Misrecognising the victim of state violence: denial, 'deep' imperialism and defending 'our boys'

Kevin Hearty [1]

Abstract

This article critically examines public responses to attempts at holding former British soldiers accountable for historic human rights violations committed during conflicts fought overseas. Using the case of British Army veterans who served in the North of Ireland and Iraq as an empirical basis, it posits that such responses are defined by a moral myopia that distinguishes between state violence 'here' and 'there' and 'now' and 'then'. This moral myopia, it is submitted, is a form of identity politics forged through a marriage between deep imperialism and the strategies of denial used by the state. This essentially misrecognises the victim of state violence and ultimately leads to public sympathy favouring those who stand accused of human rights abuse over and above those actually subjected to it. Ultimately, the article concludes, this means that public opinion is channelled in a way that calls for such violations not to be punished rather than for them to be punished.

Introduction

> We believe the recent arrests directed against former soldiers who served in Northern Ireland are not an attempt at bringing criminals to account. These arrests are political in their intent with the purpose of undermining the confidence of the UK Government and its Armed Forces.

This extract comes from a letter of protest handed to British Prime Minister Theresa May on behalf of Justice for Northern Ireland Veterans following their protest at Downing Street. The group were protesting against the alleged 'hounding' of former British soldiers who served in the North of Ireland[1] after charges were brought against one for his role in an unlawful killing there [63]. This followed previous outcry over the

---

[1] The terms Northern Ireland, the North of Ireland and the Six Counties are used interchangeably throughout.

✉ Kevin Hearty
  k.hearty@qub.ac.uk

1 School of Law/ Senator George J. Mitchell Institute, Queen's University Belfast, 18 University Square, Belfast, Co. Antrim BT7 1NN, UK

treatment of those who had served in Iraq. Far from needing convinced by the letter, May had herself espoused a similar sentiment at the 2016 Conservative Party conference when she proclaimed that 'we will never again – in any future conflict – let those activist, left-wing human rights lawyers harangue and harass the bravest of the brave – the men and women of Britain's Armed Forces' [86].

The emerging discourse evidences a 'shoot the messenger' strategy of questioning the timing and motivation ([16]: 534), rather than the actual accuracy, of allegations of wrongdoing by 'the bravest of the brave'. Deflecting blame like this has been a discursive strategy of denial consistently used by states complicit in human rights violations [15–17], hence there is little peculiarly British about it. However, in framing British soldiers as 'the bravest of the brave', denial is now articulated in terms of Britain's 'warrior nation' past [24, 70]. The discourse exposes what Johan Galtung [33, 34] labels a culture of 'deep imperialism' still common in Western states. The injection of 'deep imperialism' into discourses of denial has allowed identity politics to frame how the British 'imagined community' [4, 10] views its military. The British 'imagined community' have been conditioned through such a discourse to view the British Army as a transhistorical force for good [18], reflecting how official discourse shapes narrative identities subscribed to by the public [83]. Granted, one may question to what degree a hegemonic discourse successfully embeds itself into the public mind. However, with most people in the UK relying on media, cultural and popular portrayals of, rather than personal interaction with or connection to, 'our boys', their understanding is shaped by what these portrayals want to show and what they want to hide [101]. Unsurprisingly, then, a significant body of research drawing on public views of 'our boys' has shown that they are sufficiently influenced by official discourse [18, 24, 42]. When confronted with allegations of wrongdoing by 'the bravest of the brave' official discourse encourages the British public to adopt what is essentially a *moral myopia* - a form of 'deep imperialism' framed identity politics that fails to look at the British Army through anything other than a favourable lens of nearsightedness. Allegations of wrongdoing by 'our boys' overseas are therefore presented to those back home through a prism that spatially distinguishes between 'here' and 'there' and temporally distinguishes between 'now' and 'then' ([35]: 35). This, in turn, determines who is seen as 'grievable' ([13]:1) in the British public imagination.

Situating itself within the critical criminological literature on state violence, this article uses recent cases involving British Army veterans who served in the North of Ireland and in Iraq as an empirical grounding for its conceptual claims on moral myopia. It will interrogate how and why the British public imagination that can paradoxically 'see' 'our boys' as both 'hero' and 'victim' is nonetheless discouraged from 'seeing' them as human rights violators that need punished. Empirically, the article has drawn from a number of open access sources including media coverage, official government reports and speeches made by politicians. These sources were subjected to Critical Discourse Analysis (CDA), a method of critically examining how institutions and individuals 'use language' in the way they seek to represent certain events, people and processes ([74]:1). Accepting that discourse is intrinsically rooted in the process of 'meaning making' [28], employing this approach recognised the importance and relevance of discursive processes like predication, that assigns qualities to people, actions and events [73], and transitivity, that seeks to define the relationship between participants and the role they play in particular processes ([74]: 54), in how the

conduct of British soldiers abroad is presented to the 'imagined community' back home. This methodological approach integrated the relevant historical context of British military engagement in each chosen site into the interpretation of the texts, thus allowing official discourse to be examined in terms of how it justifies certain acts of war [99]. CDA is also integral to gaining a deeper insight into the structural, long-term, and indirect causes and consequences of harms emanating from power imbalances of the type that defines military intervention by powerful Western states overseas [90]. Theoretically, it is framed by an original synthesis of the literature on state denial [15–17] and on 'deep imperialism' [33, 34].

While Britain has a long history of military intervention overseas [18, 21, 22, 24, 70, 84], this article has chosen to primarily focus on Iraq and the North of Ireland. Geopolitical differences notwithstanding, these sites have been chosen because both have been at the centre of recent claims of a 'witch hunt' against British Army veterans, both have been subject to a number of official inquiries relating to British Army conduct and both have seen recent legal action relating to British Army activity - most notably the mistreatment of detainees. Accordingly, they are the most appropriate comparative contexts for gauging the public view of 'our boys' through. While socio-legal literature has drawn parallels between British state violence in the North of Ireland and Iraq ([95]: 164), this has focused on the use of 'deep' interrogation techniques by the British Army [9, 26, 96, 98] rather than on comparative discourses of denial. Likewise, the rich vein of existing literature on denial and state violence in Northern Ireland [56, 62, 78, 94, 95] has *not* examined the issue through the lens of 'deep imperialism' framed identity politics. By introducing these significant new dimensions previously neglected in the existing literature, this article not only makes an original contribution to the understanding of state violence in Northern Ireland and in Iraq, as well as state violence more generally, but also to post 9/11 discourse, 'War on Terror' identity politics and shifting perceptions of military victimhood. As a contribution to the literature on state violence, this study also naturally represents a contribution to the literature on state crime. Although human rights violations committed during the 'War on Terror' are only one form of state crime that also includes many other less visible forms [80], in critically examining British Army human rights abuses overseas through the new lenses of denial and 'deep imperialism' framed identity politics this study has engaged with the issues of power, ideology, law, and public and foreign policy that lie at the heart of state crime scholarship ([5]: 5).

The article opens by discussing state denial, concentrating specifically on the strategies of 'denying the victim' and 'condemning the condemners'. Building from here, it then examines Britain's imperialist military history, drawing attention to how 'deep imperialism' has birthed a supremacist variant of identity politics that favours the self-image of 'our boys'. This theory is then applied to official discourse on British state violence in Iraq and Northern Ireland. It concludes by arguing that moral myopia finalises itself through the process where the victim of state violence is *misrecognised*; that is, although a victim is indeed identified in the British public imagination, it is ultimately seen in the figure of those who have inflicted, as opposed to those who have suffered, human rights violations. This, the article contends, fits not only with 'deep imperialist' identity politics but also

with an emerging discourse on military victimhood that has recently come under study in the criminology of war literature [24, 59–61, 65, 88, 91].

State denial

Building from Sykes and Matza's [85] work on the neutralisation techniques deviants use to justify their wrongdoing, Stan Cohen [15–17] developed an extensive body of research on how states deny complicity in systematic human rights abuse. His work shows that denial is more complex than a simple rejection that something happened. It can range from, in perhaps its crudest form, a refusal to accept facts as facts to more sophisticated forms of relativising wrongdoing through an appeal to some kind of 'greater good'. Discourses of denial can also develop through several stages, beginning with outright denial of wrongdoing that is then downgraded to a reclassification of what has taken place, before an admission of sorts that is usually tempered with a justification is finally made. These various phases have been conceptualised by Cohen [17] as *literal denial* (it did not happen), *implicatory denial* (it did happen but not as you think) and *interpretive denial* (it did happen but for good reason).

Denial engages clever, legalistic semantics. For example, a state might insist that violations are not a prohibited act (ie torture) or maintain that the relevant legal instrument does not apply in the circumstances surrounding the violation [16]. In doing so, it avoids referring to its alleged conduct as 'torture' or 'human rights abuse' but articulates the debate in vaguer, yet less politically damaging, language that places state violence in a semantic 'black hole' ([94]: 10). Official discourse, at least initially, articulates the matter as being one where we do not know what this activity *is* yet but we know what it *is not* (i.e. torture). This has seen creative euphemistic language in the self-description of human rights abuse; in the Wuillaume Report the French referred to 'excesses' and 'methods' instead of torture ([37]: 135), in Landau Commission speak 'moderate physical pressure' became a synonym for torture [64], while the preferred British nomenclature is 'deep interrogation' [96]. The willingness of the state to respond to, rather than completely ignore, these allegations in carefully chosen language demonstrates a predictable discursive familiarity between the claims of abuse on the one hand and the official response of the state on the other [16]; an allegation couched in one particular value-laden language is made and a response in an opposing value-laden lexicon is issued in reply. This carefully chosen lexicon is purveyed through certain discursive strategies designed to deflect moral judgement off the state and onto those who have been violated.

One such strategy is 'denying the victim' whereby the wrongdoer reframes their actions through 'the insistence that the injury is not wrong in light of the circumstances. The injury... is not really an injury; rather it is a form of rightful retaliation or punishment' ([85]: 668). Through this clever discursive posturing, the wrongdoer 'moves himself into the position of an avenger and the victim is transformed into a wrongdoer' ([85]: 668). In short, human rights abuse meted out by agents of the state is discursively repackaged to become no more than necessary action in the face of a serious threat.

The discursive strategy of denying the victim is inextricably linked to the discursive process of 'othering'. This makes it as much a *precursor for* as it is a

reaction to human rights abuse. It is, after all, through the process of labelling certain groups 'dangerous' that they are designated as a threat [45]. Once the state has sufficiently 'othered' people as a threat a qualitative Rubicon is crossed and they are seen as game for increasing levels of inhumane treatment [64]. This 'othering' decontextualises human rights abuses from the complex social and political dynamics that birth and sustain them ([82]:78), reducing fault to something the victim must have done to bring the abuse upon themselves.

'Othering' the victim of human rights abuse might deflect any criticism the direct victims of state human rights abuse make but it does not follow through where criticism is made by human rights groups, lawyers and activists. Accordingly, a concomitant strategy of 'condemning the condemners' is used. This strategy shifts moral judgement from the deviant acts of the self onto the motives of those who disapprove of them. In doing so, the wrongdoer has 'changed the subject of the conversation in the dialogue between his own deviant impulses and the reactions of others; and by attacking others, the wrongfulness of his own behaviour is more easily repressed or lost to view' ([85]: 668). This can involve questioning the critic's right to criticise, often inferring that the condemner is not themselves morally pure or that they are incapable of understanding the demands of the circumstances within which violations took place ([17]: 111). Official discourse thus tries to place the dilemma faced by state agents-cum-human rights abusers beyond the comprehension of anybody ready to judge them. In other less sophisticated forms it involves informal media briefings and 'off the record' interviews by official sources that are used to vilify victims, campaigners and other do-gooders [82]. Far from being mutually exclusive, multifarious strategies of denial work most effectively when they are invoked collectively [53].

Britain's 'deep imperialism'

Dawson [21] identifies a strand of 'imperial patriotism' inherent in the British national imagination that goes back to the heyday of empire when Britain was exporting its supposedly superior way of life built on the virtues of democracy, industry and free trade to the rest of the world. The British 'imagined community' stood firmly behind its military against any 'other' - whether that be Catholic imperial powers trying to encroach on the British Empire or the dark skinned native 'other' in need of civilising by virtuous British soldiers ([70]: 14). Embodying the values of an imperialist 'imagined community' that was exclusively white [6], those colonising the world were seen as heroic figures whose lives were naturally of higher worth than the 'other' ([22]: 91). War became a heavily sanitised 'pleasure culture' enthusiastically consumed from the distance by those back home ([70]: 26).

This nexus between the 'imagined community', military heroism overseas and racial supremacy over an alien 'other' cultivated a form of nationalistic identity politics that remains prevalent today. This jingoistic fervour has seen veteran culture and nationalistic culture overlapping in the election campaigns of the United Kingdom Independence Party (UKIP) and in the Brexit campaign [87], with the Armed Forces being one of the main institutions that make the 'imagined community' 'proud to be British' [42]. Whereas the British Army, according to its own doctrine at least, possesses a 'warrior spirit' ([92]: 97), the 'other', by contrast, is foreign, dangerous and lacking in the

British moral code [6]. From the soldiers of early empire right through to those engaged in the 'War on Terror', then, the British public imagination has been invited to see a moral and racial superiority in their soldiers that any enemy seemingly lacks ([9]: 185).

This self-understanding epitomises what Galtung [34] calls a 'colonialist, imperialist deep culture'. This 'deep imperialism', he argues, emanates from generations of flawed Manichean providence that frames colonialists as the chosen protectors and/or enforcers of good whose lives are worth more than those they invade to spread human rights, democracy etc. Within this framework, political, economic and military intervention elsewhere is seen to be a natural product of the fact that (largely Western) 'center nations' are more advanced, more knowledgeable and better placed to determine what is good and what is bad for (mostly Non-Western) 'periphery nations' ([33]: 81). Intervention elsewhere is thus interpreted through 'a self-righteous one-way moral/legal screen' ([29]: 102) and framed as being for the benefit of others rather than for strategic self-interest. These frameworks have been applied in the British discourse on their intervention in the North of Ireland and Iraq.

More critical scholars of state violence have argued that British state violence in the Six Counties must be interpreted within its neo-colonial context [78]. In dealing with political violence, the British state made no formal declaration of war nor did it seek to engage International Humanitarian Law standards. Instead, it relied on a 'rule of law' approach premised on what were to become permanent emergency provisions, occasionally complementing these with a criminalisation policy of treating political violence as 'normal' crime [67]. Although this approach had been well honed in places like Malaya and Aden, unrestrained application in a site much closer to the British mainland would generate greater disquiet [95]. This is not to imply that there was not extensive state violence; the torture of detainees [26, 94, 95], shoot-to-kill [67, 77] and the use of pro-state proxies [62] evidences as much. The geographical proximity of Northern Ireland to the British mainland did nonetheless act as something of a control valve to at least *limit* the excesses seen in other obstreperous quarters of the Empire. Besides the geographical proximity, other factors also served as a control valve; the existence of the Dublin government who could, and would, initiate international legal proceedings against the UK for human rights abuse [95], a sizeable Irish Diaspora in Britain that could agitate against state violence back home and an influential Irish-American lobby that could put pressure on its administration to pull the British back into line in the days of the Cold War.

By contrast, the intervention in Iraq was part of the Western driven 'War on Terror'. Consequentially, the invasion of Iraq was couched in terms of protecting international security, liberating oppressed peoples under the cosh of despotic regimes and a humanitarian mission of protecting human rights in foreign countries [53]. It was driven by 'conviction politicians' who chose to dispense with international law and custom in pursuit of their geo-political strategic interests ([46]: 603). Indeed, when other grounds for intervention under international law failed, resort was made to framing intervention as being justified on the grounds of 'humanitarian intervention' [54], drawing on a 'legally dubious doctrine' that relies more on moral argument than legal right ([68]: 8). This, of course, overlooks not only previous silence from the same quarters when the Iraqi regime was engaged in widespread human rights abuse against the Kurds, but also previous support given to that same regime [37]. The misappropriation of human rights discourse

has nonetheless allowed Western powers to denude their intervention in Iraq of the gross human rights abuse it has itself entailed [25, 50].

Despite this, criminological literature has questioned the legality of the Iraq invasion given that it occurred without United Nations (UN) approval, with the most critical of this literature viewing it as an illegal war of aggression through the prism of state crime and/or terror [37, 50, 53, 54]. Unlike in Northern Ireland, human rights abuse in Iraq was committed in a 'space of exception' ([93]: 146) without the impediment of a government that could initiate legal proceedings, a Diaspora that could whip up internal disquiet or exert a strong influence on Britain's American allies.

Evidently, then, there are contextual differences between the politico-legal framing of each intervention. Common to both, though, are notions about the intrinsic goodness and moral superiority of the British soldier that typifies 'deep imperialism'. In the North of Ireland the British state narrative was that its armed forces were simply a well-intentioned referee supporting the indigenous police force – the Royal Ulster Constabulary (RUC) – in holding the line between warring sectarian factions given to 'terrorist' violence. Or, in the words of the British Army itself, it was there to 'interpose itself' between these factions ([12]: para 213). While the conflict was seen as essentially 'unBritish', the deployment of British soldiers was presented as a reluctant yet necessary intervention to stop inherently violent and irrational Irish factions from killing one another ([23]: 43). With perceptions of the Irish traditionally relying on favourable self-comparisons with what were seen as inherently violent religious fanatics [57], the onset of political violence in 1969 simply reified, rather than birthed [69], popular portrayals of a violent and disorderly people that had long dominated the British popular imagination [52].

In Iraq, however, they self-presented as liberators, firstly invading and then subsequently occupying, the country in order to remove a human rights abusing tyrant and bring Western values of democracy, freedom and human rights to an uncivilised corner of the world. This echoes without inflection the ideals and values of Manichean thinking, racial superiority and Christian mission that defined the earliest days of empire [71]. Moreover, following 9/11 violence in the Middle East has been framed as evil people doing evil things that they are culturally prone to do ([35]: 33). This 'recontextualisation' of Middle Eastern related violence has gifted Western politicians a meaning-making power to provide explanation, label protagonists and ascribe motivations ([43]: 4). Intervention in Afghanistan, for example, was framed as an intervention in a region blighted by tribalism, despotism and incessant bloody in-fighting [81], while intervention in Libya was framed as an intervention to prevent genocide by the Libyan Army in Benghazi rather than as a move to enforce regime change ([24]: 39). While packaged as part of a physical and ideological war on a peculiarly Islamist brand of 'terrorism', these same post-9/11 interventions, as Piers Robinson [75] observes, have brought regime change in certain Middle Eastern countries in line with the geostrategic interests of Western powers.

Official discourse on British state violence

Denial and 'deep imperialism' are discernible in official discourse on British Army conduct in Iraq and Northern Ireland. In terms of how it describes its own conduct,

British Army discourse on Iraqi detainees has consistently used the term 'deep inter-rogation', and referred to 'conditioning', 'harshing' and 'softening up' rather than 'torture' [26, 96]. This semantics of denial has been mirrored in the reports of official inquiries into allegations of abuse in the North of Ireland. The Compton Report [19] into the mistreatment of internees spoke of 'unintended hardship' and 'damage done by accident', and sought to make a distinction between 'ill-treatment' and 'brutality' by turning the issue on whether or not the person inflicting it took pleasure in doing so. Likewise, official responses in both contexts have tried to smooth the edges of any criticism directed at British soldiers by impressing on would-be detractors the enormity of the challenge they face. The Compton Report ([19]: para 14) emphasised the 'difficult and dangerous' internment operation that the security forces had to undertake in 'adverse circumstances'. Similarly, the Aitken Report [2]: 8) stressed how the British Army were over-stretched as they tried to restore law and order and protect the Iraqi population. Thus the plea of former Defence Secretary John Reid that people should be 'slower to condemn' and 'quicker to understand' British troops gained credence.[2]

More notable, perhaps, is the 'othering' of victims of human rights abuse that stems from the framing of 'our boys' as being both morally and racially superior [37]: 146) argue that the prevalence of torture during the 'War on Terror' stemmed from Western Islamaphobia that dehumanises Arabs. This positioned the 'other' as inherently violent, brutal and bound by lesser standards of morals [100]. By way of illustration, several British soldiers implicated in the ill-treatment of Iraqi prisoners attempted to normalise their violence by depicting the prisoners as inherently dangerous people responsible for British soldiers' deaths ([9]: 193). In Northern Ireland, victims of the state were discursively 'othered' too. On the one hand this reflected the desire to preserve British life over non-British life [22], with the lives of British soldiers being seen as too precious to waste in an 'unBritish' conflict involving the Irish ([23]: 48). On the other hand, it also involved the notion that 'othered' victims were a threat. Internment was said to be the means for keeping 'a substantial body of hard-core terrorists out of circulation' ([36]: para 58), while detainees complaining of police brutalisation were 'the enemies of society who are adept and experienced in inventing allegations against the police' ([8]; para 20). This 'othering' moves the lens of moral focus off any violence *exercised against* the victims of human rights abuse in their capacity as 'victim' and on to any alleged violence *exercised by* them in their capacity as 'terrorist'. The 'denied' victim is then disadvantageously pitched in moral competition against those abusing them.

This dichotomy was threaded through the Bennett Report ([8]: para 17), for exam-ple, which cited the many risks and threats posed to the security forces by 'terrorists' prepared to strike in 'the most cowardly way' against those 'performing such routine work for the community as shepherding children across the street outside their school'. The contrast here could not be more jarring; one works selflessly to protect the most vulnerable in society while the other plots death in the most ruthlessly self-interested way. The Bennett Report went even further, arguing that in many cases of alleged police brutality injuries were self-inflicted. White [94] argues that in pressing this case, official discourse sought to not only portray detainees as mentally disturbed and

---

[2] John Reid gives keynote speech at King's. http://www.kcl.ac.uk/newsevents/news/news-archive/2006/feb/John-Reid-gives-keynote-speech-at-Kings.aspx. Accessed 19 April 2017.

psychologically unbalanced but also sought to present the republican movement as a calculated and ruthless organisation that would encourage its members to self-harm in order to discredit the state. Official discourse has thus made a distinction between intrinsically good state actors who serve and protect society and inherently dangerous and 'othered' 'terrorists' plotting against society and prepared to resort to self-inflicted harm in the course of doing so. The corollary of this is to resolve any moral ambiguity in favour of the state by forcing potential detractors to choose sides between good and evil when any abuse scandal breaks out in the public eye.

Condemnation of the condemners is also detectible in each site. In the Six Counties, this involved ascribing an ulterior political motivation to any allegation by labelling it 'propaganda' [78]. Where allegations were made by someone other than the direct victim, they were accused of being 'soft' on 'terrorism' or of playing into the hands of the 'terrorist' [76]. Consequently, the term 'propaganda' had a useful breadth in countering claims made by those ranging from the 'terrorist' to well-meaning but gullible third parties conned by the propagandistically savvy 'terrorist'. The most useful lens for examining this through is the reaction to the Bennett Report. Despite the fact that the report had itself been preceded by an Amnesty International investigation that found no evidence of injuries being self-inflicted or of a propaganda campaign being mounted against the RUC, Bennett concluded that allegations of police brutality were part of 'a co-ordinated and extensive campaign... designed to destroy the reputation of the police at home and abroad' ([8]; para 19). This was echoed by then Northern Ireland Secretary Roy Mason when he told a Commons debate that the report exonerated the RUC despite 'a major campaign to discredit the police at home and abroad – and mainly on allegations, not proof' [38]. The media became involved too, carrying a leaked story that a doctor who had disclosed details of ill-treatment had done so maliciously after the RUC failed to punish British soldiers for raping his wife ([95]: 152).

Condemning the condemners typified responses in other cases too; then RUC Chief Constable John Hermon accused John Stalker of writing 'untruths' and 'distortions' in his book about the obstruction of shoot-to-kill investigations (New York [66]), British tabloids slandered the character of Carmen Proetta after she publically contradicted the state version of the Gibraltar shootings ([1]: 181) and Lord Chief Justice Hutton heavily implied that local people who had provided statements about the shooting dead of unarmed Fergal Caraher in South Armagh to a solicitor, rather than the RUC, were conspiring to blacken the reputation of the British Army ([67]: 119). The condemnation of condemners found in official reports like Bennett is therefore propagated through a wider environment of condemnation subscribed to by senior politicians, senior police officers, senior judges and the media.

Condemnation of the condemners in the Iraqi context has focused on the issue of *profit* rather than 'propaganda'. This reflects the fluidity of this tactic, in that if one is not held to be a 'terrorist' fellow traveller they are instead motivated by self-gain [55]. May attacked law firms acting on behalf of Iraqi abuse victims for cultivating an 'industry of vexatious allegations' from British involvement in Iraq [27]. In particular, Public Interest Lawyers (PIL), who had represented the family of Iraqi civilian Baha Moussa who died from an extensive catalogue of injuries sustained while in British Army custody [96], were singled out for censure by the media. Andrew Williams [98]

notes that the firm were derided by the *Daily Mail* as a 'left wing law firm' profiting from 'vexatious allegations of "war crimes" against blameless British troops'. When PIL's Phil Shiner was struck off after admitting to a number of procedural breaches in using an Iraqi 'fixer' to help get some cases to the courts, the condemnation reached a crescendo. Essentially, the law firms, rather than the abuse allegations, became the centre of the controversy as media attention turned to the 'ambulance chasers and rogues milking legal aid to humiliate brave solders who'd served their country'([97]). Now Shiner had become the object of moral judgement instead of those at the centre of alleged human rights abuse.

Lawyers in Northern Ireland have also been censured, although this has not traditionally been framed in terms of their greed. Initially it was framed in terms of them sharing an anti-state ideology with their 'terrorist' clients. For example, the lawyers representing the families at the Gibraltar inquest were attacked for 'holding Archbold in one hand and an Armalite in the other' ([89]: 466). More recently, however, profiteering has seeped into official discourse on 'legacy cases'. Former Northern Ireland Secretary James Brokenshire attacked those using historic cases to 'make money', echoing May's previous criticism of people 'making a business' of 'dragging our brave troops through the courts' [7].

To recapitulate, then, British state discourse on human rights abuse in Iraq and the Six Counties has created a discursive terrain that advantages those implicated in human rights abuse over those subjected to this abuse. It over-simplifies the issue by presenting it as a one-sided moral mismatch between the inherently good but hard-pressed British Army on the one hand and an unholy alliance of 'terrorists', their apologists and self-interested profiteers on the other hand. This over-simplification, the following section contends, fundamentally limits the ability of the British public imagination to 'see' beyond a benign self-image of 'our boys'.

Misrecognising the victim of state violence

Sometimes state denial cannot totally dispel allegations of abuse because allegations made by the 'denied' victim and/or their lawyers correspond with admissions made by British soldiers in their testimony to court martial proceedings, NGO reports and official documentation [26, 96] or with other medical evidence ([9]: 192). In other cases, like that of Iraqi teenager Ahmed Jabbar Kareem Ali who was drowned while being 'wetted' by British soldiers, the Ministry of Defence (MoD) acknowledged that British soldiers *were* responsible [49]. This undermines claims that allegations against the British Army are invented, with former British Army legal adviser Nicholas Mercer noting 'there have been 326 settled cases and the government has paid out £20 million. If the government paid out, these are not vexatious and not spurious. They are proven and the MoD have admitted liability' [27]. In light of this, the state moves to make a partial acknowledgment through the process of 'spatial isolation' that downgrades systemic abuse to isolated incidents or individual transgressions by 'bad apples' ([17]: 113). By laying the blame on a malicious few who are scapegoated, the structural reality that births, sustains and justifies abuse at a systematic level is elided.

When apologising for the shooting dead of civil rights demonstrators on Bloody Sunday, for example, then British Prime Minister David Cameron sought to portray the

event as an anomaly, rather than defining feature, of the British Army's 'enormous courage and professionalism' in Northern Ireland [11]. Similarly, the foreword to the Aitken Report ([2]: 1) states that the British Army's record in Iraq was 'exceptional' despite 'a few' besmirching it by 'deliberately abuse[ing]' Iraqi citizens. Aoife Duffy [26], however, argues that the 'bad apple' thesis becomes unstuck when one considers that instances of violence in Iraq were part of a 'thick' abuse where language, architecture and military culture were endowed with systematic violent intent towards detainees. Through pushing the blame onto the 'bad apple', the military institution conceals any influence its structures, cultures and ethos of violence had on the individual offender ([88]: 336). Yet in neither Iraq nor Northern Ireland has there been any admission of systemic human rights abuse beyond that couched in terms of 'spatial isolation' and 'bad apples'.

Even in the rare cases where 'bad apples' are identified and offered up for accountability, there is a distinct lack of appetite for punishing them. This is the logical consequence of the contrived dichotomy between good and evil that was initially constructed by official discourse and then promoted through a compliant media that created a jingoistic climate of backing 'our boys' at all times and at all costs ([21]: 3). From this a mentality has grown of supporting 'our boys' even if the war that they are fighting is profoundly unpopular [31]. Involvement in Northern Ireland was always unpopular [23], but Iraq represents an instructive example given that one million people publicly protested at that intervention ([91]: 182). Using the guise of a 'civil-military gap' [47] emerging, a 'Militarisation Offensive' was launched by the military, politicians and the media to protect the reputation of 'our boys' amidst growing disillusionment with the intervention in Iraq([24]: 26). This culminated in the 'Armed Forces Covenant', essentially the British Government's attempt to encourage the 'imagined community' to understand the sacrifices 'our boys' make, the difficulties they encounter and the needs that arise from their difficult task. At the same time, veteran charities were beginning to emerge in the public eye. Indeed, Help for Heroes emerged at a time when Tony Blair had become universally unpopular for waging what was increasingly seen as a wasteful war in Iraq [87]. What transpired from the 'Militarisation Offensive', as Hines et al. [42] note, was the oddity of the 'imagined community' strongly supporting the Armed Forces Covenant despite knowing little about it and, perhaps more bizarrely, of them continuing to strongly support 'our boys' despite being profoundly opposed to the war in Iraq. The cumulative impact of initiatives like the Armed Forces Covenant and organisations like Help for Heroes has been to leverage support for the notion that 'our boys' are heroes deserving of support from members of the British Royal family, celebrities and the mainstream media [87].

The prevalence of such a benign image of 'our boys' lies in the fact that the 'imagined community's' understanding of 'our boys' is almost entirely reliant on intuition rather than direct experience [42]. That is, they have little experience of 'our boys' being deployed in action at home but rely instead on the second hand self-reporting of how they conduct themselves overseas. This has allowed the media to omit the less salubrious aspects of their conduct [70]. Because of this sanitised reporting the position of the victim of human rights abuse and that of the British soldiers responsible for it are inextricably linked to one another in the moral order of the British national imagination [6]. Media coverage of the 'War on Terror' sustained the perception that the British soldier is morally superior while the 'other' is wicked and 'cowardly' [59].

Likewise, while the British soldier is omnipresent, the victim of the 'bad apple' remains invisibilised as an unknown and unnamed 'other' [60]. Their suffering, after all, happened in a 'space of exception' shielded from domestic audiences ([93]: 146), demonstrating the importance of 'here' and 'there' in how the 'imagined community' interprets state violence. This has created a symbiosis between the sympathy felt for the 'bad apple' and the lack of that felt for their 'othered' victim. When trying to identify a victim who is deserving of sympathy, then, the British national imagination will naturally look inwards at 'our boys' who are part of the 'imagined community', are hyper-visible in favourable media coverage, are 'here' upon their return and are seen as morally and racially superior in contrast to the dangerous and racially inferior 'other'. Just as the dangerous 'other' fails to represent the 'ideal victim', the morally virtuous British soldier depicted through the media similarly fails to represent the 'ideal offender' [14].

The 'bad apple' as 'hero-victim'

Emerging alongside this has been the willingness of the British national imagination to 'see' a 'victim' in the traditionally heroic masculine figure of the British soldier [24, 60, 61]. Extensively covered repatriation ceremonies at Royal Wootton Basset have enabled the 'imagined community' to 'see' soldiers killed in the 'War on Terror' as both 'hero' and 'victim' [65]. The depiction of hero emphasises their bravery and their willingness to fight for the 'imagined community' and its values, while their framing as victim recognises their loss of life, the lethality of asymmetrical warfare abroad and the failure of those who sent them to war to provide them with adequate equipment [59]. Likewise, the beheading of Fusilier Lee Rigby helped to solidify the modern British soldier's 'deserving victim' identity in the British national imagination [60]. Rigby's killing subsequently gave rise to a supremacist form of far-right identity politics that 'sees' the British soldier as both 'hero' and 'victim', yet 'others' entire communities like Muslims as 'extremists' and 'terrorists' [6].

Iraq veterans, too, have been framed as the paradoxical 'hero-victim' figure. On the one hand, British public opinion is informed by initiatives like the military covenant [31] and the Poppy Appeal [6] that frame the British soldier who served abroad as a strong altruistic hero. On the other hand, it now 'sees' these veterans as victims too; victims of the devastation of war, of bad strategy by generals, of under resourcing by the MoD, of eventual abandonment by the government and of 'bad apple' scapegoating by the military institution [31, 59]. They are now seen through a lens of double victimisation; victimised by being sent to fight in futile foreign wars and then being further victimised by governmental indifference and public misunderstanding of their experiences when they return ([3]: 133). While public outcry has been induced by histrionic media coverage that invented or exaggerated cases of public disrespect ([24]: 26), it is in cases where 'bad apples' have been processed through the courts that the strength of public sympathy for the 'hero-victim' is most notable. These cases have been presented by the media as a witch hunt, a detriment to British Army morale and a waste of time and money that could have been better spent supporting the war effort and rehabilitating veterans [51]. This is particularly strong where the 'bad apple' is

suffering Post Traumatic Stress Disorder (PTSD) or depression, or has already been brought before the criminal justice system [30]. Through the discursive strategy of 'personalisation', the media focus on the 'human story' of serving officers, veterans and their families ([24]: 11).In light of this, the British national imagination is conditioned to focus on what British soldiers have *experienced* rather than what they have *done* while serving abroad.

The most illustrative example of this is the case of Sergeant Alexander Blackman – otherwise known as 'Marine A' – who was convicted of murder by a court martial in 2013 after shooting dead an injured Afghan insurgent in contravention of the Geneva Convention [92]. Although relating to Afghanistan rather than Iraq, his case is nevertheless an apposite lens for critically examining the identity politics of the 'War on Terror' and its 'deep imperialist' assumptions about state violence committed 'there'. Video footage of the incident showed that the British soldiers involved regarded the injured insurgent as subhuman [72], something that seemingly provides sufficient justification for him to be killed [13]. Indeed, it is evident from Blackman's own words that he believed he was doing to a dangerous 'other' what would have been done to him and his platoon had the roles been reversed ([32]: 135).

Despite admitting to contravening the Geneva Convention, Blackman was subsequently viewed as the 'hero-victim' by a supportive and sympathetic 'imagined community'. One politician told a Commons debate that Blackman 'understandably...feels betrayed' having been 'pushed to the very edge and sent to do a filthy job with his hands tied behind his back', that he was 'paying a terrible price for a lapse of judgment' and that 'his small patrol was given an impossible mission with little support or command structure' ([39]: Column 344WH). Another chose to contrast Blackman with his victim, someone who was shot while 'sneaking up on a British outpost' and who 'had only one purpose: to kill the British troops at the outpost'. Blackman, on the other hand, was 'highly thought of and well-respected' but had made 'one split-second mistake' under 'the pressures that he was facing, frequently caused by the poor judgment of senior command, and the daily bloodshed that he witnessed while struggling with post-traumatic stress disorder' ([39]: 346WH). As disquiet about the conviction grew, the 'imagined community' expressed their support for Blackman with 100,000 people signing a petition calling for his release [72]. When Blackman was finally released following an appeal, the *Daily Mail* credited its readership with 'rescuing' him after he had been left to 'rot behind bars' by political and military chiefs (*Daily* [20]). What the Marine A case shows, then, is how the sympathy of the 'imagined community' ineluctably lies with 'our boys', even if they *are* in the wrong, before it does with their 'othered' victim.

In Northern Ireland, too, attempts at belatedly bringing 'bad apples' to justice through historical investigations have been criticised. One particular point of contention is the temporal distance from the original incident, something that again highlights the importance for the 'imagined community' to distinguish between 'then' and 'now'. It is also shaped by the intrinsic link between the 'bad apple' and their 'othered' victim. Here, however, this relates to the favourable treatment apparently given to non-state actors under the Good Friday Agreement. In short, the narrative is one of elderly former British soldiers being hounded while 'terrorists' are released early from prison, avail of 'on-the-run' comfort letters and take up well-paid government posts.

The most relevant example here is the 'personalisation' of the Dennis Hutchings case. Hutchings is currently on trial over the death of a man with severe learning difficulties in 1974 [58], yet, just like Marine A, he has been framed in official discourse as a 'hero-victim'. For example, an official account of his arrest mentioned how he is 'now in his 70's and suffering from cancer' ([44]: para 20). Justice for Northern Ireland Veterans emphasised Hutchings' distinguished army career, noting that while the death he was involved in was a 'terrible accident' Hutchings was 'a man who was twice cleared over this incident, was mentioned in Despatches for catching armed terrorists two nights before the incident, got the Long Service Good Conduct Medal and after leaving the Army set up his own business' [48]. Likewise, a Commons debate heard one politician protest:

> It is wrong that our retired veterans… have to spend their latter days looking over their shoulders, still waiting for the knock at the door, while the terrorists who skulked in the shadows and destroyed countless lives on the streets are left without a care in the world about the prospect of being pursued for their crimes… it is wrong that our veterans are sitting at home wondering whether a third or fourth investigation will take place into their case simply because some hot, fast-thinking, "make a quick buck" human rights lawyer in Belfast thinks it is a good idea to reopen their case [40].

What the above discourse fails to recognise is that Hutchings is currently on trial in a case involving a victim who was unarmed and had the mental age of a child. Nonetheless, it encourages the 'imagined community' to 'see' Hutchings as a 'hero-victim' rather than an 'ideal offender', while his victim is neither an 'ideal victim' nor someone who is 'grievable'.

These emotive narratives reveal the paradox of what the British national imagination 'sees' in 'our boys'. On the one hand, it has infused the strong masculine figure of the British soldier with notions of victimhood. Elderly, infirm and psychologically damaged veterans being repeatedly pursued through court are now seen as victims of cynical scapegoating by the very government that sent them to war. On the other hand, it has continuously failed to see 'our boys' as anything other than a force for good. This moral myopia means that the 'bad apple', and not their victim, becomes the primary victim figure. This misrecognition of who the victim of state violence actually is logically follows generations of flawed Manichean thinking that has unfailingly pitched the 'denied' victim of state violence in a disadvantageous moral competition with the perpetrator of state violence. The natural outcome of this, as shown by the Marine A case and the increased mobilisation of Justice for Northern Ireland Veterans, is that demands are made for 'our boys' *not* to be held accountable for human rights violations overseas. This push *against* accountability is the culmination of a protracted process that has already discursively downplayed human rights abuse by the British Army, 'othered' the victim of that abuse and censured any other detractors, and inculcated a climate of jingoistic sympathy favourable to 'bad apples'. The outworking of this is that recent political debate in Westminster has been about trying to limit any scope for accountability for abuses committed by British soldiers through a proposed 'statute of limitations' rather than one of trying to belatedly enforce it [41].

Conclusion

This article has critically evaluated the response to attempts at holding former British soldiers accountable for human rights abuses in the North of Ireland and Iraq, exposing how state denial and 'deep imperialism' have sought to condition the British national imagination. By engaging in such an endeavour, this case study has taken up the challenge laid down by Rothe and Friedrichs [79] for those researching state crime to examine and explain how legacies of colonialism, foreign policy, and state crime/state victimisation are interrelated and reciprocal. As a theoretically robust and empirically grounded case study it has, as Rothe et al. [80] have previously called for, provided an original case study of state crime based on particular countries and on particular incidents of state crime that will facilitate a better contextual and more comprehensive understanding of that phenomenon. Using CDA, it has shown how official discourse has forged a confused moral terrain wherein on the one side stands the British Army as a force for good and on the other side stands the victims of human rights abuse along with other nefarious elements keen to discredit the state for ulterior political motive or self-gain. This over-simplification invariably operates to the victimological advantage of the 'bad apple' and the victimological disadvantage of their victim. The article has shown that the consequence of this is, as Barak [5] might remark, hegemonic discourse hiding the 'crimes of the powerful' at the expense of the 'powerless'.

The strength of the discursive processes of labelling the victims of human rights abuse as the dangerous 'other' and of conversely labelling British soldiers as a force for good, diminishes the appetite for 'bad apples' to be punished when evidence of wrongdoing comes to light. Because denial has fed off 'deep imperialist' identity politics to further entrench notions of good versus evil, the choice offered to the British 'imagined community' is one of backing an unknown and 'othered' morally and racially inferior 'terrorist' or of backing 'our boys' who courageously and selflessly served abroad yet find themselves abandoned and pursued through the courts years after their service. In seeking to resolve this quandary, the British national imagination is invited to look through an inward-looking moral lens that 'sees' the victim figure in the 'bad apple' rather than in those abused by 'our boys'. This moral myopia ultimately reserves sympathy, understanding and victimhood for 'our boys' rather than for their victims.

References

1. Adams, J., Morgan, R., & Bambridge, A. (1988). *Ambush: The war between the SAS and the IRA*. London: Pan.
2. Aitken, R. (2008). *An investigation into cases of deliberate abuse and unlawful killing in Iraq in 2003 and 2004*. London: Ministry of Defence.

3. Alker, Z., & Godfrey, B. (2016). Soldiers and victims: Conceptions of military service and victimhood, 1914-45. In R. McGarry & S. Walklate (Eds.), *The Palgrave handbook of criminology and war*. London: Palgrave.

4. Anderson, B. (2006). *Imagined communities: Reflections on the origin and spread of nationalism*. London: Verso.

5. Barak, G. (1993). Toward a criminology of state crime. In G. Barak (Ed.), *Crimes by the capitalist state: An introduction to state criminality*. Albany: State University of New York Press.

6. Basham, V. (2016). Gender, race, militarism and remembrance: The everyday geopolitics of the poppy. *Gender, Place & Culture, 23*(6), 883–896.

7. BBC. (2017). Jim Shannon cries recalling cousin's death to MPs. BBC. http://www.bbc.co.uk/news/uk-northern-ireland-39068215. Accessed 23 February 2017.

8. Bennett, L. (1979). *Report of the committee of inquiry into police interrogation procedures in Northern Ireland*. London: HMSO.

9. Bennett, H. (2012). Baha Moussa and the British Army in Iraq. In P. Dixon (Ed.), *The British approach to counterinsurgency: From Malaya and Northern Ireland to Iraq and Afghanistan*. London: Palgrave Mac Millan.

10. Billig, M. (1995). *Banal nationalism*. London: SAGE.

11. Boden, N. (2010). Cameron apologises for bloody Sunday as damning Saville report blames British soldiers for 'unjustifiable' killings. Daily Mail 16 June. http://www.dailymail.co.uk/news/article-1286798/Bloody-Sunday%2D%2DSaville-Inquiry-Cameron-apologises-shootings-report-blames-British-soldiers-unjustifiable-killings.html. Accessed 1 May 2017.

12. British Army. (2006). *Operation banner: An analysis of military operations in Northern Ireland*. London: MoD.

13. Butler, J. (2009). *Frames of war: When is life Grievable*. London: Verso.

14. Christie, N. (1986). The ideal victim. In E. Fattah (Ed.), *From crime policy to victim policy*. Hampshire: Palgrave MacMillan.

15. Cohen, S. (1993). Human rights and crimes of the state: The culture of denial. *Australian and New Zealand Journal of Criminology, 26*(2), 97–115.

16. Cohen, S. (1996). Government responses to human rights reports: Claims, denials and counterclaims. *Human Rights Quarterly, 18*(3), 517–543.

17. Cohen, S. (2001). *States of denial: Knowing about atrocities and suffering*. Cambridge: Polity Press.

18. Colley, T. (2017). Is Britain a force for good? Investigating British citizens' narrative understanding of war. *Defence Studies, 17*(1), 1–22.

19. Compton, E. (1971). *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: HMSO.

20. Daily Mail. (2017). Justice for Marine A… and a joyful reunion'. *Daily Mail*. < https://www.dailymail.co.uk/news/article-4453830/Justice-Marine-joyful-reunion.html> Accessed 31 October 2018.

21. Dawson, G. (1994). *Soldier heroes: British adventure, empire and the imagining of masculinities*. Oxon: Routledge.

22. Dixon, P. (2012). Britain's Vietnam syndrome: Perspectives on British counterinsurgency, the media and public opinion. In P. Dixon (Ed.), *The British approach to counterinsurgency: From Malaya and Northern Ireland to Iraq and Afghanistan*. Palgrave Mac Millan: Hampshire.

23. Dixon, P. (2016). 'A real stirring in the nation': Military families, British public opinion and withdrawal from Northern Ireland. In G. Dawson, J. Dover, & S. Hopkins (Eds.), *The Northern Ireland troubles in Britain: Impacts, engagements, legacies and memories*. Manchester: Manchester University Press.

24. Dixon, P. (2018). *Warrior nation: War, militarisation and British democracy*. London: ForcesWatch.

25. Doig, A. (2014). Wars of choice or crime? The National Interest, state crime and official overseas British military interventions since 1945. *State Crime, 3*(1), 29–49.

26. Duffy, A. (2016). Searching for Accountability: British-Controlled Detention in Southeast Iraq, 2003–2008. *The International Journal of Transitional Justice, 10*(3), 410–431.

27. Elgot, J. (2016). Theresa may will oppose 'vexatious' allegations against Iraq UK troops. The Guardian 21 September. https://www.theguardian.com/world/2016/sep/21/theresa-may-will-oppose-vexatious-allegations-against-iraq-uk-troops. Accessed 18 November 2016.

28. Fairclough, N. (2001). Critical discourse analysis as a method in social scientific research. In R. Wodak & M. Meyers (Eds.), *Methods of critical discourse analysis*. London: SAGE.

29. Falk, R. (1991). The terrorist foundations of recent US policy. In A. George (Ed.), *Western State Terrorism*. Cambridge: Polity Press.

30. Farmer, B. (2016). Soldiers admit Iraqi boy's drowning death 'wrong'. The Telegraph 18 May. http://www.telegraph.co.uk/news/2016/05/18/soldiers-admit-iraqi-boys-drowning-death-wrong/. Accessed 8 February 2017.
31. Forster, A. (2006). Breaking the covenant: Governance of the British Army in the twenty-first century. International Affairs, 82(6), 1043–1057.
32. French, S. (2015). Military ethics in variant cultural traditions. In G. Lucas (Ed.), Routledge handbook of military ethics. Oxon: Routledge.
33. Galtung, J. (1971). A structural theory of imperialism. Journal of Peace Research, 8(2), 81–117.
34. Galtung, J. (2002). Americanisation versus globalization. In E. Ben-Rafael & Y. Sternberg (Eds.), Identity, culture and globalisation. Brill: Leiden.
35. Galtung, J. (2008). Searching for peace in a world of terrorism and state terrorism. In S. Chiba & T. Schoenbaum (Eds.), Peace movements and pacifism after September 11. Cheltenham: Edward Elgar.
36. Gardiner, L. (1975). Report of a committee to consider, in the context of civil liberties and human rights, measures to deal with terrorism in Northern Ireland. London: HMSO.
37. Green, P., & Ward, T. (2004). State crime: Governments, violence and corruption. London: Pluto.
38. Hansard House of Commons Debate. (1979). http://hansard.millbanksystems.com/commons/1979/mar/16/northern-ireland-bennett-report. Accessed 7 February 2017.
39. Hansard House of Commons Debate. (2015). Sgt Alexander Blackman (marine a). Volume 599. < https://hansard.parliament.uk/Commons/2015-09-16/debates/15091640000001/SgtAlexanderBlackman(MarineA)?highlight=alexander%20blackman#contribution-15091640000006 > Accessed 31 October 2018.
40. Hansard House of Commons Debate. (2017). Armed Forces: Historical Cases. Volume 621. https://hansard.parliament.uk/commons/2017-02-23/debates/4FEA97DC-11F1-4D79-BE1A-A72A45DAD688/ArmedForcesHistoricalCases. Accessed 26 April 2017.
41. Hansard House of Commons Debate. (2018). Fatalities in northern Ireland and British Military Personnel. Volume 635. https://hansard.parliament.uk/Commons/2018-01-25/debates/2254AC9A-A24C-472A-B960-58B824E45A3A/FatalitiesInNorthernIrelandAndBritishMilitaryPersonnel. Accessed 26 March 2018.
42. Hines, L., et al. (2015). Are the armed forces understood and supported by the public? A view from the United Kingdom. Armed Forces & Society, 41(4), 688–713.
43. Hodges, A. (2011). The "war on terror" narrative: Discourse and intertextuality in the construction and contestation of sociopolitical reality. Oxford: Oxford University Press.
44. House of Commons Defence Committee. (2017). Investigations into fatalities in Northern Ireland involving British military personnel. In Seventh report of session 2016–17. London: HMSO.
45. Hudson, B. (2003). Justice in the risk society. London: SAGE.
46. Hudson, B., & Walters, R. (2009). Introduction: Criminology and the war on terror. British Journal of Criminology, 49(5), 603–608.
47. Huntington, S. (1981). The soldier and the state: The theory and politics of civil- military relations. Cambridge: Harvard University Press.
48. Ingham, J. (2018). Ulster veteran refuses life-saving treatment to clear name in Army troubles witch hunt. The Express. https://www.express.co.uk/news/uk/1034712/ulster-troubles-soldier-veteran-clear-name. Accessed 13 November 2018.
49. ITV. (2016). MoD apologises over drowning of Iraqi teenager. ITV. http://www.itv.com/news/2016-09-16/mod-apologies-for-iraqi-teenagers-death/. Accessed 8 February 2017.
50. Jackson, R. (2008). The ghosts of state terror: Knowledge, politics and terrorism studies. Critical Studies on Terrorism, 1(3), 377–392.
51. Kerr, R. (2008). A force for good? War, crime and legitimacy: The British Army in Iraq. Defense & Security Analysis, 24(4), 401–419.
52. Kirkaldy, J. (1986). English cartoonists: Ulster realities. In Y. Alexander & A. O'Day (Eds.), Ireland's Terrorist Dilemma. Dordrecht: Martinus Nijhoff.
53. Kramer, R., & Michalowski, R. (2005). War, aggression and state crime: A criminological analysis of the invasion and occupation of Iraq. British Journal of Criminology, 45, 446–469.
54. Kramer, R., Michalowski, R., & Rothe, D. (2005). 'The supreme international court': How the U.S. war in Iraq threatens the rule of law. Social Justice, 32(2), 52–81.
55. LaBeff, E. (1983). Criminological theories and techniques of neutralization. Free Inquiry in Creative Sociology, 11(1), 29–31.
56. Lawther, C. (2010). Securing the past: Policing and the contest over truth in Northern Ireland. British Journal of Criminology, 50(3), 455–473.

57. Lebow, R. (1976). *White Britain and black Ireland: The influence of stereotypes on colonial policy*. Philadelphia: Institute for the Study of Human Issues.

58. McAleese, D. (2017). Defendant in John-pat Cunningham shooting case said gun had been used in troubles shooting case. *Irish News* 20 March. https://www.irishnews.com/news/northernirelandnews/2017/03/20/news/defendant-in-john-pat-cunningham-shooting-case-said-gun-had-been-used-in-troubles-shooting-case-970680/. Accessed 21 March 2017.

59. McCartney, H. (2011). Hero, victim or villain? The public image of the British soldier and its implications for defense policy. *Defense & Security Analysis, 27*(1), 43–54.

60. McGarry, R. (2015). War, crime and military victimhood. *Critical Criminology, 23*(3), 255–275.

61. McGarry, R., & Walklate, S. (2011). The soldier as victim: Peering through the looking glass. *British Journal of Criminology, 51*(6), 900–917.

62. McGovern, M. (2013). Inquiring into collusion? Collusion, the state and the Management of Truth Recovery in Northern Ireland. *State Crime, 2*(1), 4–29.

63. Mendick, R. (2017, 28 January). British soldiers are being failed by troubles inquiry, Northern Ireland Secretary concedes. The Telegraph. http://www.telegraph.co.uk/news/2017/01/28/soldiers-failed-troubles-inquiry/?WT.mc_id=tmg_share_tw. Accessed 30 January 2017.

64. Morgan, R. (2000). The utilitarian justification of torture. *Punishment & Society, 2*(2), 181–196.

65. Neil Jenkins, K., et al. (2012). Wootton Bassett and the political spaces of remembrance and mourning. *Area, 44*(3), 356–363.

66. New York Times. (1988). Britain tries to stem anger over police killings in Ulster. New York Times. http://articles.sun-sentinel.com/1988-02-23/news/8801110812_1_northern-ireland-shooting-deaths-john-stalker. Accessed 22 November 2016.

67. Ni Aoláin, F. (2000). *The politics of force: Conflict management and state violence in Northern Ireland*. Belfast: Blackstaff Press.

68. Normand, R. (2003). *Tearing up the rules: The illegality of invading Iraq*. New York: The Centre for Economic and Social Rights.

69. O'Brien, S. (2017). Negotiations of Irish identity in the wake of terrorism: the case of the Irish in Birmingham in 1973–74. *Irish Studies Review, 25*(3), 372–394.

70. Paris, M. (2000). *Warrior Nation: Images of war in British popular culture, 1850–2000*. London: Reakton.

71. Parmar, I. (2005). I'm proud of the British empire': Why Tony Blair backs George W. Bush. *The Political Quarterly, 76*(2), 218–231.

72. Partis-Jennings, H. (2017). Military masculinity and the act of killing in hamlet and Afghanistan. *Men and Masculinities,* (advanced online access).

73. Reisigl, M., & Wodak, R. (2005). *Discourse and discrimination: Rhetorics of racism and anti-Semitism*. London: Routledge.

74. Richardson, J. (2007). *Analysing newspapers: An approach from critical discourse analysis*. Hampshire: Palgrave MacMillan.

75. Robinson, P. (2017). Learning from the Chilcot report: Propaganda, deception and the 'war on terror'. *International Journal of Contemporary Iraqi Studies, 11*(1–2), 47–73.

76. Rolston, B. (2002). Assembling the jigsaw: Truth, justice and transition in the north of Ireland. *Race & Class, 44*(1), 87–105.

77. Rolston, B., & Gilmartin, M. (2000). *Unfinished business: State killings and the quest for truth*. Belfast: Beyond the Pale.

78. Rolston, B., & Scraton, P. (2005). In the full glare of English politics: Ireland, inquiries and the British state. *British Journal of Criminology, 45*(4), 547–564.

79. Rothe, D., & Friedrichs, D. (2006). The state of the criminology of crimes of the state. *Social Justice, 33*(1), 147–161.

80. Rothe, D., et al. (2009). That was then, this is now, what about tomorrow? Future directions in state crime studies. *Critical Criminology, 17*(1), 3–13.

81. Rubin, B. (2006). Peace building and state-building in Afghanistan: Constructing sovereignty for whose security. *Third World Quarterly, 27*(1), 175–185.

82. Scraton, P. (2007). *Power, conflict and criminalisation*. London: Routledge.

83. Spector-Mersel, G. (2011). Mechanisms of selection in claim making narrative identities: A model for interpreting narratives. *Qualitative Inquiry, 17*(2), 172–185.

84. Strachan, H. (1997). *The politics of the British Army*. Oxford: Clarendon.

85. Sykes, G., & Matza, D. (1957). Techniques of neutralization: A theory of delinquency. *American Sociological Review, 22*(6), 664–670.

86. The Independent. (2016). Theresa May's keynote speech at Tory conference in full. The Independent. http://www.independent.co.uk/news/uk/politics/theresa-may-speech-tory-conference-2016-in-full-transcript-a7346171.html. Accessed 18 November 2016.

87. Thompson, G. (2018). Help for heroes: From organisational discourse to a new orthodoxy. *Public Relations Inquiry, 7*(1), 25–43.

88. Treadwell, J. (2016). The forces in the firing line? Social policy and the 'acceptable face' of violent criminality. In R. McGarry & S. Walklate (Eds.), *The Palgrave Handbook of Criminology and War*. London: Palgrave.

89. Tweedie, J., & Ward, T. (1989). The Gibraltar shootings and the politics of inquests. *Journal of Law and Society, 16*(4), 464–476.

90. Van Dijk, T. (1993). Principles of critical discourse analysis. *Discourse & Society, 4*(2), 249–283.

91. Walklate, S., & McGarry, R. (2015). Competing for the 'trace': The legacies of war's violence(s). In S. Walklate & R. McGarry (Eds.), *Criminology and war: Transgressing the borders*. London: Routledge.

92. Walklate, S., & McGarry, R. (2016). Murderousness in war: From my Lai to marine a. In K. Fitzgibbon & S. Walklate (Eds.), *Homicide, gender and responsibility: An international perspective*. London: Routledge.

93. Welch, M. (2007). Sovereign impunity in America's war on terror: Examining reconfigured power and the absence of accountability. *Crime, Law and Social Change, 47*(3), 135–150.

94. White, L. (2010). Discourse, denial and dehumanisation: Former detainee's experiences of narrating state violence in Northern Ireland. *Papers from the British Criminology Conference, 10*, 3–18.

95. White, L. (2015). *Transitional justice and legacies of state violence: Talking about torture in Northern Ireland*. London: Routledge.

96. Williams, A. (2012). *A very British killing: The death of Baha Mousa*. London: Random House.

97. Williams, A. (2016a). A conspiracy cooked up by 'activist left-wing human rights' lawyers? *Lacuna* November. http://lacuna.org.uk/war-and-peace/conspiracy-cooked-activist-left-wing-human-rights-lawyers/. Accessed 6 February 2017.

98. Williams, A. (2016b) British torture in Iraq and the state's 'corporate memory loss'. *Lacuna* November. http://lacuna.org.uk/justice/british-torture-iraq-states-corporate-memory-loss/. Accessed 6 February 2017.

99. Wodak, R. (2006). Discourse-analytic and socio-linguistic approaches to the study of nation(alism). In G. Delanty & K. Kumar (Eds.), *The SAGE handbook of nations and nationalism*. London: SAGE.

100. Woodward, R., & Jenkings, K. N. (2012). 'This place isn't worth the left boot of one of our boys': Geopolitics, militarism and memoirs of the Afghanistan war. *Political Geography, 31*, 495–508.

101. Woodward, R., & Winter, T. (2007). *Sexing the soldier: The politics of gender and the contemporary British Army*. London: Routledge.