

Chapter 11

How Popular Culture Lauanders Torture

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Introduction

The opening of the United States' (US) obscene torture prison at Guantanamo was one of the major political scandals of the early twenty-first century. Images of hooded captives kneeling in the roasting sun at an improvised gulag quickly became emblematic of the moral abyss at the heart of the US's prosecution of its war on terror. Torture was headline news, and prominent voices around the world spoke up in horror against it, including human rights organizations, lawyers, journalists, novelists, playwrights, and, of course, thousands of ordinary people. The prison has, since its inception, been symbolic of the injustice and hypocrisy at the heart of a global war on terror which was so often justified in terms of spreading justice and human rights across the world.

The scandal of Guantanamo persists to this day. Over twenty years later, many of us remain angry, motivated, and organized against Guantanamo and the sustained state violence of which it is so potent an emblem. Some of the most acute disappointments of the Democratic administrations of Presidents Obama and Biden, after all, were those relating to their inability or reluctance to close the prison (Fox 2022). But what was once a pure scandal, a horribly blatant example of a superpower's willingness and ability to violate international law with impunity, now sometimes seems an after-

thought or footnote in political conversations. After the withdrawals from Iraq, Syria, and Afghanistan and the handing over of the exercise of political violence from ground troops to drone crews, one miserable and obscure prison seems far less interesting to many people – including the many adults for whom it has existed, horrific yet seemingly permanent, regrettably mundane, their entire lives. And yet, as this book so ably demonstrates, Guantanamo is no less urgent an issue today than it was in October, 2001. Indeed, one of President Trump’s promises was to expand Guantanamo, to “fill it with bad dudes” (Finnegan 2017), and the alarming global spread of far-right politics brings with it its share of Guantanamo’s defenders. Why, then, is Guantanamo so widely considered an acceptable – even respectable – part of everyday political normality in the 21st century?

The reasons for this are complex and deep-rooted, of course, and a full accounting is beyond the scope of a short chapter like this. Perhaps, for instance, the US’ dismal record of human rights abuses in its many post-1945 wars renders Guantanamo less of a surprise for some people; certainly, Guantanamo is one entry in a long list of foreign policy actions that radically undermine the US’ public relations claims about the moral core and ethical commitments of its hegemony. Be that as it may, one of the major causes for the integration of Guantanamo into geopolitical normality, however, is that the institutions and authorities that drive and prosecute the war on terror have produced, circulated, and amplified a potent ideological discourse positioning torture, surveillance, and other counter-terrorism practices such as drone strikes as strategically necessary and ethically defensible – even heroic. That is, the assault on human rights that was committed in Guantanamo and the many other sites in the torture archipelago of the G.W. Bush Administration’s brutal interrogation program was accompanied by a public relations assault on domestic publics which stressed that torture, though a dirty and

unpleasant business, was justified in the pursuit of the aims of the war on terror. Of course, many people still continue to oppose the torture regime and advocate against the continued incarceration of many of its victims; but these voices of righteous outrage have been confronted by a potent, multi-faceted discourse, as adaptive and flexible as it is malevolent, which distorts the issue of torture with casuistic justifications, obfuscatory half-truths, and outright racism.

This chapter provides a summary overview of this discourse as it is articulated through popular cultural and filmic representations. The ways in which cultural productions are complicit in the moral laundering and discursive normalization of counterterrorist violence are nuanced, ever-shifting, and fluid, but in general there are three major coordinates that are found across them. Firstly, they appeal to the idea of *necessity*, positing situations in which torture clearly contributes to the solving of urgent problems. Secondly, they deal with the ethical and moral problem of torture in the *abstract*, obscuring the real-world conditions in which torture is perpetrated. Thirdly, the victims of torture are dehumanized; specifically, the Muslim prisoners in Guantanamo are made the objects of a *racist* discourse which is designed to make their suffering seem legitimate and deserved.

These discourses are by no means omnipotent. The history of these discourses is always – even co-constitutively – the history of the widespread and multivocal challenges and resistance they meet. Nevertheless, the volume and frequency with which these discourses and representations are broadcast gives them the ability to define a sort of hegemonic ‘common sense’ in which torturers are positioned as doing the right thing for the greater good. This ‘common sense’ is always contingent, never natural, and crucially, it is always vulnerable to disruption.

Necessity/Urgency/Effectiveness

Only five days after the 9/11 attacks, Vice-President Dick Cheney gave an interview to *Meet the Press* which contained one of the defining soundbites of the early war on terror (Mayer, 2009).

“We also have to work, though, sort of the dark side, if you will. We’ve got to spend time in the shadows in the intelligence world. A lot of what needs to be done here will have to be done quietly, without any discussion, using sources and methods that are available to our intelligence agencies, if we’re going to be successful.” (White House, 2001)

Threatening a colossal and multifaceted use of military force against al-Qaeda and their collaborators, Cheney as good as declared that the G.W. Bush Administration were planning to break international law. In the febrile climate of the first week after the attacks, when the ruins still smouldered, these remarks spoke very powerfully to the growing “feeling” that, as Geoffrey Robertson writes, “the Geneva Conventions were obsolete in this ‘new’ war on terror, where information might have to be obtained quickly from captured suspects in order to foil bombings and other atrocities” (Robertson 2006: 596). That is, a consensus was being built that international law – specifically human rights law – was an impediment to the successful conduct of the new war for which the United States was being prepared.

It is true that there were (and remain) many intersecting debates about torture, such as whether or not the torture practices known euphemistically as ‘enhanced interrogation techniques’ such as waterboarding and forced standing did in fact constitute torture (Del Rosso, 2014). These linguistic obfuscations are significant, because they represent one of the many and varied ways in which the G.W.

Bush Administration tried to excuse (and enable) its own actions by muddying the waters around the definition of torture; that is, these detention regimes certainly constituted torture, but there was a concerted attempt to obscure this fact. However, the torture debate is notable because many of the people involved were not squeamish about naming torture at all – and openly defended it as a morally virtuous course of action.

Most of us will be familiar with the ticking bomb scenario. A villain of some kind is threatening terrible and indiscriminate violence against civilians, and the only course of action available to law enforcement or counterterrorism authorities is violence against a captured prisoner, an evildoer who is thereby forced to reveal vital information which will allow the attack to be prevented. The 9/11 attacks prompted many commentators to invoke and repopularise this thought experiment, perhaps due to the widespread fear that another attack of a similar scale could be approaching. If the US was to protect itself against further catastrophe, the argument ran, its military forces needed to be ready and able to commit any violence they deemed necessary, including torture.

Throughout the war on terror, a great many writers have made this argument for torture, in many different ways echoing Michael Levin's 1982 claim that torture in ticking bomb conditions is "not merely permissible but morally mandatory". New Atheist turned wellbeing and meditation guru Sam Harris argued in 2006 that "if we are willing to drop bombs, or even risk that rifle rounds might go astray, we should be willing to torture a certain class of criminal suspects and military prisoners". Civil rights attorney, provocateur, and later Donald J. Trump aficionado Alan Dershowitz argued in 2002 that torture warrants, which permitted "nonlethal means, such as sterile needles, being inserted beneath the nails to cause excruciating pain

without endangering life” should be introduced in order to legally protect torturers in ticking bomb cases. Arch-conservative Charles Krauthammer (2005) describes the ticking bomb scenario as a situation in which “we are morally permitted--indeed morally compelled--to do terrible things.” Utilitarian philosophers Mirko Bagaric and Julie Clarke, basing their thinking in *Torture: When the Unthinkable is Morally Permissible* (2007: 2) on the harm reduction principle, argued that under ticking bomb conditions “torture is indeed morally defensible, not just pragmatically desirable.” In his *Terror and Consent* (2008: 393), Philip Bobbitt wrote that “the terrorist, by his adamant refusal to provide information to which the interrogator is lawfully entitled, can by that act render himself liable to coercion”. In 2015, Jeff McMahan argued in the *New York Times* that “torture can be morally justifiable, and even obligatory, when it is wholly defensive – for example, when torturing a wrongdoer would prevent him from seriously harming innocent people.” The monotonously repetitive nature of this claim shows that it is not an act of courageous intellectual and moral rebellion to argue in favour of torture, but a dull-witted and reactionary enforcement of the conservative status quo which enables the continuation, extension, and entrenchment of state violence.

The ticking bomb scenario, and the ludicrous and harmful philosophical claims that it narrativizes, are deeply embedded in Western popular culture and the politics and philosophies that underpin and inform it. It is similar to the trolley problem, for example, a broader thought experiment designed to explore the nature of individual responsibility in a situation involving competing harms: if you were able save multiple lives at the cost of inflicting a smaller amount of deliberate suffering, surely you would be justified in doing so (Thompson 1985)? This general principle is found across the work of a range of military theoreticians, most often in ways that

sharpen it into a justification for systematic violence. French military personnel who were active during the Franco-Algerian War have been particularly candid about this: General Paul Aussaresses wrote in his memoir *The Battle of the Casbah* (2006: 17) that “torture was legitimate in cases when it was urgent to obtain information”, and Colonel Roger Trinquier, in his counterinsurgency manual *Modern Warfare* (2006: 19), stipulates that under interrogation the captured adversary “must face the suffering, and perhaps the death, he has heretofore managed to avoid.” It is by no means, of course, only French military figures who have made this argument – but these two examples are some of the plainest and most widely-cited.

The ticking bomb scenario stages a highly emotive yet deeply misleading situation in which torture is positioned as an effective and necessary solution to an urgent emergency. What is most important about this argument, however, is not so much its intellectual history, the obvious fact that it is wildly unrealistic, or its deeper conceptual anatomy, but rather its flexibility and its material portability. It is expressed in a staggeringly wide range of ways and a troublingly capacious number of cultural, political, and stylistic registers. As a consequence of this particularly agile conceptual mobility, the abstract thought experiment quickly becomes a broad practical principle which authorizes a generalized system of violence, a system of violence which is celebrated and politically legitimized through its circulation in popular culture.

When it comes to the many, many stories that dramatize thought experiments such as the ticking bomb scenario or the trolley problem, however, much scholarship tends to emphasize one-off texts such as Fox’s multi-season televisual counterterrorism drama *24* (2001-2018) without accounting for the way that the utilitarian principles of the ticking bomb scenario are found much more widely in popular

cultural productions (see e.g. Žižek 2006; Van Veeren 2009). One of the major problems of focusing too closely on 24 is that such a focus exceptionalizes 24 and obscures important elements of its cultural context, such as the reality that the justificatory story that 24 tells about torture actually predates the war on terror by at least forty years. Jean Lartéguy's 1960 novel *The Centurions*, for example, climaxes with a ticking bomb torture scene set in Algiers during the Algerian War of Independence, and André Malraux's *The Conquerors* featured a similar climax over thirty years earlier in 1928. A great many texts produced in the Cold War period continued to feature scenes in which torture was described as a reliable means of acquiring policing information, from the techno-thrillers of Tom Clancy to hit hard-boiled action films such as *Dirty Harry* (1972) and *Lethal Weapon 3* (1992). The justification of torture is, then, a longstanding commonplace in Western popular culture; that said, this element of storytelling has seen a colossal expansion in the post-9/11 period. The roster of texts that feature it includes novels by writers such as Alan Dershowitz, Andy McNab, James Barrington, Mike Maden, Jonathan Maberry, and others, TV serials such as *24*, *Daredevil* (2015-2018), *NYPD Blue* (1993-2005), *Gotham* (2014-2019), and *Homeland* (2011-2020), and movies including *Unthinkable* (2011), *Olympus Has Fallen* (2013), *The Dark Knight* trilogy (2005, 2008, 2012), *Captain America: The Winter Soldier* (2014), and more. Almost no popular genre or form is exempt. Even children's entertainment, as Casey Delehanty and Erin M. Kearns (2020) have demonstrated, shows torture as a valid method for solving problems. (Importantly, torture is not the only form of imperial violence that is justified in terms of ticking bombs. In 2015, the movie *Eye in the Sky* used the ticking bomb scenario to structure a story about a drone strike.)

Although it may seem straightforward, there are a great many philosophical claims folded into the ticking bomb scenario. Crucially,

many of these claims are dramatized in ticking bomb texts. For perhaps the most important example, its major claim that torture can prevent terrorism relies upon the idea that torture is a method of rationally reliable, even scientific, investigation. Even Cheney justifies his turn to the dark side through reference to the intelligence utility that he ascribes to these newly legitimate extreme measures. This is, quite simply, wrong. Darius Rejali, for instance, writes that “[f]or harvesting information, torture is the clumsiest method available to organisations, even clumsier in some cases than flipping coins or shooting randomly into crowds” (Rejali 2007: 478). Nonetheless, cultural texts often play on (and simultaneously act to reproduce) audiences’ intuition that torture ‘works’. I could fill the rest of this chapter purely with examples of ticking bomb scenes in popular culture of the past twenty years, but I will limit myself here to two examples from visual culture – inevitably enough, my example is *24*.

The philosophical coordinates of ticking bomb torture provide *24* with its structuring principles: urgency, necessity, and the utility of violence. In the twelfth episode of the second season of *24*, the ticking bomb scenario plays out explicitly on-screen. Arch-villain Syed Ali, who has been apprehended during a raid on a mosque, is interrogated with physical force, to which he proves resistant. As a last resort, hero Jack Bauer stages the mock execution of one of Ali’s sons and threatens to execute the rest of Ali’s family. This potent cocktail of physical and psychological torture makes Ali relinquish valuable information about the location of a suitcase nuke (a portable nuclear bomb) which his organization, Second Wave, is threatening to detonate in Los Angeles. As a result, the bomb later explodes in an unpopulated area. Massive loss of life is averted at the last second through the controlled application of extreme force. The point of this scene is clear: torture leads directly to valuable information, which is then used to save millions of lives, explicitly dramatizing the

utilitarian arguments of writers like Levin, Dershowitz, and Krauthammer.

Elsewhere, in the first episode of the fourth season, the scenario plays out differently, and with a remarkably different emphasis. Another man is being interrogated about an urgent attack, but the CTU (Counter Terrorist Unit) agents in charge of the interview are unsure about how hard to press their suspect. At the last minute, Bauer bursts into the interrogation chamber and tortures the suspect, immediately resulting in clear information: the Secretary of Defense is the target of an assassination attempt. Though the Secretary's life is saved, he is kidnapped, leading to the labyrinthine events of the season: events, it is heavily implied, that would not have had to transpire had CTU had the guts to torture their prisoner in the first place. Their squeamish unwillingness to torture this man, in this scene, leads directly to his success against them. Torture is represented as a reliable short cut to actionable intelligence which would have, if done sooner, resulted in the total avoidance of all the violence and drama of the season. Torture's opponents, importantly, are shown as fools whose refusal to do what needs to be done in fact facilitates terrorist violence.

These two examples come from one of the most widely lauded popular culture artefacts of the early twentieth century. Importantly, the scholarship on 24 is quite often giddily uncritical, as celebratory as fan mail (see for example Keslowitz, 2009). Consider this, from the conclusion to an essay by Sharon Sutherland and Sarah Swan:

"As the hero, the audience will always applaud Bauer while, at the same time, we often question his methods. We perhaps regret the things he has to do to keep the world safe for another day yet, ultimately, we will always look forward to watching the next 24 hours." (2007: 132)

Without any critical appraisal of the pleasure they derive from the show, these authors simply allow Bauer's fictional crimes moral legitimacy because he is the hero of the piece. There is evidently something about the affective force – the emotional persuasiveness – of the ticking bomb scenario that disables critical appraisal in its audiences. It is not really an appeal to ethical thinking: it is an appeal to our deep-seated desire to protect those we love and to see the guilty punished.

Abstraction

But what do stories about the dramatic resolution of urgent emergencies have to do with Guantanamo, a prison in which torture is a dreary, unglamorous reality that manifests itself in slow, continuous patterns of routine deprivation, mistreatment, and disciplinary violence? What, for that matter, do they have to do with the post-9/11 torture *regime*, of which Guantanamo was only one particularly visible component part?

On the one hand, of course, such stories have very little to do with prisoner experiences on the ground in Guantanamo, where torture, surveillance, and indefinite detention are daily lived realities. Popular culture rarely focuses on the actual material conditions of American torture, and this is no accident: if the reality were actually visible, it would be much harder to defend with abstract arguments about imminent emergency, ticking bombs, and tragic yet justifiable stories of heroism.

My point about abstraction is twofold. First, the justificatory narrative pattern described above only works if it is general, vague: it is by its nature incompatible with practical detail or historical specificity. It is, then, simply an intellectual distraction that functions to obscure the simple, shocking facts of the actual conduct of both imperial war more

broadly and the war on terror specifically. Secondly, when representations do actually delve into the historical events of the war on terror, there are very frequently extraordinarily harmful distortions, distortions which not only misrepresent the facts but twist them into narratives that justify the US military's crimes against humanity. That is, the reactionary political discourse about torture is flexible, adaptable, and more than capable of saying contradictory things simultaneously. Its incoherence is not a flaw, since the goal of this discourse is not to present a rational and consistent intellectual argument but, simply, to enable real-world violence by presenting it as heroic and justified.

The flawed and indefensible utilitarian logic of the emergency justification of torture has been widely and persuasively critiqued specifically in terms of its abstraction and its departure from any meaningful material understanding of how torture occurs in the real world. Bob Brecher's book-length demolition *Torture and the Ticking Bomb* (2007: 17), for instance, demonstrates that the ticking bomb scenario is "not just a fantasy; it is a ludicrous fantasy", and Elaine Scarry – focusing specifically on Alan Dershowitz's arguments in favour of torture – writes that "introducing an 'imaginable' occasion for torture that has no correspondence with the thousands of cases of that actually occur has the effect of seeming to change torture to a sanctionable act" (2004: 282). Many other scholars, including David Luban (2005), Jean Maria Arrigo (2004), Darius Rejali (2007), and Ron E. Hassner (2018), have argued in extraordinarily compelling terms against its intellectual incoherence, moral inconsistency, and political fascism. It is also worth noting that the scenario, though it is often positioned as a realistic situation, has never been documented. Researching his book *Bad Men*, human rights lawyer Clive Stafford Smith asked four advocates of ticking bomb torture for one historical example from the past 500 years of world history that would bear out

their claims, and not one could provide a single recorded example (Smith, 2007: 48). So, we see that the ticking bomb scenario as it appears in fiction does not simply provide narrative examples of pre-existing ideas that exist in a realm of pure thought. Artists and writers who create ticking bomb fictions are also active participants in the construction of a set of philosophical and political ideas and narratives that authorize real-world violence by obscuring what is actually at stake.

This abstraction takes multiple forms. The first major US thriller to investigate the wider torture program, *Zero Dark Thirty* (2013), for instance, was a careful and deliberate misdescription not only of conditions in war on terror prisons but of the strategic utility of torture. Though Kathryn Bigelow's tale of the manhunt for Osama Bin Laden is yet another text that has been privileged in the scholarship on the war on terror in popular culture, it is instructive for an account of the way that the torture program – including Guantanamo – has been made respectable through its popular culture whitewashing. Torture was a matter of extraordinary controversy during the President G.W. Bush Administration, and President Obama made campaign priorities out of closing Guantanamo and ending the torture program. In this light, *Zero Dark Thirty* is best understood as an Obama-era attempt at reputational control for the security services who served under the G.W. Bush Administration. Obama may have presided over the killing of Bin Laden, the film claims, but without G.W. Bush's torture program, none of it would have been possible. This emphasizes the utility value of the torture program, justifying its savagery through reference to its results.

A key part of the film's justificatory project is its appropriation of visual strategies from anti-torture exposure films such as *Rendition* (2007), *The Road to Guantanamo* (2006), *Taxi to the Dark Side* (2007), and

Standard Operating Procedure (2008). Where such movies expose war on terror torture as shocking, as indefensible, as gruesome and counterproductive, *Zero Dark Thirty* shows the scandalous violence of the torture program as professionally administered mistreatment that results not only in situational intelligence but in the ultimate prize: Osama Bin Laden himself. The film, then, operates in dialogue with the many critiques of the torture program that were prominent at the time. Not simply a swashbuckling tale of good versus evil, the film admits that the torture program involved substantial cruelty but, in a satanic twist, *adds* the substantial caveat that this cruelty yielded a result which was met with jubilation by many, many people in the US. It is important to underscore that this narrative, which was negotiated with the filmmakers directly by the CIA (Chen 2013), is abjectly bogus: even the US' own report into the torture program concludes that the torture program failed to reveal any intelligence information which was otherwise unavailable, and that when subjected to torture prisoners began to lie and distort their disclosures; its utility value was therefore negative, as it not only contributed nothing valuable to investigations but in addition obscured other information (SSCI, 2014: 2). The abstraction of the utilitarian discourse that justifies torture, then, is not limited to exciting stories of heroes valiantly saving the day. It also manifests in direct lies about the historical record of the conduct of the war on terror.

Racism

Torture is made possible by dehumanization. But torture is also made *acceptable* by dehumanization. A vividly racist discourse about the prisoners in Guantanamo – and about Muslims more generally – has been one of the major political forces that has enabled Guantanamo, and it is found throughout popular cultural representations of counterterrorism: Muslim characters are represented as devious,

calculating, dishonest, violent, and fanatical in ways that makes violence against them – including murder, incarceration, torture, and death by drone strike – seem morally legitimate. Edward Said's *Orientalism* (1978) and *Covering Islam* (1997) offered foundational insights to scholars of Islamophobia in the twenty-first century, whose wide-ranging critique of state Islamophobia built on Said's arguments about the ways in which racist knowledge about colonized societies was foundational to the operation of colonial power. Frantz Fanon, too, was influential; his argument that the brutal and savage native was a colonial invention, a product of the colonizing mindset, spoke powerfully to the concerns of the post-9/11 moment. "In fact, the settler is right when he speaks of knowing 'them' well. For it is the settler who has brought the native into existence and who perpetuates his existence" (1967: 28). Al-Qaeda and its affiliated groups did, indeed, exist and carry out bloodcurdling acts of political violence; but the 'Islamic extremist' that loomed over American – indeed, global – politics in the post-9/11 period was a similar product of the colonizing imagination. The spectre of the savage has long been invoked to justify the heroic barbarity of Western powers. The post-9/11 period, too, saw a widespread racist discourse about 'terrorists' in general and Muslims in particular which functioned to legitimize state violence in the course of the war on terror.

Arun Kundnani's *The Muslims are Coming!* (2015: 88) demonstrates the many ways in which the US and UK "sustain a shared discourse that defines Muslims as a problem." Crucially, though Kundnani does examine the actions and discourses of fringe far right groups such as the proudly racist English Defence League, his work also centres the political mainstream, many aspects of which can only be separated from the far right by a matter of degree. Elsewhere, Nathan Lean writes that mainstream European Islamophobia has become a "state-sponsored praxis" (2012: 171) embedded in ordinary life at multiple

interacting levels. Criticizing popular representations in particular, Peter Morey and Amina Yaqin argue that media and cultural narratives – including some of the texts discussed in this essay – “paint Muslims as a homogenous, zombie-like body, incapable of independent thought and liable to be whipped into a frenzy at the least disturbance to their unchanging backward view.” (2011: 1). Stereotypes such as the intolerant, dogmatic fanatic and the violent insurgent, they argue, overdetermine the ways in which Muslims were perceived by Western publics, and predispose these publics to view Muslims through a security lens, to conceptualize Muslims as a problem to be solved. Suhaiymah Manzoor-Khan (2022: 21) writes that across a broad range of social and cultural registers, “‘terrorist violence’ is explained as the outcome of something innate in Muslims: their racial character”. At its most fundamental level, contemporary Islamophobia is an essentializing racist discourse which identifies Muslims as suspicious, as associated with strange and threateningly incomprehensible foreignness, dogmatic extremism, and primitive violence, and which is coterminous with the justification of racialized forms of violence such as those seen in Guantanamo Bay.

I would like to give examples, but the reproduction of reams of racist statements achieves little. For one thing, it’s unpleasant, and for another, it doesn’t give a sense of the scale of the cultural saturation that this discourse has achieved. For one particularly lurid example which can stand in for the many, many others, we can again turn to Sam Harris, who describes “many Muslims” as “standing eye deep in the red barbarity of the fourteenth century” (2006: 145). Many other New Atheists, including Richard Dawkins and Christopher Hitchens, have been notable for similar claims about the inherent violence and irrationality of Muslims (Torres 2021). These writers often took inspiration from Samuel Huntingdon’s *The Clash of Civilizations*, one of the most influential political books of the last thirty years, which

memorably describes Islam as an expansionist geopolitical force with “bloody borders”: “wherever one looks along the perimeter of Islam, Muslims have problems living peaceably with their neighbours” (1996: 256). The latest crop of right wing public intellectuals, too, have contributed to this widespread Islamophobia, with clinical psychologist and professional transphobe Jordan Peterson recycling the racist lie that Islam is incompatible with democracy (Muhammad 2018), journalist Douglas Murray (2017) peddling the “Great Replacement” conspiracy theory (which, echoing racist myths about Huns overwhelming Christendom, argues that high rates of immigration and low rates of white births means that Europe itself will disappear in the next few decades), and the right wing commentator Ben Shapiro claiming that the majority of the world’s Muslims are anti-Western radicals (Greenberg 2014). President Trump, of course, enshrined this racism at the level of policy with his attempt to institute a ban on Muslims entering the USA during his first Presidency (Gomez 2018).

The important point is that in the early years of the war on terror this culturally expressed racism was a mutually constitutive counterpart to the legal-political machinations which removed terror suspects from the protective sphere of the law while making them fully available to its punitive force. The legalistic creation of the ‘enemy combatant’ – the subject who can be tortured with impunity – has its counterpart in the figure of the deranged Muslim terrorist who will stop at nothing to kill Americans and Europeans. As Derek Gregory (2006: 410) writes, “the juridical and the cultural operate together” to create a figure of the horrifying outlaw, the ultimate indefensible subject, whose notional existence justifies the circumvention of international law and the establishment of not only a torture prison at Guantanamo but an entire violent apparatus of international violence, including a torture program with nodes all over the world. This

racism also remains a key component of right-wing politics in both Europe and the United States, much of which is focused on both conflating Islam and Muslims with terrorism and with emphasizing what they describe as the demographic threat that immigrating Muslims represent to white European identity.

Cultural examples of the Muslim terrorist are found throughout thriller texts such as *24* and *Homeland* (2011-2020), of course, but they are by no means restricted to 'serious' texts. Cartoons and comedy have been a rich resource of racist caricatures, from the inflammatory cartoons regularly published by magazines such as *Charlie Hebdo* in France or the *Daily Mail* in Britain, through Jeff Dunham's puppetry character Achmed the Dead Terrorist, to low-brow gross-out comedies such as *Harold and Kumar Escape from Guantanamo Bay* (2008) or the self-serious graphic novel *Holy Terror* (2011) by Frank Miller. These texts, which show grotesquely caricatured Muslims as a violent menace whose very presence demands the exercise of state violence, are complicit in the normalization of the abuse of Muslim men in Guantanamo. Having identified such prisoners as demonic figures and celebrated violence against them, it is no exaggeration to say that the producers of such texts bear some responsibility when Muslims subsequently become the targets of state surveillance and violence.

Conclusion: Resisting Hegemony

To summarize: popular culture has morally and politically laundered the torture program for the past twenty years. It has done so in three major ways: by representing torture as a matter of split-second emergencies that require the moral fortitude to commit torture when nothing else will help; by obscuring and misrepresenting the nature of the torture regime through systematic obfuscation and misdescription; and through the dissemination and repetition of racist stereotypes and discourses which function to dehumanize Muslim

prisoners and endorse their torture. This is, I admit, a gloomy picture. But these representations, noisily hegemonic though they may be, are nowhere unopposed. In closing, this chapter will gesture towards the many ways in which these discourses are resisted in popular culture.

The history of the popular cultural justification of torture is simultaneously a history of attempts to reframe the narrative around torture. These disruptive narratives very often counter the popular justifications of torture by critiquing the ticking bomb narrative, by exposing the material conditions and personal histories that are obscured by hegemonic accounts of the torture program, and by resisting the racist Islamophobic dehumanization of the prisoners who suffer in war on terror prisons.

The theatre has provided several particularly striking works. Frances Ya-Chu Cowhig's *Lidless* (2010), Judith Thompson's *Palace of the End* (2010), David Hare's *Stuff Happens* (2004) and Victoria Brittain and Gillian Slovo's *Guantanamo: 'Honor Bound to Defend Freedom'* (2004), for instance, all engaged in various moral and political critiques of war on terror torture. Robert Fothergill's *The Dershowitz Protocol* (2007) targets the ticking bomb scenario explicitly, critiquing Dershowitz's suggestions, mentioned above, that torture could be safely and effectively legalized in ticking bomb conditions.

Literary responses to the torture program have been less forthcoming, but Dorothea Dieckmann's *Guantanamo: A Novel* (2004), Anna Perera's young adult novel *Guantanamo Boy* (2009), and Alex Gilvarry's *From the Memoirs of a Non-Enemy Combatant* (2012) each attempt to resist the dehumanization of prisoners by revealing the torture program from the perspectives of those who suffer its violence. Film, however, has been one of the major popular channels for anti-torture texts. Documentaries such as *The Road to Guantanamo*, *Taxi to the Dark Side*, *Standard Operating Procedure* and *Four Days Inside Guantanamo* (2010)

have exposed the sordid material realities of the torture program, and narrative works such as *Rendition*, *Extraordinary Rendition* (2008), *Complicit* (2013), *Camp X-Ray* (2014), *The Report* (2019), *The Mauritanian* (2021) and *Rabiye Kurnaz Vs George W Bush* (2022) have each attempted to humanize the prisoners of the torture program and to resist and reframe the political discourses that justify and enable it.

The Report is a particularly interesting example of the way that these narratives disrupt and critique one another, as it explicitly critiques 24. In a scene roughly midway through the film, two characters argue about the justification for torture:

“CYRUS CLIFFORD: You know Dan, a lot of people in this country felt the CIA was justified in doing whatever they had to do to keep us safe. I have friends who lost people that day [9/11].

DANIEL JONES: And a lot of people watch 24 on Thursday nights and hear Jack Bauer say “I don’t want to bypass the constitution, but these are extraordinary circumstances,” just before, you know, he sticks a knife in them and makes them give up a plot. It doesn’t work that way.”

Justifications for torture surround us, saturating our political discourse and our popular culture. But so too does resistance to the grotesque political systems of which Guantanamo is so potent a symbol.

It is important, however, to keep the role of popular culture in perspective: texts like *Rendition*, for instance, sometimes suggest that the act of exposure is itself the sum of possible political resistance. Storytelling is vital. But the ticking bomb scenario is important because of its material consequences, its connection to real-world actions and violence. Anti-torture exposure, too, must be connected

not simply to the sentiment of moral outrage but to the material practice of justice. I began this chapter with some reflections on scandal. Scandal is only valuable, however, if it inspires action.

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