



The Report and the Task of Critique: Torture, Exposure, and the Spectacle of Accountability

Alex Adams

Introduction

A great deal of scholarship has attended to the ways in which popular culture has been ideologically complicit in the US' controversial post-9/11 torture program. Thriller texts, most notably but not only Fox's long-running counterterrorism serial *24* and Kathryn Bigelow's tale of the killing of Osama Bin Laden *Zero Dark Thirty*, have been credibly associated with both the dissemination of torture justifications and the normalization of torture practices. Less discussed, however, are the many ways in which popular culture has put up a multifaceted resistance to this process of cultural laundering. A great many cultural producers (writers, filmmakers) have critiqued the political and ideological contours of the post-9/11 rush both to commit and to legitimize torture. Whereas the textual artifacts justifying torture have been subject to sustained academic critique, however, this 'other side' of the debate – composed of texts which articulate anti-torture positions – has received less critical attention. This essay, through an examination of the 2019 political thriller *The Report*, examines an important example of the popular cultural resistance to the Bush Administration's torture program. The critical task that the film undertakes is important, yet its horizons are narrowed by the filmmakers' focus on what I will call here the spectacle of accountability. Through its focus on formal institutional accountability and its emphasis on the Senate's exercise of administrative restraint over the CIA, *The Report* both condemns American torture and rehabilitates the American democratic political and military institutions that made it possible.

The Report stars Adam Driver (an ex-serviceman known for his remarkable range, and recognizable to popular audiences for his role in the final *Star Wars* trilogy) as Daniel Jones, the senate intelligence committee researcher whose team produced a colossal and damning report into the

Alex Adams is an independent scholar based in North East England. He writes widely on securitization, with a focus on the representation of torture and other imperial violence. He has published two books, *Political Torture in Popular Culture* (Routledge, 2016) and *How to Justify Torture* (Repeater, 2019), in addition to many peer-reviewed articles in journals including *Signs*, *Journal of Film and Video*, and *The Lion and the Unicorn*. He is currently writing a huge book on Godzilla.

CIA's post-9/11 torture program. This report remains classified, but its executive summary was published in 2014. The film is not, of course, a straight adaptation of the report, which is, after all, a very long and complex official document; it is, rather, a narrativization of the report's composition and the struggles that its authors and supporters faced in the process of conducting and publishing it. Though it is formally a political thriller, its major ethical task is to make the twenty central conclusions of the report very clear over the course of the story (Senate Select Committee on Intelligence 2014, 3–22).¹ The film shows us precisely why torture is wrong – it is brutal, degrading, and ineffective; it makes legal prosecutions impossible, and it corrupts institutions; it creates propaganda victories for terrorist organizations who want to condemn Western democracies as capricious, hypocritical, and violent. *The Report* also exposes and deflates the justifications that torturers circulate: by repeatedly underscoring the ineffectiveness and brutality of the torture program, it deals a heavy blow to the notion that torture can be justified as a tactic in a war against terrorism, and it also explicitly critiques other cultural narratives (notably *24* and *Zero Dark Thirty*) as politically complicit with the real-world violence of the torture program. The film ends with anti-torture legislation, demonstrating the power and efficacy of the rule of US law, and the ability of US state institutions to hold US power to account. Importantly, it does not impose total narrative closure, and it lays emphasis on the work still to be done to hold torturers accountable for their crimes.

However, this essay argues that despite these important ethical and political attributes, the film is critically limited in several important respects, and that these limitations tell us something important about the ideological condition of political resistance to war on terror torture today. The film is thematically concerned more with the ability of the US to self-police and self-correct than it is with any kind of engagement with the longer-term characteristics or historical meaning of post-9/11 torture. Many broader aspects of the torture program, such as its coloniality and its interpenetration with much broader processes of global militarization, remain underarticulated in the movie. Its historical lens, for example, seems to consider the post-9/11 war on terror as purely reactive against an irrationally aggressive, depoliticized and dehistoricized Islamism, and its consideration of the politics of the war on terror is limited entirely to the domestic US context. It also, by emphasizing the extent to which torture is excessive, renders other forms of military violence politically unproblematic and underscores the fundamental justice of the war on terror.

That is to say, in the act of critiquing the torture program, *The Report* representationally rehabilitates the democratic political and military institutions that enabled it in the first place. By criticizing an excess, *The Report*

is complicit in justifying and normalizing global forever warfare: as long as the US is able to enforce its hegemony within the scope of human rights norms, the film seems to claim, its global wars will remain justified. There is also the matter of respectability politics: by emphasizing its origins in official government oversight, the film sets up the torture report as the only credible source of objections to the torture program, ignoring or dismissing the many survivor accounts that have been so prominent a feature of the post-9/11 torture debate. There are, in short, a range of limitations on display in *The Report* that are representative of the broader political and philosophical limitations in a range of anti-torture positions. It is unrealistic to expect any one work of cultural production to single-handedly reorient the longstanding cultural and political debate over torture and counterterrorism, but *The Report* is interesting because it demonstrates particularly clearly that the society from within which it was produced is unable to clear-sightedly account for the torture program.

This essay proceeds in three phases. First, I consider the cultural and political context of the post-9/11 torture debate that makes *The Report's* intervention intelligible. Second, I consider the political and representational structure of the rhetorical act of exposure; this second phase of the essay features a short discussion of Foucault's theorization of the act of confession. Finally, the essay closes with some remarks about the production, distribution and circulation of *The Report*, and how these factors interact with the film's stated ethical task.

***The Report* and the Post-9/11 Torture Debate in America**

The Report is deliberately positioned as an intervention in the post-9/11 torture debate. This debate has periodically reached the mainstream public consciousness, most notably at flashpoints such as the establishment of the military prison at Guantanamo Bay in 2001, the Abu Ghraib prison scandal in 2004, the declassification of the Senate Torture Report in 2014, and the inflammatory remarks about torture periodically made by Donald Trump from 2015 onwards. The debate has, however, continued consistently at a lower level from 2001 to the present in a wide range of political, academic, legal, literary, journalistic, filmic, and popular cultural discourses. Fundamentally at stake is the question of whether it can ever be right to disregard human rights norms in the course of military – specifically counterterrorism – operations. As is the case with many moral debates over contentious, sensitive or otherwise polarizing topics (consider abortion, gun control, or drug decriminalization, for instance), many participants in this debate speak from fixed positions, and there is perhaps little chance that the opposing voices will convince one another. That said, many of the

cultural interventions in this debate are explicitly positioned in dialogue with one another, and they are frequently argumentative in structure and persuasive in intent. The torture debate in popular culture is fundamentally pugilistic; cultural productions contest one another, reframing, renegotiating, and reinterpreting the meaning of political violence in the war on terror.

I have already mentioned *24* and *Zero Dark Thirty* as examples of texts that have articulated positions that are, for want of a better word, ‘pro-torture’. Such positions are not unique to these two texts, however, as similar rhetorical machinations can be found in thriller films such as *Unthinkable* (2011) or *Olympus Has Fallen* (2013), throughout comic book fiction and its many popular adaptations (think Frank Miller’s interpretations of Daredevil and Batman, for instance), and the popular fiction of writers such as James Barrington, Andy McNab, Mike Maden, Jonathan Maberry, Tom Clancy, and legal provocateur Alan Dershowitz.² The ticking bomb scenario – the philosophical thought experiment in which torture is posited as a solution to imminent terrorist attacks, which justifies torture and structures *24* – can be traced at least as far back as André Malraux’s [1928] novel *The Conquerors* and has been a regular fixture of the debate about torture and terrorism since it was popularized by Jean Lartéguy’s *The Centurions* (1960), published in France at the height of the Algerian War of Independence (Lartéguy [1960]). In short, the justification of torture as manifested in popular culture is not solely a matter of one or two exceptional texts but should be understood as a dynamic and flexible system of political meaning that is embedded in many heterogeneous forms of mainstream discourse (Adams 2019).

Many of these texts show torture as a sound method of obtaining valuable information and preventing terrorist atrocities. The repetitiveness of this position is the point, as it allows this dubious idea to gain the appearance of commonsense rightness (Luban 2008). But the torture debate is more sophisticated and striated than this may suggest. As well as the debate over whether torture is acceptable, there are debates over whether ‘enhanced interrogation techniques’ such as hooding, exposure to noise, sleep deprivation, close confinement, or waterboarding constitute torture (Beynon 2012; Del Rosso 2014); there are debates over whether legal protections such as habeas corpus apply to people imprisoned by the US as part of the war on terror (Kaplan 2005); there are debates over whether the US should operate concentration camps. The scandal of the torture debate is that all of these questions are settled by the human rights norms that underpin international law (respectively: they are torture, they do apply, the US should not). Nonetheless, the Bush Administration, and the many political and cultural voices that were in sympathy with their aims, were

able to open up enough doubt about these things not only to be able to implement an international torture program but to convince many people that it was politically and morally legitimate to do so.

In *Tortured Logic* (2020), Erin M. Kearns and Joseph K. Young provide experimental evidence that viewing *24* can sway some audience members' opinions in favor of torture (Kearns and Young 2020). Their suggestions for counter-narratives that can *challenge* the political effects that they identify, however, are rather impoverished. They cite Steven Kleinman and Mark Fallon, intelligence professionals who claim that the production and circulation of narratives showing rapport building as a more effective interrogation strategy than torture might be an effective way to challenge public support for torture (50, 76); their own rather underwhelming conclusion is simply that 'it would be better that [media] not show interrogations at all' (78). Both of these positions are fundamentally philosophically and politically limited by their conflation of torture with interrogation. The reduction of the question of torture to a question of professional best practice is profoundly depoliticizing and misses the point of the moral and historical significance of torture so widely that it is borderline philosophically illiterate. Torture is, more than anything, a question of power, a question of unrestrained sovereignty, and, specifically relating to the US torture program, a question of global lawlessness and impunity. It is tied up with questions of authoritarianism, fascism, and coloniality; with the extension and exercise of power. Any text that seeks to challenge the legitimization of torture should interrogate this narrow association between torture and intelligence work, as it is the key factor that leads torture to be understood not as a political issue or a moral scandal but simply as something that may or may not 'work'.

And indeed, anti-torture interventions in the debate have tended to be more sophisticated than Kearns and Young (and their intelligence work interlocutors) have imagined. Certainly Kearns and Young do not cite any of the many that exist, such as the major works by graphic novelists (Tubiana and Franc 2017; Mirk 2020), novelists (Dieckmann 2008 [2004]; Perera 2009; Coetzee 2007; Gilvarry 2012), playwrights (Slovo and Brittain 2004; Hare 2004; Cowhig 2011; Thompson 2010), documentarians (Gibney 2007; Morris 2008), narrative filmmakers (Threapleton 2008; Winterbottom and Whitecross 2006; Hood 2007; Toolis 2013; Sattler 2014; Macdonald 2021) and memoirists including survivors and guards (Begg 2006; Errachidi 2013; Slahi 2015; Hickman 2015). These texts attempt a range of tasks, but their main goals tend to be those of exposing and explaining the many aspects of the torture regime, rehumanizing prisoners, and challenging the justifications for torture that are so repetitively articulated in mainstream popular culture; these texts intervene in questions not only of whether

torture is right but also insist that EITs are torture, that concentrationary imprisonment is wrong, and that the prisoners in the war on terror camps are in fact human beings entitled to human rights and legal protections. Their critical task, then, is multifaceted and complex, but, importantly, it is also made more demanding by the hegemonic weight, rhetorical directness, and popular appeal of the pro-torture positions that they challenge. Critique of torture, here, is not simply the condemnation of torture, but the explicit refutation of a system of hegemonic discourse about torture made all the harder by the fact that such critique is explicitly framed as a task, as a disruptive or activist intervention, rather than simply the rearticulation or confirmation of existing dominant positions. In *Minima Moralia* (2020 [1951]: 156), Theodor Adorno writes that ‘the aporia of responsible work benefits the irresponsible.’ The difficulty of articulating ethically coherent positions (‘responsible work’) in an accessible, attractive, and digestible way is part of the reason that justifications for torture (‘irresponsible work’) can remain hegemonic (Adorno [1951] 2020).

The Report engages in some of these critical tasks effectively. Importantly, it is positioned as an antidote to cultural representations that glorify torture as an effective counterterrorism measure. For example, it explicitly and with great precision refutes the narrative of *Zero Dark Thirty*. Bigelow’s movie was widely criticized for dramatizing the CIA’s claim that torture played a significant role in providing the intelligence that led to the raid on Osama Bin Laden’s compound in Abbottabad (Carruthers 2013; Hasian 2014; Adams 2016). In *The Report*, Jones directly debunks this, with the aid of hand-drawn charts, by pointing out that the CIA had already acquired the information that led to this raid through surveillance, and that torture was not a useful part of the intelligence process. *Zero Dark Thirty* is explicitly critiqued as a central part of the CIA PR strategy which aimed to ‘connect the bin Laden raid to intel obtained via EITs’ and in the process to launder the reputation of the torture program by demonstrating (falsely, yet compellingly) that the torture program led directly to a tangible military victory.

Elsewhere in the movie, Jones excoriates *24* as follows:

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.

Now, of course, this criticism of *24* is righteous and echoes the many, many criticisms of *24* that have been published in the twenty years since it

first came to our screens (Van Veeren 2009; Mayer 2007). But to exceptionalize *24* in this manner fails to account for the extent to which its central justificatory conceit, the ticking bomb scenario, is embedded in a much wider range of cultural and political discourse. As we have seen, *24* is emblematic of a *strain* of both liberal and conservative political culture in the US and Europe (in particular the former imperial powers such as France and the UK), a *tendency* within hegemonic forms of literary, filmic, and televisual representation in which torture is positioned as politically legitimate and militarily effective. Of course, we should not expect Daniel Jones to be a literary historian at the same time as he is a senate intelligence committee research specialist, but some acknowledgment that the ticking bomb scenario did not organically spring out of the ground from nowhere in the months after 9/11 – and that it has been a fixture of US popular culture since at least *Dirty Harry* (1971), if not long before, and was prevalent throughout pre-9/11 cop shows like *NYPD Blue* – could provide valuable context.

The political and contextual horizons of the film are also cause for concern. Like Kearns and Young, it represents torture as fundamentally a question of counterinsurgency best practice and not as a question of political power, imperialism, or sovereignty. Its historical scope is limited entirely to the post-9/11 period, offering no reflections at all on the reasons why the US is involved in the war on terror apart from a numbingly narrow view that it is *reactive* against the terrorist forces who, for no apparent reason, initiated a war against the US by demolishing the World Trade Center on one sunny morning in September. This understanding of the origins of the war on terror is perhaps where we can see most clearly the absence of any political recognition of the US' historical role as an imperial power. 9/11 is only a singular, inexplicable moment if there is no understanding of its geopolitical context and the political circumstances and motivations of its perpetrators. The film's framing is more concerned with the practical legitimacy of intelligence warfare in the course of otherwise morally unproblematic counterterrorism warfare than it is with the suffering and degradation of hundreds of individuals or with a recognition of the longer-term politics of the war on terror. If only the CIA had not committed torture, the profoundly destabilizing invasions of Iraq and Afghanistan would, presumably, be entirely legitimate. Senator Feinstein, for instance, voices her support for drone strikes in the movie; targeted assassinations in violation of international law are of no account, but torture is uniquely reputationally important. By highlighting torture as a particularly grotesque excess of US power, *The Report* attempts to show that the torture program represents a discrete, now-closed chapter in US history that came from nowhere and for which the US has been – symbolically at least – held to

account. In the process, this normalizes other acts of US imperialism that the film silently passes over; by criticizing an excess, the film is complicit in justifying global forever warfare.

Atrocity, Exposure, and the Task of Critique

The film's central gesture is that of exposure. It is perhaps best understood, after all, as an element of the promotional campaign to publicize the findings of the SSCI report. Exposure and truth-telling is a foundational aspect of contemporary models of human rights investigation and transitional and restorative justice, as it allows for (but by no means guarantees) the establishment of a shared narrative that can provide a starting point for justice or reconciliation (Seyfarth 2017: 104). Cultural production very often has a role to play in this process of political narrative-making.

In her piece on denunciation and reflective spectatorship, Mihaela Mihai (2014, 445) writes that cultural production – her example is theatrical dramaturgy – can stage denunciations of ‘complex injustices, that is, injustices that involve, beyond the direct perpetrators, many who allowed or even condoned the abuses in the past and who now benefit from turning a blind eye’. That is, texts which expose and dramatize systemic injustices are politically effective because, ‘in re-politicizing previously neutralized areas of social life, legitimate acts of condemnation can play a crucial critical role: they can raise awareness and fuel important public debates over how pervasive injustices reproduce unimpeded’. Dramatic, filmic, or literary texts are often used to reveal the complex interpenetrations of the past and the present, and the uncomfortable realities of contemporary populations’ complicity in historic injustice. Likewise, exposures and critiques of Guantanamo and the post-9/11 torture program of which it is only the most visible part are, of course, of tremendous political value. By providing counternarratives, exposures of torture violence have the potential to trouble the hegemonic certainty of dominant narratives and to hold those in power to account (Lesage 2009).

However, this is rarely a straightforward matter. Often, in cultural texts that are critical of torture, there is an assumption that revealing atrocities or injustices is in itself a radically contestatory, politically valuable, even heroic act that allows moral outrage to assume a politically regulative function. The veil is lifted, secrecy is punctured, criminals are caught red-handed and incontrovertibly condemned through the cleansing power of sheer visibility; such moments of dramatic revelation, in which light is shone on secluded, evil practices and truth is spoken to power, rely on the naïve notion that exposure automatically leads to horror, which automatically leads to action, leading finally to justice. This model of exposure narrative is central to classic political thrillers such as

All the President's Men (1976) and *Serpico* (1973), and, more latterly, war on terror thrillers such as *Rendition* (2007), which powerfully dramatize the radical exposures of corruption and atrocity by persecuted yet ultimately vindicated moral agents.

Such a model of whistleblowing and exposure is reassuring because in it the systems of accountability built into liberal democratic societies are presupposed to be able to politically contain and neutralize both the excesses of its own institutions and, sometimes, the crimes committed elsewhere by enemy states. 'Exposing these moments of ethical failure, in which the relationship between the martial and the ethical appears to break down,' writes Jamie Johnson (2017, 704), 'wartime scandals seem to present us with uncomfortable truths about the conduct and legitimacy of military force'. Renowned investigative journalist Jane Mayer, for instance, describes the SSCI report as 'one of the most extraordinary self-examinations ever undertaken by the US government', and 'a model of government accountability'. She also notes that 'the more who learn the truth, the better off the country will be because there is no better safeguard against the revival of torture than a well-informed public' (2017: vii, viii, ix). Perhaps journalists, even those as formidable as Mayer, need to believe this. However, as Johnson proceeds to argue, scandals in themselves are complex rhetorical phenomena in which flexible moral parameters are drawn and redrawn (Johnson 2017). That is, scandal is integral to the rhetorical and political structure of modern war. The gesture which marks some violent acts as excessive also marks others as acceptable.

Confession

In *Evil Men* (2013), James Dawes raises important questions about the rhetorical strategy of exposure.

Human rights workers who use "exposure" as an intervention technique face difficult questions about its effectiveness. What is the point of seeing if we cannot act on what we see? What if seeing promotes "story fatigue" rather than action? More troubling, they also face questions about whether exposure-as-intervention might be a service to perpetrators. (Dawes 2013, 12)

The problem is not, for Dawes, *whether* to expose human rights abuses, as he accepts that it is a duty of sorts, both valuable and necessary for the difficult work of investigating, understanding, and policing human rights abuses. The question that his book addresses so astutely is *how* to expose them ethically, *how* to make them comprehensible without making the violence either too repellent or too glamorous, without making perpetrators either demonic or sympathetic, without insulting or dehumanizing the victims. This is not the place to resolve such aporias, but it is worth stressing,

with Dawes, that the *manner* of exposure can be almost as fraught a matter as the *content* of the exposure.

The Report is articulated from a very particular position of enunciation, and it is worth considering how this position of enunciation determines the extent of the critique that the film is able to engage in. To recap the story: the US Senate heroically investigates, reports on, and condemns a specific category of activities conducted by a group of individuals within the CIA. Further, the meaning of this act is made clear toward the end of the film, when Senator Dianne Feinstein insists that the US should prove its moral character by not only *conducting* the SSCI investigation but by *publishing* it too. Though the full report remains classified, the film adaptation is clearly a component part of the attempt to discharge this ethical duty. That is, the film is part of a self-regulatory process in which the US system of democratic checks and balances visibly enables the US to police itself. In the course of this process, the US refuses to be judged from the outside, by any international institution, or on any other terms but its own.

In the first volume of *The History of Sexuality* (1978 [1976], 61–62), Michel Foucault theorizes the Christian practice of spiritual confession. In particular, he conceptualizes the confession as forming part of a dialogue in which the confessing subject accounts for oneself and one's sins in order to be forgiven them. 'The confession is a ritual of discourse in which the speaking subject is also the subject of the statement; it is also a ritual that unfolds within a power relationship, for one does not confess without the presence (or virtual presence) of a partner who is not simply the interlocutor but the authority who requires the confession, prescribes and appreciates it, and intervenes in order to judge, punish, forgive, console, and reconcile'. The act of confession 'exonerates, redeems, and purifies him; it unburdens him of his wrongs, liberates him, and promises him salvation.' Confessing one's sins, then, is a moral act, requiring courage and the sincere willingness to be judged, perhaps condemned; it is also, however, the first act in a sequence of gestures that proceeds teleologically toward forgetting. By virtue of confessing, one begins the procedure of the erasure or expunging of one's sins. *Self-policing is a form of confession which rehabilitates the offender: by accusing oneself, the confessor exonerates oneself.*

The Report is a damning and thorough indictment of a certain set of practices conducted by one government agency. But it simultaneously is an exercise and vindication of the American system of internal accountability. Its gesture of exposure, the way that it makes a spectacle of accountability, is double: it exposes the sin of the torture regime, but it also exposes the virtue and conscience at work in the system that brings the sin to an end and foregrounds its repentance. For Foucault, the Christian institution of confession performed a regulatory function that enabled a certain modern

self-reflexive subjectivity to be brought into being, a mode of subjectivity which prioritized the extensive scrutiny, knowledge, and ultimately *production* of the self (Bernauer 2005; Lynch 2009). In confessing, one creates a knowledge of the self which includes knowledge of one's sins, virtues, weaknesses, fortitude, and so on; likewise, the confessional mode of exposure undertaken by the producers of *The Report* produces an image of the US which, in the process of acknowledging sin (i.e., torture) in fact foregrounds the virtue of mastery over this sin (i.e. accountability).

Confession as a form of speech act always exists in relation to the accusation. As we have seen with regard to Jones' foregrounded correction of the narratives circulated in *Zero Dark Thirty* and *24*, *The Report* is fully invested in communicating the fact-based, independently verified, and thoroughly documented historical truth about the torture program. In other words, the film is about *accurate messaging*. In the Senate's anxiety to communicate a faithful version of events, we can see an anxiety to control the narrative about torture. But this anxiety to produce a definitive, exclusive account of the torture program does not concern only the correction of CIA misinformation: it also explicitly criticizes the role played in the torture debate by unofficial disclosures and whistleblowing. Feinstein calls Edward Snowden a traitor, for instance, and there is a subplot in which Jones considers, but ultimately rejects as unethical and unprofessional, leaking the report to the New York Times. The prioritization of in-house institutional reform further demonizes and delegitimizes figures such as Snowden and Chelsea Manning, who leaked confidential data related to the war on terror, or even figures such as Daphne Caruana Galizia, the Maltese journalist assassinated for her role in the exposure of the Panama Papers. By defanging accusations such as these through the foregrounded act of confession, *The Report* seeks to provide the only definitive account of the torture program. There is no consideration of the perspective of the prisoners, victims, and survivors of the torture program, many of whom have published memoirs, or of the many human rights organizations who have investigated and exposed the torture regime. *The Report's* confessional exposure of the torture program is a way of establishing the official narrative, neutralizing the accusatory criticisms of external voices, and setting the boundaries of permissible critique.

World, Text, Critique

No materialist account of culture can avoid the politics of production and distribution. In his essay on Michael Winterbottom's docu-drama *The Road to Guantanamo* (2006), Bruce Bennett (2008) writes that the film's task – that of raising awareness of torture and encouraging politically

engaged activism in its viewers – is facilitated by the filmmakers’ novel distribution strategy, in which it was released simultaneously in cinemas, on broadcast TV, on DVD, and for online streaming. If a low-budget docu-drama was to hope to have anything like as much of a political impact as the hegemonic cultural productions that articulate pro-torture narratives, then it would need to have as high a profile as possible and to be as accessible to as wide an audience as possible. This maximalist distribution strategy, designed to amplify the film’s reach as much as possible, was an extension of the filmmakers’ activist ethical project.

The Report, likewise, is supported by a multi-pronged multimedia franchise: in addition to a new mass-market paperback edition of the 500-page declassified executive summary of the SSCI report, the movie is supplemented by an explanatory promotional podcast and a graphic novel adaptation (Jacobson and Colón 2017).³ However, the film itself, after its limited theatrical run, is not available on DVD or Blu-Ray and can only be legally accessed digitally, through a subscription to the digital content ecosystem Amazon Prime (Tiwary 2020). Like many such digital platforms, its subscription model makes digital content available in return for monopoly rents (Langley and Leyshon 2017). Part of Prime’s consumer appeal is its colossal portfolio of exclusive content, which of course makes sense in commercial terms; but as part of an activist strategy, the exclusivity of pay-walled platform capitalism can only register as a contradiction.

Conclusion

Let me be clear: *The Report* is an important piece of cultural production that attempts an important ethical task with a reasonable degree of success. ‘Truth-telling is an area where the perfect should not be the enemy of the good,’ writes Lucia H Seyfarth (2017, 134), quite reasonably, in her analysis of the SSCI report; ‘the report’s release was important and its achievements should not be downplayed’. The movie, too, represents an important intervention in the popular cultural torture debate that should not be dismissed out of hand, as it represents a meaningful and accessible corrective to the many aesthetic and narrative justifications for torture, such as *24* or *Zero Dark Thirty*, which circulate in popular culture with extraordinary frequency. It is, however, also a clear example of a process or pattern that we see throughout hegemonic popular culture in which limited critique acts to forestall more substantial forms of political criticism. It is exemplary of a rather narrow and depoliticized viewpoint from which to critique torture, in which torture is condemned because it is operationally ineffective, because it breaks legal norms, and because it lays the perpetrator open to reputational damage. Fundamental political questions about the relation

between torture, power, and imperialism, so important for an understanding of the nature and historical meaning of war on terror torture, are subordinated to the spectacle of procedural accountability.

Notes

1. The findings and conclusions of the report state, in short, that the torture program was brutal and operationally ineffective, that the CIA lied about this repeatedly (including to Congress, the White House, and the public), that the CIA continually resisted both democratic oversight and external and internal accountability procedures, and that the torture program damaged the USA's standing in the international community.
2. Dershowitz is known for his drastically right-wing legal scholarship, which defends (among other things) torture, Israeli settler colonialism, and the presidency of Donald Trump. He has also published three novels: *The Advocate's Devil* (1995), *Just Revenge* (1999), and *The Trials of Zion* (2010). *The Trials of Zion* features a 'ticking bomb torture' scene in its closing movement.
3. The podcast can be accessed at <https://www.topic.com/the-report-podcast>.

Acknowledgments

I would like to thank Bob Brecher and Mani Sharpe for their perceptive and generous notes on prior drafts of this essay.

Works Cited

- Adams, Alex. 2016. *Political Torture in Popular Culture: The Role of Representations in the Post-9/11 Torture Debate*. New York & London: Routledge.
- Adams, Alex. 2019. *How to Justify Torture: Inside the Ticking Bomb Scenario*. London: Repeater.
- Adorno, Theodor. [1951] 2020. *Minima Moralia: Reflections from Damaged Life*. Translated by EFN Jephcott. London: Verso.
- Begg, Moazzam. 2006. *Enemy Combatant: The Terrifying True Story of a Briton in Guantánamo*. London: Pocket Books.
- Bennett, Bruce. 2008. "Cinematic Perspectives on the 'War on Terror': *The Road to Guantánamo* (2006) and Activist Cinema." *New Cinemas: Journal of Contemporary Film* 6 (2): 111–126. doi:10.1386/ncin.6.2.111_1
- Bernauer, James. 2005. "Confessions of the Soul: Foucault and Theological Culture." *Philosophy & Social Criticism* 31 (5–6): 557–572. doi:10.1177/0191453705055489
- Beynon, Jonathan. 2012. "'Not Waving, Drowning'. Asphyxia and Torture: The Myth of Simulated Drowning and Other Forms of Torture." *Torture* 22 (Supplementum 1): 25–29. <https://europepmc.org/article/med/22948400>
- Carruthers, Susan L. 2013. "Zero Dark Thirty." New York City: *CINEASTE* (Spring), 50–52. <https://www.jstor.org/stable/43500825>.
- Coetzee, J. M. 2007. *Diary of a Bad Year*. London: Vintage.
- Cowhig, Frances Ya-Chu. 2011. *Lidless*. London: Methuen Drama.
- Dawes, James. 2013. *Evil Men*. Cambridge: Harvard University Press.
- Del Rosso, Jared. 2014. "The Toxicity of Torture: The Cultural Structure of US Political Discourse of Waterboarding." *Social Forces* 93 (1): 383–404. doi:10.1093/sf/sou060

- Dieckmann, Dorothea. [2004] 2008. *Guantanamo: A Novel*. Translated by Tim Mohr. London: Duckworth Overlook.
- Errachidi, Ahmed. 2013. *The General: The Ordinary Man Who Challenged Guantánamo*. London: Vintage.
- Foucault, Michel. [1976] 1978. *The History of Sexuality, Vol 1: The Will to Knowledge*. Translated by Robert Hurley. London: Penguin.
- Gilvarry, Alex. 2012. *From the Memoirs of a Non-Enemy Combatant*. London: Penguin.
- Hare, David. 2004. *Stuff Happens*. London: Faber and Faber.
- Hasian, Marouf A. Jr. 2014. "Military Orientalism at the Cineplex: A Postcolonial Reading of *Zero Dark Thirty*." *Critical Studies in Media Communication* 31 (5): 464–478. doi:10.1080/15295036.2014.906745
- Hickman, Joseph. 2015. *Murder at Camp Delta: A Staff Sergeant's Pursuit of the Truth about Guantanamo Bay*. London: Simon & Schuster.
- Jacobson, Sid, and Ernie Colón. 2017. *The Torture Report: A Graphic Adaptation*. New York: Nation Books.
- Johnson, Jamie M. 2017. "Beyond a Politics of Recrimination: Scandal, Ethics and the Rehabilitation of Violence." *European Journal of International Relations* 23 (3): 703–726. doi:10.1177/1354066116669569
- Kaplan, Amy. 2005. "Where is Guantánamo?" *American Quarterly* 57 (3): 831–858. <https://www.jstor.org/stable/40068318>. doi:10.1353/aq.2005.0048
- Kearns, Erin, M., and Joseph K. Young. 2020. *Tortured Logic: Why Some Americans Support the Use of Torture in Counterterrorism*. New York: Columbia University Press.
- Langley, Paul, and Andrew Leyshon. 2017. "Platform Capitalism: The Intermediation and Capitalization of Digital Economic Circulation." *Finance and Society* 3 (1): 11–31. doi:10.2218/finsoc.v3i1.1936
- Lartéguy, Jean. [1960] 2015. *The Centurions*. Translated by Xan Fielding. London: Penguin.
- Lesage, Julia. 2009. "Torture Documentaries." *Jump Cut*, 51. <https://www.ejumpcut.org/archive/jc51.2009/TortureDocumentaries/text.html>
- Luban, David. 2008. "Unthinking the Ticking Bomb." Georgetown Law Working Papers. <http://ssrn.com/abstract=1154202>
- Lynch, Thomas. 2009. "Confessions of the Self: Foucault and Augustine." *Telos* 146: 124–139. doi: 10.3817/0309146124.
- Malraux, André. [1928] 1983. *The Conquerors*. Uncredited translator. London and New York: Journeyman Press.
- Mayer, Jane. 2007. "Whatever it Takes: The Politics of the Man Behind 24." *The New Yorker*. <https://www.newyorker.com/magazine/2007/02/19/whatever-it-takes>
- Mayer, Jane. 2017. "Introduction." In *The Torture Report: A Graphic Adaptation*, edited by Sid Jacobson and Ernie Colón, vii–vix. New York: Nation Books.
- Mihai, Mihaela. 2014. "Denouncing Historical 'Misfortunes': From Passive Injustice to Reflective Spectatorship." *Political Theory* 42 (4): 443–467. <https://www.jstor.org/stable/24571492>. doi:10.1177/0090591714544706
- Mirk, Sarah, ed. 2020. *Guantanamo Voices: True Accounts from the World's Most Infamous Prison*. New York: Abrams ComicArts.
- Perera, Anna. 2009. *Guantanamo Boy*. London: Puffin.
- Senate Select Committee on Intelligence. 2014. *Senate Select Committee on Intelligence Report on Torture: Executive Summary of the Committee Study of the Central Intelligence Agency's Detention and Interrogation Program*. New York: Melville House Publishing.
- Seyfarth, Lucia H. 2017. "Facing an Ugly Truth: The Senate's Report on CIA Torture as Truth-Telling." *Oregon Review of International Law* 18 (2): 99–134.

- Slahi, Mohamedou Ould. 2015. *Guantánamo Diary*. Edinburgh: Canongate.
- Slovo, Gillian, and Victoria Brittain. 2004. *Guantanamo: Honor Bound to Protect Freedom*. London: Oberon.
- Tiwary, Ishita. 2020. "Amazon Prime Video: A Platform Ecosphere." In *Platform Capitalism in India*, edited by Adrian Athique and Vibodh Parthasarathi, 87–107. New York: Palgrave.
- Thompson, Judith. 2010. *Palace of the End*. London: Oberon.
- Tubiana, Jérôme, and Alexandre Franc. 2017. *Guantanamo Kid: The True Story of Mohammed Al-Gharani*. London: Self Made Hero.
- Van Veen, Elspeth. 2009. "Interrogating 24: Making Sense of US Counter-Terrorism in the Global War on Terrorism." *New Political Science* 31 (3): 361–384. doi:[10.1080/07393140903105991](https://doi.org/10.1080/07393140903105991)

Film/TV

- Jon Cassar. Head Dir. 2001–2017. *24*.
- Alan J Pakula. Dir. 1976. *All the President's Men*.
- Peter Sattler. Dir. 2014. *Camp X-Ray*.
- Kevin Toolis. Dir. 2013. *Complicit*.
- Don Siegel. Dir. 1971. *Dirty Harry*.
- Jim Threapleton. Dir. 2008. *Extraordinary Rendition*.
- Kevin Macdonald. Dir. 2021. *The Mauritanian*.
- Gavin Hood. Dir. 2007. *Rendition*.
- Michael Winterbottom and Matt Whitecross. Dir. 2006. *The Road to Guantanamo*.
- Sidley Lumet. Dir. 1973. *Serpico*.
- Errol Morris. Dir. 2008. *Standard Operating Procedure*.
- Alex Gibney. Dir. 2007. *Taxi to the Dark Side*.
- Kathryn Bigelow. Dir. 2012. *Zero Dark Thirty*.