Power and politics in public inquiries: bloody sunday 1972

Kate Kenny & Niall Ó Dochartaigh

Published online: 16 Mar 2021.

Submit your article to this journal ⍈

Article views: 254

View related articles ⍈

View Crossmark data ⍈

Power and politics in public inquiries: bloody sunday 1972

Kate Kenny[a] and Niall Ó Dochartaigh[b]

[a]J.E. Cairnes School of Business and Economics and Whitaker Institute, National University of Ireland Galway, Galway, Ireland; [b]School of Political Science and Sociology and Whitaker Institute, National University of Ireland Galway, Galway, Ireland

ABSTRACT

What are the dominant framings by which public inquiries understand and analyze power dynamics in the events they examine? We draw on unique data from the Saville Inquiry into the killing of 13 people by British soldiers at acivil rights demonstration in Northern Ireland in 1972. Juxtaposing an analysis of the actions of senior military figures with the final Inquiry report, we show how an approach of 'sufficient rationalization' dominated apublic inquiry's conclusions, marginalizing and discounting important aspects. Emphasizing the local exercise of power and affective attachments, our article contributes an alternative approach to analyzing public inquiries.

1. Introduction

When an organizational disaster occurs, people demand answers. Responses often involve a public inquiry, particularly in cases where the legitimacy of important institutions such as the state is challenged (Emerson 1981, Brown 2000). These events act as important ceremonies in a period of post-crisis adjustment during which the affected society comes to terms with the implications of the disaster and tries to make sense of it (Turner 1976, 1978, Brown 2000, Maitlis and Sonenshein 2010). Inquiries gather witness accounts, details of site visits, personal opinions and expert testimony, examining these to produce a version of what occured (Gephart 1993). The ensuing report typically represents the official response to the disaster, and forms the basis for subsequent organizational learning by relevant parties (Turner 1978, Brown 2005). The study of public inquiries, and the reports that emanate from them, is increasingly vital because of the growing volume of unexpected, rare events with which they deal (Colville *et al.* 2013), and because of their influence on public policy (Brown 2004). This research area represents a rich empirical resource for theory-building in the area of political power and organizations (Gephart 1997, Brown 2000, Colville *et al.* 2013).

One approach to studying inquiries is to focus on the events that comprised the disaster, and how actors made sense of these, often at the micro-level (Gephart 1992, Wicks 2001, Colville *et al.* 2013). Another is to examine the production of resulting reports and texts (Brown 2000, 2004, Ainsworth and Hardy 2012). Less frequent have

been studies that juxtapose these different levels in order to examine how public inquiries understand and analyze the power relations that characterize the events they examine.

2. Public inquiries and power

Ostensibly public inquiries welcome wide participation, facilitate 'unconstrained communication', and yield consensual verdicts. The reality is often different (Boudes and Larouche 2009; Topal 2009). The work of inquiries, and the reports that result, are in fact exercises in power. For example, public inquiries often result in a particular hegemonic version of events being widely accepted (Brown 2000, 2004, 2005, Maitlis and Sonenshein 2010, Whittle and Mueller 2011, Ainsworth and Hardy 2012). This can depoliticize the original disaster and/or absolve powerful interest groups of responsibility, upholding their perceived legitimacy (Brown 2000, 2005 p. 1579, Motion and Leitch 2009, Topal 2009). Public inquiries also serve the purpose of reducing societal anxiety, for example by reassuring the public that control has been reinstated, post-disaster (Brown 2000, 2005). The specific language utilized in inquiries and their reports is intended to ensure that the findings will be accepted as authoritative and beyond challenge (Brown 2004, Maitlis and Sonenshein 2010, Brown *et al.* 2012). In today's society such acceptance is a necessary precondition of an effective exercise of power: 'power is tolerable only on condition that it mask a substantial part of itself. Its success is proportional to its ability to hide its own mechanisms' (Foucault, 1976, p. 86).

One way in which these aims are achieved is through the allocation of blame in a manner that deflects attention away from a challenge to dominant institutions (Turner 1976, Gephart 1993, Boudes and Larouche 2009). For example, this paper analyzes the Saville Inquiry into the events of Bloody Sunday, when thirteen people were shot dead and seventeen others wounded by British soldiers who opened fire on civil rights protesters in the Bogside area of Derry/Londonderry[1] on Sunday 30 January 1972. Soon after, an inquiry was carried out by Lord Widgery in response to international condemnation of the event, with a report published after just eleven days of deliberation. The 1972 Widgery report largely absolved the British soldiers involved, concluding that shots had been fired at them before they began to shoot, that the soldiers had not breached their orders and that some of the protesters might have been armed, despite the lack of firm evidence on this point. The Widgery Inquiry was widely condemned as a transparent attempt to minimize the damage to Britain's political position in Northern Ireland (McCann *et al.* 1992). When British Prime Minister Edward Heath met with Lord Widgery he urged him to bear in mind that they were fighting a 'propaganda war' in Northern Ireland as well as a war on the ground.[2] Eyewitnesses, survivors and relatives of the dead heavily criticized the report and a campaign was launched to demand a more comprehensive and independent inquiry. The Saville Inquiry was established in 1998 and is the focus of this article.

2.1. Public inquiry texts: foucault and power/knowledge

The work of Michel Foucault has proved useful in investigating the power effects inherent to public inquiries (Ashenden 1996, Brown 2000, 2004, Motion and Leitch 2009). Inquiry reports are examples of the 'modalities of knowledge' that Foucault describes as encapsulating relations of power through their implicit construction of authoritative knowledge (1975,

p. 27). Following Foucault, studies show how various rhetorical devices are deployed in ways that shape knowledge and create a particular version of reality (e.g. Brown 2000, 2004, Ainsworth and Hardy 2012, Brown *et al.* 2012). Authors of inquiry reports embed their version of events within existing discursive networks, so as to construct an account that will be seen as valid (Ainsworth and Hardy 2012). This approach helps to shed light on the ways in which power is exercised through specific 'authorial strategies' (Brown 2000, p. 45), in the production of an ostensibly consensual, post-disaster, inquiry report (Brown 2004, Boudes and Larouche 2009, Ainsworth and Hardy 2012, Brown *et al.* 2012). The emphasis in this approach is on examining the text of the report and its power effects.

2.1.1. Power and rationality

A discursive appeal to rationality is one of the most powerful forms of legitimization in modern institutions (Di Maggio & Powell, 1983; Suchman 1995, Flyvbjerg 1998, Cabantous and Gond 2011), and public inquiries are no exception. Inquiry decisions are for example generally grounded in 'institutional-rational frameworks' in which technical evidence, assessment of actors' formal compliance with rules and procedure, and other rational measures, are given primacy (Gephart 1997, Topal 2009, p. 278). People's actions are judged on the basis of whether or not they reflect rational decision-making; actors cannot be faulted if they can show that they have adhered to procedure and acted on the basis of rational calculation and analysis. Under this framework, actors involved in disasters can and do employ 'situational logic' to account for their decisions (Brown 2000, p. 68, Gephart 1992, p. 132 in Brown 2004). Thus decisions that are shaped by unequal power relations and by intense struggle are presented as the outcome of a disinterested application of rationality and logic (Flyvbjerg; 1998, p. 228); power and rationality are intertwined. Rationality represents a significant discursive element in the conduct of public inquiries and the production of their reports.

2.1.2. Interpretations of power at public inquiries

Even given this focus on discursive power, what we don't know is how public inquiries approach and interpret the concept of power itself. This is somewhat unusual because it is clear that organizational disasters, and responses to them, are by their very nature saturated with power activity, involving attempts by actors to influence events, persuade others and defend their own actions. The perspective taken by public inquiries on such power activity should be an important focus for analysis, and yet few such studies exist. Inquiries yield rich sources of information: diverse empirical data from multiple sources, and the final report – an official account of events distilling this diversity, excluding certain perspectives while including others. But these two sources – the empirical data and the final report – are rarely juxtaposed for interrogation. This prompts the research question: what are the dominant framings by which public inquiries understand and analyze power dynamics in the events they examine?

In response, we build on existing approaches to inquiries that draw on Foucault, but rather than examining the final report as authoritative text only, we follow his recommendations for exploring the emergence of a discursive nexus of power relations. Beginning by discussing extant literature, we then describe our methodological approach and the empirical material used: recently-gathered evidence relating to the Bloody Sunday killings of 1972 and the resulting report of the Saville Inquiry. We analyse

these to examine the discursive nexus influencing the interpretation of power adopted by the Inquiry, outlining three key themes. We conclude with implications for the study of power in the context of public inquiries.

3. Examining emergent discursive networks in public inquiries

The power dynamics of public inquiries are necessarily complex; a range of groups, subgroups, and individuals are involved, each possessing a different agenda and interpretation of events (Brown *et al.* 2012). No singular framing could account for this interpretive plurality (Brown 2000, p. 67). Foucault's work on power in *History of Sexuality I* and related texts gives primacy to such complexity. He argues that in order to study the emergence of dominant discursive formations, one must examine the various underlying movements that give rise to their manifestations. These are never stable, always in flux, and scholars must pay attention to the 'multiplicity of discursive elements' that can 'come into play in various strategies', and which make up dominant discourses (Foucault 1976, p. 100). To counter the tendency to take discursive formations at 'face value' therefore, scholars must investigate 'the actual practices of politics', to 'look at what people actually do, not only what they say they do nor their stated reasons for doing it' (Flyvbjerg 1998, p. 7–8).

We are interested in studying the discursive 'nexus' that governs the approach to power relations adopted by public inquiries and Foucault offers a number of insights into how this might be achieved (Boudes and Larouche 2009). First, the observer must begin with the 'local centres' (Foucault 1976, p. 98), the specific situations in which such discursive formations emerge; what are 'the most immediate, the most local power relations at work?' (1976, p. 94). Second, how do these enable certain kinds of discourses to emerge and 'conversely, how [are] these discourses used to support power relations?' The focus here must be on the 'variants and different effects – according to who is speaking, his [sic] position of power, the institutional context in which he happens to be situated- that it implies.' (1976, p. 100). When studying the various 'distributions' of local instances, we must therefore focus on both 'the things said *and* those concealed, the enunciations required and those forbidden' (1976, p. 12, emphasis added). Third, the observer must ask: 'how were these power relations linked to one another according to the logic of a great strategy, which in retrospect takes on the aspect of a unitary and voluntarist politics . . . ?' (1976, p. 94). Here Foucault is concerned with the way local manifestations of power can coalesce to influence and form broader discourses.

Fourth, Foucault recommends examining the role of subjects in the continuation of power. Power and discourse proliferate so long as people subject themselves to these structures, identifying with them and constituting themselves as subjects in response. He does not detail how this takes place and here it is useful to turn to Foucauldian scholar Judith Butler, who usefully draws on insights from psychoanalysis and feminist studies to understand how discursive formations come to be reproduced (Butler 1990, 1997; see also Hall 2000). Butler follows Foucault's observations that subjection to discourse inevitably occurs through interaction with others; networks of power operate through the multiple and disparate activity of local actors (Foucault 1982, p. 1990). Butler proposes that because power is implicated in the very formation of the subject, this means that subject and 'other' are always intertwined (Butler 1993, 1997). The 'force' of

subjection operates because of the subject's inescapable desire for recognition by the other, and by discourse. We all need to be recognized as valid subjects under discourse, and this generates 'passionate', psychic attachments to particular discursive regimes (Butler 1997, p. 8). This is a crucial extension to Foucault's conception of discourse. Understanding these subjective attachments to power requires an attentiveness to the 'emotional ways' in which a subject responds to the reflections offered by others (Butler 2004, p. 235): to the 'passion and grief and rage we feel' which bind us to powerful discursive regimes (Butler 2004, p. 20). Affective, intersubjective attachments offer important insights into the workings of power (see also Kenny 2018, 2019).

In the work of Foucault and scholars who draw on his ideas, we discern an implicit theoretical framing of how to understand the emergence of a discursive network. Instances in which dominant discursive forces come to be crystallized in elements of the state apparatus, including via significant social rituals, offer particularly useful sites of study (Foucault 1984). Public inquiries represent one such instance, albeit that this theory has not to date been used in such studies. As we will show, the Inquiry into Bloody Sunday chaired by Lord Saville provides an ideal and important case through which to examine this phenomenon.

4. Method

The campaign to redress the errors of the Widgery Report into the events of Bloody Sunday finally succeeded after 25 years and the Saville Inquiry began its work in 1998. Keenly aware that the previous report had been criticized as perfunctory and incomplete, the second inquiry went to extraordinary lengths to gather every possible scrap of potentially-relevant evidence, to generate new data, and to commission a range of detailed technical reports on issues such as ballistics and military communication technologies. This concern to produce an account that was as comprehensive and complete as possible generated a significant collection of data that illuminates in sharp detail the events of the day and the decision-making processes that led to those events. The official account emerging from this, the 'Saville Report', is the focus of this paper. Juxtaposing the final report with the vast archive of evidence now available for analysis offers a unique opportunity to examine in depth the interpretation of power in this setting.

4.1. Data collection

This paper draws on one of the most comprehensive and extensive collections of data ever to be assembled on the role of a state bureaucracy in a controversial incident. The Saville Inquiry provides a significant body of evidence on the ways in which military bureaucracies work, on the relationship between military and political control and on the development of British government policy in Northern Ireland during the early years of the conflict.[3] Notwithstanding, in this paper we focus on the role of key decision makers in the British Army in relation to Bloody Sunday, the representation of their actions in the subsequent inquiry, and how this relates to the Inquiry's conception and analysis of power. It is not simply the volume, but the diversity of the evidence gathered in relation to this event that makes this a unique resource for understanding the dynamics of such processes.

This paper is multi-method (Eisenhardt 1989), drawing on a wide range of materials to analyse the factors influencing the decision-making process around the events of Bloody Sunday, in particular the oral testimony and statements of senior military, political and police personnel, and associated documentary evidence [see Table 1]. Much of the data was available on the website of the Bloody Sunday Inquiry.[4] Further data was converted into electronic format where possible. In addition, Researcher 1 spent significant time observing events around the Inquiry, providing transcripts of his own research interviews as evidence when requested. He was also interviewed by Inquiry lawyers. His academic research on the background to Bloody Sunday was cited extensively in the final report.

4.2. Data analysis

Aiming for 'interpretive plurality' and multiple perspectives (Foucault 1976, Brown 2000, Brown et al. 2012), our data included statements and oral testimony as well as official
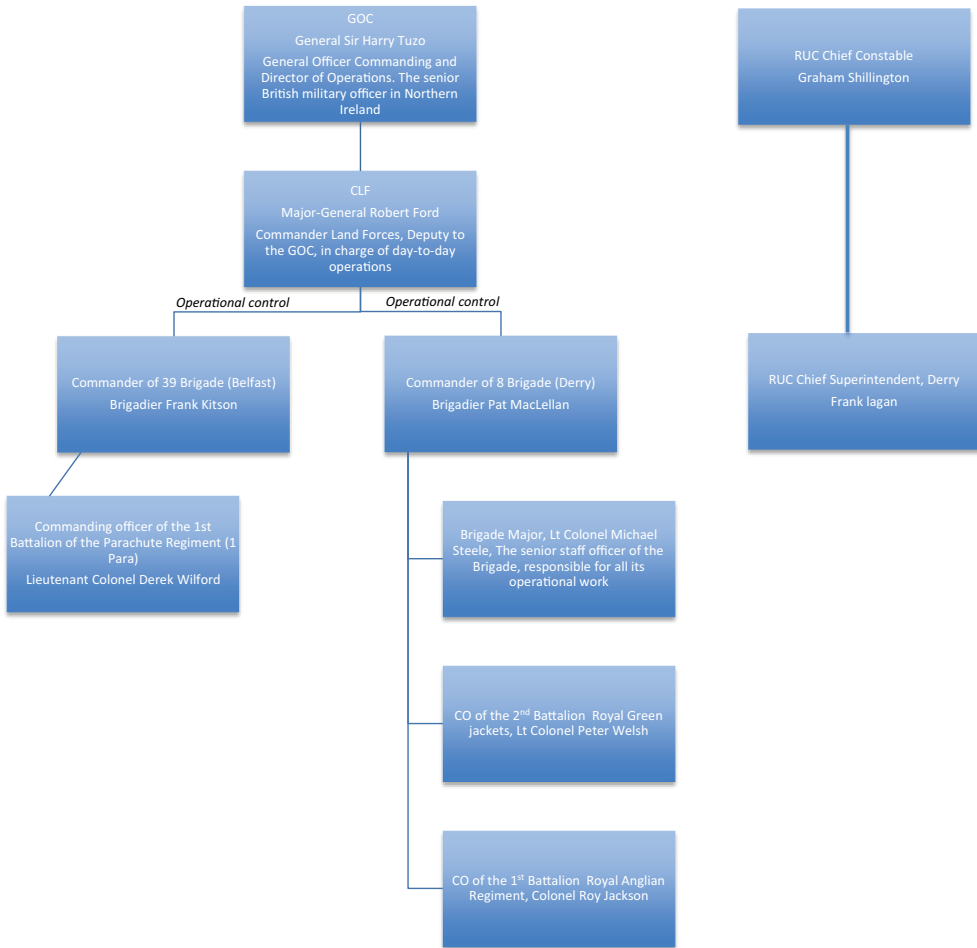

Figure 1. Individuals and roles.

Table 1. Sources of data.

Statements to the Bloody Sunday Inquiry
Carver, Lord, (former Chief of the General Staff) 24 July 1999
Ferguson, Lieutenant Colonel James, 13 January 2003
Ford, General Sir Robert, 23 March 2000
Heath, Sir Edward, 15 March 2000
Inq 406, Operations Officer of 22 Light Air Defence Regiment, 2000
Jackson, Colonel Roy, March 2000
Jackson, Colonel Roy. Supplemental statement. 10 October 2003
MacLellan, General Andrew Patrick, 2000
McCullagh, Patrick Mary, 20 July 2000 and 4 April 2002
Ramsbotham, General Sir David (military assistant to the CGS in 1972) 6 March 2000
Steele, Major-General Michael, 6 October 2000
Welsh, Major-General Peter, 3 August 2000
Wilford, Colonel Derek, 2000
Wright, Sir Oliver, former 'UK Government Representative' in Northern Ireland, 30 August 1999
Witness evidence and oral statements to the Bloody Sunday Inquiry
Clarke, Christopher QC, Counsel to the Inquiry. Opening Statement of 27 and 28 March 2000
Clarke, Christopher QC. Closing Submission 22 and 23 November 2004
Ferguson, Lieutenant Colonel James, 13 January 2003
Ford, General Sir Robert, 29 – 31 Oct, 4–6 November 2011–12 November 2002
Lord Gifford (Senior Counsel representing families) Closing Submission, 14 June 2004
Glasgow, Edwin (Senior Counsel representing armed forces), Opening statement, 27 November 2000.
Glasgow, Edwin, Closing Submission, 9 June 2004
Jackson, Colonel Roy, 20–22 January 2003
Kitson, Frank (former commander of 39 Brigade, Belfast) 24 September 2002
MacLellan, General Andrew Patrick, 19–22 and 25 November 2002
McCullagh, Patrick Mary, (former RUC Superintendent in Derry) 11 and 12 September 2002
Ramsbotham, General Sir David, 30 October 2002
Smith, William (former secretary to the Widgery Inquiry) 26 September 2002
Steele, Major-General Michael, 26–28 November 2002
Welsh, Major-General Peter, 14–15 January 2003
White, Kelvin, (former senior Foreign Office official) 3 December 2002
Wilford, Colonel Derek, 25–26 March 2003
Inquiry Reports
Great Britain. Parliament. Report of the Tribunal appointed to inquire into the events on Sunday, 30 January 1972, which led to loss of life in connection with the procession in Londonderry on that day. [Widgery Report, HC 220] London: HMSO, 1972.
Saville Report, Especially Volumes I, II and VIII. Archived at http://webarchive.nationalarchives.gov.uk/20101103103930/http://report.bloody-sunday-inquiry.org/
Other primary sources
Ford, Major General Robert, 'Future military policy for Londonderry. An appreciation of the situation by CLF'. 14 December 1971. Attached to General Ford's Statement to the BSI.
Ford, General Sir Robert. 'Interview with Desmond Hamill'. Attached to General Ford's Statement to the BSI. 1984.
MacLellan, Brigadier Andrew Patrick. Letter to Major General Robert Ford, 15 March 1972. Attached to General MacLellan's statement to the Bloody Sunday Inquiry.
MacLellan, General Andrew Patrick. 'Interview with Desmond Hamill' 1984. Attached to MacLellan's Statement to the Bloody Sunday Inquiry.
Wilford, Colonel Derek, 1972, Statement to the Widgery Inquiry attached to Wilford's Statement to the Bloody Sunday Inquiry.

documents, letters, autobiographies and transcripts of media interviews. Key individuals were isolated based on their influence on the events surrounding Bloody Sunday (see Figure 1). We juxtaposed accounts of events with the official Inquiry report, noting discrepancies and differences (Brown 2005). We used an abductive analytic process (Wodak 2004). First, data relating to each individual was read through without making annotations to acquire a broad overview of individuals' involvement. Researcher 1 wrote theoretical and conceptual memos to note cross-references and contradictions with the

findings of the Saville Inquiry report. Key excerpts were highlighted, copied and pasted into a data summary document for each individual.

As a second step we turned to Foucault's observations on the emergence of discursive formations and analyzed the data with these in mind, iterating between excerpts and the literature. Both researchers engaged in separate processes of coding. Our focus was on the conception of power adopted by the Inquiry and its analytic approach to studying it. Foucault is deliberately vague on the 'methodological' implications of his ideas, as he is loath to be perceived as instilling an alternative 'meta-theory' for the understanding of power (1976, p.82) and so it was useful here to draw on well-known scholarly interpretations such as Andersen's (2003). Based on this and on our own reading of Foucault, our analysis was concerned with: local settings and the immediate power relations at work therein; the ways in which these enable certain kinds of discourses to emerge that in turn support particular power relations; a focus on who is enunciating the statement in question, where they are positioned in terms of hierarchy and institutional context; the linkages of local manifestations of power to wider discursive frameworks, and an awareness of the 'force' of subjection to power as it manifests itself through subjects' affective attachments to particular discursive regimes. Through this process significant themes emerged relating to decision-making, justification of actions and affective connections (see Table 2 for these, sub-themes and illustrative data excerpts).

This paper examines how the events of 1972 are understood by an inquiry conducted some 25 years later. As such, our analysis necessarily iterates between manifestations of power relations at these two points in time, and explores how shifts occurred in the gaps between recollection and analysis. Understanding for example local power relations in 1972 helps us to understand the discursive nexus emerging at the Inquiry, and importantly how those power relations are reinforced and reproduced in the discourse of the Inquiry, or indeed altered by it.

5. Findings

5.1. *Events leading up to bloody sunday 1972*

While there remain significant differences in interpretation of the events of the day, the Saville Inquiry into Bloody Sunday 1972 clarified the facts in relation to many disputed issues and created a much broader consensus, expanding the common ground shared by all parties. Despite criticisms of certain aspects of the Report there is near universal agreement that it was extraordinarily thorough and careful. Its conclusions, with some reservations, were welcomed warmly by survivors, relatives and campaigners.

A civil rights march had been planned for Sunday 30 January 1972 to protest against internment, a recently-introduced measure that enabled British forces to hold suspects in custody for an indefinite period. The Army operation for dealing with the march, *Operation Forecast*, became a site of intense struggle between senior officers in Belfast who wanted a tougher approach to be taken in Derry, and local security force commanders who sought to moderate the planned operation and erode its confrontational intent. This struggle reflected recent events in the city; while a policy of relative restraint on the part of the local police and Army had been in place, this was overturned in October 1971 when the British government gave the go-ahead for much more intense repression across Northern

Table 2. Power and politics, and how these were analysed.

Themes	Sub-themes	Findings from Inquiry Evidence	Inquiry Report Interpretation	Conceptual Question
1. Politics of operational decision-making	Repression in Derry Attitudes to Repression as Situated	Attitudes to repression appeared to influence operational decisions. This represented an attempt to alter the overall outcome both for those in favour of restraint, and those opposed to the policy. These attitudes were influenced by where individuals were located and those they were in contact with.	Individual witnesses were personally dissatisfied with the behaviours of certain actors, but this did not represent either an overall dissatisfaction or support for official policy (and in any case it is irrelevant) This did not represent an attempt to alter the overall outcome. This was not relevant	*What are the most immediate, most local power relations at work?* Contra to the findings, attitudes to repression appeared key. *How do these enable certain kinds of discourse to emerge?* The report's interpretation (that is, its disregarding) of these enables an understanding of power as disconnected from personal attitudes and biases, to emerge in this setting. As above
2. Politics of justifying actions	Rationality as rationalization	Clear attempts by individuals to modify the ultimate outcome were justified in narrow technical terms, by the witnesses. Witnesses drew on a logic of rationality to do this.	Justifications in narrow technical terms were accepted as such. Logics of rationality were not queried.	*How is the emergent discursive nexus linked to an overall strategy that then appears unitarist and voluntary?* The ubiquity of discourses of 'rationalization as rationality' within public inquiries is noted by other scholars. This is both drawn upon and strengthened here by its use in practice.
3. Politics of Affective Connections	Friendship and Trust Emotional investment	A 'shadow hierarchy' was in operation such that informal relationships were at odds with people's 'official' position of power. Senior figures appeared to be emotionally involved in decisions made on the day, fuelled by ideologies and personal relationships	These elements were disregarded and marginalized as irrelevant The report asks only whether behaviour is proper and conforms with formal structures and official role requirements. As above	*How do subjects' passionate attachments to power influence the overall discursive nexus?* Despite appearing to be an important driver of actions and decisions, emotion and affect are downplayed at the Inquiry, thus negating and ignoring this important dynamic of power activity.

Ireland. There was a further reversal in Derry on January 5 1972, just a few weeks before Bloody Sunday, with a return to a policy of restraint that was formally sanctioned by the British Government. Official policy on restraint had altered a number of times.

In response to an initial proposal from Derry-based commanders that they take a very low-key and conciliatory approach on the day of the march, the Commander Land Forces, General Ford (see Figure 1), decided on his own initiative to send troops from the Parachute Regiment (Paras)[5] to Derry to conduct a massive arrest operation at the event. On the day, when the march reached Derry's Bogside, thirteen people were killed by gunfire and seventeen were injured, as British soldiers opened fire on the protestors. A key finding of the Saville Inquiry was that the Paras had ultimately disobeyed the restraining elements in local commanding officer Brigadier Patrick MacLellan's orders, and acted contrary to his instructions.

5.2. The saville report and official statements

Analyzing responsibility for the 13 deaths was an important aspect of the Inquiry's work. The Saville report found that Lieutenant Colonel Derek Wilford, the officer in charge of 1 Para (see Figure 1), was largely at fault. Saville noted that he:

> ... either deliberately disobeyed his commander Brigadier Patrick MacLellan's order or failed, for no good reason, to appreciate the clear limits on what he had been authorised to do (BSI Report, vol 1, para 3.19).

The report adds that Colonel Wilford was wrong to send 1 Para deep into the Bogside for the additional reason that:

> ... his soldiers, whose job was to arrest rioters, would have no, or virtually no, means of identifying those who had been rioting from those who had been taking part in the civil rights march; and because he should not have sent his soldiers into an unfamiliar area which he and they regarded as a dangerous area, where the soldiers might come under attack from republican paramilitaries, in circumstances where the soldiers' response would run a significant risk that people other than those engaging the soldiers with lethal force, would be killed or injured by army gunfire (BSI Report, vol 1, para 4.24)

In relation to General Ford, as the overall operational commander in Northern Ireland at the time, he was mildly criticised for deploying the Paras to Derry:

> 1 Para was a force with a reputation for using excessive physical violence, which thus ran the risk of exacerbating the tensions between the army and nationalists in Londonderry (BSI Report, vol 1, para 4.8).

However, the report adds that Ford:

> ... had no reason to believe, and did not believe, that the risk of the soldiers of 1 Para firing unjustifiably during the course of an arrest operation was such that it was inappropriate for that reason for him to use them for such an operation (BSI Report, vol 1, para 4.8).

Referring to a memorandum of Ford's from earlier in January 1972 in which he suggests that selected rioting 'ringleaders' might be shot after warnings were issued, the report expresses surprise that an officer at such a senior level would consider this. However, notes

Saville, he is certain that this idea was not adopted on the day itself and that the shootings were not a result of any concrete 'plan to shoot selected ringleaders'. The report adds that:

> We found no evidence to suggest that the use of lethal force against unarmed rioters, who were not posing a threat of causing death or serious injury, was contemplated by General Ford, or those senior to him, as a possible means of dealing with any rioting that might accompany the then forthcoming civil rights march (BSI Report, vol 1, para 4.10).

In relation to MacLellan, the report finds that he 'does not bear any responsibility for the deaths and injuries from the unjustifiable firing by soldiers on Bloody Sunday', having ordered arrests to be carried out only after he was assured that 'rioters' and peaceful marchers had been separated out (BSI Report, vol 1, para 4.14).

Overall, the events surrounding the Bloody Sunday shootings involved a number of senior individuals in the British Army organization in Northern Ireland. The Saville Report framed their involvement in particular ways. It concludes that, in the context of a more or less unified military anxiety over increasing disorder in Derry, *Operation Forecast* was an essentially responsive move, driven by directly operational concerns, that is, by concerns about how events might unfold on the day of the march, rather than relating to the government's overall policy on security. This conclusion is largely shared by academic analysts of the event, who generally accept the accounts of key military witnesses (Bew 2005, Hennessey 2007). The Saville report represents an accepted and official account of events, as have inquiry reports in other settings (Turner 1976, 1978, Gephart 1997, Brown 2000).

In this paper, we dig deeper into the Inquiry and its subsequent report. Drawing on the rich data made available, we examine the discursive nexus surrounding both, with specific attention to how power dynamics during the events were understood and analyzed at the Inquiry. We draw on Foucault's observations on the emergence of power-knowledge relations to do this. This helps us to understand the workings of power in the decision-making process surrounding Bloody Sunday, and how this process was analysed and represented in the Saville Report.

6. Power and its interpretation at the saville inquiry

In what follows, witness accounts and Saville's interpretation of them are woven together to analyze the understanding of power adopted by the resulting report. We focus on three key themes: the politics of decision-making, justifying actions and affective connections. For each theme, we first present data relating to it, using sub-categories, before moving to describe how the theme was represented in the final Saville Inquiry report.

6.1. Theme 1: politics of operational decision-making

Repression was the most controversial and contested aspect of British rule in Northern Ireland and an issue on which unionist and nationalist opinion was polarized. Internment without trial, the intensive militarization of predominantly nationalist areas and heavy-handed action by the security forces in response to the violent challenge from the IRA were all hotly-contested. Nationalists emphasized the need for political transformation to remove the causes of disorder 'at source'. Unionists on the other hand

pressed hard for the intensification of repression without a transformation of the political system.

6.1.1. 'Immediate' power relations: repression in derry

From the findings of the Inquiry, it is clear that this cleavage on the issue of repression extended to senior security force figures involved in decision-making around Bloody Sunday, who expressed sharply contrasting visions of repression in the predominantly nationalist city of Derry. The evidence highlighted, for example, Wilford's and Ford's deep dissatisfaction at the high levels of restraint exercised by the military in the city. Wilford later said:

> We were an outside battalion brought in, but I don't think the RUC and the brigade that were in Londonderry were actually very much on side . . . [They] were not at all happy about what we were being asked to do. I just felt that there was a pacifist sort of attitude.[6]

General Ford had 'never really agreed' with the policy of restraint in Derry to which the GOC, General Tuzo, had consented in August 1971. Ford also remarked that:

> There was a lot of pressure from Stormont [The Unionist Government of Northern Ireland] to take tough action and I agreed with that.

As such, General Ford aligned himself directly with unionist preferences on repression.[7] On Bloody Sunday itself he told a Derry-based officer 'That's the trouble with you in Londonderry, you aren't aggressive enough'.[8]

By contrast, Brigadier MacLellan, commander of 8 Brigade in Derry and the chief of police in the city, Chief Superintendent Frank Lagan, emphasized the need to limit repression and prevent the deterioration in the military's relations with the nationalist majority in the city (Ó Dochartaigh 2005). The evidence presented at the Inquiry demonstrates how these contrasting perspectives fed directly into operational decision-making on the ground on the day of the march and contributed to local variation in policy implementation. They even fed back up the chain of command to reshape it, as when Brigadier MacLellan effectively modified government policy in relation to Derry by securing the temporary suspension of an operational directive issued by General Ford (Ó Dochartaigh 2010).

6.1.2. Attitudes to repression as situated

People's attitudes towards repression were key aspects of the 'immediate' (Foucault 1976, p. 94), local power relations at work in Derry in 1972. Examining this in more depth, it appears that the contrasting and culturally-distinct local contexts within which these senior figures were embedded, was influential in shaping these attitudes. A Protestant unionist majority in Northern Ireland provided permanent popular and political support for intense repression. British military and political decision-makers worked alongside Unionist government ministers and a police hierarchy that was closely aligned with unionist opinion. They were constantly exposed to unionist perspectives through direct personal contact in overwhelmingly Protestant towns such as Lisburn just outside Belfast, where HQNI [British Army Headquarters, Northern Ireland] was located. As a consequence, unionist attitudes and perspectives within and outside the security forces appeared to exert an influence on key individuals at every level throughout the organization.

In Derry, by contrast, ongoing pressure and influence from nationalist civil society directly shaped military decision-making in the city. As MacLellan put it:

> I know there was some feeling in Belfast that we should give the Catholics a bloody good hiding. But that feeling came from a Protestant dominated city, where you could act harder with much greater public support.[9]

The local police chief, Frank Lagan, was a Catholic who opposed repressive policies and maintained strong links across the Catholic community. Through him, nationalist attitudes influenced the security forces in Derry at the highest levels and acted to moderate repression in the city in the early 1970s (Ó Dochartaigh 2005, p. 269–289, 2009). We see therefore that in the operation of this local manifestation of power, the institutional context in which key agents found themselves was crucial (Foucault 1976). In addition, the resulting political beliefs and ideologies were influenced by affective relationships with other people, as will be explored later.

6.1.3. The saville report on operational decision-making

Sharply contrasting views within the security forces on the political issue of repression appear to have contributed to the shaping of decision-making at the operational level. The Saville Report acknowledged this but presented it as a side issue, with minimal importance for understanding what happened on the day.

Dealing with this internal struggle, the report noted that many in the military were critical of the levels of restraint in Derry. Saville explicitly traces a connection between the attitudes of General Ford who devised the operation, and Colonel Wilford who commanded the Paras and the troops themselves.

> General Ford was clearly unhappy with the situation in the city and the attitude of the local commanders. Colonel Wilford, the Commanding Officer of 1 PARA, long afterwards expressed the view to the journalist and writer Peter Taylor that, to him and his soldiers, the sight on television of soldiers never going forward and just standing like "Aunt Sallies" in the face of hooligans attacking them was "quite horrifying" and that his soldiers were never going to act in that way; though when he gave evidence to us he sought to resile from these remarks.[1] The Regimental Sergeant Major of 1 PARA expressed the same view in his written statement to this Inquiry, describing the local troops as cowering behind barriers being stoned and petrol bombed.[2] To our minds the views of their Commander and their Regimental Sergeant Major were likely to have been shared by many others in 1 PARA (BSI Report, vol 1, para 9.763).

As outlined above, these attitudes were nested in a broader political struggle over the issue of repression. They provided the motivation for the operation and decisively shaped its outcome. Despite the clear importance of these dynamics, the Saville Report provides a depoliticized reading of this evidence. It is presented in terms of individual witnesses expressing their personal dissatisfaction with the conduct of 'pacifist' officers and 'cowering' soldiers rather than opposition to a policy of restraint in Derry, which had been mandated by the British government in pursuit of better relations with the nationalist minority.

This striking alignment of attitudes between the architect of the operation, General Ford, and the Paratroopers he decided to deploy in the Bogside was not accorded any great significance in explaining the outcome of the Bloody Sunday operation. Part of the

reason for this involves the implicit model of operational decision-making with which the Report worked. Drawing a sharp distinction between the operational (day-to-day implementation) and the political (high-level decision-making), the Report characterized the military as a technical instrument for the implementation of policy. Military decision-making in relation to repression was assumed to be a depoliticized, neutral realm. Deep divisions and tensions within the military that were crucial to motivating action and explaining the decisions around Bloody Sunday were consequently marginalized in the analysis. The significance of struggle over policy within the security apparatus was sidelined as a focus for causal explanation.

The model of strict separation between the political and operational fits well with formal approaches and official discourses that assume a more or less faithful implementation of policy at lower levels. An idealized bureaucratic system is assumed. However as suggested by an extensive literature, implementation is an important site of struggle at which policy can be reshaped or obstructed and is thus a central problematic for the modern state (Pressman and Wildavsky 1984, Schofield 2001, Hill and Hupe 2006). Local branches of the state build relationships with local networks, which produces a tendency to represent that local voice in relations with the centre rather than simply implementing the latter's will in the localities (Migdal 2001, p. 118–119). This was the case in Derry where it formed an important source of tensions and divisions within the security forces.

What we see therefore was that while divisions over repression appeared to be a vital aspect of power relations 'on the ground' in 1972, it was not accorded significance in the Inquiry's interpretation in 1998. It was noted and acknowledged but was not elevated as an important aspect of the emerging discursive nexus with which the Inquiry was conceptualizing significant and noteworthy displays of power. Other discursive framings were instead enabled by the silencing of this aspect of local power relations (Foucault 1976, p. 100). In the gap provided by this depoliticization, we see the emergence of another discursive perspective, that of placing primacy on technical rule-following, described next.

6.2. Theme 2: politics of justifying actions

A formal bureaucratic model of security implementation, that viewed operational decision-making as a depoliticized realm, dominated thinking within the British state on the relationship between political and military decision-making. This required those involved in designing and carrying out operations to advance and explain their positions in a way that concealed disagreement on policy issues. As a consequence, narrow and technical arguments presented the best possible means of altering the character and outcome of an operation. The more narrowly technical these arguments, the less they could be seen as illicitly impinging on the realm of policy formation. This protected those making the proposals from accusations of partisanship, or resistance to strategic or policy decisions.

6.2.1. Rationality as rationalization

One of the most striking examples of the use of technical arguments was in the various attempts made by senior officers based in Derry to moderate the aggressive character of the planned operation. Immediately after a crucial meeting at which General Ford ordered that a massive arrest operation be launched on the day of the march, for example, MacLellan and his Brigade Major Michael Steele agreed that the 300–400 arrests Ford

had proposed was an unrealistic target. They decided to prepare the operational plan on the basis of a far smaller number of arrests. This significantly reduced the scale of the operation as conceived and ordered by Ford.

Officers serving under MacLellan in Derry also attempted to modify the operation in ways that would reduce its confrontational impact. In arguing against the use of the Paras, the Derry-based Commanding Officer of the Royal Anglians, Colonel Roy Jackson, for example, said to MacLellan that they should not be used because they did not know the city. He tried to persuade MacLellan that his unit should do the job instead. However, Jackson's other comments to the Inquiry indicate clearly that this technical argument was prompted by a much broader concern to avert a major confrontational operation that ran against the grain of the policy of restraint in Derry. In his statement he said:

> I just wondered who had thought out this deployment: it reflected a change of policy – and emphasis – on future operations in Londonderry.

He emphasized too that 'Derry and Belfast were as different as chalk and cheese' and that the aggressive approach of the Paras was not appropriate to Derry. A few days before the operation, another Derry-based officer, Peter Welsh, phoned an old friend who happened to be military assistant to the Chief of the General Staff (CGS), Lord Carver, to express his disquiet about the use of the Paras. He also expressed his opposition to their deployment to MacLellan. This officer was similarly concerned to avert a major confrontation but, like Jackson, he emphasized a technical point; that his own troops would be a more appropriate arrest force than the Paras.[10]

Just as these men deployed rational and technical arguments when attempting to argue against the proposed plan of action during the events in January 1972, they did likewise 26 years later at the Saville Inquiry. Again, they each used a technical, rational framing to explain their actions and the positions they adopted. General Ford did likewise when explaining why he devised the operation in the first place. Actors on both sides of this argument were influenced by conflicting preferences but all worked in a system in which they had to advance these preferences through ostensibly neutral, rational arguments. The emergent discursive network governing the understanding of power was shaped by these individual deployments of a logic of rationality.

6.2.2. The saville report on justifying actions

The Derry-based officers suggested changes with the aim of reducing the potential for confrontation. Instead of analyzing these actions as a linked set of attempts to modify the character of the operation however, the Inquiry disaggregated the arguments and analysed them in narrow technical terms, finding that none of these 'minor objections' constituted a clear and convincing technical argument against the plan for the day.

The Inquiry's approach to the evidence of Colonel Welsh, who suggested that his battalion conduct the arrest operation instead of the Paras, provides an example of the way in which attempts to modify the operation were stripped of political dimensions. Saville concluded that:

> We believe that the primary concern expressed by Colonel Welsh to Brigadier MacLellan was, as he indicated in his statement to this Inquiry,[1] that his own battalion did not have a greater role' (BSI Report, vol 1, para 9.656).

However, Welsh had also remarked in his statement that the Paras 'had been trained as shock troops by . . . Kitson. If there was anything nasty to do they did it'. In explaining his 'disappointment' that his battalion would not replace the Paras he said:

> We were trying to do the best we could to get on with the Catholic population and perhaps there was a feeling that the troublemakers were being dealt with in a tougher fashion in Belfast than in Derry.

Despite this evidence that Welsh sought to reduce the confrontational potential of the operation, the Inquiry focused on the technical aspects of his proposal that his battalion carry out the arrests. Treating the evidence in this way marginalized the extraordinary fact that all of the most senior military officers in Derry sought to exert their influence to moderate or modify the operation in such a way as to reduce the potential for a major confrontation. The focus on narrow technical arguments obscured the struggle to shape the plan.

As described above, General Ford justified his deeply political initiative in technical terms, as he had to, and the Inquiry's broad acceptance of the validity of these technical arguments rendered null the question of political intent underlying the operation. Ford could equally well have justified an entirely different course of action in technical terms. In a bureaucratic system in which rational argument is the currency of decision-making, the technical arguments provided the justification that the system required – and also served to obscure the political impetus underlying them.

Flyvbjerg argues that rationalization is a central aspect of the exercise of power in modern bureaucracies and emphasizes how difficult it can be to identify and challenge it:

> The "untouchable" position of rationalizations may be due to the fact that [they] are often difficult to identify and penetrate: they are presented as rationality, and . . . only a thorough deconstruction of an ostensibly rational argument can reveal whether it is a rationalization.

This kind of deconstruction can be difficult however, not least because 'so much power lies behind [a rationalization] that critique and clarification may become futile' and attempts can lead to 'confrontations . . . or to negative sanctions' against those who do (Flyvbjerg 1998, p. 229). As we noted above, actors seeking to shape the Bloody Sunday Operation had strong structural incentives to provide narrow technical rationalizations for politically-driven exercises of power. The Inquiry assessed the behaviour of these witnesses in the same terms in which it was justified and explained, seeking to evaluate whether they complied with formal rules which required them to have provided minimally plausible rationalized explanations to justify their actions and promote their preferences. Saville worked accordingly with a model of what we might call 'sufficient rationalization' that assessed the plausibility of the rationalizations rather than tracing the strategies they served to advance.

Drawing on Foucault's argument that an understanding of an emergent discursive nexus must ask how specific and local discourses connect to a 'wider discursive strategy', we can see here how broader logics of rationality as rationalization are deployed in this setting. These are features of other inquiry settings (Gephart 1997, Topal 2009). Again we

see something of a silencing of particular manifestations of power (Foucault 1976, p. 12) – the potential interpretation of individual attempts to influence events on the day as power activity, and also their subsequent deployment of rationalizations in order to effect this concealment – in favour of an alternative perspective. Stripping the operational of its political dimensions directed the Saville Inquiry towards a narrow focus on technical rationality that was ill-suited to identifying rationalizations and to excavating the power relations that shaped decisions and outcomes.

Overall, we see how the play of discursive elements: the silencing of some and the elevation of others, combine to form a robust understanding of what constitutes power at the Inquiry. This provides insight into how the logic of rationality, as a 'wider strategy of power' is constituted by activity in local settings. This had important effects on the ultimate outcome of the Saville Report and its interpretation of blame and responsibility, as we will discuss later.

6.3. Theme 3: politics of affective connections

During the Bloody Sunday Inquiry, General Robert Ford, architect of the operation that day, was questioned about evidence that a Derry-based officer had 'phoned a friend' in high places and expressed his concern about the planned operation by the Paras. 'That's not how the army works' General Ford responded sharply 'and he knows that', delivering a curt rebuke thirty years on to the former Lt Col. Peter Welsh, by then a Major-General. Such use of informal contacts might not be how the army is supposed to work, but the volumes of evidence generated by the Bloody Sunday Inquiry suggest otherwise, providing a uniquely detailed alternative insight into how military bureaucracy operates. Underlying the formal rules and the mechanical procedures, and the ostensibly rational formulae of bureaucratic decision-making, were informal hierarchies, affective commitments and personal relationships that played a crucial role in the genesis and shaping of the Operation and the power relations within.

6.3.1. Friendship and trust

The Inquiry revealed personal relationships that played a significant role in shaping events. One of the most important was that between the GOC, Harry Tuzo, and the CLF, General Ford. Ford testified to the fact that he and Tuzo would privately agree joint positions before meetings, and that they felt able to speak frankly to each other:

> Our relationship was so close that as we met . . . possibly three times a week entirely privately . . . and, as it were, let our hair down completely, we were in each other's minds totally.[11]

While the chain of command placed Tuzo firmly above Ford (see Figure 1) and gave Ford no formal responsibility for shaping policy, these personal dynamics gave Ford the impression of an agreed partnership in the shaping of policy. Ford's remark that they were so well attuned to each other's views that he and the GOC were 'in each other's minds totally', suggests for Ford a kind of informal mandate for following his own preferences.

Another key relationship was between Ford and MacLellan. They had worked together on the staff of Earl Mountbatten in the 1960s where Ford had a much more senior role. This may have reinforced an expectation on Ford's part that he could direct

MacLellan and thus direct policy in Derry. In Ford's dealings with MacLellan and with other figures associated with a policy of restraint in Derry, we see deeper political dynamics than can be explained by the formal, structural hierarchy in place. Brigadier MacLellan's sensitivity to local opinion and his preference for restraint was strongly influenced in turn by the local RUC Chief Superintendent in Derry, Frank Lagan, with whom he worked closely. The terms in which MacLellan described Lagan's 'upset' at the complaints his 'friends' were making about repression, emphasizes the strongly personal dimension to the pressure that Lagan successfully applied on him. MacLellan also describes a personal relationship of trust between them.

6.3.2. Emotional investment

Army officers were ideologically invested in certain discourses prevalent at the time, as we saw in Theme 1's discussion of the policy of repression. These investments were emotional; affective attachments were evident throughout the testimony provided to the Inquiry. As we saw earlier, Colonel Wilford had conveyed strong feelings of abhorrence at the thought of soldiers standing back in a posture of restraint. The Regimental Sergeant Major of 1 PARA disparaged their 'cowering'. Again, strong emotions were on display: of distaste and disapproval.

A sense of General Ford's personal, emotional commitment to repression and a 'tough' approach is conveyed in a tape-recorded radio conversation between two officers in Derry on the evening of Bloody Sunday (Mansfield 2009, p. 159–161). The tape itself, which was authenticated by the Inquiry, was submitted anonymously in a brown envelope:

> Officer 1 He was lapping it up.
>
> Officer 2: Who was?
>
> Officer 1: Ford.
>
> Officer 2: Was he.
>
> Officer 1: Yeah . . . he said it was the best thing he had seen for a long time.
>
> Officer 2: Interesting, is it not.
>
> Officer 1: Well done, 1st Para, he said, look at them . . . 24 . . . million dollar.

While General Ford dismissed this conversation as 'highly emotional and exaggerated', it conveys vividly the impression received by others that General Ford was quite happy that the arrest operation had led directly to extensive shooting. Indeed, accounts note that on the day, he was behind the barricades with the Paras and urged them on as they surged forward into the Bogside, shouting out 'Go on the Paras, go and get them'. The striking of a harsh blow appeared to provide General Ford with a sense of personal satisfaction and generated a powerful and positive emotional response. It reinforces the point that the aggressively confrontational behavior of the Paras on the day reflected the original intent of the operation. There is no sense here that Ford regarded the outbreak of large-scale gunfire amidst large civilian crowds as a failure of any kind. The Inquiry report, while judging that Ford probably did derive 'pleasure' from initial erroneous reports that the Paras had been engaged in a gun battle with the IRA, is concerned only to point out that

this was before he knew about the large number of civilian casualties. In turn, there is substantial evidence to suggest that Ford's presence on the day caused discomfort to senior commanders including MacLellan and Lt Colonel Ferguson.[12] While Theme 1 highlighted the importance of local power relations and attitudes, for example around repression, here we see emotion emerging as a critical factor in what occurred during Bloody Sunday.

In Theme 1, it was striking that virtually all of the British military commanders based in Derry who testified to the Inquiry broadly identified with the policy of restraint. By contrast, several Lisburn and Belfast-based officers, including Wilford, Ford and Kitson, are recorded as expressing distaste with the stance of restraint in Derry, often in quite emotional terms. Thus we find that, by creating distinct, locally-concentrated circuits of conversation, informal interaction and affective relationships, spatial separation contributed to the development of contrasting consensuses, with distinctive political colourings, in the two relevant brigade areas.[13] These appear to have been central in shaping the outcome, particularly in relation to senior officers in Derry, and General Ford. It appears that key decisions were shaped, not just by abstract discursive structures, nor only through local manifestations of logics of rationality, but also by a range of affective attachments that appeared to fuel investments in these. Friendships, ideological orientations and the local, affective context in which a person found themselves, all appear important.

6.3.3. Affect and relationships in the saville report

The Inquiry's analytical and methodological approach tended to marginalise and underestimate the importance of elements that went beyond the bounds of formal structures and the system of rational optimizing calculation on which both the Army, and the Inquiry, were supposed to operate. Personal relationships, affective contexts and informal lines of influence and communication were treated by the Inquiry as a kind of inconsequential haze that had to be dispelled in order to reveal the cold, rational lines of decision-making processes. The report's authors were concerned only to discover whether informal interactions provided evidence of a secret formal plan. We suggest that the informal and personalized character of such deeply political pressure made it especially powerful and significant.

We saw above how informal attempts to influence operations were more or less ignored by the Inquiry in the case of Colonel Jackson. He expressed his disquiet at the planned operation, in private to Brigadier MacLellan and urgently suggested that his troops conduct the arrest operation instead of the Paras. This informal approach, seeking to make a change that would have transformed the character of the operation that day, was just one of several. Rather than highlighting these interpersonal attempts and the close relationships upon which they are typically founded as significant, Saville's primary concern in evaluating such evidence of informal channels of contact and influence is to assess their propriety:

> We take the view that Colonel Jackson was not questioning legal orders in the sense of disputing them; he was just asking whether his men could do the job instead of 1 PARA and suggesting that they, with their local knowledge, would be better for the job (BSI Report, vol 1, para 9.650).

In encounters with informal interaction and informal hierarchies, with emotional commitments and affectual relations, the Saville Report asks always whether behavior is proper, in conformity with formal structures and modes. The consequence is that some of the most important dimensions of decision-making are marginalized and depoliticized – reduced to narrow technical issues, and reincorporated within the formal hierarchical framework. Again we see a silencing of an important aspect of power relations in favour of an alternative.

7. Discussion

To date, scholars interested in the role of power in public inquiries have focused on the texts produced by these events and on the discursive strategies they employ. While it is important to understand the discourses drawn upon by the final text of an inquiry report (Brown 2000, 2004, Ainsworth and Hardy 2012) and in doing so to analyze the potential political effects of the document, it appears that there is value in going deeper and examining the ways in which power and politics are themselves understood by the inquiry process. The rich data provided by the Saville Inquiry offered a unique opportunity to study this. In doing so, we contribute a number of insights.

First, we see the value of drawing on a relatively underutilised aspect of Foucault's work on power: his implied schema for understanding the emergence of a discursive nexus in a particular empirical context. The setting of Bloody Sunday and the inquiries that followed were complex; no one-dimensional interpretation of power would be sufficient to analyse the varied and changing dynamics at play. This chimes with Foucault's express wish to avoid promoting a singular 'theory' of power, fearing that this would represent an attempt to instill yet another form of power-knowledge/authority. His proposed alternative '"analytics" of power', that is, an investigation of 'the instruments that will make possible its analysis' (Foucault 1976, p. 82), proved useful in this complex setting and this is summarized in Table 1. An initial attentiveness to the immediate, local power relations at work in 1972 drew focus to the issue of repression and people's attitudes towards it. On close examination, it appeared that these were important in shaping decision-making on the part of senior officers. Tracing the ways in which these local power relations influenced the production of the final report some twenty-five years later, we saw that they were disregarded. A key aspect of the discursive nexus governing the Inquiry's approach to power was an assumption that operational decision-making is somewhat divested of personal biases and political influences. Examining local power relations at play in 1972 therefore helps us to understand the way the Inquiry analyzes power.

Foucault is concerned with exploring how local power relations of this kind come to be linked 'to one another according to the logic of a great strategy, which in retrospect takes on the aspect of a unitary and voluntarist politics' (1976, p. 12). Here we saw how the focus of the Saville Inquiry on technical aspects of decision-making combined with people's desires to represent their actions as rational and logical such that they would be universally acceptable. The validity of these appeals to rationality both on the part of individual witnesses and the report's authors draw upon a wider logic of rationality, a social norm so pervasive as to be almost invisible in today's society (Flyvbjerg 1998). This norm operates because of the 'performative' way in which people's everyday

practices engage with logics of rationality such that the concept is continually reinforced through 'praxis' and we see this clearly here (Butler 1990, Cabantous and Gond 2011, p. 573).

A further aspect of the discursive nexus that influenced how power was understood and analyzed at the Inquiry involved its treatment of affective relationships and emotion. Rather than perceiving these as the 'glue' that facilitates individual investments in particular discourses of power (Butler 1997); these dynamics were generally overlooked. An alternative lens on how particular discursive formations come about, emphasizes how subjects come to be affectively invested in forms of power (Butler 1997). Specifically, subjects form attachments to particular discursive regimes and these can emerge as emotional displays, particularly where subjects seek recognition as 'valid'. Here we see how key actors were emotionally invested in discourses of repression and aggression, either strongly dis-identifying with these in the case of MacLellan and Jackson, or appearing to firmly invest in them as with Ford and Wilford. In each case, it was the perception of one's own professional subject position that was at stake: a desired ideal version of officer or soldier was sought. As one example it appears the unionist viewpoint was influential in how certain senior officers perceived their subjectivities, their 'selves' as soldiers and officers. In each case too, emotional dynamics appeared to provide the 'force' of these investments and counter-investments in power. Importantly also, this emotion involved not abstract notions of power or discursive frameworks but other people. As Foucault (1982) notes, power operates through the activity of a multitude of dispersed local actors and is therefore necessarily intersubjective (Butler 1993). We see how power and subjection worked through connections with others, either local nationalist groups in Derry or unionist communities in the east of the province (Theme 1), or indeed important friendships within the British Army itself (Theme 3); influential ideologies and perspectives were shared in this way. An attention to the subject positions adopted by senior decision-makers, and their affective investments in these, appears critical.

This article demonstrates how a specific logic, in this case instrumental rationality, highlights and spotlights certain aspects of a phenomenon while obscuring others. Here we see that aspects including local political investments and emotional attachments were central to the actions of the Paras on the day, but these are rendered invisible by the logic used by witnesses during the Inquiry and the authors of the final report. Relatedly, the issue of socialization and subject formation – in the Butler sense – is also silenced and obscured. This critical point was lost in the final analysis because of the frame adopted.

Related to this, a second insight for studies of public inquiries involves the observation that understanding power and politics in particular ways has concrete impacts on the outcome of the process, for the assigning of responsibility and for questions around whether and how such assigning should occur. The Saville Inquiry report of 2010 allocated responsibility to soldiers at low levels of the chain of command and thus insulated higher levels of the military and the state from culpability. The report assesses the reasons advanced by General Ford for initiating a major confrontational operation without first informing local security force commanders in Derry. Influenced by dominant discursive networks, the authors of the report rely upon a narrow technical frame to evaluate the plausibility of each reason given. While expressing skepticism about some of these, implicitly categorizing them as rationalizations, the report judges that at least some reasons are acceptable. It appears that Saville set a baseline for plausibility and discursive

defensibility; rationalizations that meet these criteria of sufficient rationalization were treated as sufficient explanation for the operation. Sidelining the context of the struggle in Northern Ireland, and the deeply political disagreements that prompted the operation, the effect was to distinguish between rationalizations that are more or less convincing, and more or less acceptable within the dominant discourse, rather than to excavate deeper understandings of the operation.

As Foucault notes, particular discursive elements can shape power relations, but the way this plays out in practice is contingent on 'who is speaking, his [sic] position of power, [and] the institutional context in which he happens to be situated' (Foucault 1976, p. 100). In this case rationalizations by powerful figures that were driven by political preferences were unlikely to be challenged because of the dominant analytic approach and its attendant understanding of power. Ford was thus divested of responsibility for the events on the day. Once Saville had determined that he had provided minimally adequate rationalizations for ordering the operation, his overall conceptualization of the operation, and his intent, ceased to be an object of inquiry. So also was the way in which this intent shaped, and was linked to, the actions of soldiers on the ground. Instead, responsibility was allocated further down the hierarchy to Colonel Wilford and the Paratroopers who had opened fire.

While it could be argued therefore that blame was misattributed, perhaps a more nuanced insight is that the allocation of blame to individuals cannot adequately explain why events unfolded as they did. Those who successfully advanced a more repressive approach were able to do so only because that approach enjoyed widespread support within the security forces and the state apparatus and among powerful political actors. This is not to say that individuals should not be held to account for their actions; a lack of accountability has plagued too many inquiries into organizational abuses of power. Rather we argue that evaluations of account-ability must encompass more nuanced analysis of both events and context. Appeals to rationality are often used to justify particular courses of action and exercises of power (Flyvbjerg 1998), while rational bureaucratic procedure and routines can provide a narrow source of accountability and 'political protection' for organizational actors (Brown and Lewis 2011, p. 875). While this appears to have occurred here, particularly in the case of General Ford, this does not necessarily result in easy allocations of individualized responsibility. Our analysis suggests more subtle dynamics at play in the Saville Inquiry. Actors for and against the intensification of repression, and the authors of the subsequent report, all shared a frame of interpretation that permitted crucial aspects of the events of Bloody Sunday to be obscured.

Returning to our initial research question, we argue that instrumental rationality domi-nated the perspective on power and politics adopted by the Saville Inquiry: its work. its evidence and its outputs, in three ways. It offered an obscuring of politically-charged moves by General Ford; it prevented those opposed to his confrontational intent from outwardly protesting except in weak technical language that was insufficient for the purpose; and it underpinned the narrow worldview adopted by the authors of the Saville report, ensuring only certain things were observable and that a test of 'sufficient rationalization' could be relied upon to evaluate what occurred. In contrast to this framing, in this article we forward a different understanding of power and politics, illustrated with evidence gathered from the Inquiry. The framework proposed here, involving an attentiveness to local power relations, their connections to wider discursive frameworks, and emotional attachments to discourse, can help provide a more nuanced analysis. It offers in particular an understanding of the complex ways in which each of these discursive elements do not stand alone but rather

support and reinforce each other (Foucault 1976). Using a logic of rationality to defend one's actions, for example, necessarily involved playing down the influence of informal and personal contacts, and was in turn upheld by an implicit framing of operational decision-making as a neutral space. Overall therefore, for scholars interested in studying public inquiries from the perspective of power and politics, this framing builds on previous approaches (Brown 2000, 2004, 2005, Boudes and Larouche 2009, Topal 2009, Ainsworth and Hardy 2012) by highlighting the importance of the models of power and rationality with which inquiries work. It offers a way to understand the in-depth dynamics at play by bringing into focus the analytical approach of inquiries to the rational argumentation that participants use to advance their preferences and to explain their actions in retrospect.

8. Conclusion

Some years before the Saville Inquiry began its work Colonel Wilford told an interviewer:

> If people start talking about apologising then I think one has actually got to look at who was responsible for the decision to carry out that particular type of operation [i.e. General Ford] . . . and to use the only troops capable of doing that . . . who if you like were battle hardened troops . . . who would take no nonsense.[14]

The fact that the Inquiry did not systematically pursue this seemingly obvious line of investigation has much to do with the model of power with which it worked. Having separated the political from the operational and abstracted the struggles to shape the operation from the wider political struggle over security policy, the Inquiry was poorly positioned to penetrate beneath the rationalizations deployed by the parties involved. Consequently, the final report provided an account of events that was narrowly framed in terms of formal responsibilities and professional competence, which had the direct effect of pushing responsibility well down the chain of command. By providing an alternative way to read power and politics within such an inquiry, we show the limitations of this and provide concrete suggestions for how it might be otherwise. While other scholars study Inquiry reports as texts that are inscribed by political dimensions, we sought to go deeper and understand the ways in which public inquiries understand and analyse power and politics. Following Foucault's recommendations to study an emerging discursive nexus by focusing on specific and local situations and the power relations at work therein, along with the emergence of certain kinds of discourse and the position of those subjects who reinforce them, we found that a complex discursive network emerged, fueled by interpretations of decision making, of justification and of interpersonal connections. This network of relations enabled certain things to be said while others remained silent and it resulted in specific allocations of responsibility. By shedding light on these dynamics, the proposed theoretical framing yields a valuable lens for studying public inquiries.

Notes

1. Hereafter referred to as Derry
2. Heath, *Statement to the BSI*.
3. 'The Bloody Sunday Inquiry: Questions and Answers'http://www.bloody-sunday-inquiry.org.uk/qa.html [accessed 10 November 2014]The most widely publicised of the various forms of evidence gathered by the inquiry were the public hearings in which more than nine

hundred witnesses gave evidence and were subject to cross-examination in public, not only by the Inquiry team but by multiple teams of lawyers representing the various parties involved. Those cross-examined included a former British Prime Minister, Foreign Secretary, Defence Secretary, some of the most senior commanders in the British military, as well as party leaders, former IRA commanders and members and large number of rank and file soldiers, policemen and civilians. A significant volume of sensitive public records relevant to the case were also released to the Inquiry and the evidence included 121 audiotapes and 110 videotapes. Alongside this state archive a massive new popular archive was also created. The Inquiry interviewed and received written statements from around 2,500 people, statements which many took as an opportunity to provide an account of their political involvement, their perception of the politics of the time and their experiences of contact with state forces, as well as their direct experience of the events that day. The entire process took twelve years and the final Report ran to ten volumes and was 5,000 pages long.

4. http://www.bloody-sunday-inquiry.org.uk/. This site no longer has full functionality but a 2010 snapshot is stored in the Web Archive of the UK National Archives, see http://webarchive. nationalarchives.gov.uk/20101103103930/http://www.bloody-sunday-inquiry.org/

5. The Regiment was widely regarded as the most aggressive combat regiment in the British Army and had recently killed several civilians in Belfast.

6. Channel 4 News transcript, 1997/98: extracts relating to Derek Wilford. Attached to Derek Wilford *Statement to the BSI*.

7. Ford, *Interview with Desmond Hamill*.

8. Ferguson, *Statement to the BSI*.

9. Cited in MacLellan, *evidence to the BSI*, 22 November 2002.

10. Ferguson, *Statement to the BSI*.

11. Ford, *Evidence to the BSI, 29 October 2002*.

12. Ferguson, *Statement to the BSI*.

13. In subsequent years this distinction between the approaches in Derry and Belfast would diminish almost to the point of vanishing, not least because of the intensification of hostility between the army and local nationalists after Bloody Sunday.

14. Cited in Wilford, *Evidence to the BSI*, 25 March 2003.

Disclosure statement

No potential conflict of interest was reported by the authors.

Notes on contributors

Kate Kenny is Professor of Business and Society at NUI Galway. Her research centres on the contribution of social and political theory to the understanding of organisations. Books include *Whistleblowing: Toward a new theory* (Harvard University Press, 2019) and *The Whistleblowing Guide* (Wiley Business, 2019, with Wim Vandekerckhove and Marianna Fotaki).

Niall Ó Dochartaigh is Personal Professor of Political Science and Sociology at the National University of Ireland Galway. He is the author of *Deniable Contact: Back-channel Negotiation in Northern Ireland* (Oxford University Press, 2021) and *Civil Rights to Armalites: Derry and the birth of the Irish Troubles* (Palgrave, 2005).

References

Ainsworth, S. and Hardy, C., 2012. Subjects of inquiry: statistics, stories, and the production of knowledge. *Organization Studies*, 33 (12), 1693–1714. doi:10.1177/0170840612457616

Andersen, N.A., 2003. *Discursive analytical strategies: understanding Foucault, Koselleck, Laclau, Luhmann*. Bristol UK: The Policy Press.

Ashenden, S., 1996. Reflexive governance and child sexual abuse: liberal welfare rationality and the cleveland inquiry. *Economy and Society*, 25 (1), 64–88. doi:10.1080/03085149600000003

Bew, P., 2005. The role of the historical adviser and the bloody sunday tribunal. *Historical Research*, 199 (199), 113–127. doi:10.1111/j.1468-2281.2005.00240.x

Boudes, T. and Larouche, H., 2009. Taking off the heat: narrative sensemaking in post-crisis inquiry reports. *Organization Studies*, 30 (4), 377–396. doi:10.1177/0170840608101141

Brown, A.D., 2000. Making sense of inquiry sense-making. *Journal of Management Studies*, 37 (1), 45–75. doi:10.1111/1467-6486.00172

Brown, A.D., 2004. Authoritative sensemaking in a public inquiry report. *Organization Studies*, 25 (1), 95–112. doi:10.1177/0170840604038182

Brown, A.D., 2005. Making sense of the collapse of barings bank. *Human Relations*, 58 (12), 1579–1604. doi:10.1177/0018726705061433

Brown, A.D., Ainsworth, S., and Grant, D., 2012. The rhetoric of institutional change. *Organization Studies*, 33 (3), 297–321. doi:10.1177/0170840611435598

Brown, A.D. and Lewis, M., 2011. Identities, disciplines and routines. *Organization Studies*, 32 (7), 871–895. doi:10.1177/0170840611407018

Butler, J., 1990. *Gender trouble*. New York: Routledge.

Butler, J., 1993. *Bodies that matter: on the discursive limits of 'sex'*. London: Routledge.

Butler, J., 1997. *The psychic life of power: theories in subjection*. London: Routledge.

Butler, J., 2004. *Undoing gender*. New York: Routledge.

Cabantous, L. and Gond, J., 2011. Rational decision-making as performative praxis: explaining rationality's eternal retour. *Organization Science*, 22 (3), 573–586. doi:10.1287/orsc.1100.0534

Colville, I., Pye, A., and Carter, M., 2013. Organizing to counter terrorism: sensemaking amidst dynamic complexity. *Human Relations*, 66 (9), 1201–1223. doi:10.1177/0018726712468912

DiMaggio, P. and Powell, W., 1983. The iron case revisited: institutional isomorphism and collective rationality in organizational fields. *American Sociological Review*, 48 (2), 147–160. doi:10.2307/2095101

Eisenhardt, K.M., 1989. Building theories from case study research. *Academy of Management Review*, 14 (4), 532–550. doi:10.5465/amr.1989.4308385

Emerson, R., 1981. On last resorts. *American Journal of Sociology*, 87 (1), 1–22. doi:10.1086/227417

Flyvbjerg, B., 1998. *Rationality and power: democracy in practice*. Chicago, IL: The University of Chicago Press.

Foucault, M., 1975. *Discipline and punish*. 1991. London: Penguin.

Foucault, M., 1976. *The history of sexuality, volume I, an introduction*. 1990. London: Penguin.

Foucault, M., 1982. The subject and power. *In*: H. Dreyfus and P. Rabinow, eds.. *Michel Foucault: beyond structuralism and hermeneutics*. Chicago: University of Chicago Press, 208–228.

Foucault, M., 1984. The order of discourse. *In*: M. Shapiro, ed.. *Language and politics*. Oxford: Blackwell, 108–138.

Gephart, R., 1992. Sensemaking, communicative distortion and the logic of public inquiry legitimation. *Industrial and Environmental Crisis Quarterly*, 6 (2), 115–135. doi:10.1177/108602669200600204

Gephart, R., 1993. The textual approach: risk and blame in disaster sense-making. *Academy of Management Journal*, 36, 1465–1514.

Gephart, R., 1997. Hazardous measures: an interpretive textual analysis of quantitative sensemaking during crises. *Journal of Organizational Behavior*, 18, 583–622.

Hall, S., 2000. Who needs "identity"? *In*: P. Du Gay, J. Evans, and P. Redman, eds.. *Identity: a reader*. London: Sage/The Open University, 15–31.

Hennessey, T., 2007. *The evolution of the troubles 1970-72*. Dublin, Ireland: Irish Academic Press.

Hill, M. and Hupe, P., 2006. *Implementing public policy*. London: Sage.

Kenny, K., 2018. Censored: whistleblowers and impossible speech. *Human Relations*, 71 (8), 1025–1104. doi:10.1177/0018726717733311

Kenny, K., 2019. *Whistleblowing: towards a new theory*. Cambridge, MA: Harvard University Press.

Maitlis, S. and Sonenshein, S., 2010. Sense-making in crisis and change: inspiration and insights from Weick (1988). *Journal of Management Studies*, 47 (3), 551–580. doi:10.1111/j.1467-6486.2010.00908.x

Mansfield, M., 2009. *Memoirs of a radical lawyer*. London: Bloomsbury.

McCann, E., Shiels, M., and Hannigan, B., 1992. *Bloody sunday in Derry: what really happened*. Dingle: Brandon.

Migdal, J., 2001. *State in society: studying how states and societies transform and constitute one another*. Cambridge: Cambridge University Press.

Motion, J. and Leitch, S., 2009. The transformational potential of public policy discourse. *Organization Studies*, 30 (10), 1045–1063. doi:10.1177/0170840609337940

Ó Dochartaigh, N., 2005. *From civil rights to armalites: derry and the birth of Irish troubles, 2nd ed.* Basingstoke, UK: Palgrave.

Ó Dochartaigh, N., 2009. 'The contact': understanding a communication channel between the British government and the IRA. *In*: N. Cull and J. Popiolkowski, eds.. *Track two to peace: public diplomacy, cultural interventions and the peace process in Northern Ireland*. Los Angeles: Figueroa Press, 57–72.

Ó Dochartaigh, N., 2010. Bloody sunday: error or design? *Contemporary British History*, 24 (1), 89–108. doi:10.1080/13619460903565531

Pressman, J. and Wildavsky, A., 1984. *Implementation: how great expectations in Washington are dashed in Oakland*. Berkeley: University of California Press.

Schofield, J., 2001. Time for a revival? Public policy implementation: a review of the literature and an agenda for future research. *International Journal of Management Review*, 3 (3), 245–263. doi:10.1111/1468-2370.00066

Suchman, M., 1995. Managing legitimacy: strategic and institutional approaches. *Academy of Management Review*, 20 (3), 571–610. doi:10.5465/amr.1995.9508080331

Topal, C., 2009. The construction of general public interest: risk, legitimacy and power in a public hearing. *Organization Studies*, 30 (2–3), 277–300. doi:10.1177/0170840608101481

Turner, B., 1976. The organizational and interorganizational development of disasters. *Administrative Science Quarterly*, 21 (3), 378–397. doi:10.2307/2391850

Turner, B., 1978. *Man-made disasters*. London: Wykeham Publications.

Whittle, A. and Mueller, F., 2011. Bankers in the dock: moral storytelling in action. *Human Relations*, 65 (1), 111–139. doi:10.1177/0018726711423442

Wicks, D., 2001. Institutionalized mindsets of invulnerability: differentiated institutional fields and the antecedents of organizational crisis. *Organization Studies*, 22 (4), 659–692. doi:10.1177/0170840601224005

Wodak, R., 2004. Critical discourse analysis. *In*: C. Seale, *et al.*, ed. *Qualitative Research Practice*. London, UK: Sage, 197–213.