

of worship, love, and devotion to night prayers." An American voiceover (no doubt provided on the DVD for export purposes) tells us that an atmosphere of "patient brotherliness and faith filled the martyrs' house in Kandahar." And we see footage of the men helping each other read and understand the aircraft manuals, making heroic and collaborative efforts, as the voiceover informs us, "to master the language and technology of the infidel."

And the images of the departed martyrs superimposed onto the rolling sand dunes of Afghanistan reminded one of the visual device of the ghosts of the British navy commandos marching forward as the credits roll at the end of the WWII movie *Cockleshell Heroes*, 1955. The claims made for the nineteen martyrs' actions are grandiose: they are, for example, the "destroyers of the American spirit." Quite the reverse, American neo-conservatives used 9/11 to revive American morale which had flagged substantially after the debacle in Vietnam. What followed was a steady stream of flag-draped coffins (no longer the Vietnam era no-frills body bags) and those flags became reflected in the increased numbers of Stars and Stripes waving outside American homes. It is only more recently, in the wake of Iraq, Abu Ghraib and Guantanamo that the American spirit has been shaken.

Someone Else's Everyday Reality is a very raw work but however repulsive its content might be to some viewers I believe one should support Ramadan's ultimate intention which is to overcome the barrier of the "unspeakable" which is the total unwillingness of the putatively morally superior nations—e.g. US, UK, Russia, Israel—to conceive of any dialogue whatsoever with the "evil" terrorists. Ramadan's challenge in *Someone Else's Everyday Reality* is to go beyond the irrational (or strategic) reduction of complex political issues to the archaic language of good versus evil. Watching "The Nineteen Martyrs" video in the context of a gallery, as a work of art, entails critical distance, an ability to pass through the initial emotive response to a much cooler, objective assessment of the extent of the terrorist threat, to the socio-political forces driving Islamic militancy and the way in which supposedly democratic governments are using the emotive atmosphere following 9/11 to promulgate a politics of fear, that could ultimately become more of a threat to liberty than terrorism itself.

This "evil" video played a large part in my own awareness that these people who perpetrated an act of horrifying devastation were in fact human beings. Seeing them even in the context of a propaganda film helped deconstruct the politics of fear, the aim of which is to distort the image of the other into that of a repulsive and antagonistic evil. So-called "evil" is not something theological or metaphysical but rather something very human and often very pragmatic. One thinks here of Agamben's cool and distanced analysis of National Socialist theory (Carl Schmitt) and practice (Auschwitz) in *Homo Sacer* and his comparison of National Socialist biopolitics with the technologies of subsuming the body and identity in mass mediated consumer capitalism.²¹

And from a Lyotardian perspective the "Nineteen Martyrs Video" is most definitely sublime in the sense of its intensity of affect and capacity to disrupt habituated and socially conditioned ways of thinking and perceiving. That is the value of looking through a window onto the other side. This video is also statement of differend in the sense that it is an expression of irreconcilable difference, an impossibility of dialogue. It points to the potential lawlessness of the political to which both Lyotard and Agamben refer. There is no definitive ethical argument for showing the "Nineteen Martyrs Video" as part of a work of art; there is only an aesthetic argument, an argument that transcends ethics and reason on the basis that this work evokes "the silent feeling that signals a differend remains to be listened to."²²

²¹ Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*, translated by Daniel Heller-Roazen, (Stanford, California: Stanford University Press, 1998).

²² Lyotard, *The Differend: Phrases in Dispute*, p. 171.

"Whoever has succumbed to torture can no longer feel at home in the world"
Jean Amery

"At the extreme limit of pain, nothing remains but the conditions of time and space"
Hölderlin

"The calamity of the rightless is not that they are deprived of life, liberty, and the pursuit of happiness, or of equality before the law and freedom of opinion—formulas which were designed to solve problems within given communities—but that they no longer belong to any community whatsoever"
Hannah Arendt

Anthony Downey

At the Limits of the Image: Torture and its Re-Presentation in Popular Culture

On April 28, 2004, a series of images from Abu Ghraib prison were aired on CBS's *60 Minutes II*. This was the first time that these photographs would be seen in public and they counted amongst their number an image that was to become instantly iconic. A man, in a penitential shroud, stands aloft a box with a hood on his head and what appears to be electric wires attached to his fingertips. The image is poorly taken, stark, and under-lit but, in all its purgatorial undertones and abject hopelessness, it would sear its way on to television screens and the front pages of newspapers worldwide; its iconographic wretchedness acting as a lightning rod for both anti-American and anti-war protestors alike.¹ And yet, for all the opprobrium and shock directed towards both this image and the perpetrators of this ghastly scenario, I have to admit that I did not find this image shocking as such. More images would follow this one, some more disturbing in their content, some obviously depicting torture, others showing a dead and obviously abused Iraqi—later identified as Manadel al-Jamadi—packed in ice and wrapped in cellophane. A significant number of images depicted forced acts of prisoner-on-prisoner fellation and masturbation; prisoners in enforced stress positions with women's underwear draped on their heads; and prisoners stacked one upon another in a grotesque human pyramid. Others showed a man with a leash around his neck being led naked from a cell and a faeces-besmeared man standing forlornly with his arms akimbo in the face of his gun-toting tormentor. Amidst this abecedarium of abuse, specific images stood out, none more so than a petrified prisoner with a snarling dog inches from his face. But none of these photographs were as redolent as the hooded man standing on the box. This was surely, in all its casual arbitrariness and yet methodical application, the brute fact of what Giorgio Agamben has termed "bare life": the application of a brute sovereign form of power upon that most vulnerable of entities: the rightless and thereafter forsaken subject.

The torture practised in Abu Ghraib sought not to liberate or democratize a country, nor to elicit information from prisoners (its ostensible aim); on the contrary, its ambition was mastery and ascendancy brought about by the exercise of a form of

* Editor's note: The images referenced in this text, along with their English captions, can be found in the Spanish section of this edition.

¹ The image was taken by Staff Sgt. Ivan Frederick II during his time at Abu Ghraib, which dated from October to December 2003. Frederick would become the highest in rank of the seven U.S. military police personnel who would be later charged with torturing prisoners at Abu Ghraib prison in Iraq, all of whom were members of the 372nd Military Police company.

power that was unmediated by law, politics, ethics or empathy. And yet, again, not only did these images not shock me back then, they do not particularly shock me now. Firstly, I had a nagging feeling that I had seen these images before, in sentiment if not actual substance. This sense of déjà vu was further reinforced when I came across a quote from Graham Greene who, although writing of the tortures inflicted on Viet-Cong prisoners by troops of the Vietnam Army, would seem to have something pertinent to say on the shameful of what occurred in Abu Ghraib 40 years later. Greene wrote:

The strange new feature about the photographs of torture now appearing in the British and American press is that they have been taken with the approval of the torturers and are published over captions that contain no hint of condemnation. They might have come out of a book on insect life. ... Does this mean that the American authorities sanction torture as a means of interrogation? The photographs are certainly a mark of honesty, a sign that the authorities do not shut their eyes to what is going on, but I wonder if this kind of honesty without conscience is really to be preferred to the old hypocrisy.²

To add to this sense of familiarity, I felt that to be shocked by these images, whatever their content, was a thoroughly inadequate response under the circumstances. Yes, for sure, these images are indicative of the sanctioned use of torture by American military servicemen and women (and, more troublingly, the political and military legitimization of such practices); they likewise point towards a catastrophic failure in political and military leadership; in terms of man's inhumanity to his fellow man, they leave little to the imagination. In a broader socio-historical sense, they not only depict acts that are in contravention of the Geneva Convention, they point towards the fatal schism within the executive (government) and legislative (legal) branch of U.S. power. Furthermore, they substantiate a discourse of exceptionalism whereby the use of torture has been revealed as the "rule" of law; they are hideous, outrageous, bestial, brutal, depraved and ultimately dehumanising to all depicted in them, torturer and victim alike. They are shameful and yet, in all their carnivalesque travesty, shameless. These images are all those things and more, and yet to be shocked by them would suggest a collision of images and priorities—the suggestion that what we are looking at is without precedent and is therefore the exception to what we see in our daily lives.³

In proposing from the outset that these images are neither shocking nor exceptional, I am tacitly suggesting that the use of torture, following on from the events surrounding September 11, became not only more acceptable to governments and populace alike but also a prominent feature of popular entertainment shows and mainstream films. To propose as much is to recall one of the key questions that predicated the conference out of which this essay emerged—namely, who is covering up what and why are certain images censored?—and to simultaneously ask a more troubling question: what if no one is covering up anything and all images, however disconcerting, are being seen nightly on our television and cinema screens? Implicit within this question is a litany of further issues which, although adverted to, will not necessarily find an adequate solution either in my discussion nor, I would argue, in contemporary theories of the image and the extent to which it can be rendered responsive to the broader socio-political, cultural, economic, and historical milieu in which we live. By way of a provisional conclusion, however, I will suggest that these images from Abu

Ghraib, in all their debasement, can never fully reify the trauma of torture and that any attempt to re-present the so-called "real" of torture—that most private and internalized of humiliations visited upon the body—exposes not so much the power of the image as it does the conditional limits of the image. And it is at precisely this point that we need to reconsider the issue not so much of our response to these images but our responsibility for them.

² Graham Greene to the *The Daily Telegraph*, June 11, 1964.

³ The root of the word shock is to be found in *chequer*, to collide with, from the Old French *chuquier*.

"Experiences Change Our Conception of Rights": Being Prepared for Torture

On September 16, 2001, TV newsman Tim Russert was told by Vice President Dick Cheney that the war on terror would take place not only on the battlefield but also by working "the dark side." Russert pursued this surprising (but perhaps not wholly unexpected) assertion: "There have been restrictions," he continued, "placed on the United States intelligence gathering, reluctance to use unsavoury characters, those who violated human rights. Will we lift some of these restrictions"? To which Cheney replied, "Oh, I think so."⁴ From the very outset of the "war on terror" that followed September 11, 2001, the "restrictions" placed upon U.S. intelligence organizations—international law and the Geneva Convention, for example—were open to both interpretation and unilateral renegotiation in the name of, somewhat paradoxically, an appeal to transcendentalist ideals such as Democracy, God, and Freedom. In the same interview, Cheney observed that "we need to make certain that we have not tied the hands, if you will, of our intelligence communities in terms of accomplishing their mission." In an unfortunate choice of words, the executive branch of the U.S. government set about "untying," through brutal and ultimately brutalizing forms of incarceration, the restrictions placed upon them by both international law and existing legislation. The effect, in the broader socio-cultural and legal arena, was pernicious. One year after September 11, Harvard-based lawyer Alan Dershowitz told CBS's Mike Wallace that if torture was debatable pre-Sept 11, 2001, it was not on September 12, 2001. "Experiences," Dershowitz opined, "change our conception of rights."⁵ At the kernel of these two sentiments, at the nebulous median point between Cheney advocating the derogation of law and Dershowitz's support for a consequentialist form of ethical and moral relativism, we find not only a discourse of exceptionalism—torture, under certain circumstances, is permissible—but the effective abrogation of human rights, the *de facto* suspension of the Geneva Convention, and the tacit advocacy of torture.

The apparently "illegitimate" use of torture (can torture ever be legitimate?) at Abu Ghraib, despite assertions to the opposite from the Bush government, can be traced to the so-called "legitimate" interrogation techniques used in Guantánamo Bay. This is the insight, amongst others, to be had in Philippe Sands' *Torture Team: Deception, Cruelty and the Compromise Law*, 2008, a study that has done much to define how politically sanctioned interrogation techniques used in Guantánamo found their way into the cells of Abu Ghraib. These "techniques" include the use of so-called "waterboarding," sleep and sensory deprivation, the use of stress positions, sexual and religious humiliation, and environmental manipulation; all of which are in contravention of Common Article 3 of the Geneva Convention; all of which were approved by the U.S. Secretary of Defence.⁶ This is a serious charge that goes to the heart of the Bush administration's accountability: it proposes that government-sanctioned interrogation techniques, as practised in Guantánamo, predicated the actual use of torture in Abu Ghraib. Far from the torture meted out to victims in Abu Ghraib being an aberration and

⁴ Tim Russert interviewing Vice-President Dick Cheney. Cited in Philip Gourevitch and Errol Morris, *Standard Operating Procedure: A War Story* (London: Picador, 2008), pp. 28-29.

⁵ Alan Dershowitz speaking on the CBS news programme *60 Minutes*, 22 September 2002. Cited in Philippe Sands, *Torture Team: Deception, Cruelty and the Compromise Law* (London: Allen Lane, 2008), p. 65.

⁶ On the subject of these methods, a memorandum—the so-called "Haynes memo"—listed 18 interrogation techniques that, although all new to the U.S. military, were nevertheless signed off by Donald Rumsfeld on December 2, 2002. These methods were sectioned into 3 separate categories that ranged from Category 1 (yelling and deception) to Category 2 (the use of stress positions, 24 hour interrogations, removal of clothing and use of phobias, such as a fear of dogs, to induce stress), and an infamous Category 3 (the use of "mild, non-injurious physical contact") that allowed the application of a wet towel to a prisoner's face and the dripping of water on it to induce a sense of drowning. This latter technique, known to the world as "waterboarding," has had a long and ignominious history of usage that finds antecedents as far back as the 16th Century.

largely down to supposedly rogue elements in the U.S. military, it was a policy directed and authorised by those at the very apex of the U.S. executive, legal, and military echelon. "In Iraq," former Vice-President Al Gore has observed, "what happened at that prison [Abu Ghraib], it is now clear, is not the result of random acts of a few bad apples. It was the natural consequence of the Bush Administration policy."⁷ The ramifications could not be more grave: the ongoing and largely unresolved struggles between the executive and legislative branch of U.S. power had effectively given rise to a discourse of exceptionalism wherein the use of torture was revealed to be the "rule" of law.⁸

For some of us, these revelations will come as no surprise. Philip Gourevitch and Errol Morris, amongst others, have carefully outlined precisely how such a state of affairs came about through, for example, the lack of political forethought in Washington and a lack of foresight on the ground when it came to both choosing and preparing Abu Ghraib as a prison; the use of private and largely unaccountable contractors in the interrogation of prisoners (often working under the guise of Military Intelligence); the effective subjugation of the Military Police—who were largely used to "soften up" prisoners prior to their interrogations and by whatever means necessary—to these unaccountable representatives of Military Intelligence; the sheer volume of traffic through Abu Ghraib due to indiscriminate mass arrests; the presence of OGA's ("other government agencies") at the prison, which was usually a euphemism for the CIA, but could also refer to the Defense Intelligence Agency, the FBI, Taskforce 121, or Taskforce 6-26; and, no doubt, the group mentality of servicemen and women working under their own stresses and without much by way of field training or the guidance of an in-depth Standard Operating Procedure at Abu Ghraib.

All of these factors contributed, to different degrees, to the use of torture on Iraqi prisoners. However, and for all the critical mileage to be had in such observations, I am more interested here in how this failure, alongside the tacit advocacy of torture from the upper echelons down, was played out in the media and in popular culture: how, that is, images of torture and apparently justified aggression in popular culture not only desensitized a viewing public but also provided a degree of *a priori* legitimization to the use of torture in Abu Ghraib. In what follows, in sum, I will examine the extent to which fictional images of torture and abuse, in a frankly terrifying inversion of priorities, preceded and effectively legitimized actual abuse.

"A Dunk in the Water": Torture and its Representations

In the *60 Minutes* show noted above, broadcast on September 22, 2002, Alan Dershowitz was accompanied by another guest, one Paul Aussaresses, the retired French general who defended the use of torture during the war in Algeria in the 1950s. One of the favoured methods advocated by Aussaresses involved the pouring of water over a towel which had been placed on the face of the victim, or, as we now know it, "water-boarding." At precisely the moment that *60 Minutes* was being aired, as Philippe Sands has observed, that exact method of torture was being discussed in the Pentagon and Guantánamo Bay.⁹ Vice President Dick Cheney would later describe water-boarding as a "dunk in the water" and a "no-brainer" if it saved lives.¹⁰ This widespread political acceptance of

torture was likewise mirrored in the media and popular culture. According to research carried out by Parent's Television Council, as quoted in the Human Rights First report noted above, the instances of torture on primetime American television went from 42 in 2000 to 228 in 2003, the latter a peak figure.¹¹ The issue, however, is not so much the rise in the scenes of torture, which have always had a part to play in both television shows and movies, as it is the manner in which torture was being portrayed in patriotic and even moral terms. Formerly of Human Rights First, Jill Savitt noted in 2007 that "[a]fter 9/11, we see a dramatic rise in American characters using torture to elicit information and having that torture seen as patriotic and effective."¹² In this report, Savitt further suggested, echoing Gourevitch and Morris's research, that techniques seen on television were used in Abu Ghraib *in lieu* of a comprehensive standard operating procedure.

To the extent that it would be critically foolhardy if not downright suspect to suggest that the human rights abuses and torture that occurred at Abu Ghraib were largely down to the inability of American servicemen and women to distinguish the difference between the use of torture in a television show and its use in the so-called real world, a link between the positive portrayal of torture on mainstream American television, following on from September 11 2001, and its use in Abu Ghraib can be nevertheless substantiated. Of all the shows highlighted in this category, the Fox channel's *24* has drawn the most attention. This television show, which stars Kiefer Sutherland as a maverick on-off government agent, one Jack Bauer, has been specifically cited not only as a role model but a form of *a priori* legitimization for what was going on in the prison.¹³ Gourevitch and Morris have noted that one of the perpetrators of torture in Abu Ghraib, Specialist Charles Graner, "was reminded of the popular television series *24*, whose post-September 11 hero is regularly forgiven for committing crimes, including torture, in the cause of protecting America from Terrorism. He told Big Steve [Steven Stefanowicz], 'We don't do that stuff, that's all TV stuff...'"¹⁴ Steven Stefanowicz, the eponymous "Big Steve," was one of dozens of civilian employees from the Virginia contractor CACI International who was hired by the Pentagon to work at the prison, a so-called contract interrogator and thereafter one of the primary Military Intelligence personnel in Abu Ghraib who was giving orders to Military Police such as Specialist Charles Graner. It was Stefanowicz who brought Graner his first suspect and, although Graner was initially surprised by Stefanowicz's requests that the prisoners be yelled at, made to stand nude, and manhandled, and reluctant to engage such practices, the latter told him that one of the suspects had earlier been involved in a plot to blow up the UN headquarters in Baghdad, an event that killed 22 people. This snippet of information certainly weakened what there was of Graner's resolve and, after a few further conversations with his superiors, he was ready to indulge in any number of practices including the use of stress positions, the use of women to humiliate prisoners, and the application of techniques that caused pain without ostensible injury.¹⁵ Graner would later subject a prisoner nicknamed "Gilligan" to a continuous barrage of abuse in which he yelled at him, made him stand aloft an ammunition box for extended periods of time, and subjected him to bouts of sleep deprivation. Searching for an analogy to such abuse, Graner said, in another reference to popular culture, it was like "more or less repeating the first half of *Full Metal Jacket*..."¹⁶ Nevertheless, and despite the fact that it was "all TV stuff," none of this stopped Specialist Charles Graner becoming something of a ring-leader in meting

⁷ Former Vice-President Al Gore cited on <http://pol.moveon.org/goreremarks052604.html> (accessed August 31, 2008).

⁸ In 2004, the then Secretary of Defense, Donald Rumsfeld, responded to allegations of torture and prisoner abuse in Abu Ghraib with typical sophistry: "What has been charged so far is abuse, which I believe technically is different from torture. I'm not going to address the 'torture' word." Donald Rumsfeld, quoted in Adam Hochschild, "What's in a Word? Torture," *The New York Times*, May 23, 2004.

⁹ Philippe Sands, *Torture Team: Deception, Cruelty and the Compromise Law*, pp. 64-65

¹⁰ Dan Heggen, "Cheney Remarks Fuel Torture Debate," *The Washington Post*, October 27, 2006. Cited in Sands, p. 283.

¹¹ See http://www.humanrightsfirst.org/us_law/etn/primetime/index.asp.

¹² Jill Savitt, "All Things Considered," interview by Kim Masters, NPR, March 13, 2007. For full broadcast, see <http://www.npr.org/templates/story/story.php?storyId=8286003> (accessed June 2008).

¹³ Alongside Fox's *24*, Human Rights First also cited the ABC's *Lost* and *Alias* and NBC's *Law & Order* for their depiction of torture as a quick fix solution in a so-called ticking bomb scenario. See http://www.humanrightsfirst.org/us_law/etn/primetime/index.asp.

¹⁴ Philip Gourevitch and Errol Morris, *Standard Operating Procedure: A War Story* (London: Penguin, 2008), p. 121.

¹⁵ *Ibid.*, pp.121-22.

¹⁶ *Ibid.*, pp.175-76.

out abuse at Abu Ghraib. In a series of photographs, he is seen in a variety of poses, including two where he gives the ubiquitous “thumbs up” sign over, in one instant, a pyramid of naked prisoners and, in another, alongside the prostrate and dead figure of Manadel al-Jamadi. Sabrina Harman, seen smiling in the former photograph, would also pose with the corpse of Manadel al-Jamadi, her thumbs up as an apparent sign of approval. In other photographs, Graner was shown either punching or making ready to punch a bound and helpless prisoner. He also posed with Lynndie England, who would be later found guilty by an Army court martial court of inflicting sexual, physical, and psychological abuse on Iraqi prisoners of war and sentenced to three years in prison. On January 14, 2005, Graner was likewise convicted by a court-martial, sentenced to 10 years in military prison, demoted to private, and dishonorably discharged. Sabrina Harman, who was later sentenced to six months in prison and a bad conduct discharge for her part in the torture of inmates at Abu Ghraib, noted that “it [the torture] seemed like stuff that only happened on TV, not something you really thought was going on. It’s just something that you watch and that is not real.”¹⁷

There is a disconcerting confusion of reality and televisual violence here that speaks to the concerns raised by groups such as Human Rights First and Brigadier General Patrick Finnegan who, in November 2006, met with the producers of *24* to voice his concerns at the seemingly “patriotic” portrayal of torture for theatrical and dramatic effect, not to mention its influence on soldiers in the theatre of war. Finnegan, it has been reported, pointed out to the producers that “it had become increasingly hard to convince some cadets that America had to respect the rule of law and human rights, even when terrorists did not. One reason for the growing resistance, he [Finnegan] suggested, was misperceptions spread by *24*, which was exceptionally popular with his students....”¹⁸ In the trailer for season 4 of *24*, a sonorous voice-over apocalyptically intones the following: “As the enemy becomes more unpredictable; as the world becomes more dangerous; so does he [Jack Bauer].” It is clear from this anti-millenarian tone that doom is but a hair’s breadth away and the rules of engagement are in need of a radical rethink. In the high-stakes atmosphere of counter-terrorist information gathering, torture becomes yet another tool in the “war on terror.” In a memo written in April 2006, Rumsfeld, amidst a list of instructions to Pentagon staff, suggested

that they “[k]eep elevating the threat ... Talk about Somalia, the Philippines etc. Make the American people realise they are surrounded in the world by violent extremists.”¹⁹ Season 4 of *24*, the series with the most liberal take on the application of torture, was first aired on January 9, 2005, with its season finale broadcast on May 23, 2005. To observe that it captured the political zeitgeist, if not substance of Rumsfeld’s remarks, is perhaps besides the point here. What is more important in this context—one mired in the consequentialist logic that the end justifies the means—is the manner in which the torture of suspects becomes increasingly acceptable, whether used on friend or foe. In one scene in Season 4, Sarah Gavin, an analyst in the Counter Terrorism Unit (C.T.U.), is tortured with a taser so as to extract information. Gavin has been effectively set up; however, once exonerated, her response is to demand promotion because she has been tortured. (It would seem, in this context, that torture is but one way of advancing your career at C.T.U., whether it is applied to you or, like Jack Bauer, you are the one doing the applying.) Likewise, Behrooz Azaz, the son of two terrorists, is similarly subjected to torture although he does not know anything. This was not the first time that children of suspects were used as pawns in CTU’s strategizing.

In series 2, and apart from a scene in which a national security adviser is interrogated with a defibrillator, Jack Bauer extracts information from a suspect by forcing him to watch a “real-time” video of the execution of his child. When it turns out that the execution was in fact staged (an interestingly recursive use of a dramatic televisual device—the broadcasting of an event—within the context of a broadcasted television drama), the suspect almost thanks Jack for putting him through his own private version of hell.²⁰

Writing in *The New York Times* in May 2005, that is after the Abu Ghraib scandal had broke and just before the season finale of series 4 of *24*, Adam Green noted the insidious effect of torture scenes in the series. Drawing attention to another episode in which a terrorist is freed, after the intervention of Amnesty Global—an all-too-obvious stand-in here for Amnesty International here—and before Jack Bauer has had a chance to interrogate him, Green observed that the “ever-resourceful Jack, knowing what had to be done, resigned from C.T.U. to disassociate colleagues from his actions and then, in a parked car outside the C.T.U. building, expertly broke Prado’s handcuffed hands to procure vital and, in this case, accurate leads.”²¹ Again, the consequentialist relativism at work here—the sense that the end will always, in states of exception, justify whatever means, even torture—is explicit and beyond doubt. It follows a causal path: an un-cooperative informant is tortured and thereafter yields information. In the world of *24*, this does not take days, hours or minutes; rather, it takes seconds. And this urgency is further fuelled by the so-called “ticking bomb scenario”: if information is not garnered with precision and on time, a bomb will explode and lives will be lost. The message is simple: torture works! And it is precisely this far from subliminal message that was filtering through to soldiers overseeing prisoners in Abu Ghraib.²²

There is, of course, a limit to the extent to which we can lay the blame for abuse at Abu Ghraib at the feet of a television programme such as *24*. As noted, the lack of a standard operating procedure, a failure of political and military leadership, an inadequate command structure, peer pressure, the group mentality that is an invested aspect of army life, not to mention the stresses of being in a theatre of war, all contributed to these abuses. However, the fact that the spectacularization of violence, in this instant torture, was being naturalised before our eyes in T.V. shows such as *24* clearly indicates that actual torture was becoming more acceptable. The correlation to be had between the fictional use of torture, in all its gratifying immediacy when it came to producing results, and its actual use on prisoners in Abu Ghraib is borne out by statements by Spc. Charles Graner, the apparent ringleader in the prison, and Sabrina Harman. Elsewhere, and in relation to another notorious site of incarceration, Philippe Sands recalls a meeting with Diane Beaver, an American lawyer and former officer in the United States Army, when he observed the words “*24*—Jack Bauer” written on her writing pad. Sands continues, “Bauer had lots of friends in Guantánamo Bay, Beaver said, ‘he gave people lots of ideas.’” Beaver further noted that the show was beamed into Guantánamo and was highly popular with interrogators there. Sands goes on to observe that Beaver “believed the series contributed to an environment in which those at Guantánamo were encouraged to see themselves

¹⁷ Sabrina Harman, quoted in Philip Gourevitch and Errol Morris, *ibid.*, pp. 113-114.

¹⁸ Jane Mayer, “Whatever it Takes: The Politics of the Man behind *24*,” *The New Yorker*, February 19, 2007, p.35. Elsewhere in her article, Mayer reported that when Brigadier General Patrick Finnegan turned up on the set of *24* in his army uniform to voice his concern about the depiction of torture as both effective and patriotic, he was mistaken (in another inversion of reality and fiction) for an actor in the programme.

¹⁹ Donald Rumsfeld cited in Alex Spillius, “Rumsfeld ‘kept up fear of terror attacks,’” See *Telegraph.co.uk*, March 11, 2007, <http://www.telegraph.co.uk/news/uknews/1568165/Rumsfeld-%27kept-up-fear-of-terror-attacks%27.html> (accessed November 3, 2008).

²⁰ Mayer notes that the the Parents Television Council counted sixty-seven torture scenes during the first five seasons of *24*—more than one every other show. See Jane Mayer, “Whatever it Takes: The Politics of the Man behind *24*,” p. 33.

²¹ Adam Green, “Normalizing Torture on *24*,” *The New York Times*, May 22, 2005.

²² The “ticking bomb scenario,” seen as a dramatic device in *24*, has long been used to prefigure the increasingly dominant voices calling for the use of torture. In his review of Alan Dershowitz’s book, *Why Terrorism Works: Understanding the Threat, Responding to the Challenge*, Richard Posner, a judge of the United States Court of Appeals for the Seventh Circuit, wrote the following: “If torture is the only means of obtaining the information necessary to prevent the detonation of a nuclear bomb in Times Square, torture should be used—and will be used—to obtain the information.” Richard Posner, cited in Michael Slackman “What’s Wrong With Torturing a Qaeda Higher-Up?,” *The New York Times*, May 16, 2004, p.12. Whatever the merits of this albeit rhetorical (and thereafter suspect) argument, the fact of the matter is that there was no “ticking bomb scenario” in Abu Ghraib, not that such a scenario would have given either solace or legitimacy to the abuse and torture perpetuated there.

as being on the frontline—and to go further than they otherwise might.”²³ Torture was being normalized and the theatricalized, Hollywood-inspired face of counter-terrorism, in essence, was finding its less than palatable counterpart in the state-sanctioned and politically-legitimized use of torture. And that, if anything, is what is shocking about the photographs that emerged in 2004: they already existed, in sentiment and political expediency, and were being broadcast nightly in T.V. shows that depicted the “legitimate” and apparently patriotic use of torture. There was no clash of images in this instant, no collision of ideals; rather, what we had was perfect symmetry between fictionalized and actual violence and torture. What is more, the show and its producers have been actively courted by White House officials. Writing in the *The Nation*, Jos Weiner observed that “24 is back on Fox TV ... The show is much more convincing than the White House at making the case for torture; its ratings have gone steadily up over the last five years, while Bush’s ratings have gone steadily down.”²⁴ Weiner continues:

The show’s connection to the Bush White House and the conservative establishment became explicit last June, when Homeland Security Chief Michael Chertoff appeared alongside the show’s producers and three cast members at an event sponsored by the Heritage Foundation to discuss “The public image of US terrorism policy.” The discussion was moderated by Rush Limbaugh. The C-SPAN store sells a DVD of the event—price reduced from \$60 to \$29.95. Sunday night’s two-hour premiere again argued not just that torture is necessary but that it works—and it’s also really exciting to watch.²⁵

The images from Abu Ghraib have a depressing cycle of exposure to them: fictional representations were effectively reified for real on actual individuals rather than actors. In one arena, we find socio-cultural fiction sold as mass entertainment; in the other supposedly carceral institution—a zone where legal precedent and the Geneva Convention should be the order of the day—we find an indistinct, interstitial region where legality and illegality, legitimate interrogation techniques and outright torture, unlawful and lawful enemy combatant, the rule of law and its suspension, and ultimately life and death become blurred and thereafter subject to the easy gratifications implied in the fictional portrayal of torture.

By Way of a Conclusion

On March 11, 2006, the front page of *The New York Times* carried an image of a man holding a photograph of the so-called “hooded man” standing on a box. The individual holding the image was Ali Shalal Qaissi who claimed to be the man in the hood. His claim was verified by human rights groups and, in the original photograph from 2003, the man in the hood would appear to have a deformed left hand which corresponded with Qaissi’s deformed left hand. In Abu Ghraib, it was his left hand that earned him the nickname “Clawman” and, in one photograph of Qaissi taken during his time there, Sabrina Harman M.P. had helpfully written “The Claw” on his orange jumpsuit. Writing of the original image of the “hooded man,” Errol Morris has noted that the iconicity of the photograph itself, its worldwide distribution and immediate recognisability, led to press and thereafter public interest in Ali Shalal Qaissi’s story. No photograph, as Morris puts it, would have meant no story.²⁶ Morris goes on to observe that although Qaissi had indeed been in Abu Ghraib, and may have been subjected to both torture and

a similar ordeal to the “hooded man,” he was not *the* “hooded man”; that dubious award went to one Abdou Hussain Saad Faleh, who had been nicknamed Gilligan after the character in the popular 70s television series *Gilligan’s Island*. In his article, Morris makes some further points regarding the apparent veracity of photography as a medium and its relationship to the “real.” He notes that despite Ali Shalal Qaissi not being the “hooded man” (although he had even went so far as to have his business cards printed with the image on them), it would appear that in the moment of him claiming to be the “hooded man” he became a living symbol, for a time at least, for the abuse carried out at Abu Ghraib. He was therefore a spokesperson for it and gave focus to the anger surrounding what had happened in the prison. However, as Morris duly notes, there was a “real” to this event, a man nicknamed Gilligan, who has since disappeared, did actually stand on a box and have electrical wires attached to his fingertips.

There are two independent but related questions that arise here. In the first instant, and for whatever reasons, Ali Shalal Qaissi wanted to claim the experience in the photograph as his own. Putting to one side his motives, I want to read this claim here as a moment of empathy, an ethical gesture if you will, whereby one individual makes that leap, so to speak, into someone else’s shoes. In claiming to be the “hooded man,” Qaissi gave the viewer the chance to more fully contemplate and further respond to the violence visited upon prisoners in Abu Ghraib—he was, after all, a living being who had endured such abuse. This may appear fanciful to begin with: a moment of empathy that somehow reifies the trauma of torture and abuse and thereafter brings it closer to us in all its horror. However, I would further suggest (and again putting to one side Qaissi’s motives) that his gesture effectively recalls Emmanuel Levinas’ “ethics of responsibility”: we are all, to severely abbreviate Levinas’s theory, responsible for the other.²⁷ This may, of course, seem a tad abstract but it is precisely the element that is missing above in the elision of the fictional use of torture and the reality of its application: the basic ethical duty, largely enshrined in the Geneva Convention, of one person towards another. And that duty can be nowhere more attenuated than when the so-called other is at your mercy.

There is much more to be said on this matter, not least the degree to which we must not only respond to these images but take responsibility for them; however, and in anticipation of further research, I want to offer some closing and largely provisional remarks by way of a conclusion. Despite the ostensible difference of the other, the apparently irremediable distinction (to quote Martin Buber) between I and thou, there remains, in the discourse of human rights and the application of the Geneva Convention, an ethical injunction against seeing that difference in terms of indifference—an indifference that can ultimately manifest itself in the fatal use of torture. “My responsibility for the other,” Levinas has written, “is precisely the non-indifference of this difference.”²⁸ It is precisely this non-indifference, moreover, that makes me a subject. “The non-indifference of responsibility to the point of substitution for the neighbour,” Levinas writes, “is the source of all compassion.”²⁹ Writing of Levinas’s philosophy, Richard Cohen has further argued that “the dignity of man [for Levinas] arrives in and as an unsurpassable moral responsibility to and for the other person. And moral responsibility for the one who faces leads to the demand for justice for all those who do not face, for all others, all humanity.”³⁰ As one who does not face us, literally insofar as he is hooded, Abdou Hussain Saad Faleh’s claim to justice would appear instructive in the context of what happened at Abu Ghraib.

²⁴ Jos Wiener, “Fox Show 24: Torture on TV,” *The Nation*, January 15, 2007; see <http://www.alternet.org/story/46757/> (accessed March 23, 2008).

²⁵ Ibid.

²⁶ Errol Morris, “Will the Real Hooded Man Please Stand Up,” *The New York Times*, August 15, 2007. See <http://morris.blogs.nytimes.com/2007/08/15/will-the-real-hooded-man-please-stand-up/> (accessed, January 21, 2008).

²⁷ For Levinas, the formulation of “ethics as first philosophy” begets an infinite demand: the basic ethical duty, that is, to the other.

²⁸ Emmanuel Levinas, “God and Philosophy,” in *Of God Who Comes to Mind*, translated by Bettina Bergo (Stanford: Stanford University Press, 1998), p. 71.

²⁹ Emmanuel Levinas, *Otherwise Than Being or Beyond Essence*, translated by Alphonso Lingis (Dordrecht and Boston: Kluwer Academic Publishers, 1999), p. 166.

³⁰ Richard Cohen, “Humanism and Anti-Humanism: Levinas, Cassirer and Heidegger,” in *The Humanism of the Other* (Champaign, Illinois: University of Illinois Press, 2003), p. 2.

And that claim to justice is equally a claim not only for our attention to his forsaken plight but a demand that we each individually assume a degree of responsibility—in the moment of our indifference to the predicament of Iraqi prisoners in Abu Ghraib—for putting him on that box in the first place.

And yet we reach another conundrum here, one noted above: wherein lies the trauma of violence and the “real” of torture; and, perhaps just as importantly, how can it be related or reified in the present. How can we ever hope to understand, and thereafter take responsibility, for Faleh’s plight and the torture visited upon him? Which returns us to the epigraph that opened my discussion, the observation by Jean Amery that the individual who has been subjected to torture can never feel at home again in the world. Amery, the victim of torture himself, was confronting the absolute and profound breakdown of trust in the world that he felt after torture had been repeatedly visited upon his body; nonetheless, his insight points towards another problematic: how are we to revisit the moment of torture in a way that rebuilds our trust in the world (if not the image) itself? Amery writes:

It would be totally senseless to try and describe here the pain that was inflicted upon me ... One comparison would only stand in for the other, and in the end we would be hoaxed by turn on the hopeless merry-go-round of figurative speech. The pain was what it was. Beyond that there is nothing to say. Qualities of feeling are as incomparable as they are incommunicable. They mark the limit of the capacity of language to communicate. If someone wanted to impart his physical pain, he would be forced to inflict it and thereby become a torturer himself.³¹

If we cannot translate or reify the “real” of torture, without becoming torturers ourselves, then a question remains: can the “real” or simulated real of torture be only represented in sensationalized and voyeuristically-inspired spectacle? This is not so much to rehearse the defeatism of a Baudrillardian-inspired belief in the conceptual bankruptcy and devolved authority of reality in the face of a simulated reality—the scenario whereby fictional representations of torture become the reality of torture for most of us—as it is to question the base fact of visual iconography and the idolatry surrounding images and their referents: what images, in sum, could reify the real of torture and thereafter expose the fundamental ethical responsibility of each individual to disavow its use in whatever circumstances?

³¹ Jean Amery, *At the Mind's Limits* (London: Granta, 1999), p.33.

ONE OF THE MOST CELEBRATED ARGUMENTS on the contemporary image discusses the viewer’s indifference and passivity upon being confronted with representations of tragedy. Susan Sontag, for instance, gives an account of this argument when she writes: “flooded with images of the sort that once used to shock and arouse indignation, we are losing our capacity to react. Compassion, stretched to its limits is going numb.”¹ That is, we have witnessed so much that images do not affect us anymore. Our retinæ are so saturated with terrible images, that they are no longer capable of provoking the least bit of emotion in us. As the artist Alfred Jaar, who has done some of the best work on this over-abundance of images, maintains, “these days we find ourselves exposed to an abundance of images that pass

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The Role of the Viewer [On the Affectivity of Images]

through the ‘information highway’ far too fast, a landscape of media where thousands of reproductions are competing for our attention and are pushing us to consume, consume, consume. So we must ask ourselves how can an image that represents suffering, lost in a sea of consumption, still affect us?”² And it does not take long for him to respond: “Unfortunately, in most cases the image is incapable of affecting us.”³

If one observes closely, these arguments that serve as an example—although one could cite many of them—are similar in that they blame this situation on the environment in which images are produced. It is the media that saturate us with images. As Georges Didi-Huberman suggests, “Televized information manipulates the two techniques of nothing and excess wonderfully well—censorship or destruction on the one hand—suppression by means of proliferation on the other—to obtain the best results in terms of blinding.”⁴ Or to put it another way, the media, with their controlling and dominating ideologies, are what keep us prisoners, cover up our eyes and make us blind. They are the ones that do not allow us to see “the truth” of images.

Attacking the media and their ideology has become a common resort for contemporary critical theory that time and time again produces disparaging arguments against communication and its dominating influence.⁵ The theories of deception, simulation, manipulation, and control by institutions of power have been diligently presented from Foucault to Debord, passing through Baudrillard, Virilio, or the influential studies of Jonathan Crary.⁶ Of course, I share this intellectual tradition to which, to some degree, I feel very much indebted. I believe, however, that this tradition has a danger—a danger that ends up removing all responsibility from the viewer. Our indifference before images is the media’s fault; the media

¹ Susan Sontag, *Regarding the Pain of Others* (New York: Picador, 2004), p. 125.

² Alfredo Jaar, “Es difícil,” in Antonio Monegal, comp., *Política y (po)ética de las imágenes de guerra* (Paidós: Barcelona, 2007), p. 207.

³ *Ibid.*, p. 207.

⁴ Georges Didi-Huberman, “Emotion does not say ‘I’.” Ten Fragments on Aesthetic Freedom,” in *Alfredo Jaar: The Politics of Images*, edited by Nicole Schweizer, (Zurich: JRP Ringier, 2007), p. 57. Elsewhere, I have promoted a vision that is different from the one expressed by Didi-Huberman: *La so(m)bra de lo real: el arte como vomitorio* (Valencia: Alfons el Magnànim, 2006). There I argued for two principal strategies in today’s art that could be used to escape from the saturation of images: anorexia and bulimia. In place of everything or nothing, I spoke about equilibrium as the guiding principal of the spectacle of images. By means of not giving anything or giving too much—at least that is what I believed—this was an equilibrium that was possible to destabilize.

⁵ Mario Perniola, *Contra la comunicación* (Buenos Aires: Amorrortu, 2006).

⁶ In this respect, it is interesting to look at Martin Jay’s view in *Downcast Eyes* (Berkeley: University of California Press, 1994). In this work, Jay observes that this tradition of suspicion is strongly connected with the degradation of the look in contemporary thought.