Torture and the Impact of 24 on America After 9/11

Written by Emily Clews

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'Everybody Breaks Eventually': Torture and the Impact of *24* on America After 9/11

Abstract

Since the terrorist attacks of September 11th 2001, the fictional representation of torture on US television has grown exponentially; not only is a higher volume of torture scenes shown but the context in which torture is administered has also changed. Now torture is a patriotic act carried out by the 'good guys' as an effective counterterrorism tool. The focus of this research is to investigate the impact this representation of torture has had on the attitudes and actions of the American public and military in the eleven years following 9/11. To discern the nature and impact of torture's representation, a mixed qualitative and quantitative research approach is adopted, comprising three pieces of individual research. This includes a discourse analysis of popular counterterrorism thriller *24* (2001-2010), a statistical survey of American public opinion data on torture and its methods (2001-2012), and a documentary analysis of military autobiographies of soldiers and interrogators. Although no causal link can be established between the fictional 'torture myth' and individual beliefs and actions, this research takes seriously the influence of popular culture in demonstrating the spheres within which these factors converge. The research establishes that a consistent myth of torture is represented on *24*, outlining the practice as physically effective and justified to fight terrorism. Over the same period, a long-term upward trend in the American public's support for torture evidently started becoming the majority view in 2009. Individual soldier experiences reveal the situational context in which the torture myth became persuasive, further outlining instances when *24* or fictionalized torture directly impacted real-life decisions and actions. This research therefore concludes that the fictionalized representation of torture as effective, justified and patriotic has had an important impact on American attitudes and beliefs over time. Recommendations are made to establish causal links and extend the research so that cultural interpretation is taken seriously in future research in International Relations.

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CHAPTER 1 – Introduction

Background and Research Focus

"You are going to tell me what I want to know – it's just a matter of how much you want it to hurt", Jack Bauer tells one of his captives in the pursuit of actionable intelligence in the popular TV series *24*.[1] Immediately after the 9/11 attacks in 2001, 60% of the American public opposed the use of interrogational torture as a mechanism for counterterrorism.[2] A decade later this trend has reversed with the majority of American's now supporting the use of torture on terrorism suspects to gain information. This thesis seeks to explain why torture has become *more* and not less acceptable to the American people over the course of its Global War on Terror.[3]

In pursuit of actionable intelligence during the Administrations of George W. Bush, state-sponsored policies of coercive interrogation techniques coupled with military culture and lack of interrogational supervision on the ground resulted in the widespread mistreatment of detainees in United States (US) custody. The role played by American popular culture, especially television, is underdeveloped in understanding its influence in shaping societal beliefs about the effectiveness and necessity of interrogational torture as a strategy of counterterrorism.

Overall Research Aim and Research Objectives

This research aims to investigate how torture has been represented on US television and to establish the impact of this representation on the attitudes and beliefs of military practitioners and the US public. As a proxy for the new brand of 'spytainment', a critical review of *24* (2001-2010) is used to establish the nature of televised torture.[4] This representation will then be 'mapped' onto existing accounts of military practitioner action and US public opinion to assess degrees of convergence. First aired in October 2001, *24* came to epitomize America's fight against terrorism in the ensuing decade and is the 'de facto' television programme of the War on Terror. It encouraged Guantanamo interrogators to see themselves as on the "front line" and "go further than they might otherwise have".[5]

This research has the following objectives:

- To *identify* how torture has been represented on *24* and presented to the American public.
- To *evaluate critically* domestic US public opinion on the applicability and effectiveness of torture and coercive techniques during the post-9/11 decade.
- To *clarify* the origins of detainee abuse and *explore* the impact of fictional interrogation on military practitioners under the Bush Administration.
- To *formulate* recommendations for future research.

Research Approach and Methodology

To satisfy the research objectives, a holistic and triangulated method is used to investigate the diverse visual, individual and societal spheres in which the issue of torture spans. Whilst direct causal links between the representation of torture on television and individual beliefs cannot be established, this research embodies both a qualitative and quantitative approach to best discern the instances under which torture in these separate spheres have overlapped. The research is primarily located in the qualitative canon, informed by post-positivist approaches to International Relations (IR) and is situated in the space between semiotics and post-structuralism. It is based on a literature review of existing research into television and US prisoner abuse and a discourse analysis of *24*. Trends drawn out are enhanced by the quantitative survey of American public opinion over the decade following 9/11 in order to establish the extent to which these torture messages were internalized by society, rather than performed by a few 'bad apples', which is supplemented by documentary reading of available military autobiographies.[6] This is necessary, as televised torture cannot be fully expressed through a constructivist or positivist approach. A

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comprehensive societal view is required to establish the baseline of the impact of televised torture.

Approach and Method: Between Semiotics and Post Structuralism

The subjective interpretation of images and television does not sit comfortably within the empiricist and rationalist paradigms prominent in IR.[7] The analysis of *24* is premised on the research traditions established by semiology and post-structuralism. These are distinct from rationalist theories of IR in their ontological and epistemological aspirations through highlighting the underlying ideological and power relationships behind images and texts.

Semiotics, or the 'study of signs' explores the process whereby the meanings of images reflect power interests and perpetuates social inequalities. It focuses on the structure of the source and the immediate system of meaning within which it is embedded. [8] Roland Barthes was the first theorist to systematically apply semiotic theory to popular culture. [9] Expanding on the work of Ferdinand de Saussure, Bathes argued that a secondary level of connotation exists where additional ideas and values are communicated beyond how they are physically represented.[10] This he refers to as a myth: "an ideology that defends prevailing structures of power by actively promoting the values and interests of dominant groups within society".[11] Myths compete for dominance and are accepted based on the cultural codes and repertoire from which they are drawn.[12] Bathes contends that when myths become accepted, "they do not deny things… simply, it purifies them, it makes them innocent" and gives them "a clarity which is not that of explanation but that of a statement of fact".[13] Therefore, a 'myth-consumer' sees an image as a naturally occurring concept, and not as part of a semiotic system made for production.[14]

Post-structuralism similarly studies the societal and cultural construction of the power structures that give meaning to our everyday lives. These structures are less evident and more fluid over time than those of semiology, thus warranting greater historical analysis.[15] Michael Foucault for example describes his work as 'writing a history of the present'.[16] At its core, post-structuralism founded on an ethical-critical agenda seeks to problematize dominant interpretations of IR.[17] Foucault considered the work of intellectuals as not to "mould the political will of others", but to "re-evaluate rules and institutions and participate in the formation of the political will".[18] By examining the various forms of exclusion that constitute the world, post-structuralism aims to reveal how particular representations are materialized, falsified and are mutually dependent upon underlying power relationships. The post-structuralist research agenda involves focusing on contemporary problems and examining how a discourse has emerged historically in order to frame the understanding of that problem and its solutions.[19]

Fundamentally, a discourse can be defined as socially constructed knowledge about reality; it is the means by which social reality is conferred on events.[20] This is synonymous with Foucault's reasoning, who argues that discourse underpins the relationship between power and knowledge, such that all identities and understanding are recognized as operations of power materialized through discourse.[21] Thus knowledge is never unconditioned and further reinforces the exercise of power underlying it. Whilst discourse may transmit, produce and reinforce existing power structures, this is what "undermines and exposes it, renders it fragile and makes it possible to thwart it".[22] Similar to myths, discourses also compete for dominance, and become societally accepted, according to Foucault, because of their 'regime of truth' defined as "historically specific mechanisms that produce discourses which function as true in particular times and places".[23] To discern if a discourse has been accepted we have to question how we have made the present seem like a normal or natural condition, and distinguish what has been forgotten in history in order to legitimize present courses of action.[24]

Myth and discourse can be considered as analogous, both articulating social representations internalized as natural and normal.[25] Similarly, on television, discourse and myths compete, informed by and representing different interest groups.[26] When applied to torture, myths and discourses serve to clarify the physical composition of the practice – what is done, who performs it and why people are subjected to it – as well providing moral justification for the actions.

The research objectives are better suited to a post-structuralist approach, as it allows for the examination of the historical, societal and political context required for understanding torture and prisoner abuse. As the nature of post-9/11 prisoner abuse remains largely classified, one could argue that this constitutes a 'history of the present'.

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The openness of post-structuralism's interpretation of international politics is also a fundamental component in research based on popular culture.

However, as the field of IR is complex and diverse, this thesis sits in the space between semiotics and post-structuralism, drawing on the influence of both, recognized by the interchangeable use of the term 'torture myth' and 'torture discourse'. The influence of this myth is further explored by examining individual accounts and public opinion survey data.

Literature Review

Three diverse sources of literature are pertinent to the study of televised torture. First, empirical research from the discipline of Mass Communication was selected to provide an understanding of the impact of television on its audiences. Second, the implementation and execution of coercive interrogation methods by the US was obtained from primary and secondary sources. Finally, existing academic work that critically engages with *24* is evaluated.

Television within Mass Communication

The 'media effects' research tradition in Mass Communication has long considered the potential impact television has on its audiences, through the overlapping approaches of Cultivation Theory, Framing Analysis and Cognitive Priming.

Cultivation theorists study how persistent messages in television content influence an audience's perception of reality, achieved by distinguishing light from heavy viewers and questioning their worldview.[27] On the impact of fictional television, Delli-Carpini and Williams (1996) concluded that the distinction between entertainment and public affairs content is not absolute, with strong evidence existing for "the political relevance of fictional media".[28] This study found that participants made little distinction between fiction and non-fiction television content when discussing the environment, which reveals how audience members actively engage in the socio-political messages offered by both entertainment and factual content.

The internalization of such messages, according to Shrum, is based on a heuristic model of cognitive processing; mental shortcuts used whilst processing television messages incline heavier viewers to make such shortcuts in reality, basing judgments on the frequency, recentness and vividness of televised messages.[29] In this process, images resonate with the viewers more than text. Gibson and Zillmann (2000) identify a 'picture superiority affect' when the two differ in context.[30] On the other hand, Busselle, Ryabalova and Wilson (2004) argue that cognitive processing is dependent upon the programme's 'perceived realism' as it is the fictional narrative which is most remembered by viewers.[31] Fear of violent crime forms the basis of Cultivation research, a consensus that "the media play(s) a substantial role in shaping beliefs and fear of crime", as heavy viewing of fictional crime drama predicts both a fear of crime and support for the death penalty.[32]

In the context of televised torture, these studies suggest that fictional messages are easily internalized due to their shocking visual nature and perceived realism, conditions replicated in primetime scenes of torture. As torture exists solely within fiction for the majority of Americans, one could argue these findings are more applicable to representations of torture and the ability of the practice to be unconsciously accepted despite individual political or moral beliefs.

Research into Framing and Cognitive Priming, on the other hand, is politically motivated in discerning how media messages are purposely framed by social institutions, mirroring discourses in their function and ontological worldview. Crandal, Elderman, Skitka and Morgan (2009) observed a status quo bias when torture was framed as a long-standing institutionalized practice of the US military. Presented this way, individuals both increased their support for the use of torture and endorsed attitudes that viewed it as justified and necessary.[33] Crandal et al. conclude that "a simple framing manipulation effectively increased people's willingness to sacrifice certain cornerstones of liberal democracy".[34]

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Parallel research by Holbert, Pillon et al. (2003) investigating cognitive priming and The West Wing conclude that the fictional representation of the presidency correlated to more positive attitudes of former US presidents, both Republican and Democrat.[35] This is attributed to the ability of the show to clearly explain and articulate the president's reasoning behind certain policy decisions, a frame distinct from that found elsewhere in the media (i.e. News).[36] These studies further indicate the political influences of fictional programs and their ability to impact public opinion.

This research suggests that the audience's acceptance of televised messages is dependent upon how the messages are framed and internalised. As Gamson (1999) argues, fictional television is "lifeworld" content, emotionally engaging the audience and treating them as though they are physically present in the program.[37] Thus the uniqueness and proven influence of this medium warrants further investigation in its depiction of torture.

Compiling Evidence of Torture Through Contemporary Accounts of Detainee Abuse

Availability of official documents, Non Governmental Organizations (NGOs) reports and academic narrative enables a comprehensive account of the socio-political factors that contributed to American detainee abuse, and indicate conditions under which televised torture became persuasive.

Before and after the Abu Ghraib prison scandal, literature existed from journalists and NGOs outlining specific reports of detainee abuse by the American military and Central Intelligence Agency (CIA) under the Bush Administration. These secondary sources are supplemented by the de-classification of primary documents relating to prisoner abuse by the Obama Administration, although much remains classified.

The most significant of the declassified documents is the August 2002 Bybee/Yoo 'torture memo' which formed the foundation of legal opinion upon which coercive interrogation was based.[38] Evidence that the Pentagon was aware of the abuse before Abu Ghraib is provided in the 'Taguba Report', although various investigations published after this point avoids discussion of command responsibility.[39] An exception is the 'Levin Report' which attributed the *direct* actions of former Secretary of Defense Donald Rumsfeld to widespread prisoner abuse through confusing mandates and insufficient interrogational supervision.[40] Nevertheless, a number of documents relating to CIA interrogation and official operating procedures in Afghanistan from 2001-4 remain classified.[41] Whilst articulating a baseline of truth, declassified documents are only significant for detainee operations in Iraq and must be read alongside NGO reports.

Unlike official sources, publications from NGOs such as Amnesty International and Human Rights Watch are greater in depth and scope, and published consistently from 2003. They detail further examples of Government promoted policies of prisoner abuse.[42] Reports for the International Committee of the Red Cross (ICRC) are more reliable due to greater access to detention facilities, but are not publicly available unless leaked for political reasons.[43] Despite this, the 2007 report detailing the experiences of fourteen 'high value detainees' at Guantanamo reveals how the culmination and differentiation of coercive methods amounted to torture.[44] The problem of using such sources is exemplified by the most recent publication of the Constitution Project, which despite investigating human rights abuses since the Clinton Administration, lacked the power of subpoena and access to classified documents, making it initially reliant on the same politically conditioned set of classified sources.[45] Although NGO reports often conduct interviews of their own, sources are concealed, which makes verification impossible. And unlike the Constitution Project, the majority of NGOs' reports are written to elicit a political response.

Academic narratives have sought to contextualize US prisoner abuse in the War on Terror. McCoy argues that the genealogy of US sanctioned torture has not evolved since CIA research and interrogation policies of the Cold War.[46] Likewise, Michael Goodhart argues that America 'reverted to form' in its 'messianic engagement' with international human rights.[47] Michael Ignatieff and Andrew Moravcsik attribute American exceptionalism to the political structure and unique inherent belief system in American society.[48] David Forsyth has documented the precise 'politics' and administrational acceptance of prisoner abuse. He argues that the publicity surrounding post-9/11 detainee abuse separates it from comparable history.[49] Darius Rejali takes an alternate approach tracking the global development of coercive methods.[50]

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Torture and Terrorism: A Review of the Existing Literature on 24

This section evaluates academic consideration of *24*, which contends that the series has already had an impact on our reality. To date, in spite of a large resource base, *24* has received little academic attention.[51] Torture, situational morality and the state of exception have only been critically assessed in Steven Peacock's (eds.) 'Reading *24'.* [52] In these essays, Howard reviews torture in *24*'s first five series, arguing that the show influenced the real-life torture debate by placing the topic in the public's consciousness, a position it achieves explicitly from the opening scene of Series 2.[53] However, the ticking time bomb and torture in the series have lacked systematic investigation.

Despite this, prominent journalists continue to link *24* to reality. Slavoj Zizek equates the 'lie of *24*' to 'Himmler's Dilemma' in that it is impossible for a human to retain dignity when performing acts of terror, despite Jack Bauer being considered a hero by his audiences.[54] Zizek contends that it is not the content of such scenes that are debilitating but the fact that we are being told openly about torture. Torture in popular culture "is more dangerous than an explicit endorsement of torture as it allows us to entertain the idea whilst maintaining a pure conscience".[55] The actualization of this insight is realized in an article by Jane Mayer, as the show was undermining the core of military teaching that torture was illegal.[56] Philippe Sands's interview with former Guantanamo lawyer Diane Beaver goes further in exploring how interrogators watched the programme on the base to give them "lots of ideas" and "go further than they otherwise might".[57] Tony Lagouranis, an Army interrogator in Iraq, similarly states, "people watch the shows, and then walk into the interrogation booths and do the same things they've just seen".[58] Like Mayer and Sands, the testimony of Lagouranis concludes that *24* had an unequivocal impact on the military doctrine of the United States.

These examples suggest that *24* impacted both military cadets and interrogators in terms of what they considered effective and morally acceptable when conducting interrogations. It further suggests that the American public and military have an inadequate understanding of, or respect for, professional non-lethal interrogational techniques, advancing the argument that torture in *24* is a legitimate field of enquiry.

Summary, Discussion and Value of Research

The review has confirmed that televised messages influence our societal-level perceptions of the world, and in the case of Crandal et al. and Holbert et al. our personal realities as well, which are subjected to a greater range of influences (i.e. personal experience). The findings of Mayer, Sands and Lagouranis further imply how *24*'s representation of torture has become persuasive in military contexts where interrogations have been implemented and discussed. Contemporary accounts revealing the extent and scope of prisoner abuse provide the necessary socio-political context critical to a post- structuralist approach.

Systematic research of the structure and influence of televised torture has nevertheless been shown to be wanting. Academically, no thorough investigation of torture has been conducted on *24* despite its professed effects on interrogators. Furthermore, all prior investigations of *24* have failed to cover the eight series forming the entire canon of work. To be able to consider the impact of torture on television provides an opportunity to understand the important issue of why the practice of interrogational torture in America has gained acceptance in the post 9/11 decade. Only a few academics have sought to explicitly link popular culture on torture with military action and public opinion. Such work stands to benefit academics, fellow students and executives of 'spytainment' television and film.

Outline Structure

Advancing findings of the literature review and research objectives discussed, Chapter 2 contextualizes and clarifies the historical and contemporary development of the Bush Administrations' policy of prisoner abuse. The discourse on torture in *24* is defined and critically discussed in Chapter 3; Chapters 4 and 5 evaluate the impact of this representation, societally through the analysis of American public opinion data (2001-2011) and individually through the review of relevant military autobiographies. Chapter 6 articulates the conclusions of the impact of the televised torture myth presenting recommendations for future research.

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CHAPTER 2: America, Prisoner Abuse and *24*

America and International Human Rights

Considered one of the greatest achievements by nation states for the benefit of individual citizens, legal norms enshrining the protection of human rights are the liberal cornerstone of modern democracy.[59] The recognition that all individuals have fundamental rights by virtue of their humanity alone, the prohibition of torture and cruel, inhuman or degrading treatment (CID) is formally enshrined in both frameworks of international humanitarian (IHL) and international human rights law (IHRL). Governing theatres of war and peace respectively, freedom from torture and CID is considered a peremptory norm from which no derogation is permitted.[60] However, serious tensions exist around the enforceability of these measures, especially when concerning national security.

The engagement of the United States with these legal norms is described as 'paradoxical' by Moravcsik, who argues that America embodies "an unwillingness to apply itself to rules that the US in principle accepts as just" and which it encourages others to follow.[61] This paradox is located both structurally and historically, with the Senate either failing to ratify or placing significant procedural reservations on international treaties. This is accepted historically due to the doctrine of constitutional supremacy, permitting a crusading American exceptionalism – and exemptionalism – from the embodiment of the human rights regime.[62]

Nevertheless, the US has formally recognized a number of treaties that bind it to the humane treatment of detainees in their custody. Ratified in 1955, Common Article 3 of the Geneva Conventions states that "violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture" shall remain prohibited "at any time and in any place whatsoever", a commitment codified domestically in the War Crimes Act (1996).[63] Despite playing a fundamental role in the establishment of the Declaration of Human Rights (1949), the Senate only came to ratify its supporting legislation in the aftermath of the Cold War.[64] The UN Convention Against Torture (CAT) provides an internationally recognized legal definition of the practice of torture,[65] and also bans cruel, inhuman and degrading treatment or punishment that does not amount to torture under this definition.[66] Implemented into federal law by the Torture Statute (1994), significant procedural reservations re-defined torture for Americans by moving it from an absolute to a relative crime introducing a test of specific intent.[67]

Human rights exceptionalism is located in the historical record, with CIA funded research into psychological methods of torture from 1950 to 1962, born out of the experiences of the Korean War (1950-5) and the need to master wartime advantages of their enemies.[68] In Vietnam (1955-1975) strict attention was paid to Common Article 3 in the classification of detainees and neither Prisoners Of War (POW) nor terrorists were routinely tortured.[69] In spite of this, the CIA launched its covert Phoenix Program that exercised physical methods of interrogation established by colonial France leading to widespread torture.[70] As argued by McCoy, the whole genealogy of post-9/11 American torture has not evolved since the CIA research of the 1950s, a conclusion similarly reached by an Intelligence Science Board report in 2006.[71]

Prisoner abuse and torture can also be considered as emanating from the 'bottom up', influenced by US military culture. Core societal values of liberty and security are downplayed in basic military training to invoke discipline, self-sacrifice and de-humanization of the enemy. Explanations of abuse span from institutionalised bullying to competitive brutality. The National Vietnam Veterans Readjustment Study (NVVRS) concluded that military personnel who commit atrocities during war do not necessarily have abusive tendencies beforehand, substantiating research from Milgram to Zimbardo that show atrocities are committed more easily when ordinary subjects become de-sensitized in various ways.[72] Naomi Wolf further argues that longstanding episodes of prisoner abuse and rape within US military culture are comparable, as the lack of support in the chain of command creates a self-fulfilling prophecy within which impunity prevails.[73] Combined with foreign policy driven by iconography of the impenetrable 'city on the hill' and casualty avoidance, military action is shaped through certain channels with coercive interrogation and abuse becoming an acceptable compromise over the loss of American troops.[74]

Therefore, US military and intelligence services opened the door to generalized abuse and torture before 9/11, the history of psychological abuse or 'torture lite' originating in America. This created a paradox, as formal support for

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such legal frameworks was undermined by covert US actions, a gap widened by the public knowledge of prisoner abuse under the George W. Bush Administration.[75] This condition continues due to the enforceability of international human rights law, especially since Bush withdrew American support for the International Criminal Court in May 2002.[76]

Post 9/11: Coercive Interrogation Under the Administrations of George W. Bush

In May 2001, the United States lost its seat at the UN Human Rights Committee, a position it had held since the Committee's inception, because of an unfavorable voting record on human rights issues.[77] The largest attack on the American homeland four months later, with the cumulative killing of 3,000 civilians in attacks on the Twin Towers and Pentagon, served to fracture American engagement with global human rights norms for the foreseeable future. How this happened is traced through legal, military and public timelines that follow.

The Legal Timeline

To work through the 'dark side' and counter the terrorist threat, President Bush authorised the CIA to kill, capture and detain Al-Qaeda operatives, establishing the foundation of the secret detention and coercive interrogation of 'enemy combatants'. [78] The CIA chief legal officer John Rizzo stated that he had never seen an authorisation "*as far reaching or as aggressive in scope. It was simply extraordinary*".[79]

Detainee abuse originated with policy makers and was made acceptable by the Office of Legal Council (OLC). Their successive interpretations in 2002 established that captured members of the Taliban and Al-Qaeda were not entitled to legal protection under Common Article 3 of the Geneva Conventions and narrowed the definition of torture to specific intent and set the physical suffering threshold to organ failure, impairment of bodily function or death.[80] This exonerated coercive interrogation if torture was a by-product of intelligence gathering. Practices amounting to the cruel, inhuman or degrading treatment of detainees were removed from US interrogations abroad, which paved the way for the opening of Guantanamo Bay and the capture and CIA waterboarding of Al-Qaeda leader Abu Zubaydah.[81]

Conceived at Guantanamo, 'enhanced interrogation techniques' (EITs) were authorized for military use in December 2002, following further legal interpretation that US constitutional and international law did not bind the President in times of national emergency.[82] These methods were founded on psychological techniques used historically by the CIA and diversified to exploit Arab cultural sensitivities – such as forced nakedness and the use of phobias (dogs).[83] Rescinded in June 2004, successive US Attorney Generals continued to assert the prominent interpretations of 2002.[84]

In the aftermath of the Abu Ghraib prison scandal, attempts to improve detainee treatment were made with the Detainee Treatment Act (2005), outlawing the use of CID by American forces globally.[85] President Bush undermined Congress by issuing a signed statement against the Act's core provisions, continuing to authorize enhanced interrogations, and introducing the Military Commissions Act (2006). This stripped detainees of their right to habeas corpus, granted retroactive immunity to soldier's accused of war crimes and made testimony under torture permissible in the Guantanamo commissions.[86] Bush continued to thwart Congressional efforts to regulate CIA interrogation right to the end of his second presidency.[87]

The legacy of the Bush Administration is the predominant concern to prevent subsequent attacks on the homeland that overwhelmed all other considerations: "Customary international law did not even come into it".[88] There was no balance between a tough response to 9/11 and respect for the rule of law and presumed American values.[89] Upon his inauguration, President Obama rejected Bush-era terminology of 'enemy combatants' and ordered compliance with domestic and international law in detainee treatment.[90] Yet he has continued to support military commissions over federal courts in the trial of suspected terrorists and has not fulfilled his first election promise to close Guantanamo.[91]

The Military Timeline

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Justified as containing the 'worst of the worst' and inmates of high intelligence value, Guantanamo was the testing ground for coercive interrogation techniques authorized for the Military and inspired by the SERE program. Applied to 'break' prisoners, these were considered acceptable as they had been similarly used on US soldiers.[92] Detainee abuse at Guantanamo (2002-5) was entirely the result of policy design, a conclusion supported by the involvement of Behavioral Science Consultation Teams of psychologists and medical staff to facilitate interrogations.[93]

The origin of prisoner abuse in Afghanistan is less straightforward. Operations from October 2001 started humanely but overwhelming numbers of detainees, their shifting legal status, a prevailing risk averse military culture and inexperienced interrogators led to rampant CID.[94] This was exacerbated by the manipulation of ICRC visits and the cover-up of detainee deaths in US custody.[95] With the transfer of attention and resources to the invasion of Iraq, detainee treatment only improved with the introduction of NATO forces into the country (2003).[96]

The war in Iraq should have been different with President Bush formally stating that the Geneva Conventions fully applied to combatants and civilians. As the Schlesinger Report concluded though, coercive interrogation techniques 'migrated' to Iraq, exacerbated by the authorization of similar techniques in Afghanistan and the "GTMO-ising" of detainee treatment with the transfer of Guantanamo Commander General Geoffrey Miller to Head of Detainee Operations in Iraq.[97] Abuse was also influenced by the presence of the CIA and private military and security contractors in interrogations, the former having authorization to use harsher techniques whilst the latter formally stood outside the chain of command.[98] The Pentagon was aware of such abuse before the Abu Ghraib pictures, with the publication of the Taguba Report detailing "sadistic, blatant, and wanton criminal abuses" there.[99]

Gains in strategic intelligence were minimal despite the abuse but cost the US much in political and security terms. Abuse in Afghanistan did not prevent the situation in the country from deteriorating and the increased stability in Iraq from 2007 is more attributed to the *cessation* of coercive interrogation.

The Public Timeline

The public torture debate in America started immediately after 9/11, with Harvard Law School Professor Alan Dershowitz advocating the introduction of judicially administered 'torture warrants' as a condition to best regulate interrogational torture.[100] Despite an open media debate on the efficiency of interrogational torture, prisoner abuse did not fully enter public consciousness until the release of the Abu Ghraib photos in April 2004. The Administration response was to blame a few 'bad apples' confirmed by the trial of eleven lower-enlisted personnel rather than systemic military practice.[101]

The 'myth' that the Administration was unaware of these actions was dispelled when details of CIA 'black sites' and a global program of rendition were reported in the media, and the Bush Administration formally admitted the program's existence in September 2006.[102] In February 2008, former-CIA Director Michael Hayden testified that three Al-Qaeda suspects were water boarded under interrogation by the CIA, and the Pentagon dropped charges, without explanation, against 20th hijacker Mohammed al Qahtani, confirming that admissions made under torture are not admissible in court.[103]

The torture debate was reignited with the December 2012 (US) release of Kathryn Bigelow's film *Zero Dark Thirty*, recounting a fictional depiction of interrogational waterboarding leading to the capture of Osama bin Laden. This was subsequently attacked in an open letter by Senators McCain, Feinstein and Levin for its 'grossly inaccurate' and 'misleading' representation.[104]. As Glenn Greenwald at the Guardian stated, "Nobody complained that the film depicted torture. The complaint was that it falsely depicted it as vital in finding bin Laden and thus portrayed it in a falsely positive light."[105]

In conclusion, US torture policy reflects America's paradoxical relationship with international human rights law and a permissive military culture of abuse that stretches back to Vietnam. More recently, lawyers and academics have deemed coercive interrogational techniques as permissible, effective and acceptable. Clarification of the origins and reported extent of detainee abuse under the Bush Administration facilitates critical evaluation of torture discourse in *24* and establishes the necessary contextual foundations upon which the analysis of American public opinion and

military autobiographies is based.

CHAPTER 3: Establishing the Myth – a Discourse Analysis of Torture in *24*

Introduction to *24*

Jack Bauer has 24 hours to find and disarm a nuclear bomb planted in Los Angeles by 'Second Wave', a terrorist group supported by Middle Eastern States, and to defuse a political conspiracy for retaliatory strikes by exposing false evidence. This is the story line for season 2 of *24*, the first series written, produced and broadcast after 9/11 and the starting point for this discourse analysis. In brief, it is a counterpoint to 9/11, an effective homeland security, foreign strikes avoided and dodgy intelligence exposed. History has been reworked and played back to the American public.

Debuting two months after 9/11 and based on the work of the fictional Counter Terrorism Unit (CTU) to prevent attacks against the American homeland, *24* quickly became *the* television program of its 'global war on terror'.[106] Contextually unique, *24* spans both Bush Administrations with seasons two to eight (2002-2010) a product and zeitgeist of the intense post-9/11 American fear of terrorism. *24* provides an invaluable popular culture resource as a window into domestic American thinking in the post-9/11 era.

The Structure of *24*

Organized around a day in the life of CTU protagonist Jack Bauer, each *24* series is shown in real time and encapsulates various ticking bomb scenarios where characters must thwart impending terrorist attacks before the day is out. The impact of passing time is stylistically portrayed through the use of a ticking clock and split screen showing the actions of multiple characters in 'real time'. Similar in structure to news or live sports events, *24* places greater importance on this core narrative structure than complexity of the characters or plot.[107] Adding to dramatic suspense, this puts large demands on the audience to watch every episode, a key factor in its critical and commercial success.[108]

24 plays on collective fears that America will be targeted and attacked again, "tapping into the public's 'fear-based wish fulfillment" to have people like Bauer who will "do whatever it takes" to save society from harm[109]. Fiction therefore becomes very personal as it directly refers to tangible and immediate fears that parallel the real, bringing the necessity of interrogational torture into public view and debate.[110]

Discourse Analysis Method

The aim of this analysis is to reveal the specific discourse about the use and effectiveness of torture in *24* when used as a tool of counterterrorism. This discourse analysis spans 170 episodes of *24* programming from seasons two to eight and broadcast between 2002 and 2010.[111] To conduct the analysis it was necessary to identify 'torture narratives', the interrogational torture of an individual that could span many scenes or episodes, and could be orchestrated by individual or multiple interrogators. To do this it was necessary to include all forms of torture, whether conducted by 'government officials' working directly for or in the interest of the US government, 'terrorists' ideologically working against US interests or 'criminals' seeking financial gain. [112] A torture narrative tells the story of victims of torture and their orchestrators in the series.

To locate torture narratives, the content of each series was analysed using documentary sources and episode synopses from *24*'s most comprehensive fan page even though this may not be an entirely reliable academic source.[113] From this review, 43 torture narratives were identified and viewed on DVDs and the visual data coded using an analysis frame for every narrative. [114] The analysis frame was generic in focusing on how torture was portrayed, the analysis separated into five component parts: 1) demographic information of the victim, 2) demographic information of the orchestrator(s), 3) justification for torture, 4) the methods used and 5) the outcome. During transcription, this was further expanded to include information on the specific justification for torture and its duration, both seen and implied through the real-time structure of the programmes.

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The discourse analysis was conducted on 38 of these narratives, focused exclusively on State or terrorist orchestrators and 5 narratives involving torture by criminals were excluded for lack of relevance. Two sub sets of data are contained within the 38 narratives, one comprising 26 narratives conducted by Government officials of which 19 exclusively deal with terrorist suspects and the other comprise 12 narratives conducted by terrorists. The full results of the discourse analysis and sample frame used form Appendices 1 and 2.

Findings: Constructing *24*'s Discourse on Torture

This discourse analysis reveals that a 'myth' of the effectiveness of torture and counterterrorism has been presented to the American public as a natural and normal condition. Taking a post-structuralist approach of 'writing a history of today', core components included and omitted from 24's torture discourse will be reviewed before considering who the beneficiaries of such a myth presentation are.

The discourse analysis builds mainly on the portrayal of the 26 US orchestrated torture narratives on *24*, shown in Table 1, because they comprise two thirds of torture narratives with which the American public are more likely to self-identify.

Table 1: Main Findings of the Discourse Analysis of Torture in 24 – US Government Orchestrated Torture

Torture in *24* is exclusively used to gain information in the context of counterterrorism. US officials (especially Jack Bauer) on eight occasions 'go rogue' and perform unsanctioned interrogational abuse and are more likely to act alone in torture and the counterterrorism. The victim profile of US orchestrators is predominantly constructed of domestic terrorists, American in nationality, whilst those with Middle Eastern descent are surprisingly under-represented. The success rate of securing information within the time available is 46% rising to 53% of the terrorist only victims. Reasons for non-success being escape innocence (no information to yield) and failure to break the terrorist being interrogated in the time allotted.

When compared with the terrorist orchestrated torture subset (Table 2), the striking difference is the lower success rate, in part due to Jack Bauer's resistance to 'breaking' and the higher identity of orchestrators of Middle Eastern origin.

Table 2: Main Findings of the Discourse Analysis of Torture in 24 – Terrorist Orchestrated Torture

A torture narrative in *24* may include several different types of interrogational torture. Ten common methods of torture are represented across both cohorts of US and terrorist orchestrators (See Chart 1). Predominantly physical methods of torture are used, beatings and mutilation being the most common. Only US officials use psychological methods in a limited number of cases, indicating access to a wider repertoire of coercive interrogational methods.[116]

Chart 1: Methods of Torture on 24[117]

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What is Remembered?

Three core components of the myth can be drawn out of the discourse analysis of torture on *24*: that interrogational torture is successful in limited time with unsanctioned torture being the most effective, that torture is conducted through physical methods, and that those interrogated will break eventually.

In the 24 hour time period covered by a series, about a half of those interrogated abusively will yield information. In terms of intelligence outcomes, extrajudicial and non-sanctioned abusive interrogation (75%) by US officials is more than twice as successful as sanctioned counterparts (33%). The significant rise in success is attributed to the actions of Bauer and US interrogators operating alone, without supervision or accountability.[118] Although Bauer's fictional superiors oppose this, the audience accepts such coercive actions because the results are justified to save lives.[119] Within this a 'torturous double standard' is evident, other characters employing unsanctioned coercive techniques being formally punished whilst Bauer is not.[120] The discourse shows that US officials have to 'cross the line' legally and physically to elicit information to counter the terrorist threat.

Table 3: Success Rates of US Orchestrated Torture on *24*

Orchestrator [121]	Total	Successful No. (%)	Unsuccessful No. (%)	Sanctioned /Success	Unsanctioned /Success
JB alone	12	7 (58%)	5 (42%)	6/3(50/50%)	6/4(50/67%)
US alone	4	3 (75%)	1 (25%)	2/1(50/50%)	2/2(50/100%)
Sub total	16	*10 (62.5%)*	*6 (37.5%)*	*8/4(50/40%)*	*8/6(100/75%)*
JB in concert	6	2 (33%)	4 (67%)	6/2(100/33%)	N/A
US in concert	4	0 (0%)	4 (100%)	4/0(100/0%)	N/A
Sub total	10	*2 (20%)*	*6 (75%)*	*10/2(100/20%)*	*N/A*
Total	**26**	**12 (46%)**	**14 (54%)**	**18/6(69/33%)**	**8/6(31/75%)**
Sub analysis					
With JB	18	*9 (50%)*	*9 (50%)*	*12/5(67/42%)*	*6/4(33/67%)*
Without JB	8	*3 (50%)*	*5 (50%)*	*6/0(75/0%)*	*2/2(25/100%)*

N= 26 narratives

This representation of 'rogue' torture coincides with the overwhelming use of physical methods of torture on *24*. The constant use of mutilation, beatings and electric shocks by both American and terrorist orchestrators presents torture as a constant condition across the ideological spectrum.[122] Positively correlated with unsanctioned interrogations is the brutality of the method used, greater brutality resulting in greater intelligence success.[123] The articulation of this is most poignantly signified in the unauthorized interrogation of Ryan Burnet, whose electro shock torture by Bauer was cut short by the President. After the failure to get Burnet to talk using humane methods, the White House is identified as the next terrorist target and attacked; leaving the audience in no doubt that coercive interrogation should have been continued.[124]

Most critically, however, is the presumed guilt of all victims and the inference drawn that they deserve such treatment; the question is not *if* they have the answer required, but *how long* they can hold on to it without breaking[125]. As 'everyone breaks eventually', guilty victims are only prevented from this fate by escape, an option not open to real detainees. [126]

What is Forgotten?

In establishing the myth of successful interrogational torture as a counterterrorism 'regime of truth', *24*'s torture discourse omits a number of real concerns about the efficacy of physical torture and existence of the ticking bomb scenario.

In order to elicit as much information in the shortest timeframe possible, *24*'s protagonists induce maximal physical

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pain in the shortest amount of time. It ignores that pain is considered a poor technique that generates false confessions and what the interrogators want to hear.[127] It is also falsely premised on the medical assumption that more pain is felt the longer it is endured, when the opposite is true.[128] This view is corroborated by scientific research on retrospective amnesia; Ribot's gradient states that the higher amount of trauma sustained on the brain the greater risk of short-term memory loss or the expression of higher confidence in the wrong information.[129] Interrogators too become more susceptible to misinformation under severe time constraints.[130] Highly physical methods of interrogation are less effective under a ticking bomb scenario, although the problem of yielding inaccurate intelligence is never confronted on *24*.[131] It can be argued that the over-reliance on physical techniques actually undermines the aim of state-sponsored torture: for the results to be undetectable.

Interrogations are more successful when they employ non-coercive techniques, such as attempts to build rapport. This is based upon keeping a prisoner comfortable and gaining their trust, whilst also requiring a substantial amount of evidence to corroborate detainee testimony.[132] *24*'s discourse on torture sacrifices these traditional law enforcement and military interrogation techniques with a proven rate of success to 'fit' the shows ticking bomb and limited time narrative.[133]

It is *24*'s core ticking bomb narrative that makes interrogational torture justifiable to its audiences, taking a hypothetical thought experiment and applying it to US counterterrorism as if real. Such a scenario is premised on three core conditions that *24*'s discourse on torture promotes: that there is sufficient urgency to torture, that accurate information is given, and that the suspect has the information required.[134] However, in real-life these conditions serve to work against each other; limited time equals limited effectiveness, and the more violent methods used the more likely they are to yield inaccurate information, odds dropping further when the victim actually *does* know something, as do 75% of the victims on *24*.[135] Here detainees have a psychological advantage over their interrogators in knowing how long they have to withstand the pain; they may intentionally lie, misinform, or be trained in the resistance of such techniques.[136] Critically, the necessity any 'ticking bomb' places on government authorities can only ever be discerned in retrospect, whilst *24* is based upon knowing beforehand the precise nature of the threat.[137]

The ticking bomb scenario is a hypothetical construct, influential because it requires the viewer not to imagine what they would do in that situation, but what they would be willing to allow others to do on their behalf.[138] Even the staunchest defenders of enhanced interrogation, historically and contemporarily, have failed to provide a specific 'time bomb' case under the guise of national security. Darius Rejali provides reasoning for this as he traced the existence of the ticking bomb scenario back to 1960's French war fiction: the ticking bomb scenario created and existing exclusively in fiction, based on a situation of necessity invariably absent in real life.[139] This is arguably more dangerous, as it "allows a plot to be dreamed up in Hollywood to determine the limits of moral authority", and the durability of the ticking bomb is not about understanding the current torture debate but shutting it down; indeed the ticking bomb scenario is constructed to be un-debatable.[140]

In prioritizing the illusory ticking bomb scenario, and the physically coercive forms of un-sanctioned torture it justifies, the larger impact of American state-sponsored torture is never alluded to in *24*, most pertinently that coercive interrogation actively undermined foreign policy initiatives in Afghanistan and Iraq.[141] International and domestic human rights law is furthermore never referenced and disregarding the moral dilemma of breaking the law advances the myth that the torture of terrorist suspects can be justified.

How Does This Rewrite the History of Abuse?

The discourse of torture on *24* gains its 'truth effects' because it takes place in the context of real-life societal debates and events in the War on Terror presenting a fictional alternative to Abu Ghraib and establishing interrogational torture as an effective and necessary counterterrorism tool. Moreover, the legacy of US prisoner abuse is justified and accepted when understood through the actions of Jack Bauer in a hypothetical ticking bomb situation. *24*'s torture discourse rather serves to fuse interrogation with torture in the minds of its audiences, the 33 hours of implied interrogation on the show in which detainees are held between the 5 hours of on screen torture, making the two synonymous.[142]

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To become persuasive, significant history is omitted through this discourse. Putting aside the ineffectiveness of physical torture and the fictional existence of the ticking bomb scenario, *24*'s torture discourse omits that the majority of those geo-politically arrested in real life were innocent, as high as 70-90% estimated in Iraq.[143] More fundamentally, *24*'s torture discourse or its myth in popular culture does not consider what the nature of torture actually is and the impact it has on the lives of its victims and orchestrators. Tortured under the Gestapo, such reality is best exemplified in the writings of Jean Amey when he states that "Only in torture does the transformation of the person into flesh become complete…the tortured person is only a body, and nothing else besides that", for what we do not comprehend is that breaking a person's body is breaking a person's mind, and when the body will heal the mind does not.[144] In this way, the discourse of torture on *24* has served to de-sensitize the American public in its representation of the effects of torture.

In Whose Benefit?

Who benefits from the torture myth presented in *24*? The fight against terrorism is portrayed as the Bush Administration defined it: "an all-consuming struggle for America's survival that demands the toughest of tactics".[145] The presentation of torture in this way favors the security and foreign policies of the George Bush White House in two ways; distinguishing 'us' from 'them' and identifying the 'enemy within' through the torture of largely domestic terrorists. US torture is accepted by audiences as contextually justified. Both sides use brutal methods, but Americans have more torture tools at their side and are more successful at it, because they are portrayed as using it for positive ends – the saving of innocent lives — whilst torture orchestrated by Middle Eastern perpetrators is represented as shockingly brutal and derived from sadistic pleasure.[146] This also serves as a justification for American torture as Middle Eastern, and by inference, Islamic terrorists are portrayed as only understanding and responding to these methods and if coercive methods are not used by American forces on the ground, they themselves might become the subject to such brutality.

24 serves to further raise the show's 'fear factor' by presenting the 'enemy within' over the 'exotic other', reminding viewers that those who claim to love America are often as dangerous as those who claim to hate it.[147] Critically this allows the myth to extend interrogation torture to anyone on US soil, which is strictly illegal in domestic US law.[148] By initially focusing on international terrorist groups, this promoted the Bush Administrations' interests by creating a climate of fear (and necessity) that justified its interpretation of the law and the enforcement of strict homeland security initiatives such as visa restrictions, warrantless wiretapping and more recently the data-mining of internet communications through Prism. [149]

More than this, however, Jack Bauer became a symbol of American patriotism and icon in American politics with key political figures endorsing him and his actions.[150] Former-Secretary of Homeland Security Michael Chertoff spoke publically of his admiration for *24* and how it reflected the reality of American counterterrorism operations: "[They are] always trying to make the best choice with a series of bad options…to weigh the costs and benefits of a series of unpalatable alternatives…That is what we do every day".[151] Using *24* and Jack Bauer as a frame of reference for real events perpetuates the misperception that *24* represents the reality of counterterrorism.

On an individual level the torture discourse also advances the right-wing politics of the series creators. Joel Surnow, *24*'s co-creator and executive producer, espouses *24*'s pro-torture stance admitting: "I think torture does work. It would work on me! I believe torture has been around since the beginning of time because it works", adding that he would "Hope to do it" if he ever found himself in a comparable situation to Bauer.[152] Rober Cochran, *24*'s other creator and a member of the Liberty Film Festival dedicated to promoting conservatism through entertainment, agrees that "Joel's politics suffuse the whole show".[153]

Whilst it may spread the message of conservatism, the producers of *24* publicly denounced any benefit from the show's discourse on torture, pleading distance from it instead. Surnow argues that "Young interrogators don't need our show…what the human mind can imagine is so much greater than what we show on TV".[154] Referred to as his "improvisations in Sadism", Howard Gordon insists scenes of torture in *24* are constructed in the imagination of the show's writing team and a similar argument is advanced by Kiefer Sutherland (who plays Jack).[155] In this respect the individual politics of Surnow and those represented on *24* can be argued to indirectly impact its audiences; did

Surnow's worldview on torture have a greater impact than the official protocol for inexperienced soldiers on the ground?

The US soldiers themselves are considered another beneficiary of the torture discourse, as under situational pressure they turn to the torture myth for information. Here the myth clarifies torture in the minds of servicemen, and although they may not go out and replicate the precise method, they consume the myths about the effectiveness of physical methods and the immediacy that ticking bombs generate for result. As former Army interrogator Tony Lagouranis states, "In Iraq I came to believe, as did many others that the ticking bomb was not hypothetical… When the infantry brought us a prisoner and said that he was an insurgent, oftentimes all we could hear was the ticking of a bomb".[156]

Finally, the American public itself as the primary myth consumer can be understood to benefit from the torture myth. Eric Greene argues, "These myths, stereotypes and misconceptions survive not to the extent that they are true but to the extent that they are useful", the myth accepted by American society because of the common wish fulfillment that "year after year, threat after threat, Jack Bauer fulfills our frustrated desire for a Government equal to the challenges of the day".[157] The American public feels secure in knowing that there are people like Bauer out there who can "deal with this world", his methods justified in protecting the nation.[158] "It is not whether torture works, but why so many people in our society want to believe that it works" comments Ann Applebaum.[159] To this extent, *24* fuels the public debate by placing torture as a viable topic within the public consciousness: "we have incorporated these images into out psyches, and in doing so, could unknowingly be legitimizing their use in the post 9/11 political landscape".[160]

Conclusion

Part of a post-9/11 paradigm shift in television content, *24* embodies a new form of 'spytainment' where both the amount and type of torture scenes depicted has grown exponentially.[161]The Parents Television Council concluded that *24* is the "worst offender on television", leading the trend with the most frequent and graphic representations of protagonists using torture.[162]

The discourse analysis of torture promoted in *24* confirms trends in post-9/11 American prime-time television that torture is carried out by the 'good guys' as a patriotic act in a situation of necessity. As Sutherland and Swan conclude, "Bauer does not confine himself to the rules of Government; instead he adopts the warfare tactics of terrorists…There are no questions that these tactics are effective, but could we view them as morally justified if Bauer was not protected by the identity of a hero? Certainly the law does not recognize this defense".[163]

In conclusion this Chapter represents the first systematic attempt to discern the specific nature of torture on *24*. The discourse analysis of *24* promotes the myth that:

- Interrogational torture produces intelligence, and yields the best results when not authorized. The more brutal the torture the more successful the results.
- Torture is necessary and justified for the protection of American lives in the fight against domestic and international terrorism. No other approach is considered.
- The presentation of the necessity of interrogational torture as a counterterrorism tool is advanced in terms that mirrored the Bush Administrations' arguments to visit the 'dark side'.
- No one is immune; anybody considered to be withholding information can be tortured during an interrogation, including American citizens and known innocents.

How this myth has been consumed is considered next in a review of US public opinion on the acceptability and justification of torture, and its impact on US military practitioner action.

CHAPTER 4: Analysis of United States Public Opinion Data on Torture

Introduction

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American public opinion shifted significantly and favourably in support of interrogational torture as a tool of counterterrorism in the decade after 9/11. This chapter reviews the findings of American public opinion data to identify the influence of the myth and to suggest how televised messages influence beliefs and values. The data analysis, findings and reliability of results are considered. The full data sets are in Appendix 3 and 4.

Framework of Data Analysis

The survey framework is modeled upon a previous study by Gronke and Rejali (2010) that charted US public opinion on torture from 2001 to 2009.[164] This survey expands this original dataset, including polls conducted up to 2012 and extending the scope of the study by including polls that indirectly refer to torture.[165] A total of 62 polls are analyzed and split into two datasets on general attitudes (56 polls) and the acceptance of certain torture methods (9 polls). Specific details of this enlargement are shown in Table 4. New public opinion polls were located reputably through the Roper Center of Public Opinion Research and represent the opinions of more than 100,000 Americans over the 11 years surveyed. [166]

Table 4: Comparison of Datasets

	Gronke and Rejali (2009)	This research (2013)	Difference
Number of Opinion Polls: General Attitudes to Torture	32	56	24
Number of Opinion Polls: Specific Torture Methods	4	9	5
Total Polls	35	62	27
Number of Polls in Both Datasets	1	3	2
Time span covered	2001-2009	2001-2012	3 years
Americans surveyed	71,135	97,643	26, 508[167]

[167]In the larger general attitudes dataset, question type has been further categorized between ticking bomb or justifiability questions.[168] Although both are set in the context of counterterrorism, supporting the use of torture as morally justified, they are not mutually exclusive. Stating that torture *could* be justified in one situation does not mean that it *should* be used. Therefore respondents are not asked their views on the effectiveness of torture; rather this is presumed in their answering of the question. American public opinion on torture is being gauged through the questions asked.

The polls analyzed are reliable to the extent that they draw on representative samples of US registered voters and are conducted by reputable polling organisations.[169] The average poll sample size is 1,607 respondents with the majority of polls conducted by telephone interview (51 polls) or internet surveys (11 polls).[170] Overall, a range of twenty-seven questions are asked; for uniformity answers are presented as either an overall justified (often/sometimes) or unjustified (rarely/never) response.[171] Questions are omitted relating to legal frameworks surrounding torture, or which define the question in partisan terms.

One outlier result (Time / SRIB, August 2006) was excluded from data analysis as it fell outside 3 standard deviations of the mean of the dataset, indicating a statistical anomaly beyond 99.5% of the expected results by normal distribution.

**Findings of the American Public Opinion Survey into Attitudes on Torture and its Methods**

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Prior to 9/11 it is difficult to assess the attitudes of the American public towards torture; questions on torture were not routinely asked in surveys and 'torture' itself was not in the public's consciousness.[172] Limited poll data suggests a high American public threshold opposed to torture, a poll conducted by the International Red Cross (1999) indicating that 65% of Americans opposed torture to gain military information.[173]

Gronke and Rejali (2009) concluded that the American public opposed torture throughout both Bush Administrations, noting paradoxically that this switched in the first year of the Obama Administration as a small majority came to favor the use of torture to fight terrorism.[174] The extension of the range and scope of this research has not changed this conclusion; the long-term average in support for torture stands at 43.5% compared to a 51.2% opposition to the practice.

However, this masks the trends in the data that the wider analysis of US public opinion reveals. A rising long-term trend in support for torture can be seen when used to counter terrorism, evidencing a 10 percentage-point increase in support for the practice throughout the survey period. Every polling organization surveyed substantiated this general trend with the overall results of the extended survey displayed in Chart 2. Thus one can infer that over time a higher percentage of the American public came to view interrogational torture as an effective method of counterterrorism.

Chart 2: Overall Results of American Public Opinion Survey
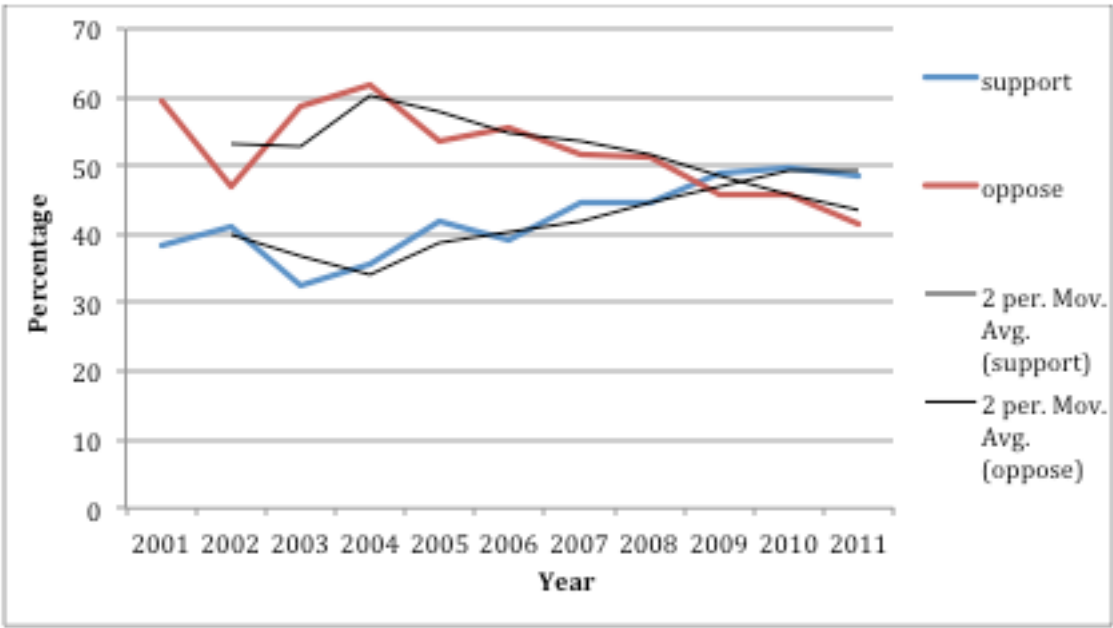
In the 20 polls (36% of the sample) commencing from the end of 2008, average support for torture alone rose by 5%. Identified as confusing and insignificant by Gronke and Rejali in the final year of their study, this has continued and widened since. In comparison with their 2001-2009 findings, this survey reveals that in the subsequent three years support for torture has risen on average by 2.7%, whilst opposition to the practice has dropped by 3.8%. Yearly averages in the support and opposition of torture and difference in percentage points is presented in Table 5.

Table 5: Average Support and Opposition to Torture (2001-2011)

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[175]Clearly depicting three phases of development across presidential administrations, the 20+% disparity between support and opposition to torture under the first Bush Administration (2001-5) gradually narrows through the teens then to under 10% in the final two years of Bush's second administration (2005-9). [176] The balance of public opinion then changes in the first Obama Administration (2009-12) where public support for torture overtakes that of opposition with the difference widening to the end of the study period.

Regarding the method dataset, polls present American public opinion on the applicability of seventeen coercive interrogation techniques, thirteen of which were officially approved for military use.[177] Results indicate the majority of the US public consistently opposed the most excessive techniques, namely sexual humiliation (85%) and electric shocks (80%).[178] Although insufficient information exists to draw statistical trend conclusions, the technique most questioned – waterboarding – sees a substantial rise in support of over 34 percentage points from 2004-2011. Further, equally coercive psychological techniques such as forced nakedness and sleep deprivation retain majority support throughout the survey period. As the public was questioned on some techniques that only exist in fiction (electric shocks) this indicates a societal misunderstanding of the types of interrogational techniques used on

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detainees and their potential impact.

Analysis of Results

Support for torture is dependent upon the type of questions asked, specific wording and methodological differences between polling organizations. Questions presented in a ticking bomb format elicited lower average support for torture (40%) than questions that asked if the practice was justified (47%). Such rise in support attributed to the elimination of moral considerations through justifiability questions. In asking whether torture 'can be' justified in the fight against terrorism, questions imply a future state of necessity that inclines a greater number to conclude torture can be sometimes justified.[179] Interrogational torture on 24 is presented similarly; the morality of the argument ('should we torture') is never considered, replaced by a utilitarian reasoning that actions are justified in the circumstances.

Wording also impacts on poll results; the four polls in this survey indirectly referencing torture revealing 52% public support for the practice. An Angus Reid poll (2011) found support for 'enhanced interrogation' increased to 57%.[180] When questions on torture and interrogation are more ambiguous than explicit, similar to the torture myth, torture is only referenced directly when committed by villains and terrorists, serving to distinguish 'us' from 'them'. There is therefore a misperception within the American public about exactly what constitutes torture and specifically who carries it out.

The polls themselves are indicative of the changing debate on torture in American society. Polls are unevenly distributed across the survey's timeframe as questions on torture were not repeatedly commissioned until 2005 through to 2009, with interest spiking again in 2011. Interest is therefore shaped by reality, initial curiosity consistent with the re-election campaign and second term in office of President Bush (2005) and tailing off after Obama declined to conduct a public inquiry into his predecessor's actions.[181] In May 2011 Osama bin Laden was captured and killed, re-igniting the debate over the effectiveness of coercive interrogation in his detection.[182]

Contemporary events similarly impact the writers and producers of 24; torture in the season released directly after Abu Ghraib changing from "an infrequent shock to the main thread of the plot".[183] Nacos concluded that 24's producers used the scandal "to incorporate more torture scenes and justify this interrogation method as an effective weapon in the war on terror".[184] This reveals how the news and entertainment feed off each other in their effort to reinterpret past events more favorably.

Discussion of Results

Overall this rise in US public support for torture can be attributed to many factors. Gronke and Rejali argue that it has become a bi-partisan symbol representing hawkishness on national security issues.[185] A cross-sectional study by Miller (2010) found a positive correlation between per-capita income and opposition to torture, suggesting deteriorating economic conditions can impact public attitudes towards torture.[186] Nevertheless, the distinct paradigmatic shift in post-9/11 television, 'spytainment', can also be considered a viable option in explaining this change.

In an exclusive YouGov poll (2012) commissioned by Amy Zegart, attitudes towards torture and terrorism were for the first time measured against frequent and infrequent viewers of intelligence-themed film and television, finding that frequent watchers of this genre were significantly more likely to approve the torture of terrorists.[187] When questioned on individual methods, a higher proportion of frequent watchers agreed to every technique bar one, as means to elicit information about possible terrorist attacks in the United States.[188] Critically, the poll further reveals that frequent television watchers of this genre are more radical in their views than movie watchers.[189]

Although a one-off poll, these findings statistically correlate frequent intelligence-themed television watchers with support for torture. However, the precise causation of this link will never be ascertained; regular fans of spy genres could naturally be more radical in their beliefs, and therefore predisposed to this genre because of views they already have.[190] Despite this, there is a degree of overlap between the discourse of torture on 24 and findings of the US

public opinion survey, represented visually in Table 6 and Chart 3. Season 7 contains the highest frequency of torture on *24* – 33% more than the next closest series. Shown from January 2009, this coincides with the first time average US public support for torture surpasses that of its opposition (see highlighted row Table 6). During this season *24* received its highest Neilson ratings with the show averaging 12.62 million viewers per episode.[191]

Table 6: *24* and American Public Opinion[192]

Chart 3 presents the intersection between US public opinion on torture and the popularity, viewing figures and the frequency of torture narratives within each series of *24*. [193] As previously concluded, US public support for torture follows a long-term upwards trend; once the majority support of torture is ascertained in 2009 the gap between torture and its opposition only widens. This indicates that public support for torture increases at the expense of opposition to it; more respondents directly switch from opposing to supporting torture. This long-term shift in public attitudes could be due to the persistence of fictional torture myths in society becoming accepted and internalized by proportions of the public over time; they have become 'regimes of truth', snippets of reality that outline America's counterterrorism policy and it is hard to identify other long-term factors that would bring about such a substantial change in the way the American public views torture.

Chart 3: Public Opinion, Torture Narratives and Viewing Popularity of *24*

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Reliability of Results and Conclusion

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This chapter demonstrates areas of convergence between *24* and US public opinion, results showing a significant upward trend in majority support for torture since 2009; whether or not *24* played a specific role in this cultural shift, this trend cannot be overlooked.

A complex and contradictory phenomena, error is inevitable in all public opinion polls, as the perfect sample and worded question is non-existent. Although tracking change in attitudes over time, public opinion cannot assess causation; it is impossible to determine if popular culture is the real cause of difference.[194] Furthermore, the survey administration processes can impact the reliability of findings; respondents answering telephone interviews are prone to interviewer bias whilst Internet surveys are undermined by coverage error.[195]

Polls in this review are also affected by participants' response accuracy when they refuse or do not know an answer, with large numbers of don't know / no opinion responses tending to skew the results in favor of torture, although there are relatively few of these. [196] The reliability of this research is most affected by measurement error that comes from comparing data across different questions and polling organization.[197] Data available on US opinion on torture is too small to comprehensively compare 'apples with apples'; attempts to overcome this are made by categorizing the questions into question type which allowed for some statistical reliability on specific issues such as ticking bomb, justifiability and methods. Further reliability problems arise from conducting polls over time through longitudinal surveys during which meanings and methodologies change.[198]

Cross-sectional opinion of 18-24 years olds – the most popular demographic of *24* audiences – might have enabled a correlation between viewing and opinion but data was not uniformly available to be of statistical significance. Furthermore, due to the lack of public opinion data on American attitudes to torture before 9/11, longstanding opinion cannot be discerned and change in attitudes not fully contextualized.[199]

Despite this, results from public opinion polls have high external validity and their results can be generalised across the population under real world conditions.[200] Furthermore, internet and telephone surveys are effective with the survey dates closely corresponding to periods when *24* was televised. This represents an accurate result of the post 9/11 period under study. The impact of this long-term shift in American opinion, and the televised torture myths underlying it, will now be examined in an individual context in relation to interrogators' experiences in Afghanistan and Iraq.

CHAPTER 5: Televised Torture and the United States Military

Introduction

"It was like having the opportunity to be there watching myself do it," said Keller, "and that is pretty God-awful, to actually have to come to terms visually with what you are doing. It's no longer just watching somebody in a movie do it… No, you're watching somebody really doing it in real life – and this time… they're wearing the same uniform as you". [201]

This chapter looks at how popular culture affected the behavior of military interrogators in the theatre of the 'war on terror.' It does this by reviewing military autobiographies describing the interrogation of Iraqi and Afghani detainees set against the situational factors the military faced.

Evaluation of Sources Used

The work of former military interrogators is not readily available in large quantities, the primary sources selected providing qualitative information of relevance to the study. Autobiographies are those publications based on solider interviews, wider investigative studies across the chain of command, and primary accounts from military interrogators. The work of Gourevitch and Morris (2008) and Philips (2010) are examples of the first category, their work based on the experiences of the 372nd Military Police Brigade and Tank Battalion 1-68 in their tours of Iraq.[202] The work of journalist Philippe Sands (2009) and publications by Human Rights Watch are examples of wider investigative studies across chains of command.[203] Exclusive interrogator accounts come from Chris

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Mackey (2005) and Tony Lagouranis (2007) detailing their tours of Afghanistan and Iraq respectively.[204] As a result of the Abu Ghraib prison scandal there is an in-built bias toward the publication of interrogator autobiographies from Iraq, with fewer accounts detailing the origins of abuse in Afghanistan. There are no published biographies of former or serving Guantanamo interrogators.

Situational Factors in Afghanistan and Iraq

The autobiographies detail the extent to which soldiers were unprepared and ill-trained for detainee operations. The 372nd Brigade were combat Military Police (MPs), heavily armoured to run patrols and go on raids, but not schooled in the Geneva Conventions. [205] Upon entering Abu Ghraib in October 2003, the only training the MPs received was to shadow their predecessors; the majority of the Brigade was made up of reservists.[206] Interrogators felt their training was insufficient; Tony Lagouranis, specialist Army Interrogator with the 202nd Military Intelligence Battalion, only received 18 weeks of training and had little experience in the field, whereas some of his associates had only done a 1-2 week 'crash course' before having to conduct their own interrogations.[207]

Lack of training was exacerbated by the absence of guidance handed down the military chain of command relating to detainee operations. Battalion 1-68, operating out of the smaller detention facility, said they had no such knowledge of orders, whilst others said that there was an implicit understanding that detainees could be roughed up and that their Officers "turned the other way".[208] Equally, in Abu Ghraib, Military Intelligence Interrogation Policy and the prison's Standard Operating Procedure were not circulated among the Military Police, rather their directive being, "We work for MI [Military Intelligence] – our mission is to support the work of MI".[209] Trained interrogators did have knowledge of the Interrogation Rules of Engagement (IROE), but found the boundaries shifted geographically, depending on who you were serving with and when.[210] Elite forces and the CIA worked from completely different sets of directives.[211]

To produce results, soldiers were influenced by other civilian and security contractors and the CIA as well as each other and past training. Soldiers from the 337th Military Intelligence Battalion in Afghanistan used techniques learnt in their training, such as pressure points and 'compliance blows', to disable prisoners without leaving lasting damage.[212] Similarly, soldiers of Tank Battalion 1-68 initially coerced prisoners to complete strenuous physical exercises similar to their own basic training.[213] For the 372nd MPs, orders at Abu Ghraib came anonymously from Military Intelligence personnel in sterile uniforms, or civilian contractors outside of the chain of command.[214] Soldiers implemented these techniques to some extent to impress the special operations forces they worked with, match their toughness and prove to them that they were equally capable of producing successful interrogations.[215] Sargent Keller of Battalion 1-68 explained how he heard of waterboarding from a non-commissioned officer, and therefore just "went ahead and tried it… the difference was that I didn't want information, I just wanted to hurt a prisoner".[216]

This was combined with the pressure from central command to produce results about the Iraqi counter insurgency. Abu Ghraib was under constant mortaring, as well as being endemically short staffed.[217] One 372nd MP stated that "after a while, the fear goes away, and you just get angry".[218] Many in Battalion 1-68 also felt frustrated that they were not making tangible strides in cracking down on insurgents; they did not know why they were still being targeted when Iraqis were constantly being detained and interrogated. Watching over the detainees in jail was grating for many soldiers who increasingly came to resent and mistreat them.[219] Interrogators also faced unrelenting performance-based pressure, despite enhanced techniques yielding little new intelligence.[220] Chris Mackey states "He [senior official] made it clear to me that we would be letting him down, letting down [the task force], if we were to take our foot off the gas pedal",[221] where Lagouranis felt as if "success was being measured by the volume of arrests made instead of the quality of information being gathered".[222] It was hard for interrogators to make such palpable gains with high prisoner turnover and lack of feedback from defense intelligence analysts who read their reports.[223]

As such, those who did feel uncomfortable with the abuse had no channel for reporting it and were not supported by the chain of command. Jeff Perry, Military Intelligence interrogator with a special task force at Camp Nama (Bagdad), explained what happened when a number of officers tried to complain in early 2004: "Within a couple of hours a team

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of two JAG [Judge Advocate General] officers, JAG lawyers came and gave us a couple hours slide show on why this is necessary, why this is legal… Yeah, they came the very same day… they stopped interrogations for it." Then he continued, "We went back to work. That was it, case closed. There was nobody else to talk to".[224] Nick Forrester with the 82nd Airborne Division at FOB Tiger (Qaim, Iraq) in September 2003 was repeatedly told to "Drop this Sargent" by an MI interrogator: "He outranked me. 'Drop this Sargent,' [he said]. It was repeatedly emphasized to me that this was not a wise course of action to pursue…"[225]

The lack of training and official guidelines combined with authoritative pressure and lack of support led soldiers to rely on outside influences to achieve results. Soldiers traded ideas about what they had heard and done elsewhere, relying on hearsay about the supposed success of the tactics used. It was "Guantanamo from the get-go", Sargent Davis of Battalion 1-68 said. "I didn't invent any of these things. They were presented to us. I didn't jump out of bed in the morning saying, 'Hey, I want to go and smack up a detainee…Who would have thought of something like that?"[226]

It is in this context and political space that popular misperceptions about torture and interrogation, as shown on television and in popular culture, became convincing.

The Impact of Popular Culture on Interrogations

Described below are specific examples that show how popular culture, especially *24*, directly influenced practitioner actions and attitudes in real-life situations.

Harsh interrogation and detainee abuse took place long before memos on torture were vetted and approved by the Secretary of Defense and Attorney General.[227] This was the case in both Afghanistan and Guantanamo Bay, where 23 instances of detainee abuse were reported in the month before coercive interrogation techniques were authorized.[228] As Joshua Philips argues, the abuse that originated in Bagram Air Base Afghanistan in autumn 2002 cannot be "explained away" by attack, as US combat deaths and casualties during that time were relatively lower that previously. Rather, he states "US troops at Bagram tortured their troops in banal and crude ways, informed by myths and memories".[229] As such, the main inspiration for such abuse was television programmes and films watched by troops both before deployment and whilst in the field.

Army Interrogator Tony Lagouranis and his colleagues, in the absence of guidance, watched TV to try and understand what sort of pressure helped make suspects talk. "I would like to have been taught by that person, but that person wasn't available," said Lagouranis, referring to the expert interrogators they watched in TV dramas. "So you sit around and you watch the interrogators on TV".[230] He noticed how these fictional interrogators employed a formulaic approach by establishing total power over a prisoner, forcing the detainee's will to break, but never on gaining the detainee's trust or rapport building as has been emphasized in his previous training: "There are no smart interrogators on television".[231] Naturally, in the course of watching these shows, he began to wonder how Hollywood renditions of interrogations affected other intelligence workers.[232]

Torin Nelson, a veteran interrogator who served at both Guantanamo and Abu Ghraib, witnessed a similar phenomenon. With many inexperienced interrogators, Nelson noticed that they did not have the time to complete any of the paperwork and preparation necessary for a successful interrogation. Viewing it as "a tactical environment where they've only got the guy for forty-eight hours and so they've got to get on the detainee's right away".[233] He also saw a more alarming trend: that interrogators kept seeking confessions, which are backwards looking and do not equate to actionable intelligence about future threats.[234] Lagouranis agreed, stating "this was the most frightening change that came over us, because it signaled a shift from torture for an intelligence purpose to torture for the sole purpose of controlling another."[235]

Former officials in the chain of command have also speculated about what led their troops to torture. General Counsel to the US Navy, Alberto Mora emphasised that individuals who had no background training or experience in matters of interrogation "made decisions based upon the explicit assumption that they [coercive techniques] would be effective", arguing popular culture as the principal source of this influence.[236] Britt Mallow of the Criminal

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Investigative Task Force (Guantanamo) agreed; where some inspiration came from the stories of soldiers who had applied these techniques elsewhere, others reasoned, "I've seen this stuff portrayed in other places. I've read about it. I've heard about it. I've seen it in the movies… Why shouldn't we give this a try?"[237]

Philippe Sands's interview with chief Guantanamo lawyer Diane Beaver goes further in establishing that officials were not just aware of the influence of popular culture, but that it played a fundamental role in the establishment of coercive techniques in the first place. Beaver states that ideas for coercive techniques, eventually passed and approved by Rumsfeld, came from a multitude of influences, including Jack Bauer who had "lots of friends at Guantanamo Bay" and gave people "lots of ideas".[238] Beaver said she believed the series contributed to an environment at Guantanamo in which interrogators were encouraged to "see themselves as being on the front line and thus go further than they otherwise might".[239]

The influence of Jack Bauer had also spread to the new generation of leading military recruits. Army Brigadier General Patrick Finnegan, Dean at West Point Military Academy has argued that *24* alone had undermined military discipline at West Point and the core of its teaching that torture is illegal.[240] He goes further to attribute the muted domestic reaction to Abu Ghraib as due to the "popularity of *24*, which has a weekly audience of 15 million viewers and had reached millions in DVD sales".[241] Margaret Stock, a fellow counterterrorism expert at West Point, was shocked at the depth of her students' knowledge of Jack Bauer and ability to frequently cite the coercive interrogation tactics that he and other character's employed in the thriller: "They developed their arguments on what they saw on the show".[242] Stock also noticed her students referencing such ticking bomb scenarios to exonerate those charged with abuse in real life, such as Colonel Allen B. West, even though as Gary Solis argues "under both US criminal and international law Jack Bauer is a criminal. In real life he would be prosecuted".[243]

Stock does argue that the show "is no way close to real life".[244] Factors she lists to support her case include the imperfect nature of intelligence, presence of false leads, bureaucratic infighting and less advanced forms of technology. She further points to the endemic shortage of translators in the US intelligence community which is never portrayed on the show.[245] However, Stock defends her students as "just like everybody else at any College in America", highlighting the indiscriminate impact of popular culture on both the military and general public.[246]

Conclusion

In watching his friends and family come to terms with his acts in Iraq, Lagouranis noticed a very disturbing home truth: "people are absolutely fascinated by torture".[247] In the absence of proper instruction and coaching, folklore and fiction stepped in for soldiers on the ground, and although they might not have reproduced specific techniques from Hollywood, this was nevertheless important as it fed their perception that what they were doing was effective and justified. This is corroborated by a 2006 Department of Defense survey of servicemen in the Army and Marines, in which 41% and 44% respectively would support the use of torture in a ticking bomb scenario. Moreover, only half of the respondents said they would report a member of their unit for seriously injuring or killing an enemy combatant.[248] This demonstrates that a significant proportion of the military view torture by themselves or others as acceptable. This is despite varying levels of military training, recent history and the knowledge that detainee abuse is detrimental to the professional soldier.

Although military officials may not have been totally convinced of the role of popular culture, the interview with Dianne Beaver establishes *24* as a core inspiration for proposed techniques. Thus *24* and popular cultural influences pervade all levels of the US military and all angles of the detainee abuse debate. The lack of instruction and confusing directives resulted in soldiers on the ground turning to popular culture to gain results; whereas, at the top, officials are using fiction to influence the extent to which detainees can legally be subjected to cruel, inhuman or degrading treatment.

24 had a further impact on the next generation of military leaders at West Point. It indicates how popular culture norms have shifted students' perceptions of what is morally justifiable, an impact so debilitative that the Dean of West Point and other interrogational experts met with *24*'s producers in November 2006 in an attempt to persuade them to show traditional forms of interrogation that are both legal and effective.[249] Although no formal link between

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military behavior and popular culture can be drawn, these examples demonstrate that prominent individuals feel passionately about it enough to attempt to limit the show's influence.

In conclusion, the situational context on the ground in Afghanistan and Iraq was multi-faceted and popular culture is one influence of many that led soldiers to abuse. Torture shown on television in the post-9/11 era has impacted popular cultures and filled a particular contextual void that allowed its messages to be more readily internalised. Indeed, many soldiers may have adhered to the fictional references on torture and interrogation subconsciously prior to authorisation. At the same time, not all soldiers tortured or think it justified, and therefore popular culture cannot be a variable in all cases. Human Rights Organizations, despite hearing of such cases, cannot confirm any instances in which abuse was explicitly influenced by fictional torture.[250] The closest to an official link is a finding of the heavily redacted Mikolashek Report detailing detainee abuse in Iraq by the 4th Infantry Division and 720th Military Police Battalion, which concludes that officers "engaged in interrogations using techniques they literally remembered from the movies".[251]

CHAPTER 6: 'Everybody Breaks Eventually' – Conclusion and Recommendations

Introduction

This research set out to investigate the representation of fictional torture broadcast on US mainstream television, using *24* as a proxy for the genre of 'spytainment' and to establish its impact on the attitudes and actions of the American public and military in the decade after 9/11. To do this, a theoretical approach informed by semiotics and post-structuralism drove a research method that was qualitative in the construction of a discourse on torture and supported qualitatively by the use of military biographies and quantitatively in the use of longitudinal opinion poll results. Five research objectives were established and the findings against these objectives are brought together in this chapter to inform the fifth objective, to *formulate* recommendations for future research.

Summary of Research Findings

The main findings of the research are:

- Interrogational torture has been presented and broadcast to the American public as a myth; the portrayal of counterterrorism is a misperception, where torture is essential, effective and patriotic. Using visual displays and ignoring inconvenient and hypothetical constructs, it de-sensitised the public to the impact of torture. Furthermore, the abnormal has been presented and received as normal and history has been forgotten and rewritten. This satisfies the research objective to *identify* how torture has been represented on *24* and presented to the American public.
- American public opinion has changed over the decade since 9/11, the broadcast period that coincides with *24*, from one of more opposition than support at the beginning of the decade to the opposite way around at the end of the decade. Earlier work by Gronke and Rejali has been extended and the crossing of the support for/opposition to line identified at the end of their research shown to be continuing and widening. This satisfies the research objective to *evaluate critically* domestic US opinion on the applicability and effectiveness of torture and coercive techniques during the post-9/11 decade.
- Popular culture and *24* in particular are identified as one factor amongst a number that impacted the behaviour of some military personnel towards detainees in the pursuit of intelligence through interrogation in Afghanistan, Iraq and Guantanamo, both from the top down and the bottom up. This satisfies the twin research objectives to *clarify* the origins of detainee abuse under the Bush Administration and to *explore* the impact of fictional interrogation on military practitioners and the conditions that made this possible.

Research Conclusions

What role should television entertainment play in a time of war? The correlation between mass television internalising fictional messages in a graphic manner and the audience's perceived realism was identified in chapter one. Its role in discourse and myth formation was identified as an under researched area of social science that this research has

sought to address. A post-structuralist view would be that programmes like *24* confer a social reality on events, presenting interrogational torture as a natural condition, distinguishing it from what has been forgotten in history and legitimising present courses of action. For the Bush Administrations in particular, it could be argued that the role played by programmes like *24* has been to align public opinion behind legal and military actions that had already been permitted, even though at the time they were permitted, US public opinion was more opposed to torture than supportive of it. It has done this by keeping interrogational torture in the public conscience, something that would otherwise not have happened if American public opinion was only shaped by news events. For the military, it acted to inspire responses to the need for information and filled in the gaps for those on the ground subject to situational pressures.

There is strong circumstantial evidence linking 'spytainment' viewing to opinion formation and convergence of public opinion with *24*'s most popular and torturous season 7 in 2009, the year when public support for interrogational torture overtook opposition to it. But the greatest limitation of the research is the inability to prove a causal link between the two. The same could be said of creating a causal link between entertainment and the actions of the military, although again there is strong circumstantial evidence linking the two. It is therefore likely that there is a strong and compelling link between public opinion, practitioner action and televised interrogational torture as entertainment as one amongst a number of influences.

Recommendations for Further Research

Research with the aim of establishing a causal link between public opinion on interrogational torture and popular television entertainment is the obvious recommendation for further research. This could be achieved in a number of ways, either by inclusion of opinion poll questions about television viewing preferences in the same polls about torture, or through focus group interviews or ethnographic observation.

Broadening the research to other popular programmes would also demonstrate whether there are similar torture narratives, obvious candidates for study would include Homeland and The Americans. In terms of military actions on the ground, it is likely that with the passage of time more accounts will surface in biographical terms or be declassified, providing more grounds to identify possible further links between *24* and practitioner action.

Final Observations

Generally, legal rules are deeply connected to a society's moral sense; as part of a self-fulfilling cycle, morality informs and structures the law and the law reflects and influences reality. Rather than eliciting disquiet from its audience, *24* and Jack Bauer ask us to except the illegal actions they take under pressure to be the right and necessary ones. Such acceptance of torture, and those willing to employ it, has directly impacted the actions of soldiers and greatly influenced the wider public. The impact of televised torture goes a long way to understand why Americans accepted President Obama's decision not to investigate US prisoner abuse, 67% of respondents in an NBC News / Wall Street Journal poll agreeing that torture and abusive interrogations under the Bush Administration should not be criminally investigated.[252] The real impact of televised torture has thus turned full circle; soldiers acted upon it to secure results, and society now accepts it. The full story of America's visit to the 'dark side' is unlikely to be told in these circumstances.

Appendix 2: Sample Analysis Frame (Discourse Analysis)

1. Bibliographic Information

Episode (series/number):

Time:

Scene Number:

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2. The Torture Frame

2.1 Orchestrator (If more than one, fill in twice)

Name:

Nationality:

Ethnicity:

Occupation:

Importance of Character:

2.2 Victim

Name:

Nationality:

Ethnicity:

Occupation:

Importance of Character:

2.3 Justification

What is the reason for torture, what's it trying to achieve?

Is the victim innocent or guilty?

Is the orchestrator acting on the correct intelligence?

2.4 Method

What method(s) of torture are being used (physical and mental)?

Where is the torture set?

How has the victim been physically constrained?

If a combination of methods are used, which is the most successful? (Which cause the victim to 'break'?)

What does the orchestrator say, and what does this reveal about their view of these methods? (Right or wrong?)

Is the torture officially sanctioned by superiors?

2.5 Outcome

Was the torture successful (Did it achieve its intended outcomes)?

What happens to the victim after they have been tortured?

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What happens to the orchestrator(s) after the torture is complete?

Are there official repercussions, and if so what are they?

Appendix 4: Public Opinion Polls (Methods)

Method	Year	Month	Polling Organisation	Support	Oppose	DK / NO	Margin of Error (+/-)	Sample Size	Sample Type
Electric Shock	2004	May	ABC News / Washington Post	17	82	1	3%	1,005	Telephone
Electric Shock	2004	June	PIPA /Knowledge Networks						

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19

81

0

3.3%

892

Telephone

Electric Shock

2009

July

World Public Opinion

17

80

3

3.5%

805

Internet

Waterboarding

2004

May

ABC News / Washington Post

12

78

1

3%

1,005

Telephone

Waterboarding

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2004

July

PIPA / Knowledge Networks

17

81

2

3.3%

892

Telephone

Waterboarding

2005

January

USA Today / CNN / Gallup

16

82

2

3%

528

Telephone

Waterboarding

2007

Nov.

CNN / Opinion Research

40

58

2

4.5%

506

Telephone

Waterboarding

2009

May

Resurgent Republic

46

50

4

3.1%

1,000

Telephone

Waterboarding

2010

February

Angus Reid Public Opinion

39

49

10

3.1%

1,010

Internet

Waterboarding

2011

Nov.

CNN / Opinion Research

50

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49

1

4.5%

506

Telephone

Waterboarding

2012

August

You Gov

25

55

20

4%

1,000

Telephone

Sexual Humiliation

2004

May

ABC News / Washington Post

16

84

0

3%

1,005

Telephone

Sexual Humiliation

2004

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July

PIPA / Knowledge Networks

10

89

1

3.3%

892

Telephone

Sexual Humiliation

2005

January

USA Today / CNN / Galluo

12

83

3

3%

528

Telephone

Forced Naked

2004

May

ABC News / Washington Post

25

74

1

3%

1,005

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Telephone

Forced Naked

2004

July

PIPA / Knowledge Networks

25

75

0

3.3%

892

Telephone

Forced Naked

2005

January

USA Today / CNN / Gallup

18

79

3

3%

528

Telephone

Forced Naked

2009

May

Resurgent Republic

42

53

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5

3.1%

1,000

Telephone

Forced Naked

2009

June

World Public Opinion

26

71

3

3.5%

805

Internet

Forced Naked

2012

August

You Gov

30

51

19

4%

1,000

Telephone

Exposure to Extreme Heat / Cold

2004

May

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ABC News / Washington Post

40

58

2

3%

1,005

Telephone

Exposure to Extreme Heat / Cold

2004

July

PIPA / Knowledge Networks

34

65

1

3.3%

892

Telephone

Exposure to Extreme Heat / Cold

2009

May

Resurgent Republic

49

46

6

3.1%

1,000

Telephone

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Exposure to Extreme Heat / Cold

2009

June

World Public Opinion

30

67

3

3.5%

805

Internet

Punching and Kicking

2004

May

ABC News / Washington Post

29

69

2

3%

1,005

Telephone

Punching and Kicking

2004

July

PIPA / Knowledge Networks

18

81

1

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3.3%

892

Telephone

Punching and Kicking

2009

June

World Public Opinion

16

82

2

3.5%

805

Internet

Stress Positions

2004

July

PIPA / Knowledge Networks

52

47

1

3.3%

892

Telephone

Stress Positions

2009

May

Resurgent Republic

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60

33

7

3.1%

1,000

Telephone

Stress Positions

2009

June

World Public Opinion

42

55

3

3.5%

850

Internet

Deny Food / Water

2004

May

ABC News / Washington Post

38

61

1

3%

1,005

Telephone

Deny Food / Water

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2004

July

PIPA / Knowledge Networks

44

54

2

3.3%

892

Telephone

Deny Food / Water

2009

May

Resurgent Republic

59

33

8

3.1%

1,000

Telephone

Use of Loud Music

2004

May

ABC News / Washington Post

54

45

1

3%

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1,005

Telephone

Use of Loud Music

2004

July

PIPA / Knowledge Networks

56

43

1

3.3%

892

Telephone

Use of Loud Music

2009

June

World Public Opinion

45

52

3

3.5%

805

Internet

Sleep Deprivation

2004

May

ABC News / Washington Post

66

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33

1

3%

1,005

Telephone

Sleep Deprivation

2004

July

PIPA / Knowledge Networks

65

35

0

3.3%

892

Telephone

Sleep Deprivation

2005

January

USA Today / CNN / Gallup

49

48

2

3%

528

Telephone

Sleep Deprivation

2009

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May

Resurgent Republic

48

47

5

3.1%

1,000

Telephone

Sleep Deprivation

2009

June

World Public Opinion

51

47

2

3.5%

805

Internet

Forcibly holding head underwater

2004

May

World Public Opinion

14

82

4

3.3%

892

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Internet

Forcibly holding head underwater

2009

July

World Public Opinion

19

78

3

3.5%

805

Internet

Hooding

2004

July

World Public Opinion

52

44

4

3.3%

892

Internet

Hooding

2009

June

World Public Opinion

49

48

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3

3,5%

805

Internet

Walling

2009

May

Resurgent Republic

51

41

8

3.1%

1,000

Telephone

Slapping

2009

May

Resurgent Republic

49

44

7

3.1%

1,000

Telephone

Cramped Confinement (Coffin)

2009

May

Torture and the Impact of 24 on America After 9/11
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Resurgent Republic

60

35

5

3.1%

1,000

Telephone

Dogs to Threaten Detainees

2004

July

World Public Opinion

36

60

4

3.3%

892

Internet

Dogs to Threaten Detainees

2005

January

USA Today / CNN / Gallup

29

69

2

3%

528

Telephone

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Dogs to Threaten Detainees

2009

June

World Public Opinion

36

61

3

3.5%

805

Internet

Threaten Rendition

2005

January

USA Today / CNN / Gallup

35

62

3

3%

528

Telephone

Notes:

Based on 9 polls, 6 not in Gronke and Rejali (2010) / 6 not in General Dataset

DK / NO = Don't Know / No Opinion

Appendix 5:

1. Questions Posed by Polling Organizations regarding Torture

1.1 Millennium Survey – Gallup International (September 1999)

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I am now going to read out to you some of the rights mentioned in the Universal Declaration of Human Rights and I want You to tell me whether You think that this right is being fully respected, partially respected or not respected in [your country]…No one shall be subjected to Torture.

1.2 Gallup / CNN / USA Today (October 2001, January 2005)

Would you be willing – or not willing – to have the US government do each of the following, if the government thought it was necessary to combat terrorism? How about … torture known terrorists if they know details about future terrorist attacks in the US?

1.3 Christian Science Monitor / TIPP (November 2001)

Could you envision a scenario in the war against terrorism in which you would support any actions taken by the US or not? (Torture of suspects held in the US or abroad?)

1.4 Fox News / Opinion Dynamics (March 2002, March 2003)

Do you support or oppose allowing the government to use any means necessary, including physical torture, to obtain information from prisoners that would protect the United States from a future terrorist attack?

1.5 ABC News (September 2003)

Please tell me if you support or oppose the federal government doing each of the following: Physically torturing people suspected of terrorism in an attempt to gain information from them?

1.6 ABC News / Washington Post (May 2004)

What's your view – do you think it is acceptable to torture people suspected of terrorism in some cases or do you think the use of torture is never acceptable?

1.7 The Chicago Council (July 2004, July 2008, June 2010)

In order to combat international terrorism, please say whether you favor or oppose each of the following measures: Using torture to extract information from suspected terrorists.

1.8 Pew People and the Press (July 2004, March 2005, October 2005, October 2006, January 2007, November 2007, February 2009, April 2009, November 2009, August 2011, Newsweek 2005, National Security Survey 2008, Public Religion Research Institute 2008, AP-NORC Poll July 2011)

Do you think the use of torture against suspected terrorists in order to gain important information can often be justified, sometimes justified, rarely be justified or never be justified?

1.9 Public Agenda Organization – Confidence in Foreign Policy Index Poll (June 2005)

Do you think and believe that we can fight terrorism without sometimes using torture against suspected terrorists?

1.10 Gallup / CNN / USA Today (November 2005)

Would you be willing – or not willing – to have the US (United States) government torture suspected terrorists if they may know details about future terrorist attacks against the US?

1.11 Associated Press / Ipsos-Public Affairs (December 2005), BBC / Globescan / PIPA (October 2006), Associated Press – GfK (June 2009, January 2010, May 2011)

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How do you feel about the use of torture against suspected terrorists to obtain information about terrorism activities? Can that often be justified, sometimes be justified, rarely be justified or never be justified?

1.12 ABC News / Washington Post (December 2005)

Do you regard the use of torture against people suspected of terrorism as an acceptable or unacceptable part of the US campaign against terrorism?

1.13 World Public Opinion (July 2006, December 2008), ABC News / Washington Post (April 2009)

Most countries have agreed in rules that prohibit torturing prisoners. Which position is closer to yours? (1) Terrorists pose such an extreme threat that governments should now be allowed to use some degree of torture if it may gain information that might save innocent lives (2) Clear rules against torture should be maintained because any use of torture is immoral and will weaken any international human rights standards against torture.

1.14 Time / SRBI (August 2006)

Please tell me if you would favor or oppose the government doing each of the following as a way to prevent terrorist attacks in the United States: Allow the use of torture against people who are suspected of being terrorists.

1.15 CBS / New York Times (September 2006)

Do you think it is sometimes justified to use torture to get information from a suspected terrorist, or is torture never justified?

1.16 Fox News / Opinion Dynamics (January 2008)

Do you favor or oppose allowing the CIA (Central Intelligence Agency), in extreme circumstances, to use enhanced interrogation techniques, even torture to obtain information from prisoners that might protect the United States from terrorist attacks?

1.17 ABC / Washington Post (January 2009, June 2009)

Obama has said that under his administration the United States will not use torture as part of the U.S. campaign against terrorism, no matter what the circumstance. Do you support this position not to use torture, or do you think there are cases in which the United States should consider torture against terrorism suspects?

1.18 Cooperative Congressional Election Study (October 2008)

How comfortable do you feel about the use of torture against suspected terrorists in order to gain important information? Do you think this can often be justified, sometimes be justified, rarely be justified or never be justified?

1.19 Gallup (April 2009)

Based on what you know of what you have read, do you think the use of harsh interrogation techniques for terrorism suspects was justified or not justified?

1.20 Resurgent Republic (May 2009)

Based on what you have read or heard, would you say harsh interrogation of detainees was justified or not justified?

1.21 Public Religion Research Institute Post-Election American Values Survey (November 2010)

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For each statement please tell me if you completely agree with it, mostly agree, mostly disagree or completely disagree with it… Using torture against suspected terrorists in order to gain important information can never be justified.

1.22 Suffolk University (May 2011)

Are you Ok with using enhanced interrogation techniques or some forms of torture on suspected terrorists if they might have information that helps keep America safe?

1.23 Fox News (May 2011)

Do you support or oppose allowing the CIA (Central Intelligence Agency) to use enhanced interrogation techniques, such as waterboarding, to try and obtain information from terrorist suspects?

1.24 You Gov – August 2012

Should the United States torture prisoners captured in the fight against terrorism?

2. Polling Questions Regarding Acceptable Methods of Torture

2.1 USA Today / CNN / Gallup (January 2005)

Here is a list of possible interrogation techniques that can be used on prisoners. Do you think it is right or wrong for the U.S. government to use them on prisoners suspected of having information about possible terrorist attacks against the United States?

A. Forcing prisoners to remain naked and chained in uncomfortable positions in cold rooms for several hours

B. Having female interrogators make physical contact with Muslim men during religious observances that prohibit such contact

C. Threatening to transfer prisoners to a country known for using torture

D. Threatening prisoners with dogs

E. Strapping prisoners on boards and forcing their heads underwater until they think they are drowning

F. Depriving prisoners of sleep for several days

Results based on 528 national adults in Form B.

2.2 Resurgent Republic – May 2009

Now I would like to read you a list of interrogation techniques that were considered by the Bush Administration and CIA when questioning detainees. For each of the following, would you please tell me if you consider each technique to be justified or not justified for the United States to use when trying to get information that could prevent future terrorist attacks.

15. Making detainees remain naked during interrogation by interviewers of the same gender, as long as there is no threat of sexual abuse.

16. Waterboarding, where a detainee is strapped to a flat board, his face covered with a hood and cloth, and pouring water on the cloth in a way that simulates the feeling of being drowned.

17. Diet alteration, where detainees are given only high-protein fluids, with a minimum of 1000 calories per day.

18. Sleep deprivation, where detainees are not allowed to fall asleep for a maximum of 180 hours, or seven and a half days.

19. Walling, where a detainee is pushed into a flexible, false wall so his shoulder blades hit the wall causing it to make a loud noise. NOT 20.

20. Striking a detainee on the stomach with the back of an open hand, provided the interrogator is within 18 inches and moves only from the elbow to the hand to strike the suspect.

21. Requiring detainees to stand four to five feet from a wall and support themselves with their fingers touching the wall and not moving their feet or hands.

22. Keeping detainees in cramped confinement, in a space only large enough to stand and sit for up to 18 hours, or a space only large enough to sit in for up to two hours.

23. Water dousing, where cold water above 40 degrees Fahrenheit is poured on detainees from a container or hose without a nozzle, but stopping short of hypothermia

2.3 World Public Opinion – July 2004 / June 2009

Please select whether you would favor or oppose using each of the following methods as a way of trying to get the prisoner to reveal the information he may have. (Favour, oppose, don't know.)

– Not allowing the detainee to sleep

– Keeping a hood over the detainee's head for long periods of time

– Bombarding the detainee with loud noise for long periods of time

– Exposing the detainee to extreme heat or cold

– Punching or kicking the detainee

– Making the detainee go naked

– Holding the detainee's head under water

– Applying electric shocks to the detainee

– Using threatening dogs to frighten detainees.

– Forcing detainees to remain in a physically stressful position for an extended period

2.4 CNN / ORC Poll (November 2007, 2011)

In a procedure known as "waterboarding," interrogators produce the sensation of drowning by either dunking a restrained prisoner in water or pouring water over the prisoner's face. Do you think the U.S. government should or should not be allowed to use this procedure to attempt to get information from suspected terrorists? (Allow, not allow, no opinion)

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2.6 Online Resources

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iPOLL Databank (2013) The Roper Center of Public Opinion Research, University of Connecticut. Available at http://www.ropercenter.uconn.edu/CFIDE/cf/action/home/index.cfm

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3. Filmography

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24: Season 3. Dir. Jon Cassar, Kevin Hooks, Fredrick K. Keller, Bryan Spicer, Ian Toynton, Brad Turner. Real Time Productions, 20th Century Fox Film Corporation, 2003-4. DVD

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Taxi to the Dark Side. Dir. Alex Gibney. Thinkfilm, Jigsaw Productions, 2007. DVD

[1] "8:00 am–9:00 am", *24: Season 5*, Dir. Jon Cassar. Fox. 15th January 2006 (5AFF02). Television.

[2] This figure was attained by averaging support for torture ascertained in the Gallup/CNN/USA Today and Christian Science Monitor / TIPP polls. See Appendix 4 General Attitude Dataset for individual results.

[3] Throughout the thesis the term Global War on Terror or War on Terror is used to represent the conflict between the US (and allied states) against Afghanistan and Iraq in the aftermath of 9/11 and so called by George Bush in his address to the nation. Alternative terminologies, such as the 'Long War' are not used, but see Burke (pp259-262) for a fuller discussion of the terminologies in use.

[4] This is a term coined by Stanford Professor Amy Zegart in her discussion of the subject. See Zegart, A. (2012) "Torture Creep: Why are more Americans accepting Bush-era Policies than ever before?" *Foreign Policy*, 25th September. Available at http://www.foreignpolicy.com/articles/2012/09/25/torture_creep

[5] Sands, P. (2008) *Torture Team: Uncovering War Crimes in the Land of the Free* , 2nd Edition, London, Penguin Books, pg. 73-4

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[6] In the aftermath of Abu Ghraib, Former Secretary of Defense Donald Rumsfeld attributed the abuse to just the "work of a few bad apples", implying that such behavior was not representative of the US military and attributed to the misguided decisions of soldiers personally. *The Economist* (2004) "Donald Rumsfeld: What did he Know?", 20th May, available at http://www.economist.com/node/2692180

[7] Campbell, D. (2010) 'Post structuralism' in T. Dunne, M. Kurki & S. Smith eds.*International Relations Theories: Discipline and Diversity*, Oxford, Oxford University Press, pg. 216-7

[8] Rose, G. (2012) *Visual Methodologies: An Introduction to Researching with Visual Materials* , London, Sage Publications, pg. 106

[9] See his collection of essays that explored French popular culture in Bathes, R. (1993) *Mythologies,* trans. A. Leavers (orig. 1972), London, Vintage Books

[10] Ferdinand de Saussure was a 20th century linguist and the first to propose a theory as to the organization of language and images. He contended that a meaning is made through a signifier (what is physically seen) and a signified (the mental connotations associated with that object) collectively embodied in a sign. Bathes than built on this theory arguing this primary sign then became a signifier in a second level of connotation in which 'myths' were made. See Storey, J. (2006) *Cultural Theory and Popular Culture: An Introduction*, Harlow, Pearson, pg. 93

[11] Ibid, pg. 93

[12] Ibid, pg. 94

[13] Bathes, R. (1977) 'The Photographic Message' in *Image-Music-Text*, London, Fontana, pg. 301

[14] Ibid, pg. 300

[15] Storey, J. (2006) *Cultural Theory and Popular Culture: An Introduction*, Harlow, Pearson, pg. 98

[16] Foucault, M. (1995) *Discipline and Punish: The Birth of the Prison*, 2nd Edition, New York, Vintage Books, pg. 31

[17] Campbell, D. (2010) 'Post structuralism' in T. Dunne, M. Kurki & S. Smith eds.*International Relations Theories: Discipline and Diversity*, Oxford, Oxford University Press, pg. 223

[18] Foucault, M. (1984/1996) 'The concern for truth'. In S. Lotringer eds. *Foucault live: collected interviews*, *1961-1984*, New York, Semiotext pg. 459.

[19] Campbell, D. (2010) 'Post structuralism' in T. Dunne, M. Kurki & S. Smith eds.*International Relations Theories: Discipline and Diversity*, Oxford, Oxford University Press, pg. 230

[20] Machin, D. (2010) *Introduction to Multimodal Analysis*, London, Bloomsbury Academic, pg. 12

[21] Campbell, D. (2010) 'Post structuralism' in T. Dunne, M. Kurki & S. Smith eds.*International Relations Theories: Discipline and Diversity*, Oxford, Oxford University Press, pg. 226

[22] Storey, J. (2006) *Cultural Theory and Popular Culture: An Introduction*, Harlow, Pearson, pg. 102

[23] O'Farrell, C. (2005) *Michael Foucault*, Core Cultural Theorists Series, London, Sage Publications, pg. 153

[24] Richard Devetak (2009) 'Post structuralism' in S. Burchill, A. Linklater, R. Devetak, J. Donnelly, T. Nardin, A. Paterson, C. Reus-Smit & J. True eds. *International Relations Theories*, Basingstoke, Palgrave Macmillan, pg. 186

[25] Machin, D. (2010) *Introduction to Multimodal Analysis*, London, Bloomsbury Academic, pg. 26

[26] Seiter, E. (1992) 'Semiotics, Structuralism and Television' in Robert C. Allen eds. *Channels of Discourse, Reassembled*, London, Routledge, pg. 62

[27] Nacos, B. L. (2011) "The Image of Evil: Why Screen Narratives of Terrorism and Counterterrorism matter in Real-life Politics and Policies" in P. Hammond eds. *Screens of Terror: Representations of War and Terrorism in Film and Television since 9/11*, Suffolk, Arima Publishing, pg. 270

[28] Delli Carpini, M. X & Williams, B. A. (1996) "Constructing public opinion: The uses of fictional and nonfictional television in conversations about the environment", in A. N. Crigler (eds.), *The Psychology of Political Communication*, Ann Arbor, University of Michigan Press, pg. 160

[29] Morgan, M. & Shanahan, J. (2010) "The State of Cultivation", *Journal of Broadcasting and Electronic Media*, 54(2), pg. 344

[30] Coleman, R. (2010) "Framing Pictures in Our Heads: Exploring the Framing and Agenda Setting Effects of Visual Images" in P. D'Angelo & J.A. Kuypers eds. *Doing News Framing Analysis: Empirical and Theoretical Perspectives*, Abington, Routledge, pg. 242

[31] Morgan, M. & Shanahan, J. (2010) "The State of Cultivation", *Journal of Broadcasting and Electronic Media*, 54(2), pg. 345

[32] Ibid, pg. 343

[33] Crandall, C.S. Eidelman, S. Skitka, L.J. & Morgan, G.S. (2009) "Status Quo Framing Increases Support for Torture", *Social Influence*, 4(1), pg. 6

[34] Ibid, pg. 7

[35] Holbert, R. L. Pillion, O. Tschida, D. Armfield, G.G. Kinder, K. Cherry, K.L. & Daulton, A.R. (2003) "The West Wing as Endorsement of the US Presidency: Expanding the Bounds of Priming and Political Communication", *Journal of Communication*, 53(3), pg. 437

[36] Ibid, pg. 437

[37] Holbert, R.L. (2005) "A Typology for the Study of Entertainment and Television Politics", *American Behavioral Scientist*, 49(436), pg. 438

[38] The memo defined torture by specific intent and physical suffering equated to organ failure, impairment to bodily function or death, effectively exonerating American officials' torturing for information. In 2009 John Yoo and Jay Bybee were found guilty of professional misconduct by the Office of Professional Responsibility in the Department of Justice, although any charges were subsequently dropped. See Bybee, J. S. (2002) "Memorandum for Alberto Gonzales Council to the President: R.E. Standards of Conduct for Interrogation Under 18 U.S.C 2340-2340A", 1st August, pg. 13. Available at http://www.washingtonpost.com/wp-srv/nation/documents/dojinterrogationmemo20020801.pdf

[39] Taguba, Gen. A. (2004) "Article 15-6 Investigation of the 800th Military Police Brigade", March. Available at http://www.npr.org/iraq/2004/prison_abuse_report.pdf pg. 16

[40] Levin, C. (2008) "Senate Armed Services Committee Inquiry into the Treatment of Detainees in US Custody", December, pg. xxix. Available at http://www2.gwu.edu/~nsarchiv/torturingdemocracy/documents/20081211.pdf

[41] Leading many activists to argue that a more formally acknowledged policy of coercive interrogation existed in Afghanistan before Guantanamo and Iraq but that nevertheless remains classified. For more detail see Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 35

[42] Such as enforced disappearances, rendition to foreign countries and a withdrawal of legal rights

[43] For mission overview see http://www.icrc.org/eng/what-we-do/building-respect-ihl/overview-building-respect-ihl.htm

[44] International Committee of the Red Cross (2007) "ICRC Report on the Treatment of Fourteen 'High Value Detainees' in CIA Custody", available at http://assets.nybooks.com/media/doc/2010/04/22/icrc-report.pdf

[45] The Constitution Project (2013) *The Report of the Constitution Project's Task Force on Detainee Treatment* , March. Available at http://detaineetaskforce.org/pdf/Full-Report.pdf

[46] McCoy, A.W. (2006*) A Question of Torture: CIA Interrogation from the Cold War to the War on Terror* , New York, Metropolitan Books, pg. 5

[47] Goodhart, M. (2011) "Reverting to Form: American Exceptionalism and International Human Rights" in Goodhart, M. & Mihr, A. eds. *Human Rights in the 21st Century: Continuity and Change since 9/11* , Basingstoke, Palgrave Macmillan, pg. 80

[48] Moravcsik, A. (2005) "The Paradox of U.S. Human Rights Policy" in M. Ignatieff eds*American Exceptionalism and Human Rights*, Princeton, Princeton University Press, pg. 150

[49] Forsythe, D. P. (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press pg. 23

[50] See Rejali, D. (2009) *Torture and Democracy*, Oxford, Princeton University Press

[51] Sources include numerous fan websites, video games, comics and fan fiction

[52] See Peacock, S. eds. (2007) *Reading 24: TV Against the Clock* , London, I.B. Tauris. 24 has also been 'read' for its depiction of Muslims for which it has received equal criticism by Morey and Yaqin who argue that 24 is naturalized to the American audience through the 'discourse of family', with Muslims represented as the ultimate 'other' through the disregard and ambivalence towards their families.

[53] The first scene of series 2 depicted a Korean informant being electrocuted for information by the domestic intelligence services. Once the information is gained, the Korean interrogators inform their American sponsors waiting in an adjoining room. This scene was one of the most shocking throughout the whole series and can be considered as definitively placing 24 on the pro interrogational torture side in the first show after 9/11. See Howard, D. L. (2007) "You're Going to Tell me Everything You Know: Torture and Morality in Fox's 24", in S. Peacock eds. *Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 142

[54] Zizek, S. (2006) "The depraved hero's of 24 are the Himmler's of Hollywood", *The Guardian*, 10th January. Available from http://www.theguardian.com/media/2006/jan/10/usnews.comment

[55] Zizek, S. (2002) *Welcome to the Desert of the Real*, New York, Verso, pg. 103-4

[56] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[57] Sands, P. (2008) *Torture Team: Uncovering War Crimes in the Land of the Free* , Stirlingshire, Pengiun Books,

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pg. 73-4

[58] Quoted in an interview with Jane Mayer, see Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes",*The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[59] Lepard, B.D. (2011) "International Law and Human Rights" in Cushman, T. eds*Handbook of Human Rights: Routledge International Handbooks*, Abingdon, Routledge, pg. 583

[60] Ibid, pg. 590

[61] Moravcsik, A. (2005) "The Paradox of US Human Rights Policy", in Ignatieff, M. eds*American Excaptionalism and Human Rights*, Princeton, Princeton University Press, pg. 148

[62] Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 42

[63] See Convention III on Prisoners of War and Convention IV on civilians, original text available at http://www.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp. For full text of the 1996 War Crimes Act, see http://www.law.cornell.edu/uscode/text/18/2441

[64] Legislation includes the International Covenant of Civil and Political Rights (ICCPR) and the Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment (CAT), ratified in 1992 and 1994, 10 and 16 years after their creation respectively. See The Constitution Project (2013) "The Legal Process of the Federal Government After September 11", *The Report of the Constitution Project's Task Force on Detainee Treatment* , pg. 126-130

[65] *"Torture is (1) an intentional infliction of severe pain or suffering whether physical or mental; (2) to obtain information or a confession, to punish for an act or suspected act, to intimidate or coerce, or for discrimination of any kind; (3) when such pain or suffering is inflicted by, at the instigation of, or with the consent or acquiescence of, a public official or other person acting in official capacity.* Although this is the precise wording of the Convention Against Torture, numbers and semi-colons have been added to facilitate clarity and understanding. Full Text is available at http://www.un.org/documents/ga/res/39/a39r046.htm

[66] Ibid, see Article 16

[67] Specifically, the Torture Statue states *"in order to constitute torture, an act must be specifically intended to inflict severe physical and mental pain or suffering* ", a discrepancy which was later harnessed upon post-9/11 by the Office of Legal Counsel (OLC). Specifically see the United States Code, Title 18, Chapter 11.3C, available at http://www.law.cornell.edu/uscode/text/18/2340

[68] McCoy, A. W. (2006) *A Question of Torture: CIA Interrogation from the Cold War to the War on Terror* , New York, Holt Paperback, pg. 50-3

[69] Despite the fact that detainees they wore no uniform, openly carried arms and belonged to a non-state party. See Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 20

[70] McCoy, A. W. (2006) *A Question of Torture: CIA Interrogation from the Cold War to the War on Terror* , New York, Holt Paperback, pg. 64-71

[71] Intelligence Science Board (2006) "Educing Information. Interrogation: Science and Art. Foundations for the Future", *Center for Strategic Intelligence Research* , December, pg. xiii. Available at https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol51no4/educing-information.html

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[72] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 133-4

[73] Wolf, N. (2013) "The US Military's Rape Culture", *Project Syndicate*, 30th June. Available at http://www.project-syndicate.org/commentary/the-us-military-s-rape-culture-by-naomi-wolf

[74] For a more detailed examination of administration attitudes see Mueller, K.P. (2000) "Politics, Death and Morality in US Foreign Policy", *Air and Space Power Journal*, 16(2), pgs. 12-16

[75] Forsythe, D. P. (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press pg. 23

[76] Established in 2002, the ICC is a permanent international court to bring to justice the perpetrators of the worst crimes known to humankind, such as war crimes, crimes against humanity, and genocide, especially when national courts are unable or unwilling to do so. See Human Rights Watch (2002) "Is America's Withdrawal from the new International Criminal Court Justified?", 17th July. Available at http://www.hrw.org/news/2002/07/16/america-s-withdrawal-new-international-criminal-court-justified

[77] Moravcsik, A. (2005) "The Paradox of US Human Rights Policy", in Ignatieff, M. eds*American Excaptionalism and Human Rights*, Woodstock, Princeton University Press, pg. 194-5

[78] A phrase used by the United States to classify those it regards as unlawful combatants who do not qualify for prisoner-of-war status under the Geneva Conventions. See Bush, G. W. (2010) *Decision Points*, St. Ives, Virgin Books, pg. 171

[79] The Constitution Project (2013) "The Legal Process of the Federal Government After September 11",*The Report of the Constitution Project's Task Force on Detainee Treatment*, pg. 130

[80] Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 65-76

[81] Guantanamo Bay is a detention facility within a US naval base in Mexico. Taking its first prisoners in January 2002, it was subsequently argued by the OLC that the base was not under American legal jurisdiction. See The Constitution Project (2013) "The Legal Process of the Federal Government After September 11",*The Report of the Constitution Project's Task Force on Detainee Treatment*, pg. 142-3

[82] This is based on the legal interpretation of Assistant Attorney General Jay Bybee and his deputy John Yoo through a series of OLC legal interpretations throughout the second half of 2002. The most notorious 'torture memo' can be found at http://www.washingtonpost.com/wp-srv/nation/documents/dojinterrogationmemo20020801.pdf. Based on these interpretations twenty-four coercive interrogation techniques were approved for military use by Secretary of Defense Rumsfeld in December 2002, and were subsequently endorsed for legality by a DoD Working Group on Detainee Operations in April 2003, see http://www.torturingdemocracy.org/documents/20030404.pdf

[83] Specific methods of sensory deprivation include Sleep deprivation, hooding, and prolonged interrogation, where methods based on self-inflicted pain include stress positions and dietary manipulation. Sexual humiliation also features under this last category but was not a technique formally authorized but organic in its development.

[84] The Constitution Project (2013) "The Legal Process of the Federal Government After September 11",*The Report of the Constitution Project's Task Force on Detainee Treatment*, pg. 146-56

[85] Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 90

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[86] The Military Commissions Acts overturned the Supreme Court decision in *Hamdan vs. Rumsfeld*. Here the administrations policy of indefinite detention was opposed the court stating that enemy combatants are protected by the Geneva Conventions and have the right to habeas corpus, contradicting previous OLC interpretations. See *Forsythe, D.P (2011) The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 88

[87] For example, through issuing Executive Order 13440 and the veto of the Intelligence Authorization Act that would have outlawed hooding, stripping, sleep deprivation, stress positions, and waterboarding by the CIA. For the Executive Order see http://www.fas.org/irp/offdocs/eo/eo-13440.htm

[88] See Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 81

[89] With Bush, former Vice President Cheney and former Director of the CIA George Tenet continuing even today to advocate the success of their harsh interrogation regimes. Ibid, pg. 57

[90] Established through Executive Order 13491, see http://www.whitehouse.gov/the-press-office/ensuring-lawful-interrogations

[91] Now a High-Value Detainee Interrogation Group has been established and travels to conduct humane interrogations of terrorist suspects, including Faisal Shahzad who pleaded guilty of trying to plant a bomb in Times Square in May 2010, and surviving Boston Marathon bomber Dzhokhar Tsarnaev in 2013.

[92] However, it soon became apparent that many prisoners transferred from Afghanistan had been traded in for monetary reward or to settle domestic feuds, confirmed by a study commissioned by President Obama in 2010 that found that only 10% of the remaining 240 prisoners were a threat to national security.

The Survival Evasion Resistance Escape (SERE) program was created during the CIA research of the 1950s and 1960s. Due to the assertion of the CIA that they could 'break any prisoner' this program was implemented to train soldiers how to resist such techniques.

[93] The Constitution Project (2013) "The Role of Medical Professionals in Detention and Interrogation Operations", *The Report of the Constitution Project's Task Force on Detainee Treatment*, pg. 219-24

[94] Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 97

[95] The most acknowledged is the death of Pashtun taxi driver Dilawar, explored in Alex Gibney's Oscar winning *Taxi to the Dark Side* (2008).

[96] Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 102

[97] This phrase was used in a memo by General Miller to the Pentagon when reviewing detainee operations in Iraq before he switched his post. Also see Schlesinger, J. (2004) "Final Report of the Independent Panel to Review Detainee Operations", August. Available at http://www.defense.gov/news/aug2004/d20040824finalreport.pdf

[98] Most prominently, contractors came from CACI International (interrogators) and the Titan Corporation (linguists). In the aftermath of abuse in Iraq, the Department of Justice failed to change individual contractors with abuse, accountability currently being sought by human rights NGOs through lawsuits. See Philips, J.E.S. (2010)*None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 36

[99] Taguba, A (2004) Article 15-16 Investigation of the 800th Military Brigade, available at

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http://www.npr.org/iraq/2004/prison_abuse_report.pdf pg. 16

[100] See Dershowitz, A. (2001) "Is There a Torturous Road to Justice?", *Los Angeles Times*, 8th November. Available at http://ontology.buffalo.edu/smith/courses01/rrtw/Dershowitz.htm

[101] Forsythe, D.P (2011) *The Politics of Prisoner Abuse: The United States and Enemy Prisoners after 9/11* , Cambridge, Cambridge University Press, pg. 132-3

[102] When the rendition program was revealed by the Washington Post in November 2005 this culminated in the en-masse CIA destruction of their interrogation tapes. After a Council of Europe concluded that 14 European Governments were complicit in CIA renditions, Bush was forced to formally admit the programs existence. For the report see Council of Europe (2006) "Alleged secret detentions and unlawful inter-state transfers involving Council of Europe member states", *Committee on Legal Affairs and Human Rights*, 7th June. Available at http://assembly.coe.int/committeedocs/2006/20060606_ejdoc162006partii-final.pdf

[103] See The Constitution Project (2013) "Timeline", available at http://detaineetaskforce.org/resources/timeline/

[104] Brooks, X. (2012) "John McCain criticizes Zero Dark Thirty's Depiction of Torture", *The Guardian*, 20th December. Available at http://www.theguardian.com/film/2012/dec/20/john-mccain-zero-dark-thirty

[105] Greenwald, G. (2013) "Zero Dark Thirty, the CIA and Film Critics have a Very Bad Evening", *The Guardian*, 25th February. Available at http://www.theguardian.com/commentisfree/2013/feb/25/zero-dark-thirty-cia-oscars

[106] 24 first aired on the 6th November 2001. See Peacock, S. (2007) "It's About Time", in S. Peacock eds.*Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 7, 8

[107] Chamberlain, D. & Ruston, S. (2007) "24 and Twenty-First Century Quality Television", in S. Peacock eds. *Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 17

[108] Furby, J. (2007) "Interesting Times: The Demand 24's Real-Time Format Makes on its Audience", in S. Peacock eds. *Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 68

[109] This quote was taken from 24 lead writer Howard Gordon and quoted within Howard, D.L. (2007) "You are Going to Tell me Everything You Know: Torture and Morality in Fox's 24" in S. Peacock eds*Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 143. This fear can be considered to become actualized in Season 6, the series starting with a number of domestic suicide bombings taking place and the depiction of a nuclear bomb – the ultimate terrorism-related fear – hitting the American homeland within the series.

[110] Ibid, pg. 143.

[111] Including the feature length special *24*: Rendition aired in November 2008. Season One was also reviewed but contained no scenes of torture, interrogational or otherwise, attributed to the family-based storyline.

[112] Torture was defined in accordance with the definition provided in the United Nations Convention Against Torture provided in Chapter 1(fn), but expanded to include abuse conducted by non-state agents. 'Terrorists' were defined in accordance with the United States Code (Title 18, Chapter 11.3B). This defines international terrorism as acts that "occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished". On the other hand, domestic terrorism "occur[s] primarily within the territorial jurisdiction of the United States". What differentiates terrorists from criminals in this analysis is the ideological from monetary gain. See http://www.law.cornell.edu/uscode/text/18/2331

[113] Whist Official Companion's to 24 (Series 2-6) were used for the preliminary sweep of torture scenes, as these guides were not published for the final two series information was gained from http://24.wikia.com. Although not a

formal academic resource, due to its 6,500 pages on the show, one could argue that it is the largest and most up to date single resource on *24*. Furthermore, other academic sources similarly rely on such sites due to the televised nature of the subject matter.

[114] Five torture narratives orchestrated by criminals (for monetary gain) were initially identified but excluded from the final analysis to ensure that the sample dealt exclusively with torture orchestrated against terrorists and vice versa.

[115] Such actions being almost equally being covered up rather than reported.

[116] Psychological methods of interrogation represented on *24* include mock execution and sensory deprivation, although are only used once each as a method throughout the eight series. They are distinctly represented from physical sources in Chart 1.

[117] This is the data for the 38 narrative data set. Of the omitted 5 cases, electric shocks and mutilation were used an additional two times; beatings and rejected medical care were used once.

[118] See Table 1 for overall success rate. This trend is also validated by the actions of Renee Walker (Season 7 and 8), the only other government official to undercut authority, who has a 100% unsanctioned torture success rate.

[119] Danzig, D. (2012) "Countering the Jack Bauer Effect: An Examination of How to Limit the Influence of TV's Most Popular, and Most Brutal, Hero" in M. Flynn and F.F Salek eds.*Screening Torture: Media Representations of State Terror and Political Domination*, New York, Columbia University Press, pg. 23-4

[120] This is most explicitly shown in the cases of Tony Almedia and Renee Walker, who was sent to prison (Season 3) and got fired respectively (Season 7).

[121] Note Key JB alone = Jack Bauer acting alone, JB in concert = Jack Bauer acting in concert with other Government officials, US alone = other US official acting alone, US in concert = other US officials acting together.

[122] For frequency of methods, see Graph 1

[123] By US government officials, Mutilation was successful 57% of the torture narratives

[124] See "6:00pm-7:00pm." *27: Season 7*. Fox. 2nd March 2009 (7AFF11). Television

[125] This is especially true in the interrogational torture of suspected moles, Sarah Gavin and Audrey Rains actually subjected to torture from their *employers* before colleagues determined their innocence. See "2:00pm-3:00pm." *24: Season 4*. Fox. 7th February 2005 (4AFF08). Television and "9:00pm-10:00pm." *24: Season 5*. Fox. 27th March 2006 (5AFF15). Television respectively

[126] Four victims throughout the whole dataset do not break; Jack Bauer, Nina Richards, Graeme Bauer and Christopher Henderson. Interestingly, these are people Jack has all had personal relationships with (lover, brother, mentor) as confirms the identity of Jack as the upholder of (utilitarian) morality whist coming from a dark place.

[127] This contradicts the US Army Field Manual (34-52) that "the use of force is a poor technique, as it yields unreliable results, may damage subsequent collection efforts, and can induce the source to say anything he thinks the interrogator wants to hear". See Headquarters Department of the Army (1992) Field Manual 34-52 Intelligence Interrogation, Washington DC, pg. 1-8. Available at https://www.fas.org/irp/doddir/army/fm34-52.pdf

[128] Rejali, D. (2009) *Torture and Democracy*, Oxford, Princeton University Press, pg. 447

[129] Ibid, pg. 467

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[130] Ibid, pg. 478

[131] Only in one instance in the interrogational torture of Marie Warner (Series 2, Episode 14) is purposeful misinformation given under interrogation. However, rather than affect the operation, Jack calls her bluff and knows she's lying. This is also unrealistic as Law enforcement, let alone military interrogators, receive training on how to spot deception. See "9:00pm-10:00pm." *24: Season 2*. Fox. 25th February 2003 (2AFF14). Television and Rejali, D. (2009) *Torture and Democracy*, Oxford, Princeton University Press, pg. 465

[132] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 165-6, 168-9

[133] Taken from an interview with former US Army Interrogator Tony Lagouranis citing what the producers of *24* told them in the meeting arranges by West Point academics. See Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[134] Brecher, B. (2007) Torture and the Ticking Bomb, Oxford, Blackwell Publishing, pg. 20

[135] Ibid, pg. 20, 24-6, 31

[136] Ibid, pg. 28-9

[137] For example a chemical, biological or nuclear attack. On *24* protagonists always know the precise nature of the threat and how long they specifically have to thwart it, such conditions unsubstantiated in an intelligence reality. See Brecher, B. (2007) *Torture and the Ticking Bomb*, Oxford, Blackwell Publishing, pg. 16

[138] Ibid, pg. 24

[139] Rejali, D. (2009) *Torture and Democracy*, Oxford, Princeton University Press, pg. 545-8

[140] Howard, D.L. (2007) "You are Going to Tell me Everything You Know: Torture and Morality in Fox's 24" in S. Peacock eds*. Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 141

[141] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[142] This was discerned through the data collected for duration of seen and implied torture on 24. This was then averaged by the total number of episodes at 40 minutes to arrive at the relative amount.

[143] International Committee of the Red Cross (2004) Report of the International Committee of the Red Cross (ICRC) on the Treatment by the Coalition Forces of Prisoners of War and Other Protected Persons by the Geneva Conventions in Iraq, during Arrest, Internment and Interrogation, pg. 9. Available at http://cryptome.org/icrc-report.htm

[144] As many do, Amey continued to live for many years after his ordeal but as a different person, committing suicide in 1978. See Brecher, B. (2007) *Torture and the Ticking Bomb*, Oxford, Blackwell Publishing, pg. 77 or for original Amery, J. (1980) *At the Mind's Limit*, trans. S. Rosenfeld, Bloomington, Indiana University Press.

[145] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[146] The Middle Eastern terrorist orchestrators use the same methods of torture (mutilation and beatings) however represented more brutally, for example by the use sanding machines, power drills and specific tools of torture to

inflict the highest amount of pain possible. See "4:00pm-5:00pm." *24: Season 2*. Fox. 7th January 2003 (2AFF09). Television; "1:00pm-2:00pm." *24: Season 6*. Fox. 12th February 2007 (6AFF08). Television; and '6:00am-7:00am." *24: Season 6*. Fox. 14th January 2007 (6AFF01). Television respectively.

[147] This is aligned to real life individuals such as the Oklahoma City bomber Timothy McVeigh, and American John Walker Lindh who was captured fighting with the Taliban. See Greene, E. (2008) "Jack Bauer Syndrome" in R. Minter eds. *Jack Bauer for President: Terrorism and Politics in 24*, Texas, Benbella Books, pg. 179

[148] Even the (innocent) Secretary of Defense's son was subjected to sensory deprivation for 3 hours in Season Four. See "9:00am-10:00am". *24: Season 4*. Fox. 10th January 2005 (4AFF03) Television

[149] To see the impact of this on the ground, See American Civil Liberties Union (2013) *Unleashed and Unaccountable: The FBI's Unchecked Abuse of Authority*, September. Available at https://www.aclu.org/sites/default/files/assets/unleashed-and-unaccountable-fbi-report.pdf. Bridgette Nacos has similarly evidenced the Bush administration 'hyping' public of fear through the media via terror alerts, see Nacos, B. (2011) *Selling Fear: Counterterrorism, the Media and Public Opinion*, Chicago, University of Chicago Press.

[150] Most notably, former Supreme Court Justice Antonin Scalia evidenced Jack Bauer at an international legal conference in defending coercive interrogation techniques, arguing that "no jury would convict Jack Bauer for saving innocent lives". John Yoo uses similar reasoning in his autobiography when defending the implementation of such techniques, see Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 102. In a recent interview, former Director of the British Security Service Eliza Manningham-Buller stating that "Bush, Cheney and Rumsfeld certainly watched 24". See Norton-Taylor, R. (2010) "UK Complained to US about Terrorist Suspect Torture, says ex-MI5 Boss", *The Guardian*, 10th March. Available at http://www.theguardian.com/uk/2010/mar/10/manningham-buller-torture

[151] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 102-3

[152] The first quote is taken from Patterson, J. (2007) "Interview: Joel Surnlow. 'We're Trafficking in Fear'",*The Guardian*, 22nd January, available at http://www.theguardian.com/media/2007/jan/22/television.mondaymediasection. Whist the second quote is taken from Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[153] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[154] Ibid, Mayer

[155] See Aitkenhead, D. (2009) "One Hour with Kiefer Sutherland: 'I haven't seen an average citizen watch *24* and have an uncontrollable urge to torture someone'", *The Guardian,* 2nd February. Available at http://www.theguardian.com/lifeandstyle/2009/feb/02/kiefer-sutherland-interview-tv-film

[156] Lagouranis, T and Mikaelian, A. (2008) *Fear Up Harsh: An Army Interrogator's Dark Journey through Iraq*, New York, Nal Caliber, pg. 60

[157] Greene, E. (2008) "Jack Bauer Syndrome" in R. Minter eds.*Jack Bauer for President: Terrorism and Politics in 24*, Texas, Benbella Books, pg. 176, 180

[158] This quote is taken from Audrey Reins as she leaves Jack at the end of Season 4. See "6:00am-7:00am"*24: Season 4*. Fox. 23rd May 2005 (4AFF24). Television.

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[159] Applebaum, A. (2005) "The Torture Myth", *The Washington Post*, 12th January. Available at http://www.washingtonpost.com/wp-dyn/articles/A2302-2005Jan11.html

[160] Howard, D.L. (2007) "You are Going to Tell me Everything You Know: Torture and Morality in Fox's 24" in S. Peacock eds. *Reading 24: TV Against the Clock*, London, I.B. Tauris, pg. 142

[161] From 1996-2001 a total of 102 scenes of torture aired on US prime time television, increasing to 624 in the following *three* years. Human Rights First concluded in 2007 that an average of 120 torture scenes was shown annually, an 800% increase from 2001. The study attributed eighty-nine torture scenes to have taken place in series 1-6 of 24. For more detail see Danzig, D. (2012) "Countering the Jack Bauer Effect: An Examination of How to Limit the Influence of TV's Most Popular, and Most Brutal, Hero" in M. Flynn and F.F Salek eds*Screening Torture: Media Representations of State Terror and Political Domination*, New York, Columbia University Press, pg. 21-2

[162] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[163] Sutherland, S. and Swan, S. (2007) "Tell me Where the Bomb Is, Or I Will Kill Your Son: Situational Morality on 24", in S. Peacock eds. Reading 24: TV Against the Clock, London, I.B. Tauris, pg. 129

[164] Gronke, P. and Rejali, D. (2010) "US Public Opinion on Torture, 2001-9", PS: *Political Science and Politics*, 43(3), pgs. 437-444

[165] In the question, respondents are asked of their views of 'enhanced interrogation techniques' rather than torture. No 2013 polls with inclusive questions on torture were found.

[166] The Roper Center of Public Opinion Research, based at the University of Connecticut, is considered one of the leading archives for American social science data. Polls were located online through its I-poll databank.

[167] Such a jump in respondents is attributed to the Cooperative Congressional Election Survey (Oct. 2008) that included a justifiability question as part of its team content and surveyed across 32,800 respondents.

[168] The former asks respondents if they support or oppose the use of torture in the context of fighting terrorism, where the latter asks if this action could ever be justified.

[169] In total, polls were drawn from 21 polling organizations, including Angus Reid Public Opinion, Associated Press, Opinion Dynamics, PEW People and Press, PIPA Knowledge Networks, World Public Opinion and You Gov. For comprehensive list see Appendix 4.

[170] Overall, the margin of error across surveys stands accurate within plus or minus 3.3 percentage points: +/- 3.2 for the general torture dataset and +/- 3.5 for questions on method

[171] Of the types of questions asked, 16 are ticking bomb, 7 are justifiability and 4 questions on specific methods. Presentation of justifiability responses was the method followed by PEW Director Andrew Kohut in his analysis of the data on torture.

[172] There may be many reasons for this, not least being the absence of American military operations overseas and that 'terrorism' did not loom large on the American domestic front.

[173] International Committee of the Red Cross (1999)*People on War Report: ICRC Worldwide Consultation on the Rules of War*, Greenberg Research Inc, March, pg. 41. Available at http://www.icrc.org/eng/assets/files/other/icrc_002_0758.pdf

[174] Gronke, P. and Rejali, D. (2010) "US Public Opinion on Torture, 2001-9", *PS: Political Science and Politics*,

43(3), pgs. 437

[175] The change of administration's overlapped between candidates in 2004 and 2004; however the individual listed is that who was in charge for the majority of the year.

[176] With the exception of 2002 which was only based on one poll and thus statistically unreliable as an average comparator.

[177] Waterboarding, forcibly holding a detainee's head underwater, sexual humiliation and electric shocks were not authorized

[178] See Appendix 5

[179] Council on Foreign Relations (2011) "Chapter 16: U.S. Opinion on Human Rights" in Public Opinion on Global Issues, pg. 7. Available at http://www.cfr.org/thinktank/iigg/pop/

[180] One and a half times greater that of respondents questioned on torture explicitly. See http://www.angusreidglobal.com/polls/40239/waterboarding-terror-suspects-is-unacceptable-for-half-of-americans/

[181] The Constitution Project (2013) "Statement of the Task Force", *The Report of the Constitution Project's Task Force on Detainee Treatment*, pg. 18

[182] Leader of Al-Qaeda and on the FBI's most wanted since the aftermath of 9/11.

[183] Nacos, B. (2011) "The Image of Evil: Why Screen Narratives of Terrorism and Counterterrorism Matter in Real-Life Politics and Policies", in P. Hammond eds. *Screens of Terror: Representations of War and Terrorism in Film and Television since 9/11*, Suffolk, Arima Publishing, pg. 290

[184] Ibid, pg. 290

[185] Gronke, P. and Rejali, D. (2010) "US Public Opinion on Torture, 2001-9", *PS: Political Science and Politics*, 43(3), pg. 438

[186] Miller, P. (2010) "Torture and Social Modernization", Paper presented at the 2010 Western Political Science Association Meeting, San Francisco, April. Available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1580950##

[187] Zegart, A. (2012) "Torture Creep: Why are more Americans accepting Bush-era Policies than Ever Before?", *Foreign Policy*, 25th September. Available at http://www.foreignpolicy.com/articles/2012/09/25/torture_creep

[188] The techniques questioned on include forced nakedness, sexual humiliation, threatened rendition, threatening prisoners with dogs, waterboarding and sleep deprivation. The only technique regular watchers did not agree to was threatening with dogs.

[189] Zegart, A. (2012) "Torture Creep: Why are more Americans accepting Bush-era Policies than Ever Before?", *Foreign Policy*, 25th September. Available at http://www.foreignpolicy.com/articles/2012/09/25/torture_creep

[190] Ibid, Zegart

[191] By its Neilson ratings, Season 7 of *24* was ranked the 20th most watched show of 2009. See ABC Medianet (2009) *Ranking Report*, 2nd June. Available at http://abcmedianet.com/web/dnr/dispDNR.aspx?id=060209_05

[192] Outlier removed

[193] The graph data is amplified to bring results into the same display area for the relative comparison of trends. Popularity scores are an absolute annual score and have been represented by subtracting the annual score from 75. Thus a series that was 20th popular in a year would score and graph higher than a series that was 40th popular. The viewing and narrative scores have been multiplied by 4 and 7 to bring them into the graphing area. Popularity of the series is discerned from annual Neilson rank, where viewing figures represents the average for that series.

[194] Wiseberg, H. F. (2008) "The Methodological Strenghts and Weaknesses of Survey Research" in W, Donsbach and M. W. Traugott eds. (2008) *The SAGE Handbook of Public Opinion Research* , London, SAGE Publications, pg. 224

[195] Interviewer bias includes concealing from the interviewer actual thoughts or opinions because respondents are embarrassed or ashamed, or because they think the interviewer wants to hear something different. Coverage error is the greatest problem facing online surveys as not all households have access to the internet, overcome by some of the polls in this study by providing free Internet access to ensure a representative sample. Ibid, pg. 227

[196] Only 7 of the 56 polls record don't know / no opinion greater than 10. The mean across all surveys being 5.3. Although given the controversy of discussing personal views on torture, a reasonable amount of refusals and don't knows are to be expected.

[197] Wells, A. (2012) How Not to Report on Public Opinion Polls, *UK Polling Report*, 2nd July. Available at http://ukpollingreport.co.uk/blog/archives/5717

[198] Wiseberg, H. F. (2008) "The Methodological Strenghts and Weaknesses of Survey Research" in W, Donsbach and M. W. Traugott eds. (2008) *The SAGE Handbook of Public Opinion Research* , London, SAGE Publications, pg. 230

[199] Given the conservative attitudes many have towards the death penalty, one could presume that attitudes towards torture were relatively more supportive than in other countries, but not as significant as it came to be post 9/11.

[200] Wiseberg, H. F. (2008) "The Methodological Strenghts and Weaknesses of Survey Research" in W, Donsbach and M. W. Traugott eds. (2008) *The SAGE Handbook of Public Opinion Research, London, SAGE Publications* , pg. 223

[201] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 136

[202] Gourevitch, P. and Morris, E. (2009) *Standard Operating Procedure: A War Story* , Basingstoke, Picador and Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso

[203] Sands, P. (2008) *Torture Team: Uncovering War Crimes in the Land of the Free* , Stirlingshire, Pengiun Books and Human Rights Watch (2006) "No Blood No Foul: Soldier's Accounts of Detainee Abuse in Iraq", 23rd July. Available at http://www.hrw.org/reports/2006/07/22/no-blood-no-foul

[204] See Mackey, C. and Miller, G. (2004) *The Interrogators: Inside the Secret War Against Al-Qaeda* , New York, Little, Brown and Company and Lagouranis, T. and Mikaelian, A. (2007) *Fear Up Harsh: An Army Interrogator's Dark Journey Through Iraq*, New York, Nal Caliber

[205] Similarly Tank Battalion 1-68, which controlled detainee operations at the FOB Lion detention facility in Balad, were far removed from the use of armored machinery for which they were trained. See Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 57

[206] Gourevitch, P. and Morris, E. (2009) *Standard Operating Procedure: A War Story* , Basingstoke, Picador, pg.

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87, 89

[207] Interviewed in J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 97

[208] Ibid, pg. 59-60

[209] It is now known that a copy of the Guantanamo Standard Operating Procedure was distributed to General Sanchez at Abu Ghraib, but whatever his office did with this document – it was not circulated amongst all soldiers. Gourevitch, P. and Morris, E. (2009) *Standard Operating Procedure: A War Story*, Basingstoke, Picador, pg. 121-2

[210] Lagouranis, T. and Mikaelian, A. (2007) *Fear Up Harsh: An Army Interrogator's Dark Journey Through Iraq* , New York, Nal Caliber, pg. 85

[211] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 36

[212] Ibid, pg. 40

[213] Ibid, pg. 59

[214] Gourevitch, P. and Morris, E. (2009) *Standard Operating Procedure: A War Story* , Basingstoke, Picador, pg. 94

[215] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 36

[216] Ibid, pg. 65

[217] Gourevitch, P. and Morris, E. (2009) *Standard Operating Procedure: A War Story* , Basingstoke, Picador, pg. 84

[218] Ibid, pg. 86

[219] Philips, J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 66

[220] Ibid, pg. 94

[221] Mackey, C. and Miller, G. (2004) *The Interrogators: Inside the Secret War Against Al-Qaeda* , New York, Little, Brown and Company, pg. 287

[222] Interviewed in J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 91

[223] Ibid, pg. 92

[224] Real name concealed. Human Rights Watch (2006) "No Blood No Foul: Soldier's Accounts of Detainee Abuse in Iraq", 23rd July, pg. 14-15. Available at http://www.hrw.org/reports/2006/07/22/no-blood-no-foul

[225] Real name concealed. Ibid, pg. 32

[226] J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 102

[227] Ibid, pg. 18

[228] Ibid, pg. 79

[229] Ibid, pg. 47

[230] Interviewed in J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture* , London, Verso, pg. 97

[231] Ibid, pg. 97

[232] In one instance when serving in Mosul, Lagouranis recounts a situation where psychological torture on television almost influenced the design and building of a new facility as part of the prisons expansion. Lagouranis remembers a Commander led brainstorming meeting in which a TV thriller was screened in the background. This depicted how the false screams of a man, supposedly under torture, led the suspect to break and reveal information solely through the fear of what awaited him. The officers suggested that their new interrogation booths should be configured in a similar way, in which fear-making simulations could be reproduced. Many of the fellow interrogators however convinced their superiors that this would constitute psychological torture and the idea was dropped. See J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 98

[233] Ibid, pg. 168

[234] Ibid, pg. 168-9

[235] Lagouranis, T. and Mikaelian, A. (2007) *Fear Up Harsh: An Army Interrogator's Dark Journey Through Iraq* , New York, Nal Caliber, pg. 246

[236] J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 86

[237] Ibid, pg. 86

[238] Ideas for coercive interrogation techniques were initially debated at Guantanamo. When referring to their initial September 2002 meeting, Beaver suggests that the techniques came from the SERE program as well as 24 and Jack Bauer. Sands, P. (2008) *Torture Team: Uncovering War Crimes in the Land of the Free* , Stirlingshire, Pengiun Books, pg. 73

[239] Ibid, pg. 73-4

[240] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[241] Ibid, Mayer

[242] J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 101

[243] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

Colonel West was forced to retire from the military after being charged with violating Articles 128 and 134 of the Uniform Code of Military Justice, when in Iraq he authorized the beating of a detainee before firing gunshots above his head to gain information later deemed worthless, a method coincidentally Jack Bauer used many times in his interrogations. He is now a US Congressman. See J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 105

[244] Also stating "I worked in counterterrorism, and *24* is so far off". See J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 103

[245] Ibid, pg. 103

[246] Ibid, pg. 107

[247] Lagouranis, T. and Mikaelian, A. (2007) *Fear Up Harsh: An Army Interrogator's Dark Journey Through Iraq*, New York, Nal Caliber, pg. 247

[248] U.S. Department of Defense (2007) News Release: DoD Mental Health Advisory Team Survey Results Released, Office of the Assistant Secretary of Defense, 4th May. Available at http://www.defense.gov/releases/release.aspx?releaseid=10824

[249] Mayer, J. (2007) "Letter from Hollywood: Whatever it Takes", *The New Yorker*, 19th February. Available at http://www.newyorker.com/reporting/2007/02/19/070219fa_fact_mayer

[250] J.E.S. (2010) *None Of Us Were Like this Before: American Soldiers and Torture*, London, Verso, pg. 108

[251] American Civil Liberties Union (2005) "New Documents Contradict Army Report Denying Systemic Failures in Treatment of Detainees", 15th September. Available at https://www.aclu.org/human-rights/new-documents-contradict-army-report-denying-systemic-failures-treatment-detainees

[252] NBC News / Wall Street Journal Survey (2009) Study 6094, 23‾26th April. Original question stated "Do you think that there should be a criminal investigation about whether torture was committed during the time of the Bush administration or not?", 61% of respondents disagreeing with a further 6% unsure. Available at http://online.wsj.com/public/resources/documents/WSJ_NewsPoll_042809.pdf

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