2	0	0	2	5
19	05/10/2012	Pakistan's Imran Khan leads protest against US drone strikes	2	0	1	0	2	6	11
20	23/10/2012	High Court hears Nour Khan complaint against GCHQ	2	0	2	0	0	0	4
21	06/11/2012	Debate in Westminster Hall on use of Drones by UK	0	0	0	0	0	0	0
22	21/12/2012	High Court blocks US drone intelligence case	1	0	1	0	0	2	4
23	24/01/2013	UN launches inquiry into drone killings	0	0	1	0	0	1	2
24	07/03/2013	John Brennan's appointment as CIA chief	1	0	0	0	1	2	4
25	30/03/2013	All drones strikes in March 2013	0	0	0	0	0	1	1
26	08/05/2013	Pakistan High Court declares drone strikes war crime	0	0	0	0	0	0	0
		TOTAL	42	12	45	11	25	85	220

Appendix 8 – Coding form used for articles on UAV strikes

<p>Publication, date, headline, writer.</p>	<p>Headline: ‘KILLED: A U.S. MISSILE, THE AL QAEDA TERROR MASTERMIND’ DAILY MAIL, Oct 1, 2011 Saturday, 431 words by James Slack</p>
<p>Intertextual recontextualisations of discourses, genres and style.</p> <p>Intertextuality with other fields? Hybridised fields? Comment on order of discourse</p> <p>Hierarchical semiotic structure?</p>	<p>Lead paragraph: ‘AN ISLAMIC cleric who inspired Al Qaeda terrorist plots to murder hundreds of innocent Britons was yesterday killed by a missile.’ The headline and lead paragraph frames the story in terms of balance sheet of lives cost.</p> <p>The next paragraph provides details on his death.</p> <p>The article presents the killing as devastating for Al Qaeda and refers to discourse surrounding the “radicalising” of British Muslims, that al-Awlaki reportedly caused.</p>
<p>Cosmopolitan Human rights law Referred to? Accurately? Intermestic? Selective application evident?</p> <p>Moral Cosmopolitanism (including secondary roles of responsibility i.e. through complicity; individualism)</p>	<p>No reference to law was made.</p> <p>Al-Awlaki’s role in radicalisation is reported.</p>
<p>Nationalism (including methodological nationalism or cosmopolitan nationalism; intermestic dynamics)</p>	<p>A number of references to the threat posed to the UK.</p>
<p>Cosmopolitan Outlook Comment on whether crisis and risk promotes cooperation or conflict</p> <p>Comment on emotions</p> <p>Comment on cosmopolitanisation</p> <p>Relevant spatial – i.e. boundaries? Or temporal constructions?</p>	<p>A number of terrorist plots are cited where al-Awlaki is claimed to have been an inspiration including ‘the radicalisation of Roshonara Choudhry... the young Muslim woman stabbed Labour MP Stephen Timms’.</p> <p>Implicitly supports cooperation with the US drone programme.</p> <p>Pro state violence, anti non-state violence.</p> <p>Threat from Yemen based al-Awlaki to the West is stressed.</p>
<p>Deliberated cosmopolitanism</p>	

<p>Deliberation and discursive strategies exclusionary?</p> <p>Comment on argumentation</p>	<p>References are made to UK government comments. Perspective of UK readers is prioritised.</p>
<p>Cultural cosmopolitanism</p> <p>Identity construction (self/other/group), perhaps through banal practice? Recognition of heterogeneity within actors (i.e. states)? Focus on the self, us, or the West? On the state – failure to recognise non-state actors? (i.e. Jirgas, drones?)</p>	<p>Compound nouns to construct “American born fanatic”</p> <p>Unnamed ‘Whitehall’ sources are referred to.</p> <p>Al-Awlaki is presented as having been a large threat to ‘us’ in the UK and the West: ‘British security services considered al-Awlaki, who lived and preached here between 2002 and 2004, to be one of the greatest threats to the UK and the West.’</p>
<p>Contextualising of work</p> <p>Provision of context (or not)?</p>	<p>No consideration of how/why he was radicalised, only presumes that he radicalises.</p>

Questions sent to Sir Malcolm Rifkind MP, 22nd February 2013

My PhD thesis investigates the construction and development of discourses on security and human rights issues across governmental, legal, media and activist fields. Given your position I would greatly appreciate even brief comments on the following questions:

1. The Justice and Security Bill published on May 29th 2012 was, in many respects, a compromise on the broader proposals made in the Green Paper of 2011. As Chair of the ISC and a former senior member of government, how significant do you believe your representations were to the amendments, i.e. your article in *The Times* 'Only real secrets must be kept out of court' (27th March 2012)?
2. The Intelligence and Security Committee Report 2011-2012 (para.D) notes how on one occasion in the Secret Intelligence Service, "[t]he imperative to take action quickly dominated at the expense of thorough and effective planning. It was an ill-considered approach that misjudged the nature and level of risk involved."
 - a. When making judgments on complex scenarios of risk, what is your most significant source of information - your own previous ministerial experience, sources from within government, sources from foreign governments, or other non-governmental sources?
 - b. How significant are criticisms in the news media (i.e. *The Daily Mail's* 'No to Secret Courts' campaign) and do you consider less tangible issues pertaining to counter-terrorism – i.e. regarding the perceived legitimacy of British institutions?
3. Do you see there to be a trade-off between security and justice in cases where information surrounding accountability for human rights abuses is withheld from public scrutiny due to the control principle? How would your judgment on such questions be different depending on the nationality of the intelligence agency that is the source of the information, or on the nationality of the complainant?
4. The Justice and Security Bill apparently demonstrates successful lobbying by the ISC for greater powers to hold the executive to account. However, do you support the retention of a ministerial veto over information provided to the ISC, or would you prefer full access to classified information from the intelligence agencies and other sources - as in the United States Congress House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence?

Answers provided by Sir Malcolm Rifkind MP

1. The ISC is clearly an important player when such issues are being debated. Many of our members have held positions that involve the handling of intelligence, whether as senior Government ministers, or as senior civil servants. Furthermore, the very fact of our independence gives us a certain credibility and therefore influence in the public debate.

However I should stress that we were not a lone voice. In my article for *The Times* of 29th May 2012, I reminded readers that the ISC had been ‘alarmed by the idea that the scope of cases affected had been drawn so widely that it could include not only national security, but many areas which it might suit the Government of the day to avoid scrutiny – appearing to hand too much power to the executive without adequate checks for Parliament and the judiciary.’ There were many others who shared this view, whether in Government, Parliament, or beyond – it would have been clear to the Government that they were going to have tremendous difficulty persuading Parliament and the public at large to consent to the proposals as outlined in the Green Paper.

2.
 - a. It is difficult to provide a definitive response to this question. All of the factors you mention – previous experience, Government intelligence, foreign intelligence, and non-Governmental sources – are helpful when one is trying to reach a conclusion on any given case. I would make two points. The first is that just because information is secret, it doesn’t necessarily follow that it is more useful or reliable than that which is publicly available. Secondly, intelligence material needs to go through two stages if it is to facilitate properly-informed decision-making: collection and analysis. Neither first-class raw material poorly analysed, nor sub-standard raw material brilliantly analysed, is of much use to anyone.
 - b. Media campaigns are clearly very important, because they both influence and reflect public opinion. However the influence of a media campaign depends to a certain extent on its credibility. The impact of a ‘No to Secret Courts’ campaign on policy-makers is mitigated by the fact that no-one is proposing to establish ‘secret courts’, but closed material procedures for those specific pieces of evidence, in civil cases, that cannot be presented in open court. Legitimate concerns about possible legal and political precedents and the principles of natural justice will be taken very seriously – exaggerated claims about ‘Kafkaesque’ or ‘Stalinist’ show trials less so.
3. As David Anderson, the UK’s Independent Reviewer of Terrorism Legislation has stated, ‘We are in a world of second-best solutions’. No-one is comfortable with the introduction of procedures that contravene longstanding traditions of open justice. However the Government has come to the view, which I support, that imperfect justice is preferable to no justice at all. At present, many such cases have to be abandoned or settled unjustifiably in order not to jeopardise the material in question.

My judgement would be no different depending on the nationality of the complainant. As regards the nationality of a foreign intelligence agency, nationality as such would not be a consideration, but what one might take into account would be whether the nature of the UK’s intelligence relationship with the Government of that country was such that we could take their assurances and recommendations in good faith.

4. I should make it clear that the ISC is not asking nor has ever asked for ‘full access’ to the agencies’ records, in the sense that our access would be unconditional. At the present time the ISC can only *request* information from the intelligence agencies in order to aid our investigations. Under the proposals in the Justice and Security Bill, the ISC will be able to *require* that information, and will have its own staff who can access the agencies’ records. However these investigations will be specific and retrospective - the ISC will not have or desire access to information about present or future operations, nor will it have licence to go on ‘fishing expeditions’, i.e. trawling through records in the hope of discovering an irregularity.

We acknowledge the importance of a ministerial veto in certain circumstances. However, given that members of the ISC handle sensitive classified material on a regular basis, and the Committee has a well-established reputation for discretion, in the instance of a ministerial veto an explanation as to why this was necessary would be expected. It should also be noted that the ministerial veto will only be wielded by the most senior ministers who deal with intelligence issues, namely the Prime Minister, the Foreign Secretary and the Home Secretary.

Notes used for interviewing members of Reprieve

General

Reprieve educates, investigates and litigates for prisoners, promoting the role of law—how does it ‘punch above its weight’?

- 1 Is this campaigning and litigation that provides Reprieve with an authoritative and unique focus and insight?

Generating discourse within Reprieve -

- 2 Could you say what you prioritised – education, investigation or litigation?
 - a. Is it problematic prioritising litigation?
 - b. Have priorities changed/developed over time? I.e. with more social media engagement
 - c. Which department is most influential in moulding the Reprieve message – communications, investigators, lawyers, clients, supporters / funders or directors?
- 3 Do you focus on facts or themes? Why?

External relations

- 4 Who are you most focused on projecting your message to?
 - Politicians (government, opposition), the media (editors, journalists), the public (British or other!!), the legal sphere, supporters/funders academia?
 - When do you go to editors / owners?
 - When do you go direct to politicians?
- 5 What is your preferred medium?
 - press, TV, webpage, twitter, facebook, mailchimp; or court that you focus on most?
- 6 What do you think the effect of the media is on Reprieve? Is it mediatised? Is that a good thing?
- 7 How is Reprieve’s message transformed for the media –and then by the media?
- 8 What makes something newsworthy? How do you work with the news?

- 9 Is temporal focus an issue?
- a. Does the past get forgotten in a forward looking media? - do you fight this? I.e. Old guidance on interrogations was not published.
 - b. How importance do you consider the need to be first on a story?

Cosmopolitanism:

- 10 Do you appeal to national pride in your advocacy?
- a. (British legal values) Is this at all problematic?
 - b. What do you consider British values to be?
- 11 Reprieve has 25 full-time staff in London, five Fellows in the USA, two Fellows in Pakistan and volunteers around the world. Do you think Reprieve would be as successful without a UK base though?
- 12 Do you think focusing on the wrongdoings of “complicity” where companies and states are secondary parties are harder to campaign on?
- c. How do you approach / counter arguments concerning risk, if at all (the calculus of risk as put forward by Blair or Miliband or Straw as Foreign Secretaries)?
 - d. Would you say Reprieve favours an absolute categorical imperatives prohibiting torture or using information derived from torture – or utilitarian approach – depends on the law?
- 13 How do you see Reprieve’s overall impact on rights and counter-terrorism discourse?
- 14 How much does Reprieve facilitate the airing of voices that are otherwise unlikely to be heard? How are these voices transformed by Reprieve? i.e. Binyam Mohamed.
- 15 How does Reprieve’s reflexively consider itself?

Justice and Security Bill:

- 16 Could you specify any particular messages you wanted to convey related to the Justice and Security Bill?
- 17 How do you see Reprieve’s overall impact on cosmopolitanism? (seeing the other within you, within or outside of your own polity; relating to others, near and far and the whatever your communal grouping i.e. nation; consciousness of being a citizen of the world)

Appendix 10

Extract from diary of work carried out at Reprieve

2nd July 2012 – Day One

I arrived at 10am to meet my supervisor Kat and immediately went to the Supreme Court for the hearing on Yunus Rahmatullah.

We took the train to Westminster and Kat briefed me on the details of the case.

Kat asked me to note down any soundbites in the hearing or in the written submissions. Kat left the Supreme Court and asked me to come back at 4pm for a training on writing press releases.

I had lunch in the canteen before trying to find some soundbites and make sense of the case from the written submissions during the rest of the lunch break.

At four I returned to the office and the press release training soon started. Kat delivered the press release training. Approximately 20 of us crammed into a very hot office for an hour of well delivered press release training. She said that journalists were pressed for time and they had to keep their editors and ultimately their readers happy. She asked us to think about the readership that papers were trying to attract and how – using today's newspapers to elicit the answers. The Daily Mail – women; Daily Telegraph – older people; The Guardian – liberal.

Kat advised putting ourselves in journalists shoes, to recognise ongoing narratives, how to move stories on and how to choose a top, or 'splash' story. Kat suggested stories need a peg and angle.

At the end, I sat in on media interview training that Kat gave to another employee who would be going to America soon. It was noticeable that they were worried about being conceived of as interfering Brits in America so Kat and Donald (another communications officer) suggested that they highlight how their work was similar to consular work for people who did not understand a foreign system.

Kat suggested I wrote up the notes from the Supreme Court tonight or tomorrow morning. Then at 6 o'clock she suggested I go home and come in by 10 tomorrow for the general weekly meeting.

I wrote up the notes in the evening.

Appendix 11 - Articles published by *The Guardian*, *Daily Mail*, *The Sun*, *The Times* and *BBC Website* on key events related to UK military abuses of detainees

Row	Date	Event	TOTAL
1	28/07/2004	High Court claim made by Mousa family and start of judicial review in High Court	6
2	14/12/2004	Judgement in High Court <i>Al Skeini & Others vs Secretary of State</i>	9
3	19/01/2005	Camp Breadbasket court martial commences	55
4	25/02/2005	Internal army internal review ordered over abuse of Iraqi civilians	0
5	19/07/2005	Charges brought against seven British soldiers accused of involvement in Baha Mousa death	15
6	19/09/2006	Corporal Payne pleaded guilty to 'inhumane treatment of persons'	14
7	13/03/2007	Court martial ends with all but one of defendant acquitted	7
8	16/04/2007	Mousa family lawyers' release photos of body	3
9	30/04/2007	Payne is jailed for a year then released	4
10	06/06/2007	Baha Mousa's family brings a civil case against MOD	1
11	13/06/2007	House of Lords ruling that human rights do extend beyond UK territory	8
12	28/03/2008	UK government admits breaching ECHR in case of Iraqi detainees and announces possible compensation	4
13	14/05/2008	Independent inquiry into Mousa announced	7
14	10/07/2008	MOD agrees to pay £3mn to Mousa family	7
15	13/07/2009	Public Inquiry starts into Baha Mousa Death	8
16	25/11/2009	Defence Secretary announces Public Inquiry into deaths of 20 after Battle of Danny Boy - the Al Sweady Inquiry	2
17	08/09/2011	Publication of Gage Inquiry into the Death of Baha Mousa	43
		TOTAL	193

Appendix 12 – Number of articles published by The Guardian, Daily Mail, The Sun, The Times and BBC Website on key events related to UK complicity in torture

Events intertextually related to news discourse surrounding UK complicity torture on 7th July 2010		Number of articles on date and day after, source of news and URL
11/03/05	ISC Report on handling of detainees	1
09/12/05	House of Lords judgement <i>A and Others vs. Home Secretary</i>	16
12/06/06	Dick Marty's Parliamentary Assembly Council of Europe report: "Alleged secret detentions and unlawful inter-state transfers of detainees involving Council of Europe member states"	3
09/06/07	Dick Marty's 2nd Parliamentary Assembly Council of Europe report: "Secret detentions and illegal transfers of detainees involving Council of Europe member states"	9
18/03/08	PM Gordon Brown agrees to publish guidelines on interrogating detainees overseas	0
21/08/08	First judgement on Binyam Mohamed in a UK R (on the application of Binyam Mohamed) v Secretary of State for Foreign and Commonwealth Affairs [2008] EWHC 2048 (Admin), 21 August 2008, para. 88(v)	6
26/02/09	Government admits 2 terrorism suspects given by the UK to the US rendered to Afghanistan	10
10/03/09	Schenin (UN Special Rapporteur on Protection of Human Rights While Countering Terrorism) Report published	3
20/05/09	Ghost Detention on Diego Garcia: Report for Parliament	1
09/07/09	Human Rights Watch argue for UK inquiry	2
04/08/09	JCHR report on UK complicity in torture and Foreign Affairs Committee on Human Rights	9
18/11/09	High court judgement allows new category of secret evidence in civil claims trials	2
24/11/09	Human Rights Watch report on British complicity in torture and ill-treatment with Pakistan	7

27/01/10	UN Report on Secret Detention	5
07/02/10	Gita Saghal challenges Amnesty International association with Cageprisoners	1
10/02/10	Binyam Mohamed Court of Appeal ruling that 7 summary paragraphs detailing CIA treatment must be revealed	39
26/02/10	Binyam Mohamed Court of Appeal ruling published in full	27
22/03/10	Letter from coalition of NGOs asking government to establish an inquiry	1
23/03/10	Amnesty releases report on UK counter terrorism day after joint letter to press.	1
25/03/10	Joint Committee on Human Rights publication of report on counter terrorism	5
04/05/10	Cannot hold civil claims trial in secret- Court of Appeal ruling	10
14/05/10	Human Rights Watch requests inquiry	1
21/05/10	Hague's first announcement of torture inquiry	6
03/06/10	UN dialogue on HRC report on secret prisons	1
09/06/10	Council of Europe welcomes Inquiry	1
06/07/10	David Cameron announces inquiry - letter sent to Sir Peter Gibson; announces mediation and guidelines	34
15/07/10	Guantanamo papers: The UK's handling of detainees	7
20/07/10	Reprieve: Torture inquiry chairman is 'compromised'	5
14/09/10	Victims must be allowed to speak at torture inquiry, say civil rights groups [in letter to Sir Peter Gibson]	1
19/09/10	Liberal Democrats set out terms for torture inquiry	2
27/09/10	Equality and Human Rights Commission concerns re guidance for interrogating foreign suspects	3
28/09/10	Torture warnings pushed aside for Britain to join US in 'war on terror'	3

03/10/10	MPs set out list of torture inquiry demands in letter to judge [including looking into ministerial responsibility]	1
28/10/10	MI6 chief Sawers: we have nothing to do with torture and rights abuses	29
09/11/10	Bush on torture: Waterboarding helped prevent attacks on London	42
16/11/10	Guantánamo payout deal is climax of years of denials of UK role in rendition	40
17/11/10	MI5 officer escapes charges over Binyam Mohamed torture case	3
30/11/10	Al-Qaida man challenges conviction over 'Britain's role in his torture'	3
17/01/11	UK linked to Bangladeshi torture centre	1
25/02/11	Court of Appeal rejects Rangzieb Ahmed's claim that British authorities 'outsourced' his torture to Pakistan	4
22/06/11	Yunus Ramatullah case heard	1
28/06/11	28-29 June Case ECHR vs Prime Minister Heard on Legality of Guidelines on Interrogation	1
06/07/11	Lawyers and NGOs to boycott UK torture inquiry as rights groups label it a sham	1
13/07/11	Supreme Court rules government cannot hold closed materials procedures for civil claims cases	4
04/08/11	Human rights groups and victims abandon 'toothless' British torture inquiry	5
04/08/11	Guardian publishes document for senior intelligence officials, instructing them to balance intelligence with radicalisation danger if "mistreatment" policy publicised	3
04/09/11	Libyan papers show UK worked with Gaddafi in rendition operation	15
05/09/11	Rendition and the UK: hands-on experience	13
06/10/11	Libyan dissident tortured by Gaddafi to sue Britain over rendition	1
	TOTAL	389