

Data Appendix – “Beyond Internalization: Alternate Endings of the Norm Life Cycle”

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In this document, you can find the newspaper and TV coverage that is not easily available online and that I reference in the article “Beyond Internalization: Alternate Endings of the Norm Life Cycle”. These articles are available on the Nexis database “All English Language News.” I also provide information on the dataset and on my coding scheme for the extended illustration (pp. 13).

1. Sources for content analysis of the Bush administration’s contestation of the prohibition of torture and reactions to it.

MAIL ON SUNDAY
January 20, 2002

Horror of Camp X-Ray; First pictures show use of sensory deprivation to soften up suspects for interrogation

BYLINE: William Lowther; Carol Rosenberg
SECTION: Pg. 2;3
LENGTH: 1704 words

SHACKLED like wild animals, deprived of sight, sound, smell and touch, the Al Qaeda terrorists in our exclusive front page picture kneel before their American guards in the Guantanamo Bay prison camp.

These are the shocking first images of the prisoners, and they are certain to intensify the international outrage at the conditions in which they are being kept and the treatment to which they are being subjected.

Yesterday human rights campaigners including Amnesty International likened the treatment to that used in Eastern European torture camps and raised concerns that America was deliberately subjecting the prisoners to a 24-hour period of sensory deprivation before imprisoning them, bewildered and disoriented, in cramped cages open to the elements.

The captives have been forced to wear blacked-out goggles so they cannot see, earmuffs so they cannot hear, surgical masks which restrict their sense of smell and heavy mittens so they cannot feel anything in the baking 30C sun.

They have no idea where they are in the world most will believe they are in America and they will not be told they are in Cuba.

Jim West, Amnesty International's chief medical officer, said he had been extremely shocked by the photographs, which revealed just how horrific were the conditions in which the captives were being held.

'My immediate reaction to the first photo showing them kneeling down was one of recollection of similar treatment that had been used in the Seventies in Eastern Europe as ways of torture or illtreatment.'

'There prisoners wouldn't be able to see, hear or feel anything and were kept in painful positions for long periods of time. This is a form of ill-treatment and is simply a violation of human rights.'

According to Mr West, the chilling photographs, the first to be released by the US Department of Defence, clearly illustrated that the prisoners were being deprived of sensory input.

Helen Bamber, director of The Medical Foundation for the Care of Victims of Torture, said the prisoners at Camp X-Ray would feel destabilised, disorientated and would possibly crack up.

They would also be suffering from horrific hallucinations, feel unbalanced and could easily think they were going mad.

She added: 'They will probably have panic attacks, mood changes and terrible nightmares and feel very unbalanced. Sensory deprivation can have the effect of breaking people down because you are actually attacking someone's identity and challenging the notion of who they are.' Some prisoners who had suffered sensory deprivation in the past still complained of nightmares and hallucinations, she said. A small pool of reporters allowed on to the base off Cuba's southern shore were yesterday allowed their second glimpse of the prisoners in Camp X-Ray.

But once again, it was only from a distance.

One of the latest arrivals is the height of a child, suggesting the detainees may not be adults only.

But US officials continued to refuse to reveal any details of the 110 prisoners even whether the small one might be a teenager.

The pictures were taken by a US Navy Petty Officer, the only photographer to be allowed near the compound. The Americans have banned other cameramen on the grounds that it contravenes the Geneva Convention to allow prisoners to be put on display.

But Marine Brigadier General Michael Lehnert, head of the 900 military police, insists that the prison is 'guided but not ruled' by the Convention.

Yesterday MPs called for a meeting with US ambassador William Farrish to voice fears about the treatment of Al Qaeda suspects who are said to include three Britons. The cross-party Parliamentary Human Rights Committee hopes to meet Mr Farrish this week. Ann Clwyd, Labour MP for Cynon Valley, who chairs the Parliamentary Human Rights Committee, said it was 'playing with words' to suggest that the detainees were not PoWs.

The group has just landed at the Cuban base after a 20-hour flight from Afghanistan but the goggles and masks remain on while the prisoners are processed.

They are dressed in orange jumpsuits made of cotton zipped at the front, the standard issue garment for inmates of a Federal Penitentiary. Each man is handcuffed and wears leg-irons a term that survives from slave-trading days.

The irons comprise metal cuffs joined by a ten-inch chain between the ankles.

Another short chain joins the legirons to the handcuffs. This ensures the captives cannot walk properly and are forced to shuffle.

Before they left Kandahar in Afghanistan, US Marines shaved off the prisoners' beards and almost all of their hair. The Pentagon says this is done for hygiene and not to humiliate the captives.

'They have been living in caves and tunnels for months and were infested with lice and other parasites,' said one official. 'You have got to shave the hair away to get at the parasites.' Without hair, the prisoners risked losing body heat through the top of their heads during the flight on an unheated transport plane so they are issued with small orange hats.

For the 8,000-mile journey from Kandahar, the prisoners were also fitted with heavy rubber goggles, the glass covered with thick black tape so that they are in total darkness. The US authorities claim this is a security measure designed to limit the captive's ability to escape or fight back.

They wear ear muffs which cut out all noise because, say the Americans, the transport planes they travel in are not soundproofed. The result is that, for nearly a day, they endure complete silence.' Jim West said he was stunned to see the detainees still wearing the ear muffs and goggles.

'The prisoners are no longer on the planes. Why are they still wearing goggles? There is no obvious explanation of these measures except an attempt to degrade the man,' he added.

Most of the detainees are underweight and in poor health. The Americans claim that some may be suffering from tuberculosis so they are forced to wear surgical masks, even when in the open air.

'These people would spit in your face as soon as look at you,' said one senior US officer. 'We don't want to give them the opportunity of spreading disease to our personnel.' But Jim West disputed this. He said: 'They are being held outside and it wouldn't really pose any medical threat to military personnel because TB only flourishes in overcrowded conditions with poor air circulation.'

'And, if some of these prisoners have TB, then this is not the image you have of medical treatment. You would expect them to be properly treated in an army field hospital and getting antibiotics.' Thick canvas mittens are pulled over the prisoners' hands so they cannot touch anything or pick anything up or hold anything. They cannot feel. Their outfits are completed by a pair of thong sandals or flip-flops.

While all of the men are kneeling before the guards, US Army sources say they were simply instructed to get down on to the ground. 'That's how these guys sit, on their knees,' said the Army source.

Steve Devereux, a former member of the SAS, who has dealt with terrorists and captured prisoners, explained how sensory deprivation techniques work. He said: 'They can't hear, they can't feel and few of them have flown on an aeroplane before. They are disoriented in a way they could never have imagined and the Americans need that to happen before interviewing them to find out who the commanders are among them.'

'Twenty hours on a plane may not seem a long time but subjected to these conditions it can feel like a lifetime especially for the weakest among them.'

They will start agonising over the desperate situation they have got themselves into. They will remember that their leaders have told them to expect to be shot by the enemy.

'They will reflect on the cause they have been fighting for and, for the first time, begin to have doubts about its worth. In their increasing isolation they will recall treasured moments with family and friends. They will also be worrying about the trouble they have brought to relatives.'

'Then all their thoughts will focus on the future and all they can look forward to is a lifetime's imprisonment and even execution. Every thought will be exaggerated and intensified because they are in an isolated state bound, gagged and blacked out so that there is not even a split-second of distraction.'

'By the time the questioning starts most of their psychological defences would have been eliminated and they will be offered sweeteners to comply even more.' These photographs were taken minutes after the prisoners first arrived in Guantanamo Bay and they are still in a holding area before being processed. The effects of nearly a full day of sensory deprivation left most of them dizzy and disoriented. They couldn't even shuffle along a straight line. They were staggering in their chains.

Even some of the guards thought the holding pens 11ft high chain link fences topped by razor-wire were overkill. Nevertheless, the prisoners are held in these pens for 'processing'.

Once a day the prisoners are allowed out of their cages to shower and use proper toilet facilities. Fully chained, with a guard at each side, they can shuffle up and down the grim prison site for about 30 minutes of exercise.

General Michael Lehnert said: 'These are not nice people. Several have publicly stated their intent to kill an American before they leave Guantanamo. We will not give them that satisfaction.' Yesterday the Red Cross began inspecting the compound and cages where the prisoners are housed to see if they are humane enough for the 110 who have arrived so far.

Tony Blair's official spokesman declined to comment on claims that the prisoners were victims of torture.

'Our own team of officials and the International Red Cross are over there at the moment. They are the people on the ground and we will await their reports. What people have got to remember is that we are dealing with very dangerous individuals.'

'We recognise that human rights have to be respected. But people also have to remember who these sorts of individuals are.' Disgusted at their inhuman treatment: Page 26

LOAD-DATE: January 22, 2002

LANGUAGE: English

GRAPHIC: MANHANDLED: ONE OF THE AL QAEDA DETAINEES, UNABLE TO WALK ON HIS OWN, IS ASSISTED BY TWO BURLY GUARDS AND FROGMARCHED TOWARDS A LINE OF EQUIVALLY POWERFULLY BUILT AMERICAN SOLDIERS. WHETHER HIS CONDITION IS THE RESULT OF ILLNESS OR INJURY, OR WHETHER, AS SOME HAVE ALLEGED, THE MAN HAS BEEN FORCIBLY DRUGGED, IS NOT CLEAR

PUB-TYPE: Paper

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January 17, 2002 Thursday
Final Edition

Follow the Geneva Convention

SECTION: EDITORIAL; Pg. A22

LENGTH: 664 words

THE SCANTY firsthand reports so far available suggest that the 400 or so al Qaeda and Taliban detainees being held by the United States have been treated properly, considering the continuing conflict in Afghanistan and the considerable security risk they pose. The first priority has been to gather intelligence; after this urgent screening, groups of the detainees are being transferred to the U.S. naval base at Guantanamo, Cuba. Human rights groups have questioned the shackling and blindfolding of prisoners in transit, as well as the relatively primitive 6-by-8-foot pens holding them in Guantanamo. But given the demonstrated inclination of al Qaeda detainees to launch suicide attacks against their captors, the hoods and shackles look more like reasonable security measures than punitive actions; and the cell accommodations are said to be a stopgap while more permanent housing is constructed.

The Pentagon's handling of the prisoners nevertheless raises serious questions. One is of forthrightness: Though announcements about the detainees have become a staple of Pentagon briefings, the military has yet to say whom it is holding and from which nations, or how the prisoners will be processed and handled. More troubling, Secretary of Defense Donald Rumsfeld has said that while the United States "for the most part" is treating the prisoners "in a manner that is reasonably consistent with the Geneva Convention," it need not do so, because the detainees are "unlawful combatants" who "do not have any rights under the Geneva Convention." That is not the case. The Geneva Convention and other international treaties ratified by the United States give the detainees specific rights, rights that the Bush administration should respect.

The first right most of the prisoners have is for a hearing by a tribunal to determine whether or not they are prisoners of war. Despite Mr. Rumsfeld's declaration, detainees cannot as a group be designated unlawful combatants by the secretary of defense; according to most interpretations of the Geneva Convention, in the case of a dispute about status, prisoners must have a hearing before a tribunal. Pentagon regulations for the conduct of such tribunals were issued in 1997; they call for a three-member panel of military officers, and give each prisoner the right to testify. Until their status is determined, the United States is bound by international law to treat the prisoners as POWs -- and not just "for the most part."

Such hearings no doubt would legitimately find that many of the detainees can be denied POW status under the Geneva Convention, which among other things says combatants must wear uniforms and insignia and be part of an identifiable army or militia that obeys the laws of war. But the cases of some Afghan Taliban soldiers and officers may require close examination. Unlike al Qaeda, the Taliban maintained a conventional army, many of whose Afghan soldiers were captured while fighting rival Afghan and U.S. forces in conventional engagements. If some were unlawful combatants, the United States is obligated to show why on a case-by-case basis. Even those deemed unlawful have certain rights; for example, the Convention on Torture requires that prisoners not be deported to

nations where they could be abused. Before returning detainees to such countries as China, Uzbekistan or Saudi Arabia, the United States is obligated to obtain guarantees about their treatment.

The Bush administration has nothing to lose, and much to gain, by providing detailed information about detainees and adhering strictly to the Geneva Convention and other international treaties as it disposes of them. International law clearly will allow the Pentagon to proceed with military tribunals against al Qaeda leaders and others guilty of war crimes. Following it scrupulously will demonstrate -- in particular to the native countries of the prisoners -- that the United States is playing by the rules of the civilized world.

LOAD-DATE: January 17, 2002

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

Copyright 2002 The Washington Post

January 22, 2002 Tuesday

Rumsfeld Defends Handling of Afghans

BYLINE: SALLY BUZBEE; Associated Press Writer-

SECTION: INTERNATIONAL NEWS

LENGTH: 836 words

DATELINE: WASHINGTON

Defense Secretary Donald H. Rumsfeld insisted Tuesday that the United States is treating terrorist suspects held at Guantanamo Bay humanely and in accordance with international rules.

But critics, including European Union officials and human rights groups, said the American refusal to call the detainees prisoners of war leaves them no guaranteed rights, and could lower international support for the war against terrorism.

"The treatment of the detainees in Guantanamo Bay is proper, it's humane, it's appropriate, and it is fully consistent with international conventions," Rumsfeld said. America's priority, however, is stopping terrorist attacks by interrogating prisoners, not determining if they qualify as POWs, he said.

"That is pure, simple self-defense of the United States of America," he said.

The 158 prisoners, mostly suspected al-Qaida and Taliban fighters, were flown to the U.S. military base in Cuba after being captured in the Afghanistan war. Rumsfeld said they eventually would be charged or released.

The prisoners wear blacked-out goggles, shackles and handcuffs while being moved, but those are removed once the men are led to cells, Rumsfeld said. A British newspaper over the weekend ran a front-page photograph of one detainee, wearing goggles and kneeling on rocky ground, under the headline "Tortured."

Human rights groups also have criticized the detainees' temporary cells in steamy Cuba - a concrete slab divided by chain-link fences and topped by a corrugated metal roof.

The West risks losing support if it mistreats the prisoners or subjects them to the death penalty, said Chris Patten, the EU's external relations commissioner.

"That would be a way of losing international support and losing the moral high ground," Patten said. He urged "decency and generosity of spirit to the vanquished, even if they are pretty dangerous."

Rumsfeld called critics misinformed about the danger the detainees pose to military guards. One prisoner has threatened to kill Americans, and another has bitten a U.S. military guard, he said.

Rumsfeld also said John Walker Lindh, an American accused of conspiring to kill fellow Americans, was being treated like other al-Qaida fighters. But Lindh will not be held at the

Guantanamo base. Instead, because he is a U.S. citizen, he will be handed over to the Justice Department to face criminal charges in an American courtroom.

Walker was being flown to the United States on Tuesday.

The International Committee of the Red Cross said Tuesday that the U.S. military has adopted some recommendations from a team invited to Guantanamo, but refused to say what those were.

The Red Cross team interviewed 20 detainees on a one-to-one basis, giving them cigarettes and taking written messages to send home, said Urs Boegli, the group's senior representative from Washington.

"I'm satisfied with the access, with the cooperation from authorities, down to the guards in the camp," Boegli said.

The Red Cross, along with Germany, the Netherlands, British legislators and human rights groups all have asked that the detainees be given prisoner-of-war status. Under the Geneva Conventions, that would entitle them to trials under the same procedures as U.S. soldiers - through court-martial or civilian courts, not military tribunals as the Bush administration has proposed.

Rumsfeld said the United States has not yet decided if the fighters qualify as POWs, and for now he calls them battlefield detainees. If they are instead found to be "unlawful combatants," the Geneva Conventions require only that they be treated humanely, and the United States military is treating them humanely, the defense secretary said.

Al-Qaida fighters probably would not qualify as POWs because they wore no identifying insignia and did not abide by the laws of war, said Jamie Fellner, director of the U.S. program of Human Rights Watch.

But Taliban fighters, whether Afghan or Arab, made up Afghanistan's armed forces and should be entitled to POW status, Fellner said.

Some people have raised concerns that some U.S. soldiers, if captured, could also be held as unlawful combatants by an enemy, because some wore local clothes, not uniforms, when inside Afghanistan. But Rumsfeld said that was unlikely because they carried identification as soldiers.

Other critics, including Amnesty International, suggest the Guantanamo base could become a long-term penal colony used to hold any type of terrorism suspect, without giving the suspects fair trials or even access to attorneys.

The United States recently flew to Guantanamo six Algerians, arrested in Bosnia, who it believes may have intelligence related to al-Qaida but were never involved in the Afghanistan fighting.

They have not been charged, and a United Nations official in Bosnia, Madeleine Rees, said Bosnian and U.S. officials were wrong to push through the extradition of the six despite a high court ruling in Bosnia ordering their release for lack of evidence.

LOAD-DATE: January 22, 2002

LANGUAGE: ENGLISH

Associated Press Worldstream
January 20, 2002 Sunday

Guantanamo prisoner photos stir controversy in Britain

BYLINE: BETH GARDINER; Associated Press Writer

SECTION: INTERNATIONAL NEWS

LENGTH: 717 words

DATELINE: LONDON

Photos published Sunday showing al-Qaida and Taliban suspects on their knees and wearing blacked-out goggles, contributed to mounting concerns in Britain about U.S. treatment of the prisoners in Cuba.

U.S. treatment of terrorist suspects imprisoned at Guantanamo Bay has posed a serious foreign policy challenge for Prime Minister Tony Blair since he put Britain shoulder-to-shoulder with Washington in the war against terrorism.

The photos, released by the U.S. Defense Department, showed the men with masks over their mouths and noses, hats, and mittens on their hands.

After prominent display in many British newspapers Sunday - and one tabloid accusation of torture - Foreign Secretary Jack Straw said he had told British representatives at Guantanamo Bay to ask American officials for an explanation.

U.S. Defense Secretary Donald Rumsfeld said in Washington that he had "no doubt" the detainees were being treated humanely.

U.S. military spokesman Robert Nelson, at Guantanamo Bay on Sunday, said the pictures were taken shortly after the prisoners arrived from the 8,000-mile (12,880km) flight from Afghanistan on a C-141 cargo plane.

"It gets pretty cold on a C-141, hence the hat and mittens, for comfort," Nelson said. The taped-over goggles were a security measure to prevent prisoners seeing during the processing procedure and medical screenings that followed their arrival, he added.

The Mail on Sunday had put one of the photos on page one under the headline "Tortured," and wrote "First pictures show use of sensory deprivation to soften suspects for interrogation."

In its early Monday edition, rival tabloid The Mirror turned up the pressure with a front page editorial calling the treatment "barbaric". ... "Barbarism that is backed by our government." It said U.S. President George Bush "is close to achieving the impossible - losing the sympathy of the civilized world" for the Sept. 11 attacks on the United States.

"Britain and U.S. in rift over terrorist prisoners" said The Daily Telegraph which, like all the serious broadsheet newspapers made the issue a Page One story Monday.

Human rights groups and some British politicians have criticized the treatment of the prisoners. Blair has sought to balance defending U.S. authorities with insisting the prisoners' human rights must be guaranteed. He has called the prisoners "very dangerous people," but insisted they must be treated in accordance with the Geneva Conventions.

A Blair spokesman said the government was awaiting a report from British officials who visited the Guantanamo Camp.

"I would suggest that people should await their assessment rather than rushing to judgment, as people have tended to do today," the spokesman said.

"Of course the prisoners have human rights, and those we believe should be respected. We have had assurances from the American authorities on that," he added with customary anonymity.

The U.S. government calls the prisoners "unlawful combatants" or "detainees" rather than prisoners of war with assigned legal rights under the Geneva Conventions, but insists they are being treated humanely.

A group of British parliamentarians asked on Saturday to meet the U.S. ambassador to express their concerns about the treatment of the prisoners.

Ann Clwyd, chairwoman of Parliament's Human Rights Committee, said members wanted assurances from Ambassador William Farish that the detainees were considered prisoners of war.

"It's time we had a clear statement," she said. "We fought the war shoulder to shoulder, now it seems that we are being frozen out of the aftermath."

On Sunday, she told British Broadcasting Corp. TV, "there shouldn't be any doubt at all" about the terrorist suspects being prisoners of war. "If there is an argument, that is for the courts to decide, not a matter for one individual like Donald Rumsfeld to say they're not prisoners of war."

In Washington, speaking of criticism of the detainees' treatment, Rumsfeld said, "There's no doubt in my mind that it is humane and appropriate and consistent with the Geneva convention for the most part."

"I think that the people who have been the most shrill on the subject very likely will, once they have more knowledge of the situation, stop being quite so shrill," Rumsfeld said.

LOAD-DATE: January 20, 2002

LANGUAGE: ENGLISH

BBC Monitoring Europe - Political
Supplied by BBC Worldwide Monitoring

March 14, 2002, Thursday

Foreign minister says Germany a human rights advocate

SOURCE: ddp news agency, Berlin, in German 1457 gmt 14 Mar 02

LENGTH: 165 words

Text of report by German news agency ddp

Berlin: Foreign Minister Joschka Fischer (Greens) sees the enforcing of human rights as an "elementary part" of German foreign policy. This also applies since the terrorist attacks in the United States on 11 September 2001, Fischer stressed in the Bundestag on Thursday 14 March. This involves, in particular, a "confrontation of values". It would be a fatal success of terrorism if the West were to question its own values, Fischer pointed out.

Fischer admitted that in the struggle against international terrorism there will also be alliances with governments that show a dubious balance sheet regarding human rights. However, it is clear that the federal government has always been the advocate of human rights. At the same time, the Greens politician warned against mentioning a constitutional democracy like the United States in the same breath as torture regimes in the discussion about the observance of human rights.

LOAD-DATE: March 14, 2002

LANGUAGE: English

BBC Monitoring Asia Pacific - Political
Supplied by BBC Worldwide Monitoring

October 8, 2003, Wednesday

Australia says Guantanamo detainees "treated humanely"

SOURCE: Radio Australia, Melbourne, in English 0600 gmt 8 Oct 03

LENGTH: 188 words

Text of report by Radio Australia on 8 October

The Australian government says two Australian men detained at Guantanamo Bay in Cuba are being treated humanely, despite claims that they may have been tortured. An Australian lawyer is considering taking the case of David Hicks and Mamdouh Habib to the United Nations Standing Committee on Torture. Alan Calleja phonetic reports.

Calleja US-based Richard Bourke has been working on the cases of detainees at Camp X-Ray for almost two years. He says American military personnel and former prisoners have told of prisoners being tied to a post and fired upon with rubber bullets, some being forced to kneel in the sun until they

collapse and other tortures. And the two Australians, David Hicks and Mamdouh Habib, have been victims.

Bourke The US tactic is to have a series of show trials in which people admit their guilt and plead guilty, to vindicate the US policy.

Calleja A spokesman for the Australian federal government says its officials have visited the men, the Red Cross also has access to the prisoners and both men are in good health.

LOAD-DATE: October 8, 2003

LANGUAGE: English

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The Australian
December 7, 2005 Wednesday All-round Metro Edition

Rice weathers CIA storm in Germany

SOURCE: AFP

SECTION: WORLD; Pg. 14

LENGTH: 478 words

BERLIN: Secretary of State Condoleezza Rice insisted in Berlin last night that the US did not condone torture, as she won the support of Germany at the start of a tour beset by questions over secret CIA prisons.

In the first stop of her four-nation European tour, Dr Rice said she and German Chancellor Angela Merkel discussed reports the CIA was using European airspace to fly terror suspects to secret prisons for interrogation.

Dr Rice refused to be drawn on the prisons' existence but reiterated her earlier comments that the US did not revert to torture.

"The United States does not condone torture. It is against US law to be involved in torture or to conspire to commit torture and it is also against the US's international obligations," she said.

Dr Rice said, however, that intelligence was vital in saving lives in the fight against terror.

"This is a war in which intelligence is the absolute key to success," she said, as it was essential "to get to perpetrators of such crimes before they commit them".

"Without good intelligence you simply cannot protect civilians from the attacks we have seen around the world."

Dr Rice, who is due to also visit Romania, Ukraine and NATO headquarters in Belgium, said that as a result of intelligence "we have saved American lives and European lives" and no one should forget such attacks were normally on the innocent.

In comments that were markedly supportive of Washington, Ms Merkel -- who took office late last month -- said she agreed "we have to face the challenges of the 21st century ... but we have to strike a careful balance".

"We have to stay in line with the laws we believe in."

Ms Merkel said Germany and the US had to work together as "close partners and friends".

She added that she welcomed Dr Rice's strong words on Monday on the fight against terrorism, in which she urged European critics of Washington's policy on terror suspects to fall into line.

The statement was "a good base for co-operation between our countries and our intelligence services", Ms Merkel said.

Regarding a German national, Khalid Masri, who was allegedly seized by the CIA in the Balkans and flown to a prison in Afghanistan, Ms Merkel said the case would be investigated by a German parliamentary committee.

Dr Rice said she could not comment on individual cases, but added that if mistakes were made everything would be done to rectify them.

Germany is reportedly a European crossroads for flights allegedly carrying suspects to prison camps for interrogation, with press reports saying more than 400 suspicious CIA flights had gone through its airspace.

Dr Rice was early today due in Romania, which plans to sign an accord allowing US military bases to be based on its territory.

Romania has strongly denied claims by human rights groups that it has hosted some of the secret CIA prisons.

LOAD-DATE: December 6, 2005

LANGUAGE: ENGLISH

JOURNAL-CODE: AUS

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The Philadelphia Inquirer
May 6, 2006 Saturday

U.S. denies torture allegations;

A U.N. panel in Geneva said the U.S. was playing word games over actions in Iraq and elsewhere.

BYLINE: Matthew Schofield, Inquirer Foreign Staff

SECTION: NATIONAL; Pg. A04

LENGTH: 392 words

U.S. officials yesterday defended the country against allegations that it had allowed the torture of prisoners in Iraq, Afghanistan, and the U.S. naval base at Guantanamo Bay, Cuba, saying the United States had an "absolute commitment" to eradicating torture and preventing abuse.

The U.N. Committee Against Torture met the defense with skepticism, accusing American officials of playing word games and of mounting a legalistic defense rather than confronting specific accusations of prisoner abuse.

"There is the rule of law, and the rule of what is right," said committee member Guibriel Camara of Senegal.

The U.S. defense and the committee members' comments came during the opening meeting of a two-day hearing into American adherence to the U.N. Convention Against Torture. U.S. officials are expected to return Monday to respond to questions.

The hearing is intended to probe a variety of American activities, including long-standing issues in domestic prisons ranging from the psychological strain of living on death row to the use of stun guns by guards.

But the meeting quickly focused on interrogation methods that U.S. intelligence agents have used on prisoners taken during the war on terrorism.

"I want to reiterate the United States government's absolute commitment to upholding our national and international obligations to eradicate torture and to prevent cruel, inhumane or degrading treatment or punishment anywhere," State Department legal adviser John B. Bellinger 3d said. Bellinger argued that the American treatment of detainees from Iraq and Afghanistan and at Guantanamo fell outside the U.N. Convention Against Torture. He said the U.N. convention was "never intended to apply to armed conflicts" but was aimed at protecting people in "the ordinary domestic legal processes."

That line of defense won little praise from the committee. Committee Chairman Andreas Mavrommatis of Cyprus, who in 2002 issued a scathing report of human-rights abuses in Saddam Hussein's Iraq, said the United States deserved praise for its "unique status... in the field of human rights."

But he added that such status came with obligations. He said photos of abuse of prisoners at Abu Ghraib in Iraq had stunned him. He said they brought back memories of his trip there under Hussein's regime.

Contact reporter Matthew Schofield at mschofield@krwashington.com.

LOAD-DATE: May 6, 2006

LANGUAGE: ENGLISH
PUBLICATION-TYPE: Newspaper

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Fox News Network
February 17, 2006 Friday
SHOW: FOX SPECIAL REPORT WITH BRIT HUME 6:00 PM EST

Political Headlines

BYLINE: Jim Angle, Major Garrett, Bret Baier, James Rosen
SECTION: NEWS; Domestic
LENGTH: 2436 words

[...]

Up next on SPECIAL REPORT, Defense Secretary Rumsfeld blasts critics, including Kofi Annan, who want Guantanamo shut down.

ANGLE: There are more than 500 detainees at the U.S. camp at Guantanamo Bay, Cuba. Many have been held for several years now. And critics, including U.N. Secretary General Kofi Annan, says it's time to shut Gitmo down. But in a blistering response, both Defense Secretary Donald Rumsfeld and Joint Chief Chairman Peter Pace say Guantanamo is crucial on the war on terror. That story from Fox News Pentagon Correspondent Bret Baier.

(BEGIN VIDEOTAPE)

BRET BAIER, FOX CORRESPONDENT, (voice over): One day after the United Nation's secretary general made these comments backing up a human rights report calling for the closure of the U.S. detention facility at Guantanamo Bay.

KOFI ANNAN, U.N. SECRETARY GENERAL: Sooner or later there will be a need to close the Guantanamo.

BAIER: Defense Secretary Donald Rumsfeld at a speech in New York fired back.

DONALD RUMSFELD, DEFENSE SECRETARY: I know Kofi Annan and there are a lot of things you could agree with him on but he's just flat wrong.

BAIER: Rumsfeld told the Council on Foreign Relations that Gitmo is being run as well as any detention facility should be and pointed to the type of detainees being held on the base.

RUMSFELD: Fifteen of them have gone back to the battlefield and tried to kill Americans and have either been killed or captured. And the idea that you could just open the gates and say, gee fellas, you are just wonderful, is not realistic. We live in a tough world and by golly that place is being run. There's no torture. There's no abuse. It's being handled honorably. And to the extent anyone does anything wrong, it's reported and they're punished under the uniformed code of military justice.

BAIER: In Washington, at the National Press Club, the chairman of the joint chiefs also took issue with the U.N. sponsored report, since the authors never traveled to Gitmo.

GEN. PETER PACE, JOINT CHIEFS OF STAFF CHAIRMAN: When you write that kind of report and have that kind of impact and haven't been to the place you're reporting about, there's something wrong with that.

BAIER: The general said the nation now has to now decide the nature of the threat the detainees at Gitmo pose and how best to deal with them.

PACE: Your military does not want to be the jailers for the world. We have these individuals who say to us, us as citizens, if you let us go, we will try to kill you.

BAIER: In New York, Secretary Rumsfeld used the news coverage of Guantanamo Bay as an example of how terrorists and those who hate the U.S. do a better job of controlling a story. Rumsfeld said the U.S. government lags behind al Qaeda and other enemies when it comes to the media, saying today's weapons of war include e-mail, Blackberries, instant messaging, digital cameras and blogs.

RUMSFELD: For the most part, the U.S. government still functions as a five and dime store in an eBay world.

(END VIDEOTAPE)
[...]

LOAD-DATE: February 18, 2006
LANGUAGE: ENGLISH
TRANSCRIPT: 021701cb.254
DOCUMENT-TYPE: Show
PUBLICATION-TYPE: Transcript

The Gazette (Montreal)
January 20, 2008 Sunday
Final Edition

Torture is ineffective - and also immoral

BYLINE: The Gazette
SECTION: EDITORIAL / OP-ED; Pg. A14
LENGTH: 466 words

No respectable regime anywhere wants to be known for **torture**. That's the good news buried under the controversy over whether Canada does, or doesn't, believe the **United States** and Israel allow **torture** in their jails.

Israel and the United States reacted angrily to finding out that Canada's foreign affairs department has put them, along with China, Syria, Iran and Afghanistan, on a watch list of countries suspected of torturing prisoners.

The Harper government, a staunch ally of both the U.S. and Israel, moved quickly to downplay the "training manual" for Canadian diplomats in which the six countries are listed.

Coming at a time when the U.S. national intelligence director has been defending his country's legal right to use "enhanced interrogation techniques," America's presence on an ally's torture watch-list was not welcome.

The national director, Michael McConnell, speaking to college students, insisted the CIA's enhanced techniques have "saved lives." There are, McConnell said, "Americans today that are alive, that are living and breathing because of those interrogation techniques." But few experts, if any, agree with McConnell. Torture has not yielded useful results, they say, whether practiced in authoritarian regimes or democratic ones, whether carried out 200 years ago or yesterday.

They also wonder why, if the CIA is convinced of the rightness of its techniques, hundreds of hours of videotapes showing these techniques being used against two suspected Al-Qa'ida members were deliberately erased.

Torture is ineffective and immoral. It produces many false confessions, which then waste the time of policing agencies as they try to track down non-existent or false leads. Even in Nazi Germany, tips from the public, informers and the co-operation of other agencies made up the bulk of the information fed to the feared Gestapo, according to political scientist Darius Rejali's essay in yesterday's Gazette.

The failings of torture are so significant that no country should use it. Onetime and potential allies are beginning to turn away from the U.S. over this issue, in a way that seemed unthinkable in the immediate aftermath of 9/11.

Spain, for one example, has refused to order extraditions to the U.S. on the grounds that Spanish legal guarantees could be violated.

In Afghanistan, Dutch soldiers have reportedly been ordered not to hand over Afghan captives to U.S. facilities, for fear of abuse, deportation to Guantanamo, or "rendition" to countries where torture is practiced.

Amnesty International others argue the practice of Canadian Forces transferring detainees to the United States led to serious human rights violations in Afghanistan and Guantanamo Bay.

Torture is a betrayal of democratic principles. It is never the right thing to do, either morally or tactically.

LOAD-DATE: January 20, 2008

LANGUAGE: ENGLISH

DOCUMENT-TYPE: Editorial

PUBLICATION-TYPE: Newspaper

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2. Extended Illustration: Information on dataset, content analysis and coding scheme

Sources & Methods:

1. Newspaper articles:

Vincent Keating kindly shared the dataset with me that he used for his 2014 article “Contesting the International Illegitimacy of Torture: The Bush Administration’s Failure to Legitimate Its Preferences within International Society.” *The British Journal of Politics & International Relations* 16 (1): 1–27.

The dataset includes newspaper articles and transcripts of interviews with senior administration officials from major TV stations (ABC, CNN, NBC, and so on) from the Nexis database “All English Language News”. The search terms used were ((“United States” OR America OR Bush) w/p torture).

This search generates thousands of articles and Keating filtered out those that reported on torture or mistreatment in the United States. Note that there is little difference in the search results when one searches for torture or abuse/mistreatment. I then filtered out those articles that contained statements from senior US officials and from senior diplomats, foreign ministers or heads of states of other countries. I read through 800 pages of newspapers and transcripts to do so. To make sure, I captured all statements, I also searched for keywords such as “Bush”, “White House”, “Rumsfeld”, “Rice”, “Britain”, “Australia”, “France”, “Canada”, etc.

In an excel table, I coded 279 observations: 85 statements of other states, 43 statements of non-governmental organizations (NGOs) or international organizations (IOs), 135 statements from Bush administration officials and 16 statements from domestic opponents. I coded the international observations based on whether the statement was made by the in-group, out-group or observes (NGOs or IOs), whether the US’ frame or claim was supported or rejected and based on the justification that was chosen (see codes below). I only coded the US data based on the justification.

I triangulated these statements with the following official documents:

- Legal Memos (available at: “The National Security Archive” of the George Washington University:

- John Yoo. “Memorandum for William J. Haynes II, General Counsel, Department of Defense.” January 9, 2002.
- Alberto Gonzalez. “Decision Re Application of Geneva Convention on Prisoners of War to the Conflict with Al Qaeda and the Taliban.” January 25, 2002.

- The White House. "Humane Treatment of al Qaeda and Taliban Detainees." February 7, 2002. Unclassified.
- Jay S. Bybee. "Memorandum for Alberto R. Gonzales, Counsel to the President. Re: Standards of Conduct for Interrogation under 18 U.S.C. §§ 2340 – 2340A". August 1, 2002.
- From: William J. Haynes. For: Secretary of Defense. "Counter-Resistance Techniques." November 27, 2002. Includes Notes from Donald Rumsfeld. Unclassified.

- White House press releases: Available at The American Presidency Project, <http://www.presidency.ucsb.edu/>

- I triangulated the White House statements the media reported with the official press releases.
- I searched for the keywords "torture" from 2001 to 2008. This generates the statements by Bush and White House officials on the matter. Figure 1 is based on these search results.

- U.N. Committee Against Torture:

- "The United States' Oral Response to the Questions Asked by the Committee Against Torture." May 8, 2006. <https://www.state.gov/j/drl/rls/68562.htm>
- "Conclusions and recommendations of the Committee against Torture. United States of America." CAT/C/USA/CO/2. 25 July 2006. <https://www.refworld.org/docid/453776c60.html>.
- "United States Written Response to Questions Asked by the Committee Against Torture." April 28, 2006. <https://www.state.gov/documents/organization/68662.pdf>
- "Second Periodic Report of the United States of America to the Committee Against Torture." 29 June 2005. CAT/C/48/Add.3. <https://www.state.gov/documents/organization/62175.pdf>

Coding Scheme:

I coded what type of legitimization strategy decision-makers from the United States and in- and out-group countries used to justify their choice of norm frame and/or claim. As in-group members of the United States, I code Australia, Canada and all West and East European countries that are EU members today. All these countries have a polity IV score as full democracy or as democracy, and this classification takes historical ties into account. Out-group members of the United States are all countries that do not fall within the in-group as defined above.

As the extended illustration reveals, the Bush administration mainly relied on interest- and identity-based legitimization. To test for alternative explanations, I also analyzed whether states use other types of justifications that scholars regard to potentially generate agreement on a norm frame and claim: legal framing, principle-based legitimization, precedent-based legitimization, evidence-based legitimization or questioning of the opponent's credibility. Other states relied on some of these justifications. Since the focus of the Theory Note is on the Bush administration's legitimization tactics, I do not provide further information on those codes and results here.

If you would like to learn more about the use of alternative legitimization strategies and their impact, please consult my conference paper: "All Things Come to an End: What Resolves Norm Contestation?", presented at the Annual Convention of the International Studies Association, San Francisco, CA, April 2018.

The contestation mainly centred around the US's 'no-torture' claim. From time to time, differences on the interpretation or applicability of the norm frame were made explicit. However, for most of the debate, particularly when US practices had been revealed (from 2004 onwards), the claim was contested without explicit explanations of what is understood under the frame (prohibition of torture and cruel, inhuman or degrading (CID) treatment or punishment). However, because the practices were known, support for the claim, also meant implicit support for the frame. The same applies to rejection of the claim.

The Bush administration's justifications are at the centre of analysis in the "Beyond Internalization"- theory note. George W. Bush and White House officials mainly relied on identity-based and interest-based legitimization. Below, you will find definitions of the codes and examples of how I used them. The sources are available on the Nexis database "All English Language News"

Identity-based legitimization:

- Justifications that emphasize the image, trustworthiness, credibility or identity of a speaker
- Examples:
 - Source: "Spain's Zapatero against condemning US for Iraq abuse." ABC web site. May 28, 2004. "At a joint press conference with the Mexican president, Vicente Fox, Zapatero had to reply to several questions about this matter, based on newspaper reports which say that several countries, among them Cuba, are planning not to limit article 25b of the declaration of the summit - which begins tomorrow in Guadalajara (Mexico) - to a general condemnation of torture, but to name the United States expressly. The prime minister repeated his condemnation of these practices and said he was convinced that they were repudiated by the majority of the United States' citizens. "As I have confidence in US democracy," he said, "I am sure that the perpetrators will be held responsible for their deeds."
 - "The reference to the US's democratic identity is what serves as backing for the claim that the US does not need to be condemned for torture.*
 - Source: George W. Bush. "Interview With Laurence Oakes of Australia's Channel 9 TV." October 14, 2003.
<http://www.presidency.ucsb.edu/ws/index.php?pid=64404&st=torture&st1>
"Mr. Oakes. Sir, there are two Australian citizens being held in Guantanamo Bay. [...]
Mr. Oakes. Are they being tortured? The President. No, of course. We don't torture people in America. And people who make that claim just don't know anything about our country. *The US diffuses any accusations of prisoners' abuse by referring to its democratic identity.*
 - Source: "Bush Assures UN No Torture of Terror Suspects." The White House Bulletin. March 7, 2003. "Spokesman Jose Luis Diaz said today President Bush has assured the UN Human Rights Commission "in the strongest terms that the United States has not and will not use torture in interrogating prisoners" detained in the war on terror." *I coded statements like this as identity-based legitimization. Bush uses the "United States", and thus implicitly the image as democratic, human rights protecting state, as backing for the claim that the administration does not torture.*

Interest-based legitimization:

- Justifications based on necessity, utility or effectiveness
- Examples:
 - Source: "Captives have no complaints, says No 10". The Daily Telegraph. January 22, 2002. "DOWNING Street made a robust defence of America's treatment of the terrorist suspects in Cuba yesterday, saying there were "no complaints" from the three British captives... Referring to the pictures released at the weekend showing some of captives manacled, blindfolded and kneeling, Mr Bradshaw said the photographs were taken when the men arrived, "where security needs are paramount." *The UK supported the US's claim of not abusing prisoner's in Guantanamo by referring to security concerns and the need for protection.*
 - Source: George W. Bush. "Remarks on the War on Terror." September 6, 2006. <https://www.presidency.ucsb.edu/documents/remarks-the-war-terror>. "We knew that Zubaydah had more information that could save innocent lives, but he stopped talking. As his questioning proceeded, it became clear that he had received training on how to resist interrogation. And so the CIA used an alternative set of procedures. These procedures were designed to be safe, to comply with our laws, our Constitution, and our treaty obligations. The Department of Justice reviewed the authorized methods extensively and determined them to be lawful. I cannot describe the specific methods used. I think you understand why; if I did, it would help the terrorists learn how to resist questioning and to keep information from us that we need to prevent new attacks on our country. But I can say the procedures were tough, and they were safe and lawful and necessary. Zubaydah was questioned using these procedures, and soon he began to provide information on key Al Qaida operatives, including information that helped us find and capture more of those responsible for the attacks on September the 11th... *Bush frames this 'alternative set of procedures' as lawful, and he primarily justifies these methods by pointing to their effectiveness and necessity.*
 - Source: "Bush rejects accusations of US torture." The Irish Times. November 8, 2005. Bush: "We are finding terrorists and bringing them to justice. We are gathering information about where the terrorists may be hiding. We are trying to disrupt their plots and plans. Anything we do to that effort, to that end, in this effort, any activity we conduct, is within the law. We do not torture" ... "There's an enemy that lurks and plots and plans, and wants to hurt America again. And so, you bet, we'll aggressively pursue them. "But we will do so under the law." *Bush denies illegal conduct/torture, but emphasizes the need for protection from terrorism. I coded that as interest-based legitimization for Bush's understanding of 'legal interrogation methods' because he uses references to the terrorist threat to justify the need to 'aggressively pursue them'.*