



# **Between the National and the Global:**

## *Amnesty International's Fight Against Torture in Northern Ireland, 1971-1975*

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Master thesis in Modern International and  
Transnational History

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# **Between the National and the Global:**

*Amnesty International's Fight Against Torture in  
Northern Ireland, 1971-1975*

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## Thesis abstract

After being founded as an organisation for the protection of political prisoners in 1961, Amnesty International moved into the fight against torture after the Greek Coup of 1967. This change was gradual, and part of the organisation's evolution was its advocacy against torture in early 1970s Northern Ireland.

After the outbreak of crisis in the late 1960s and lasting up until the 'Good Friday' Agreement of 1998, 'the Troubles' of Northern Ireland were a period of violence, terrorism and political unrest. The 1970s were a crucial time in the international history of human rights and the fight against torture, and during these years several allegations were made of ill-treatment and torture in Northern Irish prison facilities.

This master thesis presents the key aspects of Amnesty International's work against torture in Northern Ireland from 1971 to 1975. In doing so, it explores the political circumstances of the Northern Irish 'Troubles' and how these effected key members of the Amnesty leadership. Amnesty's International Secretariat was based in London, and this thesis tells a story of Amnesty's internal conflicts of political impartiality. The aim is to shed light on the prominence of Northern Ireland in Amnesty's global fight against torture, and to show how the evolution of the organisation's international advocacy is mirrored in its continuing advocacy for 'Prisoners of Conscience' in Northern Ireland.



## Acknowledgements

First of all, I wish to express my immense gratitude of my thesis supervisor Hanne Hagtvedt Vik. To say that I could not have done this without her would be a great understatement. In addition to the countless hours of comments, Zoom-meetings, phone calls and e-mails, she has also provided me with source material necessary for this thesis, which I would not have had the opportunity to retrieve from Amsterdam myself. She has been one of my greatest supporters, and for that I am eternally grateful.

Also, thanks to my fellow members of Hanne's supervisor group for supportive comments and feedback. Great thanks are also due to my professors and fellow students of MITRA. Thanks to my fellow master's students of the institute's reading rooms for the many hours of coffee breaks and lunches of fun and motivating conversation. Thanks especially to Ingrid Skrede and Karoline Dobloug for the laughs in the institute hallway and the reassuring words of 'we will be fine'. The last two years have been challenging, but we made it through. Last but not least, a big thank you to my supportive friends and family who have kept me going in times where this task seemed too great to handle.

To work on this thesis project has been challenging, exiting, and incredibly rewarding. At times it has been overwhelming to process the source material as much of it contains graphic description of abuse. Still, these stories are important to tell, and I am thankful for the opportunity this MITRA-study has given me to spend the majority of my time working on projects based in my own personal interests.

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# List of Abbreviations

AI: Amnesty International

UDHR: Universal Declaration of Human Rights

ECHR: European Convention on Human Rights

IRA: Irish Republican Army

RUC: Royal Ulster Constabulary

EPA: Northern Ireland (Emergency Provisions) Act 1973

Both he and Liam McKee were beaten by paratroopers in the Saracen on the way to the police station and they were also threatened with a knife. When they arrived at the police station he was made to stand spreadeagled for 15 minutes.<sup>1</sup> A soldier urinated on his left leg and when he moved out of the way he was kicked and jabbed with rifle butts. He received a rabbit punch on the back of the neck which caused him to fall to the ground. He was manhandled again because he fell and then given a couple more rabbit punches. Further manhandling occurred. He was made to kneel on the floor and was kicked in the chest. During transport he was made to lie face down and pressure was applied to various parts of his body. At Holywood he was made to run around the room and jump over chairs which were placed in his way. This continued for 15 to 20 minutes until he could run no more. He was punched in the kidneys and stomach, kicked on the chest and groin and pulled up by the hair. He was spreadeagled against the wall and punched on the side of the face which caused him to fall. He was then kicked. He was grabbed by the throat, which made it difficult for him to breathe, and beaten. Beating continued after he was moved to another room and he was threatened that he would be shot. At one stage he was beaten with a long rubber hose about the stomach, kidneys, legs and ears. He had a paper bag over his head for a short period and he was made to stand on his toes six inches from a wall for long periods. If he fell or moved he was beaten, subjected to various kinds of physical abuse and was threatened that he would be shot. On one occasion a man jumped on his face as he lay on the ground, put both hands about his neck and tried to strangle him. He asked for a medical examination several times but this was not forthcoming. He had no sleep until he reached Crumlin Jail and could not eat because of the injuries to his jaw.

- Testimony by 22-year-old John Patrick Watson  
to Amnesty International, Autumn of 1971.<sup>2</sup>

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<sup>1</sup> To stand stretched out with one's arms and legs extended against a wall, a common technique employed by police and army personnel in Northern Ireland at the time.

<sup>2</sup> *AI Report of an enquiry into allegations of ill-treatment in Northern Ireland (1972)*, 19

# Introduction

The Northern Irish ‘Troubles’ lasted from 1968 to 1998, starting with violent clashes between demonstrators and police during a Catholic civil rights march in the city of Derry. During this period there were reported numerous instances of police brutality and ill-treatment of detainees by the police force and the British Army. The British government often characterized the abuse as ‘interrogation techniques’. In practice, there were unclear delimitations between so-called ‘enhanced interrogation’ and torture, be it physical, psychological or emotional.

In August 1971, the Northern Irish government at Stormont initiated the reintroduction of detention without trial, commonly referred to as internment, in Northern Ireland. The aim was to arrest suspected associates of the Irish Republican Army (IRA), a paramilitary organisation waging an armed struggle for a united Ireland. The measure was initiated as part of an extensive police operation, ‘Operation Demetrius’, in which hundreds of terrorist suspects were arrested. Reports of police brutality and ill-treatment reached the press immediately after the operation. These reports also reached the leadership of Amnesty International (AI). John Patrick Watson’s statement quoted in the beginning of this thesis is an example of the testimonies given to AI in their following investigations into the allegations, recorded in the 1972 AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland*.

Northern Ireland gave rise to difficult problems for the British government, and international criticism of the situation was damaging to the British political appearance abroad.<sup>3</sup> Northern Ireland had been a separate part of the United Kingdom since the independence of the southern Republic of Ireland in 1922. After the establishment of a Northern Irish Parliament at Stormont in Belfast, the Catholic minority had been systemically oppressed and denied any important role in domestic politics. The Unionists, or loyalists, regarded the region as British, and governed thereafter. The Catholic minority felt a stronger national connection to the southern Republic. The British government’s handling of ‘the Troubles’ drew attention from all over the world in a time where human rights were becoming a significant part of countries’ foreign policies.<sup>4</sup>

From the late 1960s, human rights initiatives began in the words of historian Jan Eckel to ‘fundamentally, yet often subtly,’ transform international relations.<sup>5</sup> The 1970s gave rise to

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<sup>3</sup> Paul Bew and John Bew, ‘War and Peace in Northern Ireland: 1965-2016’ in Thomas Bartlett (edit), *The Cambridge History of Ireland*, Vol. 4 (Cambridge: Cambridge University Press, 2018) Chapter 15, 445.

<sup>4</sup> Samuel Moyn and Jan Eckel. *The Breakthrough: Human Rights in the 1970s. Pennsylvania Studies in Human Rights*. (Philadelphia: University of Pennsylvania Press, 2014.) 231

<sup>5</sup> Jan Eckel, *The Ambivalence of Good: Human Rights in International Politics since the 1940s*. Oxford Studies in Modern European History. (Oxford, New York: Oxford University Press, 2019.) 9

crucial transformations in global human rights politics, and especially the understanding of the term ‘torture’ and what it should entail. Seen in this context, the ‘in-depth interrogation’ practised by the police in Northern Ireland were bound to come to draw scrutiny once uncovered. Following *Operation Demetrius* in 1971, it became impossible to sweep the allegations of torture and/or ill-treatment in Northern Ireland under the rug.

AI played a central role in the growing human rights movement and spearheaded the fight against torture. By the 1970s, torture had been raised directly in inter-state cases in the European Court of Human Rights (ECtHR) on two previous occasions. Between Greece and the United Kingdom in 1958 over allegations of torture in British colony of Cyprus, and the allegations by the Scandinavian countries that Greece practiced torture following the Greek military coup in 1967.<sup>6</sup> In Greece, AI played an active role in documenting torture, and this work greatly shaped the future of the organisation.<sup>7</sup>

By 1971, AI was an international organisation with branches in 30 countries.<sup>8</sup> The organisation’s headquarter and international secretariat was based in London, and of the national sections the British and Irish sections were among the most influential. As AI began to receive reports of ill-treatment by the Royal Ulster Constabulary (RUC) and the British Army in 1971, the London secretariat faced an unfamiliar conundrum. In Northern Ireland the abuse previously attributed to military regimes and totalitarian states was taking place in the United Kingdom, on AI’s ‘doorstep’.<sup>9</sup>

When first starting their work for the abolition of torture, AI was faced with the issue of advocating for something which lacked a universally acknowledged definition. AI were concerned that the United Nations (UN) had ‘neither effective means nor institutions for dealing with the problem of torture.’<sup>10</sup> In 1969, the European Commission on Human Rights described inhumane treatment as ‘at least such treatment as deliberately causes severe suffering, mental or physical, which, in the particular situation is unjustifiable’. Torture, on the other hand, was used to describe ‘inhuman treatment which has a purpose such as the obtaining of information or confessions, or the infliction of punishment, and it is generally an aggravated form of inhuman and degrading treatment’.<sup>11</sup> The AI Campaign for the Abolition of Torture (CAT),

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<sup>6</sup> Brice Dickson. *The European Convention on Human Rights and the Conflict in Northern Ireland*. (Oxford: Oxford: Oxford University Press, 2010.) 141

<sup>7</sup> Hanne Hagtevdv Vik, Skage Østberg, “Sweden, Amnesty International and legal entrepreneurs in global anti-torture politics, 1967-1977, accepted for publication in *International History Review*, 2021

<sup>8</sup> AI *Annual Report 1970-1971*, 74-75

<sup>9</sup> Tom Buchanan. *Amnesty International and Human Rights Activism in Postwar Britain, 1945-1977*. Cambridge: (Cambridge University Press, 2020.) 194

<sup>10</sup> AI *Report on Torture* (1973), 67

<sup>11</sup> Dickson 2010: 140

launched in December 1972, served as a hefty demand for a UN convention guaranteeing universal protection against torture or ill-treatment by reinforcing the Article 5 of the Universal Declaration of Human Rights (UDHR) from 1948. In their 1973 *Report on Torture*, AI urged for specificity in human rights legislation concerning torture in order to ‘eliminate ambiguity, especially in that 'grey area' in which the modern state and modern technology are anxious to operate.’<sup>12</sup> AI pointed to there being ‘a strong tendency by torturers to call it by another name, such as 'interrogation in depth' or 'civic therapy' and a tendency of victims to use the word too broadly.’<sup>13</sup> Central in the Report was the rendition of ill-treatment and torture in Northern Ireland.

This thesis investigates how AI became involved in the allegations of torture and brutal treatment of prisoners in Northern Ireland and how this became part the organisations’ global anti-torture efforts. This happened at a crucial point in the shaping of a new political role of AI and its ambitions and aims in the international politics of the early 1970s. This was a period in which the organisation’s fight for the ‘Prisoners of Conscience’ branched into a fight for the basic human rights of every prisoner, and this thesis analyses how AI’s work in Northern Ireland was both shaped by this transition and contributed to it. As this thesis shows, the task of fighting for the rights of political prisoners proved to be a rocky one, and in dealing with Northern Ireland AI met obstacles in its own founding principles and the leadership’s individual views on what organisation AI should be. This thesis paints a picture of AI as an organisation outgrowing the borders of the United Kingdom, whilst at the same time having to challenge the British government in the same way they fought the Greek military junta.

## Historiography and theoretical perspectives

Since the end of the Cold War, human rights history has emerged as a popular field of research.<sup>14</sup> Recent human rights historiography has placed a magnifying glass on the 1970s, and subjects such as decolonialisation, international conventions and the fight against dictatorships and torture are common themes within the human rights historiography. This thesis contributes to the historiography on the emergence and growth of human rights in international law and politics in the 1970s, and specifically two branches of this historiography: the research on human rights in the United Kingdom, and the history of AI and its work against torture and the theoretical perspectives of transnational political activism. Few works combine

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<sup>12</sup> AI *Report on Torture* (1973), 29

<sup>13</sup> AI *Report on Torture* (1973), 30

<sup>14</sup> DeMars and Dijkzeul: ?

the two, and often only peripherally. Lastly, as a study of AI's campaign against the British government in the early 1970s, the thesis can add to the existing historiographies by highlighting the connections between the two.

Historian and legal scholar Samuel Moyn argues for the decade as a turning point, or 'breakthrough', in the history of human rights, emphasizing that in the 1970s human rights was not about colonial liberation but meant individual protection against the state.<sup>15</sup> The emergence of human rights in the 1970s can also be described as the coexistence of several different histories. In an effort to explain the emergence of human rights in the 1970s, Jan Eckel writes of how the multiple changes in human rights policy of the 1970s had no single origin, but claims that a renewal of moral politics could serve multiple purposes as an 'overarching pattern'.<sup>16</sup> Similarly, Robert Brier subscribes to the idea that the evolution of human rights in the 1970s can be attributed to the culmination of multiple chronologies of post-war human rights history.<sup>17</sup>

Britain was among the states that had a prominent role in the drafting of the Universal Declaration of Human Rights (1948) and the European Convention on Human Rights (1950). Researching Britain's relationship to human rights politics, A. W. Brian Simpson has written a detailed story of the United Kingdom and genesis of the European Convention, using source materials from the British Public Records Office, the Foreign Office and the Colonial Office.<sup>18</sup> Simpson's comprehensive account includes the first European Court of Human Rights case in which the United Kingdom were accused of torture and ill-treatment in Cyprus in 1958. His work ends with 1966, which explains why he does not discuss the allegations of ill-treatment in the Northern Irish 'Troubles'. Northern Ireland have also fallen outside the scope of research projects because of their interest in United Kingdom and human rights in the post-war era in relation to the process of decolonization and the treatment of 'colonial subjects' overseas. Northern Ireland was defined as a domestic concern. However, the conflict was rooted in a fight for and against independence from the British Crown. Including the perspective of decolonialisation might add much to the understanding of the conflict and the British response to it.

In his study of Operation Martin J. McCleery argues that internment has not been given proper academic attention and 'needs reappraisal'.<sup>19</sup> The question of torture in Northern Ireland

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<sup>15</sup> Moyn 2010: 4

<sup>16</sup> Eckel 2019: 154

<sup>17</sup> Brier 2015: 157-158

<sup>18</sup> A. W. Brian Simpson. *Human Rights and the End of Empire: Britain and the Genesis of the European Convention*. (Oxford: Oxford University Press, 2001.)

<sup>19</sup> Martin J. McCleery. *Operation Demetrius and Its Aftermath: A New History of the Use of Internment without Trial in Northern Ireland, 1971-75*. (Manchester: Manchester University Press, 2015.). ?

has also been studied by Aofie Duffy.<sup>20</sup> This thesis adds to the historiography of human rights in Northern Ireland, as internment was one of the key points which AI advocated against. When researching the international fight against torture in the 1970s, Northern Ireland is often mentioned but seldom researched as a case study in itself. This reveals a missing and central piece of research of human rights and the history of anti-torture legislation.

Crucial to the history of human rights is the history of human rights advocacy. Jan Eckel points to the idea of morality as a ‘political resource’, describing how human rights initiatives were embedded in the international political culture of the 1970s.<sup>21</sup> Barbara Keys describes the new human rights movement of the 1970s as ‘a global phenomenon powered by transnational flows of people, information, and money.’<sup>22</sup> This movement materialised through organisations such as AI. Eckel argues how the 1970s that civil human rights activism turned into a ‘vibrant political movement.’<sup>23</sup> The form of internationalism that ‘fed’ most directly into human rights activism was ‘international political solidarity on behalf of those imprisoned for their religious and political views’.<sup>24</sup> This was the pillar of AI’s very existence, and as Barbara Keys puts it: ‘Amnesty’s aims proved ideally suited to the Zeitgeist of the seventies.’<sup>25</sup>

Central to the history of human rights advocacy is the emergence of non-governmental organisation (NGOs). In warning against over-emphasizing the power of NGOs in international politics, William DeMars and Dennis Dijkzeul’s criticise the idea of their measurable impact, seeing it as ‘transparently implausible’ to claim that a single organisation can enforce ‘global norms anywhere’ regardless of local politics or cultures.<sup>26</sup> Stefan-Ludwig Hoffmann has argued that the mass transnational social movements of the 1970s were not NGOs like AI, but other social movements such as the women’s movement and the peace and anti-nuclear movements’.<sup>27</sup> Yet still, several scholars, have found that by 1971, AI had grown into playing a prominent role in international human rights politics, cultivating public support and manoeuvring its way through international bureaucracies and meetings in Geneva, New York and Strasbourg, as well as to national governments, to push for international legislation protecting the human rights of political prisoners.<sup>28</sup>

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<sup>20</sup> Aofie Duffy, *Torture and Human Rights in Northern Ireland: Interrogation in Depth*. (Taylor and Francis, 2019.)

<sup>21</sup> Eckel and Moyn 2014: 242, 256

<sup>22</sup> Keys 2014: 179

<sup>23</sup> Eckel 2013: 197

<sup>24</sup> Buchanan 2020: 21

<sup>25</sup> Barbara Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s*. (Cambridge: Harvard university press, 2014.) 181

<sup>26</sup> DeMars and Dijkzeul 2015: 24

<sup>27</sup> Hoffmann 2016: 287

<sup>28</sup> See for example Eckel 2013 and Mazower 2012

AI has been the subject of several publications in recent years. Ann Marie Clark studied AI as a driving force in the evolution of so-called ‘international human rights norms’,<sup>29</sup> and Stephen Hopgood has written of how 1970s AI’s ‘keepers of the flame’ advocated for global recognition of human rights.<sup>30</sup> In her book on the 1970s human rights movement in the United States, Barbara Keys presents AI as an organisation in exponential growth powered by the intense advocacy for human rights in the period.<sup>31</sup> All contribute to the current understanding of the history of AI’s advocacy, as well as the study of AI’s fight against torture.

Simon Stevens similarly argues that human rights movements ‘must be understood simultaneously both as a transnational and national phenomenon.’<sup>32</sup> AI is an organisation compiled of several national chapters under international leadership. Sara Snyder has researched the establishment of the US AI section, revealing a need to study the individual national AI sections in order to get a better understanding the organisation as a whole.<sup>33</sup> Keys explored the evolution of AIUSA, which in the period grew into the largest national chapter of AI and the most prominent organisation in the American human rights lobby by the late 1970s. Hanne Hagtvedt Vik and Skage Østberg has explored the interactions between the Swedish AI Section and the Swedish government during the Greek Case between 1967 and 1977. A version of this article has been available to me in the last months of completing this thesis.<sup>34</sup> By pointing to clear ties between AI and the Swedish government, the article tells a story of the presence of AI in the international human rights politics of the day.

When embarking on this project, Jonathan Power’s study seemed the only available work that touched upon the connection between AI and the Northern Irish ‘Troubles’. Yet he fails to explore the complexity of AI’s work in the region in the early 1970s, and merely brushes through the significance of it.<sup>35</sup> This includes lack of attention to the significance of the Irish and British sections and their relationships to Northern Ireland conflict.

When this thesis was underway, in April 2020, Tom Buchanan published a book length study on AI and human rights activism in post-war Britain.<sup>36</sup> Buchanan shows how individual

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<sup>29</sup> Ann Marie Clark. *Diplomacy of Conscience: Amnesty International and Changing Human Rights Norms*. (Princeton University Press, 2001)

<sup>30</sup> Stephen Hopgood. *Keepers of the Flame: Understanding Amnesty International*. (Ithaca, NY: Cornell University Press, 2006.)

<sup>31</sup> Barbara J. Keys. *Reclaiming American Virtue: The Human Rights Revolution of the 1970s*. (Cambridge: Harvard university press, 2014.)

<sup>32</sup> Simon Stevens Ch.12, in Moyn and Eckel 2014: 223-224

<sup>33</sup> Sarah B. Snyder. "Exporting Amnesty International to the United States: Transatlantic Human Rights Activism in the 1960s." *Human rights quarterly* 34, no. 3 (2012): 779-99. <https://doi.org/10.1353/hrq.2012.0047>.

<sup>34</sup> Hanne Hagtvedt Vik, Skage Østberg, “Sweden, Amnesty International and legal entrepreneurs in global anti-torture politics, 1967-1977”, accepted for publication in *International History Review*, 2021

<sup>35</sup> Jonathan Power. *Like Water on Stone: The Story of Amnesty International*. (Northeastern University Press, 2001.)

<sup>36</sup> Tom Buchanan. *Amnesty International and Human Rights Activism in Postwar Britain, 1945-1977*. (Cambridge: Cambridge University Press, 2020.)



personalities impacted the evolution of the organisation. He raises the issue of ill-treatment of Northern Irish prisoners and its reception with the AI leadership. This thesis could therefore build on his insights in the effort of explaining the evolution of AI's work in relation to Northern Ireland. His work covers much ground in time and geographic scope, and this thesis further explores the dynamics between local, national and global developments in this situation. It also builds on Buchanan's descriptions of individual key personnel of the AI leadership in presenting how the allegations of torture in Northern Ireland were received and acted on in within the organisation. This thesis therefore adds depth to the existing narrative of early 1970s AI.

### Research questions

This thesis aims at shedding light on the development and importance of AI's work in Northern Ireland in the evolution of AI as an organisation and the international fight against torture. The first step in uncovering this involves studying how the organisation acted in response to governmental use of force and claims of brutal treatment of prisoners following increasing political violence in Northern Ireland in the early 1970s. This needs to be contextualized and placed within the context of AI's efforts in international work against torture in the early 1970s. What role did the political aspects of the Northern Ireland conflict play in AI's choice of focus and strategies in the region? And how was this work represented in, developed by and tailored to, AI's global anti-torture efforts? AI's activism in Northern Ireland tells a story of the early anti-torture work of AI in a time of change, both for the organisation itself and for the international community of human rights politics.

It is important to research the role organisations such as AI played in accumulating and channelling public advocacy on behalf of the human rights movement of the 1970s. In studying the inner workings of AI – the individual personalities of its leadership, individual and collective motivations and aspirations, and differing ideas of the organisation's responsibility – one can paint a more nuanced picture of the politics of human rights advocacy in the early 1970s. In addition, the strong standing of the British and Irish national AI sections in the organisation's leadership, as well the AI International Secretariat being based in London, opens the discussion up to the question of whether or not individual national and political sentiment played a role in AI's handling of the allegations of torture in Northern Ireland in the early 1970s.

This thesis explores how, through transnational mobilisation by AI, organised activism against torture in Northern Ireland became an important tool for promoting a change in both

national and international anti-torture norms and legislation. The aim is not to draw distinct lines between AI's advocacy in Northern Ireland to a tangible set of consequences in British interrogation practices, nor on international human rights legislation, as this is impossible to do using the source material at my disposal. It is rather to explore how AI involved itself in questions of torture in Northern Ireland, and through this contribute to the understanding of the role AI obtained in the fight against torture in the human rights politics of the early 1970s.

## Sources and Methods

The thesis subject poses many challenges due to the political complexity of the Northern Irish 'Troubles' and the evolution of AI from the late 1960s and into the 1970s. The main challenge lies in combining the two separate and comprehensive historical subjects into one MA thesis. I eventually reached the strategy of using source material from AI, as this could add significantly to the evidence of ill-treatment, and/or torture, published in official reports of the British government, as political considerations during the official investigations and publications painted a more benign picture of abuse than that which AI wanted to portray in their advocacy. In addition, by including other international events such the Irish complaint to the European Commission on Human Rights parallel to and interwoven with the concerns of AI, the thesis aims at presenting AI's view of the case of torture in Northern Ireland in the early 1970 as completely as possible.

This thesis presents the first years of the Northern Irish 'Troubles' in a human rights perspective, and contextualizes it as part of political and societal changes taking place in the time period. AI's advocacy against torture in Northern Ireland is part of several *entangled histories*: The history of decolonialisation as the 'Troubles' were partly rooted in nationalism and the Irish fight for independence, the history of human rights as it became important in the international fight against the use of torture, and lastly it tells a story of the evolution of AI – both as a national and international organisation and its merge into a human rights organisation beyond, but still based in, the scope of a 'Prisoner of Conscience'.

This thesis bases its analysis in the historiography of the question of torture in human rights, the Northern Irish 'Troubles' and of AI, as well as in source materials from the AI archives in Amsterdam and material from AI's online archives such as Annual Reports. Because of the situation with COVID-19, the access to primary sources has been severely limited. As the University of Oslo's Department of Archaeology, Conservation and History has advised against international travel for research purposes since March 2020, I have not been

able to travel and visit relevant archives myself. However, I was lucky enough to acquire source materials from my thesis supervisor Hanne Hagtvedt Vik, as she researched AI's anti-torture work in the AI archives in Amsterdam in February that year, before the pandemic hit. My supervisor knew I wanted to write on Northern Ireland and the Troubles, and took pictures of relevant archival materials and made her complete research materials available to me in the form of PDF's of pictures of her full selection of documents from different series in the AI archives, including pictures taken for her own purposes which allowed me to also review primary sources on AI's global anti-torture efforts in the period 1967 to 1977.<sup>37</sup>

The quality of the archival materials enabled me to piece together significant episodes and developments in AI's work in Northern Ireland. The material consists of transcripts from the AI International Executive Committee's (IEC) meetings, memos, campaign materials and reports on torture and the situation in Northern Ireland from the AI research department and recognized medical and legal professionals employed by AI. The main utility of this material has been the insight it has brought into the inner workings of the IEC, the special considerations and individual concerns of key leadership personalities and the prominence, or lack thereof, of Northern Ireland in the internal discussions of the AI leadership. The latter has added greatly to the analysis and reflections of this thesis. Reflections developed from such insights can be used to tell an important story of the workings of an NGO such as AI, and add to the current understanding of how the human rights organisations of the early 1970s motivated and affected the evolution and contemporary understanding of human rights in politics. Not having the opportunity to look through the archive myself in Amsterdam makes it highly possible that I may have caught, and included, pieces of information which my supervisor did not include in her selection. I would have preferred to use this material and then do a follow-up work in the archives myself. Unfortunately, international travels never became possible.

Digitalized sources have also been available, and I have used such materials extensively. The access to digitalized materials has been of crucial importance in this study. The University of Ulster's digital and open access CAIN archives has made it possible to work from primary sources on the political aspects of the Northern Irish 'Troubles'. In addition, the public and digitalized AI *Annual Reports* and other AI publications has added to the archival materials collected by my supervisor, and has helped contextualize and support this material in telling the story of the broader strategies of early 1970s AI. The use of digitalized sources poses several

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<sup>37</sup> Her archival work resulted in the article Vik/Østberg, "Sweden, Amnesty International and legal entrepreneurs in global anti-torture politics, 1967-1977, accepted for publication in *International History Review*. A version of this article has been available to me in the last months of completing this thesis.

benefits, as well as challenges, in studying complex subjects such as the Northern Irish 'Troubles' and AI. Online publications of released government documents and digital organisation of such materials makes the information more accessible to the public, as opposed to the somewhat limited availability of physical archives. The CAIN database has collected and organised materials from several archives from different locations, such as the British Home Office or Foreign Office, or the National Archives of Ireland, and Public Records Office of Northern Ireland, all in one place. A challenge is, just as with the pictures of source materials provided by my supervisor, there is no way to guarantee that every piece of important or relevant information is represented in the collection. Also, given the vast size of an online archive such as CAIN, makes it extremely challenging to organise and work through it in its entirety.

Using AI publications, such as the Annual Reports and the 'Enquiry into allegations of ill-treatment in Northern Ireland' as primary sources must be done with caution. The AI Research department is known for its thorough research and valid results. The Research department investigated thoroughly in the effort of garnering credibility but were subject to criticisms over their methods. Informants were hard to come by, and most places in which potential evidence could be produced were difficult to gain access to. In Northern Ireland access was not refused, and though produced with the agenda of fighting torture states, the reports serve as testimonies to the ill-treatment and abusive practices present in Northern Ireland at the time. Furthermore, to AI its publications served a political purpose in communicating its agenda to the public, and so the information can be biased and selected for political purposes, even though the organisation claimed its impartiality. Working with sources such as memos and short reports always present issues with generalized and inadequate information. Shortcomings of the AI materials include holes and incomplete descriptions in the meeting transcripts, often consisting merely of notes of conclusions on subjects and not the different arguments and views in specific discussions, such as IEC members personal views on the adaptation of prisoners-of-conscience in Northern Ireland. This has presented significant challenges in the production of this thesis and limited my ability to access and compose a comprehensive story of the personalities involved and the inner workings of AI in relation to Northern Ireland.

Had I had the opportunity to also visit other archives, such as the archives of the British Home Office or Foreign Office, or the National Archives of Ireland, I could have explored further the personal connections between AI personnel and government officials. This could have given an analysis more heavily focused on uncovering how AI worked with and against the British government and other international actors. It would also have been fruitful to visit

the 'Baker Papers' collection at Bradford University, which holds among other Eric Baker's mainly personal correspondence, particularly with, or concerning, Sean MacBride. This could have given crucial insight into the inner workings and discussions surrounding how AI should deal with the Northern Irish question. However, by drawing on the source material at my disposal, this thesis should help shed light on important AI concerns, strategies and internal disagreement on how to approach the Northern Ireland situation. This adds more depth to a story that is currently often lacking in the historiography on Amnesty International and human rights activism in the 1970s, and where future research along the lines suggested here could bring more detail and deeper understanding of the dynamics, developments and significance of AI's work in Northern Ireland within and beyond the organisation itself.

In researching 1970s AI in Northern Ireland, the transnational perspective on the organisation's advocacy is key. 1970s AI was what Margaret Keck and Kathryn Sikkink has described as 'transnational advocacy networks'.<sup>38</sup> They point to how historians by the late 1990s started to look beyond the histories of individual organisations and into wider patterns of voluntary activity, both the national and international level. Groups such as AI actualises in bridging divisions in politics, such as those between state and society, as well as the national and international.<sup>39</sup> Even though Clark's analysis contributes to the understanding of AI's role in the evolution of human rights, this thesis aims at analysing AI's role as a contributor to and part of, rather than creator of, the 1970s human rights movement.

## Structure

Chapter 1 establishes the grounds for the action that followed in the early 1970s, detailing AI's involvement in the Greek coup in 1967 and local developments that preceded the outbreak of the 'Troubles' and 'Operation Demetrius'. Why did AI involve itself in the region? Chapter 2 explores how Britain was made accountable for its actions in Northern Ireland, nationally and internationally, and the role of AI in this. Northern Ireland challenged key political principles of AI, and the chapter dwells on the international reactions to 'Operation Demetrius', the British government's own inquiries into allegations of torture in Northern Ireland, and the 1971 Irish Complaint to the European Commission on Human Rights. Chapter 3 concerns the global AI Campaign for the Abolition of Torture in (CAT), and how AI's Northern Irish policy evolved and mirrored the development of the organisation.

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<sup>38</sup> Margaret E. Keck and Kathryn Sikkink. "Transnational Advocacy Networks in International and Regional Politics." *International Social Science Journal* 68, no. 227-228 (2018): 65-76. <https://doi.org/10.1111/issj.12187>.

<sup>39</sup> DeMars and Dijkzeul 2015: 5

# Chapter 1: Grounds for Action

This first chapter provides the context for understanding the reasons why Amnesty International became involved in Northern Ireland in the early 1970s. AI's transnational advocacy and tactics were evolving, and the decision was made to add the fight against torture to the AI statute. AI's anti-torture advocacy following the Greek Coup on 1967 was where the AI advocacy 'model' for the following fight against torture, such as in Northern Ireland, stemmed from. By presenting the background of AI paralleled with the outbreak of the Northern Irish 'Troubles', the chapter shows how AI's later reactions to the allegations of ill-treatment in the region was dependent on the simultaneous evolution of the organisation.

To the British government, Northern Ireland represented an old colonial scar. The outbreak of the 'Troubles', the introduction of detention without trial (commonly referred to as internment), and the forceful implementation of this during the so-called Operation Demetrius on 9 August 1971, provides political context and presents the grounds for action on which AI built its advocacy in Northern Ireland. The initial outbreak of violence in the region was handled by the Northern Irish government, but as the situation worsened the British Army was deployed to keep the peace which initiated a spiral culminating in Northern Ireland being subjected to Direct Rule under the British government.

## The Greek Case: Amnesty's early work against torture

In the first years following the establishment of Peter Benenson's AI in 1961, the organisation had sought relief and release for people imprisoned solely for his or her political views on a case-by-case basis. AI claimed to be an apolitical actor fighting for the rights of the 'Prisoner of Conscience' independent of state politics. In the AI Newsletter from 1961 Benenson wrote of not having 'the slightest intention of dabbling in the domestic affairs of other nations.'<sup>40</sup> However, in order to impact the lives of these prisoners, AI leaders and members began to recognize a need for general reform of state behaviour, especially concerning the widespread use of torture.<sup>41</sup>

At the time of the military coup in Greece, the number of political prisoners in Greek prisons was 'relatively small'. Several of these were long-term prisoners from the days of the Greek civil war in the late 1940s. The coup of 1967 changed this drastically, and within a few

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<sup>40</sup> Hopgood 2006: 24

<sup>41</sup> Clark 2001: 39

months there were about 6000 people held in deportation camps on the Greek islands, and from the first day of the Junta's rule torture was 'an integral part of the state machinery for suppressing opposition.'<sup>42</sup> The governments of the Scandinavian countries and the Netherlands brought charges against the country through the Council of Europe following the coup, but the initial complaint did not include charges of torture or inhumane treatment.

In December 1967 AI sent a team to investigate reported 'Prisoners-of-Conscience' and to document its findings, initially having no 'intention of investigating torture'.<sup>43</sup> Through interviews of relatives of detainees or former detainees themselves, volunteer lawyers, British Anthony Marreco and American James Becket wrote down accounts suggesting a pattern of severe mistreatment by Greek authorities. Through evidence obtained from the interviews of 16 released victims of torture, as well as from about 32 other cases, 22 methods of torture were documented, including sexual abuse, psychological pressure, electric shock and, most commonly, falanga (beating on the soles of the feet).<sup>44</sup> The official AI report of January 1968, the *Situation in Greece*, was circulated to the foreign ministries of the Council of Europe's member countries. Anne Marie Clark claims that the AI investigations into the treatment of thousands of Greek political prisoners served as a 'catalyst' for European governmental action. Although catalyst may be a too strong word when used on the direct effect of the investigations themselves, the official Scandinavian memo after the addition of the torture charges noted that they had acquired new information about torture in Greece. AI's *Situation in Greece* was on the top of the list of documentation accompanying the memo.<sup>45</sup> In addition, Vik and Østberg's study of the Swedish AI section's work with the Swedish government on the Greek case suggests that there were tangible ties between the AI Swedish Section and the Swedish government.<sup>46</sup>

In 2013, Jan Eckel explored AI's institutional development, practices and the impact the organisation had on international human rights politics, and AI's 'conscious reinvention of the practices of international human rights activism in terms of documentation, action, and raising of awareness.'<sup>47</sup> As a result of AI's 'dynamic expansion', Eckel notes how the organisation evolved into a 'peculiar hybrid', dualling as a 'highly specialized inner circle of political experts and a mass organisation of lay activists'.<sup>48</sup> AI was built up of national sections directed by an

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<sup>42</sup> Amnesty International, *Torture in Greece: The First Torturers Trial 1975*, (April 1977), 10

<sup>43</sup> Buchanan 2020: 185

<sup>44</sup> Amnesty International, *Torture in Greece: The First Torturers Trial 1975*, (April 1977), 11

<sup>45</sup> Clark 2001: 40

<sup>46</sup> Vik and Østberg 2021

<sup>47</sup> Eckel 2013: 184

<sup>48</sup> Eckel 2013: 197

international leadership and secretariat in London. Local groups adopted 'Prisoners of Conscience', and the national sections were coordinated to apply international pressure on other national governments. This model proved to be efficient in advocating for 'Prisoners of Conscience' as the aspect of internationality gave more weight to AI's demands than a national section could produce on their own.

In September 1968, a sub-commission of the European Commission on Human Rights published the results of its own investigation into the practise of torture in Greece, confirming AI's and the Scandinavian states' claim that torture of political prisoners had been official policy by Greek authorities. The continued pursuit of the allegations caused Greece to withdraw from the Council of Europe under threat of expulsion in 1969.<sup>49</sup> Between 1967 and 1974, the Greek case represented an opportunity for AI to exercise a unique form of international advocacy against torture. In the late 1960s AI would develop powerful strategies to arouse public sympathy for victims of human rights violations. They would produce thorough and professional reports using testimonies in which victims recounted their excruciating experiences, graphic descriptions of torture, rape, or the ruthless killing of relatives for public distribution. These publications often depicted stories of specific individuals, giving their full names and photos if possible, to help readers identify with their suffering. AI 'forged a politics of empathy', which would prove to be highly effective in rallying public support for their cause. This 'information politics' was crucial in supporting the tactic of 'pressure politics', the AI strategy of rallying public pressure for political action for the rights of the world's 'Prisoners of Conscience'.<sup>50</sup> The Greek Case was the first comprehensive AI campaign against a torture state, and represents a turning point in the history and evolution of AI's political work and strategies, laying the foundation for their later work against torture in cases such as Northern Ireland.

The Greek case also served to fuel a broader anti-torture effort, which had been urged by AI co-founder and self-proclaimed engineer of the organisation Eric Baker.<sup>51</sup> Following the Greek case, Baker wrote of how the Greek case proved that Article 5 of the Universal Declaration on Human Rights (UDHR) and Article 3 of the European Convention prohibiting torture were insufficient. Buchanan notes how part of the problem was a lack of clarity as to what constituted torture, at a time when torturers were developing 'ever more sophisticated methods'. Baker appealed for an effective Convention on torture and appropriate enforcement

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<sup>49</sup> Clark 2001: 39-41

<sup>50</sup> Eckel 2013: 194-195

<sup>51</sup> Hopgood 2006: 60



mechanisms to protect all civilian detainees and prisoners. He presented his arguments to the AI special conference on torture in Stockholm on 23 August 1968, and at the following AI International Assembly a commitment for AI to uphold Article 5 of the UDHR was added to the organisation's statute.<sup>52</sup> Chairman of AI's International Executive Board Sean MacBride, argued that pursuing new conventions against torture should be the 'first objective'.<sup>53</sup>

With the Greek case AI had gained immense experience in how to successfully advocate against torture and contribute to institutional action through direct collaboration with government officials. It had also evolved into an organisation concerned with, and willing to fight against, the widespread use of torture. However, as discussed by Snyder, AI fighting torture was contested within the organisation, especially by AIUSA, as the fear over AI growing attention with the torture of prisoners who were not 'Prisoners of Conscience'.<sup>54</sup> This included political prisoners themselves sentenced for, or who advocated, the use of violence in their cause. This issue would resurface in later debates over Northern Ireland. The developments in AI expanded its moral responsibilities and involved more direct involvement in the situations in which human rights were reportedly being breached. Brier has argued that the advocacy of organisations such as AI began articulating the idea that human rights were indeed universal, and that they could, and should, be claimed against nation states.<sup>55</sup> Especially with the Greek case, AI was beginning to take political action against the lack of recognition of torture and inhumane treatment of prisoners in international human rights politics.

As late as September 1970, torture ranked as low as item 16 on the agenda of Amnesty's International Council meeting.<sup>56</sup> This indicates that, despite MacBride's call for conventions against torture to be the 'first objective', the organisation's priorities had not yet fully embraced his and Baker's wishes. This points to the complexity of AI's evolution, and shows how the personal convictions of its leadership, though influential, can not be attributed to the entire organisation. It also shows how internal bureaucracy and disagreement between national sections made effective changes in the AI statute difficult, and slowed the process of the organisation embracing torture as one of its urgent concerns.

In its relations to British authorities, AI was in this period struggling to find its feet. AI was founded in Britain, and its inherent 'Britishness' in the 1960s was central to how the organisation operated. In the late 1960s the relationship between AI and the British government,

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<sup>52</sup> Eric Baker, Exploratory paper on the banning of torture', April 1968, AI 1202. See Buchanan, *Amnesty International in Postwar Britain*, 193.

<sup>53</sup> MacBride to the 1968 Stockholm Conference, 'Torture and Inhuman Treatment. The Legal Aspects', AI 8

<sup>54</sup> Snyder 2012: 793

<sup>55</sup> Brier 2015: 160-161

<sup>56</sup> Buchanan 2020: 193-194

which had been fruitful in the beginning due to Benenson's personal history with British intelligence offices during the Second World War and the Information Research Department, turned sour. Benenson was involved in AI secretly receiving money from the British government for humanitarian work in Rhodesia, and British secrecy surrounding torture of political detainees in Aden, then British protectorate in today's Yemen. This resulted in accusations of British spies infiltrating AI and the eventual resignation of Benenson following an internal AI investigation into his personal business with the British government in 1967.<sup>57</sup> Benenson's unwitting acceptance of government funds severely injured AI's reputation as an impartial body.<sup>58</sup> By the late 1960s, one of British Prime Minister Harold Wilson's closest associates described AI as a 'thoroughly disreputable and even evil organisation' which the British government 'should not touch with a barge-pole'.<sup>59</sup> In other words, the relationship between AI and the British government by the 1970s was strained, and AI would have to fight to get their reputation of apolitical independence back. In Northern Ireland, AI would face unrepresented political challenges to the organisation's identity as an impartial champion of the 'Prisoner of Conscience'. AI's strategies to raise awareness to the use of torture to promote action against torture in Greece had been successful and raised AI's profile among particularly European governments and the general public.<sup>60</sup> Thanks to the Greek case, AI had developed the necessary tools, insights and practical experience to tackle the emerging allegations of ill-treatment in Northern Ireland that surfaced in the autumn of 1971.

### The Outbreak of Trouble in Northern Ireland

In the 1960s a civil rights movement inspired by the African American struggle for equality in the United States was brewing in Northern Ireland. The Northern Irish population largely consisted of Unionists, or loyalists, and a Catholic minority. Following Irish independence and the establishment of a Northern Irish parliament at Stormont in Belfast, in which the Catholics were given no seats, the Catholic population had been systematically oppressed. Violence first broke out in Derry on 5 October 1968, where the Royal Ulster Constabulary (RUC) violently interrupted an illegal Catholic civil rights protest march. The RUC was the official police force in Northern Ireland. The majority of its officers were loyalist, loyal to the British union, and this bias became evident in the often-violent response to Catholic protesters. As more riots

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<sup>57</sup> Buchanan 2004: 130

<sup>58</sup> Eckel 2013: 193

<sup>59</sup> Buchanan 2014: 284

<sup>60</sup> Clark 2001: 40

broke out in Derry on the 14 August 1969, a Joint Security Committee headed by British Prime Minister Harold Wilson deployed British Army troops to Belfast to establish a peace-line between Protestant and Catholic areas of the city.<sup>61</sup> The ‘Battle of the Bogside’, a large scale and violent riot taking place between 12 and 14 September 1969, pushed Northern Ireland over the edge and into a full-blown crisis. Shortly after, simmering unrest gave way to widespread breakdown in law and order.<sup>62</sup>

The Irish Republican Army (IRA), who had played a prominent role in the Irish War of Independence in the 1920s, had continued fighting for a united Ireland after the split between the North and South in 1921. With time the strategy of violence received growing support from the Northern Irish Catholic population as a united Ireland appealed more to them than the prospect of remaining a suppressed minority within the Protestant United Kingdom. With a rise in loyalist attacks in 1969, the IRA grew in popularity and gained authority as the defender of Catholic rights.<sup>63</sup> By the 1970s the IRA had grown in both membership, influence and firepower in Northern Ireland. Tensions between the British Army and Irish nationalists continually heightened throughout 1970 and 1971, aided by IRA propaganda. This was mirrored in Northern Irish politics as well, with personalities such as Unionist Reverend Ian Paisley harshly attacking the politics of Northern Irish prime minister James Chichester-Clark’s attempts at political reform in the region in the effort of promoting peace.<sup>64</sup>

In June 1970 five protestants were shot dead during ‘the Twelfth’ celebrations in Belfast.<sup>65</sup> The following ‘Falls Road Curfew’ was initiated in early July. This included a search of property, which in turn uncovered firearms, bombs and ammunition in a number of Irish nationalist households. British intelligence services were running out of strategies on how to calm the situation and were starting to consider re-instating detention of suspects without trial, commonly referred to as interment.<sup>66</sup> Unable to calm the situation, Prime Minister James Chichester-Clark resigned by late March 1971.<sup>67</sup> He was succeeded by Brian Faulkner, who was to become the last Prime Minister of Northern Ireland.

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<sup>61</sup> ‘Conclusions of a Meeting of the Joint Security Committee Held on Tuesday, 9<sup>th</sup> September, 1969, at Stormont Castle’, Accessed through CAIN

<sup>62</sup> Daniel C. Williamson. *Anglo-Irish Relations in the Early Troubles: 1969-1972*. (London: Bloomsbury Academic, 2017.), 7

<sup>63</sup> Bartlett 2018: 451

<sup>64</sup> McCleery 2015: 6

<sup>65</sup> An Ulster Protestant celebration held on 12 July, characterized by Orange Order and Ulster loyalist marching bands, streets decorated with British flags and bunting, and large bonfires.

<sup>66</sup> McCleery 2015: 6

<sup>67</sup> McCleery 2015: 7

## Internment and Operation Demetrius

As nothing seemed to help ease the rising tensions in Northern Ireland, the Northern Irish government was left with initiating the practice of detention without trial, commonly referred to as internment. The measure had been initiated by the Northern Irish government on three previous occasions: through 1922-1924, 1938-1945 and 1956-1961.<sup>68</sup> Internment was used to combat the IRA when necessary, but its direct contribution to the halt of these earlier IRA campaigns is questionable. David Lowry credited the failure of the late 1950s IRA campaign to a lack of preparation, inadequate training, bad tactics, and a lack of popular support, and not to the success of internment.<sup>69</sup>

In 1957 the British government had, retroactively, informed the Council of Europe that a ‘public emergency within the meaning of article 15(i)’ had existed in Northern Ireland between 1954 and 1957, and how ‘allegations of human rights violations in Northern Ireland have been made in respect to the Articles 2, 3, 5, 6, 9, 10, 11 and 14 of the European Convention on Human Rights.’<sup>70</sup> Article 15 of the European Convention ensures that in times of war or ‘other public emergency threatening the life of the nation’ any state may take measures ‘derogating from its obligations under this Convention to the extent strictly required by the exigencies of the situation’.<sup>71</sup>

Through a gradual escalation in British military presence in the region and growing demands for further action from the Unionists in the Northern Irish government, implementing the old *Civil Authorities (Special Powers) Acts (Northern Ireland) 1922-43*, giving the British Home Secretary power to issue an order of internment of a person suspected of acting, having acted or being about to act ‘in a manner prejudicial to the preservation of the peace and the maintenance of order’ in Northern Ireland, seemed the only option to both Faulkner his colleagues in Westminster.<sup>72</sup> There were a number of critics of reintroduction of internment within the British Army and government in 1971, and up until its reintroduction the position of the army had been that the IRA could be defeated without the use of the measure. British Prime Minister Edward Heath was concerned that the effort would go against international opinion and go against the European Convention on Human Rights, even under Article 15.<sup>73</sup> Heath made it clear that if the introduction of internment failed its purpose, Direct Rule was the only

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<sup>68</sup> McCleery 2012: 414

<sup>69</sup> Lowry, David R. “Internment: Detention Without Trial in Northern Ireland” *Human Rights* 5, no. 3 (1976): 261-331.

<sup>70</sup> Simpson 2001: 1081

<sup>71</sup> European Court of Human Rights, *European Convention on Human Rights of 1950*

<sup>72</sup> McCleery 2015: 413, 14,

<sup>73</sup> McCleery 2015: 15-18

remaining option to better the situation.<sup>74</sup> An introduction of Direct Rule would mean that the Northern Irish government would be stripped of its powers, and all Northern Irish concerns would be allocated to the concerns of the British Home Office.

Despite a relatively calm period from March to June fatality-wise, July 1971 saw an upsurge in IRA activity, and on 17 July the IRA bombed the Belfast *Daily Mirror* newspaper offices, the most significant attack up until that point. Internment was introduced in Northern Ireland the following month. On 9 August 1971 the arrests of suspects got under way in a forceful RUC operation, commonly referred to as 'Operation Demetrius'. This was a crucial event in the history of the Troubles, and the following allegations of ill-treatment was to represent a monumental turning point in the practices of the Northern Irish police force and British Army personnel. 342 people were arrested on 9 August, of which 116 were released withing 48 hours. In total, between 9 August 1971 and 14 February 1972, 2 447 people were detained.<sup>75</sup> The interrogation methods used by the RUC were to be subject of strong criticism in the following months. Reactions included that of Irish Taoiseach Jack Lynch whom issued a statement of the Irish government's sympathies for the nationalist minority in Northern Ireland, stating that they were again being victimised by an attempt to maintain a regime which had 'shown itself incapable of just government and contemptuous of the norms of the British democracy to which they pretend allegiance.'<sup>76</sup>

In his book on Operation Demetrius, Martin J. McCleery presents clear evidence of inconsistencies and doubts surrounding the legitimacy of the operation within the British government, most notably quoting key internment administration member and later Secretary of State for Northern Ireland William Whitelaw's acknowledgment of the problematic nature and motivations of the operation: '(...) if you say that I put some in who shouldn't have been in, yes I think that is certainly right.' Looking back, Whitelaw had doubts about whether internment 'was ever right.'<sup>77</sup> On 20 August 1971, the British government again informed the Secretary General of the Council of Europe of its derogation from the ECHR with the introduction of internment.<sup>78</sup> By referencing Article 15, the British government attempted to protect itself from allegations of breaching the Convention.

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<sup>74</sup> McCleery 2012: 414-415

<sup>75</sup> McCleery 2015: 416, 22, McCleery raises a number of questions surrounding the unproportionate number of IRA and Catholic persons being detained compared to Protestants.

<sup>76</sup> 'Statement issued by the Government Information Bureau on behalf of the Taoiseach following the introduction of internment without trial in Northern Ireland', (9 August 1971), Accessed through CAIN

<sup>77</sup> McCleery 2012: 419

<sup>78</sup> McCleery 2015: 18

The Northern Irish government had extensive information of illegal activity both in the loyalist paramilitary camp as well as that of the IRA, but no loyalist was interned until 1973. This points to a biased and discriminatory interment policy directed towards the Catholic population, which in turn only deepened the political rifts in the region even more. It also seemed that civil rights campaigners were given the same treatment as militant republicans. Security officers were instructed to arrest ‘all males over 18 yrs at the selected address’ if original suspect could not be identified, and the arrest list had been augmented to include opponents of the Northern Irish government, even persons without connections to the IRA.<sup>79</sup>

The timing of ‘Operation Demetrius’ a few years after AI had begun their fight against torture with a successful AI campaign in Greece cultivated a discussion for AI involvement in Northern Ireland. The introduction of internment, and especially the questionable nature of its implementation, contributed to the deepening political divides in the Northern Irish population. As the next chapter will show, the same occurred within AI, as the allegations of torturous interrogation practices and police brutality caused strong and emotive reactions within the AI leadership, and sparked questions regarding the future path of AI and the purpose of protecting their ‘Prisoners of Conscience’.

## Chapter 2: Accountability

In 1970, AI investigator in Greece James Becket wrote of Greek case in the American Bar Association’s publication *Human Rights*. In it he commended the Scandinavian countries ‘belief in human rights’ and the belief that ‘it was their moral duty’, to act ‘when the rights of fellow Europeans were being flagrantly violated’, which ‘might well be without precedent in international affairs’. Becket underlined the impact of the Greek case as a ‘historic’ turning point in the fight against torture.<sup>80</sup> Following ‘Operation Demetrius’, the British government were subjected to the evolving climate surrounding human rights, as treatment of political dissidents which would have been deemed justifiable in previous decades became subject of immense scrutiny in 1971. Immediately after allegations started reaching the media, the British Prime Minister Edward Heath ordered a government investigation into the allegations of ill-treatment. At the same time, Ireland was preparing their complaint for the European Commission on Human Rights.

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<sup>79</sup> McCleery 2012: 416-425

<sup>80</sup> James Becket. "The Greek Case Before the European Human Rights Commission." *Human Rights* 1, no. 1 (1970): 91-117.

With Northern Ireland, key figure in the AI leadership and driving force for AI's work against torture, Eric Baker, expressed how torture was now 'on our own doorstep'.<sup>81</sup> Buchanan notes how Northern Ireland posed 'severe challenges' for British human rights organisations, as they were divided over whether to criticise the actions of the British government.<sup>82</sup> In March 1971 it was decided that AI should not intervene in Northern Ireland 'until there were actual reports of Prisoners of Conscience there' as 'it would only lessen Amnesty's effect if it did have to intervene.'<sup>83</sup> AI could not politically risk any association with potentially violent adoptees. In the 1970s this was a common topic of discussion within the AI leadership. The continuing debate over prisoners who advocated the use of violence exemplified the uncertainty over what kind of organisation 1970s AI should be. Advocating for the rights of potential terrorists or paramilitaries in Northern Irish prisons was not in accordance with the clean and simple AI purpose of helping non-violent 'Prisoners of Conscience'. Another aspect of this is how the nationalities of the AI leadership impacted its politics. AI was an international organisation, but its International Secretariat was based in London, and one of its most influential national chapters was the Irish section headed by a former IRA Chief of Staff. How did these core AI values fare in regard to the Northern Ireland situation?

### British review of army and police conduct

The first reports of brutality by the RUC and Army were published in Irish newspapers in the same week as Operation Demetrius.<sup>84</sup> In response to the allegations, and after severe pressure from Dublin for London to undertake a special inquiry into the allegations of abuse, Prime Minister Heath set up the Compton Committee to investigate.<sup>85</sup> The Committee eventually concluded that possible ill-treatment had taken place, but not the kind which constituted torture or which could create permanent harm to the detainees.<sup>86</sup>

The Compton Report of November 1971 examined the official policy in the use of the so-called 'five techniques' of interrogation: (1) Wall standing, or 'Spread Eagle', where the detainee is required to stand with his hands against the wall, (2) Hooding, in which a hood is placed over the head of the detained, (3) Noise, and (4) Bread and water diet, as measures strictly of security and discipline. Hooding was meant to reduce 'to the minimum' the

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<sup>81</sup> Buchanan 2020: 194

<sup>82</sup> Buchanan 2020: 183

<sup>83</sup> Minutes of the Meeting of the International Executive Committee, 20-21 March 1971, Item 413, AI.

<sup>84</sup> *AI Report on Torture* (1973), 102

<sup>85</sup> Williamson 2017: 137

<sup>86</sup> *AI Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 37

possibility that while the detainee was in transit or with other detainees ‘he will be identified or will be able to identify other persons or the locations to which he is moved’. Noise was to prevent ‘their overhearing or being overheard by each other’, and a diet of bread and water ‘may form part of the atmosphere of discipline imposed upon detainees while under control for the purpose of interrogation’.<sup>87</sup>

The Compton Committee also investigated allegations of physical violence, both from individuals and groups of multiple detainees. One of these group allegations, the ‘Helicopter Incident’ which was said to have taken place at Girdwood Park Regional Holding Center, was reported by 6 individuals. The allegations were that they were taken in parties of 5 by military policemen and forced to run over broken glass and rough stones to a helicopter. After 15 seconds or so in the helicopter, the allegations read that they were forced to jump out. In one case, when the helicopter had taken off, a complainant whose hands were bound had been threatened with being thrown out. As they were forced to crawl back to the building whence they came, they were kicked, struck and called abusive names.<sup>88</sup> The Compton report concluded that this event did take place, but based on the testimony of one eyewitness, a Royal Air Force crewman, they had determined that it was actually merely an exercise of ‘deception’ without the alleged abuse, but which nonetheless constituted a measure of ill-treatment as the prisoners were not aware of what was happening.

The Compton Committee concluded that ill-treatment had taken place in the days following 9 August 1971, and that some detainees may have suffered ‘unintended hardship’.<sup>89</sup> With this conclusion Prime Minister Heath appointed another committee, the Parker Committee, to ‘consider whether, and if so in what respects, the procedures currently authorised for the interrogation of persons suspected of terrorism and for their custody while subject to interrogation require amendment’.<sup>90</sup> With the publication of the Compton Report AI produced a memorandum criticising its conclusions and urging the British government to take the issue of psychological ill-treatment and torture and the damaging effects of this into account. The memorandum commended the initiative behind the Parker Committee, as the purpose was ‘as far as we are aware, unique’. For the first time, a committee had been established to decide ‘not whether ill-treatment has taken place, but rather whether it should take place in the future.’<sup>91</sup> It

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<sup>87</sup> ‘Report of the enquiry into allegations against the security forces of physical brutality in Northern Ireland arising out of events on the 9th August, 1971’ (London: Her Majesty’s Stationary Office, 1971), 13 (Hereafter referenced as ‘The Compton Report’.)

<sup>88</sup> The Compton report, 24

<sup>89</sup> The Compton Report, 71

<sup>90</sup> AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland* (March 1972)

<sup>91</sup> AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 37-46



seemed as if the British government were set on taking accountability for its actions. The Parker Committee report was published 2 March 1972, around the time AI published their own findings.

### AI Principles of impartiality and political violence in Northern Ireland

Eckel notes how many AI members felt attracted to the organisation's non-ideological, or even apolitical, character.<sup>92</sup> To AI, staff impartiality was a mechanism for enshrining detachment and preserving moral authority. A member of the International Secretariat staff should not work on local, or even national, human rights concerns in AI's name. If a state could point to a national link with anyone involved in a research process, this could 'reintroduce the spectre of interest' and hurt AI's moral authority.<sup>93</sup> Human rights organisations such as AI 'shunned' any overt mention of politics. Kelly argues how: 'By self-consciously trumpeting a depoliticized message, Amnesty saw itself as trading in a moral message that transcended the political quagmires of the past.'<sup>94</sup> The political impartiality of AI drew members, but inside the 1971 AI leadership the political aspects of the Northern Ireland situation created conflict and hostility, beginning with the IEC agreeing that Sean MacBride's Irish Section would contribute with research into potential 'Prisoners-of-Conscience' in Northern Ireland in July 1971.<sup>95</sup>

In the autumn of 1971, MacBride expressed the Irish Section's 'dismay at the apparent inertia', and 'total inactivity' displayed by the International Secretariat in London with regard to the allegations of torture in Northern Ireland following Operation Demetrius, and suggested that the Swedish section take over the cases. No statements had been issued on the subject, no action had been taken on the affidavits submitted through the Irish Section, and MacBride felt that this was partly due to the International Secretariat's being based in London. It was decided that a guidance committee consisting of Swedish IEC Member Thomas Hammarberg and Swiss Treasurer Lothar Belck should accept executive responsibility for action relating to Northern Ireland and that an AI research team should be sent to Belfast to investigate the allegations.<sup>96</sup> Though not explicitly stated as the reason why in the materials, this introduced nationally impartial leadership to the issue of AI and Northern Ireland. This shows how AI utilized its 'internationality' in its practice in the effort of keeping its political integrity. This also ties into the need Snyder presented to study the individual sections and the dynamics between them to

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<sup>92</sup> Eckel 2013: 199

<sup>93</sup> Hopgood 2006: 97

<sup>94</sup> Kelly 2013: 167

<sup>95</sup> 'Minutes of the Meeting of the International Executive Committee' 10-11 July 1971, AI, Item 413

<sup>96</sup> 'Minutes of the Meeting of the International Executive Committee' 29-30 October 1971, AI, Item 413

gain a proper understanding of AI as a whole.<sup>97</sup> By handing the main responsibility over to the Swedish and Swiss representatives, AI helped distance itself from its ‘doorstep’.

On 30 October the IEC decided to set up an independent, international commission of enquiry to ‘examine the allegations of ill-treatment of prisoners and internees detained under the Special Powers Act, as well as the conditions of imprisonment and internment. This decision was conveyed to British prime minister Edward Heath, in the hopes that AI would be granted the ‘appropriate facilities’ and access to Northern Irish prisons to conduct their investigation. The British government, however, refused and did not accept the offer to send an observer to sit in on its process.<sup>98</sup> It was also decided that letters drafted by Eric Baker was to be sent to the Senior British Army Medical official and the British Medical Association regarding the role of doctors where ill-treatment of prisoners was concerned.<sup>99</sup>

When the IEC met again on 28 November 1971 it was specifically to discuss and plan for action in Northern Ireland. The IEC agreed to consider future activities on four points: (1) To work for release of Prisoners of Conscience, (2) to work to improve conditions of detention and internment, (3) Submission of an AI statement on interrogation methods to the Parker Committee, and (4) taking action related to the suspension of the Special Powers Act. The decisions of this meeting became the basis all further AI activity on Northern Ireland.<sup>100</sup> The strategy built on experience from previous AI missions. The first point of action was still the release of ‘Prisoners of Conscience’, and as had been the case in Greece AI were gravely concerned with the alleged practice of torture in Northern Irish detention centres. The tactic of submitting evidence to the government had been tried and proved immensely effective in the Greek case.<sup>101</sup> The organisation had in addition expanded its concerns to include the bettering of general conditions of detention and internment and the suspension of the *Special Powers Act*, which legalised internment without trial.

In November 1971, as AI had begun its investigations into allegations surrounding Operation Demetrius, AI treasurer Anthony Marreco resigned over AI’s ‘readiness to criticise British conduct in Northern Ireland after the introduction of internment.’ In addition to his aforementioned involvement in AI’s work in Greece, Marreco was a former Junior Counsel for the British prosecution team at the Nuremberg trials who had been involved with AI since the beginning.<sup>102</sup> Marreco was also a member of MacBride’s Irish Section. He claimed that AI had

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<sup>97</sup> Snyder 2012

<sup>98</sup> *AI Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 1-3

<sup>99</sup> ‘Minutes of the Meeting of the International Executive Committee’ 29-30 October 1971, AI, Item 413

<sup>100</sup> *AI Annual Report 1971-1972*, 10

<sup>101</sup> See Vik and Østberg 2021

<sup>102</sup> Buchanan 2020: 185

violated its own codes of political neutrality and was guilty of ‘crying “torture” where it knew that no torture within the meaning of the ECHR had taken place’. Marreco himself took a benign view of the British army’s role in Northern Ireland and argued that, as opposed to the Greek junta, British troops were acting ‘to protect Human Rights’. Marreco believed MacBride to be prejudicial against Britain, and thereby failing to recuse himself on the issue.<sup>103</sup>

In addition to being the leader of the AI Irish Section, MacBride was the IEC Chairman, an ex-Irish foreign minister, leading member of the International Commission of Jurists (ICJ) and laureate of the 1974 Nobel Peace Prize to be. His parents had organized resistance against the British in Ireland, leading to his father’s execution and his mother’s imprisonment in 1916. MacBride himself was a former Chief of Staff of the IRA who had been sentenced to death during the Irish civil war.<sup>104</sup> None of this, nor the political aspects of Northern Ireland in Anglo-Irish relations, seemed to matter when the Irish Section had been set to investigate for potential Northern Irish ‘Prisoners of Conscience’ in the summer of 1971.<sup>105</sup>

Personal conflict within the AI leadership was not something new. Eckel tells the story of how, after British newspapers disclosed that Peter Benenson had unwittingly accepted government funds to support prisoners in Rhodesia in 1967, the following negative publicity added fuel to tensions which had been simmering within the international leadership. Clashes between Benenson, leader of the Irish Section Sean MacBride, and Robert Swann also became public knowledge, which further tarnished AI’s reputation. Damaging as they were, ‘these personal conflicts exposed shortcomings that ran even deeper, most notably the lack of control mechanisms and an unclear distribution of tasks.’<sup>106</sup> In November 1971, MacBride again found himself at the centre of disagreement within the AI leadership.

As any other organisation, AI’s IEC was composed of individual characters of personal convictions and beliefs. The dispute over AI involvement in Northern Ireland serves an example of how varying ideas of the fundamental principles of AI, personal allegiance based in nationalism and differing priorities can collide and faithfully impact major decisions of moral responsibility. Buchanan notes how to a certain extent Marreco’s criticism was justified ‘as there is no question that MacBride could not resist quietly attempting to nudge the Secretariat into action over internment without trial.’<sup>107</sup> Buchanan uncovered this dispute in the ‘Baker Papers’ archives at Bradford University, and had he explored this deeper in the personal

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<sup>103</sup> Buchanan 2020: 212

<sup>104</sup> Hopgood 2006: 58

<sup>105</sup> *AI Annual Report 1971-1972*, 10

<sup>106</sup> Eckel 2013: 193

<sup>107</sup> Buchanan 2020: 211-212

correspondence of Eric Baker this could have provided more material for analysis beneficial to this thesis.

### The ‘Report of an Enquiry into Allegations of Ill-Treatment in Northern Ireland’

AI continued its investigations into Operation Demetrius regardless of Marreco’s departure. The AI ‘Report of an enquiry into allegations of ill-treatment in Northern Ireland’ was published in March 1972 and included two separate parts. The first part, the ‘Report of an enquiry into allegations of ill-treatment made against the security forces in Northern Ireland’, considered allegations made throughout the autumn of 1971. The second part, the ‘Report of an enquiry into allegations of ill-treatment made against the security forces in Northern Ireland by persons arrested on 9 August 1971’, focused solely on the events of Operation Demetrius in August 1971.<sup>108</sup>

The report of allegations against Northern Irish security forces, spanning the 9 August to 18 November, presented the cases of 30 individuals alleging abuse ranging from the ages of 20 to 60 years of age. In the AI report concerning ‘Operation Demetrius’ specifically, AI criticised the Compton Committee for only taking into account physical brutality and not considering the psychological effects of the so-called ‘in-depth interrogation’, marking AI’s fight for the recognition of psychological abuse as torture. Very few of the complainants said they received any medical examination during the period of interrogations, which made the later examinations of potential injuries necessary and also inaccurate considering the timespan.<sup>109</sup> The AI Commission investigation also concluded that ‘there can be no doubt that the employment of these interrogation techniques constituted an “administrative practice”’.<sup>110</sup>

One of the cases in which it was possible to examine and document injuries relatively quickly was that of 22-year-old John Patrick Watson, whose statement is quoted on page X. According to him, on 2 November 1971, soldiers had made him stand spread-eagled and forced him to lay down, while urinating on him, kicking, and beating him. They had then forced him to run over obstacles and obstructed his breathing. A Dr. Beirne had examined him the following day, and had found injuries consistent with Watson's account of how they were inflicted. AI concluded that it found no inconsistencies in Watson’s account, whilst recognizing that their Commission had had no opportunity to question members of the security forces or

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<sup>108</sup> AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 1

<sup>109</sup> AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 26-36

<sup>110</sup> Dickson 2010: 150

any other officials, which limited its ability to check and confirm the allegations. The abuse presented in the examined cases ‘clearly amounted to brutality’.<sup>111</sup>

This AI report on Northern Ireland exemplifies a tactic Margaret E. Keck and Kathryn Sikkink describes as ‘human rights methodology’: credibility through well documented facts and attention seeking through timely and dramatic information.<sup>112</sup> Eckel notes how AI’s publications ‘often dwelled on stories of specific individuals, providing names and photos whenever possible, to help readers identify with their suffering.’ AI thus ‘forged a politics of empathy’ which was highly effective in rallying support.’<sup>113</sup> AI’s publications also ‘blurred social patterns of violence’ by selecting a diverse set of victims from different groups of people, and its messages were often ‘dramatizing.’<sup>114</sup> The list of Northern Irish victims of abuse included people of all ages, of differing religious affiliations and political views. The documentary evidence contained statements of the complainants and a professional medical statement in the cases where medical evidence was available. The AI subjects’ ages and political or religious belonging varied, which emphasized the abuse as a systemic issue and not necessarily limited to a certain religious or political group. The fact that AI would only take on ‘Prisoners of Conscience’ also served as assurance that the victims of abuse were civilians and not convicted terrorists or paramilitaries. These types of stories were subject to bias, as transnational actors such as AI could identify what kinds of testimony would be valuable, and then acquire those stories. In their 1973 *Report on Torture*, AI recognised the ‘significant’ bias of allegations received from other organisations or news media on behalf of victims: ‘A group of political refugees; an international organisation of churchmen or lawyers; a radical newspaper: they all have their reasons for giving publicity to one set of facts.’ AI also noted how statements from witnesses of torture or from physicians who have examined torture victims could serve as ‘invaluable corroborative evidence’ but were not in itself ‘absolute proof of torture allegations.’<sup>115</sup> However, disregarding motivations and strategic considerations, Keck and Sikkink argue that non-governmental networks have helped legitimize the use of testimonial information.<sup>116</sup> In the official Compton investigations, as evident in relation to the ‘Helicopter Incident’, conclusions often relied on the testimonies of security personnel. It was difficult for detainees and internees to voice official complaints, as they were often forced to

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<sup>111</sup> AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 36

<sup>112</sup> Keck and Sikkink 1998: 19

<sup>113</sup> Eckel 2013: 196

<sup>114</sup> Eckel 2013: 205

<sup>115</sup> AI *Report on Torture* (1973), 111

<sup>116</sup> Keck and Sikkink 1998: 21

sign false confessions or papers they did not understand.<sup>117</sup> By publishing their thoroughly researched findings of abuse in Northern Ireland, AI gave a voice to victims whose pleas for help had been silenced or downplayed by the governmental system.

Buchanan states that it was ‘left to the former Lord Chancellor Gerald Gardiner,’ member of the Parker Commission, to enter a minority report and shame the government into banning the infamous ‘five techniques’.<sup>118</sup> In reaching this conclusion, Buchanan swiftly presents Baker’s ideas of Northern Ireland, using quotations from 1971 and 1976 in the same sentence, failing to present a clear picture of AI’s concerns and following involvement in Northern Ireland. This thesis argues for the prominence of Northern Ireland in AI’s anti-torture work. Through thorough investigation into allegations of torture and ill-treatment in the region, AI actively criticised the British government policies and responses to these allegations. In addition, AI’s concerns of torture eventually expanded into action for individual civil liberties in Northern Ireland. AI’s purpose was to, by publishing evidence and publicly advocating against torture in Northern Ireland, push the British government into taking accountability for its actions, which would serve as a major testament to the modern Western world that the practice of torture, in any form, should be illegal by international standards.

### Utilizing the European Human Rights system

In a press statement issued on 3 November 1971, AI urged that ‘that an independent, international Commission of Inquiry should be established to investigate all aspects of treatment of internees and report publicly.’<sup>119</sup> Not counting their own efforts, this was already underway in the shape of an inter-state complaint from Ireland to the European Commission on Human Rights.<sup>120</sup> The Irish complaint against Britain to the European Commission was an important part of the international measures to promote British accountability for charges of ill-treatment in Northern Ireland. Researchers such as Brice Dickson has written extensively on the intricate and complex matter of Northern Ireland and the European Convention on Human Rights (ECHR).<sup>121</sup> Discussing it in its entirety would mean a deep-dive into the history of Britain and the ECHR, as exemplified by Brian Simpson, and the complexity of the history of Anglo-Irish relations, as done by Daniel Williamson.<sup>122</sup> For the purpose of this thesis it is

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<sup>117</sup> AI *Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 25-26

<sup>118</sup> Buchanan 2020: 194

<sup>119</sup> AI Press Statement 3 November 1971, Accessed through CAIN

<sup>120</sup> Hereafter referred to as ‘The European Commission’

<sup>121</sup> Dickson 2010

<sup>122</sup> Simpson 2001, Williamson 2017

necessary to touch upon these matters as it aids in contextualizing AI's policy in the political climate of the Northern Irish 'Troubles', but for a full account of these aspects I recommend looking to the respective historiographies.

After the outbreak of crisis in 1968, the relationship between Britain and Ireland was tense. The Irish Government had appealed for the United Nations to intervene with peacekeeping forces in Northern Ireland in 1969.<sup>123</sup> One month after the publication of the Compton Report in November 1971, and parallel with AI's investigations launched in response to it, the Irish government issued a complaint against the British government before the European Commission over allegations of abuse in Northern Ireland. The Irish government claimed internment was in breach of Articles 5 and 6 of the ECHR, and that it was directed at alleged republicans rather than loyalist terrorists and thereby practised in a discriminatory manner breaching Article 14.<sup>124</sup> Like AI, the Irish government also complained that detainees were being hooded, spread-eagled against walls, deprived of food, water, and sleep, and exposed to continuous loud or monotonous noises, breaching Article 3 concerning ill-treatment and torture.<sup>125</sup>

The European Commission unanimously concluded that 'the combined use of the five techniques in the cases before it constituted a practice of inhuman treatment and of torture in breach of Article 3'.<sup>126</sup> The report did not list names of the victims, and it is therefore not possible to know whether John Patrick Watson from AI's report were amongst them, but the complaints were similar to those he made about the treatment he received at Holywood Base. Following Operation Demetrius, the Irish government had come under strong pressure from Northern Irish nationalists to do more to support the nationalist cause.<sup>127</sup> It is difficult to say for certain that there were connections between the Irish AI section and the Irish complaint to the European commission in 1971, but the chronologies of the Irish and AI's decisions to pursue legal action over ill-treatment in Northern Ireland could indicate that this be the case. Vik and Østberg's research into how AI impacted the decision by the Scandinavian countries to add torture to their case against Greece in 1968 exemplifies how the national sections worked with governments, likely also in Ireland.

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<sup>123</sup> Williamson 2017: 7, In 1969 Ireland, citing the 1948 Universal Declaration on Human Rights, took up the Northern Ireland situation in both the UN Security Council and with the General Assembly, though the issue never reached the Assembly floor Ibid. 25-28

<sup>124</sup> Martin McCleery investigates this in his 2015 *Operation Demetrius and its Aftermath*

<sup>125</sup> Dickson 2010: 147-148

<sup>126</sup> European Court of Human Rights, *Case of Ireland v. the United Kingdom. Judgement of 18 January 1978*. 38-39 Accessed through CAIN

<sup>127</sup> Dissatisfied with Ireland's interstate application, Britain deliberately delayed proceedings at Strasbourg and attempted to 'obscure the issue,' while simultaneously putting the Irish government under enormous pressure to withdraw their submission.', Duffy 2019: 75

Following the publication of AI's Report on Northern Ireland in 1972, it was distributed to members of the Human Rights Commission of the Council of Europe.<sup>128</sup> I will not be discussing the subsequent *Ireland v. United Kingdom* case in Strasbourg, which lasted from 1976 to 1978 and included 121 complaints involving allegations of ill-treatment in Northern Ireland, as the period extends beyond the time scope of this thesis. However, it is worth noting that only 65 of these cases were in connection with interrogation.<sup>129</sup> In other words, Ireland's complaints included police and army brutality in addition to and outside the scope of the 'five techniques', as had been the concern of AI. The European Court of Human Rights eventually deemed the ill-treatment of 'Operation Demetrius' and the 'five techniques' as not amounting to torture.<sup>130</sup>

### The Differing Conclusions of the Parker Committee Report

Published in the spring of 1972, around the same time as the AI 'Report of an enquiry into allegations of ill-treatment in Northern Ireland', the majority of the Parker Committee, established by British Prime Minister Heath for further research into official British interrogation techniques following the Compton Report, concluded that the 'five techniques' were legally and morally justified by a majority of two to one.<sup>131</sup> The Committee minority, Lord Gardiner, strongly disagreed with this conclusion, which corresponded more with the evidence AI had submitted to the Parker committee on the on the long term effects of torture.<sup>132</sup>

The official Parker Committee published its conclusions on 2 March 1972 in the form of a majority and a minority report. The authors of the Majority Report were more critical to prison conditions and treatment than the initial Compton Commission had been, but still less critical than third committee member Lord Gardiner was in his minority report. Lord Gardiner argued that the interrogation procedures in question 'were and are illegal by the domestic law and may also have been illegal by international law.' He concluded that being 'hooded' while handcuffed, as in one of the cited cases, in addition to wall standing, was an 'assault and both a tort and a crime'. Deprivation of sleep and of diet was also, unless 'duly awarded as punishment under prison rules' illegal.<sup>133</sup> Lord Gardiner quoted an unnamed medical

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<sup>128</sup> AI *Annual Report 1971-1972*, 13

<sup>129</sup> European Court of Human Rights, *Case of Ireland v. the United Kingdom. Judgement of 18 January 1978*. 34. Accessed through CAIN

<sup>130</sup> This judgement set a precedent and created loopholes for future cases such as US' torture of prisoners in Guantanamo Bay. US officials relied explicitly on the *Ireland v. UK* decision to justify this practice following 9/11, Kelly 2018: 86

<sup>131</sup> Provided they were not applied too intensely and that there were proper safeguards in place, Dickson 2010: 141

<sup>132</sup> AI *Report on Torture* (1973), 55

<sup>133</sup> Copy of the 'Report of the Committee of Privy Counsellors appointed to consider authorized procedures for the interrogation of persons suspected of terrorism.' March 1972 (London: Her Majesty's Stationery Office), AI, Item 1235 (Hereafter referenced as 'Parker Report')



professional on how so-called ‘sensory isolation’, can induce ‘an artificial psychosis or episode of insanity.’<sup>134</sup> He also noted how the *Special Powers Act*, which legalized internment, did not legalize this nature of interrogation.

As AI argued in their report, Lord Gardiner found that the use of the ‘five techniques’ could not be justified as to the physical and mental effect they had on the detainees. As the Compton Committee before them, the majority had been able to reach their conclusions by conveniently leaving out any mention of Article 3 of the ECHR. Brice Dickson argues that the standards set by Article 3 of the ECHR, that no one shall be subjected to torture or to inhuman or degrading treatment or punishment, would have been well known to commanders in both the police and the army in the early 1970s, and that during the Compton Committee investigations several official interviewees intentionally lied to cover up their wrongdoings.<sup>135</sup> However, given the fact that the ‘five techniques’ of in-depth interrogation were official protocol for the RUC, opens up to the idea that the perpetrators saw the actions as legitimate and justified as official interrogation policy. Lord Gardiner confirmed this in his minority report conclusions, stating that it was not ‘unnatural’ that the RUC would assume that the procedures the Army had taught the police to employ were legal.<sup>136</sup>

Lord Gardiner confirmed the fears of Prime Minister Heath in citing the ECHR, and stated that even under Article 15, which accepts some deviations from the convention during times of war, and which Britain had used in defence of reintroduction of internment, explicitly states that ‘no derogation from...Article 3... shall be made under this provision.’<sup>137</sup> Lord Gardiner also referred to the complaint laid forward by the government of the Republic of Ireland before the European Commission. Lord Gardiner argued that the practice of these ‘five techniques’ effected the worldwide reputation of the United Kingdom.<sup>138</sup> He recognized the international human rights movement, of which AI was part, and regretted the position the British government had put itself in. He warned of how if Britain were to ‘depart from world standards which we have helped to create’, it would both gravely damage our own reputation and deal a severe blow to the whole world movement to improve human rights.’<sup>139</sup> This statement reflects the increasing prominence of the human rights movement had in both international and domestic politics the early 1970s. To conclude, Lord Gardiner blamed the ‘sorry story’ of ill-treatment in Northern Ireland on the decision that in ‘emergency conditions

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<sup>134</sup> Parker Report, 16

<sup>135</sup> Dickson 2010: 140-141, Duffy 2019: 65

<sup>136</sup> Parker Report, 22

<sup>137</sup> Parker Report, 15

<sup>138</sup> Dickson 2010: 142

<sup>139</sup> Parker Report, 20

in Colonial-type situations' Britain should abandon the 'legal, well-tried and highly successful wartime interrogation methods' and replace them with procedures which were 'secret, illegal, not morally justifiable and alien to the traditions of what I believe still to be the greatest democracy in the world.'<sup>140</sup> The correlation between the findings of Lord Gardiner and AI made his report a standing argument in their fight against torture.

## The Aftermath

The collective reactions of AI and the Irish complaint to the European Commission helped force the British government into taking accountability for the abuse practiced during 'Operation Demetrius'. As a result of the consecutive investigations into the interrogation practices of the RUC, Prime Minister Heath banned the 'five techniques' on 2 March 1972. The British government could no longer stand the 'damaging international reputation' the situation was giving Britain.<sup>141</sup> This thesis helps contextualise AI's advocacy and shows the dynamics between the organisation and its political adversaries. On 24 March 1972, the British Home Secretary confirmed that he had seen AI's report on Northern Ireland, and that the cases were being investigated by the RUC with Army cooperation.<sup>142</sup> In addition to the initial submission of AI evidence to the Parker Commission investigations in 1971, this serves as clear evidence of AI's connection to the British government in this period.

By May 1972, tensions in Northern Ireland were subdued as IRA declared a temporary ceasefire. AI were satisfied with Prime Minister's ban on the 'five techniques' verified in the 1971 Compton report, 'thus virtually rejecting the majority and accepting the minority report of the Parker Committee.'<sup>143</sup> Still, Eric Baker continued to express concern over the situation in Northern Ireland, and in June 1972, after receiving reports of IRA abusing Irish women who had been associated with British soldiers, he wanted AI to reach out to both sides in appeal against torture. He believed it necessary for AI to recognise that 'brutality and torture are what they are whether carried out by government or anti-government forces. Neither can be justified, [and] both are to be condemned.'<sup>144</sup> AI's main concern in Northern Ireland continued to be complaints of ill-treatment which, as a result of the release of a large number of internees in the spring, had abated by September 1971. It was believed that the use of interrogation methods condemned by AI had stopped in the region, and researcher Anne Burley reported 'no

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<sup>140</sup> Parker Report, 22

<sup>141</sup> Bew & Bew 2018: 455-456

<sup>142</sup> *AI Report on Torture* (1973), 107

<sup>143</sup> 'Torture Report: A background paper' May 1972, AI, Item 1235

<sup>144</sup> 'Note submitted by Eric Baker', IEC meeting 16-18 June 1972, AI, Item 1235

allegations of any significance'.<sup>145</sup> However, a focus on the human rights of every political prisoner in Northern Ireland would continue under the AI Campaign for the Abolition of Torture (CAT) from December 1972.

### Chapter 3: Globalising Northern Ireland

In fighting for the recognition of British accountability through 1971 and 1972, AI's work against torture in Northern Ireland was a preview of the global AI Campaign for the Abolition of Torture (CAT), launched in December 1972. AI recognized that allegations of ill-treatment was 'the most sensitive of all political issues', and how though a state may have admitted to holding political prisoners, it would never admit to the use torture.<sup>146</sup> For AI, the question remained whether it was to be an 'establishment organisation' or a pressure group. In 1972, Sean MacBride had spoken of AI needing efficiency, but not 'without a soul'. Martin Ennals' cannily evasive' response had been that AI should be 'as established as the Red Cross' and 'as militant as the anti-apartheid movement'.<sup>147</sup> Aware of their limitations as an NGO to directly combat torture, AI would have to rely on public opinions and the actions of governments to achieve their goals.<sup>148</sup> AI's CAT has been studied meticulously by AI scholars because of its innovative and revolutionary advocacy strategies and immense success.<sup>149</sup> However, not much attention has been devoted to the role Northern Ireland played in the campaign.

How then was Northern Ireland represented in, and tailored to, AI's global anti-torture efforts? This chapter presents the strategies of CAT and shows how Northern Ireland was prominently featured in the campaign. With allegations of ill-treatment in Northern Ireland decreasing following the ban on the 'five techniques' in the spring of 1972, and with a pending torture case in the European Commission on Human Rights, AI focused its attention elsewhere: to the protection of civil rights and for better prison conditions in Northern Ireland. As the time for potential legislative change regarding the *Northern Ireland (Emergency Provisions) Act* (EPA) drew nearer, AI initiated a Northern Irish Action Campaign in the early winter of 1975 in an effort to protect Northern Irish civil rights. This chapter shows how AI worked for human rights legislation, both domestically and globally, by advocating for Northern Irish prisoners.

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<sup>145</sup> 'Paper on Working Group on Torture' Submitted at Utrecht Conference, September 1972, AI, Item 1235

<sup>146</sup> AI *Report on Torture* (1973), 220

<sup>147</sup> Buchanan 2020: 214

<sup>148</sup> AI *Report on Torture* (1973), 73

<sup>149</sup> See among others: Clark 2001; Eckel 2013; Buchanan 2020

## Amnesty International's Campaign for the Abolition of Torture

Eckel presents a 1970s AI who, based in a newfound institutional strength, both nationally and internationally, developed explicit political practices which 'revolutionized the role human rights NGOs played in the international arena.'<sup>150</sup> Through advocacy against torture in Greece and Northern Ireland, AI had garnered valuable experience of how to effectively advocate against torture in both military dictatorships and in civilised Western countries. In September 1972, AI's International Council agreed to launch CAT in the hopes of establishing a set Convention defining, and guaranteeing the accountability of states condoning and practicing, torture.<sup>151</sup>

CAT was launched in December 1972, reaching a level of coordination and political impact never remotely matched by the organisation's earlier efforts. CAT would outperform earlier efforts in public visibility and activism, as well as being more solid, confrontational and effective. In addition to the traditional publications of reports and sectional appeals to national governments, AI held press conferences and organised expert meetings.<sup>152</sup> The first year of the campaign would coordinate the individual torture campaigns of the national AI sections, whilst the International Secretariat prepared a global survey of torture for publication.<sup>153</sup> The strategy would be to: (1) Gather information about torture and distributing it to interested parties and news media, (2) Send AI investigations to countries where torture practices were suspected, (3) Send observers to trials where torture was likely to be accused, (4) Lobby with governments and institutions who could influence governments that employed torture, and (5) Develop and propose long-term actions to strengthen human rights protection including a convention against torture and support already existing mechanisms such as the European Commission on Human Rights.<sup>154</sup>

The plan for an official AI campaign against torture was first put forward by the IEC under the leadership of Sean MacBride and Eric Baker. MacBride had extensive experience in working as a coalition builder both for AI and as head of the ICJ. CAT was the result of an internal push within AI to take firm action against the use of torture. In the AI Annual Report published in 1973, MacBride described the worldwide spread of torture and general brutality against civilians as a 'massive breakdown of public morality and of civilisation itself'.<sup>155</sup> Eric

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<sup>150</sup> Eckel 2013: 194-195

<sup>151</sup> Buchanan 2020: 195

<sup>152</sup> Eckel 2013: 194-196

<sup>153</sup> Buchanan 2020: 195,

<sup>154</sup> *AI Report on Torture* (1973), 73

<sup>155</sup> Buchanan 2020: 184

Baker was a strong advocate against torture within AI. Buchanan notes how Baker was ‘uniquely qualified’ to push forward a campaign against torture as he was a highly respected member of AI, holding prominent leadership roles such as Chairman of the British Section and Vice-Chair of the IEC. This allowed him to interact at a senior level with the UN and its agencies.<sup>156</sup>

Connections high up in international politics was crucial for AI to be able to succeed in its advocacy. Keck and Sikkink argue how, in order to bring about policy change, so-called ‘advocacy networks’ need to pressure and persuade more powerful actors.<sup>157</sup> In their 1972 Annual Report, AI proudly boasted of having ‘worked closely with those with particular interest in the rule of law and the administration of justice’, mentioning agencies such as the ICJ, the International Association of Democratic Lawyers, the International Peace Bureau, the International Association of Catholic Jurists, the International League for the Rights of Man, and others in the same field.<sup>158</sup> AI also worked with religious or idealist organisations to spread their advocacy across national and societal borders.<sup>159</sup>

In the 1971 AI Annual Report MacBride had written that ‘Some Governments may not like Amnesty. But no Government can now ignore Amnesty or disregard its views.’<sup>160</sup> Under MacBride and Baker’s leadership the IEC planned on using AI’s resources to cultivate a movement of international public pressure based in carefully researched information to promote a strengthening of the articles concerning torture in the Universal Declaration on Human Rights from 1948. As part of the effort, AI members gathered one million signatures on a petition entitled ‘International Appeal to President of the General Assembly of the United Nations,’ imploring the UN General Assembly to ‘outlaw the torture of prisoners throughout the world.’<sup>161</sup>

### A change in focus: from the ‘Prisoner of Conscience’ to legal reform

The violence in Northern Ireland continued throughout the spring of 1973, with IRA bombs and the killings carried out by both the IRA and by the loyalist paramilitary group Ulster

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<sup>156</sup> Buchanan 2020: 192

<sup>157</sup> Keck and Sikkink 1998: 23

<sup>158</sup> *AI Annual Report 1971-1972*, 14

<sup>159</sup> An example of this is how in September 1974, as part of CAT, a combined working group of the Dutch Council of Churches and the Dutch branch of AI planned a collective campaign against torture. Northern Ireland was used as an example of how religious conflicts within nations may escalate to civil war or to war-like situations, in:

‘Torture...Unbelievable’ Published by Amnesty International Dutch Section and Council of Churches in the Netherlands, September 1974, AI, Item 1246

<sup>160</sup> *AI Annual Report, 1971-1972*, 6

<sup>161</sup> Clark 2001: 46

Volunteer Force (UVF). These attacks also lead to civilian casualties.<sup>162</sup> In addition to this, British Government legal advisers were painfully aware of allegations of misconduct in Northern Ireland concerning among other things the interrogation-in-depth and cases of ‘roughing-up by the military in the course of street incidents.’ The Irish complaint to the European Commission was still in process, and in January 1973 there were concerns within the Attorney General’s office over claims arising from wrongful arrest, alleged assaults, and battery amounting to ill-treatment and deaths, and injuries related to ‘Bloody Sunday’.<sup>163</sup> Many of these cases would have to be settled quickly, ‘or judgment will be entered against us.’<sup>164</sup>

By November 1973, AI had not taken up a case of a detainee since early April 1972, after the ban of the ‘five techniques’. Out of the approximately 90 Northern Irish prisoners adopted and investigated after the re-introduction of internment in August 1971, all but five have been released from Northern Irish prisons. Still more than 500 men were being held without trial at HM Prison Maze and 12 women were still being held at the Women’s Prison in Armagh. AI thoroughly criticized the fact that the new *Northern Ireland (Emergency Provisions) Act* (EPA) also incorporated the *Detention of Terrorists (Northern Ireland) Order 1972*.<sup>165</sup> This order stated that the Secretary of State for Northern Ireland could issue the detention of anyone involved in–, suspected of being involved in–, or suspected of being involved in training of others for any act of terrorism.<sup>166</sup>

Many of the complaints voiced following the implementation of Operation Demetrius in the autumn of 1971 remained the same in 1973, and even though adoption of Northern Irish ‘Prisoners of Conscience’ had stopped, AI were concerned that torture of prisoners continued in the region despite the government having banned the ‘five techniques’ in 1972. AI’s 1973 ‘Northern Ireland Status Report’ claimed that yet another ‘full-scale on-the-spot inquiry’ such as the 1972 ‘Enquiry into allegations of ill-treatment in Northern Ireland’ was necessary. However, AI would not act on this themselves due to ‘budgetary considerations’. As ill-treatment in Northern Ireland were the subject of two complaints before the European Commission and now also the UN Subcommission on Human Rights, ‘there is probably little we can do usefully to add to those initiatives [sic].’<sup>167</sup> The general position of AI was still that the

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<sup>162</sup> In Belfast Thomas Ward, a Catholic civilian, was shot dead by the UVF. 14-year-old Eileen Mackin was shot dead as the IRA opened fire on a British Army patrol. CAIN, *A Chronology of the Conflict – 1973*,

<sup>163</sup> ‘Bloody Sunday’, or the Bogside massacre of 30 January 1973 was an incident in which 13 Catholic demonstrators were shot and killed by the British Army

<sup>164</sup> Duffy 2019: 73

<sup>165</sup> Note to IEC 22 October 1973, in AI, Item 72

<sup>166</sup> Whether this was in line with the European Convention was studied in: Elmar Rauch, "Compatibility of the Detention of Terrorists Order (Northern Ireland) with the European Convention for the Protection of Human Rights," New York University Journal of International Law and Politics 6, no. 1 (Spring 1973): 1-27

<sup>167</sup> Note to IEC 22 October 1973, in AI, Item 72

treatment of prisoners in Northern Ireland was ‘unacceptable from a human rights point of view’, and that the persons subjected to imprisonment without trial in the region were still eligible to be considered AI cases. This referenced all detainees continually being held in prison for months at a time awaiting trial – trials which would from that point on according to the new *Emergency Provisions Act* (EPA) be held without a jury in so-called Diplock Courts.<sup>168</sup>

Northern Ireland was revisited by the IEC in November 1973, and it was agreed that a meeting should be held with the aim of drawing up a program of action in Northern Ireland. It was also agreed for letters to be drafted to the British government and the UN Secretary General expressing AI’s support for the submission from the Northern Ireland Civil Rights Association and the Association of Legal Justice. These could then be approved by the IEC members present at the following AI Conference for the Abolition of Torture in Paris in December 1973.<sup>169</sup> By this time, CAT had collected over 1,2 million signatures from over 80 countries. On the list of signatories were former (and future) British Prime Minister Harold Wilson, and Lord Gardiner, author of the famed Minority Report of 1972. The list also included later President of Ireland, Justice Cearbhall O’Dalaigh.<sup>170</sup> AI was a part of the political culture, both internationally and domestically in Britain, enough so Labour leader Harold Wilson, as well as Lord Gardiner, felt it appropriate and useful to attach their names permanently to AI’s CAT.

As AI were targeting the EPA, attempts to end violence in Northern Ireland were being made by the British and Irish governments. With the Sunningdale Agreement of December 1973 a permanent secretariat was set up for a new Council of Ireland to consist of representatives from Northern Ireland and the Republic of Ireland in an effort to promote Irish unity, stabilize the region and end the ever-growing violence. It was the hope that a clear assertion of British governance based on the will of the Northern Irish public would help reduce Irish nationalist sentiment in the region and ease political tensions and violence. In terms of policies surrounding arrests and detention, it was decided that: ‘An independent complaints procedure for dealing with complaints against the police will be set up.’ The hope was for detention without trial to end ‘as soon as the security situation permits’, and for ‘a number of detainees to be released before Christmas.’<sup>171</sup> AI would continue to work for the definite end of detention without trial, and the targeting of civil rights beyond the fight for ‘Prisoners of Conscience’ in Northern Ireland serves as an indication of how the organisation was venturing

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<sup>168</sup> Note to IEC 22 October 1973, in AI, Item 72

<sup>169</sup> ‘Minutes of Meeting of the IEC’ 3-4 November, 1973, in AI, Item 414

<sup>170</sup> Memorandum from the CAT department to all National Sections, 4 August 1974, in AI, Item 77; O’Dalaigh served as Irish President between 1974 and 1976

<sup>171</sup> The Sunningdale Agreement (December 1973) accessed via CAIN

onto a path of fighting for every human right of every prisoner, both ‘at home’ and on a global scale.

### AI’s team of professionals’ views on Human Rights in Northern Ireland

No one quite knew how human rights law and advocacy would take shape in the early 1970s.<sup>172</sup> AI advocated by mobilising its members to push for a specific and incontestable UN convention against torture. Buchanan notes how, the human rights activism such as that of AI depended on many varieties of expertise.<sup>173</sup> Many lawyers were involved in establishing human rights organisations, although their legal skills were only one element of their activism. AI was associated with many lawyers, such as founder Peter Benenson himself, Anthony Marreco, James Beckett and Sean MacBride. The effects of AI’s work against torture were due to the dual impact of a growing public exposure to their advocacy through their international public membership base, as well as the professional approach to stopping human rights abuses. To strengthen their legitimacy AI also needed the help of medical and legal professionals. As part of CAT AI held a series of international study conferences and initiated a number of expert discussions on how to combat torture legally, and politically, and with the recognition and contributions by medical professionals, AI were able to produce documentation of allegations of torture addressing the trauma of the victims.<sup>174</sup>

In August 1973, AI head of research Zbynek Zeman presented his research on the connection between state legislation and presence of torture practices in modern governments. He noted how there had been made two official government inquiries into torture in Northern Ireland, namely the Compton and Parker Committees, each presenting similar facts but different conclusions. Even though Zeman presented his conclusions in a broad manner, referring to countries such as Uruguay, Brazil, Greece and Indonesia, the general points he made applied to the situation in Northern Ireland as he warned that absence of ‘due process of law’ (through for instance ‘special powers acts’ and non-jury courts) facilitated the practice of torture.<sup>175</sup> Northern Ireland had been subjected to such extraordinary legislation the several years. Zeman concluded that torture in situations like the one in Northern Ireland was ‘easy’, as the combined flaws of the Northern Irish legal system failed to ensure the protection of its people from situations in which torture could occur. Zeman’s report was written in August 1973, when the EPA came

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<sup>172</sup> Kelly 2013: 175

<sup>173</sup> Buchanan 2020: 3

<sup>174</sup> Buchanan 2020: 195

<sup>175</sup> Zbynek Zeman ‘Conclusions’, report to IEC, August 1973, in AI, Item 70



into force. This was accompanied by the gradual release of detainees and the phasing out of detention without trial, which had been a great concern for AI. However, it included that those indicted for criminal offences, covering not only terrorism but other serious crimes as well, should be tried by a judge acting on his own, without a jury present, in so-called Diplock Courts.<sup>176</sup> This was a major cause of concern to AI.

The same year Peter Hopkins researched the utility of torture to contest the conception that ‘torture is terrible, but it works’, and commented how this idea was being ‘slowly eroded by current research into human motivation.’. Hopkins referred to torture in Northern Ireland as ‘official brutality’ and cited the British government’s justification of ‘in-depth-interrogation’ of a few people if it helped save hundreds of lives as a result. This was inconsistent with the ‘current research into human motivation’. He even quoted a Senior Psychiatrist with the British War Intelligence Service who had stated that: ‘Interrogation by overt verbal examination backed by fear is a blunt, medieval and extremely inefficient technique’. In describing the methods of ‘statue’ torture, sleep deprivation, starvation, fatigue exercises and unbearable noise, Hopkins used the words ‘singularly stupid’.<sup>177</sup> I do not know who Hopkins was, but the fact that it was included in the AI materials indicates a connection to AI. Whether or not he wrote the report for AI is unclear, but it at least proves how the CAT research department involved itself, and relied on, contemporary professional research in their investigations.

In February 1974, as part of AI’s Research Program on Torture, Dr. Rona M. Field presented her report to the IEC. The purpose of the program had been to ‘document in uniform fashion the nature, effects and possible remediation of Psychological Torture both on the victims and the torturers.’ The document presented evidence to ‘make known to the general public the effects of such procedures’ and urged formulating programs for the rehabilitation of the victims of ill-treatment. Field used Northern Irish cases in gathering data on the effects of psychological torture.<sup>178</sup>

### Northern Ireland in the Report on Torture

In December 1973 the AI *Report on Torture*, the core document of CAT, was released. It included research papers on the physical and psychological aspects of torture, stories of torture and ill-treatment in sixty-one countries, as well as three case studies on the practice of torture

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<sup>176</sup> The Northern Ireland (Emergency Provisions) Act 1973

<sup>177</sup> Peter Hopkins. ‘Does Torture Work?’ Report to IEC, June 1973, in AI, Item 67

<sup>178</sup> Rona M. Field. ‘Research Program on Torture’, Amnesty Medical Commission Research Committee, January 1974, in AI, Item 1240

and ill-treatment. One of the studies concerned the Greek case, another the UN and the occupied territories of the Middle East. Most notably, the final case study was that of the British government and Northern Ireland. This case study mainly presented AI's findings from the Northern Ireland enquiry from 1972. The results of the AI and British governmental investigation into allegations in Northern Ireland were conflicting, as their terms of reference on the definition of 'torture', 'ill-treatment' and 'brutality' differed, and the degrees of cooperation from the various parties varied. AI continued to heavily criticise the Compton Report in particular, as it used 'to its great advantage its ability to diminish the gravity of the charges made against government agents merely by changing to 'ill-treatment' the definition of the actions described by victims as brutality or torture.'<sup>179</sup> The continued attack on the Compton report, which had been evaluated and discredited (to a certain degree) by the Parker Committee Majority, heavily by the Minority of Lord Gardiner, and led to the ban on the 'five techniques', points to AI not believing in the definite end of torturous practices in the region. The 1973 *Report on Torture* conclusively stated that an 'administrative practice of torture may exist despite contrary domestic legislation and perhaps without the knowledge of the highest domestic political authorities.'<sup>180</sup>

In the report of AI's Northern Ireland enquiry from 1972, AI had argued how the fact 'that some of the prisoners refused food and water, urinated in inappropriate situations, refused to urinate when appropriate facilities were available and kept the hood on when it could have been removed (...) supports our findings that this treatment had serious mental effects'.<sup>181</sup> In the 1973 *AI Report on Torture*, Lord Gardiner's Minority Report had been quoted to emphasise the psychological effects of torture as stress.<sup>182</sup> This again shows how AI's concerns with torture went beyond the fight against physical abuse, but also included the need for international legislation to recognise, define and ban psychological abuse by the same standards as torture.

AI also argued that frequent and brutal interrogations such as those reported from Northern Irish Army and police compounds with the participation of military, police and medical personnel must have been practiced with the knowledge of at least some officers. Given the mutual tendency of security forces to 'protect their own', it was very difficult for civilian actors to investigate allegations without the cooperation of the soldiers or policemen involved. AI attacked the integrity of the British government's own investigations, claiming that one could not expect an internal inquiry of a torture allegation to be 'an honest and thorough one

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<sup>179</sup> *AI Report on Torture* (1973), 104

<sup>180</sup> *AI Report on Torture* (1973), 101

<sup>181</sup> *AI Report of an enquiry into allegations of ill-treatment in Northern Ireland* (1972), 36

<sup>182</sup> *AI Report on Torture* (1973), 43-45

where the acts complained of are in fact widely practiced and accepted at certain levels of the forces.’ It was thus understandable that those who held political power were likely to dismiss allegation as the information they would receive from below was likely to be ‘coated with many layers of 'covering up' by the time it reaches the top.’<sup>183</sup> By including a case study of the United Kingdom and Northern Ireland in the *Report on Torture*, AI presented the British government as an example of the negligence of governments in not acknowledging systemic flaws which enabled torture. By inclusion of Northern Ireland in the *Report on Torture*, AI in effect painted the British government as a torture state.

### Prisoners of violence, a reoccurring dilemma

Whilst the Sunningdale Agreement was under discussion in December 1973, the IEC was meeting on 8 December. Here a decision to send letters to the Secretary General of the UN and the British government regarding the state of detainees in Northern Irish prisons was reversed.<sup>184</sup> It may have been concluded that the possibility of a binding political agreement between the major political parties, as well as the pressure to end detention without trial, was close, and that AI could spend time and resources elsewhere. The Sunningdale Agreement was put into action in January 1974. Strikes and violence eventually brought it to an end a few months later. At the same time, nine people were serving time in prison after several IRA bombings in London in the summer of 1973.<sup>185</sup> Two of these prisoners were the sisters Dolours and Marian Price, whom were sent to serve their time in HM Prison Brixton in London. They immediately started a hunger strike, demanding the opportunity to serve their sentence in Northern Ireland. By December 1973, the sisters were force fed by doctors and nurses in their prison cells. Dolours Price has explained how she was tied to a chair before a thin length of rubber hose was forced down her throat obstructing her breathing. As several officials held her body down, liquified food had been fed to her through the rubber hose and into her stomach.<sup>186</sup>

The subject of these prisoners came up during an IEC meeting on 8 February 1974. On the question of whether or not AI should make a statement condemning the forcible feeding of hunger strikers, IEC members Thomas Hammarberg and French Mari-José Protais voted ‘no’. Hammarberg, who had co-headed the AI investigations in Northern Ireland and written the foreword to the AI Northern Ireland enquiry in 1972, stated that he ‘simply do not feel prepared

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<sup>183</sup> AI *Report on Torture* (1973), 101

<sup>184</sup> Minutes IEC 1973 ‘Minutes of the Meeting of the IEC’ 8 December 1973, in AI, Item 414

<sup>185</sup> Patrick Radden Keefe. *Say nothing: A true story of murder and memory in Northern Ireland*. (New York: Harper Collins, 2019). 150

<sup>186</sup> Keefe 2019: 164??-168

to take a stand' on the issue. In his view there were other problems, such as solitary confinement, which he proposed that AI should study and compare to Article 5 of the Universal Declaration on Human Rights (UDHR). Protais was 'by principle opposed to a general statement' as they either 'don't take cases into account – or they 'repeat' and are unnecessary. Our term of reference is the UDHR. Big enough isn't it?' On the question of whether or not AI should make an appeal on humanitarian grounds that the prisoners should be moved to detention in Northern Ireland (as was their wish) Hammarberg again voted 'no':

'I think this is outside Amnesty. A possibility would be that a section, perhaps the Swedish, wrote a letter to British authorities and – after having said that this is mainly outside our terms of reference (that we do not adopt the prisoners, etc.) – mentioned why it would be in line with Minimum Standard Rules to move the prisoners to Northern Ireland.'<sup>187</sup>

This account is a clear example of the types of difficult considerations AI were faced with in light of their pledge to impartiality, as well as the sanctity of the 'Prisoner of Conscience'. These prisoners were terrorists by definition. The IRA had bombed London to make a political statement, and AI could not officially adopt them. Still, as Eric Baker had written in 1968,<sup>188</sup> the conditions under which they were serving and the treatment they were subjected to were a cause for concern for AI, so they would have to call for action by funnelling the advocacy through one of their national chapters citing the UN Minimum Standard Rules. The views of Hammarberg on the importance of advocating for the Minimum Standard Rules instead of taking a stance against the force feeding of IRA prisoners in England shows a growing willingness to embrace a fight for the bettering of prison conditions, for every prisoner, as had been proposed by Eric Baker in 1968 and was an important part of CAT. In addition, his proposition to hand the case over to the Swedish section shows how AI viewed and made use of their national sections to apply international pressure on the British government. By adding an international 'layer' to the advocacy, it gave the British government more of a sense of obligation to do something about the conditions in Northern Ireland as it reminded them of an international audience demanding action. This was one of AI's greatest tactics, and with a growing membership the strategy became more and more effective.

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<sup>187</sup> 'Northern Ireland – The Winchester Nine' IEC meeting 8 February 1974, in AI, Item 74

<sup>188</sup> In 1968 Eric Baker had written of how AI 'could no longer ignore the abuse and poor conditions which many prisoners of conscience faced and should campaign for new, enforceable international standards for all prisoners (while recognising that its own focus remained on helping prisoners of conscience).' Buchanan 2020: 193

## Northern Ireland Action Campaign 1975

In the autumn of 1974 AI had limited its Northern Ireland activity to only taking on individual cases of prisoners detained without trial, whilst the IEC regarded research in Northern Ireland a ‘medium priority’ because of ‘hard-to-predict political developments’.<sup>189</sup> After the successful mission to ban the ‘five techniques’ in 1972, and in further expansion of its concerns in Northern Ireland, AI took on the protection of civil liberties relating to EPA with the international Northern Ireland Action Campaign of 1975 (NIAC).

With the 1972 Parker Committee Minority Report being praised by AI, Lord Gardiner had gone to Athens at the request of AI to observe a court case for the Society for the Study of Greek Problems, who were being forcefully dissolved by the Greek authorities.<sup>190</sup> His personal correspondence with Martin Ennals shows clear ties between British government officials and the key AI leadership personnel. Now a new government commission, headed by Lord Gardiner, had been set up to examine the EPA of 1973 with a prospect of recommending possible changes to it. Though Buchanan points to the relationship between AI and Lord Gardiner, it is not brought up in the context of Northern Ireland. AI again involved itself in the process, as professor of Criminal Law at the University of Amsterdam and later IEC member Alfred Heijder was to undertake a legal review of the workings of the legislation and produce a report to be submitted to the Gardiner Commission as evidence of inhumane and unjust conditions in Northern Irish prisons.

Heijder went to Belfast to examine the workings of the EPA, under which those suspected of terrorist activities could be detained indefinitely and tried by Diplock courts, in October 1974. He was asked to report on prison conditions, meet with the British the Secretary of State for Northern Ireland, and police and military officials. Heijder was allowed to interview three prisoners in HM Prison Maze without supervision in October 1974, and to speak with lawyers and members of the Faculty of Law at the Queens University in Belfast. Heijder’s findings showed ‘widespread discontent in Northern Ireland the actual operation of the existing emergency legislation’.

The new Gardiner Commission report, the ‘Report of a Committee to consider, in the context of civil liberties and human rights, measures to deal with terrorism in Northern Ireland’, was published in January 1975.<sup>191</sup> He recommended that the Diplock courts should continue as

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<sup>189</sup> ‘Priorities and Work Forecasts’, IEC meeting 20 September 1974, in AI, Item 86

<sup>190</sup> Report to Martin Ennals from Lord Gardiner ‘Athens, 2-5 October 1972’, in AI, Item 1235

<sup>191</sup> ‘Report of a Committee to consider, in the context of civil liberties and human rights, measures to deal with terrorism in Northern Ireland’ (Her Majesty’s Stationary Office: 1975). accessed through CAIN

before, and no mentions were made of poor prison conditions in Northern Irish prisons.<sup>192</sup> Heijder criticised the new Gardiner report for trying ‘to strike a fair balance between the mistreatment of civil liberties and human rights on the one hand and the legitimate powers of the State (...) to infringe on those liberties and rights in the violent and tragic situation in Northern Ireland.’<sup>193</sup> Heijder recommended that arrested persons should be allowed prompt access to their solicitor, that machinery be established to examine complaints against the army and the police, that confessions should be accepted as evidence only if made in the presence of a solicitor, the abolition of detention without trial, and the immediate radical improvement of conditions in the Maze Prison to bring them in line with the UN Standard Minimum Rules for the Treatment of Prisoners. He emphasized the need for bettering of prison conditions and the altering of the Diplock Court practice: ‘With some exaggeration one could say that detention covers up insufficient political measures. It would be a courageous and wise political decision to abolish detention.’ Heijder also briefly analysed the EPA in relation to the ECHR and addressed the grey-area of whether or not the British government were within their right to act as they did. He expressed doubts over whether or not a government should be able to ‘derogate from its obligations’ by exercising Article 15 of the convention.<sup>194</sup> AI planned to publish Heijder’s findings in June 1975, when the debate in Parliament regarding the conclusions of Gardiner Commission report becoming law or not was scheduled, in order to advocate against the recommendations of Gardiner’s report becoming law.<sup>195</sup> This was the end goal of AI’s 1975 *Northern Ireland Action Campaign*.

After the IRA ceasefire of December 1974, the number of releases sharply increased. All female detainees, nine of which were AI adoptees, were released by the end of April 1975. The moral issue of violent Northern Irish Prisoners of Conscience still remained, and as it was still ‘extremely difficult to identify prisoners of conscience’ AI had chosen to focus on improving legal procedures and prison conditions, rather than on the adoption of individual prisoners.<sup>196</sup> In an IEC meeting in April 1975, Eric Baker raised his concern about the arrest of two former Northern Irish detainees who had undergone ‘in-depth interrogation’ in 1971.<sup>197</sup> With a rise in IRA violence, Baker realised that they could not always take public sympathy for

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<sup>192</sup> Lord Gardiner also recommended an end to the ‘Special Category Status’, which separated the political prisoners from regular prisoners. In the following years the revoking of this status would lead to several hunger strikes, ‘Blanket protests’, and the eventual death of IRA’s Bobby Sands whom after his death was elected to the British Parliament by the Northern Irish people.

<sup>193</sup> ‘A short summary on the Gardiner Report’ by Heijder, 11 February 1975, in AI, Item 94

<sup>194</sup> ‘Report on the Workings of the Emergency Provisions Act (1973) Northern Ireland’ from November 1974 by Alfred Heijder, in AI, Item 94

<sup>195</sup> ‘Northern Ireland Action Campaign’, 30 May 1975, in AI, Item 94

<sup>196</sup> AI *Annual Report 1974–1975*, 122–123

<sup>197</sup> ‘Northern Ireland’, Note from AI The Research Department, July 1975, in AI, Item 94

Northern Irish prisoners for granted. He did not believe that AI had ‘yet grasped the degree of public support’ against interrogation in depth during a period of emergency.<sup>198</sup> The political situation in Northern Ireland was making AI’s work in the region harder, as accumulation and channelling of public opinion was AI’s most powerful tool.

The AI Northern Ireland Action Campaign (NIAC) was launched in May 1975, a couple months before the government hearings regarding the Gardiner report were set to take place in June. On 30 May the International Secretariat issued a statement to all of the AI national sections stating that the legal procedures of political detention in Northern Ireland had been of ‘increasing concern to Amnesty International over the past four years.’ The EPA was to be debated in the British Parliament, and the IEC proposed that National Sections take action.<sup>199</sup> The national chapters were urged to visit the British ambassador of their country to press the British government on implementation of AI’s six recommendations by legislation, based in the findings of Heijder, and urged reform of interrogation proceedings, the validity of confessions and the right to access legal advice, the Diplock Courts, and in accordance with CAT: prison conditions should be brought in line with the UN Standard Minimum Rule for the Treatment of Prisoners.<sup>200</sup> These demands were also distributed to 118 members of parliament at Westminster on 11 June 1975.

NIAC serves an example of how AI targeted national governments through well-practiced and well researched tactics with which they had garnered experience through previous campaigns. It was built on years of research into ill-treatment and other human rights breaches in Northern Ireland. AI’s concerns in Northern Ireland had expanded to the British government’s failure to ease tensions and violence in the region. Most importantly, AI expressed great concern with the *Prevention of Terrorism Act*, which had been renewed in May 1975 after a series of terrorist bombings in the region. The act gave the police the power to detain anyone without warrant for up to five days, and exclude anyone suspected of involvement in terrorism, including British citizens, from the United Kingdom. It also allowed British citizens to be excluded from any particular part of the country.<sup>201</sup> This concern was brought up in letter correspondence between the British Home Secretary and AI Deputy Secretary General Hans Ehrenstrahle who in reference to the UDHR stated that it was ‘unmistakably clear that the indispensable condition for violations of Article 5 to take place is

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<sup>198</sup> Buchanan 2020: 183

<sup>199</sup> ‘Northern Ireland Action Campaign’, 30 May 1975, in AI, Item 94

<sup>200</sup> ‘Northern Ireland Action Campaign’, 30 May 1975, in AI, Item 94

<sup>201</sup> AI *Annual Report 1974–1975*, 121-122

the possibility of detaining individuals incommunicado', meaning them not being able, wanting, or allowed to communicate with other people.<sup>202</sup>

In June 1975, the British Government accepted the recommendations of the Gardiner Report. AI was quick to criticise the proposed changes as detention without trial was still not abolished and the continued acceptance of written statements or confessions. The recommendation had not included conditions at the HM Prison Maze being brought up to the UN Standard Minimum Rules. Lowry notes how, according to AI's demands, the Gardiner Report was, 'a great disappointment.'<sup>203</sup> In 1975 AI had 13 adopted prisoners and investigated an additional 25 cases related to the *Prevention of Terrorism Act* in Northern Ireland. This included five men who had been detained since August 1971, three of whom had suffered in-depth interrogation and ill-treatment after arrest. The last terrorist suspects detained without trial under the EPA were released in December 1975, bringing to an end the measure.<sup>204</sup> Internment was discontinued, albeit on uncertain terms, as the readoption of the emergency provisions legislation would retain the power to reimpose for detention in the future. The Government hoped that it would not be necessary, 'but the power will be there.'<sup>205</sup>

Regardless of AI's efforts, detention without trial was still not abolished in 1975. However, because of the enormous institutional 'clout', built up in a 'years-long, painstaking process', AI had managed to become an advocate of human rights on an international scale. Eckel notes many of AI's 'techniques' would not have worked had it not been for the rapid growth in AI's amassing membership.<sup>206</sup> Because of this, AI was becoming a prominent actor and trusted advisor within the international community on the issue of torture. The AI reports and findings on torture in Northern Ireland played a crucial part in CAT. In addition, the NIAC exemplifies the tactics of AI in working for domestic legal reform in protection of human rights, as well as further expansion in responsibility, as AI now advocated for the protection of civil liberties.

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<sup>202</sup> AI *Annual Report 1974-1975*, 121-122

<sup>203</sup> Lowry 1976: 313

<sup>204</sup> AI *Annual Report 1975-1976*, 52

<sup>205</sup> 'Northern Ireland (Ending of Detention)', debated on Monday 8 December 1975, Hansard, Volume 902

<sup>206</sup> Eckel 2013: 192



## Conclusions

In early 1976, Eric Baker described Northern Ireland as Britain's 'Algeria the graveyard of many ideals of conduct'.<sup>207</sup> Following decades of decolonisation after the Second World War, the British status as an international superpower had been withering, and in the process the United Kingdom had played a key part in the evolution of international human rights legislation.<sup>208</sup> AI's work uncovered how the UDHR and the ECHR were being breached in Britain's own back yard. The Northern Ireland 'Troubles' were a period of intricate, often violent conflicts and political uncertainty. Animosity fuelled by religion, nationalism, the fight against 'the other' in seeking 'revenge' or 'justice', undoubtedly played a part the ill-treatment and abuse Northern Irish detention centres. Police brutality and deaths on the hands of the British Army would help foster a hostile environment in which corporal punishment would be more likely to take place. In addition, the legal measures taken by the British government, through Special Powers and Emergency Powers acts, were through AI's reports assigned responsibility for the presence of torture in Northern Ireland as it was 'the suspension of the rule of law (...) which seems to create the matrix for the growth of torture.'<sup>209</sup>

From the first day of the Greek Junta's rule in 1967, torture had been an 'integral part of the state machinery for suppressing opposition.'<sup>210</sup> Although there are distinct parallels between the Greek and Northern Irish cases as far as torturous interrogation techniques goes, it would be insufficient to compare the British government to the Greek Junta. There were no systematic practises of physical torture in Northern Ireland like the techniques practiced in Greece. In Greece the purpose of torture was intimidation and terrorisation, with the specific aim of destroying the student movement. In Northern Ireland the purpose was by default interrogation and extraction of information from detainees. However, the parallel is worth drawing when looking at AI and the fight against torture in international politics. As the AI Greece campaign was the first of its kind, it lay the foundation for AI's future work in Northern Ireland. AI had seen first-hand evidence of the physical and psychological effects for which torture was responsible. The internal changes in motivation and sense of responsibility manifested itself in the evolution of AI's work in Northern Ireland.

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<sup>207</sup> Buchanan 2020: 194, Algeria represented an abysmal stain on France's colonial reputation, and as the Algerian War was fought for Algerian Independence between 1954 and 1962, torturous interrogation methods such as those used in Northern Ireland a decade later were practiced by the French Army. See Raphaëlle Branche. "Torture of terrorists? Use of torture in a 'war against terrorism': justifications, methods and effects: the case of France in Algeria, 1954-1962". *International Review of the Red Cross*, 89 (3) (Cambridge University Press (CUP), 2007,) 89 (3), pp.543-560.

<sup>208</sup> Simpson 2001

<sup>209</sup> AI *Report on Torture* (1973), 220

<sup>210</sup> Amnesty International, *Torture in Greece: The First Torturers Trial 1975*, 10

In Northern Ireland, the AI principles of impartiality sparked infighting within the core of the AI leadership. In understanding the evolution of AI, it is crucial to acknowledge the role of individual personalities. 1970s AI was an organisation in exponential growth, with growing political and public influence across national borders and continents. AI was establishing itself as an impartial non-governmental organisation fighting for human rights without biases. However, it was still an organisation led by individuals, and highly respected and influential personalities still played a part in deciding where AI resources should be spent. The personal pushes within AI, from namely Sean MacBride and his conflict with Anthony Marreco, played a distinct role in the organisation's handling of the Northern Ireland situation. The personal differences of Marreco and MacBride serves as an example of how impactful personalities can be in organisational policy. In addition, Eric Baker played a key part in AI moving to fight against torture in the late 1960s and 1970s. However, to claim that AI's involvement was solely based in personal and biased convictions within the leadership is still insufficient.

Brier has argued for the understanding of human rights ideas within their moment in time.<sup>211</sup> The Northern Irish case exemplifies the significance of timing and circumstance in modern human rights history. AI had gained experience in advocacy against torture in the Greek case, experience which was crucial in deciding how why AI involved itself in Northern Ireland in the first place. The internal changes in motivation and sense of responsibility manifested itself in the evolution of AI's work in Northern Ireland. With this is crucial to note AI's role as a part of an international process, the movement and community surrounding human rights in the 1970s. The organisation contributed with research and information to national governments and international leadership in order to form a convention on torture. AI's growing membership and influence can be attributed to the human rights movement of the 1970s, as Brier and Eckel argue that the AI's sudden mass appeal based in a 'widespread desire for less complex forms of political activism'.<sup>212</sup> This was also their most powerful tool, which is perfectly exemplified in the prominent and radical growth in influence of AI. The unprecedented public enthusiasm for the promotion and protection of human rights was crucial to AI's success, most notably with CAT.

CAT remains as the most tangible measure of success for AI in the 1970s. With CAT, AI's objective was not only to raise awareness to the widespread practice of torture, but also to motivate international action. Buchanan notes how by these measurements CAT was 'remarkably successful'. This thesis has shown how prominent Northern Ireland was in this

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<sup>211</sup> Brier 2016: 173

<sup>212</sup> Brier 2015: 161

campaign. Margaret Keck and Kathryn Sikkink has pointed to how political scientists had tended to ignore nongovernmental actors because they were not ‘powerful’ enough in the traditional sense of the term.<sup>213</sup> The developments of AI’s efforts in Northern Ireland illustrates how AI strategized their work through CAT by framing issues to make them comprehensible to target audiences, and attracting attention to the issue to encourage global action against torture. As studied by Vik and Østberg, AI’s ties to national governments were crucial in this regard. CAT directly contributed to a series of UN resolutions on torture, and subsequently to the adoption of the UN ‘Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment’ in 1984. CAT has been presented as a ‘textbook case of how an NGO can generate – and then persuade states to agree to – new norms of conduct.’<sup>214</sup>

In addition, AI’s work with Northern Ireland shows how the organisation worked for a change in domestic legislation. In the British government AI had an adversary whom themselves took active steps to assess and change their interrogation techniques and prison conditions. However, AI were determined to dig deeper into allegations of abuse and were also more open with the public about what was actually going on in Northern Irish prisons than the official government investigations. They supported Lord Gardiner’s 1972 minority report conclusions, but their own investigations shed light on more cases and other types of abuse which the British government did not report themselves. After the ban on the ‘five techniques’ in 1972, AI’s fight for the rights of Northern Irish prisoners continued with AI’s push for the implementation of the UN Standard Minimum Rules, continued critique of the internment policy and Diplock courts, and the Northern Ireland Action Campaign protecting civil liberties which had been compromised in the *Northern Ireland (Emergency Provisions) Act*. To make clear their truly apolitical and global agenda they needed to be prepared to criticise Western countries’ human rights abuses. Advocating for prisoners in Northern Ireland and pointing to systematic and illegal abuse of detainees helped distance the organisation’s British origin and Peter Benenson’s former closeness with the British government to strengthen the organisation’s ethos and political standing as an international *non-governmental* organisation.

This thesis shows how AI grew from an organisation for the ‘Prisoners of Conscience’ into a human rights organisation for all political prisoners. The ‘Prisoners of Conscience’ brand was still crucial, and AI still refused to adopt political prisoners who had resorted to violence for their cause, perfectly exemplified in the discussion over the force feeding of IRA prisoners in February 1974. The strategy to focus on and push for the application of the UN Standard

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<sup>213</sup> Keck and Sikkink 1998: x

<sup>214</sup> Buchanan 2020: 192

Minimum Rule for the Treatment of Prisoners made it possible to bypass any political issues surrounding the violent offences the prisoners in question may have committed. AI would adopt Northern Irish 'Prisoners of Conscience', whilst the continued work for the general betterment of prison conditions also allowed AI to indirectly help any candidate which would not pass as under that description. This mirrored the growth the willingness of AI to adjust their advocacy to help more prisoners across the world. Hammarberg's proposed solution of involving the Swedish section to advocate against force feeding in Britain also exemplified how AI used its national sections to apply pressure on other governments.

AI's work in Northern Ireland also shows how the idea of torture was being researched and conceptualised throughout the 1970s, and demonstrates how AI played an active part in this. The understanding of torture evolved immensely throughout the 1970s, aided by the success of AI's CAT. The *Report on Torture*, the book-length main publication of the campaign, presented the abuses uncovered in Northern Ireland in broader and more extensive terms of reference of the damaging effects of psychological torture. AI had raised concern with the use of 'non-physical torture' already in their report from the Greek case in 1968, concerns which were repeated in Northern Ireland.<sup>215</sup> In 1979, Ellen B. Cohn categorically criticised the British government's investigations in Northern Ireland, and underlined how 'definitions [of torture] should not be limited to physical assaults, but should incorporate "mental" and "psychological" torture.'<sup>216</sup> This was at the heart of AI's advocacy, and exemplifies the change in the medical and psychological understanding of the term 'torture' in the following years. The fact that Cohn used AI material as evidence of abuse in her study points to the professional recognition of AI as a trustworthy source of information in matters concerning torture.

With the help of AI's advocacy for prisoners' rights, such as in Northern Ireland, the torture question would soon come to dominate the human rights politics of national governments, as well as the UN and the European Commission on Human Rights as 'the human rights abuse par excellence.'<sup>217</sup> In 1974, Sean MacBride was awarded the Nobel Peace Prize for his contribution to CAT. Moyn argues how this helped raise the profile and legitimacy of the human rights movement.<sup>218</sup> AI's growing influence is evident in its growing acceptance as a consultative organisation on the international level. In 1975 AI was represented at various

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<sup>215</sup> Amnesty International, *Torture in Greece: The First Torturers Trial 1975*, April 1977, Appendix C

<sup>216</sup> Ellen B. Cohn, "Torture in the International Community: Problems of Definition and Limitation: The Case of Northern Ireland," *Case Western Reserve Journal of International Law* 11, no. 1 (Winter 1979): 159-186

<sup>217</sup> Kelly 2013: 174

<sup>218</sup> Moyn 2010: 145

meeting of the Council of Europe by Eric Baker, Secretary General Martin Ennals, AI legal Adviser Nigel S. Rodley, and CAT coordinator Dick Oosting.<sup>219</sup>

AI's work in Northern Ireland helped pressuring the British government into taking accountability for its actions, both nationally and internationally. To conclude with a simple reason on which to pin the entirety of AI's motivation for taking on the British government over abuses in Northern Ireland would be unproductive. This thesis has shown how AI's advocacy in Northern Ireland was based in a combination of factors, and posed several challenges to the fundamental principles of the organisation such as the internal strife over personal motivations within AI, and the question of violent prisoners. Though previously introduced by Buchanan, my tracking of Northern Ireland in the archival sources at my disposal shows how prominent this case was in the evolution of AI's advocacy in the early 1970s. Studying individual AI cases in depth, looking to specific concern and strategies in detail, and tracking ties between AI and national governments, adds to the growing historiography of NGOs in human rights and to the understanding of AI's role in the evolution of the question of torture in human rights history. It also adds a transnational perspective to the history of human rights in Britain, and most importantly in Northern Ireland, a subject which deserves more attention in the history of international work against torture.

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<sup>219</sup> AI *Annual Report 1974–1975*, 30-31

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