REPRESENTATIONS AND DISCOURSE OF TORTURE IN POST 9/11 TELEVISION: AN IDEOLOGICAL CRITIQUE OF 24 AND BATTLESTAR GALACTICA

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ABSTRACT

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Through their representations of torture, 24 and Battlestar Galactica build on a wider political discourse. Although 24 began production on its first season several months before the terrorist attacks, the show has become a contested space where opinions about the war on terror and related political and military adventures are played out. The producers of Battlestar Galactica similarly use the space of television to raise questions and problematize issues of war. Together, these two television shows reference a long history of discussion of what role torture should play not just in times of war but also in a liberal democracy. This project seeks to understand the multiple ways that ideological discourses have played themselves out through representations of torture in these television programs. This project begins with a critique of the popular discourse of torture as it portrayed in the popular news media.

Using an ideological critique and theories of televisual realism, I argue that complex representations of torture work to both challenge and reify dominant and hegemonic ideas about what torture is and what it does. This project also leverages post-structural analysis and critical gender theory as a way of understanding exactly what ideological messages the programs’ producers are trying to articulate.
If torture is a categorical evil, shouldn’t we boo Jack Bauer on Fox’s 24? – Jonah Goldberg

American out there loves the show 24. OK? They love Jack Bauer. They love 24. In my mind, that's as close to a national referendum that it's OK to use tough tactics against high-level Al Qaeda operatives as we're going to get. – Laura Ingraham

What instead makes the ticking bomb scenario improbable is the notion that in a world where knowledge is ordinarily so imperfect, we are suddenly granted the omniscience to know that the person in front of us holds this crucial information about the bombers’ whereabouts. (Why not just grant us the omniscience to know where the bomb is?) – Elaine Scarry
This project is dedicated to my family and friends, for putting up with my bad moods and for reading many poorly written typo-filled drafts.
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INTRODUCTION

It feels like I have been working on this project for a long time, but I know I have only begun to scratch the surface of this subject. I have written more than 20,000 words, but that number will surely grow as I continue to work through revisions. Colleagues have told me this feeling of loss is common as one approaches the end of a long-term project.

For me, writing about representations and the ideological discourse of torture in post-9/11 television has consumed my career as a graduate student. I began to think about the television show 24 during the Fall 2006 semester. I wrote a conference paper that explores the multiple conflicting external discourses of 24. In that paper, I looked at how conservative media pundits sought to use 24 as proof of their arguments about torture. In other words, since torture works in 24 and people enjoy watching 24, people must therefore support the use of torture by the U.S. government. This paper preceded an exploration of a group of 24 fans posting comments on an Internet message board. These fans seemed to have trouble coming to terms with their fandom of the program because of its use of torture. To deal with this, they used humor to reconstruct and challenge the program’s dominant ideological discourse. For this group of fans, torture became something to joke about. This joking gave them permission to enjoy the show because if torture is funny, there is nothing wrong with enjoying it.

While working on this paper, I found myself spending a lot of time talking about the way the program framed torture. It soon became obvious that this could transform into my master’s thesis. After much pondering and many drafts, I had an approved proposal and a plan of action. I had been approaching the topic backward. My previous work had focused
the impact of 24’s ideological discourse, but I had not fully theorized this ideology in and of it self. During the proposal process, I added a second television program to my analysis: Battlestar Galactica. Battlestar Galactica provided me with a different set of representations and situations to which I could contrast 24.

Of all the issues revolving around the U.S.-led global war on terrorism, why focus on torture? Torture, it seemed to me, was more visceral than the curbing of habeas corpus or the internment of unlawful combatants. Torture is so likely to get a gut reaction from people that opinions emerge from a range of sources. There has been a long history of academic investigation of torture, both from a historical and critical prospective. The same phenomenon applies to people working in the news media. Torture has been widely discussed on talk radio, cable news, blogs, and news magazines, each offering up the commentators’ personal opinions. Finally, entertainment producers have picked up on this explosive discourse and have begun integrating torture into their programming. In addition to 24 and Battlestar Galactica, many other television programs, such as Veronica Mars, Prison Break, Alias, Stargate SG1, Jericho, The Shield, and The Unit have all used torture in their narratives. All this provides a rich context from which one is able to build an analysis.

I chose to look at 24 and Battlestar Galactica for a number of reasons. First and foremost, these are programs that I was familiar with before beginning this project. Besides this selfish reason, critics and viewers have praised both programs, canonizing them as part of a new golden era in television. This critical attention has meant there is a wealth of commentary focused on each of these shows. In the last year, collections of essays exploring each program have been published. The way each show deals with issues of torture complement

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and contrast each other quite well. Finally, unlike the other aforementioned television programs, torture plays a central role in the ongoing narrative. In the other programs, torture is used as an action set piece in an episode than is largely forgotten. Torture, the potential of torture, or the ramifications of torture are always at play in narratives of these programs.

It is safe to say that each chapter in this thesis could expand into a full-length book. I believe that my familiarity with 24 and Battlestar Galactica as well as a deep theoretical and methodological approaches to analyzing television have help me present the topic of torture in post 9/11 television information in a succinct way. The narratives of each program are incredibly complex. It takes an intimate knowledge of the text in order to make connections across plotlines and episodes. Where my knowledge lacked was within the realm of torture. Thus, I spent many hours trying to get a grasp on that literature.

I came at this problem from three directions. The first was to understand the legal issues related to the use of torture. Two collections of academic and legal essays became invaluable for this study. Sanford Levinson’s Torture: A Collection and Karen J. Greenberg’s The Torture Debate in America provided me with a range of viewpoints as well a multidisciplinary approach to the issue. Neither collection could be seen as a polemic; instead, both books provide a back-and-forth dialogue between pro-torture and anti-torture positions. Particularly important to this study is the essay “The Legal History of Torture” by John H. Langbein. Langbein looks at the history of Western common law as it relates to interrogations of prisoners. His essay grounds both the debate and my own examination of the current rhetoric in a historical context. The second essay that was invaluable was “Liberalism, Torture, and the Ticking Bomb” by David Luban. Luban, a legal historian, looks as the more recent debates about the use of torture. Much of the essay focuses on the
logic at work in the ticking time bomb scenario. Luban’s unpacking of the ticking time bomb scenario is both powerful and precise. Without his explanations of the legal issues and logic of the ticking time bomb, I might never have been able to fully articulate logic at work in *Battlestar Galactica* and *24*.

The second way I approached understanding torture was through a reading of the related critical academic scholarship. This comes primarily from a reading of Elaine Scarry’s monograph *The Body in Pain: The Making and Unmaking of the World*. Scarry explores the complex idea of “pain” and the role pain plays in torture. She writes, “In the very processes it uses to produce pain within the body of the prisoner, it bestows visibility on the structure and enormity of what is usually private and incommunicable, contained within the boundaries of the sufferer’s body” (Scarry 27). Torture breaks down the wall between the subjective reality of “self” and transforms the tortured into an objectified being at the torturer’s mercy. Scarry breaks down torture into its structural elements. The pain of torture “nullifies” the reality of the victim. Pain takes away the victim’s ability to grasp the world, and it also takes away language. Without a subjective sense of the world, a victim of torture becomes an object of the torturer, who can control all aspects of the tortured.

In edition to Scarry, Diana Taylor’s *Disappearing Acts: Spectacles of Gender and Nationalism in Argentina’s “Dirty War”* draws on performance studies to provide a case study of post–civil war representations of torture in Argentina. Taylor looks at a range of popular theatrical productions that attempt to make scenes of the long military dictatorship in the South American country.

Together, these studies prove a path for me to move beyond a definition of torture and begin to understand the mechanics of torture. While the definition provided by the UN
Convention Against Torture explains what torture is, it does little to help one understand what torture does. With the help of Scarry’s and Taylor’s studies, the representations of torture in 24 and Battlestar Galactica move away from the sphere of televisual images into artifacts that one can study.

Based on these texts, I developed a diagram to help me visualize what happens when someone is tortured. At its core, torture does two things: It causes pain and creates fear. Torture creates fear through the public knowledge of torture; torture keeps people in line by creating an impression that if you step out of line, you will be whisked away by the secret police and tortured. This strategy has been used by totalitarian despots for centuries. The Inquisition’s campaigns against heresy in the fifteenth century, the Soviet Union’s gulags, Saddam Hussein’s rape rooms, and the U.S. prison at Guantanamo Bay all function not just to hold or punish but as symbols to others to keep in line and not challenge the status quo. In Discipline & Punish: The Birth of the Prison, Michel Foucault argues that public torture, in the form of corporal punishment, makes power tangible (Foucault 47–54).

The mode by which fear travels is pain. Two sorts of pain are at work in torture. The first is pain used to interrogate. The interrogator uses pain to “break” the suspect. The idea is that if one causes enough pain, the person being tortured will give up the information that the interrogator wants. The pain of torture is also a form of punishment, either for a crime or as a way to correct transgression. Historically, using torture to punish an individual was the primary penalty for crimes. This began to change as state-supported criminal justice systems began to form in the eighteenth century. When one does a close reading of the representations of torture in 24 and Battlestar Galactica, punishment plays a major role in motivating characters to torture. This runs counter to the contemporary discourse of torture.
When one looks at the pro-torture rhetoric of people like Johan Goldberg or Laura Ingram, they see torture as a way to obtain information from suspected terrorists. However, implicit in their rhetoric is an underlying argument that suspected terrorists must be punished. Throughout this thesis, this double logic of torture will play a major role in each program’s narrative rationale.

Finally, I employed the theories of Foucaultian poststructuralism. In *The History of Sexuality*, Foucault explores the way that external forces work to shape the realities in individuals. Foucault dismisses the idea the power is simply hieratical but instead is a complex web of powers that all work at the same time (Foucault 92). I apply this epistemological understanding of power to the way these programs do not take one ideological position on torture, but instead, they seem to pull the viewer in more than one direction.

This brings me to the way that I approached the analysis of *24* and *Battlestar Galactica*. My approach to the study of television is rooted in John Fiske’s theories of televisual realism. Fiske argues that television does not represent reality. Instead, television reproduces a dominant sense of reality. He writes: “We can thus call television an essentially realistic medium because of its ability to carry a social convincing sense of the real. Realism is not a matter of any fidelity to an empirical reality, but of a discursive conventions by which and for which reality is constructed” (Fiske 24). To make the argument that what is being presented in *24* or *Battlestar Galactica* is real is absurd. These shows are fictional creations conceived by writers and executed by actors, a team of producers, and technicians. Instead, television can transmit a sense of reality. Television uses a complex set of metaphors, referencing things the viewers understand. The elements that make up television are real in
that they reference real things. However, they are constructed to give viewers a sense that they exist together organically. In this way, those who produce an episode of television can inject an ideological message through the construction of the metaphors. This is done through the structural organization of scenes, characters, and narratives.

The process of ideological encoding does not simply reproduce a hegemonic ideology. Instead, Fiske (drawing on work by Stewart Hall and Umberto Eco) argues that television is polysemeic. A given televisual representation can be decoded in many different ways, depending on who is reading the text. Jack Bauer (24) or Kara Thrace (Battlestar Galactica) may be the heroes of their respective programs, but that does not necessarily mean that the viewer will understand their use of torture to be ethical or justified. In Fiske’s model, viewers have agency when it comes to understanding what they see on television.

Fiske’s approach to analyzing television is derived from what has become known as ideological criticism. Based on Marxist cultural theory, ideological criticism works to situate cultural artifacts in terms of their production. One can understand the values, beliefs, and motives of a text by understanding how it reflects the values, beliefs, and motives of the people responsible for its production. At its most simple, one could argue that television is part of an industry whose goal is to turn a profit by selling entertainment to people. This means that the capitalist values of a privileged class of media producers are reproduced and reified in television programs. This is a very broad and deterministic way to understand the spread of ideology. Fiske and other scholars like him have moved to expand ideological criticism. Fiske wants to move beyond seeing television as a commodity but as a flexible carrier of potential meanings because “[television] texts are the site of conflict between their forces of production and modes of reception” (Fiske 14).
This thesis is divided into four chapters. In the first chapter, I will establish exactly what I mean when I speak about torture. To do this, I will define torture and then work through some criticisms of this definition. As a matter of space, this critique will focus on the debate that has taken place in the United States since the 9/11 terrorist attacks. I will then begin to look at some more specific issues related to the use of torture by the U.S. government during the wars in Iraq and Afghanistan by focusing on the interrogation of prisoners at Abu Ghraib. Abu Ghraib is the most visible and most documented example of torture used by the U.S. government. Therefore, it provides an illuminating example for understanding the larger issues at play in the torture debate. Here, I will explore the border between what is a legal form of interrogation and torture by looking at the debate over “stress and duress” techniques of interrogation. I will then look at one of the most common tropes in torture fiction: the ticking time bomb scenario. In the final section of the first chapter, I will look at the myth of torture as it is constructed, naturalized, and reproduced within the popular news media. While it is all well and good to have a deep understanding of the legal, historical, and theoretical implications of torture, most people watching 24 or Battlestar Galactica will never read the work of Elaine Scarry or Alan Dershowitz. Instead, most people’s knowledge of torture comes from what they see on cable news or read in newspapers. Therefore, it only makes sense to take this discourse into account as I begin to look at 24 and Battlestar Galactica.

The second chapter focuses on the multiple conflicting representations of torture in 24. I look at the three modes in which the producers of 24 frame torture. While it seems that torture is an effective way to gain information from suspected terrorists, a close reading finds that torture almost never works. While this falls in line with the objective reality of torture, pro-torture advocates have argued that the popularity of 24 shows that Americans believe
that the government should use torture to fight the global war on terrorism. Therefore, the
central question driving the analysis in this chapter is, does it matter that the program’s
ideological discourse is undermined by its own representations of torture? I will look at the
different ways that the program’s producers represent torture differently when it is used by
the three groups that use torture: the U.S. government (or officially sectioned torture), Jack
Bauer (unofficial torture), and the terrorists (sadistic torture). Each group has unique issues
that have to be taken into account in an analysis of 24’s ideological discourse.

In the third chapter, I will look at how the producers of Battlestar Galactica use gender
and sexuality to counter the wider discourse about torture. If one can read 24 as ultimately
being a pro-torture text, then Battlestar Galactica can be seen as an anti-torture text. Its
representations of torture are tools to problematize contemporary political and cultural
discourse about war generally and the war on terrorism and the war in Iraq specifically.
Gender and sexuality introduce uncertainty and ambiguity in the program’s narrative, thus
forcing the viewer to work through negotiated readings of the text’s ideology. However, this
strategy is not without its problems. Ambiguity leads to the fetishization of the tortured body
and undermines the progressive position of the program. This chapter will look at two
different cross-episode storylines. The first looks at the complex interplay between Kara
Thrace and the Cylon Leoben. In this relationship, both characters are both the tortured and
the torturer. This dynamic plays itself out as the producers inject sexuality into the way the
characters represent torture. The second storyline covered in this chapter looks at the way
Gaius Baltar is tortured by the Cylons and then the colonial government. Here, the gender
dynamic between torturer and tortured exists.
In the final chapter, I will synthesize the way the producers of each program use television as a means to present an ideological message. By comparing the discursive tactics, I will begin to spell out a critique of ideological criticism and the Fiskeian realism. In other words, how do representations of torture expose the way producers of contemporary popular television work to shape the viewers understanding of the ideological implications of torture, war, and terrorism?
CHAPTER 1: TORTURE IN CONTEXT

To best understand the way torture has been represented on television in the years since the 9/11 terrorist attacks, I believe that an understanding of the recent history of torture is critical.

Through their representations of torture, 24 and Battlestar Galactica build on a wider political discourse. Although 24 began production of its first season several months before the terrorist attacks, the show has become a contested space where opinions about the war on terror and related political and military adventures have played out. The producers of Battlestar Galactica similarly use the space of television to raise questions and problematize issues of war. Together, these two television shows reference a long history of discussion of what role torture should play not just in times of war but also in a liberal democracy.

This chapter will accomplish three goals. First, I will begin by discussing how I define torture throughout this project. While one might think that a definition of torture has been well established, what torture exactly is and is not is contested. Next, I will look at some of the primary arguments both for and against torture. I will examine common examples, such as the ticking time bomb and the role it has played in the policy debate about torture. This will lead me into the final part of the chapter, where I will look at how torture has been dealt with in mainstream media. This final section will be paramount to understanding how torture has been represented in Battlestar Galactica and 24. I think it is fair to say that most of what people watching these shows know about torture comes from watching cable news, reading newspapers or news magazines, and reading political blogs, not from an in-depth reading of
academic and professional thinking on the subject. Thus, it only makes sense to bring this second level of context to a discussion of torture on *Battlestar Galactica* and *24*.

### I. DEFINING TORTURE

One of the primary debates regarding the use of torture in the war on terror and related conflicts has been over exactly what torture is and is not. While it might seem like a definition ought to be clear cut, there has been a wide-ranging debate among policymakers, lawyers, and human rights organizations since the 9/11 terrorist attacks. At the most basic level, torture is defined by the UN Convention Against Torture as:

> Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions. (United Nations)

The treaty goes on to compel signatories to pass legislation and take other measures to ban the use of torture without exception. The Convention Against Torture was adopted by the UN General Assembly in 1984 and came into force in 1987. This treaty and its definition will act
as the definition on which I will base my further discussions of torture. I chose to use this definition because it came from a treaty the U.S. government has ratified (and, therefore, must uphold). Additionally, human rights watchdog groups use the Convention Against Torture as their primary legal tool for monitoring signatory governments.

This definition goes beyond the broad language that is included in the U.S. Constitution (the Eighth Amendment creates a ban on cruel and unusual punishment) or the Universal Declaration of Human Rights (“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”). While a ban on torture is enshrined in each, the Convention Against Torture spells out very clearly that torture goes beyond the corporal punishment that the Constitution’s framers likely had in mind. The Convention Against Torture also makes clear that the person being tortured does not necessarily have to be the person who the torturers are punishing. The Convention Against Torture expands the understanding of torture beyond the torturer-tortured paradigm to include a third party. It also acknowledges that torture does not have to have anything to do with punishment. Torture can just as easily be used to extract information or create terror among a population.

Where, then, is the source of contention? The disagreement over what torture is pivots around one word: severe. As I will discuss below, there is an ongoing debate about what has been called “torture lite” or the American military’s use of so-called “stress and duress” techniques in interrogation. In both these cases, the definition of “severe” becomes highly subjective. In a memo, Office of Legal Counsel lawyer Jay Bybee argues that the questioning of a prisoner crosses from interrogation to torture when “Physical pain amounting to torture must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death” (Bybee 356). According to
David Luban, the Bybee memo uses the federal guidelines for emergency medical conditions to define severe pain. Luban writes: “The statute they quote is a definition of ‘emergency medical condition,’ not of ‘severe pain.’ It neither states nor implies that only pain indicating possible organ failure is severe. It merely lists pain as a typical symptom of an emergency medical condition” (Luban 57). In the introduction to Torture: A Collection, Sanford Levinson quotes a Wall Street Journal interview with an Army officer in charge of training interrogation techniques. Levinson writes, “[The officer] tells his students that the job for which he is training them ‘is just a hair’s breath away from being an illegal specialty under the Geneva Convention,’”1 (Levinson 28). In other words, even while a prohibition on the use of torture is clear, the U.S. military trains interrogators to work right up to the point of violating the law.

It is at this border between what is a legal form of interrogation and torture that the clear definition in the Convention Against Torture begins to break down. Is sleep deprivation torture? Is it still torture if a captive is kept awake for seventy-two hours, allowed to sleep, and then kept up for another seventy-two hours? Is there a difference between forcing a prisoner to stand perfectly still for forty-five minutes or for ninety minutes? According to a number of reports in mainstream media in the last several years, these are two examples of the arbitrary line that has been drawn by lawyers working in the military in intelligence agencies (Malinowski). These stress and duress interrogation techniques have been judged to be severe enough to be considered torture. By limiting the duration of sleep deprivation or wall standing, those who were setting policy for interrogating suspected terrorists thought

1 The Geneva Conventions are a group of four multilateral treats that came into force after World War II. The goal of these treats was to define the laws of war. This includes the treatment of prisoners or war and enemy civilians. Like the Convention Against Torture, it contains a ban on torture. However, that ban only applies to military personnel. Thus, when the Bush administration chose to classify detainees at Guantanamo Bay as enemy combatants, not prisoners of war, members of the Democratic Party and human rights organizations worried that this could open the door for torture to be used in interrogations.
they could work within the gray area between legal questioning and torture. As long as a prisoner was only exposed to sleep deprivation for a short time, there was no danger of violating the ban on torture. Wall standing and sleep deprivation are two of the infamous five techniques identified by the European Court of Human Rights (ECHR) in the case of Ireland v. United Kingdom. The ECHR declared that these interrogation techniques, along with hooding, being subjected to loud and sustained noise, and the deprivation of food and drink, did not rise to the level of torture but were clearly inhumane and degrading treatment (Ireland v. The United Kingdom). These events predate the Convention Against Torture, but when they are used today (as they have been in the questioning of terror suspects at Guantanamo Bay and at the Abu Ghraib prison), they rise to the level of torture. The questions one then must ask are whether or not these stress and duress techniques are ethical and is “torture lite” nothing more than a legal loophole to circumvent the prohibition on torture?

II. The Gray Area: Issues of Torture

The debate over the use of the stress and duress methods of interrogation is essential to understanding the larger debate over the use of torture by the U.S. government. It has been argued that it is the use of these legally moderated techniques that lead to the breakdown of order and torture at the Abu Ghraib prison in Iraq. The argument goes that “torture lite,” which is still torture in the eyes of the Convention Against Torture, opens the door for more abusive techniques. In May 2004, a report on CBS’s 60 Minutes II and in the May 10 edition of the New Yorker revealed that members of the 372nd Military Police Company had systematically abused prisoners at Abu Ghraib, a detention center outside of Baghdad.

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2 This, however, would require detainees to have the legal rights to challenge their captives in court—a right that was stripped away when the writ of habeas corpus was removed by the Military Commissions Act of 2006 (Cerone).
Pictures showed prisoners being forced to wear hoods and were stacked nude on top of each another. Other pictures showed guards posing with living and dead prisoners. Additionally, an investigation by Major General Antonio Taguba found that guards forced prisoners to rape one another, female prisoners were forced to expose themselves, and male guards raped other female prisoners (MSNBC).

In the months that followed the revelations about Abu Ghraib, an intense debate began about what had really happened. The conflict centered on whether these incidents at Abu Ghraib grew out of symptoms of a larger disregard for the Geneva Conventions and the Convention Against Torture or whether the torture was the result of, to quote one commentator, “undisciplined, unprincipled freaks masquerading as members of our military. . . .” (Bruce 69). In other words, what took place at Abu Ghraib was an isolated incident that occurred outside the purview of the larger military command structure in Iraq. This view contrasts with that of the Medical Foundation for the Care of Victims of Torture, a leading not-for-profit organization that provides medical care for torture victims. In a report titled “Abu Ghraib: U.S. Forces Guilty of Systematic Torture” published on their website (then later reprinted in the collection *Is Torture Ever Justified?*) they write, “The Medical Foundation believes that far from being an isolated incident, the treatment of Iraqi prisoners by American service personnel reflected a systematic readiness to use torture, or other forms of cruel inhuman or degrading treatment . . . to get results, or to intimidate or humiliate the captives” (The Medical Foundation for the Care of Victims of Torture). Both sides of this debate are steeped in an ideological debate that is unlikely to be resolved. However, this kind of debate is important to understand because it is the same debate that is explicitly repeated in *Battlestar Galactica* and *24*.
I would now like to turn my attention to one of the most common arguments for the use of torture: the ticking time bomb scenario. The idea is very easy to understand (and very scary). For the moment, let’s pretend that the FBI has arrested a man it believes is connected to a radical white-power group and that the FBI has intelligence that says that group is going to explode a large bomb in New York City on New Year’s Eve. The man is not going to give up what he knows easily because he is committed to the cause of white power. What does the FBI do? Does it beat the man until he talks or does the FBI read him his Miranda rights and wait for the bomb to go off? This scenario first appeared in the novel Les Centurions by Jean Lartéguy. The novel takes place in the 1960s during the French occupation of Algeria. After beating a female Arab insurgent, the book’s hero discovers a plot to blow up bombs all across Algeria (Mayer). While Lartéguy’s story is fictional, similar fictional scenarios have been used repeatedly in the years since the 9/11 terrorist attacks to justify or promote the use of torture.

Despite the fact that it is based in fiction and almost never happens in real life, the ticking time bomb has become the dominant metaphor for torture within the popular discourse (Luban 44). Luban argues that the ticking time bomb has become a popular metaphor because it gives pro-torture advocates a powerful rhetorical tool. It forces torture prohibitionists to agree some situations do exist in which they would agree torture is justified. This is important because, as Luban writes, “No longer can the prohibitionists claim the moral high ground; no longer can she put the burden of proof on her opponents” (Luban 44). Luban goes on to argue that the ticking time bomb scenario also shifts the role of the torturer from a sadist to a reluctant hero. No longer is the interrogator inflicting pain on a prisoner, humiliating a prisoner for pleasure, or reinforcing his or her power to control a
prisoner. Instead, the interrogator uses torture out of civic duty; he or she does not want to punch the white-power radical in the kidney or rape his daughter, but there is a bomb in New York City that will kill thousands of people—and it must be stopped at any cost.

The ticking time bomb scenario creates a number of other problems. First, as Elaine Scarry points out, it almost never happens in the real world. “What instead makes the ticking bomb scenario improbable is the notion that in a world where knowledge is ordinarily so imperfect, we are suddenly granted the omniscience to know that the person in front of us holds this crucial information about the bombers’ whereabouts. (Why not just grant us the omniscience to know where the bomb is?)” (Scarry, “Five Errors,” 284). In other words, the ticking time bomb scenario only works if the interrogators already know a great number of facts before the torture begins.

Second, the ticking time bomb scenario assumes that torture will only be used in emergency situations. Issues of torture and interrogation are and should be dealt with as a matter of sustained policy. By assuming that torture will only be used when there is a ticking time bomb merely serves to turn the torturer into the romantic civic hero and ignores far more complex and likely uses of torture (such as those seen at Abu Ghraib). Instead, the debate should focus on the role of torture in relation to long-term policymaking. The focus on emergency situations is special cases that should not be extrapolated to a more general approach to dealing with non-state or internal terrorists.

Finally, if one were to believe the idea of a ticking time bomb scenario, what would determine what does and what does not qualify as an imminent threat? Alan Dershowitz argues that torture warrants should be handed out by judges working in open courts. He argues that if a ticking time bomb scenario were to happen, then law enforcement officials
would torture whether or not they have permission (Dershowitz 25). Dershowitz argues that making torture public would minimize its use; giving judges the ultimate authority would work to separate legitimate uses of rough, non-lethal torture from the sadistic torture of Abu Ghraib. But Luban rebuts this by arguing that creating a system of torture warrants would only work to create a culture of torture. He writes: “The questions amount to this: Do we really want to create a torture culture and the kind of people who inhabit it? The ticking time bomb distracts from the real issue, which is not about emergencies, but about the normalization of torture” (Luban 48). The ticking time bomb scenario, like the use of stress and duress techniques, remains a contested space, even six years after the 9/11 terrorist attacks. It is also unlikely that the issue will be resolved anytime soon. Just as Battlestar Galactica and 24 confront the gray area between legal interrogation and torture, so too does the ticking time bomb play a role in the way the shows frame torture.

III. The News Media and the Myth of Torture

Finally, I would like to focus on the debate about torture in the popular media and how it has been used to create and reify the myth of torture. To this point, I have been focused on outlining the torture debate from the viewpoint of scholars who are, at least in part, removed from the ideological battles of the debate about the war on terror and the Iraq war. This division between academic and popular discourse is partially arbitrary because there is a significant cross-pollination between these two parallel discourses. The difference, then, is about accessibility rather than about intellectual rigor. It is not that most viewers are not able to grasp the nuanced arguments put forth by Scarry, Dershowitz, and Luban. However, the average viewers of Battlestar Galactica and 24 do not have the ability to spend hours
engaged in an in-depth reading of the scholarship on torture. Instead, their knowledge is constructed from reports in newspapers, magazines, cable news, and blogs.

It should also be noted that most of what I will be looking at in the following pages will deal with 24. Of the two programs that make up this project, 24 has the highest viewership and, thus, a much higher profile (see: IMDB and The Futon Critic Staff). Additionally, 24 has repeatedly been used as evidence for both pro-torture and anti-torture positions. Of the shows that I will be discussing, 24 is the one that is most easily linked to the post-9/11 zeitgeist. 24 takes place within the context of an U.S. government agency (the Counter Terrorism Unit or CTU) and takes place in modern America. This is opposed to Battlestar Galactica, which is based on the aesthetic of science fiction. As I will argue over the following chapters, these generic differences do not make them any less relevant to a discussion of torture. However, this does not change the fact that the connection between 24 and the war on terror is any less relevant.

To this end, 24 has become a significant show of contention within the popular media’s discussion of torture. While 24 had been the target of many attacks from the political left for offering pro-war propaganda, this came to a head when at the beginning of the show’s sixth season, a nuclear bomb was detonated by a group of Islamic terrorists in a Los Angeles suburb. Talk shows on cable news and political blogs were quick to use the event as a catalyst for discussion. On January 16 (the day after the 24 episode aired), an edition of the Fox News Channel program The Big Story with John Gibson began:

Well. The big security story tonight—terrorists detonate a mini nuclear bomb in downtown Los Angeles. The plan: to kill hundreds of thousands of
Americans. Fact or fiction? Well, certainly maybe fiction for now. But 24’s Jack Bauer has it right. People need to wake up to the possibility of nuclear attack. . . . Is 24’s faux suitcase nuke bomb a real wakeup call for America? Should we take this as an early warning sign that something like this could happen here? (Media Matters for America)

Gibson goes on to discuss a warning from a European bank dealing with Iran’s nuclear weapon program. While giving this introductory monologue, video of the last few seconds of 24 from the previous night plays in the background. As Gibson reaches the end, his audience sees the mushroom cloud from the small, suitcase-sized nuclear bomb go off. Gibson uses the fictional events of 24 to explain to his viewers that the hypothetical threat of a small nuclear device destroying an American city is real. Gibson’s report has nothing to do with the spread of nuclear weapons. It was about a report by the European Central Bank advising investors that there may be instability. Iran had been blocking the inspection of nuclear sites, and fears were growing that the United States or Israel might take military action to keep the program in check. There was nothing in the report about terrorists using nuclear weapons. Instead, Gibson implicitly connects the Iran nuclear power program to terrorist actions. With more than fifteen million viewers, 24 works as a good starting point to talk about the impact of terrorism. Instead, Gibson chose to use 24 as a way to instill fear into his viewers. Rather than talking about nuclear terrorism as a possibility, it is something that is inevitable—something that will happen unless people like Jack Bauer (a character that uses torture as a way to stop terrorism) are around to stop it. For Gibson, 24 is a vehicle for ideological education. As a television broadcaster, he must at least appear to maintain some level of
impartiality, but the blog newbusters.org was able to drop the innuendo and get right to the point. Blogger Noel Shepperd wrote:

Yet, upon reflection, I wonder how many people in the media understand how possible what was depicted last evening is. As folks on the nation’s airwaves continue to downplay the seriousness of terrorism, and undermine virtually all of the current Administration’s efforts to thwart conscienceless aggression against Western civilization . . . Regardless, this video [the final minutes of 24] should be required viewing for all media members who question what’s at risk, and whether there really is a war on terror. (Sheppard)

Shepperd says what Gibson cannot: 24 is showing what could happen if we do not buy into the ideology of the show, the war on terror, and the Bush administration: Terrorists will detonate a nuclear device in the United States.

On the same night, the MSNBC show Countdown with Keith Olbermann also devoted a segment to the previous night’s episode of 24. Olbermann, a long-standing critic of the war in Iraq and the Bush administration’s use of fear to silence critics, calls into question the program’s use of suicide bombs in the opening minutes of the show. “It [fear] is evidently how the producers of the Fox series 24 plan to keep viewers during the show’s sixth year, as evidenced in the first thirty seconds of the season premiere” (Olbermann). After summarizing the events of the show, he says, “In case you missed the point, the show ended with a nuclear device going off in a major American city, literally conjuring up the [Bush] administration’s imagery for the war in Iraq: the good old mushroom cloud” (Olbermann).

Olbermann, too, is making an ideological argument, which is that 24 is using the threat of
nuclear terrorism as a way to generate fear and, therefore, support for the Bush administration’s pro-war policies. This is somewhat minimized by a discussion of how television does not necessarily transmit a pure ideological message and that viewers have some agency in interpreting what they understand they are viewing. Olbermann then brings on liberal documentarian Robert Greenwald to discuss the episode. Greenwald argues that most viewers understand that 24 is fictional, but the show’s use of torture is problematic. Torture never works, and the ticking time bomb is a work of fiction, but it affects the overall narrative of torture. Like Luban, Greenwald argues that 24’s use of the ticking time bomb scenario gives people a false understanding of what torture is and how it is used. Despite Olbermann’s and Greenwald’s more measured rhetoric, they are still arguing that 24 is a propaganda piece that supports a pro-war and pro-torture position.

Olbermann’s and Greenwald’s blending of criticism shows that the use of fear tactics and discourses of torture are not a rhetorical conflation of two parallel topics. Instead, they, perhaps unintentionally, are showing how closely the two are linked. In her book on the “Dirty War” in Argentina, Diana Taylor argues that the use of torture by the military juntas was always about creating fear. Rumors about the fate of the “disappeared” created fear among the population and helped maintain order by creating a “cautionary message” for those who might oppose the military dictators (Taylor 152). The rhetorical connection that Olbermann and Greenwald are making might seem extreme compared to the level of terror inflicted on the Argentine people by their government. However, fear is an important dimension of torture. Torture (and the threat of torture) creates fear in both victims and potential victims.

As many scholars have argued, the debate over the use of torture is moot because torture
simply does not work. Victims of torture will say anything to get the pain to stop. A prisoner will admit to being a part of whatever the interrogators want, confess to any crime, or implicate anyone as long as they think that there is a chance their captives will stop. This is why the U.S. Constitution includes a prohibition on cruel and unusual punishment in the Eighth Amendment. It is also why torture was so common throughout Western history. For much of European history, there needed to be two eyewitnesses to a crime or one must confess to a crime in order to be convicted. However, as the legal system developed, the two eyewitnesses rule became constraining. Legal historian John H. Langbein argues that the use of torture became common when concepts of circumstantial evidence or a single eyewitness could be found. He writes: “Torture was permitted only when a so-called half proof had been established against the subject. . . . [If half proof could be established, that] would have been sufficient to permit the authorities to examine the subject under torture” (Langbein 95). The evidence plus an inevitable confession became the rule until the seventeenth century, when governments began transitioning from “blood sanctions” to a modern prison system (Langbein 96). As often as torture was used to get a criminal to confess to a crime, it might just as likely be used as punishment for a crime. Karen Greenberg argues that torture was often used to punish people who had transgressed the boundaries of medieval Christian society. At the same time, torture would cause the transgressor to confess to and repent for one’s sins. Torture becomes a tool for forced redemption but also a warning for anyone who might think about stepping out of line (Greenberg 4). The reality and history of torture seems to show that torture is almost always about punishment, not about finding the truth or solving a crime. Since the person being tortured is always going to say what the interrogator wants

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3 Instead of putting criminals in prison to punish them for their crimes, medieval judges would use corporal punishment or maiming as the primary form of punishment.
him or her to say, the only reason left to torture someone is to inflict pain.

This makes popular media’s (particularly pro-torture commentators) references interesting. Both of the following quotes use 24 to frame their discussion. The first comes from the September 13, 2006, edition of Fox News Channel’s The O’Reilly Factor. On it, host Bill O’Reilly and his guest, talk radio host Laura Ingraham, discuss the government’s use of torture. During their exchange, Ingraham said: “The average American out there loves the show 24. OK? They love Jack Bauer. They love 24. In my mind, that’s as close to a national referendum that it’s OK to use tough tactics against high-level al-Qaeda operatives as we’re going to get” (Media Matters for America). The second comes from an editorial written by Jonah Goldberg for the conservative political website The National Review Online. He writes:

If I waterboard you, or lock you in my basement with Duran Duran blasting at you 24/7, even if I beat you for hours with a rubber hose, my punishment will be less severe than if I murder you, simply because it is worse to take a life deliberately than to cause pain, even sadistically. We all understand this. Would you rather take some lumps in a dungeon for a month, or take a dirt nap forever?

. . . But there is no equivalent word for murder when it comes to torture. It’s always evil. Yet that’s not our universal reaction. In movies and on TV, good men force evil men to give up information via methods no nicer than what the CIA is allegedly employing. If torture is a categorical evil, shouldn’t we boo Jack Bauer on Fox’s 24? (Goldberg)
I would begin by arguing that the use of *24* serves three important functions. First, as I said above, *24* is watched by a wide number of people. Second, as I will discuss in the next chapter, *24* has representations of torture in nearly every episode. Third, and perhaps most importantly, these two commentators (along with Shepperd, Gibson, Olbermann, and Greenwald) believe that when characters in *24* use torture as a way of getting information, it works (something I will also deal with in the next chapter).

The question, then, is what do Ingraham and Goldberg achieve by taking these positions? The obvious answers might be that they are parroting right-wing talking points. But it seems there is something deeper at work here. What do these commentators *have to gain* by taking a pro-torture position? What is their motivation for advocating the atrocities that always go along with torture? Ingraham’s and Goldberg’s discourses on torture are clearly working to hide the history of torture—to hide the pain and fear that torture generates. They are working to create and reify the myth of torture. The word “torture” becomes an empty signifier without meaning. In that hole, Ingraham and Goldberg reinforce the idea that torture is simply a tool that is being denied to interrogators. As Goldberg glibly remarks, “taking a few lumps” is obviously better than being killed. The discourse places the torture in the role of the civic hero whom does not want to torture, but has no choice but to ruff up a suspect. But torture is far more than simply being pushed around. Torture is not a bar fight. Scarry argues in her book *The Body in Pain*: “The physical pain [of torture] is so incontestably real that it seems to confer its qualities of ‘incontestable reality’ on that power that brought it into being. It is, of course, precisely because the reality of that power is so highly contestable... that torture is being used,” (Scarry 27). For people being tortured, pain is all they know. This is
why it has been used so often as a tool of repression (like in Argentina and Chile in the 1970s) or as a method for punishment (like the Spanish Inquisitions of the fifteenth and sixteenth centuries).

By ignoring the history and real impact that torture has on individuals, pro-torture commentators naturalize torture as just another tool that can be used to win the war on terror. To not give military personnel that tool—a set of more “harsh interrogation techniques”—is to be against the war, the troops, and American civilization. However, underlying this rhetorical move is the message that only the pro-torture right can save America from the evil and alien “other.” Only through torture can one learn enough to stop the inevitable downfall of the American way of life. In his essay “Myth Today,” literary critic Roland Barthes argued that the myth has become one of the primary tools used by the right (through the use of mass media and advertising) to maintain power. He articulated seven key rhetorical methods that the right uses to create and maintain myth. One of those methods is the statement of fact. Barthes’s statements of fact, like Ingraham’s statement that the average American loves 24, work to find truth in proverbs. Barthes writes, “Bourgeois ideology invests in this figure interest which are bound to its very essence: universalism . . . an unalterable hierarchy of the world” (Barthes 154). If the average American loves 24, then, as a matter of course, they must support torture.

The essence of what torture is, therefore, is right there in plain sight. Ingraham and Goldberg do not deny that torture is barbaric and destructive. The myth of torture that Ingraham and Goldberg are reifying abolishes the complexities of human acts (Barthes 143). The brutality of torture is not masked; it is simply reduced to an afterthought. Framing their comments with 24 exacerbates their construction of the myth of torture. 24’s whole premise

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4 At its most popular, 24 had fifteen million viewers—about 5 percent of the population (IMDB).
is based around the straw man argument of the ticking time bomb scenario. Jack Bauer and his crack staff of counterintelligence always seem to lack perfect knowledge of the situation—with the exception of the one key fact that will allow Bauer and the U.S. government to save the day just as the clock on the bomb reaches one. No matter what current Homeland Security Secretary Michael Chertoff might think, 24 is a fictional show that presents a fictional representation of counterintelligences and counterterrorism (Limbaugh et al.). 24 reduces the act of torture to the act itself. Consequences are rarely discussed or administered. Any long-term impact of the torture is ignored or glossed over.\footnote{The sixth season begins with Jack Bauer being released from a Chinese prison. Bauer was held captive for nearly two years. He is broken down and has trouble speaking. It is revealed that the only reason that Bauer was handed over to the U.S. government was so that he could be handed over to the terrorist organization responsible for the suicide bombings. In exchange for Bauer, the attacks will stop. Bauer, tired and broken down, submits to this trade without hesitations. But as soon as it becomes clear that the deal between the terrorists and the U.S. government was a fraud, Bauer snaps into action, killing his guards and escaping into the sewers of Los Angeles. This is just one example where a victim of torture is able to quickly recover without any visible long-term effects.} Torture in 24 seems to work even if the representations are inaccurate. The discourse of torture in 24 thus becomes the perfect text to poach when reifying the myth of torture. The show’s fictional account of torture closely mirrors the way that Ingraham and Goldberg try to normalize torture.

With a clear definition of torture in hand and an understanding of some of the issues surrounding torture, I will now begin to directly analyze how 24 and \textit{Battlestar Galactica} have confronted issues of torture in the years since the 9/11 terrorist attacks. Over and over, we will see the ticking time bomb pop up and be confronted. So too will we see characters deal with the role and function that torture plays.
CHAPTER 2: DOES TORTURE WORK IN 24 AND DOES IT MATTER?

Without a doubt, 24 is one of the most popular programs on television today. During its first six seasons, it won a range of industry awards, including an Emmy for Best Drama and a Best Drama Actor Emmy for Kiefer Sutherland. 24 has also been a major ratings winner for Fox, helping put the network in first place (see: IMDB and The Futon Critic Staff). On a weekly basis, 24 has had far more viewers than Battlestar Galactica. 24 is set in a contemporary, yet fictional, United States.

This chapter will focus on an analysis of 24’s ideological discourse, as it is revealed through its representations of torture. I will begin by discussing the conflicting discourses of torture by demonstrating that torture in 24 does not work. To do this, I will outline a quantitative survey of representations of torture in the program’s fifth and sixth seasons. When one looks at 24 in this way, some patterns begin to emerge. When the program’s protagonist, Jack Bauer, or the U.S. government tortures someone, the information they ultimately obtain is either flawed or false. In other words, torture does not work. It is ineffective and counterproductive. At the same time, when terrorists use torture, it almost always works. With this established, I will explore what happens when the program’s different representations of torture work to reify or challenge the program’s ideological discourse.

The question that comes to mind is simple and perhaps cynical: Does it really matter that torture carried out by the hero and the government he works for is ineffective? The overwhelming number of representations of torture fails to effectively gain information from the victims; one must begin to ask what kind of ideological message is being broadcast to the
program’s viewers. In this chapter, I will explore the way representations of torture expose the ideological discourse encoded into the program.

To do this, I will look at the way the program uses representations of torture differently for the three groups that use torture: the U.S. government (or officially sanctioned torture), Jack Bauer (unofficial torture), and terrorist organizations. Based on this analysis, I will show that the producers of 24 set up a hierarchy of what are and are not appropriate uses of torture. Jack Bauer’s brand of improvised torture is better than government-sanctioned torture. But both are better than the sadistic methods used by terrorists. Despite this hierarchy, I will argue that the overarching ideology is left intact; torture, even though it is ineffective in both the real world and the world of 24, is an important tool for investigating and preventing torture.

While the program began production before the 9/11 terrorist attacks, 24 owes much of its popularity to the way its producers have borrowed thematic and iconographic elements from the global war on terror. The producers of 24 purposefully employ easily recognizable situations that reflect the fear or anxiety that has characterized the contemporary political and cultural zeitgeist. Each season of 24 revolves around an escalating terrorist threat. 24’s real-time format allows the producers to tell the story from different viewpoints. While the cast and plots can change radically from season to season, there are some commonalities. This allows the producers of 24 to create the illusion that the program’s narrative has been ripped from the headlines. The terrorist plots and situations mirror current issues facing the United States. This can be seen in the central storylines of the sixth season, which begins with the revelation that a group of portable nuclear weapons were smuggled into the country by an Islamic terrorist organization. These weapons are very similar to so-called suitcase nukes first described by former Russian Security Council secretary general Alexander Lebed in a 1997 interview with 60 Minutes. In the
interview and subsequent press reports, Lebed claimed that up to one hundred such devices built by the Soviet Union during the Cold War could not be accounted for. While organizations like the Center for Nonproliferation Studies have called in to question the validity of Lebed’s claim, calling it “sketchy and incomplete.” Rhetoric related to small-scale nuclear weapons and dirty bombs has been an important tool in drumming up support for the war in Iraq and military engagements related to the war on terror (James Martin Center for Nonproliferation Studies).

The second plotline follows an evolving political debate about the nature of civil liberties during and after terrorist attacks. The president’s chief of staff wants approval from the president to move Muslim men into holding facilities. However, the president and another of his advisers have strong reservations about the legality of internment. This story arc borrows directly from a range of issues that have been widely discussed since the 9/11 terrorist attacks. From the USA PATRIOT Act to the curbing of habeas corpus in the Military Commissions Act of 2006 and the extraordinary rendition of wrongly accused terrorist suspects to second-party nations for interrogation, these issues have become discursive battlegrounds in and of themselves.

Throughout its six seasons, the producers of 24 have been able to successfully inject these issues into the program’s narrative. In the audio commentary executive producer Howard Gordon and Kiefer Sutherland discuss their decision to introduce a storyline about the internment of Muslim men. Sutherland says he is very proud that the producers and the network were about to get this sort of storyline in the show “and put it in front of the viewers.” For him, bring these sorts of hard questions in front of the viewers is the most important thing 24 can do (Gordon).
24’s plot is primarily told from the viewpoint of the Counter Terrorist Unit (CTU) and Special Agent Jack Bauer.¹ Bauer is a counterintelligence and counterterrorism expert. He has many years of experience both working in the field and leading the CTU from behind a desk. In addition, the CTU storyline involves a larger rotating cast of specialists who help Bauer prevent or mitigate the terrorist threat. The second storyline follows the political response of the president of the United States and his aides in the White House. Finally, the storyline is told from the viewpoint of the terrorists or the organizations that fund or direct the terrorists.

With each season, 24 has become more ingrained into the milieu of the last seven years. As I argued in the previous chapter, 24 has become an area of much political contention. Minority groups have taken issue with the program’s representation of Muslims, and anti-war activists have args that 24 is blatant propaganda. On the other side, 24 has been held up by supporters as representative of the Bush administration’s policies. During a keynote presentation at a Heritage Foundation event about 24, Michael Chertoff argued that 24 is an important and popular program because of the way it realistically represents the work of counterterrorism experts (Limbaugh et al.). Implicit in Chertoff’s statement (and the driving thesis of the Heritage Foundation roundtable) is that 24 is an accurate representation of the practices of U.S. counterterrorism and counterintelligence agencies. One could then extrapolate that the ideology implicit in 24 reflects the ideology of the CTU’s real-life counterparts in the Department of Homeland Security, the CIA, and any number of government organizations.

At a basic level, Chertoff is correct. The nature of collection intelligence and acting of that intelligence is complex and dangerous; rarely are there clear solutions. However, 24 takes a great

¹ Bauer only works directly for CTU during the program’s first three seasons. During season four, Bauer works as an adviser and aid for the Secretary of Defense. During seasons five and six, he has no official standing within the government. However, circumstances seem to draw him back into action.
deal for granted. To begin with, the central concept of 24 is that all the events of the season happen within one day. In order for this to work, the characters must have a clear understanding of what the terrorists are planning. Furthermore, the unknown elements of the plot become clear very quickly. The staff of the CTU has access to vast databases of information about anyone who may have any connection to national or international crimes. These databases are easily searched, and connections between events and people are quickly made. The accelerated nature of the program’s structure forgoes the extensive and complicated nature of criminal investigations, the vetting of sources, and the fact checking that are indispensable in intelligence and counterterrorism. One has to also take into account the amount of time it takes characters to travel around the traffic-clogged city of Los Angeles. The time it takes to go from one place to another depends on how much dramatic tension the program’s producers need to build.

The fast-paced nature of the show creates and recreates ticking time bomb scenarios. As I discussed in the first chapter, this sort of scenario has its origins in fictional and rhetorical arguments for torture. The real-time, immediate nature of 24 creates the perfect conditions for the characters to use torture. With the clock always ticking away, it is obvious that the only way to find out when and where the terrorists are going to strike is through torture. If the ticking time bomb is a rhetorical argument for torture used and based in pro-torture ideology, and if 24 is based around ever-escalating ticking time bomb scenarios, then it must follow that Chertoff’s argument for the realism of 24 is rooted not in the practices and methodologies of counterterrorist but in ideology. To this end, I would argue that the logic implicit in statements like the one made by Chertoff and the narrative of 24 work to frame an ideological pro-torture reading. 24’s narrative constructs situations where the use of torture is the only way to gain the knowledge to stop the terrorists.
I. Government-Sanctioned (Official) Torture

Of the different organizations that use torture in 24, government-sanctioned (official) torture is the rarest. In seasons five and six, there are a total of thirty-one representations of torture, only seven of which are carried out with the approval of the U.S. government. Of the seven uses of government-sanctioned torture, only one is effective. These acts of torture are monitored or regulated in a number of different ways. First, these interrogations are approved and overseen by officials at the CTU or another of the government’s counterterrorist agencies. Additionally, these interrogation sessions are carried out by trained personal. In seasons five and six, this is a man named Rick Burke. Burke is a CTU agent trained to administer pharmaceutical interrogations. In past seasons, the producers had used a range of stress and duress methods as well as sensory deprivation and pharmaceutical interrogation.

Throughout the series, the American way of life is constantly foregrounded as the driving motivation of 24’s protagonists. This might seem obvious motivation, inasmuch as the characters work for government agencies tasked with protecting the lives of American citizens and the interests of the government. But I would like to draw a sharp distinction between the abstract ideal of “the American way of life” and the flawed (and sometimes corrupt) government. The government is represented not as a cohesive or coherent organization but as a multiplicity of individuals and agencies, each with their own agendas and politics. In order for anything to get done, orders have to move through a complex bureaucracy and individuals have to make

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2 A note on terminology: While keeping track of representations of torture in the fifth and sixth seasons of 24, I had two additional columns to keep track of when observing whether or not torture worked. The first column tracked whether the torturer got information from the person being tortured. The second column tracked whether the information was useful or accurate. In other words, did the torture lead to actionable intelligence? Thus, when I use a phrase like “effective” or “accurate,” it means that the information gathered directly helped in the investigation.
concessions. No one person can get his or her way. The producers of 24 are constantly trying to draw a binary opposition between the ideal of America as an imagined community (to borrow a phrase from Benedict Anderson) and the chaos of the evil “other” of terrorism.

This “flaw” can be seen very clearly in the way that official torture is carried out by the government. In the fifth season, Burke employs two uses of medical interrogation. In episodes twelve and thirteen of the fifth season, CTU attempts to interrogate Christopher Henderson, a defense contractor that may have ties to stolen nerve gas used in a series of terrorist attacks. Before becoming a defense contractor, Henderson had been a CTU agent and field director. He also asked Bauer to join the CTU. When Bauer takes him into custody, Bauer warns the CTU that Henderson has been trained to resist interrogation. Henderson is clearly affected by the fictional drug Hyoscine-Pentothal but does not give in. Even while under supervision and heavily drugged, Henderson is able to escape from the CTU’s custody. Not only does the torture not help the CTU get a lead on what the terrorists’ next target may be, but Henderson is also able to use a vial of Hyoscine-Pentothal to overcome his guards. This method of getting information is ineffective.

This bureaucratic interference can also undermine the interrogators’ ability to obtain information from a suspect. In an episode early in season five, Jack Bauer and the CTU’s head of field operations, Curtis Manning, are on the trail of stolen nerve gas. Their investigation leads them to Jacob Rossler, a computer engineer with known ties to terrorists. Knowing that Rossler would not give up information easily, Bauer and Manning go in covertly; however, the entrance does not go smoothly, and Rossler is shot in the leg. Still unwilling to give up information about the nerve gas, Bauer orders the CTU medic to stop the bleeding but not give him anything for the pain. With CTU chief Lynn McGill overseeing the interrogation via phone, Bauer and Manning
exacerbate Rossler’s wound as a way to force him to talk. Manning repeatedly pushes his boot into Rossler’s leg. However, Rossler will not give anything up; instead, he wants to make a deal: information about the stolen nerve gas for immunity and safe passage out of the United States. Bauer is not interested in making this kind of deal, so he instructs Manning to continue to put pressure on Rossler’s wound. McGill, however, orders Bauer and Manning to make the deal, thus letting a known terrorist associate free. In this case, Bauer must compromise his methods and his sense of justice. Whether or not torture would have led to Rossler giving up information, he needed to be punished for his involvement in the nerve gas plot. McGill, on the other hand, sees an opportunity to go after the people who are trying to kill Americans now. McGill knows that he can get the information he needs to stop further nerve gas attacks, while there is no guarantee torture will get information from Rossler. Letting Rossler go might be a problem at some point in the future, but the nerve gas is a problem now. The tradeoff is worth it for McGill.

In the seven representations of official torture, this is the only one that leads to accurate and useful information. It is not, however, the torture that finally gets the information. Instead, it is the result of a deal struck between two individuals.

The final instance of official torture I am going to discuss comes in the sixth season. While trying to discover how the suitcase nukes got into the United States, CTU discovers that the military contracting firm controlled by Bauer’s family had been hired by the Russian government to dispose of the weapons. When Bauer confronts his younger brother Graem (who, along with their father, had orchestrated the events of season five), he plays dumb. Bauer sends Graem’s family out of the room. Using a plastic bag, Bauer begins to suffocate Graem. Once Graem is subdued, Bauer has the CTU send Burke. Burke sets up a complex communication and monitoring system so that the interrogation can be recorded and Graem’s health can be
monitored. Again, the fictional drug Hyoscine-Pentothal is used to motivate Graem. Unlike Henderson, who was able to resist this method of torture, the drug begins to have an immediate effect on Graem. The polygraph Burke uses to monitor Graem indicates that he is holding back information. Bauer orders Burke to give Graem more Hyoscine-Pentothal, but Burke resists, telling Bauer more of the drug would kill him. Unable to bare the pain, Graem tells Bauer that he had organized the assassination of President Palmer and two other CTU agents at the beginning of season five. Graem does not tell Bauer and Burke about his involvement in selling the nuclear devices to the terrorists.

Once again, the officially sanctioned torture is not effective. This time, the information is a false lead and hinders (albeit briefly) Bauer and the CTU’s ability to stop the detonation of more nuclear bombs. Despite the extreme pain from the Hyoscine-Pentothal injections, Graem is able to feed Bauer information that will play on his emotions. Just as with the last two interrogation scenes, the bureaucracy and rules take precedence over the ability to get information. Bauer is once again bound by the limitations of Hyoscine-Pentothal. Additionally, the structure of the torture allows Bauer and Graem’s father to watch what is happening. By watching the video feed, Bauer’s father knows that Graem may have compromised their operation by giving up information about the Palmer assassination. This knowledge does not necessarily put Bauer or the CTU on a path to prevent the nuclear devices from being used but could compromise the integrity of the family and the corporation.

Compared to the unofficial torture used by Bauer and the selfish and sadistic torture used by terrorists, officially sanctioned torture is relatively clean. It takes placed in a controlled environment and is overseen by several layers of bureaucracy. This, however, is its downfall. By placing controls on the interrogation, the interrogator is unable to use a full range of methods to
obtain the information needed to stop terrorist threats. This has been the criticism of many pro-torture advocates. They argue that the current regulations that govern the way terrorists are questioned (particularly those that fall in line with the Geneva Conventions) stand in the way of getting information. They argue that terrorists have been trained in ways to resist harsh interrogations and understand that they will only be subjected to torture during a controlled period of time. By knowing the law, they can be shielded from any sort of harsh interrogation that might draw out real information. By constantly placing the law, civil rights, and bureaucracy in the way of “effective” interrogation, the producers of 24 naturalize these kinds of criticism. The improvised unofficial torture that Bauer uses is not constrained by these barriers and has a greater chance of succeeding.

II. Improvised (Unofficial) Torture

This pattern of bureaucratic interference and false leads from safe methods of interrogation undermine the government’s ability to gather and execute an effective campaign to stop terrorists working within the United States. These sorts of interferences are not an issue when Bauer takes matter into his own hands. The improvised torture used by Jack Bauer has, in many cases, become some of 24’s most memorable scenes. Unlike the torture techniques I discussed above, Bauer works in the heat of the moment by using whatever he finds in his environment to extract information and get terrorists talking. In the fifth and six seasons, there were a total of ten of these improvised unofficial torture scenes. Unlike the official torture, they have a much higher success rate, getting accurate information about 40 percent of the time.

Someone who is not a frequent viewer of 24 might be surprised to see Bauer—clearly positioned as the show’s hero—(literally) beating information out of a suspected terrorist. Over
the course of its run, 24 has employed a range of questionable tactics for preventing terrorism. What is even more shocking is the range of methods and vigor that Bauer puts into torture. In the sixth episode of season five, Bauer busts into the president’s study, throws Chief of Staff Walt Cummings against the wall, and nearly slits his throat after he discovers that Cummings had been involved in a plot to give Russian terrorists weaponized nerve gas. In the sixth season, Bauer sneaks into the Russian Consult and holds the consul hostage. When Consul Anatoly Markov refuses to divulge information about the location and activities of an ex-Soviet general, Bauer cuts off one of Markov’s fingers with a cigar cutter.

However over the top or hyperbolic these scenes may be or how popular they are with the fans, they are still torture. When I first began to keep track of torture in the fifth and sixth seasons, I would have guessed that Bauer’s improvised and unofficial torture would be the most effective. He is the program’s central and most developed character. My subjective memory, however, was wrong. While this category of torture was more effective than the officially sanctioned torture, it worked less than half the time. I began this chapter by proposing this question: Does it matter that the representations of torture are not effective in getting usable or factual information? If, at its core, the ideological discourse of 24 is about good people placed in impossible situations overcoming all odds to preserve the American way of life, why does the program’s hero fail so regularly at getting information from suspected terrorists?

There are two answers to this question. The first and most simple is that it does not matter. I have watched many of these episodes several times, and it was not until I began to keep track that it became clear how ineffective torture was. A casual viewer might never pick up this discontinuity. The way Bauer tortures people is far more important than if he gets information. He is the hero of the show, representing all that is good about America. He is going to solve the
problem no matter what happens. So what if he has to hold a gun to an arms dealer’s head until she gives up information, only to get false information—Bauer will figure out what is going on before anything too bad can happen and then fix the problem. After being released from a Chinese prison at the beginning of season six, Bauer is unable to bring himself to torture a man he believes is connected to the missing suitcase nukes. Former terrorist leader Hamri Al-Assad must step in and beat the information out of the man. Bauer tells him he “doesn’t know how to do this anymore” (Turner). Bauer remains unsure of his own actions until the nuclear bomb goes off. Seeing the mushroom cloud rise over Los Angeles triggers something in him, and he is back to his old ways.

The second reason I believe that it is not necessary for torture to be effective has to do with the construction of the character of Jack Bauer. While Bauer is clearly the show’s hero, he is quite flawed. From the opening scenes of season one, the character of Jack Bauer has been framed in two ways. First and foremost, he is a man of action. He takes whatever actions he believes are necessary to stop terrorists from killing Americans. If that means he has to torture a suspect or violate someone’s civil rights, the ends ultimately justify those violations. For Bauer, torture is an important tool for mitigating a potential terrorist attack; it only serves a utilitarian purpose. By framing torture as a tool, Bauer can forgo any agency in the act of torture; physical and psychological pain are the only way that they can obtain the information they need to stop the terrorists. Torture is a clear-cut path to victory, whether or not Bauer believes torture is ethical. He does not really want to electrocute his girlfriend’s ex-husband or cut off the Russian consul’s finger, but if that is the only what that Bauer is going to get someone to give up the information that he needs to stop the detonation of more nuclear weapons in Los Angeles, he is going to do it. This construction of heroic self-sacrifice seems to forgive Bauer for his crimes.
The second way the program frames Bauer is in context of family or the lack thereof. One of the first scenes in 24’s pilot is a fight between Bauer and his wife Teri. They had recently gotten back together after being separated; however, it is clear that there are still unresolved issues. Throughout the first season, Bauer is forced to balance his desire to save Teri and his daughter Kim from kidnappers and his job to protect Senator Palmer from a possible assassination attempt. By the end of the season, Teri is dead, and Bauer and Kim’s relationship takes a turn for the worst. At the beginning of the second season, Kim and Bauer are no longer talking. But once again, Bauer must divide his attention between saving Kim from a domestic violence situation and stopping a nuclear strike in Los Angeles. The strained family relationship comes to a climax in the fifth season when Kim returns to the CTU. Kim is asked to come to the CTU to meet with Bauer. This was their first meeting in more than a year. While there, a member of the terrorist group was able to sneak into the building and plant one of the stolen nerve gas canisters in the ventilation system. This attack killed many of the agency’s staff and set back the CTU’s ability to stop more attacks. After witnessing the death of dozens of the CTU agents, Kim tells Bauer that she never wants to see him again because everyone around him always seems to die.

By framing him as a victim of his own circumstances and given his struggle to balance his personal life with work, the character of Jack Bauer is constructed as a tragic hero. As the hero of the show, he is the person most capable of leading the CTU and the U.S. government to victory over the terrorists. However, Bauer will never be able to live in the world he has sworn to protect. Bauer forfeits his life with his family through his actions. The producers’ positioning of Bauer as a victim of his own circumstances directly leads to his inability to maintain a connection with his family and later the splintering of his relationship with his daughter. The compelling nature of this conflict reduces torture sequences to action scenes that break up the
personal drama. Critic Steven Johnson highlights this personal drama in *Everything Bad Is Good for You*. Johnson argues that the complex nature of *24*’s character interactions is what draws audiences into the show. Johnson writes:

> Watch *24* as an isolated episode and you’ll be utterly baffled by the events, because they draw on such a complex web of relationships, almost all of which have been defined in previous installments of the series. . . . In *24*, following the plot is not merely keeping track of all the dots that the show connects for you; the allure of the show also lies in weighing potential connections even if they haven’t been deliberately mapped on screen. (Johnson 114-5)

Johnson’s argument highlights the ability for a viewer to find pleasure in the text not because it conforms to one’s personal ideology but because it persuades viewers to think about torture in a specific way or reinforces hegemonic values. Instead, pleasure can be found in the narrative’s complexity regardless of the viewer’s ideological position.

The program’s ideological position is left intact because the representations of torture overshadow the results of the torture. Bauer’s flawed nature gives him an alibi for his actions. He alone must make up for the bureaucratic incompetence of the federal government. Bauer *has* to do what he does because torture is the only clear-cut way to protect American lives.

### III. Torture by Terrorists

I think the most surprising thing that I found as I kept track of the representations of torture in the fifth and six seasons of *24* was how often the terrorists were able to effectively employ
torture. In each season, there were seven representations of torture, accounting for 45 percent of the total representations of torture. The other thing that stands out is how much more graphically violent the torture methods used by terrorists are in comparison to those used by the government or Bauer. A good example of this can be found in the first episode of season six. Bauer is strapped to a chair by a group of Islamic terrorists. He is beat repeatedly and then the group’s leader, Abu Fayed, pushes the point of a knife into a nerve cluster on Bauer’s shoulder.

The most interesting fact that my analysis turned up was the effectiveness of torture in this category. Of these fourteen representations of torture, nine (or 64 percent) of those times, the terrorists were able to extract truthful information or were able to successfully get the victim to carry out a task. As I began to fill in the information on my spreadsheet and these numbers started to take shape, I was blown away by how much more effective terrorist torture was. If the unofficial torture used by Bauer is done out of utility or to make up for the overall failure of the federal government, then how does one begin to understand the overwhelming success of the terrorists when using torture? I think the answer can be found in the way that the terrorists use torture.

As a rule, whenever the government or Bauer uses torture, it is within the context of an interrogation. The goal is to get information that would be useful in stopping terrorist strikes and saving lives. This is not the case when terrorists use torture. Instead of getting information, the terrorists use torture to punish the victim or to create fear. Both the fifth and sixth seasons of 24 begin with terrorists taking a group of people hostage. In the fifth season, a group of men from a Russian separatist organization kidnap a group of people in the lobby of an airport. Using a pirated television signal, the terrorists threaten to kill a hostage live on video every ten minutes until the president of the United States and the Russian president call off the signing of a treaty.
When President Logan refuses to talk to the terrorists, the first man is dragged in front of the video camera and shot. The second person the terrorists threaten to kill is Derek Huxley, the son of Bauer’s love interest, Diane Huxley. Bauer does not want Derek to get hurt, so he gives himself up instead. Bauer tries to trade his life for the life of Derek, but the terrorists are not interested in letting Derek go. Instead, they threaten to kill Derek unless Bauer feeds the CTU’s SWAT team false information. A similar scenario is repeated at the beginning of the sixth season when the Wallace family takes Ahmed Amar, their Arab-American neighbor, into their home. Ahmed’s father had been arrested by the FBI as part of the Arab interment. When the FBI leaves, Ahmed turns on the family and forces the father to deliver a part needed to activate the suitcase nukes.

In these scenes, there is also an element of punishment. The Dawn Brigade uses the hostages as more than just a bargaining tool. It is also a way to punish the United States for working with the Russians. This group does not just see the people as hostages but as prisoners of war. They are as much implicated in the suppression of the Russian people as the U.S. or Russian government. The American people must be punished if they do not refuse to call off the treaty. The leaders of the Dawn Brigade believe that this treaty will increase the Russians’ ability to wage war against nationalist groups that want to be independent from Russia.

The punishment is more personal for Ahmed and the Wallace family. Despite being friends with Scott Wallace, Ahmed would not let them get in the way of doing what he says is his religious duty. At one point, Scott pleads with him because he cannot understand why he would do something like this, to which Ahmed replies: “What friends? You can’t even pronounce my name. It’s not Ah-med. It’s Ach-med” (Turner). Unlike the hostages at the airport, Ahmed is a direct and personal connection to his hostages. For Ahmed, the Wallace family also represents an
oppressive white power that has invaded his homeland and attempted to wipe out his culture and its values. Scott’s failure to pronounce his name correctly is, to Ahmed, the most visible representation of his religious and cultural oppression. As a result, Ahmed is able to punish the family for the crimes he believes they are committing and, at the same time, complete the task he has been assigned by the radical terrorist group.

Under the definition I laid out in the opening pages of this project, this is clearly torture. Members of the terrorist group, Dawn Brigade, use both physical and psychological pain directed at Derek and the other hostages to coerce the government or individuals into carrying out a task. Unlike official or unofficial torture, this torture is done to meet the needs of a small group or individual, not for the greater good or the American way of life. In other words, the Dawn Brigade and Ahmed’s goal is a selfish one. They deploy the physical and psychological pain of torture as a means to achieve their own selfish and, in the mind of people like Bauer, short-sighted goals. Torture conducted by terrorists always takes on a selfish connotation. This stands in stark contrast to the selflessness of Bauer’s unofficial torture. Terrorists only care about themselves, their goals, or their fanatical religious dogma.

The torture mirrors the motivations of the torturer by taking on a sadistic quality. Stemming from this torture-as-punishment structure is the idea that torture used by terrorists has a sadist characteristic that one does not find in official or unofficial torture. Sometimes, this can be as simple as a method interrogation. However, it does not necessarily have to be used to coerce information or actions from a victim or a third party. Instead, the terrorists use torture to cause the victim pain and demonstrate the torture’s power over the victim.

There are two clear, and related, examples of this during the sixth season. As previously discussed, the sixth season opens with Bauer being released from a Chinese prison. While being
held, he was tortured daily. Cheng Zhi, the Chinese intelligence officer in charge of torturing Bauer, tells Bill Buchanan (the head of CTU Los Angeles and the U.S. representative in charge of overseeing the handover) that Bauer did not say a word the entire time he was held. When Bauer was changing out of his prison clothes, Buchanan sees the deep scars on Bauer’s back from where he had been whipped. There were also noticeable burns on one of Bauer’s hands. For the first few minutes after Bauer was transferred into American custody, Bauer’s voice was weak. He also flinched at the slightest sound or touch.

One can glean two things from this scene. First, taken together, Bauer’s physical and psychological condition plus Zhi’s comment the Bauer did not say a single word while being held reinforces Bauer’s position as a noble martyr and tragic hero. Bauer does not talk to the Chinese, thus sacrificing his own body and mind so the Chinese could not get classified information. The second thing these scenes highlight is the inherent sadism in the Chinese torture of Bauer. After eighteen months of nonstop torture, it had become clear that Bauer was not going to break, yet they continued to torture him. The Chinese persistence demonstrates that they are more interested in punishing Bauer for a crime that it is not clear he committed. Bauer has a wealth of knowledge that the Chinese might want. But since it was clear that he was not going to give any of that up, the torture is only used for torture’s sake. Perhaps Bauer would break at some point and give up whatever information the Chinese wanted. Until then, they will be happy to continue torturing Bauer. Knowing that Bauer might not ever give up information or take responsibility for the attack on the Chinese embassy, continuing to torture him only serves a selfish, self-satisfying end. The only things Zhi and the Chinese government gain from the torture are the satisfaction and pleasure of having an objectified body to take their anger out on.
The government gets Bauer out of the Chinese prison so that he could be traded to the terrorist organization responsible for a wave of suicide bombings in major American cities. One of the conditions for ending the bombings was that Bauer must be turned over to the terrorists. If the government handed over Bauer, the bombings would stop. The president felt he had no other option but give into their demands. Once Bauer had been turned over, Abu Fayed tells Bauer that he is going to be punished for what he did to Fayed’s younger brother. Fayed’s brother died while in American custody, and Fayed believes it was a result of being tortured by Bauer. Bauer is stripped and tied to a chair. Fayed picks interments from a table laid out like a set of surgeon’s tools. There is no pretense of an interrogation; Fayed wants to punish Bauer. This, again, is torture for torture’s sake. It is about the pleasure of causing pain to another person. The plan to get Bauer was a selfish one. Despite taking precautions, Fayed exposed his organization so that he could take revenge and punish Bauer. There is nothing Fayed wants from Bauer other than to cause him pain. He wants no information; he does not even want Bauer to admit to killing his brother. Fayed only wants Bauer to suffer. From Bauer’s pain, Fayed gets the pleasure of revenge.

IV. An Ideological Discourse on Torture

In the next chapter, I will talk at length about the role that sex and gender play in Battlestar Galactica; it is worth noting here that sexuality is totally removed from the discourse in 24. One could argue that the nature of official torture leaves no room for the sort of overt sexuality one sees in the torture scenes in Battlestar Galactica. The action scenes that characterize the unofficial torture move too fast and last too short of a time for issues of gender and sexuality to be traced. Even in the few instances where a male tortures a female, the fear of sexual assault is
not present. But the methodical sadism of the torture used by terrorists seems like the perfect place to inject the sexual power play of torture. However, it is totally absent here too. No character in the hands of a terrorist is at risk for the sort of sexual degradation so common in torture narratives. Rape and sexual humiliation played a major role in the abuses of Abu Ghraib, the most visible use of torture connected to the global war on terrorism. The pictures that leaked out add to a dark history of sexual violence in torture. Diane Taylor recounts the complex role of rape and sexual desire during Argentina’s Dirty War. Female prisoners were raped as a standard part of the interrogation (Taylor 88). The rape of male inmates was common; however, it was not seen as homosexual. Male enemies of the state were seen as weak and effeminate; rape reinforced the guards’ superior position over the weak prisoners (Taylor 155-7). This was repeated at Abu Ghraib. American guards would force inmates to sexually assault one another as a way of demonstrating the guards’ power (see: Ciezadlo, Epstein and Shumway). Since the producers of 24 are interested in creating a hierarchy of appropriate uses of torture, what better way to draw a clear line between good and bad? Perhaps it is because of the events of Abu Ghraib that they have steered clear of such representations.

However, the threat of emasculation or rape is never in play in 24. Bauer’s masculinity is never threatened, and the purity of the female cast is always safe. Only once, during 24’s second season, is the threat of sexual violence even hinted at.\(^3\) Despite the fact that representations of sexuality and gender can cut both ways, the producers of *Battlestar Galactica* use sex and gender as an effective tool of challenging the audiences ideological stance on torture. If 24’s

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\(^3\) One of the main subplots of 24’s second season involved Bauer’s daughter Kim’s escape from an abusive domestic situation. After the death of her mother, Kim becomes a live-in babysitter for a wealthy family in Los Angeles. She tries to hide the father’s abuse of the mother from the little girl, but one day, things get out of hand and the father kills the mother. Kim, with the little girl, tries to escape from the home, but the father is able to catch up. Eventually, Kim ends up taking safe haven with a man in a cabin in the desert east of the city. Cut off from the rest of the world, the man tells her that they must stay in the shelter because a nuclear bomb has gone off in the city. While in the bunker, the man begins to make sexual advances toward Kim.
engagement with the issue of torture is rooted in the real world, the absence of sexual violence seems to break open the ideological position the producers are trying to sell the audience. As I will argue in the next chapter, by adding back the sexuality and gender into representations of torture, the horrors of torture are highlighted.

In a profile in the *New Yorker*, executive producer and co-creator Joel Surnow discussed the oppressive nature of being a conservative in Hollywood. Since 24’s launch, Surnow has developed a range of other conservative-centered projects; for example, the failed Fox News program *The 1/2 Hour News Hour* (a program conceived as a conservative response to *The Daily Show with Jon Stewart*) and a pro–Joseph McCarthy film.

A large portion of the profile is devoted to a meeting that the producers of 24 had with a delegation of federal law enforcement officers from the FBI and military educators from West Point. At the meeting, the delegation discussed issues they had with the program’s representations of torture. The delegation believed that the philosophy driving representations of torture was “Everyone breaks eventually” (Mayer). This comes from a line of dialogue spoken in season two by then-president David Palmer. Palmer believed that Roger Stanton, his national security adviser, was part of a conspiracy to remove him from power and advance their own agenda. When Palmer discovers this, he has a member of his Secret Service detail torture Stanton until he gives a confession. The delegation approached the producers of 24 because the people teaching young men and women law enforcement strategies and military tactics were having to deal with a generation of students who wanted to copy Bauer and the CTU. The reporter from the *New Yorker* writes:
He [U.S. Army brigadier general Patrick Finnegan, the dean of the U.S. Military Academy] always tries to get his students to sort out not just what is legal but what is right. However, it has become increasingly hard to convince some cadets that America has to respect the rule of law and human rights, even when the terrorists did not. (Mayer)

Finnegan goes on to say that the cadets he is dealing with now believe that torture is wrong but that it is the patriotic thing to do. After the confrontation, the producers of 24 said that they would make an effort to tone back the use of torture or work to show the consequences of characters’ actions more clearly.

The lack of sexuality and gender emphasizes that the goal of 24 is to construct a specific ideological reading of torture. The New Yorker profile clearly highlights the divide between the people with a pro-torture agenda (such as the producers of 24, Rush Limbaugh, or Michael Chertoff) and the people who must deal with the consequences of this rhetoric. This disagreement is rooted in both an ideological and a practical break. When young men and women are exposed to conflicted messages about the effectiveness of torture, it becomes necessary for the people training and overseeing their conduct to deal with the repercussions. By removing the sexual overtones from the representations of torture, the producers of 24 work to put distance between the real and the fictional. As Fiske argues, television does not recreate reality but rather the dominant ideas about reality (Fiske 24). By removing the sexuality and gender from torture, the producers extend the gap between their constructed reality and an objective reality. However, they might not have the experience or the understanding to know that what is being shown to them on television is a totally fictionalized representation. The first is the
aforementioned divide between the political and practical side of interrogation. But the average viewer is left only with the impression that torture is not the best option but is sometimes the only option. By divorcing representations from realism, the producers reify the idea that torture not only works but is also a vital part of national security. The structure of representations suggests to the viewer that unofficial torture is preferred to official torture because the person conducting the interrogation is given free rein to get whatever information he or she needs to stop the threat.
When Ronald D. Moore began to develop a “reimagining” of the 1970s cult science fiction program *Battlestar Galactica*, his goal was to create a science fiction program that felt more real.¹ In the audio commentary track on the DVD release of the miniseries,² Moore, his producing partner David Eick, and director Michael Rymer discussed how they set out to make *Battlestar Galactica* visually and structurally different from the plethora of other science fiction programs that made up the majority of the Sci Fi Channel’s programming. To do this, Moore discussed how he envisioned *Battlestar Galactica* as a new subgenre of science fiction called “naturalistic science fiction.” Moore released an essay called “Battlestar Galactica: Naturalistic Science Fiction or Taking the Opera out of Space Opera” that sought to define his vision for the show. One of the things Moore highlights is the way characters are constructed. He writes: “It is about people. Real people that the audience can identify with and become engaged in. It is not a show about hardware or bizarre alien cultures. It is a show about us. It is an allegory for our own society, our own people and it should be immediately recognizable to any member of the audience” (Moore).

Moore and Eick began work on their vision for the show in 2002, when the events of 9/11 were still fresh in their minds. The visual and stylistic goal of the first half of the miniseries was meant to capture the confusion and terror that mirrored their own confusion and terror. Through the use of allegory and realism, Moore and Eick were able to use *Battlestar*
*Galactica* to stage a critique of the war on terrorism and the war in Iraq. This theme of realism continued to play an important role in the program’s storytelling when the show moved into its third season. When the third season began, most of the survivors of the Cylon holocaust were living on a barren planet under an occupied rule. While this story has many iconographic and thematic parallels to the U.S. occupation of Iraq (and the wider war on terror), Moore argues in the episode commentary that the show attempted to make a broader point about the nature of all war (Mimica-Gezzan Audio Commentary). Throughout the course of the program’s three aired seasons, the producers of *Battlestar Galactica* used the program’s narrative as a tool to problematize contemporary political and cultural discourse about war generally and the war on terrorism and the war in Iraq specifically. To this end, I believe the producers of *Battlestar Galactica* attempted to put forth a resistant and critical examination of torture because torture has been a prominent aspect of these new wars.

In this chapter, I will explore the program’s narrative and ideological discourse of torture. To enhance my analysis, I will make use of interviews and statements the program’s producers have made about their ideological beliefs and torture. Unlike *24*, where torture sequences are common, the producers of *Battlestar Galactica* use torture in a more restrained way. However, when the narrative does call for torture, the producers do not shy away from using graphic, and sometimes pornographic, images of torture. What makes the representations of torture so shocking, especially when juxtaposed with *24*, is how gender and sexuality play a central role in the overall construction of the scene. Whereas *24*’s producers strip away all sexual undertones, the producers of *Battlestar Galactica* play up the connection between sex and torture. As Diana Taylor has argued, torture always has underlying sexual connotations. Taylor writes, “Feminist scholars have long noted that
women are socialized into a sex system that forces them into masochistic submissiveness and obligates them to act out obligatory sexual and gender roles” (Taylor 6). Taylor goes on to show how this social structure replicates itself in theatrical productions that claim to critique the role of torture during Argentina’s Dirty War. She opens her book with the description of a play that features an unnamed military officer who tortures an unnamed woman. Throughout the production, the man beats, strips, and rapes his victim, hoping that she will not give up information so that he can continue to torture her. During the play, the female victim’s body is on display to the audience. At the same time, the play is critical of the conduct of the military during the civil war; it fetishizes both the torturer and the victim by replicating the masochistic submissiveness sex roles (Taylor 6–8). When analyzing two narrative arcs from Battlestar Galactica, one can see this pattern repeating. The producers of Battlestar Galactica do not erase sexuality from their torture scenes. Instead, sexuality is foregrounded, sometimes with the gender roles reversed. By foregrounding the sexual nature of torture, Battlestar Galactica works to problematize and demystify the way that torture has been represented and discussed in other televisual texts. However, Battlestar Galactica must deal with the same problem Taylor found in her study.

Instead of looking at the structural construction of individual torture scenes, I will look at long-term, cross-episode narrative elements. This is important because it works to show that torture has a long-term impact on characters. In this chapter, I will look at two long-term narrative arcs as a means to analyze the discursive position of Battlestar Galactica. The first follows the character of Kara “Starbuck” Thrace. When the program opens, Thrace is a hotshot, devil-may-care fighter pilot. However, during an encounter with a copy of the Cylon model called Leoben, Thrace and two guards beat him and then repeatedly dunk his head in a
bucket of water. They believe that Leoben planted or has knowledge about the whereabouts of a nuclear weapon hidden somewhere in the fleet. During this encounter, Leoben tells Thrace that she has a destiny. This sets Thrace down a path that repeatedly puts her in a position as both torturer and tortured.

The second storyline that I will be looking at in this chapter follows Vice President Gaius Baltar. After the exodus from New Caprica at the beginning of the third season, Baltar is left with Cylon occupiers. When he does not turn over information to his captures, two female Cylons torture him. Later on, the crew of Galactica captures Baltar. Once on the Galactica, President Laura Roslin directs Adama to torture Baltar because she believes he played a role in the original attack on the Twelve Colonies.

In looking at these two narrative arcs, I will explore the way that the producers of Battlestar Galactica play with traditional gender roles as a way of making explicit the problematic nature of torture. In these two story arcs, the gender roles are flipped. If Moore and others have been honest in their public statements about the program’s critical positioning, then one would hope to find evidence of that within the text. Compared to other popular representations of torture, I would argue that the discourse of torture on Battlestar Galactica is largely resistant. However, the structure of the narrative results in an ambiguous representation of torture within the text. I believe this ambiguity is intentional. Because Moore and Eick have a goal to create naturalistic science fiction, a character’s motivation exists in a gray area where there is no clear right or wrong. In 24, Jack Bauer and the CTU are clearly the good guys. Bauer uses torture for purely utilitarian ends: to save the United States from an immediate and possibly inevitable terrorist strike. Things are not always so clear-cut in the world of Battlestar Galactica. Characters are motivated by revenge and spite
as much as the protection of the fleet. Ambiguity becomes a strategy for demystifying torture.

At the same time, the program uses graphic depictions of sexuality to problematize and demystify torture. In the second part of this chapter, I will look at how the program’s progressive-leaning representations of torture become undermined. This is best seen in the scenes where Baltar is tortured by the Cylons. While being tortured, Baltar escapes to a beach with his fantasy version of Six. This scene, like many others with Baltar and Fantasy Six, involved highly fetishized sex. Sexual pleasure is foregrounded in this sequence of scenes as images of Baltar being tortured are interwoven with him and Fantasy Six having sex on a beach. This juxtaposition falls into the same sort of traps that other popular representations of torture do. The act of torture is fetishizing and objectifies both the tortured and torturer. By placing pain and pleasure side by side in this way, the producers’ move away from the critique of torture and war that is central to the program’s mission statement. Instead, torture becomes a tool of exploitation. I will conclude this chapter by trying to reconcile Battlestar Galactica’s conflicting positions on torture.

I. Resisting Dominant Narratives of Torture

For a program born from the trauma of the 9/11 terrorist attacks and the Iraq war, it was only a matter of time before Battlestar Galactica began to deal with torture. Torture is first used on Battlestar Galactica in “Flesh and Bone,” the eighth episode of season one. When Leoben is found hiding on a civilian freighter, Thrace is assigned to interrogate him. Soon after they begin to talk, Leoben informs Thrace that there is a nuclear warhead hidden on the fleet and that it will go off in a matter of hours, thus setting up a ticking time bomb scenario.
Thrace continues to try to reason with Leoben, offering him food in exchange for answering her questions. However, Leoben continues to dodge the questions or answer the questions with queries of his own. As time begins to run out, Thrace orders the guards to beat him. When this does not work, she orders the guards to repeatedly dunk Leoben’s head under water. During this whole ordeal, Leoben refuses to give up any more information about the nuclear warhead. Instead, he and Thrace have an extended discussion about the nature of Cylons and their relationship with pain. Thrace says to Leoben: “Turn off the pain. You feel better, but that makes you not a person because human beings can’t turn off the pain. Human beings have to suffer and cry and suffer and endure. The only way you can stop the pain is tell me exactly what I want to know, just like a human would” (Turner). Since Cylons are biological robots, Thrace believes that Leoben can stop feeling pain: Flip a switch to ignore the beating and dunking. She plays on Leoben’s (and other the Cylon models’) drive to copy humans. Leoben might be able to stop experiencing the pain of torture, but that would mean that he is not human, just a machine. It is only when Laura Roslin, the president of the colonies and civilian leader of the fleet, intervenes that Leoben gives useful information.

I begin with the Trace-Leoben torture scene for three reasons. First, it is the first time torture is used on *Battlestar Galactica*. To this point in the program, the viewer has only seen the characters running from the Cylon threat. By virtue of being the first torture scene in the program, it is becomes the yardstick all other scenes will be measured by. While there have been some victories (the *Galactica* and the civilian fleet have managed to survive constant attacks from the Cylons and the genocide of their races), the plot to this point in the program has focused on the humans running away. Thus, when Thrace enters the interrogation room, this is the first time the balance of power has truly been in the heroes’ favor. Leoben is bound
by restraints in a hot room. When Thrace first sees him, his head is lying on a metal table. When she enters the room later with food, Leoben tells her he has not eaten in days. He is weak; Thrace has all the power. The structure of this scene is similar to many torture scenes in 24. Violence happens in quick, dramatic bursts. There seems, at first, to be little emotional connection between Thrace as torturer/interrogator and Leoben as tortured/prisoner.

But secondly, this scene presents the audience with a clear reversal of gender roles. Thrace is set up from the beginning of the program’s run to be a warrior. In addition to being the best pilot on the Galactica, she is also an accomplished marksman. When Leoben is found, Adama chooses to send Thrace to interrogate him. Unlike torture scenes in 24, the producers of Battlestar Galactica chose to feature two of the program’s lead female characters at the center. Thrace’s character can be connected to a long line of strong female characters in science fiction, such as Ellen Ripley from the Alien films or Sarah Connor from Terminator. By placing Thrace in the torture room and then having her fail at her task, even after eight hours of torture, the simplistic, fast-paced torture of 24 or the medically sterile vision of torture portrayed in the popular news media are exposed as not being realistic. While Battlestar Galactica is far from being a feminist text, placing a woman in a traditional male role is a strategy often used by feminist activists as a way of highlighting bias. A similar tactic is being deployed in this episode. Reversals in gender roles catch the viewer off guard. It can shock the viewer into paying close attention to trope associated with the standard. It highlights how these gender constructions are artificial and arbitrary.  

Finally, even with the probability of an eminent threat, the producers do not shy away from injecting ambiguity into the narrative. After the first round of dunking, Leoben begins

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3 By having Thrace ultimately fail may undermine a tactical move; it also may work to keep Thrace from becoming a one-dimensional narrative device.
to talk about Thrace’s childhood, specifically her abusive mother. When Leoben brings up Thrace’s relationship with her mother, Thrace becomes more aggressive in her torture. After more dunking, Thrace becomes frustrated with the interrogation progress. At this point, the viewer must begin to ask: Why is Thrace torturing Leoben? Is it because he can give her the information to stop the bomb? Or is it to punish him for bringing up her relationship with her mother? Or is it to punish him for being a Cylon? She sends the other guards out of the room; Leoben begins to tell her about how he believes they have a shared destiny.

Even with the possibility that a nuclear warhead may go off at any moment, torture has not worked. Leoben did not give any information that would help the humans find the bomb. By talking back, Leoben shifts the balance of power. He is no longer at the mercy of Thrace. He is not the pure object of Thrace’s violence. By talking back, Leoben can maintain some subjectivity. Thrace no longer thinks of him as the sweaty thing she saw at the beginning of the episode and, therefore, neither can the audience. Unlike *24*, where the terrorists that Jack Bauer tortures are purely evil, voiceless objects, Leoben can be viewed as a sympathetic character. Despite being a “robot,” he is still “human.” This shift in discursive power causes Thrace to have sympathy for Leoben.

Just as Thrace has lost faith in her ability to stop the nuclear warhead, President Roslin has Thrace call off any further interrogation. Roslin rebukes Thrace for her use of torture. She tells Thrace it is a waste of time and ineffective, inasmuch as Thrace has nothing to show for it after eight hours of repeated beatings and simulated drowning. Roslin apologizes to Leoben and offers him safety in return for his cooperation. When he tells her there is no bomb—that he made it up in order to buy time—she orders the guards to throw him out of the airlock.
Distressed by Roslin’s actions, Thrace approaches the airlock window to show her sympathy. Later on, the producers show Thrace in her bunk praying for Leoben.

One could argue that Thrace fell into a “trap” set by Leoben. Their discussion about the nature of pain and Leoben’s story about a shared destiny lulled Thrace into siding with Leoben. Adama tells Thrace twice that Leoben is going to try to manipulate her feelings. On the other hand, I argue that the Trace-Leoben connection (which continues to play itself out until at least Thrace’s “death” at the end of the third season) and Roslin’s abrupt execution order injects ambiguity into the scene. Throughout the episode (and the entire run of the program), Thrace is portrayed as a tough masculine character. While she may be a rogue pilot, she always gets the job done. When Leoben refuses to answer simple questions about the Cylons or about the location of other Cylons in the fleet, Thrace shifts her tactic. She orders the guards to repeatedly punch Leoben in the head. Her tactics are brutal and troubling. Despite the fact that the Cylons are “evil robots,” the biological models like Leoben are played by human characters, thus blurring the line between the facts of the narrative and the viewers’ reading of the text.

However a viewer might read the shift in Thrace’s attitude toward Leoben, the character of Kara Thrace is troubled by her actions. Roslin and her swift action compound this; once she has the information that she wants, she quickly moves to have Leoben killed. Thrace tortured Leoben for eight hours but was unable to get any information about the bomb or knowledge about other Cylons that might be hiding in the fleet. Roslin, on the other hand, enters the scene by attacking Thrace for her ineffective methods and then summarily disposes of Leoben once she is through.
Roslin’s tactics are no less harsh or troubling than Thrace’s. This sequence of scenes leads to an ambiguous understanding of the text. Despite Thrace’s initial impulse to torture Leoben, she begins to feel remorse for her actions. At the same time, the audience is given no indication that Roslin has a problem with executing Leoben. In fact, never again is Thrace called upon to interrogate a prisoner nor does she ever torture anyone. Roslin, on the other hand, continues to use execution (or the threat of execution) as a tactic. Later in the series, Roslin orders and then oversees the torturing of Baltar. By the end of the episode, it is unclear what the program’s producers’ or characters’ views on torture are. Thrace is a warrior; she has killed people in the past, yet she shows regret for torturing Leoben. Roslin has never shown a predilection for violence. She is a former schoolteacher and government official, yet she uses lies to get Leoben to cooperate and then puts him out of the airlock.

The construction of Kara Thrace as a masculine warrior is revisited repeatedly in the first season and a half of *Battlestar Galactica*. The first time the audience sees the feminine side of Thrace is in the program’s second season in an episode called “The Farm.” In this episode, the viewer not only sees Thrace in an abjectly weakened state (a broken woman in the hands of a strong masculine doctor), but the viewer begins to understand that Thrace’s rejection of femininity is a conscience choice. While working with a group of resistance fighters on Caprica, Thrace is wounded during a firefight. When she wakes up, she is in a strange hospital. She is told by Simon, a doctor, that the hospital is run by a group of resistance fighters. The next morning, she wakes up to find a new set of bandages. Simon tells her there is a cyst on one of her ovaries and that he had to remove it. He goes on to tell her it is important to deal with this sort of medical issue because there are few women on Caprica.

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4 Additionally, an ad hoc judicial group known as “The Circle” picks up this execution method. After the humans’ escape from Cylon-occupied New Caprica, The Circle puts unsuspected collaborators out of the airlocks for working with the Cylons.
with viable eggs. Thrace immediately rejects the idea of having a child. She is a fighter pilot, not a mother. Simon is not surprised by Thrace’s rejection of motherhood and domesticity. He tells her that when she was admitted to the hospital that they subjected her to a battery of x-rays and found that all her fingers had been repeatedly broken in the same place. Like Leoben in “Flesh and Bone,” Simon confronts Thrace about her relationship with her abusive mother. Simon says it is understandable that one would not want to reproduce with such a traumatic history, but it is Thrace’s duty as a woman to have children. Simon’s mention of Thrace’s relationship with her mother triggers Thrace to regress to a childlike state, throwing a temper tantrum and forcing Simon out of the room. Not long after that encounter, she discovers she is being held by Cylons, not resistance fighters, and is able to escape. Thrace actively rejects motherhood because it means giving into femininity. The Cylons try nudging her toward femininity, but here, she is able to rebuff their attack.

At the beginning of the third season, the Thrace-Leoben relationship is revisited. As season three opens, much of Galactica’s crew and most of the civilian population are being held captive by the Cylons on a small, cold planet called New Caprica. During the four months of the Cylon occupation of New Caprica, Leoben imprisons Thrace in a small apartment in a detention facility. Unlike the torture room where Thrace interrogated Leoben in “Flesh and Bone,” the apartment is fully furnished and Thrace is given full meals. While it is never made explicit in the narrative, the audience is lead to believe Thrace and Leoben are living together like a married couple. Compared to the other humans living on New Caprica, Thrace has a good life. However, it is clear that her incarceration is meant as a form of punishment. Leoben’s goal is to actively feminize Thrace. Since Simon’s subtle nudge would not work, then a vigorous and forceful strategy must be taken.
The marriage scenario is further reinforced when Leoben introduces a child into the household. Thrace is told that Kasey is the result of an experimental breeding program. While at the farm, the Cylons did not remove a cyst but one of her ovaries. Leoben tells Thrace that Kasey is their child, created from one of her eggs and his sperm. At first, she is hesitant to take care of Kasey. But while she is “hiding” in the bathroom, Kasey falls and hits her head, nearly dying. From that point on, Thrace’s “maternal instincts” take over as she is forced to care for the recovering child. It is only after the humans are liberated that Thrace learns Kasey is not her child but had been taken from a woman being held somewhere else in the detention center. When Kasey is finally taken from her, Thrace withdraws and is removed from flight duty.

Thus, Thrace’s forced feminization has a significant impact on her ability to recover. She is being forced to live out Leoben’s fantasy of domesticity. The world that he creates for her could not be any more different than her life as a fighter pilot. Aware of Thrace’s rejection of “traditional” female gender roles, Leoben and his fellow Cylons force Thrace to directly confront her greatest fear by placing her in a context that is bound to lead to anxiety. This is not physical torture but psychological torture. The audience is aware that Thrace has rejected standard female gender roles. While Thrace does try to resist, she is weakened by her incarceration. Leoben is able to overpower her without much effort. Once Kasey is introduced, the effort of taking care of the child further pacifies (and thus further feminizes) her.

Her mother had abused her from a young age. She was also taught that to be feminine was to be weak. In order to make it in the world, she must be a warrior and must fight. In “The Farm,” Thrace is forced into a role that she has rejected since she was young. The trauma
takes a major toll on her life while being held by Leoben and then after escape. To be placed in a maternal position and then have that taken away triggers long-held angst. She slides into deep depression and begins to abuse alcohol when she returns to the *Galactica*. Thrace is never able to resocialize with others.

If Thrace’s approach to dealing with Leoben is masculinized, then Leoben’s approach is outright feminine. To begin with, a fully furnished apartment and a functioning home with a child *is* the woman’s domain. This space reflects the psychological approach that Leoben (and the Cylons) used to deal with Thrace. The shift in setting makes it seem like Leoben is not torturing Thrace. She is not being beaten or sexually assaulted. However, even after her first encounter with Leoben, she maintains her role as the fleet’s best pilot and retains her masculine qualities. When Thrace tortures Leoben in “Flesh and Bone,” the torture room mirrors the decidedly masculine gender of Thrace and the penetrative nature of the interrogation. The room is dark and sparsely furnished. This is as much a function of the job that is to be done in the room as where the room is located. Leoben is discovered on a civilian freighter called the *Gemenon Traveler*. The ship itself exists only to do a job. Each object has a utilitarian purpose; nothing is there for its aesthetic value. Additionally, when simple questions are not enough to gain information from Leoben, Thrace switches to physical and invasive techniques of extracting information. The torture itself has a particularly masculine goal: to obtain information. At least at first, the reason Thrace is in the room is to find out what Leoben knows. While the audience is aware of the larger importance of their confrontation, there are no clues given that Thrace is aware of the implications.

Taking all this into account, the audience is left with multiple conflicting viewpoints on torture. Through the use of conflicting messages about torture, the ambiguity of ideology
resists a closed reading. Umberto Eco argues that television programs have to be ideological open to allow for a variety of viewers (Eco). John Fiske summarizes this argument: “The open text resists closure, whether this closure be exerted by the dominant ideology works through its discursive structure or by the author exerting his or her authority over the reader” (Fiske 94). Unlike 24, which seems closed to resistant or oppositional readings of the text, *Battlestar Galactica* gives the viewer no clear ideological position. Whatever the producers’ ideological position on torture is, the text itself does not lead viewers to a specific understanding or option about torture. From interviews and comments made on audio commentaries, the producers are opposed to the use of torture. Instead of making an anti-torture polemic, the producers use ambiguity and mixed messages to force viewers to actively engage with the discourse of torture. The viewer is left to decide how she or he feels about the role torture should or should not play in the contemporary political discourse. Unlike 24 or the talking heads on cable news, the producers of *Battlestar Galactica* inject ambiguity and problematize their own representations of torture (and, therefore, purposefully call into question their own ideology) as a means of resisting broader discourses of torture. At work in this strategy is a poststructural logic. Foucault argues that power is not hieratical; instead, it is structured like a web of intertwining ideas all pulling on each other. The producers of *Battlestar Galactica* do not seem to be interested in using their discursive power as media producers to force their viewers into reading the program as an ideological critique. The use of ambiguity and multiple conflicting viewpoints on torture act as different strings of a web, each pulling, shifting, and confusing the viewers’ ability to fully grasp the program’s dominant or hegemonic ideological reading.
II. The Failure of Resistance: Fetishized Torture

For all the power that the resistant message offered in the Thrace-Leoben story arc, its resistant ideology is called into question in a story arc in *Battlestar Galactica*’s third season. This arc crosses over two episodes: “Measure of Salvation” and “Taking a Break from All Your Worries.” Both episodes have storylines centering around the torture of Gaius Baltar.

Of all the characters in *Battlestar Galactica*, Baltar has one of the most complex journeys. Early in the miniseries, the audience learns that Baltar was complicit in helping the Cylons infiltrate and nearly wipe out the entire human population. Baltar was chosen by a Cylon known as Six because of his position as chief scientist working on the colonial defense system. Through random luck, Baltar avoids being killed in the nuclear strikes on his home planet of Caprica and finds himself on the newly branded Colonial One with the new president of the Colonies. Unaware of his connection to the Cylon attack, Baltar is asked to be the president’s science adviser and then put in charge of developing a test to find the humanoid Cylon models. While all this goes on, Baltar interacts with a fantasy version of Six.[](#footnote1) Fantasy Six sometimes appears on *Galactica* (or other ships in the fleet) with Baltar. Other times, Baltar and Fantasy Six escape to fantasy locations, such as Baltar’s house on Caprica.

By the end of the first season, Baltar found his way into a position of power when he was elected vice president. Then, later in play for more power, Baltar declares that he will run against Roslin for president. Baltar is able to come from behind in the last hours of the election when he advocates settling on the small, cold planet called New Caprica. With this move, he is able to clinch a victory. His first act as president is to order the military to begin

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5 Throughout the rest of this paper, I will be referring to multiple versions of Six. To alleviate confusion, I will refer to Baltar’s fantasy version of Six as “Fantasy Six” and the Six that Baltar interacts with on *Basestar* as “Caprica Six.”
the process of moving the civilian population to the planet’s surface. Sick with power, Baltar withdraws into drugs and sex. One year after the settlement, the population was on the verge of rebellion when the Cylons discover New Caprica. When the Cylons land on the surface, Baltar unconditionally surrenders but remains the leader of a puppet government.

Nine months later, *Galactica*, in conjunction with the insurgent anti-Cylon resistance, stages a sneak attack. After a long battle, the *Galactica* is able to protect the civilian fleet long enough to get away. However, Baltar is left behind with the Cylons. At first, the Cylons restrict Baltar’s movement within the *Basestar* (the primary spaceship in the Cylon fleet). Baltar, desperate to stay in the good graces of his hosts, begins to help them devise a strategy for finding Earth, the humans’ ultimate goal. When the crew of the Cylons’ vanguard *Basestar* becomes infected with a virus, Baltar volunteers to investigate and finds a strange object. He is also confronted by a dying copy of Six. This Six blames him for the virus, saying he knowingly led the Cylons to it. Baltar gets scared he will be implicated and leaves *Basestar*. Although he does not tell the Cylons about the strange objects, Caprica Six and D’Anna find an image captured by a camera on Baltar’s helmet. Angered by Baltar’s betrayal, Caprica Six and D’Anna begin to question him about communications he might have had with the humans on *Galactica* and her civilian fleet. Baltar did not have any contact with the humans, but D’Anna could not be convinced.

Unconvinced by Baltar’s claim, D’Anna, along with Caprica Six, begins to torture him for information about his contact with the other humans (contact which he has not had). This scene, unlike the fast-paced, violent torture in “Flesh and Bone” or the subtle psychological nuances of the “Occupation/Precipice” and “Exodus” story arcs, cuts between two connected mise en scène. The first takes place on a basestar. Baltar is strapped to a table surrounded by
a variety of technological objects. D’Anna acts as the torturer, asking Baltar questions about his knowledge of the virus and working with the humans. Using a small box, she controls what appears to be electrical voltage being forced through Baltar’s body. This scene is interwoven with Baltar (lying in the same position) on a beach with Fantasy Six.

Unlike the other torture scenes I have looked at, the torture is clearly paralleled with sex. Beyond the use of explicit sex, Fantasy Six instructs Baltar to use the pleasure of sex as a way to resist the pain of torture. Fantasy Six tells Balter: “It’s all in your head. Pain. Pleasure. They are just neural impulses sent to the brain. You decide how to interpret them. They can be pleasant or unpleasant. You decide” (Eagles). Fantasy Six and, therefore, the show’s producers construct a situation where the pleasure of sex and the pain of torture are interchangeable. Sex and torture are the same; it is only a matter of perspective that makes them different. As D’Anna’s questioning intensifies, Fantasy Six straddles Baltar’s prone and immobile body. Fantasy Six says:

Look at me. Make love to me. . . . It is the nature of the mind to disconnect from the body and journey on its own. Separate your mind from your body. Keep your mind in that room. Use your intellect against her. Reason, logic, analysis; find the holes in her psych. . . . The pain is only in your body. So, keep your body here with me. Don’t worry. I’ll take care of it. (Eagles)

Fantasy Six instructs Baltar to use the fantasy of sexual pleasure as a way to resist the pain of torture. As she is talking to Baltar, she removes her top while grinding on Baltar. She demands that Baltar “feel this,” the pleasure of sex as a means for overcoming the pain.
Baltar begins to talk back to D’Anna, calling into question her faith and reasons for torturing him. When Baltar does find D’Anna’s weakness, she switches tactics. She changes to a device that projects a high-pitched sound into his ear. As Baltar thrashes in the real world, Fantasy Six begins to have sex with Baltar. As Fantasy Six orgasms in Baltar’s fantasy world, he screams out “I love you” in both his fantasy and in the torture room. D’Anna is taken aback by Baltar and ends the interrogation. In the episodes that follow, Baltar, whom previously had a sexual relationship with Caprica Six, begins to have a sexual relationship with D’Anna. Unlike the Thrace-Leoben story arc, the sexual relationship is not coerced.6 All three people enter the relationship of their own volition.

Several episodes later, Baltar is abandoned by the Cylons on an algae planet, where the crew of the Galactica captures him. He is secretly held in the ship’s brig, where he is deprived of sleep. At the beginning of the episode “Taking a Break from All Your Worries,” Baltar tries to hang himself at the behest of Fantasy Six. But when Baltar says that he needs some time to think this through, Fantasy Six “kicks” the chair out from under him. Before Baltar dies, a guard sees what he is doing and stops him. Roslin orders Admiral Adama to forgo sleep deprivation and to make sure that Baltar is eating. Adama suggests a different course of interrogation. He tells Roslin that he has experience using a strong hallucinogenic drug as a means of interrogation.

This time, however, the hallucinogenic drug prevents Fantasy Six from reprising her role as Baltar’s savior. Baltar hallucinates he is in a dark body of water. The only light comes from an unknown source high above him. The scene then cuts back to Galactica’s sickbay, where Baltar is strapped down. Standing around him is Adama, President Roslin, and two of

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6 It should be noted that the two torture-related story arcs that I am analyzing in this chapter are not the only times the producers of Battlestar Galactica use torture. In fact, a third story arc that takes place during the second season centers around the systematic rape of two Cylon prisoners by the crew of the Battlestar Pegasus.
the ships medical personnel. Adama shines a light into Baltar’s face and begins interrogating him. Baltar reveals that he had a relationship with Caprica Six before the Cylon attack. However, no matter how hard Adama pushes him, Baltar refuses to admit that he had any knowledge of the attack before it began. When one of the medical assistances trips backward, knocking over a tray of tools, Baltar begins to convulse. The effects of the drug have clearly affected the way the Baltar perceives his senses, and he is unable to deal with the sudden loud noise. After Baltar calms down, Adama turns off the light, plunging Baltar into darkness. When Adama and Roslin return, Baltar has collapsed deeper into his hallucinogen-induced hell. In his head, Baltar is confronted with a horde of burned and maimed bodies trying to pull him underwater. Adama continues to push Baltar for more information, but the doctor overseeing Baltar’s health refuses to let the interrogation continue.

In the following scenes (and episodes), Baltar does not seem to be affected by the torture that had been inflicted on him. Thrace spends the remainder of the third season trying to deal with her captivity, climaxing in her “suicide.” Baltar, on the other hand, goes on to lead a mostly comfortable life in Galactica’s brig. After the doctor forces Adama to suspend torture, Roslin decides that the only way to get Baltar to cooperate is to give him a trial in open court. During the episode leading up to the trial and then during the trial itself, Baltar remains cogent and assertive. The physical and psychological impact of the torture appears to be minimal.

However important gender and sexuality are in the construction of this story arc, at no point do the sexual undertones or representations ever reach the level of fetishization as they do in the scene in “Measure of Salvation” nor do the scenes in the Thrace-Leoben arc actively fetishize the position of the tortured character as a victim. Sexuality and gender play
a significant role in all these torture scenes. But the way they are represented in each of these scenes is quite different. In the first Thrace-Leoben scene in “Flesh and Bone,” the swapped gender roles and the contrast between Thrace’s and Roslin’s approaches break with standard narrative structures. Thrace, despite her ability to physically dominate Leoben, cannot get any information about the bomb. But she is also not the unblinking hero willing to do anything. Roslin does not hesitate to take actions she believes will help sustain the fleet, but when she orders the execution of Leoben, it seems to contradict her position as the president and as a compassionate woman. The domestic setting of Thrace’s incarceration on New Caprica places Thrace in a role of wife and mother, a lifestyle the audience knows she had rejected. There is also a sexual undertone to being forced to live a domestic life with one’s torturer. During one scene, Leoben tells Thrace that it would make him very happy if she came to bed with him later that night. When she escapes, Leoben says that all he ever wanted from her was her love. She kisses him, but while they hold each other in an embrace, Thrace stabs Leoben with a knife before running off.

The scenes of D’Anna torturing Baltar interwoven with scenes of Fantasy Six and Baltar having sex work to fetishize both the torture and sex. In both halves of this sequence, Baltar is positioned as an object of both women. On Basestar, Baltar is strapped down on a table. He has no choice but to submit to D’Anna. Even in his own fantasy world, he is unable to move. Baltar has no agency, even in his own fantasy. Baltar’s reaction to Fantasy Six is mixed, as he is experiencing sexual pleasure in his fantasy but pain in the real world. Fantasy Six, on the other hand, only feels pleasure (as evidenced by her orgasm). Unlike with the Thrace-Leoben scene in “Flesh and Bone,” Baltar’s ability to regain objecthood through talking back is ineffective; D’Anna does not relent in her torture. She only stops when Baltar,
in the heat of his fantasy, says “I love you” to Fantasy Six. But because D’Anna is unaware of what is going on in Baltar’s head, she believes that he is talking to her. Unlike the previously discussed scenes, the sex is explicitly foregrounded. Torture and sex are positioned equally within the scenes’ construction.

In addition to the sexual fetishization, Baltar’s position as victim is called into question by the way the producers of *Battlestar Galactica* place Baltar’s victimhood in a context of sadomasochism. In his book *Taking It Like a Man*, David Savran explores the historical origin and cultural implications of the emerging discourse of white males as victims. Savran argues that in the years that followed World War II, changes in the organization of American culture led to a reinterpretation of musicality. During the cultural upheavals of the 1960s and 1970s, the strict gender binaries that had been so important in defining social norms began to break down (Savran 5). Together, these two historical shifts have lead to what Savran has characterized as the growing discourse of the while male victim. He writes, “[M]odern white masculinities are deeply contradictory, eroticizing submission and victimization while trying to retain a certain aggressively virile edge, offering subjects positions that have marked historically as being both masculine and feminine, white and black” (Savran 9). The overall arc of Baltar’s storyline going all the way back to the miniseries repeatedly clears Baltar of any wrongdoing. Instead, his actions are just a product of his situation—always acting out of self-interest rather than preservation.

When Baltar’s misdeeds catch up with him, he is punished. However, unlike the torture sequences in the Thrace-Leoben arc, when Baltar is tortured, the audience is taken out of those scenes, either into highly fetishized sex scenes or drug-induced hallucinations. These devices take the audiences out of the torture room and into a fantasy. Even though these
scenes can have a profound impact on the viewer, they lessen the impact of pain and trauma of torture. In “Flesh and Bone,” the viewer stays with Thrace and Leoben the entire time. Other scenes with other characters and storylines interrupt the torture scenes, but once in a torture scene, the action stays in the room. This gives the audience a sense of realism. In staying in the reality of the torture room, the audience sees a more complete and less mediated representation of torture.

By moving between images of Baltar being tortured, the producers seem to naturalize the romantic vision of a masochistic culture. Baltar is repeatedly “punished” but to no real end. He never really repents or acknowledges his misdeeds. Instead, Baltar submits to torture, only to be rewarded for his pain. Baltar and Caprica Six invite D’Anna into their relationship. Then, D’Anna and Baltar later break ranks with the other Cylons. Similarly, after being tortured by Adama and Roslin, Baltar is given a public trial. The jury ultimately find that Baltar is not guilty of crimes committed while president and is freed. Unlike Thrace, who commits “suicide” because of the psychological impact of her incarceration, Baltar is rewarded for taking it like a man. His pain of torture is thus fetishized; torture and the submission to pain is a gateway to freedom and advancement.

III. Ambiguity and the Politics of Torture

At a basic level, it is not surprising to see how ambiguity as a tactic of resistance can lead to a reification of dominant ideologies. However interesting or progressive Battlestar Galactica’s discourse of torture is, one must step back and critically think through the logic of resistant ambiguity. It is very clear how the producers of Battlestar Galactica use gender tactics for problematizing torture. By challenging the audience’s preconceived notions of
gender and mainstream gender roles, *Battlestar Galactica* shocks the viewers’ rethinking about the way they think about gender and torture. No longer is torture an abstract thing that political talking heads argue about on cable news. Instead, it is a very visible thing happening on television. Not only does the viewer see torture being represented in a realistic way, but characters they have come to love are put into the role of both torture and tortured. No longer can Thrace been seen simply as the hotshot pilot; no longer is Laura Roslin an accidental president—she is the president. By the time the credits roll at the end of “Flesh and Bone,” the audience is aware how deeply flawed and contradictory the characters can be. Just as Moore stated in his manifesto on naturalistic science fiction, the characters in *Battlestar Galactica* are far more complex and nuanced. By injecting ambiguity into the characters and their actions, the ideology of *Battlestar Galactica*’s producers is obscured. This makes it difficult for the viewer to decode a dominant ideology, and therefore, it becomes difficult to reproduce said ideology.

When we take the same critical approach to looking at the Baltar story arc that takes place later in the series, the ideological ambiguity seems counterproductive. Gender norms are once again called into question when D’Anna tortures Baltar in *Battlestar Galactica*’s third season. But cross-cutting images of Baltar being tortured and have sex with a fantasy version of the Cylon Six undermines the ideological ambiguity by fetishizing Baltar and Six as objects of the viewers’ gaze. The dialogue reminds the viewer of the complex nature of pain and the split between the mind and the body. However, by putting these two things together, the overall message is undermined by the highly fetishized sex scene.

How does one rectify this rhetorical disconnect? I would argue that this sort of rhetorical breakdown is a side effect of the primary method for demystifying torture. Ambiguity, like
humor or parody, has to walk a fine line. The danger in not encoding a clear-cut ideology is
twofold. First, the lack of an overarching ideology means the program may have an
ideological disconnect from episode to episode. If this happens, a viewer may become
confused. Second, and more importantly, ambiguity can confuse the creators’ intent. There is
little doubt in my mind that the producers of *Battlestar Galactica* intended to undermine their
critique of torture in the Baltar arc. But like humor and parody, it can be easy to miss the fact
that *Battlestar Galactica* is offering a critique.

So, the question one must ask: Is ambiguity a productive or useful way to critique and
problematic representations of torture? I argue that the answer to that question is yes, since
the stated goal of the program’s producers is to shine a light on the practices of war. On the
balance, the program’s discourse still weighs heavier against torture than it does for it.
However, unlike *24*, which gives the viewer little opportunity within the text to find a
resistant position, *Battlestar Galactica*’s unclear ideology *always* makes the viewer work to
find meaning. Ambiguity obfuscates the dominant reading of the program’s ideology and
forces viewers to look for clues on how one should decode the text.
CONCLUSION

Near the completion of this project I had a chance to see a lecture by W.J.T. Mitchell. During his talk called “Cloning Terror” he argued that images of terrorism, from the live news coverage of the 9/11 terrorist attacks to the photographs of the 372nd Military Police Company torturing inmates at Abu Ghraib, work to reproduce the ideology of the image. The goal of terrorism is to use fear and instability to attack more powerful nations. Images of the 9/11 attacks and Abu Ghraib reproduce fear by transforming the attacks into easily reproducible commodities which can be quickly distributed to supporters and victims. In the middle of his talk, Mitchell said, “Images cross the border between the ‘literal’ and the ‘Metaphorical’” (Mitchell). With this simple statement, I had found the concept to end this project.

Whether it is the improvised torture of Jack Bauer or the sadistic torture of 24’s terrorists, the feminizing impact of the Thrace/Leoben narratives or the fetishized sexual torture of Gaius Baltar, the arguments contained in this project show how representations of torture in contemporary popular television are in constant discourse with dominant and resistant ideologies. This discursive push and pull complicates traditional approaches to ideological critiques modeled on Hall’s encoding/decoding model. This is why Fiske’s argument that television does not represent reality, but a dominant sense of reality, is useful. The televisual representation of torture on 24 and Battlestar Galactica show how the grey area between literal and metaphorical can be easily crossed.

The producers of 24 have worked to construct a very narrow and specific ideology in terms of torture. Through its conflicting representations of torture, the producers of 24 argue that torture can only be done by reluctant heroes, but not by the government. This argument
is extended by the way that the unofficial and selfless torture – and therefore heroic torture of Jack Bauer-- is contrasted with the selfish and sadistic of the program’s terrorists. By creating a representational hierarchy in which the self-sacrifice of the hero forces the viewer to ignore the fact that the willingness torture is turned into a virtue of a romantic civic hero. Bauer’s tactics are valorized; the metaphors used by Alan Dershowitz and John Gibson are made literal (or at least the dominant sense of literal) through the tactics used by Bauer. Bauer never really wants to use torture, but it is the only way that he can prevent deaths of innocent people. Like the people he tortures, he is scared. This is contrasted with official torture used by the U.S. Government. Bureaucracy and law stand in the way of effectively extracting information from terrorists. Bauer’s selflessness is also contrasted with the selfish motivation of the terrorists. The terrorists seem to gain pleasure by causing pain to others. In addition to this pleasure, they use torture for selfish reasons. They use torture for personal gain or revenge.

Similar patterns of border crossing can be found in the way the producers of *Battlestar Galactica* have chosen to represent torture. In the Thrace/Leoben storyline the producers present the viewer with no clear right and wrong. The hero is also the one who tortures, and the victim of torture is not a one-dimensional terrorist. This story line deploys the feminist tactic of gender reversion. Thrace is coded as masculine. She is the *Galactica*’s best pilot, smokes cigars, and is a drunk. Leoben is coding as feminine. He is passive most of the time that he is being tortured by Thrace. Unlike the hyper-masculine Jack Bauer, Leoben does gives in to the pain and talks. This relationship is flipped at the beginning of the third season when Leoben becomes is put into a position where he can torture Thrace. He uses the trappings of femininity and domesticity to torture Thrace. Here too the sexuality, which is
always underlying torture, is made literal through the use of television. To talk about the sexual connotations of torture is often hard to articulate. To say that the torturer is coded as masculine and the tortured is coded as feminine makes sense in theoretical terms. But practically, that can be hard to show. The Thrace/Leoben story arc throws the sexual connotations of torture into stark contrast. It takes the metaphorical connotations and externalizes them in the same way that setting and narrative are told. The construction results in an ambiguous ideology, though it is clear that the producers take an anti-war and anti-torture stance. Through an ambiguous ideological discourse, they force their viewers to think through the logic of torture and the torture it has played a wider political discourse. However, this is not a perfect tactic. This sexualization also works to fetishize the act of torture. The producers seem to overextend the representation established in earlier torture, crossing the line between resistance and fetishization. The cross editing of Baltar being tortured, and Baltar having sex with Fantasy Six undermines the ambiguity and therefore any resistant power the program might have. This sequence gets to the core of what W.J.T. Mitchell was arguing: images of terrorism work to reproduce the ideology of terror. Instead of forcing viewers to think through what is going on in the program, and constructing a negotiated reading of the text, the viewer gets caught up in the fetishized sex scene.

I feel that this project has done two important things. First and foremost, there has been an explosion of representations of torture since the 9/11 terrorist attacks. These representations have emerged out of a wider discourse about the role torture plays in combating the subsequent terrorism and in the Iraq War. Because this discourse is often wrapped in stark ideological terms, one must pay close attention to the way fictional narratives work in the dialog of real life events.
The second reason why it is important to explore the way 24 and Battlestar Galactica represent torture is because these two programs provide a dynamic backdrop for an analysis of the Marxist ideological critique. How is one to understand the relationship between the production of ideology, in the context of a television text, when the ideological discourse is inconsistent? It would be easy to say that the inconsistencies reveal the brainwashing effect of mass produced media. 24 and Battlestar Galactica’s encoded message is so poorly thought through that it can not even level a consistent ideological message. The logic then follows that the viewer is so clueless to the poor production, that they are willing to consume anything with explosions and breasts. The lack of a consistent ideological message is tantamount to a replication of a hegemonic ideology. Mass produced culture is hegemonic by default, it is only a matter of articulating why it is hegemonic.

This approach to analyzing television is far too simplistic. By looking at the conflicting – often contradictory – ideological messages in 24 and Battlestar Galactica, one can see how simplistic this understanding of mass culture can be. By deconstructing a sample of the representations of torture in 24 and Battlestar Galactica, one can see how that discourse within the programs is at constant odds with itself. This internal discourse is something that is overlooked (if not ignored) in a more classical Marxist ideological critique. The producers of 24 construct a hierarchy of how and where torture is to be used.

I have much more to say about the methods of the Marxist ideological critique, and it will remain a central focus for my future research. There is also more to say about both 24 and Battlestar Galactica. If I were to expand the chapter on 24, I would begin to look at earlier seasons. One of the most cited torture scenes in 24 takes place in season two. In that scene, Bauer and CTU force a terrorist to watch a video of masked gunmen executing the man’s
son. The video as faked, but the tactic causes the terrorist to break. After *The New Yorker* profile came out in and outrage over the sixth season’s premier, the program’s producers promised that they work to harder to show the consequences of torture. However it is unclear to what extent they will keep to their promise (SilentPatriot). Due to production problems and the 2007-2008 Writers Guild strike, the seventh season will be air until January 2009.

The producers of *Battlestar Galactica* also have said that its fourth season will be its last. There were a number of narrative arcs that could have been easily added to my discussion of *Battlestar Galactica*. Over the course of the second and third seasons – and the program’s second mini-series *Razor* – A copy of the Cylon Six known as Gina Inviere is repeatedly gang raped by the crew of *The Galactica’s* sister ship *Pegasus*. The ship’s lead interrogator, Lt. Thorne, believes rape and sexual humiliation is the most effective way to get information from a prisoner. Before *Razor* premiered in late in 2007 the analysis could have been clear-cut. However the narrative *Razor* revealed that Gina and the *Pegasus’s* commanding officer Admiral Helena Cain had been lovers. This revelation added an additionally layer of complexity.

In an early draft of my thesis proposal, I included a chapter on the way the high school drama / noir detective program *Veronica Mars* engaged with the larger popular discourse about torture. In that chapter I was going to argue that the program worked to normalize torture. Throughout the program’s three seasons there are numerous instances of characters being the victims of bullying. These scenes poach the iconography of torture, while at the same time playing bullying off as a rite of passage or harmless prank. In doing so, the producers of *Veronica Mars* reinforce the idea that torture is just something that happens,
something without any real impact on the torture or tortured. After exploring televisual representations where characters are clearly using torture, how do we understand a program where the male lead is stripped naked and duct taped to the school flagpole? Clearly this scene is reminiscent of the Abu Ghraib pictures, the torture of Irish nationals by the U.K. Police in Northern Ireland, or the explicit sexual torture of *Battlestar Galactica*. Yet the program passes off this, and other scenes like it, as just another part of the high school experience.

There is much work to be done when it comes to understanding the way that representations of torture and terror construct and deconstruct ideological discourses. One hopes that this program project can be expanded beyond a textual analysis of theses texts to look at the way the viewers have reacted. Both programs have large popular and cult followings. Viewers of each program have populate numerous online to discuses and critique the storylines speculate about the future of the characters and gossip about the cast. These online communities are rip with people who talk openly about the way they try to understand their favorite programs. Fan communities also provide a way to find people who are fans both programs. By listening and talking with viewers one might begin to understand the impact that of the ideological discourse of each program on a single viewer.
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