Torture in Series:

Negotiations of Torture in US-American Television after 9/11

Von der

Carl von Ossietzky Universität Oldenburg

Fakultät III: Sprach- und Kulturwissenschaften

zur Erlangung des Grades

eines

Doktors der Philosophie (Dr. phil.)

genehmigte Dissertation

von Daniel Šíp

Geboren am 07.05.1981

Folter in Fernsehserien:

Verhandlungen von Folter in US-Amerikanischen Fernsehserien seit 9/11

Von der

Carl von Ossietzky Universität Oldenburg

Fakultät III: Sprach- und Kulturwissenschaften

zur Erlangung des Grades

eines

Doktors der Philosophie (Dr. phil.)

genehmigte Dissertation

von Daniel Šíp

Geboren am 07.05.1981

Referent: Prof. Dr. Martin Butler

Korreferent: Prof. Dr. Anton Kirchhofer

Tag der Disputation: 02.03.2020

Torture in Series – Negotiations of Torture in US-American Television after 9/11

Note on the documentation of sources

This study uses three types of sources: televisual material, newspaper and magazine articles (online and print), as well as academic research. Screenshots from the televisual material are included in Appendix 1. All references to academic and journalistic sources are documented in the footnotes and in a list of works cited.

Because of the greater number of journalistic sources as well as references to individual episodes, I use footnotes instead of in-text citation. Here, I mostly adhere to MLA seven with the exception of citing sources in footnotes from MLA six.

In addition to screenshots, I use an appendix for a longer description of the chosen method for selecting materials. The appendices will be referred to in the text or in footnotes where appropriate:

Appendix 1: Screenshots
Appendix 2: Methodology and Selection of Materials

1. Introduction: Initial Observations on the Forms and Functions of Torture on TV

On October 29, 2002, the television series *24*, produced for and screened by Fox Networks, entered its second season with an extensive torture scene set at an undisclosed location somewhere in Korea: A man called Jason Park is strapped to a metal stretcher and surrounded by military and medical personnel. He is injected with an unknown substance and repeatedly exposed to electric shocks which visibly cause him contorting pains. Eventually, he whispers inaudible information into the ear of a Korean agent who subsequently leaves the torture room and enters another with US-American military personnel waiting. He passes on that Park pronounced the word "today" which intradiegetically leads to a race by US-American intelligence to prevent a nuclear warhead placed by 'Arab terrorists' to explode on American soil. On a medial level, *24*'s split-screen real-time format is inseparably coupled with a ticking-time-(atom)bomb scenario. These two plot elements – the real time format and the ticking-time-bomb scenario – are part of a characteristic tool box for which the show will become both famous and infamous. This real-time connection between torture and actionable intelligence was often received and criticized for being simplistic and sensationalist. Simplistic in the sense that torture was represented as if it was the causal connection between investigation and foiling the terrorist plot. Sensational in the way that this reduction lends itself for a political proposition of torture.

During the run of *24*'s second season, torture is a recurring part of the plot in various forms, constellations, and detail. The subject positions vary as we witness terrorists torturing civilians and agents of the US-American government and military; intelligence agents torturing terrorists; the president ordering the torture of the head of the National Security Agency (*NSA*); and the protagonist of the show, Jack Bauer, switching back and forth from subject to object of torture. The tools of the trade range from household items and construction tools to more sophisticated methods relying on lethal substances and electricity. Torture is portrayed as both spontaneous and amateurish or preconceived and professional. While some scenes are explicitly identified as torture by witnesses or direct participants, others depend on the viewers' familiarity with representations of the practice in this, in other shows, or in other medial (even non-fictional) contexts. There are hints that *24* lends itself to be read as referential to the ongoing political and public debate following the post-9/11 'Islamic' terrorism, the possibility of another terrorist attack in the United States, as well as the work of the intelligence agencies attempting to prevent the latter and the negotiation of their tools of the trade, in particular the permissibility of torture.

In 2001, one year prior to the torture scene described above, the broadcasting company ABC screened the pilot of a new series, *Alias*, which also begins with a torture scene. This time, however, of the show's protagonist, secret agent Sydney Bristow. In the opening scene, Sydney is tied to a chair and interrogated after having infiltrated a secret facility in Taiwan. Her torturer uses pliers to pull out several of her teeth in the hope of extorting information about her employer. Sydney eventually frees herself – rather acrobatically – from the hands of her captors but *Alias* will return to torture and depict the practice over its six seasons as often and as extensively as *24*.

Despite the quantitative similarities, the effect of the torture representations in these two shows could not have been different. By effects I do not mean the subjective or psychological effects on a viewing audience. Instead, my interest is in the discursive effects observable in public media and such which rippled through contexts usually not concerned with fictional negotiations of the topic or with television series in the first place. The question about these effects is further informed by the observation of a sudden scandalization of *24* and its handling of torture. Initially, the show's use of torture, including the scene described above, did not provoke any considerable attention, neither in public media nor under scholarly scrutiny. It remained a side note within the general interest in the show's 'unique' and 'original' format. This changed on January 9, 2005. During the primary episode of the show's fourth season Jack Bauer storms into the interrogation room of his former employer, *CTU* (Counter Terrorism Unit), barricades himself with a suspected terrorist, shoots him in the legs and questions him regarding an impending attack. An outrage directed at *24* and in particular its depiction of torture ensued. The new attitude allowed a number of diverse institutions and subjects to participate in a discussion which critically eyed the way in which *24* and its personnel employ torture, to what outcome, and based on which legitimation. Importantly, these participants in the discussion describe or speculate upon the effect these representations have or might have on the show's audience. Newspaper and television reviewers, politicians, military and law enforcement professionals, medical doctors, representatives of humanitarian non-governmental organizations (NGOs), and academic scholars – all comment, mostly critically, on the series' handling of torture and often directly engage the producers and writers of the show.

In the face of such multifaceted attention one might ask: Why did torture on television become the focus of public attention only from the beginning of 2005 and not earlier? After all, the series did torture extensively in its previous three seasons. And why is it that torture in particular was awarded so much attention? From such a vantage point one could try to argue that it may have been the form of *24*'s particular torture which struck viewers as controversial.

It could as well have been the particular political and discursive context of 2001 until 2005 which directed the critics' and the public's attention to torture in *24*. Or, it may have been the developing scandals of Abu Ghraib, Bagram, and Guantanamo which heightened public and critical sensibilities. Or that it may have been a clever marketing strategy which aimed at steering public attention in an attempt to capitalize on scandal. However, the question "why" is somewhat misleading as it might insinuate an attempt to look for singular causality within the network of television series, political and public discourse, and the war on terror in the analyzed period.

In this project, I try to avoid exclusionary, mere causal explanations of the phenomenon of torture representations since 2001. While it may have been the interplay of all these contexts mentioned above, I do not assume a heterogeneous amalgam of influence taking effect. I will analyze the interplay of torture representation, public discourse on torture and historical construction of US-American torture as a generative process, one which is developing over time and one which allows different participants of the aforementioned contexts to assume prominent roles in the public discourse on US-American torture. Asking how the national debate took shape, which participants contributed, and how and why some took prominent and crucial roles in determining the discourse for some time are questions which I take as an entrance point to a dialogic examination between televised torture representations – their forms and functions, their "narrative complexity"[1] and their "evolving narratives" in serial forms storytelling[2] –, and the national public and political discourse about torture, as well as the historical narrative of the US-American entanglement with torture since 2001. It is then particularly the serial aspect of television series and the form and reach of popular television since September 2001 which move into focus both in terms of corpus and analytically. This approach enables me to describe the forms of serialized televisual torture representation and their empirical functions as interplay, as a discursive network in which the television shows, producers, newspapers, reviewers, and critics, as well as political organizations are partaking with an interest in offering statements about torture. From this point I will be able to describe which forms of representation moved into the discursive focus and which participants get a determining voice at which point in the debate.

[1] See Jason Mittell, "Narrative Complexity in Contemporary American Television," *The Velvet Light Trap* 58 (2006). My initial reflections were in particular triggered by Mittel's conceptualization of seriality's "self-conscious mode[s] of storytelling" (34) and the tension and promise of "payoff that we will eventually arrive at a moment of complex but coherent comprehension, not ambiguity and questioned causality" (37).
[2] See Frank Kelleter, "From Recursive Progression to Systemic Self-Observation," *Velvet Light Trap* 79 (2017): 100.

In mapping out this network a specific historical phase of torture depictions in US-American television comes into view. By offering my own analysis of torture representations – sourced and contextualized as described – I highlight their subversive potential, based on the polysemic, serialized and popular characteristics of television series and thus both describe and criticize the polarization of 'good' and 'bad' torture depictions present in the discourse on torture representations. The timeframe selected for this study falls roughly between 2001 and 2010. While I chose the terrorist attacks of September 11, 2001 as a starting point, both *24* and *Alias* precede the events in terms of their production. The year 2010 as an endpoint was chosen as it covers the change and initial years of a new political leadership in the USA and proclaimed a new political stance towards torture.

1.1. Historical Specificity of Torture's Representation: Literature Review

Torture representations increasingly became a topic of interest in public, critical, and academic debate when the practice itself became an issue in the national news discourse. Such scrutiny is fueled by various assumptions about the effect representations have and what constitutes appropriate versus detrimental representations. Often one scene can produce diametrically opposed interpretations of a torture representation. In fact, there is frequently no consensus if what we see constitutes a representation of torture in the first place or some other violent act.

This debate, as I will try to show, is characterized by a moral-aesthetic concern about torture representations in television series which takes a specific historical development. This observation constitutes the frame of this study and leads to a number of initial questions and a specific approach which I will bring to the material.

In order to make the position and specificity I ascribe to torture representations in US-American television since 9/11 and its surrounding debate plausible I will briefly elaborate my own path which brought me to this topic. In doing so, I do not want to introduce any autobiographical aspect into this project. Instead, I would like to view the often-claimed shift and relevant change in the forms of televisual torture representations since 9/11 from the angle of the debate of torture in literature. At the same time, I hope to introduce a level of reflexivity into my argument. By taking my own approach and analytical decisions into perspective, I try to incorporate my own embeddedness into a specific research context and tradition, highlighting the perspectives and desired connections which it allows by pointing out the preconditions and limits for my possible results.

Literary representations of torture were the field I was previously concerned with in my master thesis and during the early formative period of this project. Research as well as philosophical arguments in this area have produced important positions with regard to the possibility and permissibility of representing torture. Such positions problematized the general possibility of relating or narrating the torture experience not just through literature, but through language itself. This categorical research question can also be brought to the discussion of televisual representations of torture. Despite the differences of televisual torture representation from literary representations of torture and, despite the fact that the discourse on literary negotiations torture differs – in terms of terminology, analytical tools, and historical canon – from the debate on filmic and televisual representations, the question whether or not torture experiences can be put into words or narrative holds relevance in both areas. It touches both

literary and televisual works as well as their debate through its relevance to the broader theme of representation.

When I began my research for literary representations of torture in works like George Orwell's *1984*, J.M. Coetzee's *Waiting for the Barbarians* as well as older works like Matthew Gregory Lewis' *The Monk* or Edgar Alan Poe's *The Pit and the Pendulum* two recurring arguments struck me which appeared to be paradoxical. The first argument questioned if torture experience can be expressed or narrated at all, problematizing the literary canon of already written works incorporating the practice and those to come. As part of the second argument, many reviewers and authors carved out a framework for reasonable or 'just' torture representations while others highlighted the potential benefits of such legitimate works.

A recurring fixture in the negotiation of the violent practise as particularly resistant to representation is Jean Améry's work *At the Mind's Limits*. In 1966, Améry, himself a victim of torture in a German concentration camp, raised the issue of the impossibility to communicate pain. According to Améry, from the victim's perspective, torture means the definite end of any trust in the world – trust that there are rules of society which can protect him and grant respect for his physical as well metaphysical existence.[3] Furthermore, the experience of torture is an irreversible experience. In effect the victim loses all trust in the world.

Améry describes a dismal scenario regarding the tortured subject stating that "[w]hoever was tortured stays tortured. Torture is ineradicably burned into him, even when no clinically objective traces can be detected."[4] Furthermore, a political dimension beyond the victim itself is embedded in his argument. Améry argues that torture is impossible to relate as pain refuses to be articulated. It can only be allegorised, explained by something else, but is ultimately lost in the "hopeless carousel of figurative speech".[5] Others have added a political dimension to Améry's observation that the suffering and experience under torture can hardly be communicated.

Elaine Scarry problematised the connection between pain and language and, just as Améry, argued that pain is not communicable. One reason for this impossibility to communicate pain is that pain has no external reference, Scarry argues. It is not for something or of

[3] "Wichtiger aber […] ist als Element des Weltvertrauens die Gewißheit, dass der andere auf Grund von geschriebenen oder ungeschriebenen Sozialkontrakten mich schont, dass er meinen physischen und damit auch metaphysischen Bestand respektiert." (Jean Améry, *Jenseits von Schuld und Sühne* (Stuttgart: Klett-Cotta, 2002) 66).
[4] Jean Améry, "Torture," *At the Mind's Limits: Contemplations by a Survivor on Auschwitz and its Realites* (Bloomington: Indiana UP, 1980) 34.
[5] Améry, "Torture" 33.

something.[6] Under torture this essential assumption about pain becomes a qualitatively new dimension. In the torture chamber language can become an agent of pain working for the torturing regime and against the victim because pain rejects its communication.

In her very pertinent study *The Body in Pain,* she argues that pain is at best, approachable in metaphoric terms, such as a "burning pain"[7] for infliction by fire. Obviously, this is a general problem of language but in regard to torture it can turn into a dramatic failure of language with political implications. If the reality of pain is inaccessible to anyone who is not experiencing it, Scarry claims, and pain escapes representation, then it is inevitable for representations of torture to move on unsteady ground. A representation of torture is constantly exposed to tests of adequacy and legitimacy. The right choice of words and a careful degree of explicitness are only the most prominent characteristics on which the debate on legitimate representation stands.

What strikes and what forms the basis of my research interest is that the aforementioned negotiation appears to limit the representation of torture in terms of form and effect while making it, at the same time, very productive. Despite the problems and impossibilities torture poses and presents, torture representation has not diminished. In fact, in US-American, television torture has arguably increased dramatically since the year 2000. And accordingly, the debate about torture representation has been flourishing. Reviewers, scholars, and critics have either tried to find theoretical approaches which can describe torture representation beyond the supposed paradox or attempted to describe in ever more detail, what impact torture representation has, what the benefits as well as negative aspects of torture representation are, and, in return, what this tells us about the practice itself. It is the question asking about the negative or positive impacts which seems to tie the representation to the political and historical dimension of the practice.

The history of torture is of twofold importance for this project. Firstly, as torture became a topic in US-American newspapers after 9/11 the discussion often returned to the question if torture has re-appeared historically, as it had presumably been abolished; if it was something novel or just a previously clandestine technique now out in the open. Secondly, with this new discursive context the debate on the effect and meaning of torture representations did alter as well.

In the year 1975, Michel Foucault argued in *Discipline and Punish* that the practice of torture disappeared, or at least fundamentally changed at the threshold of modernity. Foucault declared that "[w]e are now far away from the country of tortures, dotted with wheels, gibbet,

[6] Elaine Scarry, *The Body in Pain: The Making and Unmaking of the World* (New York: Oxford UP, 1985) 14.
[7] Scarry, *The Body in Pain* 7.

gallows, pillories […]".[8] Torture before the 18th century is fundamentally different, Foucault claims, from "the unrestrained torture of modern interrogations".[9] Torture, according to Foucault, was replaced in the modern disciplinary society by the mechanisms of surveillance, disciplining and subjectification, with its prisons and bureaucratic apparatuses. He did not trace this new "unrestrained torture" any further but focused solely on the mechanisms of the disciplinary society. This disinterest was criticized by proponents of a historical perspective which sees torture persist until today, even if sometimes only in secret.

Contrary to Foucault, a number of researchers in the field see a continuation of torture as a practice, from ancient Greece until today. This project does not aim at conclusively decide this contested discussion. Instead, I want to highlight that the notion of torture's continuation appears to have a much greater impact on the perception of torture representation than Foucault's claim of the disappearance of a previously highly regulated and institutionalised practice. It is especially torture's official illegality and secrecy which appear to manifest itself and influence the form of torture representations and their negotiation.

Those who argued that torture is prevalent today just as it was in ancient Greece, the Middle Ages and so forth, agree that the practice has changed with time and context and that the discourses have altered as well. And yet, in these arguments torture is viewed as a more or less stable concept. Edward Peters, Talal Asad, Page DuBois, and Darius Rejali, for example, very elaborately account for torture's existence in modernity. They see torture applied today in continuation with previous times, if with some differences particular to modernity. Darius Rejali believes torture never disappeared and in his extensive study *Torture and Democracy* showcases numerous examples of modern torture, its instances and practices, including a glossary of techniques.[10] Edward Peters constructs a clear continuity throughout the ages:

> […] the history of torture in western Europe may be traced from the Greeks, throughout the Romans, through the Middle Ages down to the legal reforms of the eighteenth century and the abolition of torture in criminal legal procedure […]. Removed from criminal law, however, torture was re-instituted in many parts of Europe and in its colonial empires from the late 19th century on […]. The best recent evidence indicates that torture is used, formally or informally, in one country out of every three.[11]

[8] Michel Foucault, *Discipline and Punish*, 2nd ed. (New York: Vintage Books, 1995) 307.
[9] Foucault, *Discipline and Punish* 40.
[10] Darius Rejali, *Torture and Democracy*, 4th ed. (Princeton: Princeton UP, 2009) 553.
[11] Edward Peters, *Torture,* exp. ed. (Pennsylvania: U of Pennsylvania P, 1999) 5.

In this reading, Algeria, South Africa, Germany, and, most recently, US-American detention centers, too, all saw the "reappearence" of an age-old practice.

Talal Asad argues that this would not even contradict Foucault's claim about the dramatic change in the 18th century. According to Asad, although torture was considered a cruelty among liberal societies after the 18th century, and its usage perceived as uncivilised, barbaric and of primitive origin, torture was not abolished. It became a secret measure and part of societies' mechanisms of policing:

> Public rituals of torture are no longer deemed necessary to the maintenance of sovereign power. (Whether, they were in fact functionally necessary to the maintenance of 'social order' is, of course, another question.) But Foucault's thesis about disciplinary power is not subverted by evidence of surreptitious torture in the modern state. On the contrary, precisely because torture carried out in secret is said to be intimately connected with the extraction of information, it is an aspect of policing.[12]

From such an understanding of torture's continuous existence, the practice is discursively rendered into a marker of illegal and illegitimate behaviour for western democratic governments. A practice to be discovered and condemned. Such a perspective allows for demonizing and delegitimizing the practices and governments which rely on it.

In an article from 2007, John Beverly compared the United States to the Spanish Inquisition and based this comparison on the reliance on torture:

> I would like to suggest that the United States has become, or is in the process of becoming, an ancien régime. Torture is one of the things that marks the ancien régime as such, that is, as a premodern or barbaric state. The American state begins with the prohibition of cruel and unusual punishment and the removal of punishment from the public eye. Spain—the Spain of the Black Legend and the Inquisition—marked for the hegemonic culture of the United States an anachronistic past, characterized among other things by cruelty and torture practiced in the name of religious orthodoxy, that we were destined to overcome as a nation. […] Yet the United States is now itself deeply and more or less overtly implicated in torture, mainly against Muslims. What if Spain, instead of being our past, is now rather our future?[13]

[12] Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford: Stanford UP, 2003) 104.
[13] John Beverly, "The Question of Torture, the Spanish Decadence, and Our Own," *boundary 2* 34:3 (2007): 189.

Beverly's claim is polemic and this project does not aim at responding to his claims about the US-American future. Much more important is to understand the structure of his argument. Beverly's use of torture as a concept upon which his critique is based highlights why Foucault's disinterest in modern torture is a controversial one.

Page Du Bois responded to Foucault's thesis in her book *Torture and Truth* in a politicized context: "Tell it to the El Salvadorians",[14] she wrote, and suspected a Eurocentric perspective in Foucault's work. DuBois' criticism is informed by the concern that torture could be discursively unproblematized, taking much of the concept's damning potential out of its perception. If 'torture' did effectively disappear in its pre-18th century sense, then the victims of Abu Ghraib might be described as victims of "unrestrained" and possibly unsupervised abuse. If torture, despite its abolishment as a judicial practice, did not disappear from western modernity in the 'West' and was discursively charged, this condition is seen in effect in the negotiation of modern torture representations.

Despite or because of its secrecy, torture acquired a social function which transcends the victim and the torture chamber through language and representation. Some have argued that torture develops its homogenizing power through fear when it reaches people in the form of a rumor.[15]

In terms of literary representations, this politically ambiguous quality of representation has implications for literary authors as well as critics, as highlighted by novelist J.M. Coetzee. In 1986, Coetzee described the precarious work authors undertake when entering the torture chamber. In this process literary torture representation becomes laden with paradoxical demands for legitimacy. For Coetzee, the torture chamber is a highly alluring place:

> The dark, forbidden chamber is the origin of novelistic fantasy per se; […] the state creates the preconditions for the novel to set about its work of representation. Yet there is something tawdry about following the state in this way, making its vile mysteries the occasion of fantasy. For the writer the deeper problem is not to allow himself to be impaled on the dilemma proposed by the state, namely, either to ignore its obscenities or else to produce representations of them. The true challenge is how not to play the

[14] Page Du Bois, *Torture and Truth* (New York: Routledge, 1991) 154.
[15] Peter Burschel, Götz Distelrath and Sven Lembke, eds., *Das Quälen des Körpers: Eine Historische Anthropolgie der Folter* (Köln: Böhlau, 2000) 9-11.

> game by the rules of the state, how to establish one's own authority, how to imagine torture and death on one's own terms.[16]

How to not play the game by the guidelines of the state was precisely explained by Coetzee along several instructions. The torturer should not be portrayed in the figure "of satanic evil, nor [as] an actor in a black comedy, nor [as] a faceless functionary, nor [as] a tragically divided man doing a job he does not believe in […]."[17] Furthermore authors are warned to avoid any "dark lyricism" when depicting the torture room.[18] Yet, Coetzee is not explicit enough about the reasons for this caution. In order to understand the paradoxical demand to represent in a proper way the event which essentially rejects representation, a brief look at the social effects of torture is necessary.

Such an effect produces recurring questions about the legitimacy of torture representations with which novelists are faced. Since readings and the imagination are hardly predictable processes, literary representations of torture could potentially scare the reader. In such a case literature would assist the work of torturing regimes, which, as Michael Gross argues, rely heavily on deterrence and fear.[19] The problem of representation in regard of pain and torture has led to a controversial demand for legitimacy when representing a torture scene.

On the other end of this spectrum, however, many have outlined the positive aspects which literature can have in helping victims of torture and mobilizing readers against the practice. In 1997, David B. Morris contemplated about the practice of representing suffering and the power of such endeavours: "[…] writers do far more than describe and represent affliction: they also, on occasion, reinvent suffering, and, in the process, help to mobilize the will, passion and intelligence needed to change the world."[20] Similar to Morris, and in the light of Amnesty International Human Rights work, Elaine Scarry admits that "the act of verbally expressing pain is a necessary prelude to the collective task of diminishing pain."[21]

Filmic and televisual representations of torture are met with similar concerns. In a similar vein as Coetzee, Darius Rejali warned of the creative pitfalls when representing torture

---

[16] J.M. Coetzee, "Into the Dark Chamber: The Novelist and South Africa," *The New York Times* 12 Jan. 1986: 13.
[17] Coetzee, "Into the Dark Chamber" 13.
[18] Coetzee, "Into the Dark Chamber" 13.
[19] Micheal L. Gross, *Moral Dilemmas of Modern War: Torture, Assassination, and Blackmail in an Age of Asymmetric Conflict* (Cambridge et. al.: Cambridge UP, 2010) 123.
[20] David B. Morris, "About Suffering: Voice, Genre, and Moral Community," *Social Suffering*, Eds. Arthur Kleinmann, Veena Das and Margarete Lock (Berkeley: U of California P, 1997) 42.
[21] Scarry, *The Body in Pain* 9.

on screen. He argues that movies can relate "convenient truths"[22] making torture less controversial. Rejali uses this term politically, meaning to criticize apologetic rhetoric about torture and torturers. As movies "show" rather than "tell", which is documented in written form, their representations can "easily escape evaluation".[23]

> As convenient truth forms the film's background viewers affirm it carelessly. For example, movies show torture machines with dials and numbers. This suggests a scale of pain. It fits a folklore on pain that teaches that more injury produces more pain. […] [But] in reality pain is not composed of discrete units that one can add up, and more injury often produces less pain, especially during long interrogation. (Rejali, Torture and Democracy, 447-53) The torture dial is a convenient truth and only a torture expert ruins the fantasy for everyone by exposing it as false.[24]

Rejali goes as far as claiming that movies, by telling convenient truths about torture, screen audiences from an unbearable reality. Rather polemically he writes: "[p]eople everywhere prefer imagining torture in ways that leave their lives unchanged and their politics untouched – this is the torture talk we Americans, from left to right, want. Until we want to change, see you at the movies."[25]

Reading and framing torture representations politically has been a cornerstone in research on torture representations. Recently, however, the concern about cinema's and television's complicity in propagating torture as a political tool seems to have increased in academic negotiations of the practice's representations.

Most recently a number of scholars have attempted to go beyond the observation of the problematics of representing torture as stated by Améry, Scarry, or Coetzee by discovering new theoretical approaches to the material with the intention to politically position themselves, their research, and selected material against the use torture.

Hillary Neroni and Alex Adams both engage with the aforementioned theories about the problematic relationship of pain, torture, language, and fiction. Because of this problematic and precarious relationship, the act of writing or representing torture has to be, so they argue, understood and undertaken as a political endeavor. By framing torture in a specific

---

[22] Darius Rejali, "Movies of Modern Torture as Convenient Truth," *Screening Torture: Media Representations of State Terror and Political Domination*, Eds. Michael Flynn, Fabiola F. Salek (New York: Columbia University Press, 2012) 221.
[23] Rejali "Movies of Modern Torture as Convenient Truth" 221-222.
[24] Rejali "Movies of Modern Torture as Convenient Truth" 222.
[25] Rejali "Movies of Modern Torture as Convenient Truth" 234.

understanding of biopower and biopolitics their analyses offer political readings which reject torture and highlight the political work torture representations can or should do in this regard. Furthermore, they include televisual representations of torture in their analysis underlining the relevance which television series recently adopted. The central theme of these recent works therefore is their focus on how to produce text, or representations of torture. Another red thread – more or less explicit but linked to their specific notion of biopower – is a psychoanalytical understanding of the experience of torture. These recent approaches showcase an underlying or explicit demand for literature, theater, film, or television to transport politically meaningful representations against torture.

In her study *The Subject of Torture*, Hilary Neroni argues that torture representations need to be critically analyzed as they have the potential to transport misleading or misconstrued conceptions of the practice and because they "hold the key to […] the belief system that underlines […] [them] […]."[26] Furthermore, with an eye on the US-American entanglement with torture since 2001, she claims that torture representations interact with "the fantasy that supports contemporary torture".[27] Neroni positions representations of torture, which she sees increasing since 2001, as tools for uncovering ideologies and motivations behind political and public decisions. Hence, she is concerned with the message or ideology which representations might transport:

> It is not by accident that authorities seeking to justify torture turn to media representations in the defense of what seems like an indefensible practice. On the other hand, it is also through media representations that we can find a way out of the practice of torture.[28]

Highlighting the functions of torture representation as well as their form's potential, Neroni tries to go beyond the question, so often proposed by film and television, if torture works or if it does not. It is misleading, so Neroni, to even frame the practice in such a way "[…] the deceiving question is simply whether a film or television series generally perpetuates the belief that torture is effectual or ineffectual as a fact-finding procedure."[29] The fallacy to create representations focused on the successful or unsuccessful outcome of torture, extends to criticism which analyzes torture merely for its outcome. In her opinion, a new perspective on

[26] Hilary Neroni, *The Subject of Torture: Psychoanalysis and Biopolitics in Television and Film* (New York: Columbia UP, 2015) 23.
[27] Neroni, *The Subject of Torture* 49.
[28] Neroni, *The Subject of Torture* 23-24.
[29] Neroni, *The Subject of Torture* 24.

torture is needed to disrupt this "torture fantasy",[30] one which is informed by psychoanalytical film theory and a new understanding of the body on screen.

She argues that current representations of torture in film and television showcase a biopolitical body and a psychoanalytical body, which signify two "very different projects".[31] The first, the biopolitical body, a product of biopolitics and biopower, as Neroni argues, strengthens the torture fantasy as biopower understands the body as "productive", leading to questions of torture's efficacy. Even more, "under biopower torture has begun to return."[32]

> The torture fantasy imagines the body as the source of the information that explains its own actions. According to this fantasy, the body holds within it the secrets to how it will act in the future, and torturing the body – threatening its welfare and even its survival – will inevitably cause it to disclose these secrets. […] We believe that torture produces information and that this information provides the answers to how bodies behave and how they will act. This fantasy that torture is the key to truth underlies every contemporary practice of torture and the most popular representations that justify the practice. This is one of the fundamental fantasies of the ideology of biopower […][33]

Opposing this ideological perspective, is what Neroni calls the "psychoanalytic subject"[34] Informed by Sigmund Freud, Jacques Lacan, Gilles Deleuze, and other psychoanalytical approaches which influenced cultural and literary studies, Neroni develops another "body", an antithesis to the previously developed biopolitical body which is so akin to be instrumentalized for torture. Neroni then positions the "psychoanalytical subject" as tool to contests biopolitical torture logic and offers this subject lens to read and evaluate torture representation anew:

> Psychoanalysis can reveal that what torture ultimately signifies is a failure of our ability to find the truth or know what to do. It is employed when we can't find truth, whether that means we can't solve a crime or stop an attack. Torture doesn't help the problem; it doesn't lead to truth. Instead, it redirects libidinal energy and anxiety toward this violent activity. It allows us to avoid the trauma of an attack or potential attack.[35]

[30] Neroni, *The Subject of Torture* 27.
[31] Neroni, *The Subject of Torture* 27.
[32] Neroni, *The Subject of Torture* 31.
[33] Neroni, *The Subject of Torture* 41.
[34] Neroni, *The Subject of Torture* 47.
[35] Neroni, *The Subject of Torture* 41.

Neroni is informed by Sigmund Freud when she argues that torture as a practice is irrational. Freud, so Neroni, discovered that, psychologically, there is a link between torture and enjoyment. And in this link Neroni sees reason why torture is not a "fact-finding" tool but an "irrational libidinal practice".[36] Accordingly, "[r]ather than confront this destructiveness [of torture], society employs the torture fantasy as a screen that allows it to continue unabated though disavowed."[37] More so, torture, if understood and framed as biopolitically as today, covers its true effect, the "attempt to destroy the subject".[38]

Neroni tries to instate a second perspective on the effect of toture, one which goes beyond the established perception that torture afflicts the body with pain which will eventually produce information from a victim. Relying on psychoanalytical theory, she argues that there is a *subject* affected by torture, the subject of a victim, a perpetrator, and a witness. From a psychoanalytical perspective torture is not a tool for information retrieval and a societal valve but a means to destroy "what we can never understand about the subject, its desire."[39] This understanding, according to Neroni, opens a path to a critical comprehension of torture and its representation.

She wants to highlight that the current US-American political discourse on torture does not take the psychological or desiring subject into account. Instead, torture is framed in rationalistic and mere utilitarian considerations. And representations of torture often play their part in "[convincing] spectators that the body is nothing other than a body"[40] and therefore not much more than a source of information. However, for Neroni, representations of torture have greater critical potential:

> [R]epresentations of torture themselves highlight the opposition between biopolitical body and psychoanalytic subject. […] [T]here are representations today that point spectators in the opposite direction – toward the desiring subject. The representation of torture thus marks a nodal point in the contemporary ideological landscape. Where the torture body appears on the screen, we must be able to decipher the contours of a subject that the body in pain tries to obscure.[41]

[36] Neroni, *The Subject of Torture* 46.
[37] Neroni, *The Subject of Torture* 46.
[38] Neroni, *The Subject of Torture* 47.
[39] Neroni, *The Subject of Torture* 47.
[40] Neroni, *The Subject of Torture* 48.
[41] Neroni, *The Subject of Torture* 48.

Neroni criticizes the political torture discourse for being focused merely on the 'bare body' and the rationalistic and utilitarian tactics which stem from it. She also problematizes representations of torture which often gloss over the dichotomy of a body in pain and a potentially traumatized psychoanalytically viewed desiring subject. But she also argues that in order to understand and make use of forms of representation which address this dichotomy and take the effects on the desiring subject into view – representations criticizing rationalistic and utilitarian defenses of torture – we need a new perspective and method of analyzing torture representations.

This new perspective is necessary because of audiovisual media's specific relation to the body and its possibility to go beyond the biopolitical body. Neroni argues that

> it is cinema, and its related forms of television and other media, that constantly brings the desiring subject to the fore. Cinema (to one degree or another) almost always reveals—through its unique form—the psychoanalytic subject rather than just the bare life body, and it does this through its presentation of the body.[42]

Neroni explains that her perspective on filmic and televisual representations of torture is one that approaches them with an understanding of the productive and controlling mechanisms of biopower as well as a psychoanalytical view on the desiring subject. With this perspective and through the representations' embeddedness in the specific form of film and television, Neroni claims, the legitimation of torture through a logic and ideology of biopower can be overcome.

> Understanding biopower is essential to theorizing how the body is coded and depicted, and biopolitics has had the great virtue of bringing the critique of biopower to the fore. There are many ways, however, either through the torture scene itself, its placement in the plot, and its thwarting or satisfying genre expectations that these scenes at times also reveal the way in which biopower can fail and not fully control or define the body. This is why cinema does not fit smoothly into the regime of biopower. […] [It] becomes apparent that the bare life body is at the heart of biopower's contemporary fantasy but completely disintegrates in the face of the actual practice of torture whose violation of political rights is so glaring.[43]

[42] Neroni, *The Subject of Torture* 36.
[43] Neroni, *The Subject of Torture* 36.

Neroni's analyses of torture are informed by an explicit political position against torture. She elaborates in much detail how the logic of torture and its legitimation functions and how – through film and television and its analysis – it can be criticized.

In a similar politicized fashion, Alex Adams begins his study *Political Torture in Popular Culture* with a statement that clarifies the programmatic angle it has on torture as well as the precarious relationship of torture and cultural representations.

> Written from an anti-torture position, this book is an analysis of this post-9/11 debate over the military necessity and moral permissibility of counterterrorist torture, with a focus specifically on the multiple and overlapping roles that literary, filmic, and popular cultural productions have played in it. Cultural representations and political discourses have a mutually constitutive and mutually reinforcing relationship, which this book takes as its central territory.[44]

While I would not disagree, personally, with Adams' "anti-torture position", I would like to contribute to this ongoing politicized academic debate a perspective which, instead of taking a political opinion as a preconception and including it as part of the analytic toolkit, is trying to outline the moral and political presumptions which might be at work in this project, and what kind of effect they might have on the analytical perspective.

Hillary Neroni's and Alex Adams' studies exemplify that, due to the abundant and controversial discourse on torture in recent years, the academic debate on the practice has become more political and less positivist, for lack of a better term. I try not to discredit this as an adverse development. Adams shows that his analytic view is inclusive and not limited by a political program. He states that

> [t]hough it is true that stories vindicating torture tend to be artificial and hypothetical and those critiquing it are definite and supported by clear historical and empirical evidence, the torture debate is surprisingly contoured and complex, and cannot be reduced to the simplistic and strident exchange of pro- or anti torture slogans.[45]

But, like Neroni, Adams is concerned with the propagandistic potential of cultural representations and brings a clear normative perspective to them: "while I acknowledge that it is important to be circumspect about the propagandistic potential inherent in cultural

[44] Alex Adams, *Political Torture in Popular Culture: The Role of Representations in the 9/11 Torture Debate* (New York: Routledge 2016) 1.
[45] Adams, *Political Torture in Popular Culture* 2.

representations, I argue that conceptually complete anti-torture representations that have positive political effects are possible."[46]

Adams' normative approach is informed by the aforementioned thoughts in the footsteps of Jean Améry who questioned the general possibility of representing pain and torture. A political or normative perspective on torture representation is explicitly construed as a progression from this line of thinking. Adams underlines this relation and progression from Améry in his qualifying description which he uses when criticizing "anti-torture representations":

> [F]ollowing to an extent the pessimism of Anthony Downey (who in turn amplifies the pessimism of Jean Améry), who questions whether it is possible for images to 'reify the real of torture and thereafter expose the fundamental ethical responsibility of each individual to disavow its use in whatever circumstances' (Downey, 2009: 132), I argue that many anti-torture representations fail in important respects.[47]

More precisely,

> [u]nfortunately, the dominant way that torture has been discussed after 9/11 is in terms that justify or normalise it. This is due to two main reasons: first, the revitalisation of colonial discourses has framed torture in ways that make it seem morally necessary, and second, anti-torture narratives and discourses have often provided limited conceptual and aesthetic resistance.[48]

The problem torture poses for narrating or communicating the experience for victim and maybe even torturer becomes a problem for the observer who tries to analyze or criticize representations of the practice in literary or televisual form. One attempt at negotiating this moral-aesthetic problem is a strong political or normative perspective. Another, one that is influential for my own approach, presents itself once the problem is placed into historical context. Joseph Slaughter has done so in an insightful manner in his analysis of the relations between the emerging western European human rights discourse and the Bildungsroman. Slaughter argues that the Bildungsroman and the human rights discourse share

> […] a common conceptual vocabulary, humanist social vision, and narrative grammar of free and full human personality development. Human rights and the Bildungsroman

[46] Adams, *Political Torture in Popular Culture* 4.
[47] Adams, *Political Torture in Popular Culture* 4.
[48] Adams, *Political Torture in Popular Culture* 9.

> are mutually enabling fictions: each projects an image of the human personality that ratifies the other's vision of the ideal relations between individual and society.[49]

This overlap in discursive perspective on the human subject, which Slaughter develops for the Bildungsroman and a society's development of human rights, appears to be present in the discourse on torture as well. Anton Kirchhofer has argued, with reference to Slaughter, that it is this modern concept of human personhood which necessitates a form of torture representation which is always "[incompatible] with the distinctly modern literary and cultural paradigm of the narrative of identity formation",[50] as so often explicated in the Bildungsroman. In other words, the narration of torture seems to be a highly problematic and often impossible one because of "the conceptual framework of a society which defines itself as modern".[51] What Kirchhofer adds to the narratives and analyses of Jean Améry, Elaine Scarry, and others who describe the impossibilities of relating the experience of torture, is that this impossibility might be conditioned not just by language or narrative but by a historically modern and, more specifically, western conception of the human. If that is true, an analysis of torture representations would have to take into account their incompatibility with modern "ongoing and dynamic narrative of identity formation"[52] but also their conditionality of western torture representations in the conception of the modern human.

Both Kirchhofer and Slaughter try to contextualize representations in specific ideologies informed by human rights. And – especially in the case of Kirchhofer's article – show a perspective which goes beyond the observation of the impossibility of representing the torture, while honoring the firsthand accounts of victims such as Améry and others who have pondered the relationship of torture and representation. While the politicized argument in line with Améry and others comes with a specific definition of torture, I would like to add a discourse analytical perspective – one which juxtaposes definitions in their historical specificity and compares and integrates them within a media-specific analysis bearing in mind their discursive embeddedness (cf. esp. chapter 1.3). In the following, I will at first proceed by highlighting the above gathered positions and their relevance for the decade which I aim to place under scrutiny.

The moral-aesthetic concern with regard to torture representation, or the question if one is allowed or able to represent torture, took on a specific form after 9/11. Concretely, it was

[49] Joseph R. Slaughter, "Enabling Fictions and Novel Subjects," *PMLA* 121 (2006): 1407.
[50] Anton Kirchhofer, "The Modern Self and the Re-Invention of Torture: Narration at the Limits of the Bildungsroman," *Anglistentag 2014: Proceedings*, eds. Rainer Emig and Jana Gohrisch (Trier: WVT, 2015) 314.
[51] Kirchhofer, "The Modern Self and the Re-Invention of Torture" 314.
[52] Kirchhofer, "The Modern Self and the Re-Invention of Torture" 314.

explicated in the debated question what constituted 'good' and what constituted 'bad' torture representations. In an article written for the collected volume *Screening Torture: Media Representations of State Terror and Political Domination*, which otherwise concentrates on film rather than television series, David Danzig argues that a shift in quantity and quality in torture representations can be detected since the attack on the World Trade Center on September 11, 2001:

> Since September 11 there has been a lot more torture on TV – an average of more than 120 scenes a year on prime time. The torturers have changed too. The heroes on programs like *LOST*, *The Shield*, and even *Star Trek: Enterprise* turn to torture regularly to gain information. When "the good guys" use torture, it almost always works. All this torture has had an impact.[53]

Even though Danzig mainly addresses torture in *24* he claims that torture representation in general has undergone a dramatic change. Not only is torture depicted more often, its emplotment within the television series has apparently altered as well: torturers are complex characters and torture is shown to be efficient when placed in the hands of those on the morally 'right' side of the conflict. Based on a larger corpus, Madelaine Hron makes a similar but historically more nuanced case:

> Before 9/11, torture was solely deployed by villains. Since Abu Ghraib, however, the most obvious and perturbing change in the representation of torture is the fact that torture has become the accepted praxis of on-screen heroes. […] After 9/11, therefore, torture has become justified, glorified, and most importantly, further routinized and entrenched in popular culture. Each and every on-screen reproduction of torture, be it one of contestation or legitimization, risks drawing viewers further and further away from the "truth" – that torture is a grievous human rights violation – and instead lead them to greater desensitization and compassion fatigue.[54]

Apart from the shared observation that the heroes and heroines of television and film begin torturing after 9/11, both authors underline the historical development which torture representations supposedly underwent. Hron's timeline demonstrates how pre-9/11 films and

[53] David Danzig, "Countering the Jack Bauer Effect: An Examination of How to Limit the Influence of TV's Most Popular, and Most Brutal, Hero," *Screening Torture: Media Representations of State Terror and Political Domination*, eds. Michael Flynn and Fabiola F. Salek (New York, NY: Columbia UP, 2012). 21.
[54] Madelaine Hron, "Torture Goes Pop!," *Peace Review* 20.1 (2008): 29-30.

television representations of the practice were informed by a long history of literary representations of torture and more concerned with the technical aspects of torture and generally critical of its "telos",[55] namely truth. Already throughout the 1990s, representations of the practice "[become] more realistic and graphic. Yet in so doing, the focus on the suffering and trauma of the torture victim is, paradoxically, minimized."[56] And particularly since the incidence of prisoner abuse in Abu Ghraib (2004-05), torture is set in "politicized real-life contexts" and the interest lies with the "effects they bear on subjects under torture"[57]. Hron ends this extensive survey by arguing that torture might be here to stay not least because of the ongoing representations: "given the proliferation and diversity of torture on screen, we cannot help but question whether, in the next thirty years, or even in our lifetime, we will ever witness the 'disappearance' of torture as a spectacle or, more importantly, as a political praxis."[58]

Scholars are not in agreement about the positive or negative effects of torture representations although most are taking a cautionary stance. Both Danzig and Hron address a number of different dimensions of the serial emplotment of torture and how it altered with the changing historical situations especially after 9/11. At the same time, both bespeak unease with torture depiction[59] and a discomfort with the form representations take. This unease is produced by the supposed effects or actual "impact"[60] torture representations might have on the individual viewer or on audiences and society in general.[61] Representations of torture on television and film are often framed critically as illegitimate, as in: unrealistic,[62] morally dubious,[63] propagandistic,[64] or lacking depth and complexity in terms of how the practice and its politics

[55] Hron, "Torture Goes Pop!" 25.
[56] Hron, "Torture Goes Pop!" 26.
[57] Hron, "Torture Goes Pop!" 27.
[58] Hron, "Torture Goes Pop!" 30.
[59] Marnia Lazreg also speaks of a "new urgency to the exploration of the theme of torture" since 9/11 and particularly since the involvement of the US-American government in torture and abuse of detainees was made public. (Marnia Lazreg, "Doing Torture in Film: Confronting Ambiguity and Ambivalence," *Screening Torture: Media Representations of State Terror and Political Domination*, eds. Michael Flynn and Fabiola F. Salek (New York, NY: Columbia UP, 2012). 257.) It even confronted "the occasional director willing to address the issue into a quandary about how to best depict torture", according to Lazreg.
[60] Danzig adds that "[j]unior U.S. soldiers—and even interrogators at the detention facility in Guantánamo Bay—have copied abusive interrogation techniques they have seen portrayed on TV." (Danzig, "Countering the Jack Bauer Effect" 21.).
[61] This concern finds expressions in studies that questioned viewers' opinion of torture before and after watching a torture scene as represented in shows like *24.* See: Amy B. Zegart, "'Spytainment': The Real Influence of Fake Spies," *International Journal of Intelligence and CounterIntelligence* 3.4 (2010): 599-622.
[62] Torture representations are described as "juvenile fantasy" in comparison to how 'real' *FBI* and *CIA* agents conduct interrogations (Chuck Kleinhans, "Imagining Torture," *Jump Cut: A Review of Contemporary Media* 51 (2009).
[63] Jason Middleton calls torture in *Hostel* "ethically fraught" (Jason Middleton, "The Subject of Torture: Regarding the Pain of Americans in Hostel," *Cinema Journal* 49:4 (Summer 2010) 3).
[64] Christopher Sharrett, "The Problem of Saw: 'Torture Porn' and the Conservatism of Contemporary Horror Films," *Cineaste: America's Leading Magazine on the Art and Politics of the Cinema* 35 (Winter 2009).

is portrayed.[65] In contrast, other scholars have underlined the positive effects torture representations might have from the perspective of those opposing torture. Marianne Hirsch has shown how filmic and literary representations of torture such as the "[s]ubtle historical reflections [in] *The Battle of Algiers* and textured testimonies such as those by [Jean] Améry and [Marguerite] Duras [can] shift our thinking about torture to a different register."[66] Even more so, such representations can "give us a vocabulary with which to resist the simplified and clichéd […] scenario[s] that structures current public conversations about torture."[67] This positive view of what representations of torture can achieve are also based on a presumption of 'influence'.

These moral-aesthetic concerns regarding torture representations can be read as either confirming their legitimacy or refusing to grant it. The judgment in either case is closely related to which claims about real torture can be made by these representations.[68] It appears that these moral-aesthetic concerns find expression in the critical and public discussion of newspapers as well. For example, *24* did, in fact, kickstart a discussion which problematized the representation of torture within public media. Since 2004, shows such as *Alias*, *24*, *Lost,* and *Sleeper Cell* have been under tight observation – initially by reviewers writing for the Arts and Television sections in newspapers – and were negotiated in regard to the legitimacy of their depiction of torture. This debate on televisual torture representations, too, has undergone many changes. It develops over the years by including new television shows into the discussion as well as through the appearances of new commentators and participants such as political figures and institutions.

This study takes the moral-aesthetic problem of torture representations center stage. It is not the aim of this project to answer which shows do well and which do not on this scale. Instead, I understand this moral-aesthetic question as an ongoing negotiation which, at specific historical moments, takes on specific forms. This raises the following questions: What constellation of torture representation and public discourse develops in the years after 2001? Who participates and interacts in this debate and through what format (e.g. television series: protagonists or other characters, torture techniques; public media: producers, writers, newspapers, critics, reviewers, journalists, politicians, lawyers; other institutions)? What role

[65] Hilary Neroni, as shown above, argues that "representations of torture themselves highlight the opposition between the biopolitical body and the psychoanalytic subject." (Neroni, *The Subject of Torture* 47). She criticizes the shortcomings of those shows which neglect to represent the subjectivity of the tortured subject as such "representations of torture [which] most often try to convince spectators that the body is nothing other than a body". (Neroni, *The Subject of Torture* 48).
[66] Marianne Hirsch, "Editor's Column: The First Blow-Torture and Close Reading," *PMLA* 121 (2006). 370.
[67] Hirsch, "Editor's Column" 364.
[68] Strikingly, Elaine Scarry's often quoted claim that the pain endured under torture is not representable at all appears only on the margins of this academic debate. See Scarry, *The Body in Pain* 7.

does a particular series play in the discourse on torture and what kind of debate does it generate, i.e. who relates to its torture depiction? And finally, how is torture embedded in the often "complex"[69] stories that series develop and what interactions and stories become possible through the debate? How is it linked to particular characters, made a topic in dialogue or reflected upon? In short, what is the series' take on torture: how do they 'analyze' torture within the specific means of the television series format?

Based upon my initial observations – namely that both the television series and the public discourse undergo an often related historical development – I will attempt a systematic (if selective) conceptualization of public discussion based on Michel Foucault's notions of discourse. After generating a corpus from the public discussion of torture representation, I hope to bring serial televisual torture depictions into a dialogue with the public discussion of torture representations after 9/11, on the one hand, and the public discourse on US-American involvement in the practice of torture, on the other. Along their distinct timelines and conditions of production and distribution, I will map these historical phenomena and analyze the selected shows with this network of readings, judgments and references serving as frame.

[69] Mittell, "Narrative Complexity".

1.2. Analyzing Torture Representations in Serial TV Format

Torture representations within the selected television series fall into a particular historical moment of public and political observance and scrutiny. I use the term 'representation' at this point to make more precise what I often called depiction before. To be able to analyze and describe the network of representation, reception, and potential meaning of torture on television, I rely on Stuart Hall's rather broad notion of representation as a "process by which members of a culture use language (broadly defined as any system which deploys signs, any signifying system) to produce meaning. […] It is us – in society, within human cultures – who make things mean, who signify."[70] Further he argues that in this context "it is discourse – not the things-in-themselves – which produces knowledge".[71] I adopt Hall in so far as I understand torture representation as open to negotiation, different understandings, and signification processes.

Relying on Louis Montrose's notion that representations are culturally produced and culturally productive[72] enables me to rethink 'influence' as an object of research. The idea that torture representations influence a viewing audience and can sway their stance towards the legality or permissibility of torture is very present in the public debates which I analyze. My project does not aim at adding to this debate by uncovering which representation has what direct effect. Instead, I see torture representations as culturally or discursively productive in the sense that they can have specific effects on audiences, institutions, and discourses – which in turn can be described. I also understand torture representations to be culturally produced in the sense that discursive contexts can inform the production process of television shows. I conceptualize 'influence' in these two instances as situationally specific. This means that I assume that the power which makes representations productive in discourse – or discourse in the production process – will depend on much more than just the representation's form and offerings or one participant's statement or just one discursive aspect. In other words, my conception of representations allows me to frame the connection between fictional world and reality (i.e. discursive context) differently than the participants in the negotiation of torture representations.

Hall's claim that representation is open to negotiation was similarly made for the format of the popular medium of television. Fiske, in his 1987 book *Television Culture,* had made the

[70] Stuart Hall, *Representation: Cultural Representations and Signifying Practices* (London: Sage, 1997) 61.
[71] Hall, *Representation* 45.
[72] See Louis A. Montrose, "Professing the Renaissance: The Poetics and Politics of Culture," *The New Historicism*, ed. H. Aram Veeser (New York and London: Routledge, 1989) 15-24.

observation that television as a form of popular culture is inherently polysemic. I adopt his concept of polysemy for the study of torture representations:

> An essential characteristic of television is its polysemy, or multiplicity of meanings. A program provides a potential of meanings which may be realized, or made into actually experienced meanings, by socially situated viewers in the process of reading. This polysemic potential is neither boundless nor structureless: the text delineates the terrain within which meanings may be made and proffers some meanings more vigorously than others.[73]

With Fiske's concept of polysemy, serialized stories are located between the "socially situated viewer" and the terrain delineated by the text.[74] According to Fiske, "[a] textual study of television, then, involves three foci: the formal qualities of television programs and their flow; the intertextual relations of television within itself, with other media, and with conversation; and the study of socially situated readers and the process of reading."[75] I rely on these propositions in so far as they indicate important areas of investigation: torture representations within specific serialized televisual stories and a specific context of production and broadcasting, the semantic potential of torture representation as reliant upon intertextual relations and on specific reading contexts which are themselves exposed to varying numbers of

---

[73] John Fiske, *Television Culture: Television Culture: Popular Pleasures and Politics* (New York: Routledge, 2006). 15-16. In 1989, he reiterates this position and extends it on the channels of distribution when he writes: "To be popular, the commodities of the cultural industries must not only be polysemic – that is, capable of producing multiple meanings and pleasures – the must be distributed by media whose modes of consumption are equally open and flexible." (John Fiske, *Understanding Popular Culture* (Boston: Unwin, 1989). 158.) His analysis of the popularity of representations of violence on television is insightful as well. However, current television series have shown to be rather different and more 'complex' – particularly when it comes to the series meta-referential negotiation of their own genre – than Fiske's (often Marxist) framing. Fiske argues that "[r]epresented violence is popular […] because it offers points of relevance to people living in societies where the power and resources are inequitably distributed and structured around lines of conflicting interests. Violence on television is a concrete representation of class (or other) conflicts in society. The heroes and heroines that a society chooses to make popular at any point in its history are those figures that best embody its dominant values. Conversely, its popular villains and victims are those who embody values that deviate from this norm. A character's chances of being alive and free at the end of a popular television program or film increase with the embodiment of the following values: masculinity, youth, attractiveness, Anglo-Saxon characteristics, a metropolitan background, and efficiency. Conversely, to the extent that a character embodies different or deviant social values, he or she is likely to be a victim or villain. The victims are those who embody the values and characteristics of disadvantaged social groups (for bourgeois ideology teaches us the paradox that it is normal to be advantaged); the villains are, interestingly, closer to the heroes and heroines, but are typically equipped with two or three negative features (they are of the wrong age or race or are less physically attractive – for the socially moral is typically embodied in the physically beautiful!)."

[74] In a similar fashion Kelleter locates serial storytelling as moving between the historical conditions for action (production and reception) and the basic problems of serially developing stories (active consciousness of form, or "aktives Formbewusstsein"). Frank Kelleter, "Populäre Serialität: Eine Einführung, " *Populäre Serialität: Narration – Evolution – Distinktion: Zum seriellen Erzählen seit dem 19. Jahrhundert*, ed. Frank Kelleter (Bielefeld: Transcript, 2012) 28.

[75] Fiske, *Television Culture* 16.

influences. I deviate here from Fiske as I will not undertake an in-depth analysis of the viewing situation of US-American audiences. Also, I try not to predetermine any specific power relation or influence on the viewers' situation at work, while Fiske seems to restrict a "reader's situatedness" along a concept of class. Instead, I pay particular attention to how the participants in the debate about torture representations construct a show's audience and how they use their own interpretation for positioning themselves.

The intertextual relations which Fiske describes can be understood as television series' references to various contexts of knowledge which can orient a viewer's understanding and reception of a show. These knowledges can stem from different sources:

> [t]he theory of intertextuality proposes that any one text is necessarily read in relationship to others and that a range of textual knowledges is brought to bear upon it. These relationships do not take the form of specific allusions from one text to another and there is no need for readers to be familiar with specific or the same texts to read intertextually. Intertextuality exists rather in the space between texts. […] Intertextual knowledges pre-orient the reader to exploit television's polysemy by activating the text in certain ways, that is, by making some meanings rather than others. Studying a text's intertextual relations can provide us with valuable clues to the readings that a particular culture or subculture is likely to produce from it.[76]

Fiske differentiates between two basic types of intertextuality: horizontal and vertical. While horizontal intertextuality describes the relations between primary sources (television, comics, literature), vertical relations are between a primary text, such as a television program or series, and other texts of a different type that refer explicitly to it. These may be secondary texts such as studio publicity, journalistic features, or criticism, or tertiary texts produced by the viewers themselves in the form of letters to the press or, more importantly, of gossip and conversation.[77]

To make the concepts of representation, polysemy, and intertextual relations productive for this study I will frame these in the more recent concept of popular seriality. The study of television series and of popular seriality, under which the former are generally subsumed, does reveal that television series have been prone to political readings. It is particularly the "mass address of serial storytelling" which, as Frank Kelleter argued,[78] "allows for antitotalitarian

[76] Fiske, *Television Culture* 108.
[77] Fiske, *Television Culture* 108.
[78] Frank Kelleter, "From Recursive Progression to Systemic Self-Observation: Elements of a Theory of Seriality," *The Velvet Light Trap* 79 (Spring 2017): 100.

moments of resistance or how audiences' participation fosters democratic acts of meaning making."[79] Frank Kelleter supports and refines this aspect when he says that serial narratives including television tend to involve audiences "in the progress of the narrative".[80] This type of „productive consumption […] enables a serial narrative to observe its own effects […]." These "evolving narratives […] register their reception and engage it in the act of storytelling itself."[81] At the same time, these shows which were produced and screened in the timeframe selected for this study fall into a specific mode of storytelling, as Jason Mittell and others have shown. Mittell argues that they are part of a trend, which sees an increasing of "Narrative Complexity". These series are marked by a "redefinition of episodic forms under the influence of serial narration […] [r]ejecting the need for plot closure within every episode that typifies conventional episodic" and instead foreground "ongoing stories".[82]

Recent academic research has located television series within a historical development which has seen an increase in complexity: "over the past two decades, a new model of storytelling has emerged as an alternative to the conventional episodic and serial forms that have typified most American television since its inception, a mode that I call narrative complexity."[83] More precisely, Jason Mittel grounds his observation of a new complexity which more recent television series reach by

> [r]ejecting the need for plot closure within every episode that typifies conventional episodic form, narrative complexity foregrounds ongoing stories across a range of genres […]. Complex television employs a range of serial techniques, with the underlying assumption that a series is a cumulative narrative that builds over time, rather than resetting back to a steady-state equilibrium at the end of every episode.[84]

The claim of complexity indicates that these shows not only become more multilayered but offer themselves to interpretation through depth. Additionally, they can keep a plotline going for longer periods of time, effectively allowing long-term negotiations of themes and topics they raise.

In fact, Kristin Thompson sees "complex overlapping narrative" in television develop even earlier and identifies *The Mary Tyler Moore Show* (1970–1977) as the first show to

[79] Kelleter, "From Recursive Progression to Systemic Self-Observation" 100.
[80] Kelleter, "From Recursive Progression to Systemic Self-Observation" 100.
[81] Kelleter, "From Recursive Progression to Systemic Self-Observation" 100.
[82] Mittell, "Narrative Complexity" 32.
[83] Mittell, "Narrative Complexity" 29.
[84] Jason Mittell, *Complex TV: The Poetics of Contemporary Television Storytelling*, Pre-Publication Edition (MediaCommons Press, 2012-13).

introduce a maturing character over several seasons.[85] I will not make an attempt to shift the historical point of origin in a new direction with my study. However, I take the characteristics associated with this new form of serial televisual storytelling as a starting point for a theoretical conceptualization of the shows which depict torture.

Complexity in these contexts is closely related and often overlapping with the aspect of popular seriality.[86] This link between complexity and popular seriality which Frank Kelleter has drawn and the characteristics of serialized storytelling[87] raises a number of questions which will form a basis for this study: In what kind of serialized story is torture embedded (episodic, serial, etc.)? How is torture located within the shows' 'complex' story arcs, plots, and subplots[88]? How is a torture plotline sustained and for how long? Which characters and institutions are involved, which settings are used?

Frank Kelleter links seriality with another central theme within the discussion of television, namely popular culture. In conceptualizing television series (and other forms of serial storytelling) under the umbrella of popular seriality, he identifies a number of essential characteristics of this form. Popular seriality, or in the case of this study television series with complex and serially developing plot structures, are, as Kelleter summarizes, addressed to a mass (potentially mainstream) audience, have an affinity to establish or inscribe themselves into networks (be it with other shows, topics of public debate or to be developed further in other formats and media), are very adaptive to or easily linked to everyday problems, and, finally, are very reflecting of their own form.[89]

Concretely, the concepts of popular seriality, complexity and intertextuality, as well as polysemy take on a particular form in the context television series which address torture. *24* (as well as *Alias*) are long-running, multi-character universes which, as in the case of *24,* inscribed themselves through their representation of torture into the public debate as well as into political and military networks. These networks and discussions were on the one hand interested in

---

[85] Kristin Thompson, *Storytelling in Film and Television* (Cambridge, Mass.: Harvard UP, 2003) 59.
[86] Thompson (alongside Mittel) links both phenomena historically: "the multiple-story plot grew up in tandem with a growing emphasis on seriality in prime time." (Thompson, *Storytelling in Film and Television* 58).
[87] Kelleter, "Populäre Serialität" 11-46.; hierzu auch und insbesondere zur Komplexität des seriellen Angebots: Jason Mittell, *Television and American Culture*. Oxford: Oxford UP. 2009.
[88] With regard to the distinction of story and plot, I rely primarily on David Bordwell's and Kristin Thompson's book *Film Art*. They claim that "story and plot overlap in one respect and diverge in others. The plot explicitly presents certain story events, so these are common to both domains. The story goes beyond the plot in suggesting some diegetic events which we never witness. The plot goes beyond the story world by presenting nondiegetic images and sounds which may affect our understanding of the story." (David Bordwell and Kristin Thompson, *Film Art: An Introduction* (New York: McGraw-Hill, 2001). 62.
[89] Kelleter defines them as "massenaddressiert", "vernetzungsoffen", "anschlussfähig an lebensweltliche Probleme", "selbst-reflexiv".) (Kelleter, "opuläre Serialität" 16)

influencing the shows' ongoing development but are also dimensions of these shows' semantic potential. In order to clarify these semantic potentials and realized interpretations of torture representations of these shows, I will try to sketch the workings of polysemy, intertextuality and the medial specificity of seriality at work in the shows I have chosen.

As argued above, in my understanding, polysemy indicates that television series make ambivalent offers and open room for negotiations but they cannot be relegated to a final reading even though attempts at passing a closing or final judgment are offered discursively. Interestingly, this makes them even more open to different contexts of reception in which they develop specific potentialities of meaning. In other words, depicting torture in television series will allow participants of a wide range of spheres of society to add to the debate.

In light of the scandal revolving around *24*'s representation of torture and the development which the public observation of torture on television took over time, Fiske's notion of intertextuality – in particular vertical intertextuality – alongside Kelleter's notion of television series' affinity to networks and everyday problems seem to be rewarding frames for developing further questions for my analysis.

Since *24* was moved to a very prominent position in the debate on torture representations and depicted forms of 'stock' scenarios for torture which lend themselves for re-negotiations, it is particularly Fiske's vertical intertextuality which I would like to rely upon for the design of my close readings of *24* and *Alias*.[90] Vertical intertextuality entails the discourse about the television series themselves. Reviews about the shows create a specific knowledge which audiences can tap into and be oriented by.

> Secondary texts play a significant role in influencing which of television's meanings may be activated in any one reading. Television's pervasiveness in our culture is not due simply to the fact that so much of it is broadcast and that watching it is our most popular leisure activity, but because it pervades so much of the rest of our cultural life – newspapers, magazines, advertisements, conversations, radio, or style of dress, of makeup, of dance steps. All of these enter intertextual relations with television. It is important to talk about their relations with television, and not to describe them as spin-offs from it, for the influence is two-way. Their meanings are read back into television,

[90] The concepts of genre which Fiske includes within horizontal intertextuality do play a role in the analysis of this study, if more from a discursive point of view. Fiske calls television "a highly 'generic' medium" (Fiske, *Television Culture* 109). I would argue that this claim would need to be updated and refined in the light of more recent television shows. But more importantly, I would add that for the viewer television series are often presented with genre labels by the production company, reviews and announcements on the television channel which offer to place the show within certain generic conventions and expect certain generic characteristics.

> just as productively as television determines theirs. […] At the viewers' end, there is independent criticism which seeks to serve the interests of the viewer, either by helping him or her to choose and discriminate, or by providing a response to a program to confirm or challenge his or hers.[91]

With regard to torture representations it appears that the shows which are concerned with torture are under constant observation by the reviewers in print and online newspapers and magazines as well as blogs. Whenever the representation of torture is made a problem within public debate, the ongoing newspaper coverage of the US-American government's implication in torture is constantly referenced and used as a scale based on which a judgment is made about the legitimacy of such a depiction. I conceptualize these debates as potential influences on the shows' polysemic offerings but at the same time as frames of reference for the shows to take up, or even inscribe themselves into.

The shows I chose based on the choices made by discursive participants differ quite substantially in terms of serial format. From the viewpoint of story, the series *24*, *Alias* and *Battlestar Galactica* tell their stories in closely interconnected episodes. The shows were running for several years and each episode was building upon previous diegetic material. Story arcs were long, multi-layered and connected to many characters in the show's arsenal. Accordingly, torture representations are embedded in scenes which are themselves embedded in complex storylines which semantic potential can shift and change. In contrast, *Criminal Minds* was rather episodic in structure, usually finalizing its story arc at the end of each episode. But despite its rather self-contained episodes, the main characters and some central themes did stretch over a full season or even longer.

Television series which are screened on a weekly basis and produced nearly all year round seem to have a particular potential for reacting, processing, engaging rather promptly on debates regarding torture and its depiction. The strong engagement of the public discussion underlines the polysemic attributes these shows have. Instead of asking what is the right or wrong depiction of torture, I want to ask – by looking at torture representations as embedded in a polysemic, responsive, and receptive format – in which way these television shows address torture and respond to the public observation of torture and their own negotiation of it. When was a torture scene produced, when screened, when criticized? Can one identify a response in the ongoing serial emplotment during later episodes?

[91] Fiske, *Television Culture* 118.

1.3. Approaching Torture Representations from a Discourse Analytical Perspective

The conceptualization of television series – the vehicle which transports the kind of torture representation I have chosen to analyze – as proposed by John Fiske, Frank Kelleter, and Jason Mittel describes this form of storytelling as vast and as very open to interpretation and connections. As alluring as the concept might be for interpretative approaches and as fruitful for the ascription of possible meanings which these shows can assume, I want to curb this openness. It seems to me that within the debate of torture on television after 9/11, many participants and forces within that discourse attempted to fix one particular meaning or give a final correct understanding of a particular representation. In other words, as much as television series are an open, polysemic, and potentially unending form of storytelling, when it comes to torture representations, many forces of closure are discursively trying to limit the meaning of these shows or their representations. The interest of this study is with such instances of attempted closure.

I try to analytically and theoretically frame these two conceptions of serial storytelling within Michel Foucault's concept of discourse which he put forth in his article "The Discourse on Language". More precisely, I take insights from his "methodological demands"[92] of a discourse analytical examination which allow the analysis of statements and the conditions of existence of the discourse at hand. Foucault's methodology allows me to understand statements by television series and its critics, torture representations and its commentators as specific and distinct, equally engaged in a discourse about torture but not all the same. Each statement has its own contexts and rules of production as well as possibilities of expression. In other words, many shows can represent torture. But not all plots can incorporate such a theme. And not all series will have the same resonance regarding their form of representation. Similarly, critics from all sections and spectrums can respond to television shows dealing with torture but the format of publication will determine the form of response and the effect of the statement.

The effect of these specific and to a degree conditioned television series or a critic's statement or judgment opens – as I argued before – forms of dialogic and sometimes reciprocal structure in discourse. Serial storytelling might be particularly prone to such a dialogic pattern. By looking at these interactions and recognizing the specific contexts, positions, and situations of speaking or representing attempts of closure can be understood as a part of a struggle of discursive control which the polysemy and open character of television storytelling and

[92] Michel Foucault, "The Discourse on Language," *Critical Theory since 1965*, eds. Hazard Adames and Leeroy Searle (Talahassee: Florida State UP, 1986) 158.

representation is able to disturb, maybe sometimes evade but never fully close down or silence. Instead, television series offer their own conceptions of torture and critics respond with their readings and their conceptions of the practice.

Following Foucault's concept of discontinuity, I do not understand any statement or televisual representation or definition of torture as *a priori* a recourse to a universally prevailing concept of the practice which has a historically continuous or easily recognizable form. Instead, they are historically and contextually specific with effects that are to a degree discursively predetermined as well as under negotiation.

For the work at hand, choosing such a discourse analytical framing of torture representations, their negotiation and assumed polysemy creates the challenge of dealing with innumerable torture scenes, connections, and definitions. But instead of choosing one of these as the right and discarding the ones which do not seem to be fitting or distilling my own definition of torture and looking for it in the material, I take a different path. I will describe the discursive development of torture representation, the terms and concepts used to describe torture, and what investment such decisions demonstrate or reveal.

This shall eventually enable me to analyze the activated readings of the show's torture representation against my own analysis of the selected series. I do not claim my own perspective to be more objective. Rather by understanding the moral-aesthetic concerns not as universally effective but as historically specific I can position my analyses and my own moral-aesthetic judgments within a wider context. With the knowledge of the historical development of the moral-aesthetic problematic I will then try to locate this specific moment in the history of torture in US-American television series within a broader academic debate on torture representations.

Proposing a project to analyze torture representations might convey the impression that it is always the same phenomenon which is discussed and represented – the practice of torture. A closer look reveals that instead of an unanimously accepted underlying concept of torture, the participants in the debate about torture as well as its representation, are in fact, in a state of continuous negotiation of what torture is. Torture is discovered, identified as something else, its effects problematized or downplayed, and its defining features constantly developed, adjusted, or dismissed. The attempts to conceptualize waterboarding as enhanced interrogation and not yet torture by the US-American administration and the critical response on the side of human rights activist, politicians, lawyers, and journalists exemplify this. Instead of choosing one of these definitions and placing it onto a television show to discover torture, I primarily rely on the material and its own definitions, while I remain aware that all these

conceptualizations of torture are enunciated from specific subject positions and come with contextually conditioned idiosyncrasies and possibilities.

With the choice of a discourse analytical approach a number of additional questions can be directed at serial televisual torture representations. The first asks which shows offer conceptions of torture. There seem to be two ways of identifying such series and in the following I have tried to find a middle ground to arrive at my eventual selection of shows for analysis. The first way would be by trying to collect all the moments of torture depicted within a television show to have a more or less complete corpus and discursive map of serial televisual torture representations. A central problem of this approach is to identify the conceptual core and common ground of torture on which one can begin to collect those shows which rely on this kind of torture. In other words, one would need a definition of torture to use as a grid. But which or whose definition can adequately capture all the different representations in diverse shows? Instead, I chose to fall back on the definitions and conceptions of torture which stem from the series themselves. In treating these representations as specific and contextually conditioned concepts of torture in their own right I hope to methodologically and systematically relate them to a public discourse which negotiates its own definitions and concepts of the practice.

The methodological decision leads to a second set of questions: Who speaks about torture within the show, within which setting, and from what position? An extensive full text search for the term "torture" which I did in about 19.000 subtitle files of 388 television shows screened in the United States between 2000 and 2010 produced 2186 hits.[93] This would constitute an immensely abundant corpus for analysis. Ordering the hits chronologically according to the screening date allowed an initial insight into developments over time which the discourse of torture has taken in US-American television shows. The analysis shows that since 2004 torture has been discussed increasingly and it remains a topic at least until 2009. The brief collapse between 2007 and 2008 can possibly be explained by the strike of the Writers' Guild of America which started on November 5, 2007, and ended on February 12, 2008. However, the significance of such large quantities of data is difficult to assess. The most precise statement one can draw from the above data is that there seems to be an increase in the motivation to use the term "torture" instead of other terms with synonymous use in the discourse, such as torment or waterboarding. In short, the organization of the data is complicated by semantic ambivalences but also by the lack of analytical precision with regard

[93] Cf. Appendix 2.

to the specific context of enunciation within the show. The subject positions in the universe of the television shows which are related to torture, the torturing subject, their victims and the characters speaking about torture vary from show to show, episode to episode, and even within one scene. This is not represented in such a quantitative analysis. Another possible blind spot of an analysis which focuses on verbalized instances of torture is that one might overlook those depictions which are not explicitly named within the series. The latter problem is one which is not particularly pressing within the context of my study, one which takes a methodological short cut or middle ground. Since my interest is in the moments of discursive overlaps and entanglements of representations and public debate and the historic specificity of the complex since 2001, I cross-referenced my initial sub-title research with a second search of the Culture (or Arts) sections of the *New York Times* und *USA Today* for the term "torture".[94] Based upon this I generated a collection of television series which were discussed in the context of torture. From this cross-referencing I selected those shows for analysis which, on the one hand, appeared to have a potentially fruitful depiction and negotiation of torture and which, on the other, were discussed as either particularly strong or controversial or which became a topic in contexts that are not usually concerned with torture in television formats. This still leaves me with scenes which have not been called "torture", neither by the shows themselves nor by their critics. However, after reviewing the shows, I decided to approach these instances with a combined discourse analytical and film analytical set of questions to be able to compare them to those scenes explicitly labeled as torture.

In order to analyze the selected torture representations and to describe the potentialities of meaning in the context of the ongoing moral-aesthetic debate, I will pay particular attention to the following aspects of the selected television series: the date of production and screening, settings and tools of torture, the characters concerned with the practice (torturer, tortured, witness), the discourse within the shows about torture (its identification, its aims, and evaluations), the institutions implicated (agency), the location of torture within the plot and serial story structure,[95] possible intertextual relations with the discourse about the shows themselves, as well as references to the public discourse on US-American torture.[96]

---

[94] The selection of the newspapers was made consciously and according to their print run. I chose organs which partake in a wide field of public discourse and potentially reach a big US-American audience.

[95] Here I rely mostly on the set of questions provided by James Monaco, *How to Read a Film: Movies, Media, and Beyond* (Oxford: OUP, 2009); as well as David Bordwell and Kristin Thompson, *Film Art: An Introduction*, (Boston: McGraw Hill, 2008). For the aspects of serial storytelling, see in particular Mittell, "Narrative Complexity", and Mittell, *Complex TV*.

[96] This goes along Kelleter's proposition that instead of "[drawing] an axiological distinction between 'production' and 'reception', it seems more promising to reconstruct how these and other positions […] are created, maintained, and complicated through evolving practices of pop-cultural self-description and self-

The series *24* and *Alias* are the first shows whose torture representations are problematized by newspapers and are at the center of the first block of my analysis. Additionally, both shows torture a lot and particularly *24* is rather direct and concrete in its references to the ongoing discourse on torture. They form the entry into the discussion of serial torture representation after *9/11*. And even though they were screened primarily after *9/11* they even offer a brief glimpse into a time of torture representation before the attacks on the World Trade Center. At the same time, they constitute two extremes of the early discussion: controversy and mitigation. The contrastive analysis of both shows seems additionally fruitful as both entail a comparable number of torture scenes and yet *Alias* did not stir any controversy with regard to its handling of the practice at all. I will read their handling of torture with particular focus on their serial development against of the background the developing discussion of torture in public media and possible dynamics of criticism and diegetic response structures.

The second block of material entails an episode of the series *Criminal Minds*. The episode was awarded the *2007 Excellence in Television Award* by the non-governmental organization *Human Rights Watch*.[97] The award by a political institution represents a form of centering of the moral-aesthetic problem within which torture representations are framed. The award can be read as an attempt – three years after the national discourse on torture became more concrete with the instances of prisoner abuse in Abu Ghraib and Bagram – to negotiate the compatibility of torture representation with the norms and values of human rights and the American constitution within qualitative appraisal. In order to contextualize the award and its selection of one episode of a multi-episodic format, I will specifically pay attention to the semantic potential of torture contrasted in the episodic and serialized diegetic structure of the particular episode and its positioning within the show.

The last block is mostly concerned with the analysis of the show *Battlestar Galactica*. With its depiction of torture of humanoid robots, the series contributed primarily to the debate of the effects and efficacy of state torture. In 2009, producers, writers, and actors were invited by the United Nations to discuss humanitarian problems and particularly torture with UN staff

performance. The methodological challenge of this [actor-network] approach is to map, in dense descriptive detail, the concrete actions and carriers of action that come together, however disharmoniously, in a given serial narrative." Kelleter, "From Recursive Progression to Systemic Self-Observation" 103.

[97] The remaining shows, *Lost*, *The Shield*, and *Boston Legal* never reached the public attention of shows like *24* or were received any of substantial examination as *Criminal Minds* or *Battlestar Galactica*. Even though I did not include it in this project, it seems that *Lost* offered a substantially different approach than the shows that were in the public spotlight. Lost represents the three central subject positions of the practice of torture with one character, showing *Said* taking up the role of torturer, tortured, and witness to torture.

and school children from New York. As Jonathan Gray claimed, *Battlestar Galactica*'s complex and elaborate world "allow[ed] creators and audiences alike to interrogate closely characters' pasts and motivation […] and explore a new and different textual universe".[98] The goal of my own close reading is to question how representation of torture and its interpretation can function and be dialogically developed in the context of a show which moves the topic into a more abstract and allegorical realm of television series.

The discourse on torture seems to reverse the structure of debate which I just outlined for torture representations on television. The US-American public discourse on torture as found in *The New York Times*, the *USA Today,* and other news outlets approaches the topic cautiously and abstractly if compared to *24*' perspective on the topic. "Time to Think about Torture"[99] was the appeal which Jonathan Altars made in November 2001 in the US-American *Newsweek Magazine*. In his article he argues that 9/11 created the necessity to introduce torture as a governmental interrogation technique. Just a few months later, in January 2002, *The San Francisco Chronicle* published an article by Alan Dershowitz, a Harvard law professor and criminal defense lawyer in which he proposed "torture warrants" as a model which would allow torture. "Torture warrants" were supposed to curtail the practice in strict rules and enable US-American agents and investigators to torture in the event of an immediate terrorist threat.[100]

Both articles triggered widespread resistance and controversy. They also kickstarted a debate negotiating if the United States, a democratic state was allowed to rely on torture. Two sides were prominent in this debate. Opponents of torture cited pragmatic, legal, and ethical, as well as medical and psychological reasons for the rejection of the practice. Supporters of the introduction of torture relied primarily on one argument. They claimed that in times of terrorism and global threats to national security, torture presents a horrible but necessary means of defense.

Just two months after Jonathan Altar's appeal to the US-American public, the first detainees suspected of terrorist associations in connection to 9/11 arrived in the US-American military prison Guantanamo Bay. Their arrival prompted questions in how far these detainees were sources of information about those responsible for the attack on the World Trade Center. But the debate about the permissibility of torture, possibly in Guantanamo, remained abstract and theoretical until 2004. In fact, in preparation of the war in Iraq, the US-American president George W. Bush gave a speech at the United Nations attempting to collect votes for a resolution

[98] Jonathan Gray, *Television Entertainment* (New York, Routledge, 2008) 27.
[99] Jonathan Altar, "Time to Think about Torture," *Newsweek* 5 Nov. 2001.
[100] Alan M. Dershowitz, "Want to Torture? Get a Warrant," *San Francisco Chronicle* 22 Jan. 2002: A 19.

supporting the war. All major news outlets covered the speech in which Bush accused the Iraqi dictator Saddam Hussein of systematically using torture against his own people. Bush reiterated his accusation in other contexts, underlining the importance of military action. Initially, the invasion "Operation Iraqi Freedom" and the subsequent occupation of Baghdad supported Bush's claims. A number of Iraqi torture prisons were liberated grasping the attention of news outlets. Videos by US-American soldiers from Iraq were published, documenting the atrocities, and torture victims were interviewed. The evidence of torture served as proof of the legitimacy of the invasion.[101]

Regardless of the accuracy or falsity of these claims, torture was used to stigmatize a regime as illegal while in another context torture was negotiated – even if only abstractly – as a last resort for agents of the US-American government. The negotiation of torture domestically, took on a more concrete form by 2004 and US-American soldiers moved into the center of attention as perpetrators.[102] On May 4, 2004, *NBC* News reported on an internal review of the US-military which dealt with cases of prisoner abuse in Abu Ghraib. The so-called Tabuga report[103] came to the conclusion that the US-American military committee tortured in Abu Ghraib.[104] Soon, images from Abu Ghraib were published and circulated in US-American newspapers. Similar accusations against US-American prison facilities like Bagram in Afghanistan[105] and Guantanamo Bay were raised soon after.[106] Bagram indicated the role which the US-American administration, the US-American military and the *CIA* played in enabling harsh interrogation techniques and torture.[107]

---

[101] See "At the Abu Ghraib prison, a sprawling compound on the desert floor 20 miles west of Baghdad that has become a notorious symbol of fear among Iraqis for its history of mass executions and allegations of torture […]." (John F. Burns, "Threats and Responses: The Great Escapes; Hussein and Mobs Virtually Empty Iraq's Prisons," *The New York Times* 21 Oct. 2002: A 1.); "But the chief thrust of a speech aimed by turns at the American heartland and the heart of Europe was a methodical argument to build support for attacking Iraq to rid it of weapons of mass destruction, and to pressure traditional American allies to join the campaign. There were promises of detailed evidence to come from Secretary of State Colin L. Powell, coupled with a gruesome catalog of Iraqi torture methods and a warning that if Mr. Hussein 'is not evil, then evil has no meaning.'" (Todd S. Purdum, "State of the Union: News Analysis; Bush's Twin Challenges," *The New York Times* 29 Jan. 2003.); also Judy Keen, "Powell to Take Case on Iraq to U.N. Next Week," *USA Today* 29 Jan. 2003; "To dominate the country, he has unleashed every known weapon in Iraq's arsenal against his own people -- from tanks to torture chambers to poison gas." (Zainab Al-Suwaij, "Iraqi People Yearn to Taste Freedom Again," *USA Today* 14 Jan. 2003); Vivienne Walt, "U.S. Officials Expect to Find Evidence of War Crimes," *USA Today* 19 Mar. 2003.

[102] Eric Schmitt, "Inquiry Ordered into Reports of Prisoner Abuse," *The New York Times* 17 Jan. 2004.

[103] "Key Excerpts Taguba the Report," *NBCNews.com* 5 Mar. 2004.

[104] Judy Keen, "White House Responds to Critics with Policy Disclosure," *USA Today* 23 Jun. 2004.

[105] Don Van Natta Jr., "Threats and Responses: Interrogations; Questioning Terror Suspects in a Dark and Surreal World," *The New York Times* 9 Mar. 2003.

[106] Toni Locy, "Former Detainees Allege Torture in U.S. Custody," *USA Today* 28 Oct. 2004.

[107] Van Natta Jr., "Threats and Responses" 9 Mar. 2003.; Tom Squitieri and Dave Moniz, "3rd of Detainees who Died were Assaulted; Shot, Strangled, Beaten, Certificates Show," *USA Today* 1 Jun. 2004.

These accusations were substantiated when memos from the US-American administration were published in 2004 which detailed that since 2002 the Bush administration had been considering harsher "enhanced interrogation" methods. It was often argued that these memos, which were later labeled and became infamous as "torture memos",[108] were influential for the events in Abu Ghraib, Bagram, and even Guantanamo. The revelation of these documents and events dominated the discourse until 2007.

The election of Barack Obama as president of the United States in 2008 changed the narrative about torture. While running for president Obama had promised to close Guantanamo and encouraged hopes that the chapter of US-American torture would come to an end.[109] Considering that Guantanamo Bay is still in action, this phase which is carried by a tone of retrospection on forgone torture conveys the impression that the history of torture in the United States experienced a mere calm before another storm. Hence, the conclusion of this thesis will be made with an outlook on *Homeland* (2011 –) which seems to designate and is considered to be a new beginning in the history of US-American televisual representations of torture. This will contextualize my reading of the previously analyzed instances of torture and torture debates on television by leading out of a phase of 'retrospection'.

[108] Toni Locy and John Diamond, "Memo Lists Acceptable 'Aggressive' Interrogation Methods; Justice Dept. Gave Guidance to CIA," *USA Today* 28 Jun. 2004.; Frank Rich, "The Banality of Bush White House Evil," *The New York Times* 25 Apr. 2009.

[109] See "Mr. Obama is going to have to overcome narrow-minded opposition in Congress to keep his promise to close Guantánamo and deal with its inmates in a way consistent with the Constitution and American values." ("The Peace Prize," *The New York Times* 9 Oct. 2009.); also Mimi Hall, Ken Dilanian, "Guantanamo Plan Takes More Shots: GOP Lights into Obama Again over Prison," *USA Today* 22 May 2009.

1.4. Structure and Scope: From Controversy to Human Rights Issue

The following chapters consist of close readings of the primary material in which torture is represented – television series which were produced and screened in the United States right before but mostly after 9/11 – preceded and contextualized by the public and critical attention they received and through which they were produced as participants in the discourse. Each chapter will be introduced with a brief explanation of the main argument I am proposing in my reading of torture in these series and how the formal and functional analysis will support this argument. Torture is always only one facet of these complex and multilayered shows. Accordingly, my focus and interest will inevitably be a fragmented presentation of their story universe. In order to facilitate the access to these series as well as torture's position and significance within their plot, I will lay out what I shall call a preparatory heuristic of torture for each show.

In choosing a discourse analytical approach I am able to compare and connect the show's depictions of torture, the discourse about them, as well as the negotiation of torture in US-American public media without losing sight of the medial and formal specificities of my objects of analysis. I am trying to place torture representations, their contexts in the form of characters, character constellation, the torture discourse within the shows, and torture's (institutional) setting next to the subjects, discourses, and settings of torture as negotiated in public media since 2001. The criticism of the television series will accompany my analysis in order to understand and order these shows' position as participants in the debate of torture and of torture representation.

In the first part of this project, reviews and criticism will directly accompany the first two analyses of *24* and *Alias*. I rely on them as discursive and responsive contexts which reveal some of the semantic and controversial potential of the torture representations included in the two shows. In the second part, I shed light on two other contexts which were concerned with torture in *Criminal Minds* and *Battlestar Galactica*, the Human Rights Non-Governmental Institution *Human Rights First* and their "Excellence in Television Award", and the United Nations. They differ from the newspaper and public media debate in that they are usually not concerned with television series and attempted, much more than previous debates, to cast and record a human rights informed judgment of the shows' approach to torture.

Part I: Seriality and the Controversy of Torture on TV: Framing Fox's *24* and ABC's *Alias* and their discursive negotiations in the context of seriality and polysemy

The television series *24* and *Alias* both premiered around and before the attacks on September 11, 2001. *Alias* screened its last episode in 2005 while *24* saw its most recent miniseries screened in 2014. The shows strongly build on serial and continuous storytelling over several seasons and years. *Alias* relied on more episodic case-by- case format but had a strong recurring serialized story line centering on the protagonist's family history and mystery. In contrast, *24* pushed the form to the extreme by construing the show in real time. Each episode lasts an hour in which (almost with no exception) exactly one hour of diegetic time passes. A split screen aesthetic organizes visually the many plot events happening around agent Jack Bauer. In terms of torture representation, *24* marked the start of a conversation which was about to determine much of the following years' negotiation of torture on US-American television. This is why part one of the project is dedicated to *24* and the debate surrounding the series as it will touch upon what I consider the central themes when speaking about torture and serialized television, namely discursive negotiation, serial interaction, and describing or mapping the historical development of the two former two events.

2. Necessity to Act: Responsive Torture and Response to Torture in Fox's *24*

24 is a particularly well-suited show for analyzing torture in a serialized context and a fruitful starting point to examine the broader historical context which will frame the individual analysis. Its screening rhythm and period, its great attention on and negotiation of torture make it arguably the most prominent, active, and controversial participant in the US-American discourse on torture and its representation.

The television series screened eight seasons from November 2001 until May 2010.[110] All seasons span twenty-four episodes with a particular formal characteristic: each season takes place within the time frame of one day. Accordingly, each episode represents one hour in the fictional universe of *24*. The show was conceived in such a form that the diegetic time equals one hour of screening or viewing time.[111]

The audience follows in real-time as Jack Bauer, the head of field operations of a specialized US-American intelligence agency, called Counter Terrorism Unit (*CTU*) is pursuing terrorists. Each season Jack Bauer and his team struggle to prevent a terrorist attack, primarily on US-American soil. Agent Bauer, played by Kiefer Sutherland, is always at the center of the agency's activities to stop terrorists in their tracks and is, compared to other agents the most successful operative in that regard. As the show spans roughly ten years and eight seasons, the story-line and Bauer's world change a lot over time. Bauer has to deal with different terrorists from various backgrounds and with different agendas. The fictional US government sees the change of a number of presidents with often very diverse approaches to fighting terrorism. There are, however, two more or less constant plot tropes: (1) Jack Bauer's relentless efforts to prevent terrorists from carrying out their attack, and (2) all terrorist are usually part of or pawns of a more secretive and far-reaching conspiracy which is rooted somewhere in the US-American government. Nearly each suspect whom Bauer stops, captures, or kills reveals a new layer of these conspiracies which sometimes reach as far as the US-American president. In order to survive and pursue such powerful and evasive enemies Bauer relies on often brutal and controversial methods. He kills, injures, and tortures suspects without much hesitation if it seems to bring him closer to stopping his 'targets'. This approach is controversial within the show. Some of his immediate superiors, influential officials as well as some presidents attempt

[110] Season seven was preceded by a movie called *24: Redemption* which explained Jack Bauer's disappearance at the end of season six. He had to flee the United States, setting the movie in the fictional country of Sangala, Africa. The movie prepared the number of plot tie-ins which were picked up by season 7. 2014 saw the return of *24* with a 12-episode television mini-series set in London. Both exceptions to *24*'s usual format locate the story outside the United States and will figure only marginally within my analysis.

[111] That is, after subtracting 15 minutes of commercial breaks.

to hold Bauer accountable for his actions, others support him. Bauer's actions produce shifting and changing relationships between him, his colleagues, superiors, friends and family, as well as the US-American presidents. On top of causing dispute within the show, the representation of torture in *24* called for the most controversial and intense public debate on torture on US-American television. No other television show was met with such enduring and substantial scrutiny and attention with regard to the representation of torture. The series had caused such a controversy for its handling of torture that reviewers who commented on its cancellation in 2010 regarded the show's negotiation of torture as one of its most distinguishing aspects.

2.1. "[G]iving torture a good name": Productive Controversies around Torture in *24*

The urgency which pervades the show was often read as resembling a sense of imminent danger which supposedly pervaded the American public after the attacks on September 11, 2001.[112] But, it was the show's handling of torture in particular which struck critics and observers. In her *New York Times* article, "When All Good Quests Must Come to an End", Alexandra Stanley commented on at that point *24*'s final season:

> Without ever abandoning its core entertainment values, "24" was one of the few dramas that grappled at length — if at times cartoonishly — with some of the most divisive issues of the times, from the ethics of torture to the role of civil liberties in wartime.[113]

24's negotiation of torture was not only extensive. More significantly, according to Stanley, it was very much influenced by and influential for the political and public debate on the topic. Strikingly, Stanley admits that *24* was devoted to a particular adventure genre, the quest narrative, and that it was at times cartoonish.[114] Nevertheless, *24* became a prominent and influential cultural reference point in the political debate surrounding torture and the military and intelligence efforts in response to the attacks on the World Trade Center.

In this chapter I will try to answer how and why *24* moved to the center of attention. Building on this, I will demonstrate in an analysis of the show itself that it was particularly two characteristics of *24*'s negotiation of torture which made the show so controversial: (1) *24*'s selective incorporation of the current debate on torture as observable in public media and the response within the show towards the criticism voiced and attention directed at the show's torture; and (2) the mode of representation focused on the procedural level for the sake of negotiations of subjective experience and on probing the legitimacy of torture within the moral framework of modern western societies.

Reviewers of *24* early on identified a number of specific characteristics in *24*'s plot which would later become interwoven with the controversy. Julie Salamon argued that *24*'s characters are rather flat and lacking psychological depth, but they are so for a reason. Calling

---

[112] See Caryn James who indicates that *24* "may prey on real fears" (James, "Clock Reset, Agent Bauer Returns to Work," 29 Oct. 2002.). Alessandra Stanley considers the show as a "way of working out our worst fears of modern-day terrorism" ("Back from the Dead, a Secret Agent Is Ready to Save the World Again," *The New York Times* 13 Jan. 2006.) Brian Stelter believes that, for the US-American audience "'24'" is part sum of all fears, part wish fulfillment in an age of shadowy enemies" ("For '24', Terror Fight (and Series) Nears End," *The New York Times* 27 Mar. 2010.)

[113] Alessandra Stanley, "When All Good Quests Must Come to an End," *The New York Times* 25 May 2010.

[114] An opinion often voiced by reviewers as well. For the latter, however, being compared to a comic book had the function of disarming any political relevance of the show's content.

them "glossy chess men" she explains that "who they are is important only because it enables them to do what they have to do."[115] The reading of characters as driven by necessity, of professional and societal circumstances forcing these individuals to do what they "have to do" will feature prominently in the debate about Jack Bauer's attempts at legitimizing torture as a necessary means to fight terrorism. Generally, in 2001 and 2002 the relations between the television series and the political events in the United States is discovered only sparsely. Salamon for example mentioned that *24* was altered in the last minute. A scene which showed the crash of an airplane was cut because of the possible similarities to events on September 11, 2001.[116] By trying to make the show less evocative of the actual events, the makers of the series evidence the format's responsiveness while revealing their own perception of *24* as possibly more topical and participatory than they might publicly admit.

Only by late 2002 do reviewers begin to suppose that the creators of the show make intentional allusion and offerings to the US-American political debate. Reviewers note that the characters which the show offers as protagonists and heroes, those who work for the US-American government and intelligence agencies, commit morally reprehensible deeds and acts. In another article on *24*, Caryn James commented on October 29, 2002 about the recently premiered second season:

> After Sept. 11 even the good guys do horrific things in the interest of greater security. Last year "24" started filming before Sept. 11, but this season the series is fully aware of how the world has changed; the show's tenor is more cynical now. […] Darkly entertaining and as absorbing as ever, this season of "24" reflects a new wartime mentality, one that suits a war lurking in the shadows.[117]

The second season marks a new phase of perception of the show. While generally still positive, reviewers begin to identify the show as a participant in the debates on the war on terror and on torture.

The early reviews of *24* were mostly favorable, commenting positively on the show's original form of serial storytelling. In a preview on September 9, 2001, Caryn James lauded *24* as being: "stylish and gripping. Sometimes it follows a single strand of the story; at other times

[115] Julie Salamon, "Racing in Real Time to Track Down an Assassin and a Daughter," *The New York Times* 6 Nov. 2001.
[116] Fox had "delayed the premiere of '24' […] after stripping out the image of a plane exploding, the work of a terrorist." (Salmon, "Racing in Real Time" 6 Nov. 2001.)
[117] James, "Clock Reset" 29 Oct. 2002.

multiple screens track different character's actions simultaneously."[118] And even though the television season of late 2001 was, according to James, "overloaded with new series about government agents", as *Alias* and *The Agency* were also set in the *CIA*, James argued that *24* "is the most daring and promising"[119] show of them all.

However, 9/11 altered the perception of the show's atmosphere and widens its semantic potential. Suddenly, producers and actors need to respond to possible links between the show and, the events of 9/11. The imminent political topicality is described by *24*'s creators and actors as a coincidence with much significance for the plot. Bernard Weinraub reported:

> [T]elevision critics and executives are saying good things about '24' - very good things, especially in a generally bleak television season blurred, of course, by the Sept. 11 terrorist attacks and their aftermath. […] Mr. Surnow and Mr. Cochran insisted that the series - which has been planned for more than a year - was not in any way seeking to tap into the real-life events of Sept. 11. But Mr. Sutherland said that drawing some comparisons was unavoidable. "This show was far more fantastical on the 10th of September than it was on the 11th," said Mr. Sutherland. "I would give anything to have it the way it was on the 10th. Unfortunately it's not. And the show does have a sense of reality much stronger now than it was on the 10th."[120]

Although the series included torture scenes from the beginning of season two, which premiered on October 29, 2002, it was not made into a topic in the reviews of the show until well into the season (the reviews start mentioning torture by March 2003). Season one included only two scenes of interrogation.[121] Strikingly, the reviews fail to comment on the fact that on February 4, 2003 the fictional US-American president in *24*, David Palmer, ordered the torture of the head of the *NSA*. Despite the rather explicit scene and scandalous potential of a president secretly ordering the torture of a US-American citizen and government employee, the first reviews which mention torture do so only when in later seasons, Jack Bauer or one of his colleagues are the victim and not the torturer.[122] By 2004, *24* has become not just a television

---

[118] Caryn James, "A Time for Drama, Minute by Minute or Era by Era; a Day in the Life (a Very Long Day)," *The New York Times* 9 Sep. 2001.
[119] James "A Time for Drama" 9 Sep. 2001.
[120] Bernard Weinraub, "A Fantastical Plot Made Real of Time," *The New York Times* 4 Nov. 2001.
[121] In one instance Jack interrogates a suspect in his car, denying him life-saving medication in exchange for information. In the second scene Jack drives the car of a suspect threatening of causing a crash at high speed. At this point, however, Jack does not seem to consider his actions as torture.
[122] See Edward Rothstein who identifies one of the conspirators who "torture Bauer, […] [as] a wealthy oil man who wants a war in the Middle East to increase his profits." ("Images of Evil's Flowering Disagree About It Roots," *The New York Times* 13 Mar. 2003.) Joe Rhodes argues that the fourth season will be "testing the loyalty

show depicting torture. Torture has become a recurring plot point for the show and the public debate of the topic is considered to be the one which the creators of *24* try to intervene more than in any other.

2.1.1. Normalization and Appropriation: Torture as Distinctive Feature of *24* and Invitation to Politicizing the Series

Between 2005 and 2007 torture was mostly treated as a normal occurrence within the show. In a review from May 14, 2006, Charles McGrath noted a number of repetitive aspects of the by then long running show but framed them positively as adding "an element of reassurance"[123] for the viewer. One of these recurring and familiar themes is torture: "There is treachery in the White House, and sooner or later a suspect turns up who won't talk and, since the fate of the country is at stake, needs a little chemical encouragement."[124] Torture is read as part of the show's "formulaic" structure, not as an influential political participatory aspect of public discourse.

Nevertheless, 2005 marks the moment when *24* is noticed for its implied message and role within the public discourse on torture. Frank Rich reads *24* as a product of a post-*9/11* mentality and the "war on terror" discourse of necessity. He comments on the recently started fourth season: "tune in, and you'll return, not necessarily nostalgically, to the do-or-die post-9/11 battle"[125]. Rich, however, sees a critical momentum within *24*'s depiction of torture which calls into question George W. Bush's legitimation of the war in Iraq and problematizes the use of torture by US-American government agents:

> This show is having none of President Bush's notion that Iraq is "the central front in the war on terror." In "24," the central front of that war is the American home front, not Mosul. […] It shows but does not moralize about the use of abuse and torture by Americans interrogating terrorists; the results cut both ways in the four hours of the season I've seen, and there's a hint, as vibrant as an orange jumpsuit, that American criminality at Guantanamo may guarantee ugly payback in the [Orange County] as well

of an audience that has already seen practically every major character -- including Agent Jack Bauer, the show's world-weary centerpiece played by Kiefer Sutherland -- disgraced, compromised, tortured and, in some cases, killed." "The Longest Day Enters the Hardest Season," *The New York Times* 5 Dec. 2004.)

[123] Charles McGrath, "Forget the Time, Agent Bauer. What Year Is It?" *The New York Times* 14 May 2006.

[124] McGrath, "Forget the Time" 14 May 2006.

[125] Rich, "We'll Win This War" 25 Apr. 2009.

> as in the Middle East. The Council on American-Islamic Relations, meanwhile, has already protested this season's portrayal of Muslims.[126]

Rich constructs torture in *24* as lacking a moralizing message. While criticism has been directed at the show for their "portrayal of Muslims" who often become the victim of torture, Rich sees *24* as critically examining the effects of adopting torture as a means of interrogation, i.e. instead of winning the "war on terror", torture might produce ever more enemies.

Similarly, Adam Green offers a cautious reading of the torture scenes appearing in *24*. While he sees an increase of torture from "infrequent shock bid to being a main thread of the plot",[127] he also identifies traces of a "rightward tilt"[128] in the latest plot developments of the show. This would, in fact, indicate that *24* does advocate the use of torture. And yet, he claims that the show is much more complex in its message on the practice. Green argues that within the show "the good guys […] go about their work largely unaccountable to law or to public opinion".[129] Nevertheless, the "moral order" of *24* obligates them to remain accountable to one another for their actions. Accordingly, torture commences negotiation and exchange between the characters of the show, which, according to Green, opposes common humanitarian notions about torture:

> It is often noted that torture goes against the tenets of human community in two fundamental ways. Because torturers deny the basic humanity of their victims, it's a violation of the norms governing everyday society. At the same time, torture constitutes society's ultimate perversion, shaking or breaking its victims' faith in humanity by turning their bodies and their deepest commitments […] against them to produce pain and fear. In the counterterrorist world of "24", though, torture represents not the breakdown of a just society, but the turning […] for social relations. Through this artistic sleight of hand, the show makes torture appear normal.[130]

Green contrasts his notion that *24* might be normalizing torture and making "therefore justifiable"[131] with another, broader one. The series might, at the same time, raise the question if "the devastation of war can be contained by the rules of proper conduct"[132] meaning, that *24*

[126] Rich, "We'll Win This War" 25 Apr. 2009.
[127] Adam Green, "Normalizing Torture, One Rollicking Hour at a Time," *The New York Times* 22 May 2005.
[128] Green, "Normalizing Torture" 22 May 2005.
[129] Green, "Normalizing Torture" 22 May 2005.
[130] Green, "Normalizing Torture" 22 May 2005.
[131] Green, "Normalizing Torture" 22 May 2005.
[132] Green, "Normalizing Torture" 22 May 2005.

is not so much propagating torture but is highlighting or mirroring through its torture depiction an ongoing process of undoing with regard to US-American standpoints regarding human rights, the Geneva Convention and possibly its own constitution. *24* alludes to a national "reworking [of] the rules of war to the point where the most expedient response to terrorism is to resort to terror."[133] Green's stance towards the latter development appears to be critical. So even though one could construct *24*'s handling of torture as a cautionary indicator of the current US-American political and public atmosphere, from Green's perspective, *24* does not entail much emancipatory potential. The show's development more or less predicts "what sort of society we are in the process of becoming."[134] While Green's text did put forth an ambiguous argument about torture in the series, the article marks a turning point in the debate of *24* in so far as it is the first which explicitly targets the topic. Green also embeds the topic within the broader picture of US-American politics and the country's alleged historical situation.

By the end of 2006, the interest in *24* expands beyond the reign of cultural critics as politicians enter the debate. With this widening of the circle the implied message is brought home. Now, the possible effects of *24's* torture representation are explicitly shifted towards an implied audience, one constructed as highly impressionable: US-American citizens.

The New York Times reported on June 24, 2006 that a number of producers, writers, and actors were invited to a conference of the conservative leaning Heritage Foundation at the Ronald Reagan Building and International Trade Center. Outspoken conservative Rush Limbaugh chaired a panel on *24* labelled "'24' and America's Image in Fighting Terrorism: Fact, Fiction or Does It Matter?"[135] Limbaugh framed *24* as a favorite of conservative government, calling Dick Cheney and Donald Rumsfeld "fans" of the show.[136] He further lauded the show for, as Dowd rephrases, "giving torture a good name".[137] A transcript of the panel discussion, published on Rush Limbaugh's website, clarifies for whom *24* allegedly gives torture a good name. During the panel discussion Limbaugh portrayed the mass media as being homogeneously against the use of torture. He insinuates that *24* can be a form of a corrective to this perceived agenda when he asks a senior research fellow of the *Heritage Foundation*: "[I]s the effect of the torture news coverage versus the presentation of this in "24" confusing to viewers? Does it make a difference in public opinion about the whole issue?"[138]

[133] Green, "Normalizing Torture" 22 May 2005.
[134] Green, "Normalizing Torture" 22 May 2005.
[135] Maureen Dowd, "We Need Chloe!", *The New York Times* 24 Jun. 2006.
[136] Maureen Dowd, "We Need Chloe!" 24 Jun. 2006.
[137] Maureen Dowd, "We Need Chloe!" 24 Jun. 2006.
[138] "'24' and America's Image in Fighting Terrorism," *The Rush Limbaugh Show* 18 Apr. 2013.

On the one hand, the panel on *24* does seem to show genuine interest of conservative politicians and supporters. The topic of the panel was ridiculed and criticized as displaying the current government's inability to face reality.[139] On the other hand, the event's inclusion of the show was construed as an indicator for *24*'s affinity with conservative or Republican politics. Commenting on the same event, Alessandra Stanley called it "bipartisan favor"[140] and added that Republican John McCain, would later run as Republican presidential candidate in 2008, also had a cameo appearance.[141]

The interest in torture in *24* seems to have begun by 2004/2005 and by 2007 the actual controversy on torture set in. There was still coverage which neglected the issue of torture in *24* all together or reported more or less unexcitedly on the topic.[142] The depiction itself was viewed more and more critically but it was particularly the interest of politicians, political commentators and pundits which was made into an issue.

On September 30, 2007, the *Los Angeles Times* reported that former president Bill Clinton declared during an NBC press meeting that, even though torture should not be legalized, he believed that torture as a tool in the fight against terrorism would only work if its use remained fully under the authority and responsibility of the particular agent using it. Clinton is quoted within a "political commentary" of the newspaper:

> I think what our policy ought to be is to be uncompromisingly opposed to terror--I mean to torture, and that if you're the Jack Bauer person, you'll do whatever you do and you should be prepared to take the consequences […]. And I think the consequences will be imposed based on what turns out to be the truth. […] If you look at the show, every time they get the president to approve something, the president gets in trouble, the country

[139] "Better to have a panel in praise of Jack Bauer than admit we have no real Jack Bauers to find Osama and his murderous acolytes." Dowd, "We Need Chloe!" 24 Jun. 2006.
[140] Alessandra Stanley, "Suicide Bombers Strike, and America Is in Turmoil. It's Just Another Day for Jack Bauer," *The New York Times* 12 Jan. 2007.
[141] Stanley, "Suicide Bombers Strike" 12 Jan. 2007.
[142] Under the title "Torture for Jack Bauer Is Diversion for Millions", Kate Arthur reported on *24*'s recent rating on May 24, 2006 without touching on the torture debate which was developing around the show. ("Torture for Jack Bauer Is Diversion for Millions," *The New York Times* 24 May 2006.) On May 20, 2007 Ginia Bellafante tried to divert the attention from torture arguing that the "[d]iscussions of '24' have long concentrated on its depiction of torture […] as the source of its controversy. But it is the show's treatment of family as an impossible and even dangerous illusion that truly challenges our complacency." ("In the '24' World, Family Is the Main Casualty", *The New York Times* 20 May 2007.) On July 31, 2007 Judith Warner jokingly commented on the supposed realism of *24* and summarized what she considered to be its quintessential story structure. She broke down the show's message on torture into a simple claim: "The big difference […] between real life and small-screen fiction is that, on '24', Jack Bauer actually catches the bad guys and saves the world. Good guys are incorruptible; fatuous politicians are made to pay for their sins. There is redemption; there is comeuppance. Oh, and torture works." ("'24' as Reality Show", *The New York Times* 31 Jul. 2007.)

> gets in trouble. And when Bauer goes out there on his own and is prepared to live with the consequences, it always seems to work better.[143]

Clinton's conflicted support of torture uses the show as if it was a plausible precedent for the case for torture. *24* shows, so Clinton, that torture can be used effectively in situations of imminent threat if responsibility and authority rests with the acting agent and not with the chain of command within which he or she is acting. It is particular the subject of Jack Bauer which seems to enable this perception of torture. In fact, it is primarily the figure of Jack Bauer which enabled and produced the political debate on torture in *24*. The *Wall Street Journal*'s "Law Blog" picked up a story in June 2007 by Canadian newspaper *Globe and Mail* which quoted US-American Supreme Court Justice Antonin Scalia at a legal conference arguing against the constitutional prohibition of torture. He made his point not based on real legal precedents but on cases which Jack Bauer had created in *24*. Scalia was cited arguing with fellow judges:

> Jack Bauer saved Los Angeles. […] He saved hundreds of thousands of lives, […] Are you going to convict Jack Bauer? […] Say that criminal law is against him? 'You have the right to a jury trial?' Is any jury going to convict Jack Bauer? […] I don't think so. […] So the question is really whether we believe in these absolutes. And ought we believe in these absolutes.

Regardless of whether *24* does allow for a substantial evaluation of the US-American legal frameworks of torture or if it offers an insightful precedent for the unsanctioned authority to torture: the television show is used strategically to make the use of torture appear plausible in the context of the war on terror. And it is singularly Jack Bauer who serves as the enabling subject for this debate. His representation within the show is read as an example of an 'successful' torturer, and more importantly, making such choices appear plausible.

Such appropriations were not singular instances or curiosities. In fact, the significance of the show for the ongoing US-American public debate of torture and the war on terror is expressed in how casually commenters refer to the show and its protagonist.

---

[143] Joe Mathews, "Bill Clinton and the Jack Bauer Exemption," *The Los Angeles Times* 30 Sep. 2007. A number of news outlets linked his statement to an earlier one which he made, in support of torture, but only under presidential orders. Alfred McCoy has traced how Bill Clinton's remarks on torture led to a public exchange, beginning in 2006, between him and his wife and then senator, Hillary Clinton on the permissibility of the practice. During the exchange – which was an indirect mediated exchange through news outlets and not a face to face discussion – Bill Clinton invoked *24* to strengthen his case. (Alfred McCoy, *Torture and Impunity: The U.S.Doctrine of Coercive Interrogation* (Madison: U of Wisconsin P, 2012) 178-180.).

The response which Senator McCain gave in November 2007 during the Republican presidential debate in St. Petersburg, Florida, when asked if waterboarding is a permissible interrogation technique or should be considered torture is exemplary. McCain, himself a victim of torture during the Vietnam War, strongly opposed waterboarding and any attempt by his opponents in the debate to legitimize it with the words: "[Torture is] […] in violation of laws we have passed. And again, I would hope that we would understand, my friends, that life is not *24* and Jack Bauer. Life is interrogation techniques which are humane and yet effective."[144]

Even though neither *24* nor Jack Bauer have been mentioned before or explained during the debate, McCain can presuppose the popularity and extend to which the show has permeated to the audience, the American populace, and its perception of opinions on national security, torture, and the war on terror.[145]

The variety of participants in the debate about the effects and implications of torture as represented by *24* is difficult to fathom or describe comprehensively. Nevertheless, I can retain that the show's significance as a cultural landmark and source for discursive impulses in the public and political context was reiterated often long after the vibrant years of 2006 and 2007.[146] As already quoted at the beginning of this chapter, Alessandra Stanley argued that unlike any other show "*24* was one of the few dramas that grappled at length — if at times cartoonishly — with some of the most divisive issues of the times, from the ethics of torture to the role of civil liberties in wartime."[147] More importantly, she also added that, increasingly, *24* "was taken seriously — and often cited — by hawks in the Bush administration as well as by liberal opponents of the Iraq war. The show popped up in law school lectures and Internet parodies."[148]

I want to argue that *24* has a specific ability to trap commentators within polarizing and apparently divisive positions. It forces the participants of this debate to take controversial stands within unsolvable moral dilemmas. At the same time the creators of *24* managed to make use

---

[144] "The Republican Debate," *The New York Times* 28 Nov. 2007.

[145] Around the same time a course for students of international law was held on "The Law of '24'" at Georgetown University. The curriculum explained that it were not legal issues with regard to the show which were about to be addressed but the course would "[provide] a detailed understanding of a very wide-range of U.S. domestic and international legal issues concerning counterterrorism in the context of the utilitarian and sometimes desperate responses to terrorism raised by the plot of 24." (See: Walter Gary Sharp Sr., "Curriculum Guide: The Law of '24': Exploring U.S. Counterterrorism Efforts and the Rule of Law," *Georgetown University Law Center* Spring 2008.)

[146] In November 2008, Alessandra Stanley saw in season seven the indication that "the writers [of *24*] have embarked on a self-improvement regimen" after the harsh criticism they received previously. ("Saving the World in Less Than a Day," *The New York Times* 21 Nov. 2008.) Even more to the point, Edward Wyatt claimed that "Bauer, the counterterrorism agent at the center of Fox's serialized hit "24," […] [was] an archetype of the Bush years" and added that the show much like the Bush administration "was engulfed in controversy over how it treated suspected terrorists" ("New Era in Politics, New Focus for '24'", *The New York Times* 7 Jan. 2009.).

[147] Stanley, "When All Good Quests Must Come to an End" 25 May 2010.

[148] Stanley, "When All Good Quests Must Come to an End" 25 May 2010.

of the serial plot formula to keep the debate going. The polarizing potential of *24*'s torture representation has its roots in the presumed effects which the show has on its audience.

To flesh out this argument I will take a closer look at an article published in *The New Yorker* which maps the network of *24* supporters and critics, their diverse backgrounds and political affiliations but which also, I argue, shows the various and specific audiences which these participants construct with their specific appropriations.

2.1.2. Professional Critics Enter the Debate: Real Interrogators, *The New Yorker* and the Diversification of Participants

Coinciding roughly with the screening of *24*'s sixth season, which premiered on January 14, 2007, the background of the commentators diversified including journalists from the politics sections,[149] politicians, lawyers, and members of the military. In this context, the conference organized by the Heritage Foundation was the first event of its kind which was picked up by the public media. In its aftermath, it seems that *24*'s implied US-American audience moves more into focus.

In February 2007, *The New Yorker* published a long article by one of its staff writers Jane Mayer, which covered *24*, its co-creator and executive producer Joel Surnow, and the controversy which had begun to surround the show. Mayer's article is an elaborate criticism of *24*'s reliance on torture and the particular forms of its representation. On the one hand, the article summarized in detail the crucial aspects which much of the debate was concerned with regarding *24*'s use of torture. On the other, it expands and substantializes this debate by reporting on proponents and critics and giving room to producers of the show and experts on interrogation to comment on the topic.

The article reveals how a network of sympathizing creators of *24* and conservative politicians developed in 2007. This network is striking as it relies on a paradoxical stance on the status of *24*'s torture representations as fictional.

Additionally, Mayer reveals the strong relations which a number of the show's determining creators keep with conservative politicians and pundits. Joel Surnow is portrayed as a friend to conservative pundit Ann Coulter[150] and of Rush Limbaugh, host of the eponymous conservative radio show. The latter connection, as Mayer reports it, led to *24*'s consideration as a topic for a panel discussion held by the Heritage Foundation.

---

[149] E.g. Judith Warner, "Guest Columns: '24' As Reality Show," *The New York Times* 31 Jul. 2007.

[150] Coulter was and still is a prominent, self-proclaimed conservative speaking out publicly and in her prolific writing on many topics where she sees 'liberal agendas' doing damage. She was an early supporter of Donald Trump's candidacy for US-American president.

The Heritage Foundation, a conservative think tank, employed Virginia Thomas whom Surnow met during a dinner at Rush Limbaugh's home. Following this meeting, the "'24' and America's Image in Fighting Terrorism: Fact, Fiction, or Does It Matter?" panel was planned and held and was noticed by public media. The panel discussion was followed by a "private luncheon […] in the Wardrobe Room of the White House for Surnow and several others from the show."[151] Also, in attendance were Karl Rove, the deputy chief of staff; Tony Snow, the White House spokesman" and the daughter and wife of Vice president Dick Cheney.

From the production's side the article grants creators Joel Surnow and Bob Cochran and lead writer Howard Gordon room to respond to the aspects the debate on *24* touches, including torture. However, it is only Joel Surnow who is portrayed as having strong political affiliations and a specific conservative agenda. With regard to torture, this creates a curious image of the show which is not always congruent with the criticism the article raises. The inspirations for – or origins of – torture in *24* become elusive and concrete at the same time.

The plot frame for torture is identified, both by Howard Gordon and Bob Cochran, as the ticking-time-bomb situation or scenario. In this setting, information has surfaced about an "imminent plot to explode bombs all over […] [a country]"[152] which starts a "race against the clock to stop it".[153] This information has either been already obtained through torture or it is the race against time which makes torture – as a short cut to more essential information – necessary. Cochran admits that while this situation is used on numerous occasions within the show, it "never occurs in real life, or very rarely."[154] Jane Mayer supports this claim by quoting a professor of political science at Reed College, Darius Rejali who has traced the origins of the ticking-time-bomb scenario. He located its first appearance in a French novel from 1960 set in Algeria during the French occupation through France. Rejali emphases that not only did the story have "no basis in facts" but that the ticking-time-bomb scenario was a "more palatable rationale for torture" than the racist legitimations available at the time.[155]

I could not find any information in how far this story was, in fact, influential in any way for the producers of *24*.[156] In either case, and it seems much more relevant for my line of argument, is the question what function and purpose the introduction of the scenario had in the framing of the show. As repeatedly stated by the creators of the show, the ticking-time-bomb

[151] Jane Mayer, "Whatever It Takes: The Politics of the Man Behind '24'," *The New Yorker* 19 Feb. 2007.
[152] Mayer, "Whatever It Takes" 19 Feb. 2007.
[153] Mayer, "Whatever It Takes" 19 Feb. 2007.
[154] Mayer, "Whatever It Takes" 19 Feb. 2007.
[155] Mayer, "Whatever It Takes" 19 Feb. 2007.
[156] Even though Surnow is regularly credited with inventing the *24* formula, it is never stated if he had prior knowledge of the specific fictional scenario.

scenario has not much rooting in any empirical reality. Nevertheless, Joel Surnow is quoted relying on the scenario to make a political argument for torture. In his opinion *24* is:

> ripped out of the Zeitgeist of what people's fears are-their paranoia that we're going to be attacked […]. [It] makes people look at what we're dealing with. […] There are not a lot of measures short of extreme measures that will get it done, […] America wants the war on terror fought by Jack Bauer. He's a patriot. […] Isn't it obvious that if there was a nuke in New York City that was about to blow – or any other city in this country – that, even if you were going to go to jail, [torture] would be the right thing to do?[157]

Surnow portrays his show's audience as patriotic and afraid and while not necessarily for torture, he imagines they would legitimize the practice as a necessary means to an end. If handled by someone like Jack Bauer, that is.

A different and more concrete audience is portrayed by Mayer when she covers an event which took place in November 2006. Members of the US-American military (precisely, U.S. Army Brigadier General Patrick Finnegan, the dean of the United States Military Academy at West Point together with three US-Army interrogators) decided to "meet with the creative team behind '24'".[158] They had come at their production facilities to confront the creators with the effects of their representation of torture. In fact, one of the visitors, General Finnegan, the dean of the United States Military Academy at West Point stated he would "like them to stop" portraying torture as they did in *24*. "They should do a show where torture backfires," a representation the visitors consider to be more realistic. Their motivation to voice their concern stemmed from a problem very specific to their occupation context. Finnegan claimed that the US-American public became "generally more comfortable and more accepting of [torture]," because of *24*. Tony Lagouranis, a former Army interrogator who served in Iraq and was also part of the visitors described how popular *24* was with US-American soldiers in Iraq and reported that many DVDs of it were circulating among soldiers. Mayer quotes him claiming that "[soldiers] watch the shows, and then walk into the interrogation booths and do the same things they've just seen."[159]

While Finnegan and his colleagues came to confront problems which they saw with their own specific and concrete audience, the US-American military served two main purposes in Mayer's article. Due to its professional relationship with intelligence gathering and

[157] Mayer, "Whatever It Takes" 19 Feb. 2007.
[158] Mayer, "Whatever It Takes" 19 Feb. 2007.
[159] Mayer, "Whatever It Takes" 19 Feb. 2007.

interrogation, military personal were introduced to 'authentically' speak about torture and in turn comment on *24*'s accuracy in portraying it. Furthermore, the military became a source for credible evaluations about the effects of torture representations in television series in general and in particular of those in *24*.

On the one side, commentators expressed strong favor for the show and its presumed political message, also in regard to torture, they frequently point to the television show's fictional nature to de-scandalize the criticism directed at *24* or its effects. One the other side, critical commentators would not dispute the show's status as fiction. But they explicitly stress the need to take its 'real' effects seriously. In support of this argument, an organization concerned with human rights and the US-American military enters the debate. And while the conservative network was debating if on occasion 'real' torture does work as in the fictional world of *24*, both human rights organization and the military argued that it does not work and that torture is not a tool which 'real' interrogators rely upon. The latter were afraid that the audience of the series might take for granted the necessity and efficacy of torture.

Fiction on both sides of the debate is not an elaborate concept describing a specific corpus of cultural expressions or artistic and creative story construction and development. Instead, 'fiction' is used in opposition to a problematic empirical 'reality' or "the real world".[160] And while the show may provide specific markers to identify it as fiction,[161] the term and the show's status as fiction is usually inferred as being common sense and without the need for further clarification. This differentiation between fiction and its real observable effects becomes very political in the context of torture representations in *24*.

Relying on research done by the nonprofit organization *Human Rights First* and the *Parents' Television Council* (*PTC*),[162] Mayer locates *24* in a broader television trend. The number of torture scenes has increased since *9/11* and while torture was committed mostly by "the villains",[163] increasingly it is the heroes who are represented as the perpetrators. According to Mayer, *24* reflects this development. She quotes Melissa Caldwell, *PTC*'s senior director of program who calls the show "the worst offender on television: the most frequent, most graphic, and the leader in the trend of showing the protagonists using torture."[164]

---

[160] See Clyde Haberman who reported that in terms of torture critics tried to show how "Bauer's world and the real world are light years apart." ("The Stuff We Could Teach Jack Bauer," *The New York Times* 19 Jan. 2010.)
[161] *24* was identified as fiction because of its "exaggerated" plot (James, "Clock Reset".), "convoluted and outlandish" (Stanley, "When All Good Quests Must Come to an End" 19 Feb. 2007.)
[162] Around the same time the organization was even more prominent in in the debate on torture in shows like *Criminal Minds*, *Lost* and *Shield* which were selected for an award for proper torture representations on television that the organization created and held. See chapter 4.1.1.
[163] Mayer, "Whatever It Takes" 19 Feb. 2007.
[164] Mayer, "Whatever It Takes" 19 Feb. 2007.

From this starting point, Mayer – taking a presumed viewer's perspective on the show – argues that *24* incorporates interrogation techniques which were used controversially on presumed al-Qaeda operatives, that it instrumentalizes torture to toy "with the audience's discomfort about abusive interrogations",[165] that the show lacks any "serious dialogue on the subject"[166] of torture, and even patronizingly silences critical views on torture within the show.[167]

Considering the lively debate and many discussions which *24* produced, Mayer's criticism that the series lacks any substantial debate of torture is intriguing. I would like to show how *24* incorporated the criticism of torture and of its own torture representations. Furthermore, in the following chapter I will show how the show serially approached its critics and kept the debate centering on torture and on the series itself alive.

[165] Mayer, "Whatever It Takes" 19 Feb. 2007.
[166] Mayer, "Whatever It Takes" 19 Feb. 2007.
[167] Mayer, "Whatever It Takes" 19 Feb. 2007.

2.2. From "infrequent shock to […] main thread of the plot": Incorporating Criticism and Adaptive Torture in *24*'s Season Two, Four, and Seven

Initially, torture did not play a major role in *24* and was not much commented upon either. However, gradually *24* increased the number of torture scenes, made the practice a point of debate for its characters, and became much more reminiscent of events which were being discussed politically in the US-American public discourse. As an effect of this serial development, and by 2004/2005, *24* had moved to the center of attention of the public debate about the dangers of representing torture but had also become a point of interest of political actors who attempted to use the show as vehicle for their one political message – either as negative example or as proof why torture works.

In the following chapter I want to highlight that, criticized and lauded for its representation of the usefulness of torture for gathering intelligence, *24*'s negotiation of torture is characterized by three telling aspects. First, *24* pays attention to the victims of its torture, their voice is granted space to participate in a discourse on the practice. But victims are allowed room for criticism only if they are of US-American nationality. This turns the show's discourse on torture into a very US-American-centric negotiation, prioritizing the voice of the torturers – which leads me to my second observation. There are number of instances in which the show takes up criticism as voiced in the political and journalistic discussion about US-American torture. It even incorporates criticism of its own representation of torture into its plot. But within *24*'s fictional universe, criticism of torture is delegitimized. Even though *24* is at the center of public attention with regard to torture's fictional representation and is being criticized repeatedly and strongly for its depiction of the practice, it finds ways within its own discourse on the practice – through characterizations of torture critics, through diegetically refuting their arguments, or merely killing them off – to silence critical voices. Finally, torture is very often represented in front of audiences who are not immediately involved in the practice. Torture is screened on CCTV cameras to superiors, colleagues, or civilians; retold, as when victims are being defended by prosecutors from public human rights agencies; or when Jack Bauer has to defend himself in front of congress. In this manner, *24* is directly referencing the debate about torture and about itself, a debate which happens in the public forums of newspapers, magazines, and television. It is this aspect of incorporation which will structure the following analysis.

Season one saw only two instances which foreshadow Jack's reliance on torture in later seasons. But the protagonist never resorted to torture in the first season. Even though only one instance is called "torture" within the show, they all display a clearer sense of transgression. The atmosphere is created partially through much more sophistication in terms of procedures

and methods. President Palmer relies on experienced personnel possibly because the NSA director's potential resistance and character might require such an approach. But more importantly, the majority of torture instances involve US-government officials and agents as witnesses. Some mark these violent interrogations as transgression by voicing critique, in other cases the apparent consensual silence and secrecy does the same. In episode eleven Jack threatened a suspect with torture, Ted Cofell, whom intel identified as being afraid of pain. Another time Jack Bauer threatened Kevin Carroll, who had killed a friend of Jack's daughter, with inflicting pain if he did reveal the location of a terrorist group Carroll was affiliated with. Both instances were of a rather improvised nature and followed physical altercations in which both Cofell and Carroll had attempted to kill Bauer. This characterized them as partly responsible of Bauer's reaction and clarified for Bauer and the audience that they considered him and his counter-terrorism agenda a threat.

Both instances were screened on February 12, 2002. Discursively, much had happened in the United States which concerned the perceived threat of terrorism and which laid the ground for later debates about torture. But these debates can hardly only be viewed through the scope of *24*'s torture representations in season one. Instead, many of these debates seem to reappear within *24*'s second season which displays a drastically changed approach to torture and allows for its representations to be viewed as much more referential.

On September 14, Congress had invoked the War Powers Resolution which allowed certain prisoners of war to be labeled "enemy combatants", thus theoretically excluding them from the rights ascribed by the Geneva Convention for prisoners of war as some commentators feared.[168] The war in Afghanistan and the patriot act were both declared in October 2001 which geographically and legally was groundwork for events in Guantanamo and Abu Ghraib. By November 2001, the debate if torture should not be admissible in times of terrorist threats had begun to reach major US-American newspapers and publications.[169] Yet, concrete instances of torture were still only discussed as perpetrated by countries other than the United States.[170]

---

[168] Neil A. Lewis and Robert Pear, "A Nation Challenged: Legislation; Terror Laws Near Votes in House and Senate," *The New York Times* 5 Oct. 2001.

[169] Jim Rutenberg, "Torture Seeps into Discussion by News Media," *The New York Times* 5 Nov. 2001.; Altar, "Time to Think about Torture".

[170] I found one instance in *The New York Times* which discussed direct criticism of the United States by United Nations committee against torture, which had highlighted that the common US-American prison practices of "electric stun belts and restrain chairs" violated the international treaty against torture. Another *USA Today* piece covered the torture of Abner Louima by NY city local police during Louima's apprehension. However, neither the *NYTimes* nor *USA Today* followed up on these topics. (Elizabeth Olson, "U.S. Prisoner Restraints Amount to Torture, Geneva Panel Says," *The New York Times* 18 May 2000.; Martha Moore, "Police Commissioner Sees a Changed New York; Security Crackdown, 'Realistically, Isn't Going to Go Away,' He Says," *USA Today* 12 Nov. 2000.) Torture during these early years was mostly connected to countries like Chechnia, Russia, China,

None of these early debates and political decisions regarding torture have been included in the first season of *24*. Admittedly, these debates had not yet any concrete matter or events of torture to discuss. In other aspects, the producers and creators of the series saw some resemblance of the show's story matter with current affairs. Much more controversial than the two scenes of torture or quasi-torture was a plane crash which was included originally but changed due to its perceived similarity to the events of 9/11. Additionally, the premiere was moved from October to November because of the attacks on the World Trade Center.

24 gradually changes its approach to torture with season two. The practice is more often identified as 'torture' and its use often under more observations. In the following section I will touch upon a number of scenes which display this increase in the show's attention to torture: the torture of Roger Stanton (season 2, episode 21); the torture of Richard Heller and the interrogation of Joe Prado (season 4); Jack Bauer's appearance in front of the US-American Senate and the plot involving senator Blaine Meyer (season 7).

There is only one instance of torture in season two which is critically examined within the show (episode 21, "Day 2: 4:00 a.m.-5:00 a.m.", screened on April 29, 2003). When president Palmer orders one of his secret service agents to torture the director of the *NSA*, his actions become the topic of a senate hearing. I will address this instance in chapter 2.2.1. It is the first time that *24* incorporated the criticism of torture as voiced in public debate.

The episode recapitulated the torture of Roger Stanton, former head of the NSA. Stanton was tortured upon secret orders by president David Palmer, who suspected him of having committed treason. Eventually, Palmer has to defend himself against accusations brought against him by vice president Jim Prescott and a governmental committee which tried to declare him unfit for office, evoking the 25th amendment.

The second instance of incorporated criticism revolved around the attack and kidnapping of Defense Secretary James Heller in season four, episode six, screened on January 10 and January 24, 2005. In the same season, the fictional human rights organization Amnesty Global (a not-so-subtle fictionalization of Amnesty International) attempted to prevent Jack Bauer from torturing the suspect Joe Prado (episode "12:00 am-1:00 am" and "1:00 am-2:00 am").

The fourth season of *24* premiered in the United States on January 5 and ended on May 23, 2005. From the scarce information on the making of the series one can deduct that the production of season four will have begun at the latest around the end of May 2004 already. As

---

Chilem and others. (Mark Memmott, "Amnesty International Names Heroes, Scoundrels," *USA Today* 30 May 2001.)

all the previous seasons were filmed well into their screening period, we can assume that the production of season four ended towards the end of May 2005, just before the season finale was screened. I will discuss how *24* incorporates these debates in chapter 2.2.2.

And finally, in season seven, episode "Day 7: 8:00 a.m.-9:00 a.m.", Jack Bauer has to testify in front of a US-American senate committee and has to defend his torture of Ibrahim Haddad. He is called as a witness by senator Blaine Mayer (whose name bears much resemblance with *The New Yorker* writer Jane Mayer, the author of a very critical article on *24* and Joel Surnow's conservative agenda in 2007, cf. chapter 2.1.2).[171] This instance of incorporating criticism will be the topic of chapter 2.2.3.

24 took part in these debates in a number of ways: one of which was by representing torture as a necessary tool of governmental practice. But apart from how it legitimized torture, the show incorporated the criticism of torture and of its own torture representation. It turned arguments into specific characters, serially developed and adopted these criticisms in response to public debate, and confronted them in a manner that aimed at delegitimizing them.

2.2.1. Criticism from Within: Presidential Torture and Governmental Responses

In contrast to the first season, *24*'s second, which premiered on October 29, 2002 approaches the topic of torture immediately and, at least superficially, connects it to terrorism committed by Afghan nationals. Since the end of season one much had happened politically and in the ensuing public debate about torture. On February 14, 2002, *USA Today* dedicated an article to the question of how to destroy al-Qaeda and how to approach the problem that suspected terrorists incarcerated in Guantanamo who were 'stonewalling' their interrogators as the newspaper put it. In other words, despite interrogation, the suspects were not revealing the information the US-American authorities were hoping for. While the author argued, that the *FBI* should rely on a witness protection program to draw al-Qaeda members from the group he also highlighted that a number of "law enforcement officials […] [had repeatedly] suggest[ed] […] [to] ship them to a country where torture as an interrogation tactic is accepted".[172] On March 9 and April 4, *The New York Times* and *USA Today* covered the capture and treatment of suspected terrorists Khalid Shaikh Mohammed and Abu Zubaydah. Both articles on these

[171] When the *Atlantic* writer Jeffrey Goldberg informed Jane Mayer that she had been "immortalized on television's leading pro-torture show" she wrote that it was a "balancing sensation". She also added that she believed it was Howard Gordon and not Joel Surnow who must have been responsible for her 'fictionalization' as Surnow had already left the show for new projects like "the unending search for a successful right-wing humor show." (Jeffrey Goldberg, "Jane Mayer on Being Immortalized by the Pro-Torture '24'," *The Atlantic* 15 Jan. 2009.)

[172] Pete Earley, "Witness Protection Can Help Destroy Al-Qaeda," *USA Today* 14 Feb. 2002.

cases revolve around the question if torture should be used on these two suspects to prevent further attacks. A number of US-American officials, including Defense Secretary Donald Rumsfeld, are presented to have "angrily denied on Wednesday a media report that a captured al-Qaeda leader could be sent for interrogation to a third country, where torture might be used"[173]. Additionally, officials are quoted saying that "physical torture"[174] would not be used even though painkillers were withheld from the wounded Mohammad upon capture. The *New York Times* piece also glimpses at the critical debate that has been forming, quoting "[r]ights advocates and lawyers for prisoners' rights [who] have accused the United States of quietly embracing torture as an acceptable means of getting information in the global antiterrorism campaign."[175] This underlines that the debate about torture has reached the circles of US-government agents, and this fact is being publicized.

Around the same time, torture had turned form a US-American rhetoric tool to delegitimize the Iraqi government to a tool to call into question the US-American dedication to human rights and its own constitution. In the address to the United Nations given in September 2002 by president Bush, he accused Saddam Hussein of a number of human rights violations trying to sway the UN into action against Iraq. In his words,

> [t]ens of thousands of political opponents and ordinary citizens have been subjected to arbitrary arrest and imprisonment, summary execution and torture by beating and burning, electric shock, starvation, mutilation and rape. Wives are tortured in front of their husbands, children in the presence of their parents -- and all of these horrors concealed from the world by the apparatus of a totalitarian state.[176]

This was reported and published in the time between the end of season one and right before the beginning of season two.

The second season constructs torture structurally in a different manner. In terms of subject positions, torture is condoned – in fact, ordered by the US-American president – and practiced by Jack Bauer as well as other representatives of US-American government agencies, but also portrayed as being applied by those characterized and identified as terrorists. It presents the practice as one which is under critical observation, either directly by the US-American government and its agents or potentially so when it is made public. Next to the diversification

[173] Jonathan Weisman and Toni Locy, "Report of Torture Is 'Wrong'," *USA Today* 4 Apr. 2002.
[174] Van Natta Jr., "Threats and Responses" 9 Mar. 2003.
[175] Van Natta Jr., "Threats and Responses" 9 Mar. 2003.
[176] Van Natta Jr., "Threats and Responses" 9 Mar. 2003.

of subject positions torture resembles much more the current political discourse. When used publicly and uncontested it describes the practice at the hand of those identified as terrorists. Jack explicitly reports on the acts committed against Paul Koplin and Kate Warner at the hands of Sayed Ali and his henchmen as "torture"[177]. His evaluation is not contradicted. Similarly, Jack describes his encounter with Ronnie Stark, a mercenary who cut him, poured Ammonium in his wounds, hung him from the ceiling by the arms and electrocuted him with a taser until his heart stopped only to revive him and continue the questioning. When Jack reports to president Palmer that Stark "tortured"[178] him the definition is neither contradicted in dialogue nor by other means of the show. I want to highlight that the interesting aspect here is not whether the scenes presented do amount to torture. Much rather I want to direct the attention to the discursive distribution of the term torture. In contrast to the aforementioned torture by 'terrorists', all other torture scenes which were committed by US-American agents are, for one exception only, not called torture and not problematized even when they are implicitly characterized as transgressive actions.

The series' curious approach – graphic rather than explicit – to US-American torture might lead one to read this as the show's unwillingness or oversight in identifying US-American torture as such. But when one views this season through the lens of the ongoing public discourse on torture, another aspect of the practice's representation moves to the foreground. Practically all torture scenes condoned by US-American governmental agents are at some point doubled: they are shown on a small blue surveillance screen, one observed by another US-American agent or government official. This is not only a first for the show but – as it is limited to governmental torture scenes only – highly telling in terms of its representation.

There are four of such screened governmental torture scenes in season two, namely: Park's torture which is viewed from an adjacent room by US-American agents; Jack's interrogation of Nina Myers which is viewed by *CTU* director George Mason; Jack's torture of Sayed Ali[179] (even though here the screen is a tool of Ali's torture); and finally the torture of *NSA* director Roger Stanton is surveilled by president Palmer who gave the order to torture him. In the following I will briefly analyze the cases of Park, Myers, and Ali and look more closely at the torture of Roger Stanton.

[177] "Day 2: 5:00 p.m.-6:00 p.m.," *24 – Twenty Four*, Creat. Joel Surnow and Robert Cochran, 20th Television, 6 Nov. 2001 – 24 May 2010, Television, 6 Apr. 2004.
[178] "Day 2: 2:00 a.m.-3:00 a.m." *24* 27 Apr. 2004.
[179] "Day 2: 7:00 p.m.-8:00 p.m.," *24* 6 Apr. 2004.

The opening scenes of the first episode of season two portray the torture of a man named Park.[180] Park is being tortured in what appears to be South Korea. However, the information he communicates to his torturers is immediately forwarded to US-American agents waiting in an adjacent room.[181] The setting, participants, and methods used are fundamentally different in comparison with the torture portrayed in the previous season. The setting is portrayed as one specifically designed and located for torture. The participants appear to have predefined roles and their functions range from interrogator, medical personal to agent of the US-American government. Finally, the methods are not improvised or a result of an interpersonal reaction to a direct action of the person tortured. If one will, they portray what is known as rendition, the practice of having a suspect tortured by a country whose political and legal framework allows for more violent interrogation practices. In other words, *24* offers in its premiere episode of season two a scene which dovetails into the topical US-American public debate about how to treat the detained alleged terrorists and in particular Khalid Shaikh Mohammed and Abu Zubaydah. It portrays US-American agents as neither being actively nor directly involved in the practice but profiting and condoning it when it happens outside US-American soil. The torture of Park is outrageous from the perspective of the current debate as it portrays techniques which are yet unfathomable considering the scandal which the electrocution scenes from Abu Ghraib would cause two years later. The scene also does not include Jack Bauer but blank and not recurring US-American agents. Yet, the torture coerces Park to give up information which is beneficial in their endeavor to prevent a terrorist attack, even if this prevention is still a few episodes and plot twists away.

In the second scene of governmental torture, Jack threatens a suspect and former colleague Nina Myers with torture in an interrogation room of *CTU* while his director George Mason, who had warned Jack in advance about the illegality of the situation, remains at the scene to observe it via live feed.[182] Jack grabs her by the throat and threatens to kill her, intimidating her by firing a gun at her while intentionally missing. The scene is less insightful in terms of torture than with regard to George Mason's inaction to stop Jack. This kind of torture by Jack Bauer is more reminiscent of season one and Jack's intuitive approach to violent interrogation than of what is to come in season two. However, the moment of surveillance not only indicates the rather broad frame of permissibility but also the sense that these acts do not happen unobserved.

[180] "Day 2: 8:00 a.m.-9:00 a.m.,"*24* 9 Mar. 2004.
[181] See Appendix 1.a.
[182] "Day 2: 1:00 p.m.-2:00 p.m.," *24* 23 Mar. 2003.

Sayed Ali's torture is particularly telling as it involves a great number of participants and incorporates diegetically the act and effect of representing torture while framing the whole scene within the context of Islamic terrorism. Ali was revealed beforehand to be the head of the operation to detonate an atomic weapon in the United States. *CTU* has apprehended Ali in a mosque during his prayer and Jack has him tied to a chair in the mosque's basement.

From a serial perspective Ali can be read as relatable to the public discourse in American newspaper media which grapple with the religious self-identification of the al-Qaeda terrorists who flew into the World Trade Center. In later episodes *24* reveals, however, that Ali and his cell were mere pawns in the conspiracy which originated in the United States and was orchestrated by US-American government officials and international businessmen of a globally acting oil consortium trying to influence president Palmer's policy towards oil producing countries.

In the mosque's basement Jack first tortures Ali directly. He beats him, breaks his finger and tries to make him reveal the location of the atomic bomb. As Ali does not show signs of complying, Jack resorts to other techniques. A cooperating "security force" has kidnapped Ali's family in their home country and Jack shows Ali the live feed from his family home.[183] Ali has to witness the execution of his son at the hands of agents who cooperate with US-American forces, which moves him to reveal intelligence about the terrorist attack. It is later revealed that it was, in fact, a staged mock execution. Nevertheless, president Palmer is outraged as he is informed by his chief of staff Mike Novic about the situation. Even after Novic advises him that "a few people may have to die to save millions",[184] Palmer tries to intervene and calls Jack. He orders Jack to end the execution as it cannot be the policy of the United States to kill innocent children. Jack, who intentionally lets Ali overhear the conversation, argues that it will not happen on US-soil and that accordingly it will have no ramifications for Palmer. Palmer still forbids Jack to continue and hangs up. Jack keeps talking on the phone letting Ali, who is only able to hear Jack speak, falsely believe that the president authorized him to kill his family if necessary.

It is noteworthy at this point that *24* did not divulge to the audience that Jack is not planning to *de facto* execute Ali's family. In contrast to Ali, who must be of the opinion that Jack was authorized and is determined to follow through with his plan, the audience can only hope for or believe that Jack will not give the final order. Or, and that creates the specific tension

[183] See Appendix 1.b.
[184] "Day 2: 7:00 p.m.-8:00 p.m.," *24* 6 Apr. 2004.

of the scene, might prepare themselves for the possibility that Jack is, in fact, going further again and kill a suspect's family.

Jack eventually orders the execution of Ali's first son who is shown to be shot by one of the agents on site. Ali screams and cries but only relents when Jack orders the killing of his second son. He relates the location to Jack and is removed from the room. For a short moment, it appeared for Ali as well as for the audience that Jack did transgress into the territory of torture and assassination. This is underlined by Palmer's criticism and Kate Warner's reaction who was present in the mosque's cellar and is aghast about what apparently just happened. Jack then orders for the satellites streaming the execution to be readjusted and it is revealed for Kate and the audience that the execution was a technically forged video manipulation and that Ali's sons is alive. In fact, a glitch in the stream indicates that there was not even a faux execution on location but it was merely pasted into the live stream in order not to traumatize the family.

At no point is the term "torture" being used to describe what happened, despite the many circumstantial indicators that allow to read this scene in the context of the ongoing public debate on torture. Ali can be viewed as a representative of those inmates at Guantanamo prison incarcerated on terrorism charges. The fact that Jack indicates to Palmer that the execution will be taking place outside the United States is reminiscent of strategic geographic othering characteristic of Guantanamo and the status of prisoners as enemy combatants. But at this point *24* does not make a direct reference to torture. Nevertheless, the various reactions on the part of Kate, Palmer, Ali, and even to a degree Jack, who appears shaken as well, are indicators of the transgressive moment which this scene represents.

The scene which, through the use of mediated screens showing a (faux) execution, for a moment brings to audience and Ali closer together in the space of an observer. While the screened scene has different implications for Ali than viewing torture on *24* has for its audience, it is noteworthy that the show here opens the position of observer for both the audience and the fictional torture victim.

The torture of Roger Stanton, an interrogation involving US-American agents which is explicitly called "torture" and extensively debated by characters is ordered by president Palmer. Timewise, the scene is being conducted at the same time as Ali's torture. This event has – for this show – yet unseen diegetic consequences, taking effect in and over several episodes. It was put into motion in episode "Day 2: 6:00 p.m.-7:00 p.m."[185], an episode earlier than Ali's torture. Palmer orders the arrest of Roger Stanton, the head of the *NSA*, after discovering that he is

[185] "Day 2: 6:00 p.m.-7:00 p.m." *24* 6 Apr. 2004.

directly involved in the planning and execution of the attempted terrorist attack. He offers Stanton immunity for information about the location of the atomic bomb. Yet, Stanton responds that he has no knowledge of the bomb or of the accusations against him. Palmer then tasks one of his secret service agents and former *CIA* operative Ted Simmons to question Stanton. The order given to Simmons, indicates to the audience and to Simmons that the interrogation is going to exceed protocol. The president tells Simmons to do "whatever you need to do" to "extract information from Roger Stanton"[186]. The president tries to hide the interrogation from "Washington", underlining the illegality of the order.[187] Nevertheless, the torture of Roger Stanton will eventually come to light and Palmer will stand trial in front of a senate committee. This representation of torture, president Palmer's condoning of it, and his subsequent trial allows to see torture representation as a dynamic, reflexive, and responsive diegetic moment.

During the torture of Ali, the audience never witnesses Stanton's torture directly but only views it on a screen in the president's office.[188] Only after Ali confessed and *CTU* moves towards the location of the bomb do we return to the torture of Roger Stanton and Ted Simmons. In episode thirteen, Palmer enters the room were Stanton is being tortured and as Stanton begins to reveal that he and his co-conspirators helped Ali and his terrorists, Palmer sends Simmons away and ends Stanton's torture.

In an original twist for *24* this torture has consequences for the president, which threaten to jeopardize Palmer's and Jack's attempts to thwart the terrorist, an attempt in which Stanton's torture is portrayed to have played a crucial and productive role. In one of its final episodes Palmer has to face his own cabinet which, headed by vice president James Prescott, tries to remove him from power as they deem him unfit for office.[189] Based on Palmer's unwillingness to attack three unnamed "middle Eastern countries" which are at his point believed to be responsible for the terror, Prescott argues in front of the cabinet that Palmer appears incapable of making the necessary decision.

A central moment of the whole proceeding is the appearance of Roger Stanton who is brought in to support Prescott's case. Prescott relies on Roger Stanton as a witness and on his testimony of his torture. Stanton testifies on live feed to Palmer in one room and the cabinet and Prescott in another. Stanton himself is streaming his testimony from a hotel room and

[186] "Day 2: 6:00 p.m.-7:00 p.m." 24 6 Apr. 2004.
[187] "Day 2: 6:00 p.m.-7:00 p.m." 24 6 Apr. 2004. It needs to be added that Palmer is not merely trying to cover an illegal practice which he ordered. He also suspects that a circle of conspirators within his government is working against him and Jack Bauer. And he tries to hide the interrogation of a potential co-conspirator from them.
[188] See Appendix 1.c.
[189] See Appendix 1.d.

appears weak, adding that he "was tortured for several hours […] by order of the president of the United States".[190] Palmer, whose visual expression indicates confusion and apprehension at the fact that Stanton will now testify in this context, intervenes and asks Stanton directly: "And why were you tortured Roger?", to which Stanton replies: "Because you thought I knew more than I was saying about the location of the bomb."[191]

At this point it is important to recapitulate the information that the audience, Palmer, and the cabinet have of the whole situation. The audience has seen Stanton collaborate with the head conspirator Peter Kingsley who is orchestrating the attack on the United States. The audience has also witnessed Stanton's torture and confession to Palmer about his involvement. Accordingly, Palmer is aware of Stanton's guilt in the case and has recorded Stanton's torture and confession. When Prescott reveals Stanton to Palmer and the audience as a witness, Palmer's reaction is fitting as Stanton's confession would not help Prescott's case; in fact, it would most likely be contra-productive to Prescott's attempt at delegitimizing Palmer's unwillingness to go to war. Stanton's confession proves that the true perpetrators in this attack are neither the Muslim terrorists nor the countries which the US is about to go to war with. Instead, the latter are unknowingly pawns in a bigger scheme orchestrated by US-American government officials and soldiers who were themselves under orders of a German arms dealer and British business man in the oil sector.

As it turns out while Stanton's confession is screened for the cabinet, the part showing his confession to Palmer is missing, leaving only his torture. Without the confession, Stanton is able to argue that Palmer was so desperate and afraid of war that he resorted to torture. As Palmer highlights that the confession is missing, Stanton responds that he has never given an honest confession. Instead, he adds that under torture "I did what most of us would have done. I cracked. Told the president what he wanted to hear".[192] Stanton's criticism of torture, calling the practice's reliability to produce accurate information into question is as least cynical, considering Stanton's own background as the head of the *NSA*. It is highly unlikely that he honestly believes torture is not an efficient tool of interrogation considering his and his group's reliance on torture and other forms of extortion. Much rather at this point Stanton only recites an argument which he believes will sway his public, the cabinet. Stanton's character delegitimizes his criticism of torture as it becomes an instrument to remove Palmer from office and continue with the planned terror attack. In fact, Stanton's criticism of torture becomes in

[190] "Day 2: 4:00 a.m.-5:00 a.m.," *24* 4 May 2004.
[191] "Day 2: 4:00 a.m.-5:00 a.m.," *24* 4 May 2004.
[192] "Day 2: 4:00 a.m.-5:00 a.m.," *24* 4 May 2004.

this moment an obstacle for Palmer and Jack Bauer in their attempt to stop the terrorist attack. The criticism of torture's problematic relation to a pursued truth which *24* references here is not only delegitimized but it is portrayed as a weapon at the hands of terrorists.

2.2.2. Criticism from Without: A Capable Jack Bauer and Incapable Human Rights Advocates

Season four enters the public negotiation of torture on Jan 9, 2005. Few indications are given about the season's time frame. One can vaguely calculate that season four is set in the year 2004, possibly in the beginning of 2005, which means that it broadly overlaps with the time of its screening. The year 2004 was particularly reminiscent of 9/11 for the United States and for Europe. The March 11, 2004 Madrid train bombing in which 191 people were killed was connected to al-Qaeda. On October 29, 2004, Al Jazeera broadcast a video recording which showed Osama bin Laden taking responsibility for the attacks on the World Trade Center but accusing the Bush administration of having brought the attacks on themselves. In September 2004, George W. Bush accepted his nomination as candidate for the Republican Party for the 2004 presidential election. He was re-elected for his second term in November 2004. It was a victory by a slim margin against the democratic candidate John Kerry. The presidential race was dominated and decided by issues of national security in times of terrorism, the war in Iraq, but also about torture. Two events that were picked up by the US-American torture discourse will be particularly formative for this chapter: (1) The successive release of *torture memos* on interrogation techniques from the Bush administration; and (2) the images from the detention facility Abu Ghraib in 2004. I consider these incidents as moments of substantiation or concretization of the American torture discourse. The season's production and screening encompassed these events and their aftermath in form of torture accusations and convictions of US-American prison guards.

The plot of season four can be loosely structured into four phases which are organized along the complex and interlaced plan of Habib Marwan. Marwan is identified by the Counter Terrorist Unit (CTU) as the head of a terrorist organization including a number of sleeper cells, who have initiated a large-scale attack on American soil.

In the first phase (episodes 1-8), one of Marwan's terrorist cells kidnapped Secretary of Defense James Heller and his daughter/assistant Audrey Raines. Heller is supposed to be subjected to a web-broadcasted trial for "crimes against humanity". *CTU* works tirelessly to prevent the staged trial, Heller's certain execution and the nation's humiliation. Jack is able to

rescue them just in time before a cruise missile – sent as a final resort on president Keeler's order – hits the compound in which Heller is held.

In phase two (episodes 9-13), *CTU* discovers that Heller's kidnapping was only diversionary and that the terrorists were actually after acquiring a device to melt down all of the US nuclear power plants. *CTU* and Jack succeed in preventing the majority of plants from melting down.

Marwan used the chaos of the moment as another diversion. In this third phase (episode 14-19) Marwan orders the attack on Air Force One and president Keeler. Air Force One is successfully struck and president Keeler nearly killed and falls into a coma. He is replaced by vice president Logan.

Jack Bauer uncovers that this, too, was only a diversionary attack to achieve the main goal. In this last phase (episodes 15-24), codes and instructions to US-American nuclear missiles are stolen from the wreck of Air Force One and Marwan's men acquire a nuclear warhead which is mounted on a cruise missile. They launch it from Iowa against Los Angeles. Jack is able to find and kill Marwan and the missile is shot down before it hits its target. This effectively ends Marwan's grand scheme to make the American nation pay for their "imperialism" and "ignorance".[193]

Season two had introduced terrorists of Muslim background. Season four uses the concept of Muslim sleeper cells as terrorists operating within the United States. It is particularly reminiscent of the investigations and evidence presented on the attackers in the aftermath of 9/11. But the season additionally appears to make references to much more recent events. In episode one, Habib Marwan initiates his plan with the derailment and explosion of a train. Marwan's rhetoric during the recording of a confession video has striking resemblance to the video message from October 29, 2004, by Osama bin Laden in which he blamed the US-American administration and the American people for having brought 9/11 upon themselves. James Heller's online trial is reminiscent of the online decapitation of Nicholas Berg,[194] kidnapped in Iraq and killed by a group of men believed to be connected to Abu Musab az-Zarqawi. Zarqawi was believed to be a leading al-Qaeda operative. In their statement minutes before Berg's execution his kidnappers refer to Abu Ghraib as legitimation of their actions. These visual and rhetoric indications continuously remind a sensitive audience of 9/11 and its

[193] "Day 4: 1:00 a.m.-2:00 a.m.," *24* 25 Apr. 2005.
[194] The set-up of the trial and Heller's clothing bare striking resemblance of the decapitation video of Nicholas Berg, which was released on May 14 on an "Islamist Website" as *The New York Times* called it. (Dexter Filkins, "Iraq Videotape Shows the Decapitation of an American," *The New York Times* 12 May, 2004.)

subsequent investigations. But it is the depiction and negotiation of torture that stands out in season four. Torture representations in this season make the most profound offerings to a US-American discourse that has been engaged in tackling the question of torture's legitimacy since 2002.

Season four spends twenty-three minutes in the torture cell in total and constitutes – after season two – the second torture peak in the history of *24*. It distributes these representations over ten different scenes, as many as season two. And just like season two, season four reiterates the majority of its torture scenes in its retrospective summaries or recaps at the beginning of each episode, underlining their essential significance for the plot. The reception of the season was unusually critical and in its aftermath reviews and academic articles moved torture to their headlines when discussing the show.

24's handling of torture, and particularly season four's, became such an issue that in 2006 a U.S. Army Brigadier Specialist accompanied by a group of professional interrogators visit the show's writers and producers to dissuade them from their way of representing torture. One of the visitors reported on abuses in Iraq which he had witnessed and which happened right after interrogators had watched the show.[195] In May 2005, Adam Green of *The New York Times* rather rhetorically asked, if "'24' descended down a slippery slope in portraying acts of torture as normal and therefore justifiable?"[196] Despite the assumed danger of the show's depiction of torture, none of the reviewers take a closer look at how *24* participates in the contemporary torture discourse. A close reading of how *24* adjusts to the political debates on torture, how it reacts to the commentary on its representations of torture and of its order of torturers and tortured, will help to show its participation in a discourse that is asking the question if torture is a legitimate tool in the war on terror.

Throughout season four, the term torture is uttered in sixteen instances, three times as often as in season two. Seven actions are retrospectively called torture while three scenes that are structurally similar remain unnamed. The scenes called torture by characters in season four can be broadly arranged into two major groups: (1) torture by terrorists and (2) torture by US government officials. The latter group needs to be distinguished in another three categories: (a) torture by government officials without special training; (b) torture by professional torturers whose sole function is to torture and whose methods differ from anyone in *24*; and (c) torture by Jack Bauer. In the light of the discourse on torture since 2004, I will concentrate on the government agents and their methods in order to reveal the series' handling of torture. These

[195] Mayer, "Whatever It Takes".
[196] Green, "Normalizing Torture".

scenes have created much of the controversy around *24*'s torture representation. But they also allow me to show how the series incorporated criticism of torture as a governmental practice and the debate of its own handling of torture on screen.

The first torture by government agents begins in episode three and comes to an end in episode six, screened on January 10 and January 24, respectively. Its narrative thread reappears in episode twenty-two, screened on May 16. This torture scene is one of the most debated within the season and, due to its constellation of characters and their function in connection to torture, very revealing. It is the torture of Richard Heller, son of Secretary of Defense James Heller. *CTU* suspects he has connections to the terrorists who kidnapped his father.

Richard is characterized in a discussion that occurs minutes before the kidnapping between him and his father as an open critic of president Keeler's politics and of the administration his father is involved with. James Heller's visit is aimed at dissuading Richard from speaking against president Keeler's policy at a rally in "Lockheed". Their discussion shows how *24* tries to participate in the contemporary US-American political discourse of the year 2004:

> *Richard Heller*: I'm going, Dad. And there's nothing you can do to stop me. How many cars do you need to get places?
>
> *James Heller*: I didn't come here to argue about the environment, Richard.
>
> *Richard*: I didn't ask you to come at all.
>
> *James*: I do not want you to attend or to speak at that rally at Lockheed this afternoon.
>
> *Richard:* You don't have any leverage over what I do anymore. You haven't since I stopped taking your money.
>
> *James*: Can't you ever think of anything besides yourself? If you do this, it will humiliate the president, and it will be dangerous to national security.
>
> *Richard*: What could be more dangerous than 2,500 missile delivery systems?
>
> *James*: Oh, spare me your sixth-grade Michael Moore logic. The world is a little bit more complicated than that, Richard. We do not live in a utopia. America has enemies.
>
> *Richard:* Enemies who were our friends a year ago. And in another year, it'll change again, unless people stop supporting your psychotic need to control the world.
>
> *James*: Psychotic need?! We serve our country! We serve the cause of freedom! What do you do?!
>
> *Richard*: Why don't you just go back to your little motorcade and drive somewhere where people actually buy the lies you're selling?
>
> *James*: Okay, look, look, we don't have to do this, okay? We do not have to.

Richard: Fine, Dad. What do you want to do?

James: Do not disrespect me. I am your father.[197]

Richard and James become allegorical characters that can be read as representing the political factions as they were understood to organize in 2004, the year of the US-American presidential race which ended in George W. Bush's narrow re-election in November 2004. James Heller's concern for national security seems to be confirmed as adequate when the terrorists strike in Richard's front yard, and his indicated fate, if read against the gruesome decapitation of Nick Berg, offers to side with the elder man's take on the question regarding national security, a provocative proposal if read against representations of the societal climate since Bush's reelection.[198] James Heller tries to marginalize Richard's argument with a patriarchal tone and by referencing George W. Bush's prominent and controversial critic, Michael Moore. However, for a country that was seen as divided and still grappling with the aftermath of 9/11, Richard widens the perspective on terrorism. His criticisms of opportunistic American foreign relations that backfired, was a criticism raised also after 9/11, admittedly also by Michael Moore.[199] The argument is not decided in this season. Marwan's final nuclear attack originating from the heart of its America's "corn belt", Iowa, allows a critical stance on the proliferations of nuclear weapons but also the argument supporting strengthening national security. It is not my position to decide this political argument. But their argument is relevant to mine because the fight between the two set the tone for the ensuing torture of Richard.

Upon arrival at *CTU* headquarters, Richard is brought in for interrogation. All the while, the audience has no knowledge of any relation that Richard might have had with terrorists. *CTU* is also working on circumstantial evidence. Two reasons make Richard a suspect: 1) He is the only person who survived the attack and was not kidnapped; and 2) James' visit was unscheduled and not officially announced, and Richard the only person who could have leaked the information to the terrorists.

CTU tries to substantiate the evidence. Chief of staff Curtis Manning and Special Agent Erin Driscoll, who is in charge, connect a polygraph to Richard. Though not fully conclusive, the polygraph reveals that Richard holds back information.

---

[197] "Day 4: 7:00 a.m.-8:00 a.m.," *24* 9 Jan. 2005.

[198] An exit poll for the 2004 presidential election, in which Republican candidate George W. Bush defeated Democratic candidate John Kerry, indicates that 54% of the voters who cast a vote felt "safer from terrorism" since 2001. 79% of these were Bush voters. 41% of the voters felt less safe from terrorism since 2001 and of those 85% voted for John Kerry. ("Election Results 2004: U.S. President / National / Exit Poll," *CNN.com* 2004.)

[199] Michael Moore's *Fahrenheit 9/11* (2002) repeatedly criticizes George Bush senior's support of the Taliban in the 1970s and 1980s. In *Bowling for Columbine* (2002) Moore addresses Lockheed Martin's role as a weapons manufacturer in the context of the Columbine shooting.

Richard unwaveringly maintains that he is unaware of any terrorist plot to kidnap his father. His stance convinces the head of *CTU* Erin Driscoll to bring in agent Richards, one of the few professional torturers in *24*. Curtis seems uncertain about the decision to include Richards, as becomes clear in the short conversation between him and Driscoll:

> *Driscoll*: You think he's lying?
>
> *Curtis*: It's possible. Richard was the only one who knew where his father would be this morning. And he may have told someone about it.
>
> *Driscoll*: Why would Richard protect somebody who's betrayed him?
>
> *Curtis*: Because he's too arrogant to believe that's what's happened.
>
> *Driscoll*: It'll take days to go through his phone records. I want you to see if you can get the name out of him another way.
>
> *Curtis*: What do you mean?
>
> *Driscoll*: You know what I mean.
>
> *Curtis*: Erin, we're not even sure if he's guilty of anything.
>
> *Driscoll*: This is how we'll find out. Get started.[200]

This is a typical conversation for *24.* The creation of a "ticking-time-bomb-scenario" allows characters to legitimize torture methods. Driscoll's final comment also highlights that she is not concerned with the efficiency problem of torture. But Driscoll seems pressured into ordering Richard's torture, despite the risk of torturing an innocent. This might explain why Driscoll does not refer to the word torture here. It is obvious that she demands harsher techniques than the usual questioning but is ordering something both feel reluctant to pronounce.

The fact that Driscoll and Curtis bring in Richards underlines that the universe of *24* incorporates a professional hierarchy of torture. While Curtis has received a rudimentary training of improvisational methods for in-field interrogation and inflicting pain, Driscoll never tortures herself and does not appear to be trained. Richards, in contrast, is a mono-functionary professional of torture.

Upon entering the interrogation room, Richards displays a suitcase filled with syringes and a serum that, as Curtis explains to Richard, "makes every nerve ending in your body feel like it's on fire."[201] This is the first time that the effect and function of a torture technique is explained in *24*.[202] Yet, Curtis interrupts Richards before he can inject his serum. He feels

[200] "Day 4: 9:00 a.m.-10:00 a.m.,"*24* 10 Jan. 2005.
[201] "Day 4: 9:00 a.m.-10:00 a.m.,"*24* 10 Jan. 2005.
[202] In particular, historical research is well acquainted with the fact that the mere display of torture tools, of what will happen to the victim is often a much faster way of breaking the subject.

reluctant to make use of "an inappropriate use of force" on somebody who might not have been involved "knowingly". Driscoll is upset and tries to order Curtis back into the interrogation room who refuses unless she is prepared to give this order "in writing", which Driscoll is not. Torture seems to constitute a practice that has negative legal consequences if it can be traced. The fact that Curtis is not so much concerned about torturing a person but with torturing an innocent further stresses what was already indicated in season two: torture is a practice used in governmental circles of *24*, even though a legal or moral framework appears at work that fosters the condemnation of the practice; a technique applied outside the view of a public. Curtis then proposes a different technique, which he calls "sensory disorientation", adding "I have seen good results with [it]". He goes on explaining it: "Cut off his sight, saturate his auditory. It's noninvasive." Driscoll agrees and orders him to "[t]ry it".[203]

The camera does not return to the interrogation room for another fifteen minutes and when the audience is led back to Richard, he is already prepped to a sophisticated machine, wears light-blocking goggles and is forced to listen to a sinus-like sound transmitted via headphones.[204] The sound permeates the headphones slightly, and the audience gets an impression what Richard is exposed to. Curtis explains the technique to Richard, highlighting its effectiveness.

> *Curtis*: How long do you think you've been sitting here like this?
>
> *Richard*: Three, four hours.
>
> *Curtis*: It's been less than 30 minutes. Time is the first thing you lose track of with sensory disorientation. And it only gets worse.[205]

Even though visibly stressed by the sensory deprivation Richard maintains his innocence and Curtis puts the headphones back on, leaving Richard for an unspecified amount of time. For the audience, Richard's guilt is still uncertain and he is not seen again until season six. In narrated time of *24* this would mean that Richard spent at least four days at *CTU* but it remains unclear how long he is exposed to the SDT.

Before I come to the end of this sensory disorientation episode, I want to stress the degree of discourse participation made possible by this scene. As other torture scenes in the

[203] "Day 4: 9:00 a.m.-10:00 a.m.,"*24* 10 Jan. 2005.
[204] See Appendix 1.e.
[205] Curtis' imprecision with the duration of Richard's sensory disorientation is possibly intentional, furthering Richard's loss of a sense of time; an effect supported by the interrogation manual KUBARK.

episode, it shares a "subterranean aspect"[206] with the Abu Ghraib images and the torture memos. In the light of this intertextual embeddedness, three moments stand out in the scene just analyzed: (1) Driscoll's reluctance to give Curtis her order in writing is reminiscent of the scandal around the textual proof of a secret discourse on "torture" in the context of the *torture memos*; (2) The fact that torture techniques and their effects are explained for the first time by practitioners in *24* overlaps with a phase when the audience is able to read about and see evidences of torture in US-American newspapers and released memoranda; and (3) Curtis' remark that he has seen "good results" with sensory disorientation and the following application of SDT is provocative and screened at a sensitive time.

Just a few days prior to the screening of the episode, the trial of Army Reserve Spec. Charles A. Graner Jr., the highest-ranking participant seen on the pictures from Abu Ghraib began. He was sentenced on 15 January to 10 years in prison, longer than any of the other tried in the case. The trial revived the debate of US-American torture in Iraq – a debate very much concerned with trying to untangle the web of responsibility. During this time the term *sensory disorientation*, or *sensory deprivation* had received considerable attention in the context of this substantiation. The technique's status as torture is debated. However, *sensory deprivation* goes back to *CIA*'s 1963 KUBARK interrogation manual which addresses the technique in its chapter on *Deprivation of Sensory Stimuli*.[207] Several copies of which were seen by *The New Yorker* staff writer Jane Mayer lying in the offices of the writers of *24* when she visited the production team.[208]

The *LA Times* was the first, on May 11, 2004, to connect the methods described in manuals such as *KUBARK* to Abu Ghraib.[209] Many understood the images from Abu Ghraib as photographic expression of the results of what was discussed in the torture memos. The memo by Diane E. Beaver to Donald Rumsfeld, which the *Washington Post* obtained on June 2004, proposed "the deprivation of light and auditory stimuli"[210] as an approved method on interrogation. In Abu Ghraib "the marvel of digital technology allowed Americans to see what their soldiers were doing to prisoners in their name", Marc Danner claimed in January 2005.[211]

---

[206] Lindsay Coleman, "'Damn You for Making Me Do This': Abu Ghraib, 24, Torture, and Television Masochism," *The War Body on Screen*, eds. Karen Randell, Sean Redmond and Joanna Bourke (New York, NY: Continuum, 2008) 212.
[207] Central Intelligence Agency, "Kubark Counterintelligence Interrogation. July 1963," *National Security Archive*.
[208] Mayer, "Whatever It Takes" 19 Feb. 2007.
[209] Mark Matthews, "U.S. Practices at Abu Ghraib Barred in '80s," *Los Angeles Times* 11 May 2004.
[210] Diane E. Beaver, "Memorandum for Commander, Joint Task Force 170: Legal Brief on Proposed Counter-Resistance Strategies," *The Torture Papers: The Road to Abu Ghraib*, eds. Karen J. Greenberg and Joshua L. Dratel (Cambridge: Cambridge UP, 2005) 234.
[211] Mark Danner, "We Are All Torturers Now", *The New York Times* 06 Jan. 2005.

However, none of the images from Abu Ghraib depicted a technique similar to what Richard was exposed to. The images from Abu Ghraib also represent more violent and less sophisticated procedures than the memos describe. A reading of *24*'s torture by governmental agents might refine the view for these subtleties.

After James Heller is saved by Jack Bauer he is brought to *CTU* and informed about his son's detention and interrogation. Heller immediately understands what happened to his son and criticizes Driscoll in front of Jack:

> *Heller*: You subjected my son to SDT?
>
> *Driscoll*: Yes, sir, we did. But it was stopped the moment you were rescued.
>
> *Heller*: Jack, did you know about this?
>
> *Jack*: No, sir.
>
> *Heller*: I want to see my son now.
>
> […]
>
> *Heller*: Erin, I realize you've been under a lot of pressure these past few hours, but you better have cause for this.[212]

Heller's final remarks set the tone of the ensuing debate he has with his son. Heller does not voice a fundamental criticism of Driscoll's action and torture order but indicates that he supports her if there was legitimate reason for torturing his son. His encounter with Richard in the interrogation room is similarly determined by James' sober tone.

> *Heller*: They said they were using some interrogation techniques.
>
> *Richard*: They were totally out of line. I am going to sue them blind.
>
> *Heller*: I think it'll be a little more effective if you let me deal with it. I promise you, if they were out of line, heads will roll.
>
> *Richard*: What do you mean, "if"?
>
> *Heller*: Why did they think you were holding something back from them?
>
> *Richard*: I don't know.
>
> *Heller*: Richard, if you know something that would shed some light on what happened to me...
>
> *Richard*: What, you don't think I would tell them if I thought it was relevant?
>
> *Heller*: So there is something?
>
> *Richard*: Now you're giving me the third degree?

[212] "Day 4: 12:00 p.m.-1:00 p.m.," *24* 24 Jan. 2005.

> *Heller*: Son, do you have any idea what your sister just went through? If you know anything that would help us find the people behind this, tell me now.
>
> *Richard*: Dad…I'm glad you're alive. I... I really am. But I am not going to tell these people things about my private life that they don't need to know.
>
> *Heller*: That you don't think they need to know. Richard, these people were trying to save our lives![213]

After this dialogue, James Heller suspects that his son is withholding crucial information and he authorizes Curtis "to do whatever you feel is necessary to get this information out of [his] son". It is telling that Heller never uses the term torture in Richard's presence. Richard's threat against CTU, the legal claim of a torture victim is a powerful one in *24* if raised publically. But for James Heller the situation of an imminent terrorist threat demands measures that include sacrifices like torturing his own son. This is summarized in his concluding remark to his son in which he explains: "I love you, son, but I have a duty to my country." After the second session of interrogation, which *24* does not represent, Richard still does not reveal any information. Heller is enraged and uses the torture term for the first time accusing Curtis: "You tortured my son for almost three hours and ended up yielding nothing?" It dawns on James Heller and *CTU* that Richard is innocent. Heller tries to apologize to Richard and releases him.

> *James Heller*: I'm sorry this had to happen, Richard, but we had to make sure that you weren't withholding anything from us.
>
> *Richard*: I hate you. I never want to see you again.
>
> *Heller*: Please understand that I am responsible for the lives of millions of people.
>
> *Richard*: You torture me and now you want me to forgive you? This just confirms everything I always knew about you. Am I free to leave?
>
> *Heller*: Yes.[214]

James subtly confirms Richard's claim that he was tortured by not denying it. But, similar to Driscoll's omission to substantiate torture in a written order, he also does not use the term in Richard's presence. This reluctance on Heller's part is reminiscent of Secretary of Defense Donald Rumsfeld, who, in a less subtle way, responded to the Abu Ghraib scandal by explicitly refusing to use the term.

---

[213] "Day 4: 12:00 p.m.-1:00 p.m.," *24* 24 Jan. 2005.
[214] "Day 4: 1:00 p.m.-2:00 p.m.," *24* 31 Jan. 2005.

> My impression is that what has been charged thus far is abuse, which I believe technically is different from torture […] therefore I'm not going to address the 'torture' word.[215]

In *24* – as in the universe of Donald Rumsfeld – torture is an accusation of considerable impact. But *24*'s take on torture by governmental agents is a much more sophisticated one than Rumsfeld's rejection of the torture term. It is closely linked to the professional order of torturers and their success in procuring valuable information.

The torture of Richard is eventually rendered unsuccessful when Richard is again brought back in after *CTU* discovered new evidence connecting him to Habib Marwan. At this point Jack Bauer is present and about to torture Richard. Richard caves after his sister speaks to him and warns him of his imminent torture. When James Heller enters the room as well, the pressure increases and Richard eventually reveals that he had sex with a man weeks before the attacks. The *CTU* discovers that an accomplice of Richard's liaison tapped Richard's phone. This clarifies how the terrorist could have known about James Heller's unscheduled visit to Richard, freeing the latter of any responsibility. It remains an open question if Richard was not willing to reveal his homosexuality to *CTU* and his father, or if his sexual encounter was an occurrence he did not know had "anything to do with these attacks" as he claims.[216]

Even though *CTU* and James Heller evaluated the danger of Habib Marwan correctly, the torturing of Richard, even with methods that seem to have a successful history in professional interrogation was not the 'right' choice. Only Jack's reputation and James's and Audrey's persuasion brought *CTU* closer to finding Marwan. This scene cannot be read as a proposition or normalization of torture but, much rather, as a careful warning.[217] Since neither Curtis, nor Driscoll, nor Heller face any legal consequences, this scene and its offerings could also provide a different reading of the connection between Abu Ghraib and the *torture memos*.

But while here *24*'s negotiation of torture is rather ambiguous, it is often less so when Jack Bauer is directly involved, as in episode "Day 4: 12:00 a.m.-1:00 a.m." of the same season. *CTU* has apprehended another accomplice of Marwan, Joe Prado. Prado has been revealed to the audience as working with Marwan. Marwan, who had witnessed Prado's arrest, immediately contacts the organization *Amnesty Global* asking for an attorney to protect Prado from

---

[215] Susan Sontag, "Regarding the Torture of Others," *The New York Times* 23 May 2004.
[216] "Day 4: 4:00 a.m.-5:00 a.m.," *24* 16 May 2005.
[217] This reading is not invalidated even if Richard's homosexuality is understood as a reference to Dick Cheney's daughter's open homosexuality. James Heller's patriarchal tone with Richard could indicate that he considers his son's sexual preferences a choice; a choice and part of his son's utopian world view and unruly behavior.

interrogation. He tells them that "an innocent man is being held without charges and is about to be tortured at *CTU* Los Angeles."[218] And Marwan's scheme seems to be successful. As Prado is about to be interrogated, David Weiss, a lawyer of *Amnesty Global*, enters *CTU* and stops the interrogation. Jack is informed about *Amnesty Global*'s intervention and confronts Weiss.

> *David Weiss*: Who are you?
>
> *Jack Bauer*: My name is Jack Bauer, Department of Defense, and you are?
>
> *David Weiss*: David Weiss, Amnesty Global.
>
> *Jack Bauer*: Curtis, why is the suspect not in his restraints?
>
> *Curtis Manning*: Amnesty Global's order supersedes our authority.
>
> *David Weiss*: Mr. Bauer, my client is cooperating. He's not trying to go anywhere. All he wants is to be treated like any other U.S. Citizen.
>
> *Jack Bauer*: Your client aided and abetted people who attacked the president of the United States today.
>
> *David Weiss*: You don't know that.
>
> *Jack Bauer*: As a matter of fact, we do.
>
> *David Weiss*: Then charge him.
>
> *Jack Bauer*: May I speak with you privately?
>
> *Jack Bauer* to Curtis: Get the door.

Bauer and Weiss leave the interrogation room.

> *Jack Bauer*: You and I both know that your client isn't clean and that he conspired to steal a U.S. nuclear warhead.
>
> *David Weiss*: All my client wants is due process.
>
> *Jack Bauer*: Mr. Weiss, these people are not gonna stop attacking us today until millions and millions of Americans are dead. Now, I don't want to bypass the constitution but these are extraordinary circumstances.
>
> *David Weiss*: The constitution was born out of extraordinary circumstances, Mr. Bauer. This plays out by the book, not in a backroom with a rubber hose.
>
> *Jack Bauer*: I hope you can live with that.[219]

It is important to note that *Amnesty Global* is not intentionally aiding Marwan's terrorist plot. For a show that presents ever more conspirational circles with each season, it is rather unusual that the organization is unknowingly helping Marwan. In a way, their authentic

[218] "Day 4: 12:00 a.m.-1:00 a.m.," *24* 18 Apr. 05.
[219] "Day 4: 12:00 a.m.-1:00 a.m.," *24* 18 Apr. 05.

criticism, even if instrumentalized by a terrorist, characterizes them and Weiss as even more ignorant and obstructive. They hinder Bauer in stopping the terrorist plot. And they do so by referencing many theoretical arguments raised by non-fictional organizations like *Amnesty International* and their human rights lawyers. Opposing the constitution against extraordinary circumstances, the rule of law against the secret and brutal torture methods is part of the repertoire of the current debate about US-American torture. Furthermore, as Bauer tries to appeal to Weiss' reason, as he tries to make him forget the "book" for a moment and do what Bauer deems necessary, one could argue that *24* blames institutions like *Amnesty International* for hindering the efforts against the war on terror. Particularly so, as Bauer finds a way to deceive Weiss, secretly interrogate and torture Prado, and retrieve important information about Marwan's plot. Criticism of torture has been incorporated even more apparent and provocative in season seven, as I will show in the following.

2.2.3. Killing Criticism: The Death of Blaine (Jane) Mayer

24's approach to criticism of its representation of torture is characterized by the show's incorporation of the debate through characters. It then questions the authenticity, sometimes sovereignty or even deligitimizes these critical voices within the show while very much inviting readings which place *24*'s torture within the broader political context of the current US-American debate about the practice in news media.

As a final example of *24*'s incorporation of criticism aimed at the show's representation of torture, I propose to take a closer look at the death of senator Blaine Mayer in season seven. Senator Mayer is a leading member of a senate committee which, in the beginning of season seven, screened on the January 11, 2009, has been endowed with the task of "investigating human rights violation", especially instances of torture committed by *CTU* agents, and in particular by Jack Bauer. Mayer had also been involved in the disbanding of *CTU* in the previous season. He is about to interrogate Bauer in front of the committee regarding the torture of suspected terrorists.[220]

Season seven is peculiar in the respect that it did not follow the usual, rather speedy production timeline of previous seasons. While usually the last episode of a season and the first of the next are separated by more or less half a year of production time, season seven premiered one and a half years after the last episode of season six. This was partially due the Writer's Guild of America strike in 2007 and 2008 which complicated the production of the season.

[220] See Appendix 1.f.

Much had been discussed regarding torture in the US-American public discourse between the show's last episode of season six which screened on May 21st, 2007 and the beginning of season seven on January 11, 2009.

It is necessary to mention that according to a *CNN* article, the first eight episodes of season seven had already been filmed by February 2008[221] and by September 18, 2008, the production of the first 18 episodes were finished.[222] These include those episodes which are integral to the following analysis namely episode one and two, both of which were screened on January 11, 2009, as well as episode fourteen which aired on March 16, 2009. These episodes were produced about three years after the cases of prisoner abuse and torture at *CIA* black sites and military prisons in Abu Ghraib and Bagram had been uncovered and the ensuing discussion in the news media since 2004 and 2005 and the so called "torture memos." The latter documents revealed the debates within the US-American administration, which had evaluated, examined, and judged the possibility and advantages and disadvantages of using torture as a tool against terrorism.

24 was now in its seventh season and had been exposed to strong criticism as well as some praise from conservative think tanks and pundits for its handling of torture. But politically the context of the show experienced a change which at least initially appeared to have a significant impact on the way the US-American administration stood towards torture. In November 2008, Barack Obama won the US-American presidential election and replaced the conservative sitting president George W. Bush who had served since 2001. Bush had been president during all of the previous six seasons of *24* and been in the midst and part of the US-American torture controversies. It had been one of Obama's campaign promises as he ran for president to not only close the US-American detention facility Guantanamo Bay but end the use of torture, in particular waterboarding.[223]

---

[221] The Associated Press, "Fox: '24' on Shelf Until Next January," *CNN.com* 14 Feb. 2008.
[222] Dan Snierson, "Exclusive: "24" to Shut Down Production for Rewrites," *Entertainment Weekly* 6 Sep. 2008.
[223] *The New York Times* reported on December 2, 2008 that in the last two years of campaigning, Obama had "rallied crowds with strongly worded critiques of the Bush administration's most controversial counterterrorism programs [such as] questioning them with methods he denounced as torture." "(Mark Mazzetti, "After Sharp Words on C.I.A., Obama Faces a Delicate Task," *The New York Times* 2 Dec. 2008.) See also: "President-elect Barack Obama has promised to ban waterboarding and other pain-inflicting soliciting techniques […]. He has also promised to close the Guantánamo Bay prison." (Reuel Marc Gerecht "Out of Sight," *The New York Times* 13 Dec. 2008.) In 2009, Obama is quoted arguing that refraining from torture is the best policy because "[n]ot only […] that's who we are, but also, ultimately it will make us safer and will help in changing hearts and minds in our struggle against extremists." "Turnabout on Torture," *USA Today* 12 Jan. 2009, A 8.) But torture came under criticism from the Republican party as well. Obama's Republican opponent, John McCain was a strong and explicit opponent of torture as well. In fact, his personal experience of torture during the Vietnam war was often highlighted in articles and used to substantiate his criticism of the practice.

Publicly, the election of Barack Obama was often debated under the auspices of a reversal of the previous years, in particular in term of torture. Often it was portrayed as a turning point which led onto a path back to the 'true' American values of freedom, democracy and rejection of torture. A schism was often construed between the former Bush administration and the new Obama administration, even though Obama himself was careful of what he portrayed as a possible "witch hunt". The *Philadelphia Inquirer* reported on April 14, 2008 that Obama responded towards a question if he would "seek to prosecute officials of a former Bush administration on the revelations that they greenlighted torture", that it was necessary to investigate the issue but he cannot afford his "first term [to be] consumed by what was perceived on the part of Republicans as a partisan witch hunt".[224] In regard to torture he also added that the practice presents as a constitutional problem and replied with a phrasing which, possibly symptomatically for the time, would reappear about a year later in *24*.

> Now, if I found out that there were high officials who knowingly, consciously broke existing laws, engaged in coverups of those crimes with knowledge forefront, then I think a basic principle of our Constitution is nobody above the law [sic] […].[225]

24's seventh season seems to represent this debate within the setting of the senate hearing. The argumentation of Jack Bauer and senator Blaine Mayer is very reminiscent of the two sides which conflicted over torture in the year of the presidential campaign and its debates. In particular, the character of Jack Bauer as a government official and torturer is at the center of the examination. And closely tied to his character is the evaluation of his position – as an agent within or "above the law" – which as I will try to show is the direct diegetic offering of clear political message and polarizing potential. Additionally, with Bauer and Mayer, the debate about torture is polarized and only two standpoints with regard to torture are given.

In this context, the series depicts Bauer as having to publicly defend himself and his actions against a hostile senate committee, which is characterized by Bauer as neither having the expertise to judge him nor the backing of the people. The show underlines Bauer's claim and Mayer will eventually be murdered by terrorists, who would profit from a curtailing of Bauer.

Significantly, Senator Blaine Mayer's name is rather similar to reporter and prominent *24* critic Jane Mayer who had portrayed the show's creator Joel Surnow and *24*'s approach to

[224] Will Bunch, "Obama Would Ask His AG to 'Immediately Review' Potential of Crimes in Bush White House," *The Philadelphia Inquirer* 14 Apr. 2008.
[225] Bunch, "Obama Would Ask His AG".

torture in a longer *The New Yorker* article in 2007. She has also been a prominent critic of the US-American administration's approach to torture since the invasion of Iraq. Here the show engages in its own torture debate, incorporating one of its own critics and the critical debate about torture, but fictionally discredits both by positioning them in opposition to its protagonist, Jack Bauer. And with regard to Jane Mayer, *24* disposes of her alter ego by having him killed at the hand of terrorists whom Bauer attempted to stop.

Jack Bauer is called as a witness on the second day of the senate hearing which at this point is investigating "brutality and torture"[226], as Mayer explains, committed by agents at CTU. The hearing appears to be public as reporters and camera teams are seen in the back of the room. In a panning shot the media is shown from behind as they focus on Bauer's interrogation, which in lieu of Senator Mayer's remarks that this committee "represents the people of the United States" underscores that this meeting is of national significance.

Bauer is advised by Mayer that he should seek legal representation as he might incriminate himself in his testimony. The protagonist does not respond to the offer, seems even unfazed by its implications, and instead proposes to directly begin with the "first question"[227]. He is characterized implicitly by his unwillingness to seek legal help as unfearful of any outfall from this meeting. This characterization is further amplified throughout the questioning. More so, Bauer repeatedly characterizes Mayer as unaware of the context which produced and – in Bauer's opinion – necessitated the brutality and torture which is now legally pursued. Mayer directs the interrogation immediately towards the question of Bauer's involvement in torture. More precisely, this line of questioning is aimed at his treatment of a suspected terrorist which *CTU* apprehended in 2002 by the name of Ibrahim Haddad. Mayer confronts Bauer regarding Haddad, wanting to know if he thinks he used extreme interrogation methods and broke procedure with his treatment of Haddad. Bauer replies with "possibly". Bauer's response seems to anger Mayer as he accuses Bauer to not care about the implications of his answer. Media-wise there is a visual change in split screen technique during this scene, which is shifting the dynamic of presentation. Previous split-screens of the hearing have shown Bauer in one screen next to a screen showing the whole room of observers and audience. But after Bauer's admittance of possible extreme interrogation and Mayer's reaction, the split screen show two close ups of Mayer next to Bauer. Within this framing Mayer asks "Did you torture Mr. Haddad?" The split-screen remains unchanged as Bauer responds: "According to the definition

[226] "Day 7: 8:00 a.m.-9:00 a.m.," *24* 11 Jan. 2009.
[227] "Day 7: 8:00 a.m.-9:00 a.m.," *24* 11 Jan. 2009.

set forth by the Geneva Convention…" and switches back to a full close up of Bauer as he exclaims: "Yes I did."[228]

The sense of stand-off creates an atmosphere of competition much rather than of a witness hearing. Within the stand-off Bauer then positions himself as a selfless individual willing to take whatever actions necessary to save the lives of the American people in danger of terrorist attacks. He prevents the committee from reacting to his confession by accusing Mayer of having the plan to discredit *CTU* and reiterates an often-used legitimation for torture in *24*.

> *Bauer*: Ibrahim Haddad had targeted a bus carrying 45 people, ten of which were children. The truth, senator, is I stopped that attack from happening.
>
> *Mayer*: By torturing Mr. Haddad.
>
> *Bauer*: By doing what I deemed necessary to protect innocent lives.
>
> *Mayer*: So, basically, what you're saying, Mr. Bauer, is that the ends justify the means, and that you are above the law.[229]

Bauer's objection to the claim that he tortured Ibrahim Haddad to save lives is not new and has been used in the show and in the public discussion. What is striking, however, is that *24* presents this argument post-factum and not in a theoretical scenario. If Mayer is to believe Bauer, then torture did, in fact, save the lives of 45 people. Furthermore, Bauer gives a telling response to Mayer's accusation of him being above the law. It evokes a number of prominent participants of the public discourse on torture of the past years and sets the critics of torture up to be refuted.

> *Bauer*: When I am activated, when I am brought into a situation, there is a reason. And that reason is to complete the objectives of my mission at all costs. […] For a combat soldier, the difference between success and failure is your ability to adapt to your enemy. The people that I deal with...They don't care about your rules. All they care about is a result. My job is to stop them from accomplishing their objectives. I simply adapted. In answer to your question, am I above the law? No, sir. I am more than willing to be judged by the people you claim to represent. I will let them decide what price I should pay. But please do not sit there with that smug look on your face and expect me to regret the decisions that I have made, because, sir, the truth is, I don't.[230]

Bauer characterizes himself as being willing to face the legal consequences of his actions even though or, in fact, because he knew his choices might have consequences. But he is also lecturing Mayer on the tactics and necessities of fighting terrorism. Visually, this argument is not presented in a split screen anymore but the camera switches from Bauer to Mayer mostly to

[228] "Day 7: 8:00 a.m.-9:00 a.m.," *24* 11 Jan. 2009.
[229] "Day 7: 8:00 a.m.-9:00 a.m.," *24* 11 Jan. 2009.
[230] "Day 7: 8:00 a.m.-9:00 a.m.," *24* 11 Jan. 2009.

add Mayer's visual expression, which shows his astonishment about Bauer's explanation. As Mayer's reaction portrays him as being surprised by Bauer's candidness, Bauer not only calls into question Mayer's function as representative of the American people, he also insinuates that Mayer's committee and its attempts at upholding the law are naïve. Mayer is positioned as being out of touch with the American people who, as Bauer insinuates would support his methods. When arguing that the terrorists he confronts do not care about the rules Mayer tries to uphold, Bauer characterizes Mayer as being specifically out of touch with the reality of war. This accusation in combination with Bauer's previous positioning of Mayer entrenches two positions with regard to torture and locates one of them closer to the will of the American people. Bauer describes himself as a subject with allegedly more information about the realities and necessities of the war on terror than Mayer and argues that his own approach and perspective on torture is much more aligned with the view of the American people than Mayer's and his committee. His self-identification as a combat soldier not only adds a military discourse to the legal discourse with its setting and subject positions but decidedly takes a stance on which of these two can be better used to explain this 'reality'.

As a character who has previously shown that he has prevented terrorist attacks with the help of extreme interrogation techniques, and hence from the perspective of the fictional universe of *24*, Bauer is telling the truth. But he relies on a number of generalizations which can be read as extensions beyond the events as they happen in the show. He speaks of terrorists' disregard for "your" rules and demands the American people, fictional as well as those making up the show's audience, to judge his choices. Also, his attack of Mayer's naivety sounds rather similar to Dick Cheney's argumentation which he made in response to the attacks on the World Trade Center. On September 16, 2001, Cheney argued rather openly on *NBC* that the US-American military and intelligence agencies will have to be able to react to situations given spontaneously and will have to resort to unauthorized methods:

> 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. That's the world these folks operate in, and so it's going to be vital for us to use any means at our disposal, basically, to achieve our objective.[231]

[231] Dan Froomkin, "Cheney's 'Dark Side' Is Showing," *The Washington Post* 7 Nov. 2005.

Jack Bauer's argument is made even more convincing diegetically when he is withdrawn from the hearing. Blaine Mayer will not be able to see this interrogation and examination to an end. The hearing is interrupted by an *FBI* agent who has a subpoena for Bauer and is authorized to extract him from the hearing. The *FBI* needs Bauer in on ongoing investigation. This diegetic development underlines Bauer's argument that terroristic threats are more urgent and pressing even than such an investigation as led by Blaine Mayer. Also, Bauer will not return into the witness stand. He will see Mayer again but only right before he is assassinated. In the fourteenth episode of season seven Bauer visits Mayer at his home to speak with him about one of Mayer's other investigations which has ties to Bauer's current case. Their common interest is a private security firm by the name of Starkwood. Bauer and Mayer uncover Starkwood's ties to the warlord and terrorist Benjamin Juma, who is behind much of the plot which season seven is concerned with.

Mayer returns home to find the traces of a home invasion. As Bauer appears Mayer initially believes Bauer is about to harm him. Mayer is skeptical towards Bauer's theory regarding Starkwood. This is partially due to the current circumstances, but more so due to the fact that Bauer is at the moment framed for another murder. Only Bauer and the audience know that the murder has been committed by somebody else. The more background information Bauer gives Mayer about his ongoing investigation, however, the more Mayer seems to trust him and begins to offer details of his own investigation into Starkwood. As they begin working together at the computer in Mayer's home the police are closing in on Bauer who is being sought for murder. Eventually, Mayer and Bauer come to the conclusion that Starkwood is working with Juma to develop a bioweapon. As they research deeper someone knocks on Mayer's door yelling that he is with the police. Mayer, who now seems fully convinced of Bauer's innocence offers to help and protect him so he can offer their just discovered evidence. Mayer plans to confront the police and moves to the door. As he opens, the camera shows a man standing in the doorway holding a rifle. Mayer is shot several times and dies. Bauer has to flee.

The death of Mayer at the hands of a terrorist who was pursued by Bauer is an intricate character constellation. If Mayer had been able to indict Bauer for torture after the hearing it would have possibly ended Bauer's pursuit of the terrorists. In this sense his death proves Bauer's argument, that the terrorists do not respect Mayer's rules. In fact, trying to enforce rules and humanitarian values as the prohibition of torture will likely have disastrous effects, according to the show. More so, Mayer was not allowed to die before he received some form of enlightenment about Bauer's work and intentions. He was killed after coming to understand that Bauer is worth protecting as he was apparently right about the terrorists all along. In the

end of season seven Bauer will eventually stop the terrorists while Mayer will not have survived.

As hinted at above, this attack on Blaine Mayer carries the traces of another attack: that on *24* critic Jane Mayer. Her article about torture and *24* apparently had such an impact on the show's creators that she reappears as Blaine Mayer, is allowed to reiterate parts of her criticism of torture but will eventually be proven wrong in *24*'s fictional universe. Even though *24* is not always so clearly reflexive in its statements regarding torture, season seven marks a very explicit example of its stance in the discourse about the practice.

Criticism of torture committed by Jack Bauer or by US-American governmental agents is not allowed much room in the show's storyline. Initially, this lack of critical engagement with the practice is due to a lack of any discourse on the practice. Only after public criticism of the show's torture representations become more prominent, more critical voices appear in *24* itself. However, substantial criticism is exclusively presented as a hindrance towards Jack Bauer's work and attempts at stopping terrorists. So much so, that Bauer is presented as having to violently stop an Amnesty Global lawyer from sabotaging the ongoing investigation or in the case of Blaine Mayer, disposing the critic at the hands of those that Bauer warned him about. Such a lack of critical engagement with its own forms of representation and criticism thereof underlines how closely the show's plot nestles to the political affiliations the show's creators nurse – in particular their participation in conservative NGOs and networks. Even more striking is the show's apparent lack, inability, or unwillingness to engage with the public criticism of its own representation.

What I tried to add to the conversation with this analysis is that *24* rather concretely and actively participates in the public and political negotiation of torture in the United States. It does so, not so much with its forms of torture representation but much rather with its form of presenting a discourse on the practice, its negotiation (or lack thereof) of a critical perspective on torture and of its own representations. Against this background it is important to review the often argued 'fictional' nature of the show which its creators, political supporters, and fans have often referenced in defense of the show. 'Fiction' in the context of *24* is not diffusion of the torture represented, instead it is used as a ticket which allows to continue with its approach to torture and which allows an escalation of how to incorporate criticism.

It appears that it was *24*'s responsive character with regard to its torture representation which fueled much of the debate it provoked. This is underlined when looking at ABC's drama *Alias*. The show screened during the same time as *24*, entailed as many torture scenes but was disregarded by the public debate. On the one hand, the show's protagonist was never accepted

as serious participant in the debate on torture or the war on terror. On the other hand, *Alias* actively avoided direct confrontations the public debates surrounding torture. It rather evaded the controversial potential of torture by moving it into the realm of family drama.[232]

[232] Torture within the family was a topic in *24* as well but only of marginal importance. The torture of Richard Heller by his father and Audrey Heller's presence during part of the process are a rather unusual constellation of torturer and tortured in *24*. There are only few instances in which family members torture each other. Instances include Jack Bauer torturing Audrey's husband Paul Raines and Jack torturing his brother Graem Bauer. As these scenes were noticed but never debated as extensively as the ones I put forward above, it seems that torture between family members is to a degree defusing the practice's controversial aspects.

3. Double Agents, Superheroines and Family: Torture in ABC's *Alias*

On Sunday, September 30, 2001, the first episode of *Alias* was aired on ABC (American Broadcasting Company). A little more than two weeks after the attacks on the World Trade Center the show opened its plot revolving around organized crime, international terrorism, and Sydney Bristow, an undercover agent for the *CIA*. It was aired in the evening slot at 9 p.m. for an entire duration of five seasons and competed with Fox's *The X-Files*, NBC's *Law & Order: Criminal Intent*, and two sitcoms on WB.

Alias shares a number of similarities with the controversial television series *24* (cf. chapter 2.2). Both shows share a similar screening period beginning. *24* premiered November 6, 2001. But other than the successful *24*, which ran for nearly 10 seasons, *Alias* was cancelled after its fifth season finale on May 22, 2006, mostly due to poor ratings. Both shows focus on agents of the US-American secret service agencies such as the *CIA* or its special branches. Both depict numerous instances of torture administered by the show's protagonist, agents of the US-American government, and their antagonists. However, and in striking contrast to *24*, *Alias*' handling of torture did not create a wide-ranging public discussion.

The initial conception of *Alias* and particularly of the first season happened unaffected of the events of 9/11 and its immediate political aftermath.[233] J.J. Abrams, who is generally referred to as the 'mind' behind the show,[234] claimed that the idea for the show was discussed already during his previous project *Felicity* which aired between 1998 and 2002.[235] Yet, all seasons following the first were produced if not written at a time when the significance and necessary response towards the attacks were evaluated and the debate about the dangers and benefits of torture in times of national security was in full swing. During its five years of broadcasting, the show accounts for over eighty scenes of torture on screen. In comparison, *24*

[233] In its earliest article, six months prior to the premiere of *Alias*' pilot episode, *USA Today* reported that the show's plot will revolve around "a college co-ed who also is a spy". The newspaper also claimed that *Alias* was majorly informed by the success of previous "strong female leads" as portrayed in *Erin Brockovich* and *Charlie's Angels*. Cf. Gary Levin, "Imitation Is the Sincerest Form of TV. Network Pilots Stick Close to Older Genres," *USA Today* 15 Mar. 2001.

[234] J.J. Abrams who wrote and produced *Alias* and was generally considered *Alias*' primary source for the plot development and the show's success. Cf. Laura M. Holson, "In This 'Superman' Story, the Executives Do the Fighting," *The New York Times* 15 Sep. 2002.; Thelma Adams, "If We're Not Being Rescued, Let's All Start New Lives," *The New York Times* 19 Sep. 2004.; Bill Keveney, "J J Abrams; His Aliases Include Writer, Director, Producer, Composer," *USA Today* 5 Jan. 2005.; Robert Bianco, "Critic's Corner," *USA Today* 6 Oct. 2005.; Abrams' departure from the show in 2006 was considered one of the many reasons of the its eventual "decline", cf. Robert Bianco, "Critic's Corner," *USA Today* 22 May 2006.

[235] Paula Bernstein, "Hardest-Working Actor of the Season: The C.I.A.," *The New York Times* 2 Sep. 2001.; cf. also: Ken Tucker, "Alias: Fall 2001's Best New Drama," *Entertainment Weekly* 7 Sep. 2001.; "TV's best game" cf. Robert Bianco, "Critic's Corner", *USA Today* 26 Sep. 2003. *Alias* was produced by Touchstone Pictures and Bad Robot Productions. Later, in 2004, Abrams would be leading the creation and production of the popular television show *Lost*.

portrayed torture only about 40 times in its first six seasons. Even if the producers and writers of the series were not getting inspiration from the ongoing public discussion at the time, *Alias'* setting and the extensive implementation of torture in its plot offered many instances to be read and discussed as pertaining to current US-American affairs.

And yet, *Alias*' reception in the US-American national newspapers – which began as early as March 2001 and accompanied the show throughout its five seasons – neglected to address the series' many instances of torture in any substantial way. Even more so, the show was repeatedly withdrawn not only from any considerable discussion of the practice but from any political reading which could reference plot elements to current US-American affairs and post-9/11 politics. Such a descandalizing reading is even more striking, as the *CIA* displayed great interest in the show from the moment of its creation and grew rather fond of how its agency was represented in *Alias.* Consequently, the gap between the numerous instances of torture representation and the lack of their inspection begs the question why torture in *Alias* is neglected by reviewers and critics and in how far the forms and functions of torture in *Alias* made them incompatible with the otherwise very sensitive discourse on torture representation in US-American television after 9/11.

An analysis of the reviews of the show reveal that *Alias* seems to convey that it is not necessary to summon the context of 9/11 and torture in order to enjoy or understand the show. Also, the reviewers seem to take the female heroine and show seriously as forms of entertainment but not as participants in a political debate. Even more so, whenever *Alias* presents moments which might be read as referential, they explicitly relocate the show in the realm of comic books, effectively trying to deny it any controversial potential.

3.1. More Torture, Less Controversy: Torture Inflated, Exaggerated and Defused in the Discussion of ABC's *Alias*

ABC offered a wide range of television formats in its 2001 schedule. Alongside reality shows, police and legal dramas, many sitcoms and comedy, game shows, sports and news broadcasts, *Alias* was early on identified by critics as a "conspiracy [drama]" or "spy-vs.-spy-vs.-spy adventure"[236]. The first concrete view of the show, its format, and plotline was released for reporters in May 2001. *USA Today* noted that the concept of *Alias* was well received, with "positive buzz"[237] and later in July 2001 considered it ABC's "[m]ost promising"[238] new drama to come.[239]

3.1.1. "[T]he sheen and the sheer sense of fun of a great comic book": Defusing Torture with Family, Comic Books, and *Alias*' Female Protagonist

The events of 9/11 seemed to heighten the sensibilities of reviewers and critics. Four days after the attacks on the World Trade Center and about two weeks before *Alias*'s pilot episode, *USA Today* contested that the show, along with *24* and *The Agency*, was, in fact, "hitting closer to reality" than the writers and producers could have expected.[240] In an article on how "[e]ntertainment [changed] in response to real terror",[241] the newspaper suggested that shows like *Alias* which "deal with such iffy areas as *CIA* agents who sometimes battle terrorism" might encounter difficulties to attract larger audiences. Yet, while the screening dates, schedules, and even plots of *24* and *The Agency* had been altered because of the events on 9/11,[242] *Alias* appears to have been screened without modification to its plot or schedule. On October 3, *USA Today* also refuted its previous article and argued that "[t]errorism fail[ed] to dampen TV's new season"[243] and evaluated the ratings for *Alias*'s pilot as a "promising start"[244] for the series.

---

[236] Robert Bianco, "Here's Looking at Fall Programming: The Reality Is, There Are Bright Spots of Originality," *USA Today* 21 May 2001.
[237] Bianco, "Here's Looking at Fall Programming" 21 May 2001.
[238] Robert Bianco, "Where's Next 'ER' – like Hit?," *USA Today* 27 Jul. 2001.
[239] *The New York Times* added a little more information on the content reporting that ABC's new "drama[s] is 'Alias', about a female graduate student who doubles as a C.I.A. spy" but did not reveal anything about the show's potential or quality. cf. Bill Carter, "'20/20' Bouncing and Vanishing," *The New York Times* 16 May 2001.
[240] Bill Keveney, "Too Close for Comfort Networks Pull Promos, Scrutinize Plotlines," *USA Today* 13 Sep. 2001.
[241] Susan Wloszczyna, "Ahead: Much Less Bang for Your Buck Entertainment Changes in Response to Real Terror," *USA Today* 20 Sep. 2001.
[242] Bill Carter, "Threats and Responses; Domestic Programming; We Interrupt This Broadcast, but How Much for How Long?," *The New York Times* 20 Mar. 2003.
[243] Gary Levin, "Terrorism Fails to Dampen TV's New Season," *USA Today* 3 Oct. 2001.
[244] Cf. also "Beyond 'Alias' a few other new dramas opened with some promise." Bill Carter, "Anyone Have a Hit?," *The New York Times* 3 Oct. 2001.

Despite the initial reservations, reviewers and critics in general lauded the show's plot and format,[245] and, while the show's ratings fluctuated and were often only mediocre, [246] *Alias* was considered a critic's favorite.[247] What seemed to take shape, then, in the discussion of *Alias*'s relation to the *CIA*, terrorism and 9/11, was a tendency to moderate the series' *CIA* setting and to dismiss any claims to realism or assumptions of political commentary.

Nevertheless, the fact that the reviewers and critics felt the need to oppose readings that would still draw these relations reveals how pressing the public discussion of 9/11 and its aftermath was for a show such as *Alias*. By 2002 and particularly after the US-American invasion of Iraq by March 2003, *The New York Times* began examining the relation of current television shows to the ongoing public and political debates about the significance of terrorism for US-American politics and national security. On April 30, 2002, *The New York Times* compared many new dramas or "government centered"[248] shows with regards to their investment in topics such as terrorism, post-9/11 politics, and torture.[249] *Alias*, however, was identified as having "more to do with adventure than politics"[250]. In a similar vein, another article granted that Sydney does "[battle] the occasional terrorist" but only if she is "not trying to uncover her own obscure and appalling family secrets"[251]. Even though *Alias* was granted some investment in the current state of affairs, the show's focus was seen elsewhere. Indeed, it seemed as if the show was deliberately protected against attempts to reading it as pertaining to

[245] Robert Bianco, "Seriously Good Shows; Six Premiering Series Mark TV's Dramatic Turn – for the Better," *USA Today* 3 Sep. 2004.
[246] *Alias*' ratings were considered "less-than-robust" (cf. Robert Bianco, "Got a Date with an 'Angel,' 'Alias'," *USA Today* 17 Oct. 2002.) The series gathered on average between 6.7 and 10.3 million viewers per episode in front of the television (2001-2002 TV season cf. "How Did Your Favorite Show Rate?", *USA Today* 28 May 2002; 2002-2003 TV Season cf. "Rank and File," *Entertainment Weekly* 6 Jun. 2003; 2003-2004 TV season cf. "I. T. R. S. Ranking Report," *ABC Medianet*. 2 Jun. 2004; 2004-2005 TV season cf. "Primetime Series," *The Hollywood Reporter*. 27 May 2005.; 2004-2005 TV season cf. "Series," *The Hollywood Reporter*. 26 May 2006.)
[247] Gary Levin, "There's a Lot More Room on 'the Bubble' This Year," *USA Today* 9 Apr. 2004., cf. also: Bianco, "Seriously Good Shows" 3 Sep. 2004. Particularly, Robert Bianco who was responsible for the weekly recap column "Critic's Corner" in the *USA Today* continuously declared his commitment to the show until its eventual cancellation. He did, however, note negatively that the plot became increasingly complex and "incomprehensible" with later seasons. (cf. Robert Bianco, "From 'Angels' to 'Anna,' Quite a Year," *USA Today* 22 Dec. 2003.)
[248] Caryn James, "TV's Take on Government in a Terror-Filled World," *The New York Times* 30 Apr. 2002.
[249] Although *Alias* had already portrayed five instances of torture at the time of the article's publication, torture was not discussed with regard to the show. Instead, the "courtroom drama" *JAG*, screened by CBS, is discussed. However, the reporter criticizes *JAG*'s courtroom negotiation of torture as insufficient: "potted arguments and lawyers' debates that so often pass for social commentary on television". Cf. James, "TV's Take on Government" 30 Apr. 2002.
[250] James, James, "TV's Take on Government" 30 Apr. 2002.
[251] Alessandra Stanley, "These Heroes Are Reporting in Uzbekistan," *The New York Times* 28 Jan. 2003.

current US-American affairs by considering it a "comic book",[252] a cartoon[253] or a "frequently nonsensical but thoroughly enjoyable adventure".[254] These terms – instead of describing a specific genre for *Alias* – served as means to 'disarm' the show, because, supposedly, its "comic book" qualities made it "headacheinducingly difficult to criticize".[255]

Writers and producers of *Alias* participated actively in this move to de-politicize the show. Five days prior to the series' premiere, J.J. Abrams discarded any ethical concerns in the face of terrorist attacks with regard to the plot. He defended the show as not being a "real life drama" but instead a "comic book brought to life" and therefore not touching on "horrible realities".[256] Even when journalists willingly admitted a potential for political readings, these were denied by the show's makeup. One reviewer highlighted that *Alias* "deal[s] in political or military plots" and reported that, during the second Iraq war in 2003, the show was "being scrutinized for content that might tread too closely to real events."[257] In the same article, however, Lloyd Braun, the chairman of ABC Entertainment was quoted arguing that the war on Iraq was of no concern for the show's producers because "people realize that 'Alias' has an escapist quality to it".[258] It seemed as if producers and writers also had a great interest in keeping *Alias* out of a political debate.

As much as the show was staged as detached from any general political debate, the theme of torture in particular was not explicitly linked to ongoing events. Even though the critics identified *Alias* as "mak[ing] ample references to the darker side of America's vast military-intelligence machine",[259] particularly portraying US-American officials "struggling to

---

[252] "[T]he sheen and the sheer sense of fun of a great comic book" cf. Bianco, "Where's Next 'Er' – like Hit?" 27 Jul. 2001.; "in comic book style" cf. Bernstein, "Hardest-Working Actor of the Season" 2 Sep. 2001; "comic-book bright adventure" cf. Robert Bianco, "Fiction? Or Reality? Real Questions for Fall TV, and Some Kicky Answers How Much Reality Can We Take? We'll Soon Find out, as 5 New Reality Shows Face Off with Sitcoms and Dramas, Including 3 About the CIA," *USA Today* 14 Sep. 2001.; "candy-colored -- and very violent -- comic book come to life" cf. Robert Bianco, "'Alias' Whips Espionage into Entertaining Eye Candy," *USA Today* 28 Sep. 2001.; "nothing more than a pretentious comic strip" cf. Virginia Heffernan, "Yet More of One Face in Season 4 of 'Alias'," *The New York Times* 5 Jan. 2005.

[253] "[T]oo cartoonish to feel threatening" cf. Julie Salamon, "Two New Spy Series at Unexpected Risk," *The New York Times* 29 Sep. 2001.; "too cartoonish to have a thought in its head" cf. James, "TV's Take on Government".

[254] Robert Bianco, "Some Darlings Mixed with Duds," *USA Today* 14 Sep. 2001.; "a fun, fantasy spy adventure" cf. Robert Bianco, "Critic's Corner," *USA Today* 14 Dec. 2001. Also cf: "silly spy fun" cf. Robert Bianco, "Glad-to-See TV: '24' and 'Band of Brothers' ; but Turn the Channel on Reality Genre, Xfl," *USA Today* 28 Dec. 2001.; "preposterous" spy fiction cf. Laura Miller, "Smiley's People," *The New York Times* 6 Jun. 2004.

[255] Heffernan, "Yet More of One Face in Season 4" 5 Jan. 2005.

[256] Lynette Rice and Dan Snierson, "Sensitive Material: In the Wake of the Attack Find out What's Now in Store for Spy-Themed Shows," *Entertainment Weekly* 25 Sep. 2001.

[257] Carter, "Threats and Responses" 20 Mar. 2003.

[258] Carter, "Threats and Responses" 20 Mar. 2003. See also executive producer John Eisendrath's remark when interviewed on his football-themed ESPN series "Playmakers": "I wrote 'Alias,' but I've never been a spy. […] But there is a greater attempt to be accurate with football, he said, than there is regarding espionage in "Alias." Richard Sandomir, "Bad Boys, Bad Boys, Whatcha Gonna Do?," *The New York Times* 24 Aug. 2003.

[259] Todd S. Purdum, "Hollywood Rallies Round the Homeland," *The New York Times* 2 Feb. 2003.

hold back a menacing tide" of terrorism, torture did not become a controversial moment in any of these considerations. Instead, *Alias'* handling of torture was lost or subsumed in concerns about the entertaining value of the show's action and Sydney's role as female heroine.

As a rule, then, torture was only discussed as a means of emplotment and characterization within the show, without any regard to its relevance for the ongoing public discussion of the topic. The torture of Sydney in *Alias*' pilot is of most interest and noted twice in *USA Today*. One article observed that the pilot featured "a pain-inducing bout with a tooth-pulling torturer"[260] and a second piece that Sydney "risks life, limb and *teeth*" [261] [emphasis added]. Both articles read torture as part of the many aspects of the entertaining action *Alias* entails and which should entice audiences to view the show. A reviewer of *The New York Times* pointed out that torture functions as a mechanism to characterize Sydney. She argued that J.J. Abrams construed Sydney as an empowered or "high-octane [heroine]" which manifested itself most clearly in the dignity with which he provided her "under torture"[262] in the pilot episode.

The omission of the ongoing political discourse on torture (even of 'torture' as a topic) in reviews of the series in national newspapers is particularly apparent in the discussion of the various cameo appearances on the show. *Alias* introduced at least one celebrity per season. Strikingly, every cameo which the national newspapers mention was either a torturer or was tortured in the show.[263] But the only instance in which torture was explicitly noted – even though it was referred to in synonyms – were the appearances of Rutger Hauer and Quentin Tarantino. In season two episode one, Jack Bristow is extensively tortured by *SD-6* director Anthony Geiger (played by Hauer), and *USA Today* remarked in a recap that "the Bristows have a new boss at *SD-6* (played with cool authority by Rutger Hauer), and he has *questions* about their job performance. Revealing much more would spoil the fun". [emphasis added].[264] The use of a euphemism here strengthens the sense that the interest of the reviewer lies with the

[260] Bianco, "Alias' Whips Espionage into Entertaining Eye Candy" 28 Sep. 2001.
[261] During Sydney's torture in "Truth Be Told" (30 Sep. 2001) her torturer did, in fact, pull one of Sydney's teeth out with pliers. cf. Bianco, "Some Darlings Mixed with Duds".
[262] Joyce Millman, "A Modern Cinderella, No Prince Needed," *The New York Times* 18 Nov. 2001.
[263] Kazu Tamazaki, played by Rick Yune, who tortured Sydney in season four, episode two was noted as having made a "a grand *villainous* turn from *Die Another Day*" [emphasis added] Robert Bianco, "'Alias' Returns with a Playful, Twisting Ride," *USA Today* 5 Jan. 2005. Other appearances include Faye Dunaway ("The Getaway" (12 Jan 2003) who also took on the role of torturer for SD-6 but was not addressed in this function. Cf. Robert Bianco, "Critic's Corner," *USA Today* 13 Dec. 2002. Ethan Hawke ("Double Agent" 02 Feb 2003) (cf. Brian Hiatt, "Hawke Eye," *Entertainment Weekly* 26 Nov. 2002.) and Ricky Gervais ("Façade" 14 Mar2004) (cf. Robert Bianco, "Critic's Corner," *USA Today* 12 Mar. 2004.) both were tortured by a criminal organization and the CIA. Only Roger Moore was not tortured but murdered in episode sixteen of season one. Cf. Bill Keveney, Bob Minzesheimer and Edna Gundersen, "Bond, James Bond, Will Make an 'Alias' Appearance," *USA Today* 08 Feb. 2002.
[264] Cf. Robert Bianco, "Super 'Alias' Will Bowl You Over," 24 Jan. 2003.

celebrity persona rather than with the appearance of torture. Quentin Tarantino's appearance was treated similarly in season one episode twelve. While his character's torture of Arvin Sloan is paraphrased as one of his many "desperate measures", the reviewer is more concerned with Tarantino's "amateurish performance"[265] than the use of torture.

One article in *The New York Times* did, in fact, show substantial concern with torture as represented by *Alias* and similar programs. It was published on February 5 2006, three months before *Alias* concluded its final season. In her article "Down with Torture! Gimme Torture!" Sarah Vowell claimed that "Americans reject torture" and have no difficulties to keep fictional televised torture separate from real instances, in particular when it comes to "treating prisoners of war according to ye olde golden rule."[266] As Vowell claimed for herself and others, there is a "jarring disconnect between what I want my real-life intelligence officers to be doing versus what I want my fake TV intelligence officers to be doing".[267]

In her opinion, then, fictional torture, such as found in *Alias* and *24*, should not be of any societal concern or media focus as they do not impair the democratic values of their audiences. In this vein, she goes on arguing that "unconstitutional fantasies are normal (I hope), and on TV dramas they can be entertaining and cathartic".[268] She enjoys her "two favorite shows, 'Alias' and '24'" even though "the protagonists Sydney Bristow […] and […] Jack Bauer bend and break the laws of the land in the name of national security with such speed and frequency, even Donald Rumsfeld himself might be outraged enough to utter a 'my goodness gracious' tsk, tsk".[269] However, in her opinion, this does not curb her or the audience's will to actively oppose torture in general and criticize the US-American government for its mistreatment of prisoners of war.

Vowell's article underlines that the issue of torture on television is regarded as a pressing one. Particularly – and again she only insinuates this – after the abuse and torture scandals in Bagram and Abu Ghraib. The question whether or not torture depictions on television are harmful, insightful or negligible calls for a public comment if only to dismiss the issue altogether. But even though Vowell does not verbalize it in her article, she answers fears regarding the influences of torture depictions on television. After all, her stance is one opposing

[265] Cf. Bianco, "Critic's Corner" 26 Jul. 2002.
[266] Sarah Vowell, "Down with Torture! Gimme Torture!," *The New York Times* 5 Feb. 2006.
[267] Vowell, "Down with Torture! Gimme Torture!" 5 Feb. 2006.
[268] Vowell, "Down with Torture! Gimme Torture!" 5 Feb. 2006.
[269] Vowell, "Down with Torture! Gimme Torture!" 5 Feb. 2006.

the many voices which show concern about the effects of torture representations on their audiences.[270]

3.1.2. Sydney Bristow: The Ever-Underestimated Superheroine and Unsuspected *CIA* Poster Girl

Since public national newspapers openly negate any connection between fictitious torture depictions in *Alias* and the public discourse on torture, the connection is – to a degree – established as they speak about it. What the above-mentioned perspectives miss is to address the *CIA*'s involvement in *Alias* as a moment which complicates the detachment of *Alias* from the debate of US-American torture. This is particularly striking, as the institution was deeply entangled in the torture scandals of 2004 and offered its own reading of the show. The non-treatment of torture and – in cases in which it is mentioned – its detachment from ongoing political discourses in *Alias* corresponds with the general disregard of the show's relation to the *CIA* and themes of terrorism. However, despite *Alias'* supposedly "escapist"[271] features, the show maintained a rather close relationship with the *CIA*. By elaborating on the agency's involvement in the creation of *Alias* and its attempts to install the show's heroine as a means to improve its own public reputation, I will illustrate the need to expand the reading of *Alias* and its torture scenes beyond that of a "comic book".

Despite the public disregard of *Alias's* political relevance, the *CIA* had shown early interest in the series. A week before the attacks on the World Trade Center, *The New York Times* ran an article on the fictional representation of the *CIA* in US-American films and television shows. In an attempt to shape the *CIA*'s public image, the secret service agency had begun to cooperate with recent television productions. As part of this endeavor, Brandon Chase, "the agency's first full-time public-affairs liaison to Hollywood",[272] had consulted on two network shows: CBS's *The Agency* and *Alias.* As Chase explained, he was trying to change the

[270] The public evaluation of torture representations on television and its significance for the US-American population is the result of a discussion which had begun four years earlier. In 2002 *The Christian Science Monitor* published the results of "a count" it had requested from the *Parents Television Council* (*PTC*): the "TV watchdog group logged 70 instances of scenes of graphic torture or sadism on network entertainment TV from Sept. 1, 2001, until earlier this month. In the two-year period previous to this, it logged 79." (Cf. Alfredo Sosa, "TV's Higher Threshold of Pain," *csmonitor.com*, 23 Aug. 2002.) *PTC* marked *Alias* as having screened the most accounts of torture scenes in the season of 2001-2002. The study initiated the public discussion about torture representations and the *PTC*'s reports were frequently referenced throughout the years. But even though Alias featured prominently in the initial report, the focus of the concern voiced in national newspapers decreased substantially after 2003. In contrast to *24*, which experienced broad resistance to its torture representations, the national newspapers never placed *Alias*' handling of torture under scrutiny.
[271] Carter, "Threats and Responses" 20 Mar. 2003.
[272] Bernstein, "Hardest-Working Actor of the Season" 2 Sep. 2001.

traditionally "nefarious"[273] representation of his employer. The article further argued that the shows' novelty consists of their handling of the *CIA* and that they are distinguished by a representational challenge when portraying the agency. *Alias* – as well as *24* and *The Agency* – were placed on a timeline with films and television shows ranging back to early *James Bond* films, *The Man from U.N.C.L.E.*, *I Spy*, and *Mission: Impossible*. The article claimed that, while the Cold War supplied clearly definable enemies for the early films and series, the former lacked "an evil empire to rally against" and, accordingly, often "[blur] the line between the heroes and villains".[274] Yet J.J. Abrams, who commented on the *CIA*'s consultancy, denied that the agency had much of an influence in the creation of the show's plot.

Despite Abrams' effort to downplay the *CIA*'s role in the development of *Alias* and despite his denial of the show's historical accuracy,[275] the agency considered *Alias* an important stepping stone in shaping its public perception. And it seemed to be rather fond of the direction which *Alias*'s took in representing it. On March 10, 2004, three months before the first memorandum advising the *CIA* on enhanced interrogation techniques was leaked to the press, Jennifer Garner appeared in a *CIA* recruitment video advertising the secret service agency to young University students. At this point her character had made use of torture twice, been a victim to extensive torture, and witnessed torture administered by a colleague.[276] In the video Garner gave the following testimonial:

> I'm Jennifer Garner. I play a *CIA* officer on the *ABC TV* series *Alias*. In the real world, the *CIA* serves as our country's first line of defense in the ongoing war against international terrorism. *CIA*'s mission is clear and direct: safeguard America and its people. And it takes smart people with wide-ranging talents and diverse backgrounds to carry out this mission...people with integrity, common sense, patriotism and courage. […] But since the tragic events of 9/11, the *CIA* has an even stronger need for creative, innovative, flexible men and women from diverse backgrounds and a broad range of perspective. […] Today, the collection of foreign intelligence has never been more vital for national security. If you're an American citizen and seek a challenging, rewarding

[273] Bernstein, "Hardest-Working Actor of the Season" 2 Sep. 2001.
[274] Bernstein, "Hardest-Working Actor of the Season" 2 Sep. 2001.
[275] "The truth can be inspiring and take you to places," he elaborated, "but I'm more interested in what I believe to be true and what works for the story than in doing a documentary on Langley procedure". Cf. Bernstein, "Hardest-Working Actor of the Season" 2 Sep. 2001.
[276] Sydney took on the role of torturer in "Phase One" (26 Jan. 2003), and "Double Agent" (2 Feb. 2003). She was exposed to torture in "Truth Be Told" (30 Sep. 2001), "The Enemy Walks In" (29 Sep. 2002) and "Firebomb" (23 Feb. 2003). She witnessed torture by colleagues in: "A Free Agent" (09 Feb. 2003) and "Countdown" (27 Apr. 2003.)

> career where you can make a difference in the world and here at home, contact the agency at www.cia.gov. Thank you.[277]

Garner's "sense of patriotism"[278] was the driving force behind her appearance, as she explained. The *CIA* on the other hand chose her, as it was clarified on their website, because of Sydney Bristow's exemplary characteristics: "Although the show 'Alias' is fictional, the character Jennifer Garner plays embodies the integrity, patriotism and intelligence the *CIA* looks for in its officers".[279] Thus, even though the *CIA* accentuates the show's fictional nature, it seemed to consider the identificatory potential of Garner's alter ego beneficial for its public reputation. Torture, as it had been variously represented in the show, did present an issue for the *CIA* in this regard.

Alias' relation with the *CIA* sheds a new light on the neglect with which reviewers and critics have treated the show's torture depictions. It indicates that *Alias* had the potential to play a role within the public negotiation of torture and that, at second sight, it was much more than being a "comic book come to life".[280] To be precise, it allowed the *CIA* – an organization which was historically infamous for its proximity to torture and which was soon to be at the center of the US-American torture negotiation – to read and deploy Sydney Bristow as an identificatory figure or role model despite her frequent reliance on torture and her loyalty for torturing colleagues. In the light of this link or even collaboration, I will analyze the proximity of *Alias*' torture depictions to the ongoing debate about torture as it progressed after 9/11: how it negotiated torture, particularly as an instrument at the hands of the fictional *CIA* and US-American government and situated it within its universe and serially developing plot.

[277] Reuters, "Life Imitates Art at Cia," *Sydney Morning Herald* 11 Mar. 2004.
[278] The Associated Press, "New C.I.A. Recruiting Video Features 'Alias' Star," *The New York Times* 10 Mar. 2004.
[279] The Associated Press, "New C.I.A. Recruiting Video Features 'Alias' Star".
[280] Bianco, "Alias' Whips Espionage into Entertaining Eye Candy" 28 Sep. 2001.

3.2. Making Torture Familiar: Torture as Plot Device for Characterization, Contextualization, and Discursive Mitigation in ABC's *Alias*

Torture is not a major theme of the show in itself but informs all major themes and is an important plot device. The series revolves around Sydney's operations, which fill parts of nearly every episode. Her missions encompass the retrieval of information, rescuing subjects, and capturing enemies or sabotaging their facilities and nearly always entail torture, as tool or danger for the characters. The techniques and tools of torture are diverse. The practice is employed both by terrorists and by members of criminal organizations as well as by agents of the US-American government.[281]

Torture, which happens rather frequently in *Alias* is, if compared to *24*, oddly casual. Firstly, there is no interest in the effects or consequences which torture has on torturer or victim. Secondly, in many cases torture is a very familial affair, meaning it involves family members on both sides of the practice's spectrum. And lastly, those moments which hint at the practice's current significance for US-American politics and public discourse are defused by subjugating the practice to functions of characterization or contextualization which may color a scene as dark, spooky and suspenseful but not immediately political. To be precise, torture does not change the characters nor is there much debate about the experience of or under torture which would inform the characterization of victims or torturers. Instead, torture appears as a story device characterizing subjects as 'good' or 'bad', as strong enough to overcome it or simply too weak. But these traits or effects never lead to any more elaborate examination of torture. Instead, they become important in *Alias*'s ever-present family drama surrounding Sydney Bristow and the clear-cut separation of heroes, heroines, villains, and villainesses.

Torture in *Alias* is continuously subordinated to the intricacies of Sydney Bristow's double or triple life. The show refrains from entering a critical debate about the legal or political implications of the practice and it confines its use to a small circle of main characters. These are often tied by familial bonds. Additionally, torture functions mainly as means to characterize victims or torturers and not as a moment in the plot to investigate the practice.

Alias follows the double, or triple life of Sydney Bristow – a young graduate student in Los Angeles pursuing a master's degree in English literature who becomes an operations officer for the secret service agency *SD-6*, an organization allegedly affiliated with the *CIA.* In the first episode Sydney confesses her double life to her fiancé which constitutes a breach of *SD-6* protocol. Arvin Sloan, head of *SD-6* orders the murder of Sydney's fiancé upon receiving

[281] With regard to these categorizations I rely on distinctions made within the show.

knowledge of Sydney's misstep. Despite her devastation, Sydney continues working for *SD-6* with the plan to sabotage and destroy the organization. During her investigations into her fiancé's death she discovers that *SD-6* is not affiliated with the *CIA* but instead part of a global criminal network, terrorist organization, and "enemy of the [United States]", which goes by the name of *Alliance of the Twelve*. She begins working as a double agent – this time for the real *CIA* against *SD-6*. Her contact at the *CIA* is Michael Vaughn. Vaughn assists and accompanies her on many missions. They eventually become a couple, get married and start a family at the end of the show.

Season one and half of season two follow Sydney's attempts to bring down *SD-6* and Arvin Sloan. After successfully sabotaging the organization and its head she continues her work for the *CIA*. From season three to four another major global terrorist networks, *The Covenant*, becomes the new main antagonist of Sydney and the *CIA*. In the final season of *Alias* the fight is against *Prophet 5*, a third criminal organization.

In addition to Sydney's complicated double life, the intricate family relations of the main characters also function as a major theme of the show. Jack Bristow, Sydney's estranged father also works as a double agent for the *CIA* and assists her throughout all seasons. Their common goals bring them closer together but their joint ventures also unravel secrets of Sydney's family history which repeatedly question the loyalties between father and daughter.

The unreliability of alliances is a third major topic within the show's plot. This is made evident in Sydney's relationship with her mother, Irina Derevko and her boss Arvin Sloan. Both change sides, from friend to foe, season by season. The final major theme and motivator for actions and plot is the quest for the work of Milo Rimbaldi. Rimbaldi is a fictional 15th century philosopher, inventor, and prophet comparable to Leonardo da Vinci or Nostradamus. His inventions – which promise both the possibility to cure death but also the construction of devices for global genocide – often prove to be centuries ahead of their time and become an obsession of several characters, particularly for Arvin Sloan and Irina Derevko. In their strive for Rimbaldi's inventions both are driven to torture, sometimes even of close family members.

3.2.1. What is torture in *Alias*? Reconstructing a Cursory and Fragmented Definition

In regard to terminology, *Alias* does not present a homogeneous or clear classification of torture through its labelling or description of the practice. While the practices coined torture show some resemblance, *Alias* describes torture on all sides of its character and institutional spectrum. In some cases, a character's way of addressing the practice does as much for the action of the plot

as it does for characterizing them as villains. An example of this is the often casual way in which Sydney's antagonists order the practice.

Critics and reviewers have not relied on a clearly identified definition of the practice when discussing *Alias*' treatment of torture. Nor do they seem to follow the show's own discourse on the practice. Both, the *USA Today* and *The New York Times* early on address Sydney's torture during the pilot episode. However, within the show, the scene was not identified as torture before another character takes revenge on Sydney's torturer explicitly citing the first instance of "torture" as motivation.[282]

The series itself addresses torture in over forty conversations between characters with different conceptions of the term. An initial definition of torture can be deduced from the information which characters communicate. In the majority of instances the term "torture" alludes to a regulated procedure,[283] entails to various forms of intentional violence directed at an individual, and always necessitates a moment of interrogation.[284] Interrogational torture is used by organizations of the US-government, the Russian military, the Taiwanese military, and by subjects working for internationally operating criminal organizations.

In *Alias*, the practice of torture is set in a secluded space excluding coincidental witnesses. The victim is always incapacitated. The most common form of restrain is a chair to which a victim is tied by arms and legs. A victim of torture displays one of two forms of response: (1) declaring of innocence or ignorance of the information sought; (2) admitting to possessing the information sought after but refusing to impart it. The torturer on the other end

[282] In season three, episode twenty-one Michael Vaughn took revenge on "suite and tie" and tortured him by pouring acid over his legs. When Sydney subsequently confronts him about it, Vaughn justifies his action by responding "Sydney, the man tortured you." ("Legacy," *Alias*, Creat. J.J. Abrams and Jesse Alexander, Dir. Lawrence Trilling, Touchstone Television, 30 Sep. 2001 – 22 May 2006, Television, 2 May 2004.)

[283] The term torture is used 41 times in the show. However, semantically torture does not correspond with a single form of action. In three instances torture denotes some form of suffering, emotional or intellectual which is considered unbearable. It can be inflicted by one individual on another but it can also be self-inflicted suffering. Such is the case with Sydney's friend and reporter Will Tippin. He inadvertently realized that an unknown organization or individual has placed him under surveillance. Despite a number of attempts, he was unsuccessful in uncovering his observers. Trying to relieve his anxiety about the situation he speaks with his friend Francie Calfo: "I'm living in a puzzle. I can't figure anything out. I don't know who's doing what. I'm a mess." Jokingly, Francie begins to talk into a listening microphone which he discovered and tells her: "Tell them to stop torturing me." Although the situation is comical in mood, his fear and the "puzzle" overwhelm him intellectually and emotionally. This is illustrated alarmingly seconds later as Will's invisible pursuers contact him for the first time. He is contacted on his phone and a voice demands he ends the conversation he is having with Francie. Will, in fear, immediately obeys. The suffering evoked by the feeling of being surveilled, which Will [or Francie?] described as "torture" shares some overlapping meaning with the other instances of torture in *Alias.* ("Mea Culpa," *Alias* 09 Dec. 2001.)

[284] This form of interrogational torture is discussed 37 times in the show. Twenty-one of these instances are warnings, forebodings, and apprehensions of torture that eventually does not take place. With one exception of foreboding which does, in fact, take place later. In sixteen instances torture is discussed and actually occurs, three of which are not shown while thirteen are represented on screen.

always expects the victim's resistance. The questioning is followed by a torture session but can also be preceded by one. After a question was asked and the victims insist on their innocence, torture is presented to them as the next logical and apparently inevitable step. The questioning resumes after the victim was exposed to the chosen techniques. Interrogational torture is also always embedded in some form of institutional hierarchy which orders the presence of subjects in the torture room and directs the torturer's actions. A primary interrogator may torture and question individually but will report the results to a superior. Alternatively, a torturer delegates the actions to a henchman while asking the questions. The techniques used include beatings, the pulling of teeth, poisonous needles, the injection of truth serums, oral injection of chemicals, electric shocks, and a form of medically induced hypnosis coupled with electric shocks. They all display some form of physical contact between torturer and tortured. This can be in the form of a grip of the throat, a beating, skewers, needles, or the contact with metal electrical conductor.

Interrogational torture is not only referred to as torture but also as a number of alternative but related terminology is in use. "Unrestricted interrogation" and "extended interrogation" refer to practices identical to the interrogational torture defined above. Two methods of torture are only referred to by their technical term such as "inferno protocol"[285] and "shock therapy"[286]. The practice can also be euphemistically introduced with other phrases such as "persuade him",[287] "maybe he needs some incentive"[288].

To sum up, the practices identified as torture by the discourse in *Alias* is one which needs to be secret, hidden from undesired witnesses, its procedure ordered by hierarchically organized personnel who take a victim's resistance and refusal to impart with information for granted. Torture in *Alias* is a tool for breaking this resistance, be it authentic or misinterpreted. The alternative terms used for the practice stress the characters' awareness of the problematic legal status of torture within *Alias*. Often however, the terminology follows the show's habit of framing the practice in outrageous or comical fashion or the terms underline the characters', who are often the villains, casual handling of the practice.

3.2.2. Introducing Sydney Bristow: Torture as Opener and Means of Characterization

Torture's importance in *Alias* is characterized by an abundance of appearances but the technique is always subordinated for the sake of the characters' saturation. In particular Sydney Bristow's exceptional capabilities for torturing and endurance under torture frame her as a

[285] "Blood Ties," *Alias* 25 Apr. 2004.
[286] "Succession," *Alias*, 05 Oct. 2003.
[287] "Reprisal," *Alias* 22 May 2006.
[288] "Prophet Five," *Alias* 29 Sep. 2005.

special participant in the fight against the 'bad guys'. In fact, the show's pilot episode already foreshadows the treatment of torture which *Alias* exhibits: from the very beginning of the series torture becomes a means of characterization.

Nevertheless, it is noteworthy of Sydney's torture that, even though she always withstands it, her submission to the practice characterizes her repeatedly as a misjudged victim. She never undergoes torture without either her torturer not taking her capabilities of resistance seriously or having a worried family member present who supervizes the process. For the characters as well as for the critics of the show, Sydney ought not to be able to withstand what she withstands and accordingly her character always surprises her torturers and observers. In the former case, this underestimation allows Sydney often to free her from incarceration and torture while, as I have shown above, for her critics and reviewers, Sydney remains an unsuspecting and unexpected superhero.

The pilot episode opens with a scene in which a young woman – Sydney Bristow, as we later learn – undergoes torture. At this point, neither was her character introduced within the diegetic time, nor are the circumstances explained which have led to her torture. The establishing shot shows the face of a red-haired woman whose head is forcibly kept under water. The camera closes up on her face from the bottom of a water container.[289] She struggles as air bubbles leave her mouth. Her face displays distress and suppressed screams are barely heard. Two men dressed in military uniforms pull her out of the water and argue in what appears to by an Asian language.[290] They throw her through a plastic curtain and onto the floor.

For the first time the audience is given a glimpse at the environment. A dark and grimy janitor's room forms the background for this scene. Sydney is dressed in a black skin suit; her hair is dyed bright red. She coughs as the guards enter through the curtain. They begin screaming at her in Mandarin. Sydney answers in Mandarin, fluently. The guards are displeased with her answer and push her into a chair at the end of the room. One guard speaks to her and slaps her face. Sydney screams, her face is contorted with pain. She is handcuffed to the chair. Suddenly sounds of keys rattling are heard behind a door. The camera focuses both guards spinning their head towards the sound. The sound of the door instills fear in Sydney and noticeably in the guards as well. A medium long shot views the door and zooms in on it as if we are moving closer to the sound. The sequence cuts in and out, oscillating between a zoom-in on Sydney's face and the door to the janitor's room. With the sound of the door unlocking the scene is cut and we enter a different setting.

[289] See Appendix 1.g.
[290] No subtitles were supplied in this sequence.

A professor enters through a door of an old library at *UCLA*. Sydney is seen sitting at a little chair in an examination room taking a test. The professor moves in on her and says: "Sydney, time's up".[291] She finishes scribbling the last words of her English exam while responding to her professor. The scene is cut and music sets in. A panoramic shot shows Sydney leaving a campus building with another man discussing her potential failure at a test. Not only does the new scene and Sydney's different appearance indicate a different locale than Sydney's torture, but also a different time level. It is unclear at this point if the torture happened before or after this new plotline.

Syntagmatically, the anachronistic juxtaposition invites two readings. On the one hand, the replacement of the iconographic chair of Sydney's torture by the constricting geometry of classroom furniture allows to read the scenes as a jab at the torturous sides of college life. Instead of the torture cellar Sydney is now being forced to suffer in the dire, dry, and dusty halls of college. Sydney's apprehension in her final moments of an English exam is portrayed as much less severe in comparison to the fear she demonstrates for whoever waits behind the door of her torture room. The scene nevertheless parallels two power relations in which Sydney is on the lower stage of hierarchies. Sydney's torture and her student life placed together in the initial minutes of the show's pilot underline the disparities of the two worlds Sydney tries to balance in her double-life as a student and secret agent.

The show then spends fifteen minutes depicting Sydney's private life, her relationship to her fiancé and friends, and her office at *SD-6*, the organization for which she works, including preparation for an assignment which is closely related to her torture. It is also revealed that Sydney confesses her secret life to her fiancé. After he proposed to her, she is uncomfortable with the dishonesty in their relationship. The technique of audible cross-fading – from Sydney's life in Los Angeles, back to her torture – is consistently inserted between the two time levels. These techniques of paralleling and cross-fading provide the incentive to link them together, even though their connection is still unclear.

The second time we return to Sydney's torture a man eventually enters through the door of Sydney's torture room. He is presented as an authority, through the submissive and fearful reaction of the two present guards towards him. "Suit and Tie"[292] walks up to Sydney and does not speak a word. He lifts a syringe and draws an unidentified liquid from a vial. He does this visibly to Sydney whose countenance becomes more and more tense and worried as she follows his actions. As he moves in closer, her face displays terror and contorts even more when he

[291] "Truth be Told," *Alias* 30 Sep. 2001.
[292] He received the name in the script and is also referred by it in forums.

presses some of the liquid out of the syringe into the air and onto the floor. The camera, which jumps back and forth between Sydney's face and the actions of "Suit and Tie", suddenly, and for the first time, moves to the outside of the room. We now watch through the door into the janitor's room. The door frames the torturer in front of Sydney. Just as "Suit and Tie" is about to insert the syringe, the door closes, effectively on us, and the screen turns black. The next shot opens with the camera very close to Sydney's face, struggling with the guards as "Suit and Tie" attempts to inject the fluid from the syringe. Eventually, he succeeds and Sydney goes unconscious.

In the form of voice-over Sydney than narrates her past and how she was recruited to *SD-6*. The next sequence substantiates the recapitulated narrative by showing Sydney studying in a library. The narration initially appears extradiegetic because we do not see Sydney speaking this. However, after a short while of recapitulation Sydney is seen in an oilfield with her fiancé who was the "point of hearing" of her narration. This break of chronology in the diegesis is still not unraveled by the show. Sydney speaks with her fiancé right before she goes on an assignment to Taiwan. There she meets "Suit and Tie" by accident. The two do not know each other at this time which clarifies that the torture of Sydney is the most current event in the show's timeline.

It is also the turning point in the show's plot, in Sydney's character development, and in the depiction of her torture. When she returns from her assignment for *SD-6*, she finds her fiancé killed by the organization because her confession was considered a security risk. She is devastated but Sloan explains that she knew from the contract she signed with *SD-6* that this was standard procedure. A contrasting development happens in the torture cell. Sydney changes her behavior under torture and it becomes more and more clear that her initial display of fear was a performance for her torturers. In opposition to her personal life where the exposure of her double-life ends catastrophically she suddenly displays resistance and even arrogance, regains control of the situation, and will eventually free herself in the process.

When Sydney regains consciousness, the questioning by "Suit and Tie" is about to begin. He speaks quietly and calmly, different from the two guards' brutish behavior. Sydney starts laughing and says jokingly: "I don't know what you put in that stuff." The change in her behavior, from fearful to self-confident comes unannounced but could be attributed to the liquid she was injected with. She starts displaying an arrogance towards her captors which is in drastic opposition to the fearful demeanor she held at the beginning of her torture. She remains defiant even at the moment of threats:

Suit and Tie: I'd rather not make this too painful.

Sydney: Me too. Thanks. Glad we're on the same page. That's good.

Suit and Tie: Who are you working for? I'll not ask you again.

Sydney: Get a pen. Write this down. E... M...E...T...I...B. You got that?

Suit and Tie: Yes.

Sydney: Okay, now reverse it.

[Reversed, Sydney's instructions read BITEME.]

Sydney: I've got bad news for you, man. I am your worst enemy. I've got nothing to lose.

Suit and Tie: That's not exactly true. You have teeth.[293]

Tied to a chair, an unidentified serum in her blood, surrounded by (stronger) enemies who try to identify her employers and have shown the willingness to use force to find out she begins provoking her torturer. "Suit and Tie's" behavior, one of superiority and authority is countered by Sydney's own claim to power.

Sydney's change coincides with the introduction of a new component of her torture: the questioning. Strikingly, only about 35 minutes into the pilot, "Suit and Tie" begins interrogating her. This coincides at a crucial moment of *Alias*'s distribution of knowledge and plot information. At this point the audience has just been made aware of Sydney's background and now knows more than the torturer. The viewers are well aware of her work as a secret agent. "Suit and Tie" caught her infiltrating the Taiwanese embassy. This would ascertain him that Sydney is working under orders and possesses the information which he seeks: the details of her employer. However, only the audience has been granted access to Sydney's background and her affiliation with *SD-6*.

Taken together with Sydney's change in behavior, *Alias* constructs the torture as a problem of resistance. The attention is directed towards the question if Sydney is capable of withstanding the torture and withholding the information, or if her antagonist has the means to break her. But her resistance and struggle to control under torture foreshadows the development of the following scenes from Sydney's past. After her fiancé's murder, she takes a leave from *SD-6* but is still considered a security risk and the agency attempts to assassinate her. Her father, Jack Bristow, rescues her and reveals his work as a double agent. He urges her to flee and disappear. After this recapitulation we return to the torture room.

The two diegetic time levels are about to merge in the torture cell which is aesthetically reinforced. In a tracking shot Sydney is shown from the side running from the scene of her

[293] "Truth be Told," *Alias* 30 Sep. 2001.

assassination attempt. It is night and the setting is very dark. Two shots are diffused when an oversized hand reaches from behind after her. The hand wipes Sydney off the screen and reaches for pliers.[294] The pliers belong to "Suit and Tie" who is about to use them to remove one of Sydney's teeth.[295] One of the guards uses another pair of dentist pliers to hold her mouth open. Sydney suddenly signals that she would like to speak and "Suite and Tie" asks again about her employers but she appears unaffected by the dangerous situation.

> *Suite and Tie*: Let's try one more time. Who do you work for?
> *Sydney*: I just wanted to say...start with the teeth in the back, if you don't mind.[296]

Alias constructs the torture scene as to play with expectations of the viewer and the torturer. Any expectations raised by Sydney's display of fear are not confirmed; they are even opposed by her displays of superiority and resilience. Indications of Sydney's surrender are refuted when she does not give in but instead asks for consideration of the aesthetic effect of the procedure and the removal of the back teeth. Sydney's extraordinary endurance is visually reinforced when "Suit and Tie" eventually removes one of Sydney's teeth. The camera shifts from the regular close-up shot / reverse shot of Sydney's and "Suit and Tie's" face to a medium shot from the ceiling. The shot frames Sydney, "Suit and Tie" above her, pulling her tooth and the guards restraining her arms. The whole procedure is screened and the audience witnesses her screams and violent struggling which gives an indication of the amount of pain she is in. The camera leaves the torture room one last time for recapitulation of the most recent event before Sydney's torture. Sydney has decided to ignore her father's warning and flew to Taiwan to finish her assignment. Her devastation about her fiancé death turned into a will to dismantle *SD-6* from within and bring the responsible people to justice. In an attempt to restore confidence in her loyalty she decides to finish the assignment in Taiwan and be granted a way back into to agency.

Back in the consulate she is captured and the diegetic time levels eventually merge in the torture room. "Suit and Tie" is now alone with Sydney and informs her that she lost consciousness because of the pain inflicted to her. He explains further:

> *Suit and Tie*: The pill I gave you helps the pain. I could tell... because you stopped screaming so loudly. That medication, however... only lasts for two hours. And it's been two hours, almost. So... you have a choice... which way we go next. Tell me, and you

[294] See Appendix 1.h.
[295] See Appendix 1.i.
[296] "Truth be Told," *Alias* 30 Sep. 2001.

> get one more. [Sydney whispers inaudibly] Louder. I can't. Who do you work for... you pretty little girl?[297]

"Suit and Tie" imparts with Sydney that he does not considers her on par with him nor equipped for the pain he is able to afflict her with.[298] By relating to her how she behaved under the pain of torture and how it was necessary to relieve her from the pain, he is not only cynically presenting himself as a helper, he also attempts to seize Sydney's authority over her own consciousness or behavior under torture. Either he lets Sydney know that she was not able to confirm the effect of the pain relievers and he had to "tell" by her behavior or she was resisting letting him know if the painkiller was taking effect. Either way, he vests himself with the authority and capability to read her even if she does not communicate verbally. This would minimize Sydney's options to withhold information. The threat of more torture appears to break her and she begins whispering words inaudible to her torturer and the audience. "Suit and Tie", overly confident, believes the torture had the desired effect. He victoriously mocks her by calling her a "pretty little girl".

However, Sydney's whispering was a tactical act. By appearing exhausted she forces "Suit and Tie" to reduce the distance between him and her. Upon his approach she strikes her head against his. With an acrobatic back-flip she falls on his chest, chair first, destroying the chair she was tied to and releases the ropes which constrained her hands. Sydney fully reverses the power relation in the last minutes of the pilot. She eventually enchains "Suit and Tie" to a chair and violently drives the previously used pliers into his genitalia. She is not questioning him but simply appears to take revenge on her torturer. Thereafter she retrieves the artifact for *SD-6* and returns it to Arvin Sloan which secures her position within *SD-6*, initiates her work as a double agent, and opens the floor for the plot of the following episodes.

Another example, of *Alias*' rather peculiar handling of the practice is Sydney's torture by her mother. In the ninth episode of season five, Sydney's mother Irina Derevko who is working for a conspirative organization called *Prophet Five*, has captured Sydney. Sydney is pregnant at the moment of torture. She is tied to a rack und unconscious in some kind of laboratory. Irina is observing her through a mirrored window while a doctor injects Sydney with a fluid. He explains to Irina that the fluid is called "a propofol cocktail: which should take full effect within minutes.[299] It's a chemical process of forced hypnosis which will effectively numb the body but leave the mind partially lucid, allowing me to access any part of her memory

[297] "Truth be Told," *Alias* 30 Sep. 2001.
[298] See Appendix 1.j.
[299] See Appendix 1.k.

[...] you' d like"[300] Even though Irina is characterized as shockingly indifferent and uncaring towards her daughters and her grandchild's situation, the setting underlines that Irina is not just ordering the procedure, she is also supervising and controlling it and in this way restricting it from any form of excessive violence. The doctor explains all the steps to her and also always asks for permission for any increase in intensity, as is the case with the locally administered electric shocks which supposedly help Sydney remember coordinates that are of interest to *Prophet 5*.

But Irina's rather cold care for her daughter does not seem to be necessary, as the representation of torture reveals. Sydney, again, withstands this rather sophisticated torture, even though hypnotized. And to stress the difficulty of this task, *Alias* visually aides the audience by representing Sydney's consciousness or mind under torture. In flashbacks or scenes of her dream-like hypnotic state we see Sydney in past scenes which revolve around moments before she came into possession of the coordinate *Prophet 5* seeks. But as she is about to reveal them, Vaughn, her boyfriend and father of her child appears to her on a beach and she warns him that she is being controlled by *Prophet 5*. With the help of Vaughn, Sydney is able to deceive Irina and *Prophet 5* and withstand her torture. Within the logic and positioning of characters within *Alias*, this underlines Sydney's characterization as heroine. At the same time, neither her mother nor the doctor question at any moment the outcome of her torture and underestimate Sydney. Particularly Irina, who appears to believe she needs to perform some form of care, characterizes Sydney initially as a victim in need of protection, just to be misled by her wrong judgment of her daughter.

It may well be this seemingly paradoxical representation of Sydney's character which make her particularly fitting for the role as a *CIA* poster girl. Sydney comes out as heroic, strong, and resilient while at the same time these qualities are represented and described as unsuspecting to her antagonists and her reviewers. Such a figurehead might appear alluring but it is also revelatory of much of the morally contentious work which both the *CIA* and *Alias* are involved in.

3.2.3. Secrecy, Legality, and the Absence of Criticism

Torture constitutes an inevitable danger for Sydney and her colleagues. However, it is never put under substantial scrutiny by any character in the show nor is its legal status ever elaborated on in detail. Nevertheless, the first torture scene in *Alias* indicates that the practice occupies an

[300] "The Horizon," *Alias* 14 Dec. 2005.

ambivalent legal ground in the series. Sydney's torture is administered in secret while her Taiwanese military guards or secret service agents display a behavior which indicates that the practice is governed by hierarchical structures. Throughout the complete session Sydney remains in a secluded space: The janitor's room allows the exclusion of involuntary witnesses. This secretive aspect suggests that the torture might be situated either outside the immediate legal framework of the Taiwanese state or a broader international framework. It is possible that the seclusion is part of the torture: a tool to heighten Sydney's sensation of desolation. But even from this perspective, the necessity of precluding any intervention of a third party highlights that Sydney's torture could be met with objection.

The submissive behavior of the guards towards "Suit and Tie" and their obedience towards his orders point to a hierarchical structure which implicitly and invisibly informs the whole procedure. Sydney's torture is presumably embedded within a larger institutional context. From this perspective the secrecy might not be incidental. In fact, torture in *Alias* is always set in secret spaces and in some form of organization and institutional hierarchy. However, the legitimacy of torture within this framework is scarcely discussed or negotiated. If the practice is critically addressed, the negotiation as a whole is eventually discredited in its legitimacy. In general, torture is endured rather than criticized. The victims try to resist under interrogation and the infliction of pain and some resist successfully. But they never explicitly and substantially object to the treatment which is or will be happening to them.

In the last episode of season one, torture appears as a form of transgression for the first time. Sydney's father, Jack Bristow uncovered evidence that another *CIA* agent, Steven Haladki, is potentially a mole for the Russian criminal Alexander Khasinau. Jack abducts Haladki and brings him to an undisclosed manufacturing factory, cuffs him to a work bench and places one of his hands in a bench vise.[301] Haladki is unconscious and Jack wakes him by spraying a liquid, possibly cleaning solvent, onto his face. Haladki slowly regains consciousness. Jack immediately begins the interrogation.

> *Jack*: How do you know about The Circumference?
>
> *Haladki*: You are out of your mind, you know that? Damn it, my eyes! Oh, God!
>
> [The cleaner visibly causes Haladki a burning sensation in his eyes]
>
> *Jack*: How long have you worked for Khasinau? [Haladki all the while keeps swearing at Jack] Devlin said you mentioned The Circumference. You don't have the clearance to know what that is. You must have learned about it from the outside.

[301] See Appendix 1.l.

Haladki: You son of a bitch!

[Jack then tightens the bench vise causing Haladki to scream out in pain. The camera shows both Jack's hands spinning the tightening bolt, Haladki's hand and face in quick succession. Then the interrogation continues.]

Jack: Do you work for Khasinau?

Haladki: No.

[Jack is seen tightening the bench vise further and we see Haladki's face contorted in pain.]

Jack: Do you work for Khasinau?!

Haladki: You son of a bitch.

[Jack presses Haladki's hand even further and Haladki reacts with screams of pain.]

Haladki: Yes! I work for Khasinau, yes.

[Jack pulls a handgun and places the muzzle on Haladki's neck.]

Jack: How long?

Haladki: Two years.

Jack: Why does Khasinau want The Circumference?

Haladki: It's the key to something he's had built. Something he's built.

Jack: Tell me about it.

Haladki: It's a battery. All I know is it's just a battery.

Jack: For what?

Haladki: I swear I don't know. Jack, Khasinau's the future.

Jack: Where is this thing? This battery?

Haladki: It's in Taipei. The Fu Sing district. At a warehouse. Pang Pharmaceuticals. In an underground lab. Room 47.

Jack: You gave Khasinau information about the safe house.

Haladki: Jack, this is a gift I'm giving you. Khasinau can save you. You should be with him.

Jack: You told him that my daughter is a double agent with *SD-6*.

Haladki: Jack! Look at yourself.

Jack [now appearing angry in comparison to his initially calm rather posture]: You exposed Sydney.

Haladki: Come with me. I can save you.[302]

Jack takes a step back and shoots Haladki. The camera does not screen his death but Jack's location, Haladki's sudden silence and the diegetic sounds suggest that he was shot in the head.

[302] "Almost Thirty Years," *Alias* 12 May 2002.

Haladki never explicitly accuses Jack of torturing him. The only indication that he objects to his treatment is his swearing and accusation that Jack is "out of […] [his] mind".[303]

Another implicit objection is shown in season two episode fifteen. In "Free Agent" Sydney Bristow finds herself in the position of witness to torture and her facial expression as well as her subsequent address of the practice reveal her concern about the situation. In this episode Sydney and Vaughn pursue her former boss Arvin Sloan and his henchmen who kidnapped the family of a mathematician in an attempt to force him into cooperation. The *CIA* has discovered evidence which connects a French mercenary to Sloan and his plan. Vaughn, who is acquainted with the mercenary through his former work as an undercover agent, is certain that Sloan cooperates with the mercenary and that he will have the information about the kidnapped family's location. Vaughn and Sydney meet with the mercenary in a small desolate bar. Only the bartender and the mercenary are present. Vaughn asks him questions regarding his involvement with Arvin Sloan but the mercenary is uncooperative and provokes him. Suddenly Vaughn takes the mercenaries head and hits it onto the counter, breaking his nose. The bartender draws a gun but Sydney draws her own and keeps him in check. Vaughn pours alcohol over the mercenary and holds a burning light over his head threatening to burn him and interrogates him:

> *Vaughn*: Tell me what you know!
> *Mercenary*: The woman and the child. I know where they are.
> *Vaughn*: Where?!
> *Mercenary*: In the other room. Downstairs.
> *Vaughn*: They're here.[304]

When Vaughn pours alcohol over the mercenary's head, Sydney's facial expression changes. It indicates surprise and horror about Vaughn's actions and accordingly they are identified as a form of transgression. However, because Sydney does not address Vaughn's action explicitly, it remains unclear if her surprise about the transgression is informed by moral or legal concerns.

Gradually, however, *Alias* becomes more detailed about torture's legal status. The secret setting of torture already hints at the legal problems which torture constitutes for the institutions and characters in the show. Additionally, when addressed critically by characters in *Alias*, the concerns, criticism or objections against torture are nearly exclusively voiced by agents of the US-American government or double-agents disguised as state agents.

---

[303] "Almost Thirty Years," *Alias* 12 May 2002.
[304] "A Free Agent," *Alias* 9 Feb. 2003.

Criticism from the group of US-American agents is precarious because the US-government in *Alias* is responsible for a great part of torture in the show. Agents of the *CIA*, the National Security Council (*NSC*) and the *CIA* special branch Authorised Personnel Only (*APO*) are responsible for twenty-eight instances of torture. In fact, the fictional US-government upholds two detention centers which include facilities specifically used for torture. In some of these instances the concerns address the potential legal repercussions which could result from torturing a suspect, others are informed by empathy for a victim. Mostly, however, the motivations of these criticisms and concerns towards an ongoing or prospected torture remain vague. Even more so, as will become clear when reconstructing the legal and the moral framework in which torture is embedded, very few characters pursue their criticism of the practice and the most explicit critics are eventually revealed as illegitimate opponents of the practice.

Even though their concrete location is undeclared, *Alias*'s spatial organization indicates that institutionalized torture requires a certain distance from its organization's center as well as secrecy. The *CIA* sends suspects to its detention center "Camp Harris" for "extended interrogation" twice and the *NSC* uses "Camp Williams" to expose Sydney Bristow to "shock therapy" and interrogation. Both facilities are geographically far removed from its headquarters. The suspects have to be transported over an undeclared amount of time by bus to reach "Camp Harris", located in the desert, far enough from the *NSC* headquarters to necessitate a helicopter.

No torture is ever depicted in Camp Harris but Sydney's mother, Irina Derevko is sent to Camp Harris "for unrestricted interrogation" after the *CIA* suspects her of attempting to murder Sydney and Vaughn.[305] *Alias* does not attribute any screen-time to her stay and experience but a little more is revealed about the institution when Sydney's college friend and later colleague, Will Tippin is scheduled to be sent to "Camp Harris" for "interrogation".[306] The order is given by the head of the joint *FBI*/*CIA* taskforce Kendall after evidence is recovered which incriminate Will Tippin as a suspect for conspiracy against the US-government. Sydney responds shocked about the order and "Camp Harris" raises strong apprehension in her. She warns that "Will's not trained to handle torture."[307] Will Tippin will escape on the way to Camp Harris and evade torture. It is not clarified where or when Sydney was made aware of the function and meaning of "Camp Harris" but the facility is portrayed as being infamous for torture. In fact, when in the following episode Sydney tries to retrieve information from terrorist

[305] "Trust Me,"*Alias* 6 Oct. 2002.
[306] "Second Double,"*Alias* 4 May 2003.
[307] "The Telling,"*Alias* 4 May 2003.

Julian Sark, she warns him that if his information is incorrect, she "will personally escort [him] to Camp Harris."[308] Sark, visibly intimidated, discloses the accurate information. The geographical location of "Camp Harris" seems to contribute to the function and workings of "*unrestricted* interrogation [emphasis added]"[309]. The distance from the *CIA* headquarters in Los Angeles enables a form of interrogation which has to adhere to fewer regulations. So much so, that, in contrast to other state ordered or administered torture at the *CIA* headquarters, the one at "Camp Harris" possesses an intimidating aura.

The only comparable institution is "Camp Williams". The *NSC*'s detention center is similarly spatially removed from its headquarters. However, *Alias* constructs a much more concrete image of the facility. *CIA* agents voice fundamental concern about "Camp Williams" and the practices of interrogation associated with it. What is more, *Alias* highlights the fears and concerns held by characters of the show about "Camp Williams". Starting with the first episode of season three, characters underline its intimidating reputation. The fear of the site becomes a basis for the plot of the first eight episodes in season three: a concrete threat to Sydney Bristow. After she was abducted in the end of season two, Sydney reappears without any memory of the past three years. The *NSC* is eager to recover her memory by an invasive dangerous treatment called shock therapy. Sydney's potential transfer to the detention center becomes a recurring threat in the first eight episodes. Sydney Bristow's father repeatedly warns his daughter of the physical effects the procedure involves. Additionally, he exposes her to the sight of former patients of the treatments at "Camp Williams" to emphasize the severity of the procedure but also the recklessness of the *NSC*. Upon visiting a particular victim who is shown wandering aimlessly in a padded cell, wearing a strait jacket and mumbling incoherent words Jack explains: "[the] invasive nature of the surgery left him with permanent brain damage. You should know, Sydney, that the National Security Council considers Blake a successful test case for neuro-stimulation therapy."[310]

The legality of the procedure is uncertain. At last, *Alias* does not clarify the status of "Camp Williams" and the procedures undertaken there. Jack's concern is singularly directed towards the safety of his daughter but entails no explicit critical aspect with regard to the existence of such a facility. Sydney even considers exposing herself voluntarily to the treatment as she considers the pain of not being able to remember more unbearable than the prospect of physical pain. After Sydney is suspected by the *NSC* of having aided terrorists while she was

[308] "That Was Then, This Is Now: The Battle of Algiers and After," *Radical History Review* 85 (2003).
[309] The term was used by Kendall in "Dead Drop," *Alias* 20 Oct. 2002.
[310] "Prelude," *Alias* 9 Nov. 2003.

missing, even though she might have been brainwashed to cooperate, she is exposed to an extended session of "shock therapy" at "Camp Williams".[311] Her father is incapable of preventing this. He attempts to rescue his daughter but is forced to organize an undercover and unofficial rescue operation relying on mercenaries and loyal allies. There is no official instrument to oppose the *NSC* and its director Robert Lindsey. As Jack explains to his allies: "Camp Williams is a naval training facility. […] It's home to an unacknowledged *NSC* detention center used for the interrogation of suspected terrorists whose captivity the government won't admit to."[312]

Aptly, Robert Lindsay advises his assistant to prepare a report of Sydney's interrogation as is required but eventually forces her to exclude the shock therapy. On the way to "Camp Williams" Lindsay asks his assistant Lauren Reede to pen a report:

> *Lindsay*: Just so we're clear, it's in all our best interests to make sure that no one on the Hill questions our ethics, Lauren. That's why I'm counting on you to write a report chronicling our investigation to date and our fair treatment of Sydney Bristow.[313]

However, once on site, Lauren is not granted any access to Sydney nor is she allowed to observe her interrogation. When Lauren objects to the situation, Lindsay blackmails her and forces her to produce the report *in absentia*.

> *Lauren*: I thought I was supposed to be observing.
>
> *Lindsay*: And you will, as much as possible. But my interrogation of Agent Bristow includes a discussion of classified material.
>
> *Lauren*: How could I report on an investigation I'm not part of?
>
> *Lindsay*: We can talk about it. Come on. I'll brief you on what I can.
>
> *Lauren*: No, I'm sorry. If I'm going to chronicle our treatment of Sydney Bristow, I need to see how she's being treated.
>
> *Lindsay*: How do you suppose Sydney Bristow knew to flee the country before she was aware the *NSC* wanted to take her into custody? With plane tickets? Fake passport?
>
> *Lindsay*: I doubt you want me looking into who it was that aided and abetted the escape of a wanted fugitive.
>
> *Lauren*: That's why you asked for me. Legally, you needed a witness.
>
> *Lindsay*: Get to your office. You have a report to write.[314]

[311] "Breaking Point," *Alias* 23 Nov. 2003.
[312] "Breaking Point," *Alias* 23 Nov. 2003.
[313] "Breaking Point," *Alias* 23 Nov. 2003.
[314] "Breaking Point," *Alias* 23 Nov. 2003.

Robert Lindsay suspects that Lauren's husband and Sydney's former boyfriend aided Sydney and threatens to expose him. Lauren yields to Lindsey's threats and finishes the report excluding what she calls "unorthodox methods".

Lauren Reed is one of the few outspoken critics of torture. She is also one of two critics who reference a framework which supposedly should prevent the state institutions from torturing subjects, the Geneva Convention. In episode sixteen of season three Julian Sark, who has recently joined forces with the international crime organization *The Covenant* and kidnapped the children of acting *CIA* director Marcus Dixon is captured another time by the *CIA*. At the *CIA* headquarters, Lauren Reed, her father (senator George Reed), Jack Bristow, and Marcus Dixon meet to discuss how to advance with Julian Sark.

> *Dixon*: Once Sark is in custody, he will be transferred to medical services and prepped for the Inferno protocol.
>
> *Lauren Reed*: It's my understanding that 50% of the test subjects suffered cardiac arrest during that procedure. The United States is not in the business of torturing witnesses for information.
>
> *Senator Reed*: Mr. Sark isn't being classified as a prisoner of war. He has no protections under the Geneva Convention.
>
> *Lauren Reed*: But given Sark's history of selling out his employers, is it even necessary? He's likely to comply quite willingly.
>
> *Jack Bristow*: That may have been true in the past. He now has $800 million invested in this [the Covenant]. His loyalties will lie with his money.[315]

Lauren's suggestion is discarded on the ground that Sark is not a prisoner of war. Accordingly, the Geneva Convention which would protect him from being tortured does not apply in his case. Even though it is not clarified what Julian Sark's legal status is exactly, it becomes apparent that, legally, torture is a practice that is prohibited by the Geneva Convention but admissible for the United States government depending on a subject's legal status. Lauren does not pursue her attempt to stop Julian Sark's torture. More importantly, her motivation is not a battle for legal justice. She is, in fact, a double agent, working with Julian Sark for *The Covenant*. More likely, she attempted to prevent the torture of Sark because of personal feelings for him as they just recently began an affair. Her criticism is rendered utterly fraudulent when she and Sark capture Michael Vaughn and expose him to the *Inferno Protocol*[316] without any consideration for legal or moral implications of the action. Lauren is stylized as a ruthless and deceiving

[315]"Taken," *Alias* 21 Mar. 04.
[316] "Blood Ties," *Alias* 25 Apr. 2004.

criminal who does not shy away from torturing her own husband. Accordingly, her criticism is reduced to absurdity.

The second instance which sheds additional light on the legal framework of torture revolves around the interrogation of Ned Bolger. Bolger was a US-army colonel who had been captured by *The Covenant* and was implanted with the memories of Arvin Sloan, effectively making him believe he is Arvin Sloan. Bolger, or *Sloan 2* as he is called by the *CIA*, leads a criminal organization identical in structure and scope to the defunct *SD-6* which was led by Arvin Sloan. The *CIA* capture Bolger after he had acquired an orchid secreting a serum of unknown effect. Bolger reveals that it is a weapon that can be used to poison large scales of the population. The *CIA* attempts to reverse the brainwashing procedure to find out who controls Bolger. By "shock[ing] it out of him", by making Bolger "[relive] a painful memory" of Arvin Sloan,[317] the *CIA* is hoping to make him discard Sloan's memories imprint and return to himself. During the procedure, Ned Bolger lapses from one mindset to the other. While being in the mindset of Arvin Sloan, Bolger suddenly discloses, that he is able to withstand torture since Jack Bristow taught him the techniques.

> *Bolger*: Jack, please, are you really wasting our time with this? After all, it was you who taught me how to endure torture.

A minute later Bolger responds as himself:

> *Jack Bristow*: Tell us your name.
>
> *Bolger* [as Bolger]: My name...Ned Bolger. Corporal. U.S. Army. Serial number 112762.
>
> *Sydney Bristow*: Where's the orchid?
>
> *Bolger*: Who are you?
>
> Sydney Bristow: Corporal, where's the flower?
>
> *Bolger* [as Sloan]: At a warehouse. Lugano, Switzerland. 43 Paseo Mantello. Damn you, Jack! I always knew you were a traitor, and you turn me in? Sydney, please. Please don't let him do this.
>
> *Bolger* [as Bolger]: I am Ned Bolger. I'm from Torch Lake, Michigan. You can't torture POWs. Geneva convention.[318]

Bolger uncontrollably lapses in and out of different identities which troubles Jack and Sydney. The treatment leaves Bolger in a state of split personality and he oscillates between two

[317] "In Dreams...," *Alias* 11 Mar. 2005.
[318] "In Dreams...," *Alias* 11 Mar. 2005.

identities incapable of returning to his old self. *Alias* does not elaborate on Bolger's fate after the *CIA* extracted the information sought after. His criticism of the treatment equally falls on deaf ears and no one addresses the treatment or the effects on him. Additionally, even though he seems to be able to recognize his treatment as torture and as a colonel has the expertise to do so, being mentally unstable, he is an unreliable critic. More so, he might even deceivingly instrumentalize the criticism if he actually was speaking in the mindset of Arvin Sloan. Thus, *Alias* delegitimizes both critics of the practice.

In the criminal context torture is practiced as extensively as on the side of the US-American government but the practice is never criticized or questioned. Still, all the members of the many criminal organizations in *Alias* who torture adhere to the apparent necessity of secrecy. This bespeaks the legal implications of torture. Interestingly, *Alias's* recurring themes of undercover operations, double agents, and false identities create a moment in its plot where the handling of torture by a criminal organization reveals more about the legal regulations of the society in the series than it does about the criminal organization itself.

SD-6, the criminal organization led by Arvin Sloan, is a particularly distinctive institution because most its employees work under false pretense. *SD-6* upholds the façade of a US-American secret service organization for its employees making them believe they "[work] for the good guys", as Sydney explains it. Accordingly, *SD-6*'s actions need to be inconspicuous, even while the organization is, in fact, sending its agents on criminal endeavors. Arvin Sloan frames many of the *SD-6*'s operations in a humanitarian narrative or legitimates them with imperatives of international law while they are actually part of a greater criminal endeavor. The *SD-6*'s nescient employees, including Sydney Bristow, were all recruited out of college and have never had contact with the real *CIA*. They need to remain in a state of ignorance for the organization to remain secret and functional. Accordingly, *SD-6* needs to uphold an appearance which is either comparable to that of the *CIA* or at least one that coincides with the conception which a recent college graduate might have of a secret service agency.

Part of this façade is the invisibility of torture. At least, Sydney Bristow seems to have been ignorant of the torture ordered by *SD-6*. After her trespassing, which cost her fiancé's life she is constantly suspected of treason. In the tenth episode of season one she is eventually incarcerated and about to be tortured. Arvin Sloan, who is aware of the true agenda of *SD-6*, gives the order to torture Sydney. The employee tasked with this appears to be a professional torturer as he is specifically instructed with the interrogation. Even though Sydney appears to have seen him in the space of the office, his function was unknown to her before. Tied to a chair

in a cellar room of *SD-6* headquarters, she tries to delay her torture and says: "I've seen you in the office. I always wondered what you did. I guess this is what you do."[319]

Sydney will eventually evade this torture but the scene and Sydney's location reveal that *SD-6* handles torture just as secretly as the agencies of the US-American government do. With one particular difference: secrecy is upheld not only to exclude involuntary witnesses but to exclude those employees who are unaware that they are working for an organization that is considered criminal. *SD-6*'s methods to conceal torture mirror those of the *CIA* and *NSC*. It is likely that even those employees who believe they are working for the *CIA* would not be startled by torture. Just like the *CIA*, *SD-6* relies on secluded space and both avoid addressing the practice by the name of 'torture'.

The affinities of both organizations with regard to torture become very clear in season one episode twelve. *SD-6* is stormed by a small group led by former *SD-6* agent McKenas Cole. Cole has worked as a field agent and was captured in Russia while on a mission. In captivity he was tortured extensively, as he explains to Arvin Sloan after the successful attack. However, the fact that *SD-6* never attempted his recovery shifted his loyalties and he swore to fight the organization. The attack was part of an attempt to retrieve artifacts from the *SD-6* vault to which only Arvin Sloan has the combination. Cole plans to torture Sloan to gain access to the vault and wants to use one of the interrogation rooms of *SD-6*. Cole is aware of the organization's attempts to conceal the true purpose of that space. After all employees of *SD-6* are gathered in one room, Cole challenges Sloan: "You still got that room downstairs, right? The Conversation Room? That's what you used to call it, right? The torture rooms. Like you really got to admit what the hell it is you're doing down there."[320] Cole highlights the fact that *SD-6* attempts to conceal their torture practices. His accusation indicates that even the criminal organization considers torture a dangerous practice – not necessarily for the victims but for its own reputation. Seeing that the institution tries to uphold its façade as a *CIA* branch, the revelation of torture could potentially corrupt the image.

Despite Cole's accusation, no inquiry into *SD-6*'s usage of torture is made during the attack or after. This is curious, as many of the misled employees are present during the conversation. It is possible that Cole's accusations are merely discarded as those of an unreliable extremist. However, it appears much more likely that torture in *Alias* occupies a paradoxical discursive space. Even though it is practiced extensively on both sides of the legal spectrum and is presented as a fact in the lives of secret service agents and their antagonists, it

[319] "Spirit," *Alias* 16 Dec. 2001.
[320] "The Box: Part One," *Alias* 20 Jan. 2002.

is also continuously *discovered* and condemned within the institutions. At the same time, despite the potentially scandalous character it is without any consequences. Neither within the agencies of the US-government nor within the ranks of the criminal organizations is anyone ever charged for torturing a person.

3.2.4. Torture, Efficacy and Leading Characters

Within *Alias'* plot torture is not important as a legal category. This is particularly noteworthy, as torture's efficacy is considered and, in fact, is unpredictable within the show. The unreliability of torture is addressed twice in the show. Additionally, neither the tools nor the specially trained personnel are a guarantee that a person will give up any information.

As already discussed in 3.2.3., Sydney objects the transfer of her friend, Will Tippin for interrogation to "Camp Harris". Her argument that "Will's not trained to handle torture" reveals more than just the practices at the facility. Because of his lack of training, she adds, "[h]e'll say anything" under torture.[321] Sydney tries to make the head of the joint *FBI*/*CIA* taskforce, Kendall understand that torturing Tippin cannot produce any reliable information. Instead, she suspects, he would tell his torturer what he believes the other wants to hear just to end the infliction of pain.

Alias returns to this idea of a human being who is unable to withstand torture in the thirteenth episode of season five. The *APO* agents Thomas Grace and *APO* affiliate Renee Rienne captured Moritz Koller, an art historian working freelance for criminal organizations. Grace and Rienne try to learn more about a message hidden in a manuscript which Koller had uncovered for Anna Espinoza of the criminal organization *Prophet 5*. They cuff him to a lattice door in an underground maintenance room. Koller screams for help and tries to appear ignorant of what he is accused. Renee suddenly pulls a knife and holds it to his throat after which Grace grabs him at his collar and tells him: "I know you're trying to do right by your client. But you and I both know you are not cut out to withstand extended interrogation. You're just some unlucky bookworm who's in way over his head."[322] The threat alone appears to be enough as Koller, afraid of being hurt, reveals when and where he will meet his employer as well as information about the manuscript he analyzed. The scene ends after his confession and he is not reintroduced as a character again.

Grace refrains from using the word *torture* and instead uses the term "extended interrogation". The threat of "extended interrogation" was not used against a suspect before,

[321] "Double Agent," *Alias* 2 Feb. 2003.
[322] "30 Seconds," *Alias* 3 May 2006.

though Kendal used the term "unrestricted interrogation" for describing the purpose of Will Tippin's transfer to "Camp Harris". It was identified as torture by Sydney in the same conversation. Grace clarifies for Koller that the ongoing interrogation is more than just a simple questioning. "Extended interrogation" works as a similar euphemism here and functions as a threat entailing the possibility of torture. This is understood by the audience as much as by Koller. He responds:

> *Koller*: Please, don't hurt me!
> *Grace*: Then stop screaming and talk!
> *Koller*: I have a meet [sic] set with Anna tomorrow... in Ghana.[323]

Grace conceptualizes Koller as a very specific kind of person, one who is unable to withstand the torture because of his profession, thus characterizing him implicitly. By verbalizing this idea of Koller, Grace demonstrates that he sees through him. His reading of Koller becomes a threat in itself, as he not only becomes physical but also presents himself as superior to Koller and as being in full control of him and the situation. Koller's behavior supports Grace's reading: he cries and pleads for help. The near torture of Koller emphasizes that within *Alias* the efficacy of torture is linked to a certain conception of the victim's character. Strikingly, in both cases the characters are identified as external to the work of secret service and not trained to resist torture.

Training to withstand torture poses a problem for torturers in *Alias*, if not an insurmountable one. Three characters are explicitly identified as having been trained to withstand torture: Jack Bristow, Arvin Sloan and Kelly Peyton. All three are presented as nearly unbreakable subjects under torture. However, all of them exhibit a weak spot which renders their training ineffective under torture: for Jack, it is witnessing the torture of a colleague and friend; for Arvin Sloan, it is the memory of the death of his own wife; and for Kelly Peyton, it is an uncontrollable fear of snakes.

Jack Bristow is identified as an agent who was not only trained to torture but also to withstand it. This characterization remains accurate until he is tortured together with Elizabeth Powell, an agent for the British *MI-6* and an old friend of his. He was injected with sodium penthanol,[324] electrocuted in season two,[325] and beaten in season four[326] and withstood these sessions of torture without revealing any information that was sought. Only during one torture

[323] "30 Seconds," *Alias* 3 May 2006.
[324] "The Getaway," *Alias* 12 Jan. 2003.
[325] "Phase One," *Alias* 26 Jan. 2003.
[326] "The Index," *Alias* 9 Mar. 2005.

in season five episode eight he does not withstand torture. He and Elizabeth Powell were doing video-surveillance during a staged weapons deal and were captured by Benjamin Masari, a wanted terrorist. Masari stylizes himself and his spatial surroundings as non-western underlining what *APO* has already revealed about him: namely, a strong aversion towards "Westerners", their life style and "indulgences".[327] And while this supports the dangerous potential because both Jack and Elizabeth fit this profile they initially face him defiantly and even provoke him.

Masari is a new figure in season five who did not play any role in the show before he kidnapped Jack and Elizabeth. Sydney, who followed the video feed back at the *APO* headquarters, identifies Masari and a colleague adds the he is the "Sudanese head of the R.L.F. Terrorist squad responsible for bombing western targets in Africa". At *APO* the video feed breaks down suddenly which Sydney comments with a scared exclamation: "Oh, God, dad." *Alias* clarifies the threat Masari poses to Jack and Elizabeth before any torture has taken place and alerts the audience. Jack and Elizabeth are incarcerated at Masari's hide-out in Tunisia. He is trying to find out who they are working for and what the orders were.

> *Jack*: I was beginning to wonder if you'd forgotten about us.
>
> *Masari*: I imagine for you this cell seems somewhat inhuman. You Westerners, so accustomed to your indulgences.
>
> *Jack*: Why are we here?
>
> *Masari*: You were transmitting a video feed when you were found. Where was it going?
>
> *Elizabeth*: Holiday photos. Costa Del Sol in winter. As you say, we do like our little indulgences.
>
> [Upon Elizabeth's clear provocation Masari orders his guards to restrain her.]
>
> *Jack*: Do not touch her!
>
> [Masari places Elizabeth's left hand on a stone block and aims a handgun at it.]
>
> *Masari* [yelling]: If you want to spare her, answer me. Where was the transmission going?
>
> *Jack*: Take me.
>
> *Elizabeth*: I'm not easily frightened.
>
> *Masari*: You should be.
>
> [Masari shoots Elizabeth into her hand. Jack frees himself from his guards and attempts to overwhelm Masari. He is able to punch him in the face but is immediately restrained again by his guards. Masari orders: The right one. If you want to spare her, answer me.]

[327] "Bob," *Alias* 7 Dec. 2005.

Masari: Perhaps we should try this again. Who do you work for?
Jack [visibly horrified caves in]: Wait.
Elizabeth: Don't tell him![328]

Masari presses the gun against her hand and turns to Elizabeth whose face is contorted by fear and the anticipation of more pain: "Clearly, you don't work with your hands, huh?"[329] As he is about to shoot her other hand, a guard walks in, informs him about a phone call for him, and Masari steps out of the cell. The phone call is part of *APO*'s rescue operation. The torture does not continue and eventually both Jack and Elizabeth are rescued.

Masari's technique was previously used against Sydney in season one episode ten. Arvin Sloan had tried to discover if Sydney was a double agent and staged the torture of a colleague. And even though it did not move Sydney to make a confession, it appears as if Jack was about to give up. Masari used Elizabeth as a tool to force Jack to confess. It is not certain if Jack actually would have revealed *APO* and *MI-6* as their employers. But Elizabeth's reaction suggests it. Additionally, during season five Jack has been increasingly characterized as a loving and caring father for Sydney and confessing to save Elizabeth would concur with his later character development.

Such a soft spot is also revealed by Arvin Sloan, or by his cloned version Ned Bolger. In season four episode ten, Bolger, while under torture and in the mindset of Arvin Sloan reveals that "it was [Jack] who taught [him] how to endure torture."[330] Nevertheless, what eventually breaks or in this case partially reverses the mind cloning procedure is APO's method: they let the real Arvin Sloan relive his wife's death, and then implant Bolger with that memory. After being exposed to the painful memory of Arvin Sloan's deceased wife and her death Bolger, in fact, partially regains his former self. By proxy Arvin Sloan's weak spot under torture is revealed. It is likely, that this would have also been the weak point of the true Arvin Sloan as he was nearly lost under the hypnotic procedure to recreate his wife's death.

The final example of a technique which resulted in the breaking of a victim trained to withstand torture is shown during the interrogation of Kelly Peyton. Peyton is an affiliate of *Prophet 5*. In season five episode seventeen, she is captured by APO. Sydney Bristow and Rachel Nichols interrogate her about her affiliation with Arvin Sloan and his plan for a number of intercontinental ballistic missiles (ICBMs) he recently acquired. Peyton and Nichols are former friends and colleagues from "The Shed", the headquarters of a criminal organization

[328] "Bob," *Alias* 7 Dec. 2005.
[329] "Bob," *Alias* 7 Dec. 2005.
[330] "In Dreams...," *Alias* 11 Mar. 2005.

disguised as a *CIA* bureau, similar to the former *SD-6* office where Sydney was employed. Peyton is cuffed to a chair in an *APO* interrogation room. A lamp is positioned sideways towards Peyton and shines a glaring light illuminating her.

> *Sydney Bristow*: We know you're working with Arvin Sloane, and we know about the I.C.B.M.S he's recently acquired. What we don't know is where they are or where they're headed. Now I'm well aware that you're tough, that you've been conditioned to withstand torture. But I have something you don't have. I have your former best friend.
>
> *Rachel Nichols*: And I know what you're afraid of.[331]
>
> [As Nichols finishes her sentence, extradiegetic music sets in simultaneously with the intradiegetic sound of a snake hissing. Peyton begins to shake and her breathing accelerates. A snake becomes visible which crawls from the back of her neck over her chest.]
>
> *Sydney*: If I were you, I would stay extremely still.
>
> [The camera cuts to the outside of the interrogation room and we see Sydney and Rachel opening the door and leaving the room. In the adjacent operation's control room Marcus Dixon, Michael Vaughn, and Jack Bristow are occupied with tracing Arvin Sloan.]
>
> *Sydney*: She has no idea where those missiles are.
>
> Dixon: Are you sure?
>
> *Sydney*: Positive. What she does know: Sloane is planning to target two cities with high civilian concentrations.

The former friendship gave Nichols access to intimate knowledge about Peyton which could be used against her during torture. But the knowledge of Peyton's somewhat Orwellian worst fear is not only an effective tool for torture, it became also a verification of Peyton's honesty. When Marcus Dixon inquired about the reliability of Peyton's statement Sydney determinedly responded that her confession is trustworthy.

This is supported several minutes later when *APO* is exposed to a cyber-attack originating from Hong Kong. Marcus Dixon, Marshall Flinkman, and Rachel Nichols enter the interrogation room again trying to uncover who had attacked them.

> *Dixon*: Who's in Hong Kong? Who are you protecting?
>
> *Flinkman*: Should I get the snake?
>
> *Peyton*: Don't. Sloane had to call in a partner. He needed something he didn't have.
>
> *Dixon*: What's that?

The audience does not see Peyton's additional confession but the plot development indicates that the *APO* team learned that Sydney's mother is cooperating with Sloan from Hong Kong.

[331] "A Clean Conscience,"*Alias* 27 Apr. 2005.

This information eventually allows Sydney and *APO* to stop their scheme. Even though Peyton was introduced to the scene as a trained and "tough" character, her weak spot, the fear of snakes, is instrumental in overcoming her resistance and training. Her fear is characterized as being so disarming, that just the premonition of the repetition of the procedure forces Peyton to reveal what she knows about Sloan's partner.

In all of these cases the flaw in the training of these subjects is a very integral part of the victim's character: a strong empathy with friends or family members, or an overwhelming fear. It is portrayed as a trait ingrained in the character and not as something acquired, even stronger than acquired training.

Alias escalates and reverses this perception of the resistant subject under torture in the form of Sydney Bristow. Here it is not a personal, integral flaw that characterizes her but an invariable durability and resistance to torture. She successfully retrieves information through torture and withstands any torture she has to endure. This is particularly revealing since she is the only character who is exposed to practically every torture technique in *Alias*: beatings, mutilations of body parts, truth serums, electric shocks, mock drowning, and combinations of the before mentioned. But Sydney does not only resist the questioning under torture. She even presents a certain arrogance and superiority as she regularly mocks her torturer and even provokes them into increasing the extremity of the practice.

Sydney's characterization under torture stands in contrast to the characterization within the greater plot structure. Her exposure and desperation about the intrigues and power plays of Arvin Sloan and her mother Irina Derevko portray her very often as a helpless victim. This contrasts sharply with her behavior under torture, more precisely shock therapy at "Camp Williams" in season three episode two.

The scenes at "Camp Williams" are colored in a distinctly colder blue in comparison to the scenes back at the *CIA* where Jack plans her rescue. In the stale atmosphere of the detention camp she is led to a cell next to a prisoner by the name of Campbell. During her stay, Campbell relates that he has been incarcerated for many years and often been mistreated. Sydney is shown as cautious towards him but appears to be sympathetic and to pity him and his fate. Initially, Campbell's narration stresses the hazardousness and hopelessness of Sydney's situation at "Camp Williams" as Campbell appears to have become slightly deranged by the long incarceration and fierce treatment. Despite the preparation, Sydney presents herself defiantly as unafraid as ever during her subsequent torture session.

The camera cuts into the torture cell where Sydney shakes violently under electric shocks. The setting is bright and resembles an operation room in a hospital. Next to Sydney, it

holds the torturer and his assistant who are both dressed in clean white lab coats. Sydney's torturer is older than she is with a bold patch on his head and graying hair and beard. He leans over Sydney and after the electric current is turned down, begins questioning her.

> *Torturer*: Miss Bristow, we know you know how to read this code. Do you recognize your handwriting?
>
> *Sydney*: No. I draw little hearts over my I's. Smiley faces sometimes.
>
> *Torturer*: What you're feeling now, the pain from shock therapy, it's nothing. There's another procedure, neurostimulation. We can use it to find out where you've been the last two years. Decipher the text, and we won't have to.
>
> *Sydney*: Don't bother negotiating with me! You better make sure I'm a vegetable when you're done.
>
> *Lindsay* [who observes the procedure through a window]: Try a higher setting.
>
> [Assistant increases the current.]
>
> *Torturer* [while uncuffing Sydney after an undetermined stretch of time]: The human body is an amazing machine. A couple of hours, you'll almost feel human again. You have a strong heart, though. You could survive another five, six sessions. That would be a new record for both of us.[332]

Sydney does not show signs of intimidation. Instead she provokes her torturer, sarcastically comments on the questioning, and challenges her abuser to "better" incapacitate her. This entails a threat: she will otherwise take revenge on him personally. Even more so she manages to steal a paper clip from a table next to her stretcher. After the session ends, she is brought back to her cell. The dire outlook and despair Sydney demonstrates is strengthened by a conversation she has with her cell neighbor Campbell. As she lies down, she shakes visibly and displays signs of exhaustion and stress. Her neighbor offers her a blanket as she was not given one and adds "This is not the best place. They wanted to know about Iran. When I was there. Assigned. What do they want to know about you? Don't give it to them."[333]

Campbell repeatedly establishes contact with Sydney in what appears to be an attempt to establish some kind of human rapport. However, what the audience does not know yet is that Campbell is part of Robert Lindsey's attempt to uncover where Sydney was during her disappearance. After Sydney used the paper clip to escape from her cell she is apprehended again and brought back. Minutes later two military guards appear and enter Campbell's cell followed by Robert Lindsey.

> *Guards to Campbell*: On your feet. Let's go. On your feet!

[332] "Breaking Point," *Alias* 23 Nov. 2003.
[333] "Breaking Point," *Alias* 23 Nov. 2003.

[The Guards begin beating Campbell in the stomach.]

Sydney: Hey. What are you doing to him?

Lindsey: That depends on you.

Campbell: Help me out, Syd.

Sydney: Wait.

Lindsey: There's no time to wait.

Sydney: You son of a bitch! Leave him alone!

Lindsey: You can stop this by deciphering the code.

Sydney: I will kill you for this!

[A guard pulls a knife and stabs Campbell in the chest.]

Campbell: Oh, my God! Stop! [Sydney begins crying] Stop. I'll tell you what it says. They're coordinates.

Lindsey: To what?

Sydney: I don't know. For the 100th time, I don't remember anything about those two years. All I can tell you is what they are.

Lindsey: All right, tell me.

Sydney: North 34 degrees, 0-9 minutes, 55.9 seconds, west 118 degrees, 17 minutes, 15.3 seconds.

Lindsey [to one of the two guards holding Campbell]: Get a team prepped.

Lindsey [turns to Campbell]: Well done.[334]

Campbell exhales relieved and regains his posture. Sydney's face indicates that she just realized she had been tricked into confessing. In apparent horror she whispers: "Oh, my God. Oh, God." Campbell moves up to her cell and explains: "I'm not Campbell. I'm Schapker. Your personality profile revealed your major weakness. Empathetic suffering is harder for you to sustain than physical torture. So, thanks for caring."[335]

The torture of Sydney sketches techniques which were used by Tom Grace and against Jack Bristow. As Campbell (or Schapker) explained, the techniques used against her were chosen according to her "personality profile". From this profile Sydney was constructed as a specific kind of subject under torture, one that is less likely to cave under physical torture than under the emotional stress of seeing another person suffer under torture. But while Jack did cave under a similar situation during the torture of Elizabeth Powell, Sydney did not. At the moment of her confession the audience must believe that her weakness was discovered, which

[334] "Breaking Point," *Alias* 23 Nov. 2003.
[335] "Breaking Point," *Alias* 23 Nov. 2003.

is strengthened by Schapker's comment. After her rescue, however, Sydney revealed that she gave Lindsey the wrong coordinates. It is not clarified if she saw through the charade or was simply buying time at the moment in which she gave a false confession because she is rescued before Lindsey can find out he was misled. Either way, she is portrayed as successful in withholding the information and remaining in control of the situation.

Part II: From Debate to Judgment: Serialized Torture in *Criminal Minds* and *Battlestar Galactica* as a Human Rights Concern

After the extensive debate of torture representations in television series – and mostly *24* – in newspapers, television, and other public media, the debate entered new forums entered the debate. By 2007 televised torture was negotiated in other, often unusual contexts. The Non-Governmental Institution *Human Rights First* selected an episode of *Criminal Minds* within its newly created television award lauding it specifically for its approach to torture. Similarly, *Battlestar Galactica* was invited in 2009 by the United Nations to attend a panel discussion at the UN headquarters in New York City. During this event the show's representation of human rights issues such as torture and terrorism were debated extensively by the show's producers, UN staff and human rights lawyers. I want to argue that after the controversial period of 2001 until 2006 which was mostly determined by *24*'s approach to torture a new phase of the debate developed with new speakers and settings. While politicians, lawyers, and the military institutions usually not concerned with negotiating torture representations on television, had been part of the previous debate, this new phase lead by Human Rights institutions introduced new participants, created new contexts, and offered new perspectives on televised torture. Additionally, the shows selected during this period retain serial aspects but breach into more episodic formats as well.

4. Who is Really to Blame? – *FBI*, *CIA*, and the Good Torturer in CBS' *Criminal Minds*

24 and also, though to a much smaller degree, *Alias*, initiated a discussion about the representation of torture which went through different phases. Initially, torture was treated as a usual stock feature of the two shows dramatic plot. As the shows progressed, torture became a controversial topic – especially through the debate of *24*. The series allowed a variety of participants to enter into a debate about whether or not torture representations were harmful to a US-American audience. While the respective participants came to their own conclusions, *24* actively kept the debate alive by incorporating the various criticisms into its plotlines. One participant, however, attempted to make a more definite and universal statement. The non-governmental organization called *Human Rights First* (*HRF*) created an award which aimed at deciding which torture representation was best, i.e. most accurate and legitimate. In order to explain what kind of discursive space this peculiar award attempted at occupying – an award founded by an organization which usually does not deal with television shows –, I will trace its emergence and development. The following section will show how dependent the award's history was on the debate around *24*. In the following close reading of the award winner, *Criminal Minds*, I will then problematize the award's choice and discuss the difficulties of passing a definite moral judgment on representations of torture.

4.1. The Televisual Norms of the *FBI*: Human Rights First's 2007 *Excellence in Television Award*

The decision to praise torture on television was the result of (1) the organization's own interest in the impact which torture representations have on the viewing public but in particular on young aspirants for the career in armed services, (2) the historical studies on the forms and developments of violence on US-American television conducted by the Parental Television Council.

4.1.1. The Award, its Selection, and Ceremony

During a publicity dinner on October 17, 2007, *Human Rights First* announced that they had decided to impart their Excellence in Television Award to an episode of the police procedural *Criminal Minds*. The NGO did not have any history with cultural awards or television criticism and their award had not much of a future. Neither was there a previous one, nor did another award follow. Even though the official announcement of the NGO's website alluded to the possibility of further awards to pop-cultural negotiations of "human rights problem[s]", the Excellence in Television Award of 2007 marked the beginning and end of *HRF*'s activity in this area. *HRF* conceived the award "to honor a TV program that self-consciously uses the medium to raise awareness about a human rights problem."[336] On its website the organization announced furthermore that "[t]his year [2007], we are giving the award to a TV show that depicts torture and interrogation in a nuanced, realistic fashion."[337]

At the core of the *HRF* project were normative assumptions about torture representations. These normative assumptions were grounded in the presumption that reality creates the ground for any qualitative judgment regarding the depiction of torture. In "reality" – according to the NGO – torture was illegitimate, proven inefficient and unreliable, as well as harmful for the victims. Hence the US – American state television should represent the practice accordingly.

Repeatedly, *HRF* substantiated this argument by referring to experts from "the field", practicing and former interrogators and military personnel who argued that it is not practical to employ torture. *HRF* went so far as to consult with a U.S. Army Interrogator who publicly admitted to having used torture as an interrogation technique in Iraq. Tony Lagouranis, who served in the panel of judges for the award and who had been in Iraq between 2002 and 2005

[336] "Primetime Torture: Excellence in Television Award," *humanrightsfirst.org*, Human Rights First, 29 Jul. 2007.
[337] "Primetime Torture: Excellence in Television Award," *humanrightsfirst.org*, 29 Jul. 2007.

as an interrogator, was quoted prominently on *HRF*'s website for the Primetime Torture Project arguing that torture on television did have an effect on real interrogations: "We had no official doctrine about what to do […]. So people were watching movies and watching TV and they were getting their ideas from that."[338] In an interview with the blog *Democracy Now* Lagouranis answered the question "does torture work?" with a clear "no"[339]. He added:

> I saw torture in Iraq. I even employed some torture methods. In my experience, it doesn't work. […] We used things like hypothermia, stress positions, sleep deprivation for long periods of time. I used military working dogs, sensory overload with music and strobe lights. These things were ineffective. And when people did talk, they either told us things that we already knew or they tended to mislead us.[340]

Quite a few techniques used by Langouranis had become infamous in 2004 during the publications of memorandums revealing the US-American government's use of enhanced interrogation techniques.

It was the practical and professional side of interrogation (including a professional who had admittedly used torture in Iraq) which had a strong impetus on the award and its selection process. The panel of judges consisted of film director Sidney Lumet, former Assistant Secretary of Defense Ken Bacon, former *FBI* interrogator and supervisor Joe Navarro, and Tony Lagouranis, a former U.S. Army interrogator. Additionally, the checklist for their judgment also paid particular attention to the perspective which members of the armed services have on shows. It urged the judges to ask first:

> How the program will be viewed by junior members of the armed services who are training for a career in the armed forces. Will this program encourage them to handle detainees humanely and interrogate them creatively within the guidelines set out by the Department of Defense? Will it make them consider the ramifications of treating suspects poorly/well?[341]

---

[338] "Primetime Torture: Soldiers Have Imitated What They See on TV," *humanrightsfirst.org*, Human Rights First, 14 May 2007.
[339] Amy Goodman and Juan González, "Is Torture on Hit Fox TV Show '24' Encouraging US Soldiers to Abuse Detainees?," *Democracy Now*, 22 Feb. 2007.
[340] Goodman, "Is Torture on Hit Fox TV Show '24' Encouraging US Soldiers to Abuse Detainees?".
[341] "'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation," *humanrightsfirst.org*, Human Rights First, 15 Oct. 2007.

Further points addressed were the question of the general effect on the domestic and overseas audience and the shows' approach to "fairness/justice/accountability or other rights issues"[342] with regard to interrogation were examined.

This focus on the professional and practical aspects of torture was mirrored in the shows which were proposed for selection. On the sub-website of the award created around June 2007 the selection of nominees was explained. The following shows were selected: *Lost*'s episode "Enter 77", *The Shield*'s "Back to One" and "Chasing Ghosts, *Boston Legal*'s "Guantanamo by the Bay", the show *The Closer* and *Criminal Minds*' "Lessons Learned". It is striking that nearly all shows selected – apart from *Boston Legal* – are concerned with the professional side of interrogation and investigation including the realm of professional torturers.[343] The stated reasons for this selection are closer to *HRF*'s advice to writers of television shows. *Lost* is lauded for approaching the question "what happens to the torturer and the tortured after the moment of violence", *The Shield* was selected as it showed "what can go wrong when abusive tactics are used", namely torturing an innocent person. *Criminal Minds* was selected as it showed "how sophisticated techniques are likely to yield more information than abusive ones"[344] and, in addition *HRF* highlighted that the episode selected was produced by an actual *FBI* agent.

Actor Sam Waterson – at the time known for his role as Jack McCoy on the television show *Law & Order*[345] – presented the award to Andrew Wilder, producer of *Criminal Minds*. Waterson was quoted saying:

Since 2001, there has been a virtual explosion of torture on television. Before 2001, *Human Rights First* estimates there were fewer than four acts of torture on television every year. Now, there are more than 100. And it's not just villains committing these heinous acts – now, good guys are doing the dirty work.[346]

In this statement Waterson sums up *HRF* central arguments and its own research into the topic. Torture has increased and supposedly the subjects torturing have changed. The basis of this claim is a quantitative study which counted torture scenes on US – American television.

---

[342] "'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation," *humanrightsfirst.org*, 15 Oct. 2007.
[343] Even the elusively complex *Lost* approaches the topic of torture through its character Said who was formerly employed as a torturer in a fictional pre-invasion Iraq.
[344] "Primetime Torture: Excellence in Television Award," *humanrightsfirst.org*, 29 Jul. 2007.
[345] *Law & Order* had been negatively mentioned by *HRF* for its representation of torture the episode "Thinking Makes It So". Cf. "Torture on TV Rising and Copied in the Field: The Problem," *humanrightsfirst.org,* Human Rights First, 10 Apr. 2007.
[346] "'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation." *humanrightsfirst.org*, 15 Oct. 2007.

After eventually awarding *Criminal Minds* for its representation of torture on October 17, 2007, during the Annual Human Rights Award Dinner in New York, *HRF* reiterated much of its previous Primetime Television campaign program in the press release and added that all of the selected shows "offer audiences a different view of what happens in the interrogation room than the typical TV formulation that suggests violence and coercion are effective intelligence gathering methods."[347] Yet, this "different view" cannot be described as neutral. Instead, it is the perspective of the *FBI* which the award seems to privilege. Apart from one former *FBI* agent on the panel of judges, this becomes especially apparent in the role which former *FBI* agent Jim Clemente played in the creative process of the award-winning episode of *Criminal Minds*.

4.1.2. Jim Clemente: A Profile of a Profiler

HRF stressed that "Lessons Learned" for which *Criminal Minds* was distinguished with the Excellence in Television Award, was written by "active duty *FBI* agent Jim Clemente".[348] It is likely that this fact was a major reason for nominating the episode in the first place. Considering how closely *HRF* was working with active and former personnel of the military and *FBI*, how interested the organization was in the "real" and professional side of interrogation, an "actual"[349] *FBI* agent as writer appears to be a rather fitting choice.

Clemente had never before written an episode for *Criminal Minds* and judging by his IMDB profile, *CM* appears to have been the beginning of his career as a television writer but also his entry into the field of consultancy for television production. Nevertheless, *CM* remains his primary, nearly sole employer in the field of television shows.[350] Since 2006 he has written six episodes and been a technical advisor for another 108 episodes of the show since its inception. Clemente's involvement in the show began through actor Mandy Patinkin. Patinkin, who played agent Jason Gideon in the first two seasons of the show, met Clemente while researching for his character at *FBI* headquarters in Quantico, Va. According to his public statements Clemente had always been very concerned with the representation of *FBI* on television and in the case of his consultancy followed a normative agenda stemming from his own professional background. His main concern was that shows often represented the *FBI* as

[347] "'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation." *humanrightsfirst.org*, 15 Oct. 2007.
[348] "'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation." *humanrightsfirst.org*, 15 Oct. 2007.
[349] "'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation." *humanrightsfirst.org*, 15 Oct. 2007.
[350] Jenny Yerrick Martin, "Industry Pro: Tech Adviser and Writer Jim Clemente," *yourindustryinsider.com*, 5 Aug. 2013.

an intruder in ongoing investigations by local police and, as he stated in an interview, only agreed to work with *CM* if they "help [the *FBI*] do [their] job and don't hurt it."[351] More specifically, he clarified to executive producer, Ed Bernero what representation he would not support: "If you insult cops or you have us come in and take the case away from cops or, you know, disrespect them, the cops in the real world are going to think that's what we're like."[352] Additionally, he stated that he understands television as an instructive medium with immense reach, and particularly, useful in cases of making a viewing public aware of the dangers and criminality which he had dealt with during his work as a profiler. Speaking about child abductions he explained:

> When I saw the [Criminal Minds] character of Dr. Reid walk into a green screen and then appear on a playground with 10 kids playing in the playground and then basically half of them disappear when he's saying 44% are gone in the first hour. And then three quarters of them disappear when he says 74% and then there's one kid swinging on a swing. He said 99% are gone within 24 hours and then that kid just disappears and the swing is swinging empty and the hair stood up on the back of my neck.
>
> When I realized that in that one hour, I reached 18 million people with important information that in my 12 years in the BAU, I probably taught about 50,000 cops and professionals around the world. In one hour, I get 18 million people and I think by the time it goes around the world in syndication, it's like 100 and something million people. I realized this is an amazing way to teach people. We can teach people without them knowing they are learning. It really made an impression on me as to why this is a very important medium and why I should contribute.[353]

Clemente's understanding of television and even fictionalized television shows is strongly dependent on a close relationship between representation and "reality". Only if the televised content is relatable to the viewers' *lived experience* can it be instructive. With regard to "Lessons Learned", however, the instructive part is much less aimed at warning a general public than in denouncing a particular kind of torture, namely that of the *CIA*. In the next chapter, I will problematize the selection of the award by showing that, with regard to how torture is

[351] Martin, "Industry Pro: Tech Adviser and Writer Jim Clemente".
[352] Martin, "Industry Pro: Tech Adviser and Writer Jim Clemente".
[353] Martin, "Industry Pro: Tech Adviser and Writer Jim Clemente".

represented, the *CM* episode "Lessons Learned" presents a very limited perspective: a perspective that strongly remains with the *FBI*.

The award and its selection – with its background, specificity, and uniqueness – are a rather unusual form of approach to torture representation if one considers the vibrant discussion which surrounded *24*. Therefore, I would like to trace the participants and evolution of this award. In reconstructing how it came about, who was integral in its creation, and which discursive moments were crucial for its formation, I will show how torture representations (like those in *24* or *Criminal Minds*) foster and encourage new participants to partake in the debate, form networks and institutionalize a discourse even if they explicitly do so in rejection of the forms and assumed effect of those representations.

4.1.3. The Way to the Award of Good Torture Representation

On February 10, 2007, *HRF* announced on its website that it had launched its "Primetime Torture" Project. The small teaser for the project, which ran as part of the website's "Top Stories" section, already outlines the scope of this project. The headline read "Former Interrogators, Ex-Military Say Torture on TV Sending Wrong Message" and the brief explanatory note added that the project was a response "to [the] rising level of torture being portrayed on '24', 'Lost' and other popular TV programs"[354]. Furthermore, *HRF* added a button and link with which visitors could, as the link-text indicated, "Demand Oversight from Congress" to end torture by the US-government.[355]

Besides the clear political agenda to address and criticize torture committed by agents of the US-American state, the "Primetime Torture" project was aimed at taking influence on or alter the allegedly hazardous treatment of torture on television. And even though the campaign's target group was the US-American public, *HRF* focused pragmatically on members of the US military.

In more detail, the website elaborates under its subsite "The Problem" that what led to the creation of the campaign was a significant increase of "[t]he number of scenes of torture on TV shows […] than it was five years ago".[356] Additionally, the NGO noted that "the characters who torture have changed": "It used to be that only villains on television tortured. Today, 'good guy' [sic] and heroic American characters torture — and this torture is depicted as necessary,

[354] "Humanrightsfirst.org," *humanrightsfirst.org*, Human Rights First, 17 Feb. 2007.
[355] While the Internet Archive cannot recreate the site the linked referred to, it is likely that it was a site which allowed making a petition to a respective governor.
[356] "Torture on TV Rising and Copied in the Field: The Problem," *humanrightsfirst.org,* 10 Apr. 2007.

effective and even patriotic."[357] The site mentioned with harsh criticism the television shows *24*, *Alias*, *Lost*, and *Law & Order*. *HRF* identified central episodes in each of the series and criticized the torture representation for portraying the practice as successful.

As the organization states on their website, they took issue with these representations because they "learned" from acting interrogators and army personal that not only was torture on television influential with "soldiers currently in the field" as well as with those currently in training but directly led to the imitation of techniques from popular culture.[358] The latter point was, according to *HRF*, mentioned already in a 2004 government report which investigated the detention and interrogation techniques employed by the US-army in Iraq. Lieutenant General Paul T. Mikolashek, responsible for the report, is quoted arguing that "Officers and NCOs [Non-Commissioned Officers] at point of capture engaged in interrogations using techniques they literally remembered from movies."[359] So, apart from being influential with the general public, *HRF* places particular emphasis in the effect the televised representations have on the part of its audience which is to a degree in the same profession as the portrayed torturers.

HRF relativizes the impact of torture on television by adding that it cannot be made responsible for torture at Abu Ghraib "and elsewhere"[360]. Much rather, the organization highlights that it was the political background, "the U.S. government [which] created this environment by authorizing coercive interrogation techniques, departing from the long-held absolute ban on torture and cruel treatment, suspending the Geneva Conventions, and by assigning soldiers to tasks for which they were not trained."[361] *HRF* underlines this thesis with a "Timeline of U.S. Policy Encouraging Abuse."[362] The timeline entails information which is at this point publicly available in the newspapers. However, their timeline does not detail at which point the incidents were published.

The award itself was part of *HRF*'s strong educational and instructive agenda. And months before the award was announced around the end of June 2007, *HRF* had already begun to develop training material which was supposed "to limit the negative impact television has on the way U.S. troops operate."[363] It included a 20-minute film aimed at "junior soldiers". At the

[357] "Primetime Torture," *humanrightsfirst.org*, Human Rights First, 16 Feb. 2007.
[358] "Soldiers Have Imitated What They See on TV," *humanrightsfirst.org*, 14 May 2007.
[359] "Soldiers Have Imitated What They See on TV," *humanrightsfirst.org*, 14 May 2007.
[360] "Primetime Torture," *humanrightsfirst.org*, 16 Feb. 2007.
[361] "Primetime Torture," *humanrightsfirst.org*, 16 Feb. 2007.
[362] "Primetime Torture: The Background: U.S. Policy Shifts Ushered in Abuse," *humanrightsfirst.org*, Human Rights First, 13 May 2007.
[363] "Primetime Torture: Excellence in Television Award," *humanrightsfirst.org*, 29 Jul. 2007.

same time, *HRF* declared that it had contacted "writers, producers, studio executives, actors and others with creative control" urging them to rely on seasoned interrogators as consultants.

Additionally, it published a six-point bullet list which summarized the advice they tried to forward to those creating torture on television. The six points of advice were:

- "Depict torture, but condemn it – and the torturer" which advises "writers might consider having respected characters condemn acts of torture or question the morality, the consequences, and the efficacy of abuse when used as an interrogation technique." Furthermore, "[c]haracters who torture should be criticized and ostracized. It would also be helpful for writers to consider having only villains – or characters of questionable ethics – torture to elicit information, and then to have the abuse prove ineffective in producing actionable intelligence."[364]
- "Show that torture is unreliable and ineffective" where the organization proposes "[w]hen writing about interrogation, writers might consider creating scenes that more accurately mirror reality: showing that torture often incapacitates suspects (or kills them); that innocent people are often mistakenly tortured; or that victims of torture provide false information."
- Also, writers should "Show the consequences of torture – physical and emotional" as "Interrogators report, however, that the physical and psychological effects of torture are profound – that it would be difficult, if not impossible, for those who torture or are tortured to resume normal life quickly as they do on television."
- Also, writers should have "[…] heroes use legal techniques" and "speak to experienced military and *FBI* interrogators about the range of psychological and dramatic situations faced in real-life interrogations".
- Additionally, after Abu Ghraib and Guantanamo *HRF* sees a concrete danger for America's "image in the world" if "American popular culture [glorifying torture] is exported widely around the world."
- Finally, writers should "[u]nderstand the impact of perpetuating the "ticking time bomb" scenario" which, even though "[e]xperienced interrogators say that [it] is so exceptional it is all but mythical" it is, both as an argumentative device in public debate and as a dramatic device on television highly prominent.

[364] "Primetime Torture: What Can Be Done," *humanrightsfirst.org,* Human Rights First, 13 May 2007.

These bullet points, reminiscent of J.M. Coetzee's advice on how to represent torture in literature,[365] are very specific about the form of torture's representation. Only the villainous characters should be shown to use torture, the practice should not be shown to be effective, and it should be "condemned". Also, the practice's effects need to be addressed, "heroes" should only use "legal techniques" and, lastly, the "'ticking time bomb' scenario", made popular by *24*, should be avoided. This list is problematic, not only because the categories and semantics of "villain", "hero", and even "ineffective" are often ambiguous in television and will prove impossible to be confined to a predetermined meaning. It also shows how heavily *HRF* relied on military and *FBI* personnel when they try to support their arguments about cultural representation of torture.

4.1.4. Parents Television Council: The Power of Quantified Torture

HRF repeatedly stressed that the Primetime Torture Project was sparked by the observation of an increased number of torture scenes on television since 2001 as well as a shift in the portrayal of the torturer, from villain to hero.

This perception, the discomfort with torture representation, was concretized much earlier than the project's launch date indicates. A PowerPoint presentation, which the organization offered for download for the purpose of instructing young soldiers and anyone interested in teaching the problem of representing torture, included a chart which illustrated the increase of torture on television. But it was *24* which initialised the project. After the show's hero Jack Bauer had such an intriguing impact on him that he began questioning his own work for Human Rights First, the Primetime Torture Project's director David Danzig had arranged the meeting of military personel with the creators of *24* (Jane Mayer had covered the meeting in her article in *The New Yorker*, cf. chapter 2.1.2). After his own expierence upon watching the show, Danzig had declared at a conference that he wondered what the show's impact was on the "broader public".

David Danzig indicated that it might have been personal reasons which started the project. During a talk Danzig gave on "Reforming Interrogation Practices" at the *International Conference on the Prevention of Torture and Other Ill-Treatment* held by the American University Washington College of Law and The Association for the Prevention of Torture, he remarked how watching *24* created his critical engagement with torture representations:

[365] See chapter 1.1.

> How did I come to start to work on this issue? After the revelations about Abu Ghraib, I was working at Human Rights First, and my job quickly became to reach out to military officials and talk to them about torture, what did they think? And so during the summer of 2004, I cold-called 300 or so retired generals and admirals. And what was interesting about it is I almost invariably found that the people on the other end of the phone would begin lecturing me about how important it is that we stop torture, which to me was very eye opening. […] We put together this coalition of retired admirals and generals and we worked with them in a public way to show that torture is not only wrong but doesn't work. In fact, when president Obama signed the executive order banning it, he had generals and admirals sit behind him, and those were 16 of the people who worked with us. […] And so I was having fantastic conversations with these people, and my life was going along swimmingly when I had a problem. My Netflix queue ran to its natural end, and, for whatever reason, I selected '24'. And these DVDs started showing up in my mailbox, and I started watching them. […] So, this is happening, and I quickly went through Season 1, Season 2, Season 3. And what was strange for me is that I started leading this kind of double life where, during the day, I was talking to General Joe Hoar: 'Oh, torture is horrible. We're going to work this out and figure out what to do.' And then at night, I was: 'Rip his head off, Jack Bauer, and do the right thing!' Then I realized that this was having a strange impact on the way in which I thought about these issues. And I had a whispering conversation with a colleague of mine who was actually working on torture, and we both sort of said, 'Do you think we really need a Jack Bauer?' And we kind of thought, if we think that maybe Jack Bauer is needed in the world, and we work full time to stop torture, what impact is this show having on the broader public? And so I worked up my nerve, and I called a colonel who worked at West Point.[366]

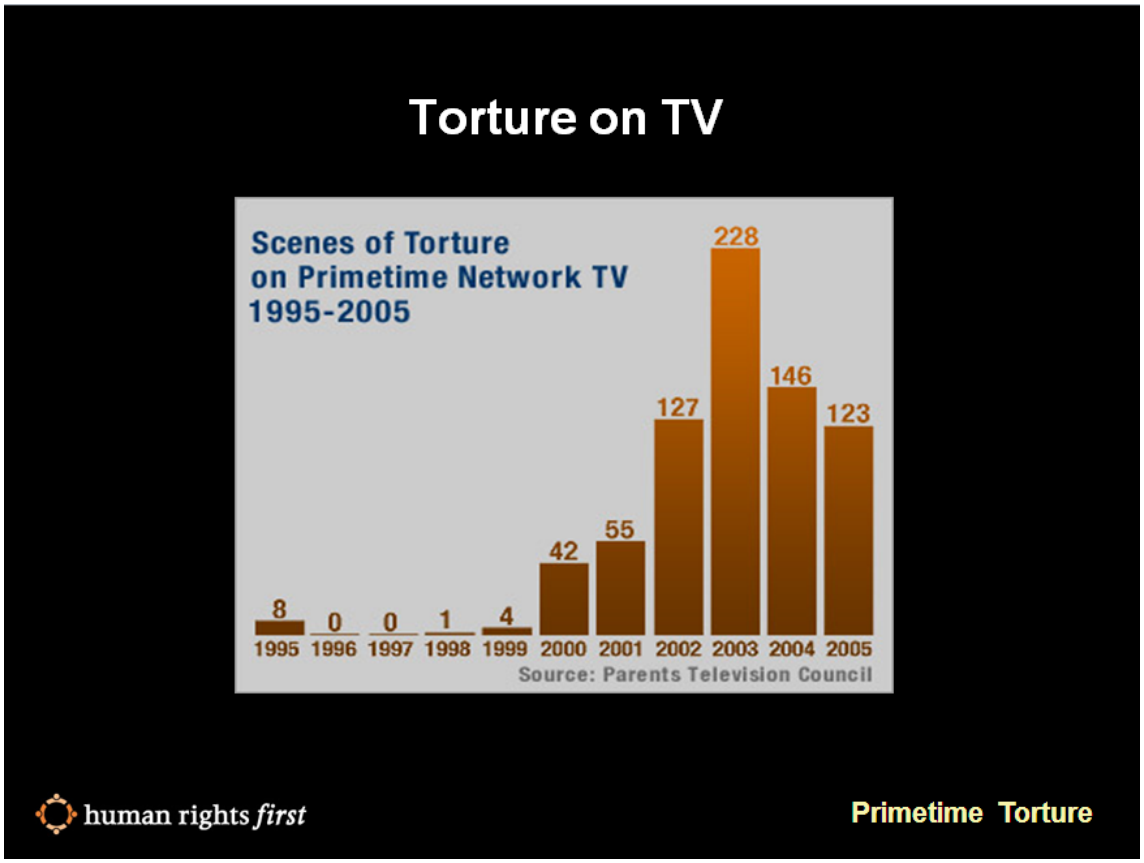
HRF referenced the *Parents Television Council* (*PTC*) as originator of the chart and the numbers it was based on. The *PTC*, a "non-partisan education organization advocating responsible entertainment" was founded in 1995 and is broadly concerned with content on television which the organization considers harmful or dangerous for children.[367] More or less annually, the organization gives out reports and studies on what it identifies as violent and

[366] Dan Danzig, "How Are Laws Applied and Detention Practices Reformed? Reforming Interrogation Practices," *Human Rights Brief* 16.4 (2009): 29-30.

[367] This disclaimer can be found on their website *parentstv.org.* The organization has been, however, criticized for their religious and conservative background which was seen as driving their judgment of television and advocacy work. (cf. Brandon Voss. "Big Gay Following: Seth MacFarlane," *The Advocate* 27 Feb. 2008: 22-23; also Christian Christensen "Pixelate the Morality Police," 26 May 2005.)

sexually inappropriate content but also criticizes profanity, abusive language and the depiction of drug abuse. Their website furthermore includes a "Family Guide to TV", highlighting family friendly television programs, and a number of topical campaigns.

The reports on violence on television always addressed the issue of torture at least peripherally. But by 2004, and particularly since 2005, their reports show that they move torture more to the center of their attention and concern. In early reports of violence in the years before 2001, torture was listed as a category by the label "sadism or torture". But by 2004, torture was an independent category which *PTC* tried to quantify on television.



(Source: Human Rights First[368])

The organization is not very explicit about its methodology with regard to identifying violence or torture on television. It usually included depictions based on the "graphic" nature of the violent scene. It is not clarified what qualifies as "graphic" and the organization admitted that in this respect their studies relied to "some degree, on subjective judgment".[369] Nevertheless, some insights were given into their selection method and their categorization of

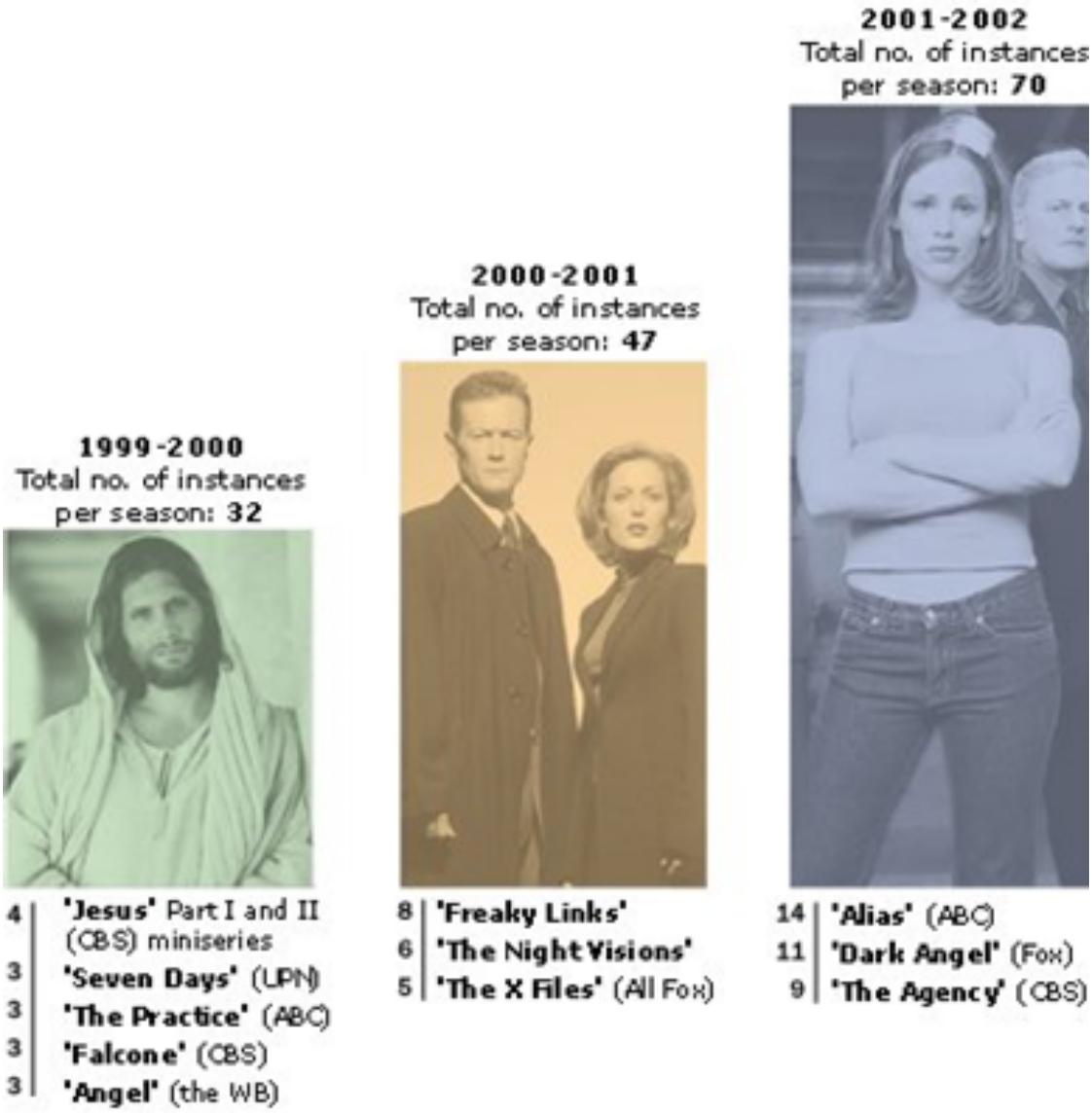
[368] "Primetime Torture: Suggested Lesson/Discussion", 17 Aug. 2007, *Power Point Presentation*.
[369] "What a Difference a Decade Makes: A Comparison of Prime Time Sex, Language, and Violence in 1989 and '99," *Parental Television Council*, 30 Mar. 2000.

violent acts on television. *PTC* presupposes a hierarchical scale of violence from "mild" to more "extreme" and "graphic" forms.[370] Included were not only violent acts, but also their effects such as wounds, the agents committing and subjects receiving it and also what they called "occult" violence. Generally, the reports reveal a strong interest in violence's importance within a show's plot and character constellation. Later studies stronger differentiated violence by agency, between "person-on-person", "self-inflicted", "medical violence", and "general mayhem".[371]

Based on this distinction, the numbers which the report produced indicated a drastic increase in the depiction of torture scenes in US-American television. Whereas the 2001 report counted not more than 14 instances of torture or sadism between the years 1989 and 99, a "count" which *The Christian Science Monitor* had requested in 2002 from the *PTC* logged "70 instances of scenes of graphic torture or sadism on network entertainment TV from Sept. 1, 2001, until [August 2002]. In the two-year period previous to this, it logged 79."[372] In its 2007 report, "Dying to Entertain", the *PTC*, observed that between 2005 and 2006 violence and to a great degree "extensive torture sequences" had become an "integral part" of television programs.[373]

The *PTC* had also identified a few shows which were most problematic. Strikingly, it had marked *Alias* as having screened the most amounts of torture scenes in the season of 2001-2002.[374]

[370] "Dying to Entertain," *Parental Television Council*, 10 Jan. 2000.
[371] "Dying to Entertain," *Parental Television Council*, 10 Jan. 2000.
[372] Sosa, "TV's Higher Threshold of Pain," *csmonitor.com*, 23 Aug. 2002
[373] "Dying to Entertain," *Parental Television Council*, 10 Jan. 2000.
[374] I have not been able to get access to *PTC*'s analytical and empirical method or their concept of torture which formed the basis of the quantitative study. Therefore, it is difficult to replicate or add to their findings.



(Source: *csmonitor*.[375] "The number of torture scenes shown on network TV more than doubled from the 1999-2000 to 2001-2002 seasons. Above, the shows that aired the most instances of torture during those three seasons, according to the Parents Television Council.")

It had also negatively mentioned *The X-Files* episode "Within", screened in November 2000, in which the show's protagonist agent Mulder is tortured by aliens.[376] Additionally, it had criticized Fox's *24* much earlier than the public newspapers for its depictions of torture. Interestingly, *PTC* criticized the show for a scene in which its protagonist Jack Bauer is tortured while the controversy of 2004/05 around the show was primarily concerned with torture committed by the show's 'hero'. In the scene criticized by *PTC,* Bauer's captors strip him naked (his bare buttocks are briefly visible in profile) and hang him from a ceiling with his arms chained above his head. After he is gagged, a man takes out a scalpel and begins slicing into

[375] Sosa, "TV's Higher Threshold of Pain," *csmonitor.com*, 23 Aug. 2002.
[376] "Dying to Entertain," *Parental Television Council*, 10 Jan. 2000.

his torso. The show focuses on other characters for a while, but eventually returns to the images of Jack's torture. Since he refuses to tell his captors where to find the computer chip they are looking for, a hot soldering iron is pressed into a scalpel cut in Jack's stomach, burning him. In a final attempt to get him to talk, Jack is shocked repeatedly with a taser gun."[377] In one of its "Worst of the Week" list of the year 2003, it had singled out *24* for the depiction of the "horrific torture" of Jack Bauer, calling it a form of "extreme violence" inappropriate for television particularly since "the series' lead in [was] the popular teen-targeted series American Idol."[378]

[377] Aubree Rankin, "Worst of the Week: 24," *Parental Television Council*, 20 Apr. 2003.
[378] Rankin, "Worst of the Week: 24," 20 Apr. 2003.

4.2. The GTMO Twist in *Criminal Minds*: Torture in the Context of Serialized Investigators and Episodic Suspects

Criminal Minds (*CM*), which piloted on September 22, 2005, is a television series focusing on the work of an *FBI* Behavioral Analysis Unit (*BAU*). The team of seven agents is occupied with apprehending serial criminals. Serial killers, rapists, and child molesters are the recurring figures which the *BAU* team aims at tracing and finding before they commit another crime. Even though the plot is different for each case, the method which they constantly rely upon is 'profiling'. This method is portrayed as consisting of psychological reconstruction of a criminal's past, psychological and neuro-scientific insights into the human mind and behavior, as well as statistical data on criminals. By creating a "profile" of the "unsub"[379] based on his or her previous crimes the team tries to reconstruct the criminal's perspective or psyche in order to understand their motivations and behavior and predict their next move.

The opening and closing of each case respectively mark the limitations of each episode. With few exceptions the team solves each case within one 40 minutes episode; accordingly, each episode features a rather self-contained plot revolving around a specific serial criminal. In this respect, *CM* was distinguished from shows like *24* and *Alias* as it initially relied on a much stronger episodic format. It is more comparable to procedurals like *Law & Order* (NBC).

On the one hand, then, *CM* corresponds with Michael Z. Newman's definition of shows characterized by an "an episodic format".[380] In *CM* "all of the problems raised in the beginning of an episode are solved by the end and questions do not dangle week after week,"[381] as Newman specifies. Yet, while this is usually the case in *CM*, the show exhibits brief instances of serialized storytelling which span more than an episode. *CM* transcends this format in moments which deal with character development of the main characters, their functions, and expertise. Because of the instances of "long-format storytelling"[382] with regard to *CM*'s main characters, the show does offer a "distinct mode of investment in character".[383] In this respect *CM* exhibits aspects which Newman ascribes to prime time serials (PTS). PTS's storytelling develops formally on three levels, as Newman elaborates: a "micro level of the scene or 'beat',

[379] Within *Criminal Minds* "unsub" is used as an acronym for the unknown subject who is under investigation. The term is also used on the *FBI* homepage as an acronym with a similar meaning.
[380] Newman, Z. Michael, "From Beats to Arcs: Toward a Poetics of Television Narrative," *The Velvet Light Trap*, 58 (Fall 2006):16.
[381] Newman, "From Beats to Arcs" 16
[382] Newman, "From Beats to Arcs" 16
[383] Newman, "From Beats to Arcs" 16.

a middle level of the episode, and a macro level of greater than one episode, such as a multi-episode arc."[384]

Even though *CM*'s story is mostly episodic in structure, for the analysis of *CM's* episode "Lessons Learned", I will rely to some degree on Newman's conceptualization of PTS. His proposed structure of story development is particularly helpful in tracing the show's handling of torture whenever it expands beyond its mostly episodic structure. More precisely, it is *CM*'s presentation of its main characters in the context of torture which is particularly insightful when viewed from the perspective of the distribution of their semantic potential across the micro, middle, and macro level of story development.

The plot of the *Criminal Minds* episode selected by *HRF* differs from the usual cases as the *BAU* team does not face a serial killer but is confronted with a terror alert and possible anthrax attack on US-American soil by a sleeper cell formed of Islamic radicals called the *Omega* cell. In order to prevent the cell from dispersing the biological weapon, agents Gideon, Reed, and Prentiss fly to Guantanamo to interview a "ghost detainee" by the name of Jind Allah. At Guantanamo, they find that Jind Allah has been tortured by the *CIA* in an attempt to extract information about groups which the United States had designated as terrorist threats and which he had supported financially. One of these groups is, as *BAU* discovered, responsible for the imminent anthrax attack.

Torture – and in particular torture which implicates the US-government – has not been one of *CM*'s main interests before or after its "Lessons Learned" episode in 2006. Within the show's format and plot structure, torture – if thematized at all – is usually encountered as a crime which has already happened, committed by an "unsub" and to be deciphered by the team. It is a different kind of torture *CM* is usually concerned with – namely sadistic. In the season one episode eight, the team make their rather precise working definition of torture explicit. After someone had brutally killed a young man and his parents, Dr. Reid attempts to create the profile of "the unsub" based on the torture and murder he committed. While doing so, he explains the typical motivations which inform torture and which allow, on a theoretical level, to classify two distinct practices. Torture, in his conception, "falls into two categories, sadistic and functional. Functional torture is used to extract information or punishment. It is measured, impersonal, completely disinterested. […] Then there is sadistic torture which is used to extract

[384] Newman, "From Beats to Arcs" 17.

some sort of emotional need." Reed goes on to associate functional torture with "military tactics" from which the team distances itself later in the episode.[385]

Against the backdrop of this minor role of torture in the series in general, the episode "Lessons Learned" stands out. This is both because torture is made into the main theme and because torture is not the *object* of the investigation, i.e. a crime that needs to be uncovered, but negotiated as a potential *tool* for the agents' interrogation practice.

In this negotiation, as *HRF* has noted, the *BAU* team members turn out to be strong opponents of torture as a means for their investigation. In fact, they repeatedly distance themselves from the practice and even display acts of reparation toward their suspect for the torture he endured in the hands of the *CIA*. Many of the references, which the episode makes to the recent and ongoing public debate on torture, offer to expand the critical perspective beyond the level of plot.

In the following I will argue that, only at first sight, does the criticism of torture articulated in the episode implicate the *CIA* while much of the critical authority is ascribed to the *BAU* team representing the *FBI*. In my reading, however, the episode also offers itself to an interpretation which stands in opposition to that of the Human Rights First award, which explicitly acknowledged the (alleged) anti-torture stance of the *FBI* articulated in the episode. In order to substantiate these claims, I will have a look at the episode predominantly on the level of character constellation (i.e. *FBI* vs. *CIA* agents), and will focus on a close reading of agent Gideon's strategy of interrogation. The aim of this analysis is to reveal that – despite the explicit rejection of torture by the *BAU* team – their interrogation strategy at Guantanamo indirectly relies upon – in fact, necessitates – the torture by the *CIA*.

4.2.1. Reparative and Instructional Interrogation Techniques in the Context of Abu Ghraib and Guantanamo Bay

In "Lessons Learned", the team is not only confronted with a ticking-time-bomb scenario but also with a suspect who was the victim of torture by a US-American government agency. The episode presents the group of *FBI* agents as relying upon non-coercive techniques and acts of reparation to build some form of trust with the detainee. These choices and techniques are contextualized by references to topical politics. Many locations, subjects, events, and discussions which were significant within the discourse on 9/11 and the US-American 'war on terror' are part of the circumstances which motivate the team's investigation. This

[385] Cf. "Natural Born Killer," *Criminal Minds*, Creat. Jeff Davis, Writ. Jeff Davis, Debra J. Fisher, Erica Messer and Andrew Wilder, Dir. Peter Ellis, Touchstone Television, 22 Sep. 2005 – Present, Television. 1 Oct. 2005.

contextualization expands the scope of the *BAU* team's rejection and criticism of torture and offers itself to be read, as directed against the occurrences of abuse in Abu Ghraib and the *CIA*'s development of 'enhanced interrogation techniques'.

As the episode was screened on November 22, 2006, certain terms and concepts like Islamic terrorism, sleeper cells, anthrax, and ghost detainee had recently been in the focus of the public discussion surrounding the US 'war on terror' in the aftermath of September 11, 2001. In fact, the "weaponized anthrax" which the Omega cell uses is directly linked to the historical anthrax attack on US-American senator Tom Dashle in 2001. After being informed of Omega cell's possession of the poison, Agent Reed explains to his colleague, Emily Prentiss, that the letters used for the 2001 anthrax attack on senator Dashle contained only two grams of the purified substance, "enough to kill 25 million people if effectively distributed."[386] The reference to the real-life anthrax attack on Dashle's office underlines the plot's bidding to the discourse on post-9/11 terrorism and positions Gideon's approach of trust and rapport-building against legitimations of torture which relied on ticking-time-bomb scenarios.[387]

In terms of torture, it is mainly the setting of Guantanamo Bay which invokes many debates revolving around the practice. The Guantanamo detention center had been an issue for Human Rights groups since the first "enemy combatants"[388] arrived in 2001. But 2006 was particularly noteworthy in the history of detention centers because of the conflict about the detainee's legal status and their right to legal counsel.

In "Lessons Learned", as the *BAU* team arrives in Guantanamo, the camera cuts to the iconic fences, military tents and watchtowers of the Guantanamo Bay Detention facility.[389] The aesthetic form of the images differs from the show's usual image quality. The grainy low-resolution images are very similar to the footage found in news media covering the arrival of the first detainees suspected of terrorism. The audience is invited to place the ensuing episode in the context of Guantanamo Bay, the real political entity.

The next cut opens a sequence set in an interrogation room. Jind Allah, hand and feet cuffed, nearly naked, is carried inside by two military guards. He appears weak and is laid down

---

[386] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.

[387] The ticking-time-bomb scenario has been extensively examined as a hypothetical legitimation for torture. *24* which had just finished its fifth season on May 22, 2006, had controversially instrumentalized the ticking-time-bomb in all of its five seasons. Season five saw the successful dispersal of a nerve gas in a US-American shopping mall by Russian terrorists. *CM* can be understood as a reversal of the ticking-time-bomb scenario so common in shows like *24*.

[388] Guantanamo Bay was often criticized because of its remote location. Because the prison is on the territory of Cuba its prisoners had no claim to legal counsel. Additionally, prisoners were labeled 'enemy combatants' or 'unlawful combatants' instead of prisoner of war. The Bush administration declared that, accordingly, the Geneva Convention was not applicable for these subjects.

[389] See Appendix 1.m.

and shackled to the floor. His body shows signs of bruising. Jind Allah is portrayed as having been exposed to violence and degradation reminiscent of the instances of prisoner abuse in Abu Ghraib and Bagram in 2004.

The screen cuts from the prisoner to the *BAU* team entering the building as they are greeted by the supervisory *FBI* agent Andy Bingaman who is in charge of the program and who controls "the access to the detainees"[390]. Before entering the room with Jind Allah, the team observes him on monitors and begins analyzing while they are brought up to date regarding the progress which the *CIA* made with him. The images of abuse shown on screen reproduce the public perspective after the leaking of the images from Abu Ghraib. In the position of observers, the team realizes that the *CIA* has been applying physically harmful interrogation methods which left visible traces on Jind Allah's body. Bingaman highlights that it is striking how little information the *CIA* was able to gain from the prisoner emphasizing the inefficiency of their approach.

As Gideon enters the interrogation room, *CIA* agents, in battle dress, are located in very close proximity in front and directly behind Jind Allah.[391] While the one in front of him whispers in a threatening manner, the second appears to infuse despair in the prisoner by highlighting his isolation and the hopelessness of his situation. However, Jind Allah is portrayed as rather unaffected by the threats, holding his hands in prayer, still reciting the Quran and directly facing one of his tormentors.

The agents react with surprise when Gideon enters, which is quickly replaced by disrespect and arrogance. They question Gideon's authority, which indicates how certain they seem to be of their own position in the spaces of GTMO. When Gideon introduces himself as an "*FBI* behavioral analyst" and claims that "[i]t's time to show this man some respect", his normative request is countered by one of the two *CIA* agents with a sneering remark: "You gotta be kidding me." Yet, because Gideon was granted authority by agent Bingaman, they have to leave the room, albeit in protest.

This institutional conflict between the *FBI* and the *CIA* which is developed early on, about ten minutes into the episode, pervades the entire episode and serves two functions. Internally, the *CIA* functions as a contrasting foil against which Agent Gideon will present himself and against which he is presented as a respectful and non-violent interrogator – both towards Jind Allah and the audience. At the same time, this inter-agency conflict is referential of a dispute which the national newspapers picked up already by 2002: a dispute which revealed

[390] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[391] See Appendix 1.n.

that while, initially, both agencies had been similarly engaged in evaluations of torture, they eventually got into conflict with each other over the use of torture. In 2002, former *CIA* and *FBI* director William Webster proposed the use of truth drugs on "uncooperative al-Qaeda and Taliban captives at Guantanamo Bay".[392] The article referred to reports which stated that the *FBI* had been considering "more aggressive methods of interrogation [for] terrorist suspects".[393] Bureau officials declared that "while large and difficult investigations often bring moments of frustration for investigators, none would advocate what is being suggested,"[394] namely truth drugs. However, in May 2004, during the height of the Abu Ghraib coverage which implicated the *CIA* as well, a *New York Times* article reported that *FBI* agents had been ordered by their own Bureau not to participate in joint interrogations with the *CIA*, as the latter's techniques were considered too harsh.[395]

Gideon clearly denounces the *CIA*'s techniques as harassment. Hence, *CM* sides with the *FBI* in this conflict: Gideon's approach – which does not rely on torture and is explicitly non-coercive – is eventually successful in retrieving the necessary information from Jind Allah in order to stop the attack. In an act of reparation, Gideon places clothes on Jind Allah's lap and adds: "I'm sorry for the treatment you've suffered. If you don't mind, I'd like to spend some time with you."[396] Jind Allah's near full nudity can be read as a reference to the forced nudity documented in the pictures of the prisoner abuse, particularly at Abu Ghraib.[397] If read in this context, Gideon not only allows the prisoner to appear in front of him with at least some degree of dignity, but also the series' representation of Gideon and the *FBI* stands in stark contrast to the *CIA* agents. Gideon's approach, in fact, shows an immediate effect: the man in custody stops his recitation.

Gideon shows several of such reparatory gestures. By allowing Jind Allah to pray and informing him of home prayer times, he displays knowledge of Muslim customs for prayer. For this purpose he has water and a rug brought in and leaves the room. Furthermore, Gideon explains to Jind Allah that his intentions aim at understanding and not coercing him.

---

[392] Kevin Johnson and Richard Willing, "Ex-CIA Chief Revitalizes 'Truth Serum' Debate; U.S. Should Keep Its Options Open with Al-Qaeda Detainees, He Says," *USA Today* 26 Apr. 2002.
[393] Johnson, "Ex-CIA Chief Revitalizes 'Truth Serum' Debate".
[394] Johnson, "Ex-CIA Chief Revitalizes 'Truth Serum' Debate".
[395] James Risen, David Johnston and Neil A. Lewis, "The Struggle for Iraq: Detainees; Harsh C.I.A. Methods Cited in Top Qaeda Interrogations", *The New York Times* 13 May 2004. In a report released in 2008, the US-American Justice Department's inspector general stated complaints by *FBI* agents about *CIA* methods as early as 2002. Cf. Eric Lichtblau and Scott Shane, "Report Details Interrogation Debate," *The New York Times* 21 May 2008.
[396] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[397] See Appendix 1.o.

Gideon: [I'd] like to get to know you as a person. Your faith, your ideology.

J.A.: To what end?

Gideon: Studying human behavior is what I do. […]

Gideon: I'd like to believe, with greater understanding one day, we can come to a peaceful resolution of our differences.

J.A.: Is that so?

Gideon: Look, I don't know what you've done or what you may have planned to do. But unlike the other detainees here, you have the education, intelligence to convey the nuances of your culture. That's what interests me.

J.A.: Until, I don't give you what you want. Then you will resort to other tactics.

Gideon: I swore an oath to uphold the United States constitution, no matter where I am, no matter who I deal with.

J.A.: [Shakes his head in disbelief][398]

Gideon's reparation extends beyond the show's plot and therewith the criticism of torture as unconstitutional and can be read as directed not only at the fictional *CIA* but at the dealings of the real *CIA* as well.

The show frames these dialogues in terms of critical partisanship and reparation. On the flight to Guantanamo, Gideon's voice contextualizes the episode's theme from the off: "Dale Turner mused 'Some of the best lessons are learned from past mistakes. The error of the past is the wisdom of the future.'"[399] The sound seems diegetic but Gideon is never shown to deliver this sentence at any point of the episode. The technique opens up a specific interpretative space. On the one hand, it can be read as a rejection of the specific trajectory which US-American politics took in regard to torture and terrorism after 9/11. But more importantly it is also an offer to the reader to pay particular attention to the diegetic alternative which *CM* will portray in this episode. In other words, it primes the audience on the question what lessons can be learned by observing the episode's investigation.

4.2.2. Distancing and the Necessity of Torture

I have shown that *Criminal Minds* sides with the *FBI* in the institutional conflict on interrogation methodology between the *BAU* and the *CIA* with the episode's portrayal of Gideon's methods as successful in contrast to the *CIA*'s approach. In the following, however, I will show that in addition to the possibility of understanding Gideon's success as a result of non-coercive interrogation techniques, another reading is possible. The *BAU* agent's success is

[398] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[399] This quote, which was also used for the episode's title, goes back to Dale Turner who was an American musician and trumpet player of the rock band Oingo Boingo, popular in the 1970s.

dependent on his self-positioning as being other than the *CIA*, so much so, I claim that his method, in fact, necessitates the torture which Jind Allah experienced.

Before entering the interrogation room and interrupting the two *CIA* agents' harsh treatment of Jind Allah, Gideon requests Bingaman to let the interrogation "proceed normally", at least for a while. He explains: "I'm gonna interrupt and demand they stop harassing."[400] Bingaman seems confused and asks if he should tell the *CIA* agents about the interruption in advance but Reed declines explaining that "it's better if they don't expect it. The reaction will be more visceral, more believable."[401] It is their plan to put up a show "[f]or Jind Allah". And Gideon explains: "He [Jind Allah] needs to see me as a complete contrast to what he's come to expect from his captors."[402] The *BAU* agent reiterates this also in front of Jind Allah claiming that "[t]hey [the *CIA*] and I have... very, very different motives and methodologies."[403]

Part of Gideon's strategy in increasing the distance towards the *CIA* is his declaration that it is his wish to understand the other man's motives in an attempt to find a peaceful way for the co-existence of Middle-East Muslims and predominant (Christian) Americans.[404] The *BAU* agent begins engaging Jind Allah in an argument about his resort to violence and the teachings of the Quran in this regard. During these dialogues, Jind Allah involuntarily reveals a lot of information about himself. The team is able to identify him as Egyptian by his pronunciation and eventually discover that Jind Allah is actually a hafez[405] who goes by the name of Jamal Abaza. Abaza recruited "terrorists" for his Jihad after he had lost his family in a bombing of a bazaar in Cairo, a bombing of supposedly American origin. The team connects him more clearly to the Omega cell but Abaza does not reveal the location of the planned anthrax attack.

Only minutes before the planned attack is about to take place, Gideon and Reed enter the interrogation room together and Gideon explicitly admits to Abaza that he has been lying to him during their talks. He admits that the team was surveilling their conversations. Abaza appears unaffected by the information. Gideon then re-positions himself, facing Abaza, and suddenly touches a faux-earpiece as if receiving a radio transmission. His face, visible to Abaza, becomes concerned and he leaves the room with Reed. Jamal Abaza begins his prayer. For

[400] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[401] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[402] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[403] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.
[404] In my reading, I follow the camera's perspective and focalization as it is presented in this episode. The focus and majority of screen time lie with Gideon and his team to whom Jind Allah is 'merely' another suspect.
[405] *CM* does not elaborate on the concept of a "hafez", but the information given characterize Abaza as a religious authority.

Abaza, as for the audience, this indicates that the attack has already taken place and the team was unsuccessful. Gideon re-enters appearing distraught. In the background, visible through the open door is a TV displaying a news report covering a "terrorist attack".

Gideon engages the prisoner Jind Allah in a final argument about the moral perfidy of the alleged attack arguing that innocent people were killed. He accuses Abaza of perverting his faith and of sending people to their death, like a puppeteer. Abaza counters, as he did before, that they were not innocent and that the American president is a similar puppeteer. Finally, Abaza becomes very explicit about the legitimation and details of his "jihad".

> *Abaza*: There is no such thing [as innocence], Gideon. They were infidels. And they were engaged in activities that spread American policies over the entire world. Your incessant need to own things, material things. Your capitalism rests on the back of third world countries. No one's hands are clean. No one is innocent.
>
> *Gideon*: Those people tonight, they were innocent. They never hurt you.
>
> *Abaza*: They hurt me by existing.
>
> [Gideon averts his face and his facial expression distorts showing despair and disgust.]
>
> *Abaza*: Yes, the infidels shall fall at the hands of the righteous. And that is when the Jihad will end.
>
> *Gideon*: So, you are ready to murder 4 billion people.
>
> *Abaza*: America has learned nothing from the past. You harden targets like your power plants, but you leave the soft root for our taking. What has happened tonight will affect your economy for years, the way September 11th affected air travel. And maybe the next time a giant shopping center opens, people will think twice before going.[406]

Upon hearing this, Gideon walks out of the room and informs the team in the field that it is the opening of a shopping center which the Omega cell is planning to attack. Based on this information, Agent Hotchner and his colleagues are able to apprehend the suspect in time and prevent the attack from taking place. The camera never returns to Abaza and the episode closes with agent Gideon beating agent Reed in a game of chess on the flight from Guantanamo.

In retrospect, it becomes apparent that Gideon and his team used Abaza's prayer cycles to make him believe it was later in the day than it actually was. They instrumentalized his isolation and lack of access to sunlight to distort his sense of time. More so, in order to gain at least some trust from Abaza, in order to make it possible that the latter would accept his information regarding prayer times, Gideon needed to appear as the complete opposite of the *CIA*. Gideon's behavior during interrogation – his acts of reparation, his criticism of the *CIA* and torture, his attempt to understand "the unsub" – appear as part of his strategy. Such behavior

[406] "Lessons Learned," *Criminal Minds* 22 Nov. 2006.

might be a realistic representation of non-violent interrogation. But within Gideon's strategy to overcoming the prisoner's resistance, torture was a necessary component against which Gideon positioned himself strategically in order to gain the detainee's trust.

From the perspective of the series *Criminal Minds*, on the micro- and middle or episodic level, "Lessons Learned" is an episode which presents the main characters faced with a number of problems which they are eventually able to resolve. Within the logic of the PTS serial storytelling, the episode is structured in a way which offers to side with the main characters, as the ones that should succeed in preventing the terrorist attack. Gideon as the central figure and authority within the *BAU* team is integral in solving the puzzle of the case at hand, or to remain in the show's own suggestive image, the game of chess. With regard to the treatment of torture, however, Gideon's behavior when viewed from a "macro" level as well as the episodic emplotment, in particular the show's distribution of information leading up to the deception of Jamal Abaza, problematizes the reading of the award, which lauded the show for it avoidance of torture. Gideon is, from the episodic perspective, successful in thwarting the terrorist plot. While he refuses to rely on torture explicitly, he readily utilizes the torture of the *CIA*. This characterizes him as an opponent of torture out of pragmatism rather than out of a moral, legal or ethical concern. Michael Newman argues that on a macro level, PTS tend to have much more depth in characterization than procedurals like *Law & Order*, or *CM* for that matter. *CM* does not return to GTMO or to the case of Jind Allah in another episode and one could argue that "Lessons Learned" is a rather self-contained plotline. However, I would argue that when viewed from a macro level, agent Gideon's pragmatic approach to the case is present in many other previous and later cases. It seems to be a pragmatism born out of the necessity to confront the crimes and dangers which, as the show argues, exist.

During investigations, Gideon is an important source of knowledge and evaluation for his team, who often rely on his advice. This characterizes Gideon as a trustworthy source of evaluation and judgment for the audience. This characterization is serially enforced episode by episode. From this perspective, Gideon uncovers not one criminal in "Lessons Learned" but two: Jind Allah as the terrorist and on a discursively more interesting level, the *CIA*. It is an offer to the US-American discourse on torture, which is at the time still negotiating what happened in Abu Ghraib and Bagram, debating if waterboarding constitutes torture, and whether or not torture actually works. By identifying the *CIA* as the true perpetrator, as the agency responsible for the crimes and torture committed in Afghanistan, Iraq, and Guantanamo, *CM* moves beyond the question if torture is permissible. It argues that the *FBI* is using other techniques of interrogation than the *CIA*. Gideon and the *FBI* refuse torture and criticize the

CIA for their use of it. Their opposition does not stem from the notion that it does not work. It serves a purpose for Gideon as I have shown. Rather, torture is implicitly portrayed as impractical, necessitating too many steps until a confession is reached.

Taking the show and its two contexts together – the award and the public discourse on torture – the difficulties of attempting to use a televisual representation of torture as a discursive landmark become apparent. On the one hand, the many facets of serialized storytelling, even if told and shown in a rather episodic and contained form, tend to subvert attempts at tying up and instrumentalizing its representations for political purposes.

Furthermore, the institutional contexts of the show, its creation, production, as well as publication and reception call into question the message which the award attempts to communicate. In the case of *CM,* the perspective on torture appears even more restricted to that of the *FBI*. Not only is the critical authority ascribed to an *FBI* unit (*BAU*) but the episode's creator as well as one judge on the prize's panel are affiliated with the Bureau. Considering that the public discourse is so much concerned with what is and what is not torture after Abu Ghraib and the infamous 'enhanced interrogation techniques' and that the *FBI* appears to be in rivalry with the *CIA*, I would argue that the episode hardly lends itself for the consideration of a human rights award.

In fact, one could argue that *CM*'s rejection of torture which is based on pragmatic reasoning is a rather odd choice for a human rights informed award which typically refuses torture out of moral and ethical concerns, which understands torture as a violation of human rights and dignity and less as practical problem. Instead of awarding a fictionalized pragmatic refusal of torture by the *FBI*, their agents, their implicit reliance on *CIA* torture and subsequent methods, *24* might have oddly been a much more fitting candidate for the prize. To elaborate, despite its lack of a victim's perspective or critical examination of torture, *24* did create a vibrant critical discourse about torture representation and torture. *CM* did not and – considering the award origination – it seems that it is rather the award than the television show which attempted at giving the debate a new direction, one which was triggered by *24*.

5. Torture in the Past, Present, and Future – Human Rights and Non-Human Torture Victims in NBC's *Battlestar Galactica*

Battlestar Galactica (*BSG*) (2003-2009) has been discussed as a cultural product of political and social pertinence. Not only has the show and its torture representations been regarded positively by reviewers, but the United Nations invited the creators and actors of the show for a panel discussion of its themes and representation of torture. Within the frame of this study, the discussion of the show's depiction of torture can be characterized as one which – after the scandalization of torture in *24*, the de-scandalization of torture in *Alias*, and a problematic appraisal of the negotiation of torture in *Criminal Minds* – attempted to valorize and affirm a universal political and social relevance of the show and its handling of torture.

There are two timelines to take into account when looking at the subject positions within the torture representations of this project. In terms of the representation of torture within show, *BSG* is developed and screened around the same time as *24, Alias*, and *CM*, i.e. from 2003 to 2009. The topic of torture, however, is not approached before February 25, 2005. Even more noteworthy is the fact that it is nearly exclusively Cylons that are being tortured on *BSG*. While they are mostly shown to be tortured by humans, the true identity of characters is not always clarified at the time of torture, meaning that curious constellation of human/torturer and Cylon/tortured is often only revealed later. It is primarily season two which is concerned with torture and all of these instances happen under some form of governmental or military supervision and while the victim is incarcerated.

However, as a participant in the discourse on torture, *BSG* is introduced only much later. The show's representations were lauded in 2009 by the United Nations. From this perspective *BSG* has received favorable attention about 4-5 years after the most active negotiations of *24* and *CM* which took place since 2004 and went on roughly until the end of 2007. Considering the screening period, the United Nations event constituted a rather late appraisal for *BSG* within the discourse of torture and terrorism. But the event also celebrates *BSG*'s recent conclusion in 2009 which featured a similar late revelation. In the series' final episode, it was indicated diegetically that the show's world while coming to an end really is 'our' (i.e. humanity's or US-American population's) prequel.

5.1. "We are all Cylons. And every one of us is a Colonial."[407]: *Battlestar Galactica* at the United Nations

BSG describes a devastating interstellar conflict between humans and a robotic race, the Cylons. While this might appear as futuristic science fiction for viewers the final episode illuminates that BSG's story is one which happened before the time of the show's screening. In fact, in a surprising twist, the last scene of the show reveals all previous episodes to be a form of alternate history of human kind. The final episode portrays two of the show's main Cylon characters in today's New York City. They read an article in the magazine *National Geographic* which reports on the archaeological discovery of the skeleton of "mankind's first mother".[408] It is made clear through their dialogue an on-screen text that this skeleton was part of the spaceship's crew which arrived on planet earth 150,000 years ago. But also, it is stressed through the display of images of 'our' current technological advancement in robotics that there might be a chance that we are in a cyclical moment of history, and humanity is on a path to repeat the mistakes which that audience just witnessed in five seasons of *BSG*. This revelation allows for a reading of *BSG* which offers the show as a cautious and instructive tale for the audience.

This plot twist at the end of the series and the United Nations event highlight the specific structure and potential of my discourse analytical approach to *BSG*'s negotiation of torture. *BSG*'s serial development necessitates taking a number of contexts into account when analyzing torture. Firstly, it is the episode itself which portrays torture and that surrounds the torture scene with semantic context. Secondly, from a serial perspective, the last episode places torture within the trope of a cyclical development of history.

Discursively, the torture scenes were screened during specific moments of the torture debate. In the case of *BSG*, torture was a recurring theme during its second season between February 2005 and February 2006. This places most of *BSG*'s torture scenes in the middle of the aftermath of Abu Ghraib and Bagram and the discussion if what happened was torture. The scenes were also accompanied by negotiations if the methods revealed in the torture memos and particular waterboarding constitutes torture. The award opens another context which has a strong instructional and pedagogic aspect but also directs attention towards the torturer and their perspective as will be shown later.

The aim of this chapter is to analyze the form of torture representation and the negotiation of the practice within *BSG*. How the emplotment of torture is developed serially

[407] Keith B. Richburg, "United Nations Sends 'Battlestar Galactica' Off with Great Diplomacy," *The Washington Post* 19 Mar. 2009.
[408] "Daybreak (2)," *Battlestar Galactica* 9 Mar. 2009.

within the context of increased political observation and attention connects to the overriding questions of this study. The following chapter aims at (1) locating *BSG* alongside previously analyzed television series within the discussion of torture representation, and (2) examining which claims can be made about the historical development of the attention paid to televisual torture representations after 9/11, especially at the time when the series was taken up by the United Nations.

5.1.1. Remaking a "Space Opera" for the "War on Terror"

BSG premiered on December 8, 2003, broadcast by the US-American cable program Sci-Fi Channel, renamed SyFy in 2009. The show was produced by NBC Universal in cooperation with British Sky Broadcasting which began producing a two-episode miniseries on June 11, 2003. After its successful premiere in December, the production of a continuing series was announced in March 2004.[409] Conceived by Ronald D. Moore – who had previously been involved as a writer for the *Star Trek* series – and producer David Eick, the main series ran from 2004 to 2009 encompassing four seasons at 20 episodes each, except for the first season which counted only 13 episodes.

The 21st century version of *BSG* was, in fact, a remake of the 1978 television series by the same name. Produced by Universal Television and screened by American Broadcasting Company (ABS) the original version of the show was conceived and produced by Glen A. Larson. In the original story the remnants of a human "race" escape on a small fleet of spaceships and a warship called "Battlestar Galactica" from the war with a robotic race. The Cylons, as the robots are called, were created by a bygone reptilian race as work "slaves". After a conflict with human forces, Cylons entered into a war against humans during which Cylons launched an attack on human colonies with the intention of destroying their entire civilization. The few human survivors of the attack fled deeper into space in an attempt to find a mythical planet earth. Earth, within *BSG* mythology, was the origin of mankind in the universe after which the thirteenth tribe of humans left the planet and dispersed into space. The original *BSG* ran for one season and was not a very successful television show but generated a loyal fandom.

While many of Larson's 1978 plot lines were adopted in 2003, they were often expanded or altered. The show's story begins with the extinction of nearly the entire human race. A large-scale nuclear attack by a robotic race called the Cylons struck the twelve planets inhabited by the human "tribes" unprepared. The human race was all but extinguished except for a small

[409]Cesar G. Soriano, "'Battlestar' Is in a Timely Space Continuum; Season Ends Tonight with a Cliffhanger," *USA Today* 1 Apr. 2005.

number of military and civilian space ships which evaded the Cylons. At the center of both the old and the reimagined series' story lies the "Battlestar Galactica". Nevertheless, despite numerous references and allusions to diegetic aspects of the original show, *BSG* 2003 is framed by producers, writers, critics, and fans as a remake of the original story rather than a continuation.

In fact, a number of differences can be discerned in particular with regard to the negotiation of torture. The old *BSG* had made only cursory allusions to the historical context of the cold war. The remake, however, entailed many offerings to the current public discourse in the US on a number of levels, discursively participating in negotiations on "terror" and the "war on terror" as well as the implication of the US-American government in torture. The war with the Cylons, the escaping fleet and the religious-mythical universe which frames the quest for earth are all at the core of both shows. The later version, however, altered Larson's religious-mythical story arc[410] and depicted the Cylons as religious fanatics. The Cylons themselves are not products of an alien race but man-made. While the majority of old Cylons consisted of warriors, akin to robotic knights in shining armor with swords, cape, and a blinking visor, the reimagined Cylons take on several forms. Some of them even come in human form, at one point identified within the show as "terrorist sleeper cells". In addition, the establishment of a civilian government to counter the military authority of the "Galactica" is granted much diegetic room. In this context, the role of and approach to torture as a tool in times of war is repeatedly depicted and discussed.[411] Finally, *BSG* 2003 tells its story in a much more serialized format and – in contrast to the original rather self-contained episodes – links its episodic plot lines more strongly together.

The early reviews of the 2003 *BSG* noticed a stark contrast between both shows. Reviewers were often derogatory of the 1978 version calling it an "old Star Wars rip-off

[410] Often read as stemming from Mormon religious concepts. See: Richard Berger, "What Does "Re–Imagined" Really Mean?," *Battlestar Galactica and Philosophy: Mission Accomplished or Mission Frakked Up?*, eds. Josef Steiff and Tristan D. Tamplin (Chicago and LaSalle: Open Court Publishing, 2008) 317-328.; also: James E. Ford, "Battlestar Galactica and Mormon Theology," *Journal of Popular Culture* 17.2 (1983) 83–7.

[411] The Cylons in *BSG* 1973 did rely on interrogations – often set in medieval fortresses – to locate the "Battlestar Galactica" but torture is not used nor seriously discussed. Interrogations by Cylons have a tendency towards violence, however only marginally. When colonial warrior Starbuck is captured and threatened with torture by Cylon leader Baltar, he responds rather jokingly and unafraid: "I just want you to know, torture won't do you any good. I had a course in resisting." As the guards apprehend him, he adds: "Hey, hey, hey, careful. I bruise easy!" ("Lost Planets of the Gods: Part Two," *Battlestar Galactica*, Creat. Glen A. Larson, Writ. Glen A. Larson and Donald P. Bellisario, NBC, 17 Sept. 1978 – 29 Apr. 1979, Television, 1 Oct. 1978.). In "Gun on Ice Planet Zero: Part Two", Cylons place a colonial soldier in a chamber which transports him in a state of unconsciousness during which they try to read his mind. Neither the effect of this exposure on him, nor its use by the Cylons is ever addressed again. ("Gun on Ice Planet Zero: Part Two," *Battlestar Galactica* 29 Oct. 1978.)

clunker", [412] "lousy",[413] and one of the "most expensive flops in television history […] popular only with children"[414]. Not surprisingly, the new writers, producers and actors of *BSG* were careful to distinguish the remake from the old "campy"[415] "space opera"[416]. Bonnie Hammer, then Sci-Fi Channel's president called the premise of the new show "edgier"[417]. David Eick proclaimed that "[i]nstead of grandeur" they aimed for "immediacy"[418]. Reviewers overall agreed with this reading of the remake and positively commented on the departure from the old version. Early on, they claimed that the reimagined *BSG* emphasized "realism and dramatic conflict over escapism and fantasy"[419] and in particular it was seen as more political "evok[ing] Sept. 11 horrors"[420], calling it a "darker, smarter, morally ambiguous update"[421].[422] The reviews and public attention which *BSG* was granted at various moments in its four seasons repeatedly reiterated the value of the show's political statements, and, in particular after 2005, its handling of torture. The series' offering of a political discussion called for the attention of a wide range of participants, including an active interest on the part of the United Nations.

5.1.2. The *Battlestar Galactica* Panel Discussion at the United Nations

On March 17, 2009, a select group of producers, writers, and actors of *Battlestar Galactica* (*BSG*) attended a panel discussion at the United Nations' headquarters in New York to speak about the show and its themes including its representation and handling of torture. *BSG* was in its final season and about to screen its last episode on March 20, 2009. Chaired by actress Whoopi Goldberg, [423] the hearing was an appraisal of the show's past achievements, a show

---

[412] Bill Keveney, "Critic's Corner," *USA Today* 8 Dec. 2003.
[413] Keveney, "Critic's Corner" 8 Dec. 2003.
[414] Bill Carter, "HBO Joins the Circus, PBS Has 'the Blues'," *The New York Times* 7 Sep. 2003.
[415] Bill Keveney, "New 'Battlestar' Veers from Old Flight Plan," *USA Today* 8 Dec. 2003.; Bianco, *USA Today* Jan 14 2005. See also Virginia Heffernan, "In Galactica, It's Politics as Usual. Or Is It?," *The New York Times* 26 Oct. 2006.
[416] Hal Hinson, "Fashioning a Future with an Eye toward the Present," *The New York Times* 7 Dec. 2003.; Soriano, "'Battlestar' Is in a Timely Space Continuum" 1 Apr. 2005.
[417] Keveney, "New 'Battlestar' Veers from Old Flight Plan" 8 Dec. 2003.
[418] Keveney, "Critic's Corner" 8 Dec. 2003.
[419] Hinson, "Fashioning a Future with an Eye toward the Present". 7 Dec. 2003.
[420] Ned Martel, "The Cylons Are Back and Humanity Is in Deep Trouble," *The New York Times* 08 Dec. 2003.
[421] Bianco, "Critic's Corner," *USA Today* 14 Jan. 2005.; Jonathan D. Glater, "Retooling a 70's Sci-Fi Relic for the Age of Terror," *The New York Times* 13 Jan. 2005.
[422] In fact, *BSG* 2003 was also read as a departure from outdated forms of science fiction and their fans: "the show's savvy creators mess with orthodox minds of sci-fi enthusiasts, who often demand strict adherence to original concepts. The producers have made a war movie in sci-fi trappings, and they slip in some arch political themes while viewers are dazzled by blinking lights." (Martel, "The Cylons Are Back and Humanity Is in Deep Trouble" 8 Dec. 2003.; cf. also Hinson, "Fashioning a Future with an Eye toward the Present" 7 Dec. 2003.; John Hodgman, "Ron Moore's Deep Space Journey," *The New York Times* 17 Jul. 2005.)
[423] The UN appears to have had an interest in publicizing the event as it was filmed professionally. Even though I could not find much information on the production of the event (if it was broadcast on television or just uploaded to YouTube or who produced the live recording), it is a technically sophisticated recording with cuts throughout the clip. The cameras cut to the speakers from different angles at the moment of speaking and film the audience

which after four consecutive years was bringing its story to a conclusion. The event, which included the organization and participation of a number of institutions, expanded the scope which previous discussions of televisual torture representations had seen. The focus concerning shows like *24, Alias, Criminal Minds*, or *Lost* lay primarily with their effect on a US-American audience against the background of a US-American discussion of torture. In contrast, the United Nations as well as representatives of *BSG* argued that their area of relevance extended to all humans and their cultural productions.

Similar to the award bestowed on *Criminal Minds* by Human Rights First (as discussed in chapter 4.1.1. of this study), the UN panel discussion can be read as instructional and educational in nature. This reading is grounded in the repeated references made to underrepresented conflicts and instances of suffering in the world as well as in the reiterated demand to give victims of terror and war a voice in the political processes around the globe. In this light, the panel was observed by a number of high-school students who actively participated in the discussion through comments and questions and whose participation was made possible by SyFy's own pro-social initiative "Visions for Tomorrow"[424] and the New York City based NGO Think Quest.[425] The latter institutions were also educational in their approach.

In view of so many different participants and diverse agendas, one must not forget to consider all statements made during the UN negotiations as acts of (self-)positioning of the people and institutions involved. In other words, these statements might say something about the show, but, and this is of equal interest to this analysis, they can also be understood as enabling each side of participants to position their contextually and institutionally conditioned agendas through their particular readings of the show.

For the creators of *BSG*, the event was in this respect a validation for their attempts to disassociate the new version from its "campy" history and genre. It gave them another opportunity to position the show as serious television and one which was relevant for society. On the side of the television industry's attending representatives, the president of the SyFy

---

to establish the atmosphere of the event and during the Q&A session. *The New York Times* and *Washington Post* reported on the event as well, which indicates that they were informed in advance by the UN PR office.

[424] "Visions for Tomorrow" was founded in March 2006 (cf. Rick DeMott, "Sci Fi Channel Announces Visions for Tomorrow Advisory Board," *AWN.com,* Animation World Network, 3 Oct. 2006.) and was accompanied by the website *visionsfortomorrow.net*. It appears as though the initiative upended its work at the beginning of 2010 as the website does not exist anymore and my research in the Internet Archive dates the last entry on the site from December 2009. Cf. "News," visionsfortomorrow.net, SyFy Visions for Tomorrow, 3 Sep. 2011.

[425] ThinkQuestNYC was an organization primarily working on creating educational resources for high-school teachers in low-income areas so they might better acquaint their pupils with technology and the internet. It appears as if ThinkQuestNYC discontinued their work shortly after the event, towards the end of 2009, due to a lack of funding.

channel,[426] David Howe, contextualized *BSG* within what he perceived to be the political and societal functions of the science fiction genre. According to Howe, science fiction was "always" about the human condition today, and in his words it was particularly *BSG* which asked the important questions: "who we are and […] where are we going, are we headed in the right direction, and what can we expect to find once we get there?"[427] Because of the popularity of the "entertainment industry", Howe sees this area of cultural production furnished with a "powerful voice to reach a wider audience".[428]

For the UN, on the other end, *BSG* offered a chance to propagate the institution's agenda within a context of popular culture and, hence, to a very broad audience. As Kiyo Akasaka, the UN's Undersecretary General of Communication and Public Information, reminded the panelists and audience, it was particularly the recently established "Creative Community Outreach" (CCO) initiative which had laid the framework for the invitation of *BSG*. The initiative's aim, as defined further, was to "forge meaningful and productive relationships with international film and television industries".[429] The UN was pursuing public relations goals as well as political aims with its initiative. As explained, the CCO program sought "to not only provide information about the *UN* but also to find innovative ways to raise awareness on priority issues for all of us."[430] The invitation of *BSG* creators and actors would make for a first step in the program.[431]

In order to justify the collaboration, it was essential for both sides to identify their common interests and goals. Issues such as "children and armed conflict, reconciliation [and] human rights and terrorism" have been a concern of both the show and the UN, as Undersecretary Akasaka and actor Edward Olmos playing Admiral Adama stressed.[432] Crucially for this study, it was understood that torture, too, was a concern of both the show and the UN and that its representation was framed as a powerful tool when handled critically in a popular format such as *BSG*. Entailed in an influential medium and genre, the show's handling of torture (and other political issues) – by raising awareness and proposing solutions – was

[426] The Sci-Fi channel was re-branded a few days earlier to the panel discussion. Cf. Stuart Elliott, "Sci Fi Channel Has a New Name: Now, It's Syfy," *The New York Times* 15 Mar. 2009.
[427] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[428] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[429] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[430] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[431] To be precise, an early first step was already made in March 2009 when the UN allowed the television show *Law & Order: Special Victims Unit* to film sections of an episode in the buildings of the UN headquarters. (Mark Leon Goldberg, "Law and Order: SVU to be Filmed at the UN," *undispatch.com*, UN Dispatch, 10 Mar. 2009.)
[432] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.

identified as a successful transformation of the problems and aims which UN representatives claimed were universally important for humans around the globe.

5.1.3. "We are all Cylons": Torture as Part and Problem of Human Existence

A number of similarities or shared opinions and arguments about torture can be discerned as they were presented at the event. In this context, torture was considered by both parties: (1) as a reality of life, as part of, and influential in effect for, the conditions of human coexistence; (2) as a human rights violation and crime to be faced; and (3), perhaps most crucially, its use by governments was identified as a proof of the unavoidable "evil" or "bad" aspects of human beings.

The crux in this argument – making torture not only the product of humans but productive in the conceptualization of the subject of human rights – is that this kind of "human" is again included under the human rights regime as its subject and bearer making the fight against torture a never-ending affair. Strikingly, *BSG* was distinguished with UN's attention because of its negotiation of torture and this problematic subject of human rights.

The criticism raised at the event against human rights violations and the applications of torture, both by the creators of *BSG* and the representatives of the UN, had less the form of verdict or condemnation but was presented as corrective disagreement or rectification. Of course, the event was not the context for a legal debate about the implications of torture. And yet, this rhetorical distinctiveness is also in line with or an effect of the logic which conceives the human as at least partially inherently "evil".

Another common similarity evoked at the panel discussion was the method of countering human rights violations and perceived injustice by sketching alternative societies with an exemplary function for humanity. As will be shown in the following, the representatives of the UN argued and demonstrated their comparable reliance on imagining such alternative worlds via concepts and thought experiments stemming from academic political theory. While the latter legitimized such sketching of exemplary societies with the nature of their work as human rights lawyers, the makers of *BSG* justified their creation of an alternative reality with complex (fictional) human beings and its relevance to (real) humans by constructing a specific kind of implied audience.

The relation between the UN and the television show *BSG* was presented explicitly as one relying on a shared concept of torture, the human, and human rights, particularly in times of conflict. As SyFy's president Howe spelled out, *BSG* "took an unflinching look at the most

hallowed truths and the most terrifying fears of the human race, challenging our concepts of justice, faith and humanity."[433] Torture was presented as a central plot device in this respect.

Two scenes were selected as examples from *BSG* which dealt respectively with the torture of the Cylon prisoners Leoben Conroy and Caprica Six. A screening of the former scene was accompanied by an audio commentary placing it in context: "Conflict is the ultimate test of a value system. Torture and human rights violations fester in times of war and unrest. The colonists grapple with these real world dilemmas."[434] Leoben's torture is contextualized here as the result of the fleet's anxiety and their crew's perceived threat through Cylon "sleeper agents": "With the discovery of humanoid Cylon models within the fleet, anxiety reached a fevered pitch."[435]

The scene was read by the Deputy Director of the NY office of the High Commissioner for Human Rights, Craig Mokhiber, as exemplifying the dangers of state-condoned torture and the dehumanization inherent in the practice as well as moral relativism legitimizing torture. He used *BSG* to argue that it shows why it is wrong to dehumanize humans under torture by highlighting the ambivalent nature of human beings. Mokhiber read the scene not only as criticism of the current situation of human society and the state of human rights, but also as a correction of a false conception of the moral and ethical dimensions of being human. According to Mokhiber, it is especially the "idea of the slippery slope of moral ambiguity, of moral relativism" which *BSG* is critical of.[436] Switching into the role of human rights lawyer and less that of a cultural critic, he denounced a development which he saw at work globally. Moral relativism which presents 'us' with a "false dichotomy of security vs. human rights",[437] takes hold; and governments, so Mokhiber, infringe upon basic rights and freedoms of individuals. From within this development's vantage point it became very "easy […] in our societies to compromise on those things that we think are fundamental for ourselves".[438] More precisely, this perspective of moral relativisms defines security as "state security" and in this regard it is tempting to define "human beings as the other, so we can dehumanize them and ultimately destroy them".[439] Instead of adhering to what Mokhiber called the "common set of norms that are universally agreed [upon]", human rights are considered "a quaint old notion […]".[440]

---

[433] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[434] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[435] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[436] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[437] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[438] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[439] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[440] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.

Torture in this respect becomes an appropriate measure defended by the "hard new times" which need "new rules": "We need to deal with people in ways we might not like to […] [and] suddenly we can't pay attention to the rules of human rights."[441] As a supporting voice for his cause, he quoted *BSG*'s character Kara Thrace who screamed "we are going in the wrong direction".[442] While Kara was criticizing Adama's course in the search for Earth, Mokhiber spoke of a general development of human existence and its political organization. For Mokhiber, *BSG* not only examines this argumentative logic critically in its plot, it shows a way out, one which is visible in its understanding of the human character: "[W]e have to get rid of the idea of good guys and bad guys. Because today I may be victimized, tomorrow I may be a victimizer."[443] In his's argument, humans are inherently ambivalent which, according to his reading of *BSG*, the series presented through its multilayered characters: "Every one of us is a Cylon. And every one of us is a Colonial."[444]

Writer and producer Ron D. Moore reiterated Mokhiber's argument when asked by a member of the audience what – in his opinion and after having finished *BSG* – it means to be human. By placing the show's creators next to UN representatives in the panel, the Q&A sessions of the event positioned the creators of *BSG* as having comparable insight into the intricacies of the "human condition"[445] and the problems of global politics. Both Ron D. Moore as well as executive producer David Eick present their arguments as equally relevant for the understanding of the show and for human beings as political and ethical subjects. In reverse, they also verify Mokhiber's reading of *BSG* as they do not contradict it.

Moore agreed that it was one of the fundamental questions of the show to ask: "What is it to be human, what does it mean to be human? How would you know it? At what point would you start to believe [the Cylons] are human? Or at least believe they had souls or […] worthy of personhood and rights […]."[446] However, the show does not merely raise these questions. According to Moore, it entails a message. One of the aims writing the show was:

> establishing in the audience's mind that in a contradiction of the human condition [sic!] that we all carry seeds of good and evil with us and we tend to act on them in unexpected moments and in unexpected ways. And so we worked very hard to get to a place where

[441] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[442] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[443] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[444] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[445] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[446] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.

> we never really wanted the audience to be comfortable with the idea that the Cylons were truly good or that they can all be redeemed and likewise with humanity […].[447]

Mokhiber described such constructions of alternative and exploratory universes developed by *BSG* as akin to the typical work of a human rights lawyer. In his reading, *BSG* can be understood as a thought experiment of human society, a method often applied in political theory. Referring to John Rawls' "original position", [448] Mokhiber read the show's alternative reality as asking "what would happen if society was wiped out, what kind of society would we want to build?". These questions are akin to "Rawlsian analysis" which asks "[i]f we were blind and we had to do the ordering of society and we didn't know that we were gonna be the rich or the poor, the powerful or the weak, the black or the white. What kind of rules would we put in place?"[449]

While Mokhiber stressed that such hypothetical scenarios are part of the work of human rights lawyers in the endeavor to face human rights violations; the creators of *BSG*, in contrast, developed the legitimacy and relevance of the series' fictional world, in addition to the resonating conceptions of the human, by contouring an implied audience in need of a specific kind of stimulation. By relying on the image of an unsuspecting, uninformed but sensitive audience, the creators characterized *BSG* as a demanding and challenging television show, as serious television and implicitly propagated the image of the series as a politically serious and socially relevant format.

This would be partly achieved by dissociating themselves from previous attempts of representing torture on television. As Moore explained, *BSG*'s attempt to create a representation of torture was different from the "classical" versions over which audiences could 'band' about. They tried not to disprove earlier depictions of torture or delegitimize these but challenge the audience by widening the focus on the participants and the effects of torture:

> Our approach was essentially […] to say: it happens, it's going to happen in this scenario and what is this do [sic!] to the human beings that participate in it on both sides of that. […] Not just the person who is being tortured and [who is] trying to get that information from them but what does it do to the people who are in charge of it, the person that is in the room, the president who has ordered it.[450]

---

[447] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[448] Even though Mokhiber does not name or reference it explicitly, he seems to be referring to John Rawls' hypothetical scenario of the "original position," which Rawls developed in his 1971 study *A Theory of Justice*.
[449] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[450] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.

Furthermore, Moore's argument relies on a specific implied audience which is challenged through *BSG*'s handling of torture. As he explicated,

> [The episode] "Flesh and Bone" was essentially an opportunity […] to have the audience think about these issues and these questions. […] I think that the show tried very hard over the course of its run not to […] say: Guess what, here is the answer to these problems. Here's how we are gonna solve torture, here is how we are gonna solve this […] ticking-time-bomb scenario. It was essentially to say: Think about this scenario. Put yourself in this scenario, from a different point of view. Here is that ticking-time-bomb scenario, he is a Cylon, he is saying he got a nuclear weapon somewhere in the fleet. We do like Kara Thrace, she is our hero. Now watch her go on this journey, and feel what happens in that room back and forth. It was just trying to take something that was starting to become talked about in the press and […] bring it into the drama but not make it […] a neat moral dilemma.[451]

In order to justify their approach and the political relevance – made all the more necessary upon an invitation by the UN and at an event where the series would be put in a position where it needed to produce or, in fact, present itself as already harboring an implied message –, *BSG* representatives needed to create a demand on the part of yet another pool of participants. Underlying Moore's instructive approach to telling the show's story is a rather unflattering conception of his audience. This imagined audience is detailed further in his closing remarks:

> We challenged the audience in a lot of ways, we pushed a lot of tough ideas at the audience, we made them look at a lot of ugly things over the course of the four years. We had them question their heroes, we had them root for their villains, we had them [sic!] tried to grapple with […] really complex moral and ethical dilemmas in the disguise of a weekly television series about killer robots in space.[452]

He produces the image of an audience for whom, on the one hand, the representation of torture is difficult to endure while, on the other, they are expecting a hero within the scenario with whom they can identify. Additionally, this audience was supposedly challenged by the "complex moral and ethical" dilemmas while possibly expecting and accustomed to other

[451] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.
[452] "United Nations – Battlestar Galactica," *YouTube*. 22 Apr 2011.

stories. His audience is also one that apparently needs to be challenged and needs to be made "uncomfortable".

It is important to note at this stage – and in order to understand this chapter's interest in a close reading of torture as represented in *BSG* – that the scenes of torture which supposedly do exactly this and which were presented during the discussion were remarkable in three aspects. The selection of *BSG*'s torture negotiations for presentation and discussion at the UN event has been limited mostly to two episodes, namely "Flesh and Bone"[453] and "Pegasus"[454]. These episodes rely only on scenes which have been identified explicitly through characters within the show as "torture". Finally, the discussion of the selected torture episodes neglected entirely the indicators of serial conjunction to later torture scenes and hence the strong embeddedness of the selection within the greater serial story arc of *BSG* which proposes a cyclical development and repetition of history. Another blind spot can be observed in the debate of *BSG*. When looking at the event while taking the previous prominent discourse on torture representations into view, that on *24, Alias*, and *Criminal Minds*, a discourse which Ronald D. Moore addressed himself when speaking of the ticking-time bomb scenario, it is rather striking that, again, it is not the victim which is of interest here but the torturer's experience.

[453] The torture of Caprica Six in the episode "Pegasus" ("Pegasus," *Battlestar Galactica*, Writ. Ronald D. Moore, Glen A. Larson and Anne Cofell Saunders, Dir. Michael Rymer. NBC Universal Studies / SyFy. 14 Jan. 2005 – 20 Mar. 2009, Television, 23 Sep. 2005.) is mentioned only briefly and its reading is framed in a similar manner to that of "Flesh and Bone" (*Battlestar Galactica* 6 Dec. 2004.)
[454] See Appendix 1.p.

5.2. "Here is your dilemma…": Detecting Humans through Torture

The torture representations in *BSG* lent themselves not only to a political discussion by the United Nations. Reviewers in public newspapers as well as academic critics identified the series as politically relevant but they also specifically pointed out connections to post 9/11 discussions on the legitimacy of torture which *BSG* was establishing with its representation.[455]

BSG allows the subjects of torture much more space than, for example, *24 or Alias* did. Space in the sense that victims and torturers are granted a lot more screen time to debate the practice and its effects. In this sense, *BSG* shows similarities with *CM*. However, *BSG* moves the victims of torture much more into focus than *CM*. Victims are portrayed as complex, multi-layered but opaque subjects. They enter into extended negotiations with their torturers and – because of their identity as robotic beings as opposed to human beings – become a source for self-reflection for the torturer. Additionally, the Cylon torture victims trigger a deconstruction of the boundaries between human and machine. But this deconstruction is always a human affair as the human characters begin to doubt their held believes about the differences between robots and humans and more precisely about the inhumanity of the Cylons.

Torture as a theme is most prominent in the second season. Here it is exclusively Cylons that are tortured and their torturers are humans or Cylons who believe they are humans. As *CM, BSG* is concerned with the question if torture works. But in contrast to *CM*, *BSG* does not blame a responsible subject or institution. Instead, torture is entangled in the show's more far-reaching examination of the human-robot relations, what it means to be human, what it means to be a robot, and how torture and its effects and moral and philosophical implications figure in each of the latter questions.

With the following close-reading of the scenes selected for discussion at the UN forum, I want to (1) explicate which of the positionings (*BSG* makers and actors, SyFy channel representatives, UN lawyers, and other organizers of the meeting) are based on which passages

[455] "With its attention to suicide bombings, insurgencies and the tenability and ethics of long-term military occupation, this "Battlestar Galactica" season looks suspiciously like an allegory for Middle East politics. […] So what's it all about, this fancy "Battlestar"? The short answer is politics, whatever that means: genocide, abortion, torture, the clash of civilizations." (Heffernan, "In Galactica, It's Politics" 26 Oct. 2006.); "If this sounds like Iraq, it should. […] evoking the darker side of the war on terror". (Spencer Ackerman, "Battlestar: Iraqtica," *Slate.com* 13 Oct. 2006.); "a reboot of the 1970s series overlaid with post-9/11 themes". (Anthony Breznican, "The End Is near for 'Battlestar Galactica' Series," *USA Today* 13 Mar. 2009.); "Torture, religious extremism, the precariousness of democracy in times of terror: the echoes of political conundrums are hard to miss." (Anthony Gottlieb, "A Love That Dare Not Compute Its Name," *The New York Times* 8 Jun. 2008.); also within the reception from academic critics: Brian L. Ott, "(Re)Framing Fear: Equipment for Living in a Post-9/11 World," *Cylons in America: Critical Studies in Battlestar Galactica*, eds. Tiffany Potter and C. W. Marshall (New York, NY: Continuum, 2008).; Erika Johnson-Lewis, "Torture, Terrorism, and Other Aspects of Human Nature", *Cylons in America: Critical Studies in Battlestar Galactica*, eds. Tiffany Potter and C. W. Marshall (New York, NY: Continuum, 2008).

from the chosen scenes, (2) show which of these interpretations are (in)congruous with my reading of the episodes, and (3) develop an argument for the reading of the episodes in a more serialized context.

The selections of torture negotiations shown during the panel discussion focused respectively on the torture of Cylon Leoben Conroy and Caprica Six. However, only Leoben Conroy's torture was discussed in any more detail. Of course, the event did not grant time to discuss all of the show's torture scenes in depth. Nevertheless, considering that at the time of the panel discussion *BSG* had depicted and dealt with the topic of torture at least thirteen times and was bringing the story and its alternative universe to a closure, it is remarkable that the selection turned out quite so narrow.

In both episodes discussed at the UN event torture is explicitly identified as such within the show. More importantly, even though Leoben's torture in "Flesh and Bone" and Caprica Six's torture in "Pegasus" are the first moments of *BSG*'s interest in the topic of torture,[456] both episodes and their torture representations exhibit important serial diegetic conjunctions to later mirroring torture scenes which, in fact, reverse the character constellation under torture. The reverse constellation connects the scenes to the question what kind of human *BSG* constructs and to the overriding story arc on the possibility of human / Cylon coexistence despite their religious and strategic differences. When taking the serial aspect of the show's diegetic development into account, a different picture of torture develops.

In *BSG*, torture problematizes the status of the human and of the 'Other'. It does so by moving the experience of the torturer into the center of a critique of torture. While the torturers discursively try to uphold the dichotomy between human and robot and use torture as a test of belonging, the Cylon subjects remain mysterious as their experience is medially portrayed as inaccessible to their torturers. During torture the power relation of control and submission is distorted by the possibility that Cylons might not experience pain. This possibility or uncertainty forces their torturers to project human traits onto their victims and subsequently ask themselves if what they did was wrong or justified. Within the torture scene, this represents torture not so much as a passage for the victim but for the torturer. On a serial level torture weakens the ideological borders between human and machine which the characters often believe in. Belonging can be admitted in ways which transcend and even transform the

[456] Admittedly, "Flesh and Bone" has been the most prominent episode in the public and academic discussion of torture representations within the show. While both discursive contexts see strong references of the episode to the instances of prisoner abuse in Abu Ghraib and Guantanamo, the academic discussion stresses that *BSG* questions and criticizes the dehumanization of the 'Other' under torture. Additionally, academic critics characterize the episode as a form of examination of torture without a definite judgment on its participants.

dichotomy of human and 'Other'; as construed by *BSG*, torture is always a rite of passage. This is particularly pertinent when it is medially supported by representations of the victim's consciousness. The function as a rite of passage is only roughly implied in the scenes in the episodes "Flesh and Bone" and "Pegasus" but it can already be made out, particularly with hindsight knowledge of later torture representations. I argue that only in its serial embeddedness can *BSG*'s location within the discourse of torture be properly grasped, as this emplotment is always happening in the context of a simultaneously developing public discourse on the practice of torture and the implications of the US-American government.

5.2.1. Flesh and Bone? Dismantling Robots and the Legitimacy of Torture

The torture of Leoben Conroy was included in the eighth episode of season one, screened in the US on February 25, 2005. In the episode called "Flesh and Bone" a humanoid Cylon, indistinguishable from human beings, Leoben Conroy, has been discovered and captured and is subsequently kept in a storage room on one of the civilian vessels. President Laura Roslin orders the interrogation of the prisoner. Leoben has been established as a Cylon during the first episodes when the human fleet discovered a clone of him in an abandoned space station. It was the first humanoid Cylon the humans encountered. Admiral Adama, who had a long interaction with Leoben on the space station, is against Roslin's plan to interrogate him. He characterizes him as a dangerous and intelligent manipulator explaining: "Madam president, I've dealt with this model before. It'll fill your head with doubletalk, half-baked philosophy and confuse you."[457] Adama unbendingly refers to Leoben as an "it", identifying him as a machine and not a person.[458] This attempt at holding up a dichotomy between humans and Cylons is perpetuated by lieutenant Starbuck. During her torture of Leoben Conroy, Starbuck makes an attempt to discredit the Cylon's attempt at mimicking human form and being. When she arrives in the storage room where Leoben is retained, she briefly observes him through the glass entrance door. Starbuck observes that the prisoner begins to sweat, a fact that surprises her and which she calls "interesting".[459] The interrogation lasts for eight hours of diegetic time accounting for no more than 20 minutes in screen time. However, the part of the entire torture sequence which the audience is presented focuses on Starbuck's attempts to revoke Leoben's questionable status as a human being – even after he claims to have planted a nuclear warhead on one ship among the fleet.

[457] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[458] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[459] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.

Even though the nuclear warhead, which Leoben claimed to have placed, was the reason for his interrogation, Starbuck redirects the interrogation towards the differentiation between humans and Cylons. More particularly, she constructs the ability to withstand pain as the ultimate test of a subject's status as a human being:

> *Starbuck*: Did that hurt?
>
> *Leoben*: Yeah, that hurt.
>
> *Starbuck*: Machines shouldn't feel pain...shouldn't bleed...shouldn't sweat.
>
> *Leoben*: Sweat. That's funny. That's good.
>
> *Starbuck*: See, a smart Cylon would turn off the old pain software about now. But I don't think you're so smart.
>
> *Leoben*: Maybe I'll turn it off and you won't even know.
>
> *Starbuck*: Here's your dilemma. Turn off the pain, you feel better, but that makes you a machine, not a person. You see, human beings can't turn off their pain. Human beings have to suffer...and cry, and scream, and endure...because they have no choice. So the only way you can avoid the pain you're about to receive... is by telling me exactly what I wanna know. Just like a human would.
>
> *Leoben*: I knew this about you. You're everything I thought you would be. But it won't work. I won't tell you anything.
>
> *Starbuck*: Maybe not. But then, you'll know deep down that I beat you...that a human being beat you...and that you are truly no greater than we are. You're just a bunch of machines after all.
>
> *Leoben*: Let the games begin.[460]

As the viewer cannot know for sure if Leoben did or did not hide a nuclear warhead, nor if he is experiencing pain or is able to control its effects, the Cylon remains a rather unpredictable victim of torture. However, his behavior characterizes him as rather inaccessible and in control of the situation.[461] In fact, and what is striking, more in control than his torturers. This is apparent in the ambiguous outcome to Starbuck's ontological dilemma.

Starbuck's test entails a very specific conception of the human under torture. In her version of the human, torture is a productive tool to gain information from a victim. According to her, not only is it part of the human condition that human beings "have to suffer", humans also tell "exactly" what the torturer asks of them as that is "what humans do". Within this logic she can frame torture as a tool in attempting to establish the humanoid Cylon's status as non-human.[462]

---

[460] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[461] See Appendix 1.q.
[462] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.

Initially, Leoben seems to side within Starbuck's "dilemma" with the Cylons. His claim that he will not tell her "anything" would mean he is not succumbing to pain and, accordingly, remains a Cylon. He appears untouched by the applied torture and claims that his torture is a "game" rather than an actual interrogation about a nuclear warhead. After a cut, however, the viewer returns to Leoben's torture cell in which the Cylon is in a far worse state than before. Starbuck explains to the now evidently injured prisoner how typical torture would develop henceforth.

> *Starbuck*: Now, if you were human...you'd be just about ready to start offering up some false information...about the location of the nuke. Some tiny thing that may get you a reward and spare you some of this. But then I keep forgetting you're not human. You're a machine.[463]

Leoben never behaves according to Starbuck's ideal torture timeline. Instead he begins a religious-philosophical debate about the human belief system and his awareness of history and the future. Under torture, the captive presents his belief system and blames humanity for committing sin.

> *Leoben*: I am more... than you could ever imagine. I am God.
>
> *Starbuck*: I'm sorry. You're God? Wow. Nice to meet you. That's good. We'll give you a couple of minutes with that.
>
> *Leoben*: It's funny, isn't it? We're all God, Starbuck. All of us. I see the love that binds all living things together. Love?
>
> *Starbuck*: You don't even know what the word means.
>
> *Leoben*: I know that God loved you more than all other living creatures...and you repaid his divine love with sin...with hate, corruption, evil.
>
> *Leoben*: So then he decided to create the Cylons.
>
> *Starbuck*: The Gods had nothing to do with it. We created you. Us. It was a stupid, fracked up decision, and we have paid for it. You slaughtered my entire civilization. That is sin. That is evil. And you are evil.
>
> *Leoben*: Am I? I see the truths that float past you in the stream.
>
> *Starbuck*: You have a real thing about rivers and streams, don't you? I think we should indulge you in your obsession.[464]

Starbuck then sends the guards out of the room. As shown later, they return with a big bowl filled with water which will be used to expose the prisoner to near-drowning experiences.[465] In the meantime, Leoben attacks his interrogator exhibiting strength surpassing those of human

[463] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[464] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[465] See Appendix 1.r.

beings. He had been secured to a table with handcuffs and chains, apparently standard procedure to retain captives as neither Starbuck nor her guards show doubts about the form of detainment. However, Leoben is capable of freeing himself without much effort by tearing the chains apart. More so, he is very aware of his capabilities and even predicts what will happen.

> *Leoben*: Do you realise I could kill you before they came back in the room? I could get to my feet... rip your skull from your spinal column...crash through that door...kill the guard in less time than it has taken me to describe it to you.
>
> *Starbuck*: Then why don't you?
>
> *Leoben*: It's not the time.[466]

Contrary to his last claim, he unchains himself, grabs Starbuck by the throat and violently pushes her against the door. He is eventually subdued by two guards and Starbuck threatens him by saying: "You fracked up, pal. Now the gloves come off."[467] She is characterized as being more or less provoked by Leoben's attack into increasing the intensity of his torture. As others have noted, "[n]ow, the gloves come off" is, in fact, a quotation of Cofer Black, Director of the former *CIA*'s Counterterrorist Center who characterized the *CIA*'s new counterterrorism strategies after the attacks of 9/11.[468]

More importantly, however, Starbuck becomes increasingly entangled in the problem of the inaccessibility of the Cylon's subjective experience. Despite this show of strength and Starbuck's explicit denial of Leoben's status as a human being she continues his torture and intensifies it through water torture. The Cylon is now in danger of drowning. However, as his consciousness would be simply transferred to another clone of his in the case of such bodily extinction, Starbuck is theoretically facing a subject unafraid of death. The prisoner reiterates this for her:

> *Starbuck*: Tell me where the warhead is...otherwise you're gonna drown in that bucket.
>
> *Leoben*: I can't drown. I can't die.
>
> *Starbuck*: Right. Commander Adama mentioned that how if your body dies... your consciousness is downloaded or transferred into another body. Something like that.
>
> *Leoben*: No, exactly like that.
>
> *Starbuck*: See, I've been thinking. Why is a Cylon willing to talk at all? Why does he care if we destroy his body? Won't he just transfer away and laugh at all of us and our stupid human ideas

[466] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[467] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[468] In a dialogic reading, one could argue that the scene claims that the US was provoked into the war with the Taliban and into torture.

[Leoben coughing]

Starbuck: Tell me where the warhead is.

Leoben: This is not your path, Starbuck. You have a different destiny.

Starbuck: Don't interrupt me. You see, I'm gonna dazzle you with my poor human brain. You see, I think that you're afraid. You're afraid that we're a long way from home. What if you don't transfer all the way back? What if when you die here, you really die? It's your chance to find out if you're really God...or just a bunch of circuits with a bad haircut. I'm not afraid of dying. Someone's programmed you with a fairytale of God, and streams, and life ever after. But somewhere in that hard drive you call a brain...is a beeping message: "Error, error. Does not compute. I don't have a soul. I have software. If I die, I'm gone."

[Torture]

[Leoben Panting]

Leoben: I have a soul. I see patterns. I know you. You're damaged. You were born to a woman...who believed suffering was good for the soul, so you suffered. [Panting] Your life is a testament to pain. Injuries. Accidents. Some inflicted upon others, others inflicted upon yourself. It surrounds you like a bubble. But it's not real, it's just. It's just something she put in your head. It's something that you wanna believe because it means...you're the problem, not the world that you live in. You wanna believe it because it means that you're bad luck. You're like a cancer that needs to be removed. Because you hear her voice every day. And you want her to be right.

Starbuck: Start again.

[Torture]

Starbuck: You're really sick. You're not a person. You're a machine that's enjoying its own pain.

Leoben: All this has happened before. And all of it will happen again.

Starbuck: Don't quote scripture. You don't have the right to use those words.

Leoben: You kneel before idols and ask for guidance. But you can't see that your destiny's already been written. Each of us plays a role. Each time, a different role. Maybe the last time, I was the interrogator and you were the prisoner. The players change, the story remains the same. And this time... this time... your role is to deliver my soul to God. Do it for me. It's your destiny and mine.[469]

On the episodic level Starbuck will leave the torture room unsuccessful in retrieving any useful information about any nuclear warhead but also unable to uphold the clear antagonistic distinction between humans and Cylons. President Roslin emphasizes this strongly when she interrupts the torture.

Roslin: What exactly is it that you are doing here?

Starbuck: It's a machine, sir. There's no limit to the tactics I can use.

[469] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.

Roslin: And where's the warhead?

Starbuck: I don't know.

Roslin: You don't know? You spent the last eight hours torturing this man. This machine. Whatever it is. And you don't have a single piece of information to show for it.[470]

Roslin removes Leoben from the cell and apologizes for "what [he has] been through."[471] Even though the prisoner admits to the president that a warhead never existed, being of the opinion that the former was trying to instill unrest und intrigue in the fleet,[472] she eventually sentences him to death by putting him out of an airlock. Surprisingly, Starbuck shows empathy towards Leoben during his execution.[473] When Roslin justifies her decision Starbuck explains Leoben's character highlighting that the torture she practiced on him brought her a degree of insight.

Roslin [to soldiers guarding Leoben]: Put him out the airlock.

Starbuck: What? You can't do that. Not after he told you...

Roslin: Yes, I can. And I will. Lieutenant, look at me. You've lost perspective. During the time I have allowed him to remain alive and captive on this ship he has caused our entire fleet to spread out defenseless. He puts insidious ideas in our minds. More lethal than any warhead. He creates fear. But you're right. He's a machine...and you don't keep a deadly machine around. When it kills your people and threatens your future...you get rid of it.

Starbuck: He's not afraid to die. He's just afraid that his soul won't make it to God.[474]

This scene underlines a reversal in motivations and opinions about the Cylon Leoben Conroy. Roslin changes her position which she held before Leoben's interrogation. Even though she ordered the interrogation against Adama's advice, she now considers it a mistake. Roslin also tries to reinstate the human / Cylon dichotomy by ascribing him the status of a mere (killing) machine. Starbuck, in contrast, appears to consider Leoben a subject for whom or for which she invests something akin to an emotional bond.

As a single episode at the peak of the Abu Ghraib controversy, "Flesh and Blood" strongly offers itself to be read as a critical depiction of torture. After all, Leoben is a religious fanatic and clandestine sleeper cell, whose capturing by the military creates a ticking-time-bomb scenario for which torture is presented as a viable option. Starbuck's attempts at dehumanizing her captive are reminiscent of the various criticisms raised against the US-

[470] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[471] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.
[472] It seems that she formed her assumption about Leoben after he whispered in her ear that Admiral Adama was, in fact, a Cylon.
[473] See Appendix 1.s.
[474] "Flesh and Bone," *Battlestar Galactica* 6 Dec. 2004.

government's treatment of the prisoners at GTMO and Abu Ghraib and their identification as enemy combatants instead of prisoners of war. The episode is critical in the sense that, as David Eick already argued, it does not rely on the 'classical' time-bomb-scenario, giving the viewer access to information about the actual existence and guilt of the torture victim. And in addition, torture is represented as ineffective. Even Leoben's admittance to his fabrication of the warhead seems to be part of his plan rather than a result of Roslin's softer approach.

On the serial level this torture marks only the beginning of Starbuck's complex and conflicted relationship towards Leoben Conroy and towards the war with the Cylons in general. As Leoben predicted, they will change roles in the first episode of season three when Leoben tries to force Starbuck into a love relationship with him and together they will search for Starbuck's own remains after she died in a Viper accident and miraculously reappeared unharmed in the finale of season three. Within Leoben's predictions, the torture he endured was merely one episode in a long and infinitely repeating history between humans and Cylons, a history in which Starbuck plays a decisive role in leading humans and Cylons to a peaceful resolution. *BSG* thus returns to this religious-mythical narrative arc which is diegetically initialized during Leoben's torture.

5.2.2. Future's Past: A Prequel to the Outlook on Torture

To conclude this chapter, I will try to break down *BSG*'s position and semantic potential or invitations with regard to torture in the context of the show itself as well as in the public discourse on torture and torture representation. Within the context of the episode "Flesh and Bone", for Starbuck, torture leads to a blurring of the ideological distinction between human and machine and she begins to sympathize with the being she just tortured and questions its/his objectification. On the other hand, torture produced "no single piece of information". Presumably, it had no considerable effect on Leoben either. Within the longer serial storyline which proposes a cyclical development in history, Leoben's torture was an event which had happened before and will happen again.[475] This could be read as a logical effect of the problematic human that the UN and the producer of *BSG* described, one that is at the same time source of human rights violations and bearer of those rights. However, the conundrum which Leoben's torture poses and the problems and vulnerabilities he highlights within Starbuck's and humanity's intention and legitimations of torture overemphasizes the perspective of the torturer,

[475] The audience does not witness any previous event which can be identified as a precursor. Such a scene might have happened during the humans vs. Cylons war within the original television series but we only witness Starbuck's incarceration. Any further repetition of these events would presumably be those that happened during the US-American wars on terror since 2001, in Iraq and Afghanistan.

as does, so one could argue the problematic subject of human rights the UN and *BSG* propose. It is not a concrete victim such as a terrorist with explicit ideologies or agendas but an elusive and opaque victim whose inaccessibility leaves the responsibility for torture as well as the evaluation of its legitimacy with the torturing subject and institution. Without knowing if Cylons feel pain, can be impaired or affected by torture, it is Starbuck's experience and development which is foregrounded. It is for her to decide whether what she does or was ordered to do is right.

The constellation of prisoner and guard as present during Leoben's torture is reversed in a later episode.[476] Season three starts off with the incarceration of Starbuck by Leoben on a newly founded human colony, New Caprica. After the Cylons discovered the colony, they invade and defeat the human survivors and Leoben captures Starbuck and incarcerates her in an apartment which resembles one of her own previous ones on her former home planet. The scene involves neither torture nor a negotiation of it. Instead, Leoben attempts to force Starbuck into a relationship but she is eventually freed.[477] *BSG* eventually turns all these events into a prequel of human history on earth.

Many of these episodes portray moments which were and can be read as references to current US-American war politics. The torture of Leoben and Caprica Six bears resemblances with the prisoner abuse in Abu Ghraib and Bagram. Leoben is tortured using a method which can be compared to the much-discussed technique called waterboarding. Considering that Starbuck is unsuccessful in acquiring any information from Leoben and even begins to question her own motives, one could read this scene as a rejection of torture proclaimed efficacy and military effort relying on torture. More so, *BSG* includes in this reading or prediction that the torturer will eventually experience dissolution of conviction because of torture.

In all, this is canvassed by the show across the history and future of humanity, turning groups of characters into representatives of figures and institutions present in public discourse. However, the serial development of *BSG*'s story never allows these representatives a static or unchanging referentiality. Instead, Cylons can be victims on Pegasus, Galactica, and Abu Ghraib but also oppressors on Galactica, New Caprica, and Iraq. The same holds true for humans.

[476] "Occupation," *Battlestar Galactica* 6 Oct. 2006.
[477] See Appendix 1.t.

6. Conclusion and Outlook via *Homeland*

By examining torture representations in television shows with long running serial story lines from a discourse analytical perspective, I offer a particular narrative of how US-American television series approached torture in the period between 2001 and 2010. This narrative is conditioned by my method which informed the selection and order of these shows, which I saw developing by looking at the debate of torture representation as it happened in public media in the United States. To conclude, I will reiterate this narrative which, as I argue, becomes visible by analyzing television representations, their critical reception as a well as public discourse on torture as an interconnected discourse. I will then outline a second narrative which I saw accompanying the first. It was concerned with the representation's form and its assumed effect. The ever-present normative perspectives on these shows, which often describe them as dangerous or as positively educational, will allow me to describe their assumed potential as actors and participants in the public discourse on torture. Lastly, I would like to describe the position and possibilities of this project with regard to the ongoing politicization of academic criticism which concerns itself with torture representation.

The timeline of torture representations in serial television since 2001, which unfolds when ordering it through my approach, is one which begins with *24* and ends with *BSG*. It is necessary to add that this order is not representative for all television series which portrayed torture during that time frame. Other shows before and after my selected period represented torture and were discussed in public news media. The period I focused on proved particularly vibrant and rich in interconnected debates. By selecting the material as was done in this project a glimpse into the development and conditions of representing torture and of debating it comes to light. This layout and its patterns which I presented hopefully offer entrance points for further investigation. Historically, there are precursors to the shows I analyzed as well as shows which I could not include anymore. And there are certainly formal patterns, types of torture representations to be discovered when looking at this topic from a less discursive perspective. Nevertheless, I hope that the previous analysis and following final remarks offer themselves for further examinations of torture representations in television series.

In regard to torture representations, the show *24* proved to be the most controversial television series. It generated the most reactions on the part of reviewers and critics. It also triggered responses from societal spheres not necessary engaged in the topic of torture representation. From politicians, political think tanks, military personnel to representatives engaged in political and social initiatives, *24* and its controversies provoked voices from diverse

backgrounds. As productive as the show's torture representations became discursively, the show itself did not allow for much critical discourse on torture within its story world. Jack Bauer and others were often seen defending torture as a means to avoid greater harm to the American people. Substantial critical positions were much rarer. If characters were allowed this space, their arguments were either not given much weight in the fictional debate or they were decided in favor of Jack Bauer. In *24*, critics of the practice were either characterized as untrustworthy, incompetent, or naïve by the serial story. Their critique is disproven by the events that follow, usually the successful continuation of the terrorist plot. The critics' inability to stop the suspected terrorist without torture characterizes them as a hindrance on Jack Bauer's path and their attempts at stopping him even may end tragically. Yet, as critics are refuted, delegitimized and, at times, disposed, the series can be read as signaling engagement in its own journalistic and political discussion.

Alias approached torture as extensively as *24* and refrained from much negotiation of the topic. Contrary to *24*, the show never caused any extensive debate. Neither critics nor producers nor fans seemed much interested in the controversial nature of torture.[478] The reason for this might stem from the show's scope being more interested in the intricacies of Sydney's family relations and romantic relationships than with torture as a tool used by intelligence agencies. It would be worthwhile to reflect on this further from both a specifically genre as well as gender-related perspective. Relatedly, critics of torture do not speak as authorities in the field but their character and argument are subordinated to their position as ally or enemy of Sydney, as hero or villain of *Alias*. Similarly, victims of torture are also not granted any room for examination. *Alias* does not seem to ask – nor is it expected of the show – to elaborate on the functions or effects of torture. Instead, it is more important for the show which functions torture has for the development and structural differentiation of characters.

Criminal Minds examined more closely the functions of torture, its legality, and implications. Initially, it moved the victim of torture into focus. It did so while making the US-American war on terror a distinct background for its story. It contextualized torture within the frame of existing US-American intelligence agencies such as the *CIA* and the *FBI* and portrayed the victim of torture as a religious terrorist but allowed him much screen time to explain himself, his cause, and the effect of torture on him. Eventually, the episode's interest in the victim's

[478] While a more precise image it this respect might be won based on further research of *Alias* concerning fan dedication, my overview of *Alias* reviews allows some insight into the show's fan debate and popularity. Torture did not figure in *Alias* fan culture when covered by reviews, nor in letters to the editor. In addition, I could also not discern, nor was it ever claimed, that there was a distinct correlation of the show's torture representation and its ratings.

perspective and the critique of torture which Gideon voices is redirected away from the topic of torture as a constitutional or human rights problem. Instead, it serves to accuse the *CIA* of wrong doings in the war on terror as much as it tries to direct attention away from the *FBI* and its implications in this war, either directly or indirectly.

BSG was much more committed to take those into view who are directly affected by torture. Torturers, witnesses, and, most centrally, the victims of torture were negotiated during torture or before and after it, its effects were discussed and its legality calculated for a society under attack and at risk of disappearing. Within the narrative I present this might appear as a development which, after foregrounding methods and torturers, places the human back at the center of the debate revolving around torture. This is something which also the United Nations demanded. However, it is necessary to add that the victim's perspective is rather absent from the public discourse on torture which was concerned with the legality of the practice, its usefulness, and processing of reality of US-American torturers. The victims which *BSG* portrayed and which were debated were mostly and maybe conveniently non-human. This had the effect that torture became a problem for the human torturer. While one could argue that this is a necessary step, I would claim that because of this particular characterization and character constellation in the show, the problematizing of torture and the properties and the conditions of this problematization were primarily dictated by the torturer. While the Cylons were participating in the negotiation of the practice, their affectedness, authenticity, and motivations remain evasive. Nevertheless, the complexity of the Cylons open up a very productive and multi-layered negotiation of torture. It certainly presents the most inclusive approach to the topic of torture among the shows analyzed here as there is not one perspective or opinion privileged.

The television series and their respective scenes selected for this project share a few common characteristics apart from representing or negotiating torture. Despite their differences in format, characters, storylines, and semantic potentials their handling of torture created discursive attention which incensed participants in this discourse on torture and its representation to single them out. These shows and their representations were selected and then used as vehicles in contexts and debates about the legality and usefulness of torture. They were used as 'advertisements' for the *CIA* or the *FBI* while being discussed for their comical and fantastical aspects or their advance into the 'realities' of torture (as in *Alias* and *CM)*. These series' approaches to torture were framed as harmful means of influence for children, soldiers, and the American public but they were also deemed as positive material for instructing and

educating audiences about torture or even human rights and the state of our human-made societies.

Apart from *Alias*, all discussed television series appeared in extended negotiations of the effect which torture representations have on a viewing public.[479] In the case of *24*, articles as well as the visit of US-Army personnel to its production facilities and the interest of conservative think tanks showcase the potential which the show was ascribed to. At the same time *24* lacked an educational or instructive tone which can be identified in *CM*, *BSG*, and, to a degree, in *Alias*' use of voice overs and episode titles. This does not mean that *24* was not making offerings to be read in the context of current US-American political affairs or events, especially the war on terror and instances of torture. Yet, *BSG* and *CM* were much more explicit in proposing to understand their storylines as instructive for its audience.

Additionally, the debates and events the show's representations of torture and war in general evoked, such as awards, panel discussions, and initiatives, were all normative and educational in nature. The Parents Television Council calls itself a "non-partisan education organization advocating responsible entertainment";[480] the *HRF* and Jim Clemente aimed at honoring a television series that was "raising awareness" about human rights problems and torture; and the United Nations had invited a high school class to attend their panel discussion about human rights, torture, and the war on terror as presented in *BSG*. All these institutions and initiatives highlight that the analyzed shows were considered to be influential participants in the public discourse surrounding torture, worthy of the attention and apprehensions.

When looking at the subject positions and discourses which these shows present, the prominence of the torturer or the absence of an elaboration of the victim's perspective suggests that the debate which focused on some shows but not on others was rather self-centered. Such a perspective might be an obvious but also restricted one, especially at times when torture was such a pressing and polarizing issue in public discourse. Yet, as *BSG* already suggested, the approach towards a victim's perspective happens only cautiously. This becomes apparent in a brief look at another show which was compared and described immediately upon release as opposite to *24* in terms of torture: Showtime's *Homeland* (on air since 2011).

The *New Yorker* magazine called *Homeland* "The Antidote for '24'";[481] *The Atlantic* titled a review of the show "'Homeland': The '24' of the Obama Era"; in an interview with the

[479] With regard to torture, *Alias* was listed on the *Christian Science Monitor*'s list of torture scenes on television (see chapter 4.1.4) but did not receive any longer or in-depth consideration in any other major public forum.
[480] According to its own definition, cf. "Parents Television Council," *w2.parentstv.org*, Parents Television Council.
[481] Emily Nussbaum, "'Homeland': The Antidote for '24'," *The New Yorker* 29 Nov. 2011.

New York Times, even the creators of *Homeland*, Howard Gordon and Alex Gansa – who also worked on *24* – argued that with this new show they consciously changed their approach towards topics such as torture:

> [Howard] Gordon: It was particularly disturbing to me, because the charges were as broad as stoking Islamophobia and being a midwife to a public acceptance of torture. Obviously anyone with any conscience is going to take these seriously. But look, we also recognized too that you can't just hide behind, 'This is just TV show.' [sic] That's a little like the Twinkie defense. So we actively engaged and reconsidered how we told stories. […] Alex [Gansa] and I had the benefit, in a way, of being in the world 10 years later, after Guantánamo, after Abu Ghraib, after two wars in various states of winding down, and the consequences of those wars were being understood. Carrie lives in a world where torture is no longer tolerated. And she lives in a world where everything doesn't happen in 24 hours.[482]

Homeland centers on its protagonist Carrie Mathison, a *CIA* agent who suspects that a prisoner of war who just returned from captivity in Iraq is a sleeper agent for the group which had captured and tortured him. Former prisoner and Marine Sergeant Nicholas Brody's torture is represented repeatedly in flashbacks and visual representations of his blurred gaze under torture. The effect which torture had on him is touched upon and torture appears partially responsible for his shifting in allegiance. Torture is presented as a form of trigger right in the beginning of the show which, among other things, explains Brody's defection. *Homeland* lacks the nearly infallible protagonist which *24* included with Jack Bauer. In fact, the characterization offered of Carry Mathison very often calls her judgment into question. It is made clear already in the pilot episode that she suffers from bipolar disorder making it difficult for the audience as well as for her colleagues to decide if her obsession with Brody and his possible threat is justifiable or pathological.

Brody's allegiances are never settled and the storyline of *Homeland* never relies on torture in any amount close to that of *24* or *BSG*. However, in comparison to *24* or *Alias*, Brody seems broken by torture. Emily Nussbaum compared both shows' approach to torture and argued that

[482] Willa Paskin, "The Creators of 'Homeland' Exorcise the Ghost of '24'," *The New York Magazine* 26 Sep. 2012.

> "24" was also a carrier for some terrible ideas, among them the notion that torture is the best and only way to get information; that Muslim faith and terrorist aims overlap by definition; and, most of all, that invulnerability is the mark of heroism. Kiefer Sutherland's Jack Bauer was tortured again and again, but he always bounced up, jack-in-the-box style, to waterboard on. […]
> And yet, in nearly every way, "Homeland" dramatizes the opposite ideas from "24." Its premise is that trauma doesn't disappear. […] Neither Carrie [Mathison] (who bears scars from her time in Iraq) nor Nicholas [Brody] (who survived a brutal, years-long imprisonment) can escape what was done to their bodies.[483]

Nussbaum argues that *Homeland* concentrates much more on torture's and pain's traumatic effect on the subject than *24*. This is one reason why she describes *Homeland* as a more realistic story and considers the show as one which has learned many lessons from recent US-American history. Also, Nussbaum refers to two kinds of history here. The one which will find its way into history books, as well as the one which was created by television shows like *24*. "The politics of 'Homeland'," she argues, "aren't anywhere near as explicit as those of '24' […]. But what's already clear is that, without being agitprop, the series provides a much-needed antidote to a show that was a propaganda arm for the Iraq war. In "'Homeland'," she argues,

> we see the consequences of Jack Bauer's ends-justifying policies […]. A show like "Homeland" will always have a streak of fantasy, but so far it feels surprisingly grounded in the world we live in. The only thing that could make 'Homeland' more realistic would be if some of the characters talked about watching "24".[484]

Nussbaum's description of *Homeland* illustrates as much a normative perspective as critics of the show analyzed in this project. And the question if *Homeland* is, in fact, an "antidote" to *24*'s "propaganda" is material for another project. Such a project, if undertaken with similar perspective and methodology as this one, could ask how referential *Homeland* is in regard to the history which *24* supposedly constructed. It could research which institutions and individuals rely on the show and its story to make a political point about torture and the entanglement of the United States with the practice. This could, in turn, cast a light on the question in how far *Homeland* and its discussion does, in fact, diverge from the previous discussion of torture on television which was so much concerned with the question if torture

[483] Nussbaum, "'Homeland'" 29 Nov. 2011.
[484] Nussbaum, "'Homeland'" 29 Nov. 2011.

should be presented as an adequate and effective tool to gather information: Does the show and its debate really turn to the suffering subject instead towards the techniques represented? And what kind of political options and possibilities are the effect for participants in the debate of torture on *Homeland*?

It appears that after the most animated period of debate regarding torture and torture representation a substantial examination of the victim's perspective seems difficult. Or, in other words, the shows whose representations were selected allow a conclusion about the difficulties which the public discourse seems to have with the victims' perspective when trying to negotiate torture via torture representation. Other, less prominently discussed shows like *Lost* and *Sleeper Cell* attempted to represent different angles on the practice and were not as cautious or negligent about the victim's perspective as those shows selected for discussion in this study.

It seems to me that a reason for this cautious and fragmented approach stems from the need to decide which shows represent torture well: which show does it most realistically, most instructionally, most edifyingly. Or, which television series do the opposite. As I argued before, this normative perspective, or moral-aesthetic concern with torture representations is not unique to recent televised torture scenes. Rather, it seems to be a result and progression from previous debate and research as well as due to the fact that since 2001 television series and the political reality in the United States have had a relationship from which they were mutually benefiting but which also complicated the work of its participants.

Research on literary representations which extensively negotiated the moral responsibilities of representing torture and, more prominently, the possibility of representing the practice still figure in the observations of televisual torture. The moral-aesthetic concern, or the question how to represent torture, a practice which has caused pain that might not be representable and which tools have instilled fear by regimes that have been historically delegitimized and condemned is present in the debate of the shows I analyzed as well. It shows in the negotiation of which series represents torture accurately in the context of the US-American war on terror, enhanced interrogations techniques, detention centers, and documented cases of prisoner abuse. However, the question if the pain caused during torture is representable increasingly moves into the background. Instead, there are indications that more recent academic research dealing with torture representations becomes more politicized. Such positions presuppose, and often decidedly so, that torture is inacceptable as a practice and that television shows should delegitimize it. In such perspectives, television shows which do not represent torture as illegitimate, destructive, and ineffective need to be criticized for their inadequate representations while positive examples are lauded.

This project by no way wishes to criticize academic research for this anti-torture stance even though there is no such declaration to be found in this study. My approach and method take a different path for the most part of this analysis. One could call it positivist and take offense at its lack of political positioning. Instead of looking for positive or negative examples of torture, I take a more descriptive path, trying to analyze television shows' representations as well as the network of participants – writers, producers, network representatives, critics, journalists, academics, politicians, lawyers etc. – who get a chance through and because of televisual representations of torture to position themselves in a political negotiation of the 'real' practice. By choosing a discourse analytical approach, I aimed at taking a structured glimpse at the historical development which this complex underwent since 2001. The literature review showed that such a perspective was elsewhere pushed to the background in favor of voicing a criticism or defense of torture and finding better and more adequate ways of unearthing problematic or laudable aspects of televisual representations of torture. Instead, this project's goal was to map the positions and representations without taking sides from the very beginning.

Such an attempt at distancing and withdrawing oneself as an analytical observer from a debate is, nonetheless, problematic and fraught with impossibilities. Despite the descriptive stance, I bring assumptions, preferences, and opinions to my material, consciously or not. I assume that even my choice to refrain from positioning my project politically reveals a lot about this project's presuppositions. I try to factor this in, when reflecting on the possibilities and limitations of my project and its approach. I am unable to discern which television show was most successful or instructive in representing torture, which one contributed most positively to the history of torture representations and their alleged responsibility to historical torture. I can, however, attest that television shows have been very attentive and often adaptive towards the debate on torture in US-American newspapers. Real life events were assimilated, moral aesthetic concerns, and normative criticisms were taken up and impulses to observing discussions were given. At the same time, interpretations of torture became political and were used to instrumentalize the representations of the practice.

Instead of trying to judge and reject certain televisual torture representations, this project hopes to have acknowledged their function as initializing and fostering negotiations which, even if they might be against one's own convictions, might well lead to more substantial negotiations down the road.

Works Cited

"'24' and America's Image in Fighting Terrorism," *The Rush Limbaugh Show* 18 Apr. 2013. Web. 4 Jun. 2014.

"'Criminal Minds' Wins Human Rights Award for Portrayal of Interrogation." *humanrightsfirst.org*. Human Rights First, 15 Oct 2007. Web. 12 Dec. 2014.

"Dying to Entertain: Violence on Prime Time Broadcast TV 1998 to 2006." *Parental Television Council*, 2007. Internet Archive. Web. 4 Jun. 2014.

"Election Results 2004: U.S. President / National / Exit Poll." *CNN.com* 2004. Web. 30 Jan. 2012.

"How Did Your Favorite Show Rate?" *USA Today* 28 May 2002. Web. 7 Jun. 2014.

"Humanrightsfirst.org." *humanrightsfirst.org*. Human Rights First, 17 Feb. 2007. Internet Archive. Web. 12 Dec. 2014.

"I. T. R. S. Ranking Report." *ABC Medianet*. 2 Jun. 2004. Internet Archive. Web. 7 Jun. 2014.

"Key Excerpts Taguba the Report." *NBCNews.com* 5 Mar. 2004. Web. 30 Jan. 2012.

"News." *visionsfortomorrow.net.* SyFy Visions for Tomorrow. 3 Sep. 2011. Internet Archive. Web. Sept 14 2015.

"Parents Television Council." *w2.parentstv.org*. Parents Television Council. Web. 22 Jul. 2019.

"Peace Price." *The New York Times*. 9 Oct. 2009. Web. 30 Jan. 2012.

"Primetime Series." *The Hollywood Reporter*. 27 May 2005. Internet Archive. Web. 7 Jun. 2014.

"Primetime Torture." *humanrightsfirst.org*. Human Rights First, 16 Feb 2007. Internet Archive. Web. 12 Dec. 2014.

"Primetime Torture: Excellence in Television Award." *humanrightsfirst.org*. Human Rights First, 29 Jul. 2007. Internet Archive. Web. 12 Dec. 2014.

"Primetime Torture: Soldiers Have Imitated What They See on TV." *humanrightsfirst.org*. 14 May 2007. Internet Archive. Web. 12 Dec. 2014.

"Primetime Torture: Suggested Lesson/Discussion". *humanrightsfirst.org*. 17 Aug. 2007. *Power Point Presentation*. Internet Archive. Web. 12 Dec. 2014.

"Primetime Torture: The Background: U.S. Policy Shifts Ushered in Abuse." *humanrightsfirst.org*. Human Rights First, 13 May 2007. Internet Archive. Web. 12 Dec. 2014.

"Primetime Torture: What Can Be Done." *humanrightsfirst.org*. 13 May 2007. Internet Archive. Web. 12 Dec 2014.

"Rank and File." *Entertainment Weekly* 6 Jun. 2003. Web. 8 Jun. 2014.

"Series." *The Hollywood Reporter*. 26 May 2006. Internet Archive. Web. 7 Jun. 2014.

"The Republican Debate." *The New York Times* 28 Nov. 2007. Web. 30 Jan. 2012.

"Torture on TV Rising and Copied in the Field: The Problem." *humanrightsfirst.org*. Human Rights First, 10 Apr. 2007. Internet Archive. Web. 12 Dec. 2014.

"Turnabout on Torture" *USA Today* 12 Jan. 2009. A.8. Print.

"United Nations – Battlestar Galactica." *YouTube*. 22 Apr. 2011. Web. 8 Dec. 2015.

"What a Difference a Decade Makes: A Comparison of Prime Time Sex, Language, and Violence in 1989 and '99," *Parental Television Council*, 30 Mar. 2000. Internet Archive. Web. 4 Jun. 2014.

24. *Twenty Four*. Creators Joel Surnow and Robert Cochran. 20th Television, 6 Nov. 2001 – 24 May 2010. Television.

Ackerman, Spencer "Battlestar: Iraqtica." *Slate.com* 13 Oct. 2006. Web. 14 Nov. 2015.

Adams, Alex. *Political Torture in Popular Culture: The Role of Representations in the 9/11 Torture Debate*. New York: Routledge 2016. Print.

Adams, Thelma. “If We’re Not Being Rescued, Let’s All Start New Lives.” *The New York Times* Sep 19 2004. Web. 22 Jun. 2014.
Alias. Creators J.J. Abrams and Jesse Alexander. Dir. Lawrence Trilling. Touchstone Television, 30 Sep. 2001 – 22 May 2006. Television.
Al-Suwaij, Zainab. “Iraqi People Yearn to Taste Freedom Again.” *USA Today* 14 Jan. 2003. A.13. Print.
Altar, Jonathan. “Time to Think about Torture.” *Newsweek* 5 Nov. 2001. Web. 30 Jan. 2012.
Améry, Jean. “Torture.” *At the Mind’s Limits: Contemplations by a Survivor on Auschwitz and its Realites*. Bloomington: Indiana UP, 1980. 21-40. Print.
Améry, Jean. *Jenseits von Schuld und Sühne*. Stuttgart: Klett-Cotta, 2002. Print.
Asad, Talal. *Formations of the Secular: Christianity, Islam, Modernity*. Stanford: Stanford UP, 2003. Print.
Aurthur, Kate. “Torture for Jack Bauer Is Diversion for Millions.” *The New York Times* 24 May 2006. Web.
Battlestar Galactica. Creator Glen A. Larson, Writ, Glen A. Larson and Donald P. Bellisario, Dir. Christian I. Nyby II. NBC, 17 Sept. 1978 – 29 Apr. 1979. Television.
Beaver, Diane E. *The Torture Papers: The Road to Abu Ghraib*. Eds. Greenberg, Karen J. and Joshua L. Dratel. Cambridge: Cambridge UP, 2005. Print.
Bellafante, Ginia. “In the ‘24’ World, Family Is the Main Casualty.” *The New York Times* 20 May 2007. Web. 30 Jan. 2012.
Bernstein, Paula. “Hardest-Working Actor of the Season: The C.I.A.” *The New York Times* 2 Sep. 2001. Web. Web. 22 Jun. 2014.
Beverly, John.“The Question of Torture, the Spanish Decadence, and Our Own.” *boundary 2* 34:3 (2007): 189-205. Print.
Bianco, Robert. “‘Alias’ Returns with a Playful, Twisting Ride.” *USA Today* 5 Jan. 2005: D.2. Print.
Bianco, Robert. “‘Alias’ Whips Espionage into Entertaining Eye Candy.” *USA Today* 28 Sep. 2001: E.01. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 12 Mar. 2004: E.10. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 13 Dec. 2002: E.12. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 14 Dec. 2001: E.12. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 14 Jan. 2005: E.12. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 22 May 2006: D.8. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 26 Jul. 2002: D.14. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 26 Sep. 2003: E. 14. Print.
Bianco, Robert. “Critic’s Corner.” *USA Today* 6 Oct. 2005. N.pag. Print.
Bianco, Robert. “Fiction? Or Reality? Real Questions for Fall TV, and Some Kicky Answers How Much Reality Can We Take? We’ll Soon Find out, as 5 New Reality Shows Face Off with Sitcoms and Dramas, Including 3 About the CIA.” *USA Today* 14 Sep. 2001: E.01. Print.
Bianco, Robert. “From ‘Angels’ to ‘Anna,’ Quite a Year.” *USA Today* 22 Dec. 2003: D.04. Print.
Bianco, Robert. “Glad-to-See TV: ‘24’ and ‘Band of Brothers’; but Turn the Channel on Reality Genre, Xfl.” *USA Today* 28 Dec. 2001: D.14. Print.
Bianco, Robert. “Got a Date with an ‘Angel,’ ‘Alias’.” *USA Today* 17 Oct. 2002. E.07. Print.
Bianco, Robert. “Here’s Looking at Fall Programming: The Reality Is, There Are Bright Spots of Originality.” *USA Today* 21 May 2001. D.01. Print.
Bianco, Robert. “Seriously Good Shows ; Six Premiering Series Mark TV’s Dramatic Turn -- for the Better.” *USA Today* 3 Sep. 2004: E.01. Print.
Bianco, Robert. “Some Darlings Mixed with Duds.” *USA Today* 14 Sep. 2001. E.03. Print.

Bianco, Robert. “Super ‘Alias’ Will Bowl You Over.” *USA Today* 24 Jan. 2003: D.15. Print.
Bianco, Robert. “Where’s Next ‘Er’ – like Hit?” *USA Today* 27 Jul. 2001. E.07. Print.
Bordwell, David, and Kristin Thompson. *Film Art: An Introduction*. New York: McGraw-Hill, 2001. Print.
Breznican, Anthony. “The End Is near for ‘Battlestar Galactica’ Series.” *USA Today* 13 Mar. 2009. B.05. Print.
Bunch, Will. “Obama Would Ask His AG to ‘Immediately Review’ Potential of Crimes in Bush White House.” *The Philadelphia Inquirer* 14 Apr. 2008. Web. 30 Jan. 2012.
Burns, John F. “Threats and Responses: The Great Escapes; Hussein and Mobs Virtually Empty Iraq’s Prisons.” *The New York Times* 21 Oct. 2002: A 1. Print.
Burschel, Peter, Götz Distelrath, and Sven Lembke, eds.. *Das Quälen des Körpers: Eine Historische Anthropolgie der Folter*. Köln: Böhlau, 2000. Print.
Carter, Bill. “20/20’ Bouncing and Vanishing.” *The New York Times* 16 May 2001. Web. 22 Jun. 2014.
Carter, Bill. “Anyone Have a Hit?” *The New York Times* 3 Oct. 2001. Web. 22 Jun. 2014.
Carter, Bill. “HBO Joins the Circus, PBS Has ‘the Blues’.” *The New York Times* 7 Sep. 2003. Web.16 Dec. 2015.
Carter, Bill. “Threats and Responses; Domestic Programming; We Interrupt This Broadcast, but How Much for How Long?” *The New York Times* 20 Mar. 2003. Web. 22 Jun. 2014.
Central Intelligence Agency. “Kubark Counterintelligence Interrogation. July 1963.” *National Security Archive*. N.d. Web. 30 Jan. 2012.
Christensen, Christian. “Pixelate the Morality Police.” *Common Dreams News Center*. 26 May 2005. Internet Archive. Web. 12 Dec. 2014.
Coetzee, J.M. “Into the Dark Chamber: The Novelist and South Africa.” *The New York Times* 12 Jan. 1986: 13. Print.
Coleman, Lindsay. “‘Damn You for Making Me Do This’: Abu Ghraib, 24, Torture, and Television Masochism.” *The War Body on Screen*. Eds. Randell, Karen, Sean Redmond and Joanna Bourke. New York, NY: Continuum, 2008. 199-214. Print.
Criminal Minds. Creator Jeff Davis. Dir. Peter Ellis. Touchstone Television, 22 Sep. 2005 – Present. Television.
Danner, Mark. “We Are All Torturers Now.” *The New York Times* Jan 06 2005. Web. May 11 2011.
Danzig, Dan. “Panel 2: How Are Laws Applied and Detention Practices Reformed? Reforming Interrogation Practices.” *Human Rights Brief* 16.4 (2009): 29-31. Print.
Danzig, David. “Countering the Jack Bauer Effect: An Examination of How to Limit the Influence of TV’s Most Popular, and Most Brutal, Hero.” *Screening Torture: Media Representations of State Terror and Political Domination*. Eds. Flynn, Michael and Fabiola F. Salek. New York, NY: Columbia UP, 2012. 21-33. Print.
DeMott, Rick. “Sci Fi Channel Announces Visions for Tomorrow Advisory Board.” *AWN.com.* Animation World Network, 3 Oct. 2006. Web. 17 Sep. 2015.
Dershowitz, Alan M. “Want to Torture? Get a Warrant.” *San Francisco Chronicle* 22 Jan. 2002: A 19. Print.
Dowd, Maureen. “We Need Chloe!” *The New York Times* 24 Jun. 2006. Web. 30 Jan. 2012.
Du Bois, Page. *Torture and Truth.* New York: Routledge, 1991. Print.
Earley, Pete.“Witness Protection Can Help Destroy Al-Qaeda.” *USA Today* 14 Feb. 2002. A.17. Print.
Elliott, Stuart. “Sci Fi Channel Has a New Name: Now, It’s Syfy.” *The New York Times* 15 Mar. 2009. Web. 12 Sep. 2015.
Filkins, Dexter. “Iraq Videotape Shows the Decapitation of an American.” *The New York Times* 12 May, 2004. Web. 30 Jan. 2012.

Fiske, John. *Television Culture: Television Culture: Popular Pleasures and Politics.* London: Mehtuen, 1987. Print.
Fiske, John. *Understanding Popular Culture*. Boston: Unwin, 1989. Print.
Ford, James E. "Battlestar Galactica and Mormon Theology." *Journal of Popular Culture* 17.2 (1983): 83-7. Print.
Foucault, Michel. "The Discourse on Language." *Critical Theory since 1965*. Eds. Hazard Adames and Leeroy Searle. Talahassee: Florida State UP, 1986. 148-162. Print.
Foucault, Michel. *Discipline and Punish*. 2nd ed. New York: Vintage Books, 1995. Print.
Froomkin, Dan. "Cheney's 'Dark Side' Is Showing." *The Washington Post* 7 Nov. 2005. Internet Archive. Web. 30 Jan. 2012.
Gerecht, Reuel Marc. "Out of Sight." *The New York Times* 13 Dec. 2008. Web. 30 Jan. 2012.
Gilmore Girls. Creator Amy Sherman-Palladino. Warner Bros. Television. 5 Oct. 2000 – 15 May 2007.Television.
Glater, Jonathan D. "Retooling a 70's Sci-Fi Relic for the Age of Terror." *The New York Times* 13 Jan. 2005. Web. 17 Sep. 2015.
Goldberg, Jeffrey. "Jane Mayer on Being Immortalized by the Pro-Torture '24'." *The Atlantic* 15 Jan. 2009. Web. 30 Jan. 2012.
Goldberg, Mark Leon. "Law and Order: SVU to be Filmed at the UN." *undispatch.com*. UN Dispatch, 10 Mar. 2009. Web. 17 Sep. 2015.
Goodman, Amy, and Juan González. "Is Torture on Hit Fox TV Show '24' Encouraging US Soldiers to Abuse Detainees?" *Democracy Now*. 22 Feb. 2007. Web. 12 Dec 2014.
Gottlieb, Anthony. "A Love That Dare Not Compute Its Name." *The New York Times* 8 Jun. 2008. Web. 17 Sep. 2015.
Gray, Jonathan. *Television Entertainment.* New York, Routledge, 2008. Print.
Green, Adam. "Normalizing Torture, One Rollicking Hour at a Time." *The New York Times* 22 May 2005. Web. 30 Jan. 2012.
Gross, Micheal L. *Moral Dilemmas of Modern War: Torture, Assassination, and Blackmail in an Age of Asymmetric Conflict*. Cambridge et. al.: Cambridge UP, 2010. Print.
Haberman, Clyde. "The Stuff We Could Teach Jack Bauer." *The New York Times* 19 Jan. 2010. Web. 30 Jan. 2012.
Hall, Mimi and Ken Dilanian. "Guantanamo Plan Takes More Shots: GOP Lights into Obama Again over Prison." *USA Today* 22 May 2009. A.04. Print.
Hall, Stuart. *Representation: Cultural Representations and Signifying Practices*. London: Sage, 1997. Print.
Heffernan, Virginia. "In Galactica, It's Politics as Usual. Or Is It?" *The New York Times* 26 Oct. 2006. Web. 17 Sep. 2015.
Heffernan, Virginia. "Yet More of One Face in Season 4 of 'Alias'." *The New York Times* 5 Jan. 2005. Web. 22 Jun. 2014.
Hiatt, Brian, "Hawke Eye." *Entertainment Weekly* 26 Nov. 2002. Web. 22 Jun. 2014.
Hinson, Hal. "Fashioning a Future with an Eye toward the Present." *The New York Times* 7 Dec. 2003. Web. 17 Sep. 2015.
Hirsch, Marianne. "Editor's Column: The First Blow-Torture and Close Reading." *PMLA* 121 (2006): 361-70. Print.
Hodgman, John. "Ron Moore's Deep Space Journey." *The New York Times* 17 Jul. 2005 . Web. 17 Sep. 2015.
Holson, Laura M. "In This 'Superman' Story, the Executives Do the Fighting." *The New York Times* 15 Sep. 2002. Web. 22 Jun. 2014.
Hron, Madelaine. "Torture Goes Pop!" *Peace Review* 20.1 (2008): 22-30. Print.
James, Caryn. "A Time for Drama, Minute by Minute or Era by Era; a Day in the Life (a Very Long Day)." *The New York Times* 9 Sep. 2001. Web. 30 Jan. 2012.

James, Caryn. “Clock Reset, Agent Bauer Returns to Work.” *The New York Times* 29 Oct. 2002. Web. 30 Jan. 2012.
James, Caryn. “TV’s Take on Government in a Terror-Filled World.” *The New York Times* 30 Apr. 2002. Web. 22 Jun. 2014.
Johnson, Kevin, and Richard Willing. “Ex-CIA Chief Revitalizes ‘Truth Serum’ Debate; U.S. Should Keep Its Options Open with Al-Qaeda Detainees, He Says.” *USA Today* 26 Apr. 2002: A.12. Print.
Johnson-Lewis, Erika. “Torture, Terrorism, and Other Aspects of Human Nature.” *Cylons in America: Critical Studies in Battlestar Galactica*. Eds. Potter, Tiffany and C. W. Marshall. New York, NY: Continuum, 2008. 27-39. Print.
Keen, Judy. “Powell to Take Case on Iraq to U.N. Next Week.” *USA Today* 29 Jan. 2003. A.01. Print.
Keen, Judy. “White House Responds to Critics with Policy Disclosure.” *USA Today* 23 Jun. 2004. A.04. Print.
Kelleter, Frank. “From Recursive Progression to Systemic Self-Observation.” *Velvet Light Trap* 79 (Spring 2017): 99-104. Print.
Kelleter, Frank. “Populäre Serialität: Eine Einführung.” *Populäre Serialität: Narration – Evolution – Distinktion: Zum seriellen Erzählen seit dem 19. Jahrhundert*. Ed. Frank Kelleter. Bielefeld: Transcript, 2012. 11-46. Print.
Keveney, Bill, Bob Minzesheimer, and Edna Gundersen. “Bond, James Bond, Will Make an ‘Alias’ Appearance.” *USA Today* 8 Feb. 2002: B.08. Print.
Keveney, Bill. “Critic’s Corner.” *USA Today* 8 Dec. 2003: D.05. Print.
Keveney, Bill. “J J Abrams; His Aliases Include Writer, Director, Producer, Composer.” *USA Today* 5 Jan. 2005: D.1. Print.
Keveney, Bill. “New ‘Battlestar’ Veers from Old Flight Plan.” *USA Today* 8 Dec. 2003: D.05. Print.
Keveney, Bill. “Too Close for Comfort Networks Pull Promos, Scrutinize Plotlines.” *USA Today* 13 Sep. 2001. D.03. Print.
Kirchhofer, Anton. “The Modern Self and the Re-Invention of Torture: Narration at the Limits of the Bildungsroman.” *Anglistentag 2014: Proceedings*. Eds. Rainer Emig and Jana Gohrisch. Trier: WVT, 2015. 301-315. Print.
Kleinhans, Chuck. “Imagining Torture.” *Jump Cut: A Review of Contemporary Media* 51 (Spring 2009). Web. 27 Sep. 2016.
Lazreg, Marnia. “Doing Torture in Film: Confronting Ambiguity and Ambivalence.” *Screening Torture: Media Representations of State Terror and Political Domination*. Eds. Michael Flynn and Fabiola F. Salek. New York, NY: Columbia UP, 2012. 257-71. Print.
Levin, Gary. “Imitation Is the Sincerest Form of TV. Network Pilots Stick Close to Older Genres.” *USA Today* 15 Mar. 2001: D.06. Print.
Levin, Gary. “Terrorism Fails to Dampen TV’s New Season.” *USA Today* 3 Oct. 2001: D.01. Print.
Levin, Gary. “There’s a Lot More Room on ‘the Bubble’ This Year.” *USA Today* 9 Apr. 2004: E.02. Print.
Lewis, Neil A. and Robert Pear. “A Nation Challenged: Legislation; Terror Laws Near Votes In House And Senate.” *The New York Times* 5 Oct. 2001. Web. 30 Jan. 2012.
Lichtblau, Eric, and Scott Shane. “Report Details Interrogation Debate.” *The New York Times* May 21 2008. Web. 10 Sep. 2014.
Locy, Toni and John Diamond. “Memo Lists Acceptable ‘Aggressive’ Interrogation Methods; Justice Dept. Gave Guidance to CIA.” *USA Today* 28 Jun. 2004. A.05. Print.
Locy, Toni. “Former Detainees Allege Torture in U.S. Custody.” *USA Today* 28 Oct. 2004. A.02. Print.

Martel, Ned. “The Cylons Are Back and Humanity Is in Deep Trouble.” *The New York Times* 08 Dec. 2003. Web. 17 Sep. 2015.
Martin, Jenny Yerrick. “Industry Pro: Tech Adviser and Writer Jim Clemente.” *yourindustryinsider.com*. 5 Aug. 2013. Internet Archive. Web. 12 Dec. 2014.
Mathews, Joe. “Bill Clinton and the Jack Bauer Exemption.” *The Los Angeles Times* 30 Sep. 2007. Web. 30 Jan. 2012.
Matthews, Mark. “U.S. Practices at Abu Ghraib Barred in ‘80s.” *Los Angeles Times* 11 May 2004. Web. 30 Jan. 2012.
Mayer, Jane. “Whatever It Takes: The Politics of the Man Behind ‘24’.” *The New Yorker* 19 Feb. 2007. Web.
Mazzetti, Mark.“After Sharp Words on C.I.A., Obama Faces a Delicate Task.” *The New York Times* 2 Dec. 2008. Web. 30 Jan. 2012.
McCoy, Alfred. *Torture and Impunity: The U.S.Doctrine of Coercive Interrogation*. Madison: U of Wisconsin P, 2012. Print.
McGrath, Charles. “Forget the Time, Agent Bauer. What Year Is It?” *The New York Times* 14 May 2006. Web. 30 Jan. 2012.
Memmott, Mark. “Amnesty International Names Heroes, Scoundrels.” *USA Today* 30 May 2001. A.07. Print.
Middleton, Jason. “The Subject of Torture: Regarding the Pain of Americans in Hostel.” *Cinema Journal* 49 (2010): 1-24. Print.
Miller, Laura. “Smiley’s People.” *The New York Times* 06 Jun. 2004. Web. 22 Jun. 2014.
Millman, Joyce. “A Modern Cinderella, No Prince Needed.” *The New York Times* 18 Nov. 2001. Web. 22 Jun. 2014.
Mittell, Jason. “Narrative Complexity in Contemporary American Television.” *The Velvet Light Trap* 58 (2006): 29-40. Print.
Mittell, Jason. *Complex TV: The Poetics of Contemporary Television Storytelling*. Pre-Publication Edition: MediaCommons Press, 2012-13. Web.
Montrose, Louis A. “Professing the Renaissance: The Poetics and Politics of Culture.” *The New Historicism*. Ed. H.Aram Veeser. New York and London: Routledge, 1989. 15-24. Print.
Moore, Martha. “Police Commissioner Sees a Changed New York; Security Crackdown, ‘Realistically, Isn’t Going to Go Away,’ He Says.” *USA Today* 12 Nov. 2000. A.02. Print.
Morris, David B. “About Suffering: Voice, Genre, and Moral Community.” *Social Suffering*. Eds. Arthur Kleinmann, Veena Das and Margarete Lock. Berkeley: U of California P, 1997. 25-45. Print.
Neroni, Hilary. *The Subject of Torture: Psychoanalysis and Biopolitics in Television and Film*. New York: Columbia UP, 2015. Print.
Newman, Michael Z. “From Beats to Arcs: Toward a Poetics of Television Narrative.” *The Velvet Light Trap* 58 (Fall 2006):16-28. Print.
Numb3rs. Creators Nicolas Falacci, Cheryl Heuton. CBS. 23 Jan. 2005 – 12 Mar. 2010. Television.
Nussbaum, Emily. “‘Homeland’: The Antidote for ‘24’.” *The New Yorker* 29 Nov. 2011. Web. Web. 22 Jul. 2019.
Olson, Elizabeth. “U.S. Prisoner Restraints Amount To Torture, Geneva Panel Says.” *The New York Times* 18 May 2000. Web. 30 Jan. 2012.
Ott, Brian L. “(Re)Framing Fear: Equipment for Living in a Post-9/11 World.” *Cylons in America: Critical Studies in Battlestar Galactica*. Eds. Potter, Tiffany and C. W. Marshall. New York, NY: Continuum, 2008. 13-26. Print.
Paskin, Willa. “The Creators of ‘Homeland’ Exorcise the Ghost of ‘24’.” *The New York Magazine*. 26 Sep. 2012. Web. 22 Jul. 2019.

Peters, Edward. *Torture*. exp. ed. Pennsylvania: U of Pennsylvania P, 1999. Print.
Purdum, Todd S. "Hollywood Rallies Round the Homeland." *The New York Times* 2 Feb. 2003. Web. 22 Jun. 2014.
Purdum, Todd S. "State of the Union: News Analysis; Bush's Twin Challenges." *The New York Times* 29 Jan. 2003. Web. 30 Jan. 2012.
Rankin, Aubree. "Worst of the Week: 24." *Parental Television Council*. April 20 2003. Internet Archive. Web. 12 Dec 2014.
Rejali, Darius. "Movies of Modern Torture as Convenient Truth." *Screening Torture: Media Representations of State Terror and Political Domination*. Eds. Michael Flynn, Fabiola F. Salek. New York : Columbia University Press, 2012. 219-238. Print.
Rejali, Darius. *Torture and Democracy*. 4th ed. Princeton: Princeton UP, 2009. Print.
Reuters. "Life Imitates Art at CIA." *Sydney Morning Herald* 11 Mar. 2004. Web. 22 Jun. 2014.
Rhodes, Joe. "The Longest Day Enters the Hardest Season." *The New York Times* 5 Dec. 2004. Web. 30 Jan. 2012.
Rice, Lynette, and Dan Snierson. "Sensitive Material: In the Wake of the Attack Find out What's Now in Store for Spy-Themed Shows." *Entertainment Weekly* 25 Sep. 2001. Web. 22 Jun. 2014.
Rich, Frank. "The Banality of Bush White House Evil." *The New York Times* 25 Apr. 2009. Web. 30 Jan. 2012.
Rich, Frank. "We'll Win This War – on '24'." *The New York Times* 9 Jan. 2005. Web. 30 Jan. 2012.
Richburg, Keith B. "United Nations Sends 'Battlestar Galactica' Off with Great Diplomacy." *The Washington Post* 19 Mar. 2009. Web. 17 Sep. 2015.
Risen, James, David Johnston, and Neil A. Lewis. "The Struggle for Iraq: Detainees; Harsh C.I.A. Methods Cited in Top Qaeda Interrogations." *The New York Times* 13 May 2004. Web. 10 Sep. 2014.
Rothstein, Edward. "Images of Evil's Flowering Disagree About It Roots." *The New York Times* 13 Mar. 2003. Web. 10 Sep. 2014.
Rutenberg, Jim. "Torture Seeps Into Discussion by News Media." *The New York Times* 5 Nov. 2001. Web. 10 Sep. 2014.
Salamon, Julie. "Racing in Real Time to Track Down an Assassin and a Daughter." *The New York Times* 6 Nov. 2001. Web. 30 Jan. 2012.
Salamon, Julie. "Two New Spy Series at Unexpected Risk." *The New York Times* 29 Sep. 2001. Web. 22 Jun. 2014.
Sandomir, Richard. "Bad Boys, Bad Boys, Whatcha Gonna Do?" *The New York Times* 24 Aug. 2003. Web. 22 Jun. 2014.
Scarry, Elaine. *The Body in Pain: The Making and Unmaking of the World*. New York: Oxford UP, 1985. Print.
Schmitt, Eric. "Inquiry Ordered Into Reports of Prisoner Abuse," *The New York Times* 17 Jan. 2004. Web. 07 Jul. 2014.
Sharp Sr., Walter Gary. "Curriculum Guide: The Law of '24': Exploring U.S. Counterterrorism Efforts and the Rule of Law." *Georgetown University Law Center* Spring 2008. Web.
Sharrett, Christopher. "The Problem of Saw: 'Torture Porn' and the Conservatism of Contemporary Horror Films." *Cineaste: America's Leading Magazine on the Art and Politics of the Cinema* 35 (2009): 32-37. Print.
Slaughter, Joseph R. "Enabling Fictions and Novel Subjects" *PMLA* 121 (2006): 1405-1423. Print.
Snierson, Dan. "Exclusive: "24" to Shut Down Production for Rewrites." *Entertainment Weekly* 6 Sep. 2008. Web. 30 Jan. 2012.

Sontag, Susan. “Regarding the Torture of Others.” *The New York Times* 23 May 2004. Web. 30 Jan. 2012.
Soriano, Cesar G. “‘Battlestar’ Is in a Timely Space Continuum; Season Ends Tonight with a Cliffhanger.” *USA Today* 1. Apr 2005: E.8. Print.
Sosa, Alfredo. “TV’s Higher Threshold of Pain.” *csmonitor.com*. 23 Aug. 2002. Internet Archive. Web. 4 Jun. 2014.
Squitieri, Tom and Dave Moniz. “3rd of Detainees Who Died were Assaulted; Shot, Strangled, Beaten, Certificates Show.” *USA Today* 1 Jun. 2004. A.05. Print.
Stanley, Alessandra. “Back from the Dead, a Secret Agent Is Ready to Save the World Again.” *The New York Times* 13 Jan. 2006. Web. 30 Jan. 2012.
Stanley, Alessandra. “Saving the World in Less Than a Day.” *The New York Times* 21 Nov. 2008. Web. 30 Jan. 2012.
Stanley, Alessandra. “Suicide Bombers Strike, and America Is in Turmoil. It’s Just Another Day for Jack Bauer.” *The New York Times* 12 Jan. 2007. Web.
Stanley, Alessandra. “These Heroes Are Reporting in Uzbekistan.” *The New York Times* 28 Jan. 2003. Web. 22 Jun. 2014.
Stanley, Alessandra. “When All Good Quests Must Come to an End.” *The New York Times* 25 May 2010. Web. 30 Jan. 2012.
Steiff, Josef and Tristan D. Tamplin, eds. *Battlestar Galactica and Philosophy: Mission Accomplished or Mission Frakked Up?* Chicago and LaSalle: Open Court Publishing, 2008. Print.
Stelter, Brian. “For ‘24’, Terror Fight (and Series) Nears End.” *The New York Times* 27 Mar. 2010. Web. 30 Jan. 2012.
The Associated Press. “Fox: ‘24’ on Shelf Until Next January.” *CNN.com* 14 Feb. 2008. Internet Archive. Web. 30 Jan. 2012.
The Associated Press. “New C.I.A. Recruiting Video Features ‘Alias’ Star.” *The New York Times* 10 Mar. 2004. Web. 22 Jun. 2014.
Thompson, Kristin. *Storytelling in Film and Television*. Cambridge, Mass.: Harvard UP, 2003. Print.
Tucker, Ken. “Alias: Fall 2001’s Best New Drama.” *Entertainment Weekly* 7 Sep. 2001. Web. 22 Jun. 2014.
Van Natta Jr., Don. “Threats and Responses: Interrogations; Questioning Terror Suspects in a Dark and Surreal World.” *The New York Times* 9 Mar. 2003. Web. 30 Jan. 2012.
Voss, Brandon. “Big Gay Following: Seth MacFarlane,” *The Advocate* 27 Feb. 2008: 22-23. Print.
Vowell, Sarah. “Down with Torture! Gimme Torture!” *The New York Times* 5 Feb. 2006. Web. 22 Jun. 2014.
Walsh, Joan. “The Abu Ghraib Files.” *Salon* 5 Jul 2006. Internet Archive. Web. 20 Sep. 2019.
Walt, Vivienne.“U.S. Officials Expect to Find Evidence of War Crimes.” *USA Today* 19 Mar. 2003. A.02. Print.
Warner, Judith. “‘24’ as Reality Show.” *The New York Times* 31 Jul. 2007. Web.
Weinraub, Bernard. “A Fantastical Plot Made Real of Time.” *The New York Times* 4 Nov. 2001. Web. 30 Jan. 2012.
Weisman, Jonathan and Toni Locy. “Report of Torture Is ‘Wrong’.” *USA Today*. 4 Apr. 2002. A.11. Print.
Wloszczyna, Susan. “Ahead: Much Less Bang for Your Buck Entertainment Changes in Response to Real Terror.” *USA Today* 20 Sep. 2001. D.01. Print.
Wyatt, Edward. “New Era in Politics, New Focus for ‘24’.” *The New York Times*. 7 Jan. 2009. Web. 30 Jan. 2012.

Zegart, Amy B. "'Spytainment': The Real Influence of Fake Spies." *International Journal of Intelligence and CounterIntelligence* 3.4 (2010): 599-622. Print.

Appendix

1. Screenshots

1.a. *24* Season 2, Episode “Day 2: 8:00 a.m.-9:00 a.m.,” (9 Mar. 2004).

1.b. *24* Season 2, Episode “Day 2: 7:00 p.m.-8:00 p.m.,” (6 Apr. 2004).

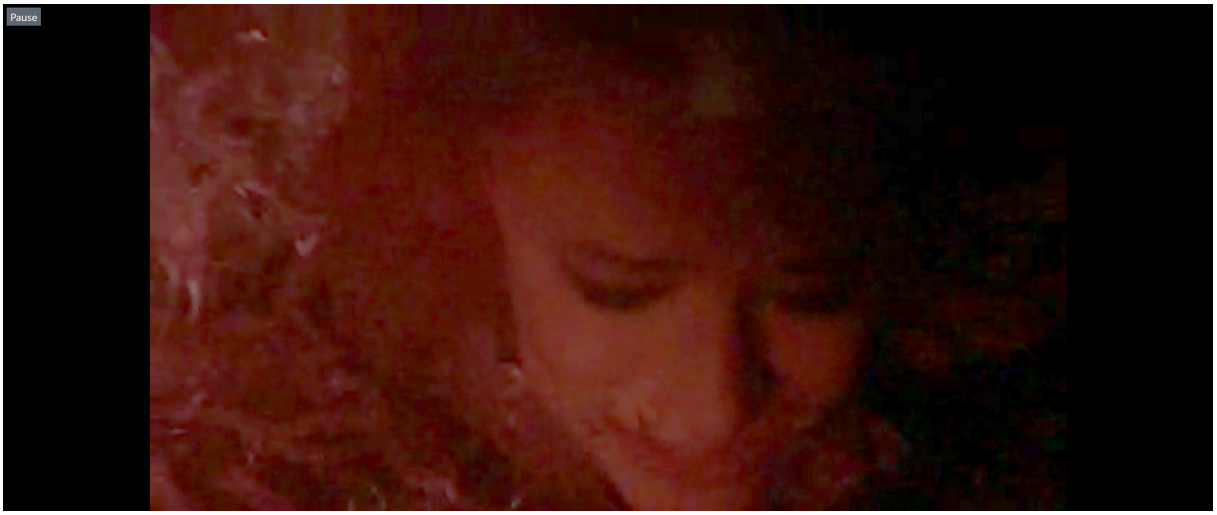
1.c. *24* Season 2, Episode “Day 2: 7:00 p.m.-8:00 p.m.,” (6 Apr. 2004).

1.d. *24* Season 2, Episode “Day 2: 4:00 a.m.-5:00 a.m.,” (4 May 2004).

1.e. *24* Season 7, Episode “Day 4: 9:00 a.m.-10:00 a.m.,” (10 Jan. 2005).

1.f. . *24* Season 7, Episode “Day 7: 8:00 a.m.-9:00 a.m.,” (11 Jan. 2009.)

1.g. *Alias* Season 1, Episode “Truth be Told,” (30 Sep. 2001).



1.h. *Alias* Season 1, Episode “Truth be Told,” (30 Sep. 2001).

1.i. *Alias* Season 1, Episode “Truth be Told,” (30 Sep. 2001).

1.j. *Alias* Season 1, Episode “Truth be Told,” (30 Sep. 2001).

1.k. *Alias* Season 5, Episode “The Horizon,” (14 Dec. 2005).

1.l. *Alias* Season 1, Episode “Almost Thirty Years,” (12 May 2002).

1.m. *Criminal Minds* Season 1, Episode “Lessons Learned,” (22 Nov. 2006).

1.n. *Criminal Minds* Season 1, Episode "Lessons Learned," (22 Nov. 2006).

1.o. Still of detainee at Abu Ghraib (Source: Joan Walsh, "The Abu Ghraib Files," *Salon* 5 Jul 2006.)

1.p. *Battlestar Galactica* Season 2, Episode “Pegasus,” (23 Sep. 2005).

1.q. *Battlestar Galactica* Season 1, Episode “Flesh and Bone,” (6 Dec. 2004).

1.r. *Battlestar Galactica* Season 1, Episode “Flesh and Bone,” (6 Dec. 2004).

1.s. *Battlestar Galactica* Season 1, Episode “Flesh and Bone,” (6 Dec. 2004).

1.t. *Battlestar Galactica* Season 3, Episode “Occupation,” (6 Oct. 2006).

2. Methodology and Selection of Materials

The result and data of my quantitative subtitle analysis presented below is based on research done in order to find promising and insightful material for close analysis. This approach to the material builds on a number of theoretical presuppositions which the project substantiates through four analytical case studies: *24*, *Alias*, *Criminal Minds*, and *Battlestar Galactica.*

In order to find appropriate material for analysis, three decisions were made. The first selection of material for subtitle analysis was made by concentrating at US-American TV-shows in the time frame of roughly ten years after 9/11. During this time the United States is concerned intensely with occurrences of torture: the arrival of terrorist at the US-American detention center Guantanamo Bay, instances of prisoner abuse in Abu Ghraib and Bagram prison facilities in Afghanistan, and the publication of interrogation memos outlining events and scandals. The theoretical assumption is that TV-shows are receptive for the coverage of events relating to torture. The second selection resulted from an exclusion. TV programs that are labeled "reality TV" or are treated as ones portraying real life events such as news programs, documentaries, docu-soaps, etc. were left out. This produces a first large corpus of TV-shows such as dramas, comedy, sitcoms, etc.[485] The theoretical assumption behind this decision is that the selected TV-shows are granted a certain artistic freedom while at the same time being receptive for arguments raised in newspaper articles and TV news coverage of torture instances and scandals. Finally, I excluded shows which were cancelled before its scheduled ending. On the one hand, these shows were not developed to the full potential and their ability to negotiate events of the public discourse is limited. On the other, their audience and the critical reception will be limited.

The research began with a quantitative search for the term 'torture' as used in TV-shows. This led to a particular problem which I will describe in the following based on three examples in which the term is used. In January 2005, three US-American television shows screened episodes which approached the topic of torture in three very distinct ways:

(1) On January 9, Fox screens the pilot episode for the fourth season of its successful series *24*. The show mainly revolves around the work of a counter-terrorism unit of the United States government and the unremitting attempts of agent Jack Bauer to stop terrorists from attacking the United States. The pilot ends with a torture scene: A man sits in a chair in an

[485] The reason the selection is done in an inverted manner, excluding "reality shows" instead of choosing fictional shows is two-fold. On the one hand, the discussion of fictitious and realistic TV-shows is an ongoing one important one. On the other, the genre discussion is lacking undisputed results on which a selection can be based making genres unmanageable criteria for selection.

interrogation room. He wears a handcuff which is chained to the floor. He is a suspect in an ongoing *CTU* investigation regarding a possible terrorist attack on the United States. Jack Bauer storms into the interrogation room, disables the door locks preventing his other *CTU* colleagues from entering the room and begins interrogating the suspect called Sherak. Sherak is resisting Bauer's threats and not answering Bauer's questions. Bauer shoots him in the leg and Sherak eventually gives up valuable 'intel'. After the torture is over, the head of *CTU* reprimands Bauer telling him "I'm going to recommend that you be arrested for torturing a suspect."[486] In this case, the term refers to Bauer's violent approach to interrogation.

(2) On January 25, WB Television Network screens the eleventh episode of season five of *Gilmore Girls*.[487] The show portrays the life of Lorelai Gilmore and her daughter Rory in a small picturesque US-American town named Stars Hollow. Rory and Lorelai are informed by Emily Gilmore (Lorelei's mother and Rory's grandmother) that Straub Hayden had recently died. Rory and Lorelai are astounded and confused by the news, particularly since Straub's son, Christopher Hayden (Rory's father and Lorelai's ex-husband) has failed to inform either of them despite regular contact. In a conversation between Lorelai, Rory, Emily, and her husband Richard, the reasons for Christopher's silence on the topic are debated.

> *Emily*: Straub died.
>
> *Lorelai*: Christopher's father died?
>
> *Emily*: This morning.
>
> *Lorelai*: Oh my God, how?
>
> *Emily*: Well, he'd been sick.
>
> *Richard*: Very badly. He'd been diagnosed just a month ago, but it already spread. […]
>
> *Lorelai*: I can't believe Chris didn't tell us.
>
> *Richard*: He may not have been in any shape to think straight. […]
>
> *Richard*: Well, you can't blame him.
>
> *Emily*: He had a very tortured relationship with that man, but none of that matters at the end.

The topic of the discussion then shifts toward a dog hair in Emily's drink and whether or not sending flowers would be an appropriate gesture. Here, 'torture' is a metaphor for a difficult father-son relationship.

---

[486] "Day 4: 7:00 A.M. - 8:00 A.M." and "Day 4: 8:00 A.M. - 9:00 A.M."*24* 9 Jan. 2005.
[487] "Women of Questionable Morals" *Gilmore Girls* 25 Jan. 2005.

(3) The final example, aired on January 28, is CBS' police procedural *Numb3rs*.[488] The show portrays case work of the Los Angeles *FBI* office. The series differs from other TV-shows set in an *FBI* office in that the *FBI* unit in *Numb3rs* relies on consultant professor Charlie Eppes. The professor is the younger brother of *FBI* agent Don Eppes and a mathematical genius who teaches math at the California Institute of Science. Through his exceptional abilities Charlie Eppes tries to mathematically predict crime and the behavior of criminals. In the second episode of the show's first season a group of criminals have robbed a number of banks without the use of guns or violence. The *FBI* and agent Don Eppes begin their investigation. During the investigation the team discovers a murdered victim of the bank robbers and has him examined. The medical examiner (ME) explains the circumstances of the victim's death to agent Eppes and his colleague David Sinclair:

> *ME*: Malcolm Stapleton died from massive blood loss after his carotid artery was severed. The killer knew what he was doing.
>
> *Don Eppes*: How so?
>
> *ME*: Well, the thing is, most people don't know how to slit a throat. They think you pull back the head like this. But in this position, the windpipe provides some protection to the major blood vessels. However, tilt the head forward, the arteries are exposed. The cut was made away and down from the assailant, minimizing blood splatter. The weapon was an extremely sharp, wide-blade knife.
>
> *David Sinclair*: Somebody with medical training?
>
> *ME*: More like military experience. […]
>
> *ME*: Look at this. Electrical burns. This man was tortured before he was killed.
>
> *Don Eppes*: All right, so they kill efficiently, they use torture, and they can execute – a coordinated escape.
>
> *David Sinclair*: You're thinking military?
>
> *Don Eppes*: I'm thinking Special Forces.

In the course of the investigation, the *FBI* unit discovers that Malcom Stapleton was tortured to make him reveal confidential pass codes which grant the robbers access to information on the location of retired bank notes removed from circulation by the federal reserve of Los Angeles.

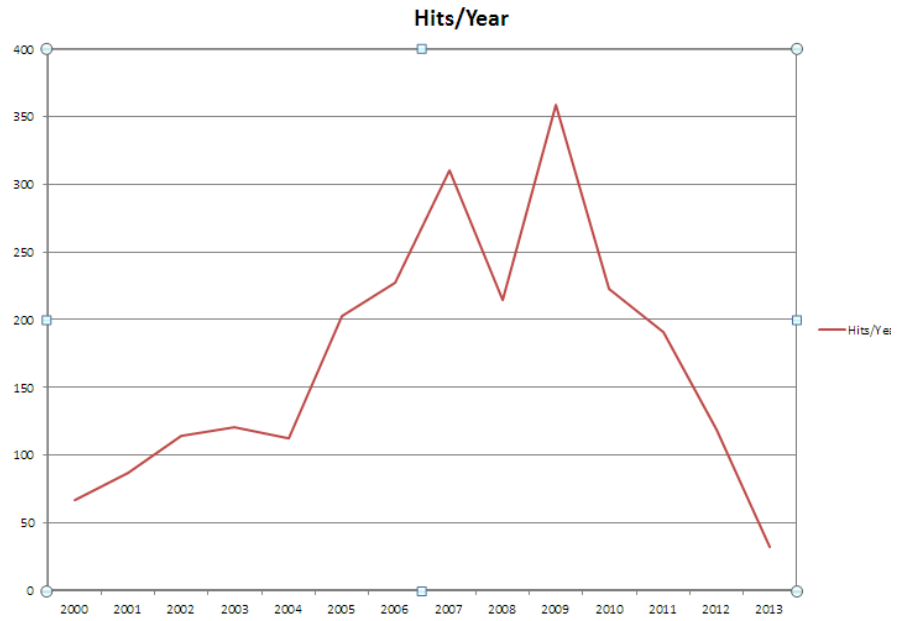
Three different TV-shows, three different instances of torture: torture of a terrorist by an agent of the US-government; a torturous relationship between a recently deceased father and his son; torture of a US-American citizen by criminals. A closer analysis of even more shows would certainly reveal more variations. In January 2005 alone, *torture* was mentioned 17 times in ten different TV-series:

[488] "Uncertainty Principle" *Numb3rs* 28 Jan. 2005.

of people. 500 00:23:16,185 --> 00:23:19,751 You torture me and now you want me to forgive you? 501 00	24 - 4x07 - Day 4 1 00 P.M.-2 00 P.M..en.srt	2005.01.31
. 466 00:23:00,934 --> 00:23:03,434 This man was tortured before he was killed. 467 00:23:04,867 --> 00:23	Numb3rs - 1x02 - Uncertainty Principle.en.srt	2005.01.28
ntly, 469 00:23:07,267 --> 00:23:08,600 they use torture, and they can execute 470 00:23:08,667 --> 00:23	Numb3rs - 1x02 - Uncertainty Principle.en.srt	2005.01.28
software; 590 00:29:04,068 --> 00:29:05,567 he's tortured; he's murdered, 591 00:29:05,634 --> 00:29:08,36	Numb3rs - 1x02 - Uncertainty Principle.en.srt	2005.01.28
367 --> 00:33:57,268 And that's why Stapleton was tortured, 711 00:33:57,333 --> 00:33:58,934 for his confi	Numb3rs - 1x02 - Uncertainty Principle.en.srt	2005.01.28
--> 00:30:13,787 the Goa'uld was captured alive, tortured and beaten for day's on end. 352 00:30:13,827 --	Stargate SG 1 - 8x12 - Prometheus Unbound.DVDRip.en.srt	2005.01.28
562 00:27:56,908 --> 00:28:00,728 He had a very tortured relationship with that man, but none of that matt	Gilmore Girls - 5x11 - Women Of Questionable Morals.en.srt	2005.01.25
0:35:28,555 We had to throw out the mattress. She tortures small animals. 572 00:35:28,626 --> 00:35:30,116	Las Vegas - 2x15 - Whale of a Time.en.srt	2005.01.24
:15:39,338 --> 00:15:41,169 Logan. Do you get off torturing people like this? 328 00:15:41,240 --> 00:15:43,	Law Order SVU - 6x12 - Identity.DVDRip.en.srt	2005.01.18
00:06:41,567 --> 00:06:44,801 He was apparently tortured- and about to be killed- 161 00:06:44,867	24 - 4x04 - Day 4 10 00 A.M.-11 00 A.M..en.srt	2005.01.10
Nothing. 489 00:22:28,452 --> 00:22:30,918 You tortured my son for almost three hours 490 00:22:30,9	24 - 4x04 - Day 4 10 00 A.M.-11 00 A.M..en.srt	2005.01.10
I'm going to recommend that you be arrested for torturing a suspect 98 00:05:15,983 --> 00:05:18,277	24 - 4x02 - Day 4 8 00 A.M.-9 00 A.M..en.srt	2005.01.09
00:09:04,837 There was a guy there torturing Melanie. 176 00:09:05,838 --> 00:09:07,757	24 - 4x02 - Day 4 8 00 A.M.-9 00 A.M..en.srt	2005.01.09
36 00:19:19,121 --> 00:19:21,648 Yes, my mom will torture you forever. But what's worse? 337 00:19:21,648	Will Grace - 7x12 - Board Games.en.srt	2005.01.06
9:15,419 --> 00:39:17,148 It's a biannual rite of torture. 575 00:39:18,389 --> 00:39:20,721 I'll play thi	Veronica Mars - 1x11 - Silence of the Lamb.en.srt	2005.01.04
-> 00:18:36,577 You just want her here so she can torture me, 338 00:18:36,615 --> 00:18:39,015 because "S	Everybody Loves Raymond - 9x09 - A Date for Peter.en.srt	2005.01.03
all I hear are the sounds of small animals being tortured 589 00:36:14,708 --> 00:36:16,191 and children c	Medium - 1x01 - Pilot.en.srt	2005.01.03

And even this sample is just a small segment of a vast discourse on torture in US-American TV-shows since 9/11.

An extensive full text search for the term torture[489] in about 19.000 subtitle files of about 388 TV-shows screened in the United States between 2000 and 2010[490] produced 2186 hits.[491] This constitutes an immensely abundant corpus for analysis. Ordering the hits chronologically according to the screening date allows an initial insight into developments over time which the discourse of *torture* has taken in US-American television shows.[492]



Year	Hits/Year
2000	67
2001	87
2002	114
2003	120
2004	112
2005	203
2006	227
2007	310
2008	214
2009	359
2010	223
2011	191
2012	119
2013	32

The graph shows that since 2004 torture has been discussed increasingly and it remains a topic at least until 2009. The brief collapse between 2007 and 2008 can possibly be explained by the strike of the Writers Guild of America which started on November 5, 2007 and concluded on February 12, 2008.

Due to challenges when dealing with such large quantities of data, the graph is not very significant in itself. Already the initial three examples and their differences show that a qualitative survey of the semantic context of the word 'torture' is necessary. In other words, the most precise statement one can draw from the above graph is that there seems to be an increase in the appeal to use the term torture instead of other terms.

[489] In order to include not just the noun *torture* but also the verb and its conjugations and tenses as well the adjective *torturous* it was necessary to search for the word fraction in combination with an asterisk: *tortur**.
[490] This research is partly incomplete as not all subtitles have been collected. Approximately 30-40 percent of all TV-shows screened in the selected decade are missing from the search.
[491] The time frame of ten years is marginally permeable. Those shows which fall mainly into the decade but originated before 2000 are included completely. Shows which run longer than 2010 are mostly treated similarly.
[492] This is a preliminary graph, as it still contains some double entries and not all shows are represented here. Additionally, the steep decline since 2012 is likely due to missing subtitle data.

However, a closer analysis of a larger quantity of shows based on results from the quantitative search leads to a number of observations. First, in the above examples, 'torture' does not refer to an essential underlying meaning or practice. The tortured relationship Christopher has with his father does not relate to any form of violent interrogation as in *24*. In the context of the *Gilmore Girls* episode the term is used more or less synonymously for suffering in the sense that Christopher suffered from the behavior his father assumed towards him. Secondly, if 'torture' refers to a form of violent interrogation, such an event can be depicted on screen as in *24*, or not depicted as in the case of *Numb3rs*. In *Numb3rs* the audience needs to reconstruct the torture from the signs that are portrayed on images presented by the medical examiner. Finally, in the *Numb3rs* episode torture is committed by a group of people that the *FBI* characterized as brutal but professional. Torture becomes a sign of a very specific professionalism but also a characteristic of the criminal subject of this episode. In contrast, *24* shows a government agent torturing.

Apart from the semantic problems, two further methodological caveats need to be addressed. The organization of the data is complicated by semantic differences but also by the characters of the shows appearing in the relevant scenes. The subject positions in the universe of the TV-show dealing with torture, the torturing subject, their victims, and the characters speaking about torture vary from show to show, episode to episode and even within one scene. The cautious selection results in a great number of potentially relevant TV-shows. This abundance is at the same time a scarcity. The method of searching for an instance of torture through a full text subtitle search has certain limits. What is not grasped is the visual aspects, i.e. media-specific representations which lack any discussion of torture. There are no indications of which character speaks the lines nor do they give information what situation the character is located in while speaking. There is no way around actually watching the shows with the appropriate analysis tools. However, to my knowledge, no other scholarly research on torture representations on televisions show uses a similar approach to finding its material. In the existent studies, the selection of torture scenes is committed to a previously defined concept of torture. This definition is informed by legal definitions or by examples from other TV-shows or literary examples. The selection is then undertaken according to resemblance.

PERSÖNLICHE ANGABEN

geboren am 7. Mai 1981 in Hamburg, verheiratet, zwei Söhne (Elternzeit zwischen 2013-2014 / 2016), Staatsangehörigkeit: deutsch

BESCHÄFTIGUNGEN

Jul 2019 - heute	**Gesellschafter und Projektmanager im Haarenwerk Verlag** Entwicklung und Vermarktung eines satirischen Brettspiels über den US-Amerikanischen Vorwahlkampf
Jun 2017 – heute	**Digital Marketing Manager bei Bastwöste & Co** Marketing, Digitales und Verkauf
Okt 2010 – Okt 2016	**Lehrbeauftragter, Anglistik und Amerikanistik** Lehre im Bereich des Bachelorstudiums
Sept 2016	**Doktoranden-Workshop: New Historicism und Digital Humanities** Konzeption und Ausrichtung
Okt 2015	**Doktoranden-Workshop: Diskurs im Feld** Konzeption und Ausrichtung
Apr 2015 – Jul 2015	**Wissenschaftliche Hilfskraft, Sprachenzentrum** Erhebung einer Bedarfsanalyse für das Fremdsprachenzentrum
Okt 2012 – Feb 2013	**Wissenschaftliche Hilfskraft, Amerikanistik** *Diversitas Summer School* Webseite und Facebook Gruppe
Mär 2012 – Okt 2012	**Wissenschaftlicher Mitarbeiter, Anglistik und Amerikanistik** Lehre, Koordination
Jul 2011 – Mär 2012	**Wissenschaftliche Hilfskraft, Amerikanistik, ISO** Koordination des Buddy Programms für internationale Studierende
Sept 2010 – Jul 2011	**Wissenschaftlicher Mitarbeiter, Anglistik** Koordination eines Methodenworkshops
Apr 2009 – Aug 2010	**Program Associate, Salzburg Global Seminar** Assistenz: *Salzburg Academy on Media & Global Change*
Jun 2009	**Studentische Hilfskraft, BfB, Stadt Oldenburg** Partnerschaftstreffen zu den UNO-Millennium-Entwicklungszielen
Apr 2008 – Apr 2010	**Tutor und wissenschaftliche Hilfskraft, Anglistik** Tutorium und Recherchen, Unterstützung bei der Anfertigung eines BMBF-Drittmittelantrags zur Anthropologie und Moderne
Dez 2008 – Jan 2009	**Program Associate, Salzburg Global Seminar** Organisation eines *Winterfestivals* für Tagungsalumni
Okt 2007 – Mai 2008	**Projektmanager, Stadt Oldenburg** Ausrichtung des *Youth Forums on European Identity*

AUSBILDUNG

seit Aug 2011	**Promotion an der Universität Oldenburg** Torture, Democracy and Human Rights in US-American TV-Series after 9/11
Jan 2013	**Henri-Nannen-Journalistenschule**, **Hamburg** Einladung zur Finalrunde des 35. Jahrgangs
Jan 2007 – Jul 2007	**DAAD Free Mover Stipendium** Auslandssemester: Södertörns Högskola, Stockholm
Okt 2001 – Mär 2010	**Magister Artium, Carl von Ossietzky Universität** Anglistik/Amerikanistik und Politikwissenschaften, Abschlussnote: 1,3
Jun 2000	**Abitur**: Wirtschaftsgymnasium Oldenburg

PRAKTIKA

Sept 2008 – Dez 2008	**Academic Office, Salzburg Global Seminar, Salzburg** Organisation und Durchführung internationaler Tagungen
Sept 2007 – Okt 2007	**Büro für internationale Beziehungen, Stadt Oldenburg** Planung, Bürgerbegegnung für europäische Verständigung

PUBLIKATIONEN (AUSWAHL)

JOURNALISTISCH

- "TV-Serien: Die Saat des Misstrauens." *Die Zeit.online* (28.05.2014). Web.
- "24: Jack Bauer ist zurück." *Die Zeit.online* (06.05.2014). Web.
- "Film 'Zero Dark Thirty': Folterknechte am Schreibtisch." *Die Zeit.online* (01.02.2013). Web.
- "Wörter am Fließband." *Die Zeit.online* (27.12.2010). Web.
- "PowerUp Papierflieger – Eine Kickstarter-Karriere hebt ab." *Modell Aviator* (Jan 2015). Web/Print.

BLOGS UND WEBSEITEN

- Fotografien für Tagung zu *Movement Discourses* an der Universität Oldenburg (2015): www.uni-oldenburg.de/en/movementdiscourse/gallery/
- Pflege der Webseite für die *Diversitas Summer School*, einer Sommerakademie der Universität in Partnerschaft mit den Universitäten Johannesburg und Mumbai (2013): www.diversitas-network.org/front_content.php
- Fotografien und Text für das Modellflug und Technikmagazin *Model Aviator* (2012): www.modell-aviator.de/news/autopilot-auf-arduino-basis/
- Fotografien im jährlichen *President's Report* des Salzburg Global Seminar (2009): www.salzburgglobal.org/fileadmin/user_upload/Documents/President_s_Report_2009_REDUCED.pdf
- Webseite für Fotografie: www.web.archive.org/web/20141218095749/http://synaesthetics.net/
- Musikblog: www.rmnsrmnsrmns.wordpress.com/

AKADEMISCH

- "From 'infrequent shock to … main thread of the plot': Professional Techniques of Torture and The Discursive Participation of Fox's TV-Series 24 since 9/11." *The Construction of Us and Them in Relation to 9/11*. Ed. Uwe Zagratzki. Cambridge: Cambridge Scholars, 2014. Print.
- "'The Internet is leaking': Zur Produktion, Zirkulation und politischen Aneignung von Internet-Memes im Kontext der Occupy Wallstreet Bewegung." *Pop/Wissen/Transfers*. Eds. Susanne Binas-Preisendörfer, Jochen Bonz, Martin Butler. Berlin: LIT, 2014. Print.
- "Literature and Cultural Diplomacy: An Essay on Cultural Readings." *Institute for Cultural Diplomacy* (Dezember 2011). Web.

VORTRÄGE

- seit 2011 mehrere Vorträge zur Verhandlung von Folter und Menschenrechten in Film, Fernsehen und Buch, sowie zur Popkultur und Bildsprache des Web 2.0 an den Universitäten in Michigan, London, Prag, Szczecin, Dresden und Oldenburg

KENNTNISSE

- Sprachen: Englisch (verhandlungssicher), Tschechisch, Polnisch, Spanisch (Grundkenntnisse)
- EDV Kenntnisse (Microsoft Word, Excel Powerpoint, Photoshop, Photoshop Premiere)
- CMS Kenntnisse (Typo 3, Wordpress, Contenido, HTML)

EHRENAMTLICHES ENGAGEMENT

- seit September 2015 Mitglied im Aufsichtsrat des KIB Verein für Kinder

Oldenburg, 19. Feb 2021