Cultural Responses to 9/11 and the War on Terror: Witnessing Trauma, Embodying Justice

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and your edits, and for showing me what it means to live reparatively, curiously,

and passionately.

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Introduction

> We're an empire now, and when we act, we create our own reality. And while you're studying that reality -- judiciously, as you will -- we'll act again, creating other new realities, which you can study too, and that's how things will sort out. We're history's actors...and you, all of you, will be left to just study what we do.
> - Karl Rove[1]

How does a nation handle trauma? How does a nation handle learning that the traumatic effects of the event were largely constructed by those in power? How does one reconcile the real effects of that construction, while also looking ahead towards justice? "Terrorism" has been a powerful word since September 11, 2001, never clearly defined and yet instrumental in the development of foreign policy and designation of political violence.[2] It was cited as the United States went into debt waging war overseas, while a domestic economic crisis came to its head. It was cited as damning photographs of torture and sexual humiliation came out of Abu Ghraib. It was cited as the privacy rights of American citizens began to be stripped away, as reports from the ground of the numbers of civilians, including children, killed by U.S. drones began to contradict the numbers officially reported by the Obama administration. It was cited this January when President Trump signed an executive order halting the admission of refugees and

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[1] Ron Suskind. "Faith, Certainty and the Presidency of George W. Bush." *The New York Times,* October 17, 2004.
[2] For more on the fraught use of the term "terrorism," see Lisa Stampnitzky. "Can Terrorism Be Defined?" In *Constructions of Terrorism* edited by M. Stohl, S. Englund, and R. Burchill. (Berkeley, CA: University of California Press, forthcoming).

banning entrance from seven Muslim-majority countries. Throughout the last 16 years, terrorism has taken on different faces: al Qaeda, Saddam Hussein, and now the Islamic State.

This thesis takes responses to the 9/11 attacks and the events of the War on Terror as its subject material, using the framework of cultural trauma to investigate how a variety of (sometimes contradicting) representations and responses have helped define and connect these events. The power of the term "terrorism" comes from the "threat" it poses to the subjectivity of the American citizen, and so this project asks, how else can that power be understood and mobilized? How can unofficial forms and sites of knowledge production--such as journalism and art--assume and produce a subject oriented towards justice rather than vengeance? What would this form of justice look like, and can examining alternative representations of 9/11 and the War on Terror help us shape this model? I look primarily at one museum exhibit, *Astro Noise* by Laura Poitras, on display at the Whitney Museum of American Art in New York City in the spring of 2016, as an artistic response to both 9/11 and the War on Terror that can open up new ways of thinking about justice.

Historical Context

A quick examination of U.S. involvement in Afghanistan and Iraq can help us understand both how the attacks came to be, and also how the U.S. response developed. U.S. imperialist involvement in the region stretches back far

into history and is deeply connected to the longer history of Western colonialism, but for the purposes of this thesis, I will begin with the 1980s.[3] At the time, the Reagan administration supported Iraq because of its proximity to Iran: after the Iranian Revolution of 1978-1979, the U.S.-supported Shah was overthrown and there were rising anti-western and radical Islam fundamentalist sentiments in the region. Hoping to prevent Iraq from going down the same path, the U.S. provided money, weapons, and even some American troops to the Iraqi government, controlled by Saddam Hussein.[4] Meanwhile, the Soviet Union was strengthening its hold in Afghanistan by providing the local government with funds and weapons. The U.S. government, in an attempt to limit Soviet expansion, "authorized American support for the anticommunist guerrillas in Afghanistan, support that would later include arming the Afghan mujahedeen."[5] The mujahedeen were insurgent fighters who also received support from Saudi Arabia and extremist Osama bin Laden.[6] Their fighting was effective, and the Soviet Union withdrew from Afghanistan in 1989. Inspired by this control and victory, bin Laden founded al-Qaeda that same year, based in Afghanistan and Pakistan.[7]

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[3] For a discussion of the imperial context of the region before this time, see Rashid Khalidi, *Resurrecting Empire: Western Footprints and America's Perilous Path in the Middle East* (Boston, MA: Beacon Press, 2005).

[4] Michael F. Cairo, *The Gulf: The Bush Presidencies and the Middle East*. (Lexington, KY: University Press of Kentucky, 2012), 45.

[5] John R. Ballard, David W. Lamm., and John K. Wood. 2012. *From Kabul to Baghdad and Back: The U.S. at War in Afghanistan and Iraq*. Annapolis, MD: Naval Institute Press, 2012), 14.

[6] Ibid.

[7] "Timeline: Al-Qaeda's Global Context." *Frontline*. PBS, 3 October 2002. http://www.pbs.org/wgbh/frontline/article/timeline-al-qaedas-global-context.

Therefore, in an attempt to control and mitigate other political forces in the region, the U.S. effectively funded and supported the two figures whose names would become infamous in the War on Terror: Saddam Hussein and Osama bin Laden.

In 1990, during George H.W. Bush's presidency, relations between the U.S. and Iraq began to worsen as Saddam Hussein became critical of the U.S. and threatened to invade its allies, Kuwait and Israel.[8] Simultaneously, Iraq was reportedly developing new weapons, and was uncooperative with U.N. investigations of their nuclear capabilities. There was much debate within the U.S. and the international community about how to best respond to this situation, and a National Security Directive in 1991 outlined the goals in Iraq as not only the withdrawal from Kuwait, but also "[destroying] Iraq's chemical, biological, and nuclear capabilities...most important, the directive noted that the United States would not support efforts to alter the territorial integrity of Iraq nor would it support a replacement of Iraq's regime unless the Iraqi's used WMD [weapons of mass destruction] or carried out terrorist acts."[9] The directive's focus on nuclear weapons and the connection between Iraq and terrorism would lay the groundwork for later military action in Iraq post-9/11. H.W. Bush employed a successful ground operation that caused Iraq to retreat from Kuwait but left

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[8] Cairo, *The Gulf*, 46.
[9] Ibid., 86.

Hussein in power.[10] Also during the 1990s, al-Qaeda began to establish itself as a

dangerous terrorist group. In February 1993, al-Qaeda conducted its first attack

against the World Trade Center with a parking lot bomb that killed six people.[11]

The FBI's investigation into this attack revealed connections between al-Qaeda

and other bombings against U.S. soldiers in Yemen and Somalia.[12] George W.

Bush, however, did not focus on al-Qaeda in his campaign for president. He

instead spoke on the threat of terror and the importance of defending the U.S.,

highlighting North Korea, Iran, Iraq, and China as states that were working on

developing stronger weapons.[13] By the time he was elected, with Dick Cheney

and Donald Rumsfeld by his side, "the administration's focus was on Iraq" and

the threat of weapons of mass destruction.[14]

On the morning of September 11, 2001, al-Qaeda coordinated an attack

against the U.S. that involved hijacking 4 planes and was responsible for the

deaths of almost 3,000 people. Two of these planes hit the World Trade Center,

one hit the Pentagon, and the fourth was headed to the National Mall before the

passengers managed to force a crash landing in Pennsylvania. By that afternoon,

those in the Bush administration who had been focusing on Iraq were attempting

to form a link between the attacks and Iraq. Donald Rumsfeld reportedly said,

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[10] Ibid., 92.
[11] Ibid., 59.
[12] Frontline, "Timeline."
[13] Ballard, *From Kabul to Baghdad and Back*, 27.
[14] Cairo, *The Gulf,* 52.

"You know, we've got to do Iraq--there just aren't enough targets in Afghanistan."[15] However, when Bush announced to the National Security Council that the U.S. was "at war against terror," the CIA director George Tenet immediately and correctly asserted that al-Qaeda was responsible for the attacks.[16] Specifically, "The Bush administration correctly summarized that the Taliban leadership in Kabul had supported al-Qaeda, allowing the terrorist group to use Afghanistan as a training base and sanctuary."[17] By late fall 2001, the U.S. went ahead with military action in Afghanistan. U.S. forces were not able to completely oust the Taliban, but its leaders and fighters were forced into "pockets of resistance" that would persist for years.[18]

Although al-Qaeda and the Taliban had not been eliminated, "[by] mid-2002, several senior Bush administration officials believed that the war had been won in Afghanistan and that it was now time to focus on other terrorist threats, most notably Iraq. They shifted intelligence resources from Afghanistan to Iraq, and prepared for a larger struggle against global terrorism."[19] Bush began to characterize the enemy as an unusual and nebulous threat "with no precedent" in his 2002 State of the Union speech.[20] Rumsfeld expanded this characterization in a speech to Congress in which he said, "We have entered a new security

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[15] Ibid., 54.
[16] Ballard *From Kabul to Baghdad and Back,* 31.
[17] Robert K. Brigham, *The United States and Iraq Since 1990: A Brief History with Documents*. Chicester, GB: Wiley-Blackwell, 2013), 1996.
[18] Ibid., 234.
[19] Ibid., 96.
[20] Cairo, *The Gulf*, 57.

environment...we are in an age of little or no warning, when threats can emerge suddenly."[21] Because of these threats, the administration developed a strategy that came to be known as the Bush Doctrine, arguing that "'as a matter of common sense, America will act against...emerging threats before they are fully formed, since 'in the new world we have entered, the only path to peace and security is the path of action.'"[22] The threat that Iraq could develop weapons of mass destruction became motive enough for war, a principle termed "preeminence".[23] Faced with domestic and international protests, and unable to secure the support of the U.N., Bush moved quickly to force a vote in Congress in the fall of 2002. Congress passed a resolution authorizing the president "to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to...defend the national security of the United States against the continuing threat posed by Iraq."[24] Although this was still not a declaration of war, the U.S. moved forward with combat operations in Iraq by March 2003.

The administration's expectations for the war were quickly proven to be unrealistic. It began with aggressive ground and air attacks meant to destroy the morale and capture the leaders of the Iraqi army. Bush was optimistic that once the Iraqi army would be forced to surrender, "the Iraqi people would rally to the

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[21] Ibid., 69.
[22] Khalidi, *Resurrecting Empire,* 3.
[23] Cairo, *The Gulf,* 69.
[24] Ibid., 77.

support of American troops."[25] However, from the beginning, the U.S. had several

failed attempts at killing Saddam Hussein, and there were disputes regarding how

many combatants and civilians had been killed. Once Baghdad was captured, it

became clear that U.S. troops were unprepared for the chaos that erupted in the

city as local law enforcement collapsed.[26] Progress towards national leadership

was slow, as the U.S. increased its interventions in the military and other Iraqi

institutions, causing more resistance on the part of the Iraqi people, for "[while]

the interim government represented a step toward Iraqi self-rule," the U.S. was

setting many of these standards and even established "an electoral commission

empowered to eliminate political parties or candidates deemed to be 'unfit' to

participate in the Iraqi government."[27] The U.S. also began to take control of Iraqi

oilfields, whose ownership has proved strategic in the global economy. What

Bush had hoped would be a quick and decisive war instead became an exercise in

disputed nation-building, something the U.S. had previously hoped to avoid.

The potential "success" of the War on Terror was also complicated by the

revelations of torture, secret prisons, and mass surveillance that had become

integral to the U.S. strategy. The Patriot Act, passed in the months following 9/11,

was used "to expand domestic surveillance, including wiretapping phones and

reading email and other Internet communications without formal court

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[25] Ibid., 94.
[26] Ibid., 97.
[27] Ibid., 106.

authorizations."[28] The military also established prisons outside the jurisdiction of U.S. law and treaties, including Guantanamo, Abu Ghraib, and other secret 'black sites' for holding and interrogating suspects.[29] Furthermore, "officials in Washington were growing worried and impatient, and intelligence officers in Iraq were feeling the pressure," resulting in the authorization of interrogation techniques defined as torture by international law, made glaringly obvious to the American public with the leaking of photographs from Abu Ghraib depicting physical torture and sexual humiliation.[30] By the 2008 elections, public opinion had turned against the war, and Obama ran his campaign as an anti-war candidate, promising "to close Guantanamo Bay prison camp within one year of taking office, and he gave a number of speeches about the importance of not undermining American values in the war on terror."[31] Yet, "the new administration and the Democratic majority surprised many by leaving intact the large majority of the counterterrorism measures established by the Bush administration."[32] Obama would withdraw ground troops from Iraq by October 2011, increasing troops in Afghanistan and widely expanding the use of drone strikes and the domestic surveillance program. The U.S. has remained active in the region because of the growing threat of the Islamic State. With this historical

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[28] Clem Brooks and Jeff Manza, *Whose Rights: Counterterrorism and the Dark Side of American Public Opinion*. (New York, NY: Russell Sage Foundation, 2013), 28.
[29] Ibid.
[30] Mark Danner. *Torture and Truth: America, Abu Ghraib, and the War on Terror*. (New York, NY: The New York Review of Books, 2004), 33.
[31] Clem Brooks and Jeff Manza, *Whose Rights*, 38.
[32] Ibid.

context in mind, we can see that although 9/11 was a spectacular event that killed

many civilians, it was not altogether unexpected. Similarly, the War on Terror

was not a spontaneous plan, but a continuation and escalation of previous U.S.

policy shaped by the pre-existing focuses of the Bush administration.

Cultural Trauma

This thesis defines a cultural trauma as an event that is repeatedly taken up

by cultural institutions to explain or justify present and future actions, as 9/11 was

(and is) continuously invoked in explaining the War on Terror. In order to

understand the characteristics of cultural trauma, we must turn to the

epistemological history of trauma in the West. Individual psychological trauma,

as articulated by Sigmund Freud, occurs when an event breaks through the

individual's established patterns of understanding and leads to chaos in its

interpretation. In this widely-accepted theory, such chaos then lingers through

time and has effects beyond the immediate moment, returning to haunt the

survivor later on. This haunting is an attempt on the part of the survivor to work

through that which has broken the boundaries set up for understanding.[33]

However, a definition of cultural trauma must not simply be an application of the

individual model on a social level. Jeffrey C. Alexander defines cultural trauma as

occurring "when members of a collectivity feel they have been subjected to a

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[33] See Sigmund Freud, "Beyond the Pleasure Principle." *The Freud Reader.* Ed.
Peter Gay. (New York: W. W. Norton & Company, 1989), 594-626; Cathy
Caruth. *Unclaimed Experience: Trauma, Narrative, and History*. (Baltimore:
Johns Hopkins University Press, 1996).

horrendous event that leaves indelible marks upon their group consciousness, marking their memories forever and changing their future identity in fundamental and irrevocable ways."[34] This is the model of cultural trauma invoked by many in the years following the 9/11 attacks, specifically in the formation of the Bush Doctrine as a response to the supposed "fundamental and irrevocable" changes to the national identity, and in the justification for the invasion of Afghanistan and Iraq and the subsequent use of military tactics including torture, surveillance, and drone strikes.

Amir Khadem provides a necessary intervention and revision of such a model by proposing a definition of cultural trauma as "a communal practice of historical hermeneutics, an attempt by a society's various institutions to interpret a calamitous event, redraw the history of that event through that interpretation, and consolidate its newly shaped identity via social practices that uphold certain values in the light of that horrible memory."[35] The "calamitous event" is one that challenges dominant frameworks for understanding the world. It is through these hermeneutics and social practices that an event can come to be called a cultural trauma. By defining cultural trauma as a practice, rather than an independent and therefore uncontrollable phenomenon or force, we can interrogate such practices' political implications and effects. This definition is particularly useful for this

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[34] Amir Khadem. "Cultural Trauma as a Social Construct: 9/11 Fiction and the Epistemology of Communal Pain." *Intertexts* 2 (2014): 184.
[35] Ibid., 186-187

project because it acknowledges the active processes through which events become taken up and transformed in the public sphere, moving away from a universalizing theory and leaving room for questions of accountability and the possibility for change. This thesis will thus employ the "hermeneutics" of cultural trauma in order to examine the political and social responses to 9/11 and the following War on Terror.

On the social level, I maintain that certain events constitute cultural trauma because they disrupt dominant narratives about the world and society: in the case of 9/11, the attacks did not fit into a construction of the United States as an all-powerful, untouchable nation. Trauma theorists such as Cathy Caruth and Dori Laub have argued that trauma, both psychological and cultural, is unrepresentable. In their view, a traumatic event can never be captured in a representation; here they are pulling from the Freudian psychological model in which a trauma can never be understood.[36] I argue that for cultural trauma, the event cannot be understood *within a particular cultural framewor*k. Roger Luckhurst argues that trauma "issues a challenge to the capacities of narrative knowledge" but that this challenge leads to cultures "rehears[ing] or restag[ing] narratives that attempt to animate and explicate trauma that has been formulated

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[36] See Caruth *Unclaimed Experience;* Dori Laub, "An Event without a Witness: Truth, Testimony and Survival." *Testimony: Crises of witnessing in literature, psychoanalysis, and history* ed. Shoshana Felman and Dori Laub. (Florence, KY: Taylor & Frances, 1992).

as something that exceeds the possibility of narrative knowledge."[37] In his

argument, cultural trauma "generates narrative *possibility* just as much as

impossibility, a compulsive outpouring of attempts to formulate narrative

knowledge."[38] I characterize these "attempts to formulate narrative knowledge" as

cultural responses to trauma that serve to mediate the event to an audience. When

an event is irreconcilable with a dominant narrative framework, a variety of

institutions and individuals will respond to the event. It follows that each response

is an attempt to produce knowledge about the event, to "make sense" of it through

a variety of ways of understanding and interacting with the world, and to

somehow communicate that knowledge. These responses are not predetermined or

uniform; the political response, in which the attacks were the beginning of an

all-encompassing, preemptive, and never-ending War on Terror, is only one such

response.

Scholar E. Ann Kaplan was in New York City at the time of the attacks,

and she writes that the public responses she saw "were not shaped for a specific

effect, nor apparently controlled by one entity."[39] She contrasts this to the political

response, facilitated by the mainstream media, which she describes as "stiff, rigid,

controlling, and increasingly vengeful."[40] In line with the definition of cultural

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[37] Roger Luckhurst. *The Trauma Question*. (London, UK: Routledge, 2008), 80.
[38] Ibid., 83; original emphasis.
[39] E. Ann Kaplan, *Trauma Culture: The Politics of Terror and Loss in Media and Culture.* (New Brunswick, NJ: Rutgers University Press, 2005), 13.
[40] Ibid.

trauma proposed in this project, in which this response is a social practice rather than an inevitable fact, Kaplan asks, "[Why] must confrontational, thorough, and critical political debate be opposed to a discourse including empathy for those who suffer trauma and hurt? Can't we have substantial political analyses that criticize the actions of the United States in the past and present, and yet welcome public discussion about trauma, post-traumatic stress disorder, vicarious traumatization, and ways to help those suffering these disorders?"[41] In an attempt to respond to this question, I suggest that analyzing the multiplicity of responses allows us to see the artistic field as one possibility for fostering such a public discussion. Furthermore, this analysis is interested not in determining which responses are most *accurate*, but rather in determining how these responses come to understand and relate to the world.

Cultural Responses to Trauma

Having established the role of cultural responses to trauma, I move now to an organizing schema among responses that I will use throughout the thesis. I will be examining three main categories of cultural responses: state-sponsored, journalistic, and artistic. Each of these responses reproduces the traumatic event for an audience, and within this reproduction they re-shape and re-fashion the event in particular ways. This re-shaping is influenced by the powers and political positioning of the producers, which aspects of the event they represent and

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[41] Ibid., 16.

respond to, as well as the form and medium of the responses. Therefore, it is imperative to examine each response within its context. The categories I propose will aid in this process.

State-sponsored responses come from those in power and therefore have the most direct material effects, in the form of policy and military action, of the three kinds of responses examined in this thesis. Although not everyone acting on behalf of the state agreed on the correct response, an official viewpoint was consolidated and presented for the American people. Most obviously, this includes the state-launched War on Terror. The War on Terror is made up of a collection of actions, each presenting its own nuanced interpretation and reproduction of different elements of the attacks. Therefore, within state-sponsored responses I further distinguish between three types, corresponding to the three branches of the United States' government: executive, judicial, and legislative. Executive state-sponsored responses include those issued by the executive branch, including the president; departments including State, Defense, and Homeland Security; and agencies such as the CIA, NSA, and FBI. These could take the form of official speeches, executive orders, strategic directives, and internal documents. I will examine speeches from both Bush and Obama, statements from other officials within their administrations, and their policies and such responses. Judicial state-sponsored responses include those issued by the judicial branch, specifically, the Supreme Court; I will be examining the Supreme

Court decisions in *Hamdan v. Rumsfeld*, a ruling on the constitutionality of

Bush's military tribunals to try Guantanamo detainees, as one such response.

Lastly, legislative state-sponsored responses include those issued by the

legislative branch, specifically, the pieces of legislation passed in Congress in

response to the attacks regarding war powers and surveillance and, most recently,

the ability of U.S. citizens to sue foreign countries for damages. I will examine

the Military Commissions Act of 2006 and the Justice Against Sponsors of

Terrorism Act. Together, these responses present a multifaceted, at times

contradictory, interpretation of the attacks and their implications for U.S. policy

and under U.S. law.

Journalistic responses refer to verbal and visual reports produced and

distributed for a wide audience by the media. Within this category, I find three

distinctive types: mainstream, investigative, and opinion. Mainstream journalistic

responses include the supposedly unbiased, direct reporting and cataloguing of

events. Live TV broadcasts on 9/11 and following newspaper articles fall under

this category, and they often reinforce the narrative produced by the executive

branch. Therefore, I distinguish them from the next type: investigative journalistic

responses. These responses often reveal information that the executive branch has

kept from the public, in an attempt to expose the "truth" of the government's

actions. In this context, this includes investigative reports on the U.S.' use of

torture (mainly, the infamous Abu Ghraib photographs), leaks of internal NSA,

CIA, and FBI documents revealing the extent of the domestic surveillance

program (first published by Glenn Greenwald in *The Guardian*), and casualty

counts from U.S.-ordered drone strikes. Lastly, we have those responses that fall

under the category of opinion or editorial; these are often published by larger

media organizations but specifically labeled as presenting an *opinion* as opposed

to a simple *account* of current events. Specifically, I will examine one issue of the

New Yorker's *Talk of the Town* section entitled "Tuesday, and After," published

two weeks after 9/11. Although the role of traditional news organizations has

been shifting, journalistic responses are given a certain level of authority and

legitimacy because of their recognition and distribution.

Lastly, artistic responses are those that use creative media outside the

scope of law and media to produce and communicate knowledge about the events.

This is the most nebulous category of the three, as "art" is notoriously difficult to

define and takes many different forms. This thesis will focus on an exhibit at the

Whitney Museum of American Art curated by filmmaker Laura Poitras, *Astro*

Noise. Furthermore, the intents of artistic responses are not typically articulated.

However, I argue that these factors are precisely what make artistic responses

useful. Roland Bleiker argues that "the problem of terrorism is far too complex

and far too serious not to employ the full register of human intelligence and

creativity to understand and deal with it...One of the key intellectual and political

challenges today thus consists of legitimizing a greater variety of approaches to

and insights into the phenomenon of terrorism."[42] Rather than limiting this analysis to easily recognizable and widely "legitimate" forms, this project will engage with different kinds of knowledge and knowledge production in order to reckon with the complexity and multiplicity of cultural trauma and its responses.

This project began with my first exposure to trauma theory in the fall of 2015. I came to focus on 9/11 after a class discussion of how living through 9/11 had fundamentally altered our perceptions of security. I then began to critically examine the assumptions behind that discussion and voraciously consume what I could of the existing literature on the topic for a research paper in another class I took in the spring of 2016. On an unrelated trip to New York City that spring, I visited the 9/11 Memorial and the Whitney Museum of American Art, where I stumbled upon the *Astro Noise* exhibit. I was immediately struck by the stark differences between these two representations of the 9/11 attacks and spent the afternoon taking detailed field notes. For the purposes of this project, I supplemented those notes with materials from the Whitney's website, film clips and other elements of the exhibit that are available online, and art journalists' reviews of the exhibit. The other responses analyzed here were located through my review of the existing literature.

Knowledge, Mediation, and Witnessing

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[42] Roland Bleiker, Roland. "Art After 9/11," *Alternatives: Global, Local, Political,* Vol. 31, No. 1 (2006): 77.

I will examine these various responses to cultural trauma through three lenses: the kind of knowledge they produce, the ways in which that knowledge is mediated to the audience, and the role of witnessing in how these responses seek to shape the subjectivities and future actions of the audience members. First, we must understand that different kinds of responses are invested in different kinds of knowledge. Whereas judicial state-sponsored responses are focused on the kind of knowledge that is considered permissible in a court of law, investigative journalistic responses are often focused on the knowledge that has been kept private from the public. Meanwhile, artistic responses tend to be interested in producing emotional or affective knowledge. The first chapter is a full description of the *Astro Noise* exhibit. In the second chapter, I argue that all of these kinds of knowledge move through different levels; that is, individual pieces of data are combined and understood in terms of cause-and-effect in order to achieve the level of information, while this information must be transformed into an understanding of the subject's relationship to other subjects and the world in order to reach the level of awareness. I will chart this transformation of knowledge through different cultural responses in order to examine which kinds of knowledge are best suited to create awareness, arguing that it is only through such awareness that the subject can come to know, and thus relate to, the world in a just way.

In the third chapter, I will examine how different cultural responses

mediate the knowledge they have produced about the event (either 9/11 or the

War on Terror) to an audience. I use "mediate" here to refer to the ways in which

reality comes to be communicated and understood, pulling this definition from

Jacques Lacan's distinction between the Real and the Symbolic. In Lacan's

formulation, the Real is constituted by the events and facts of the world that only

come to be understood by the subject through the use of the Symbolic (systems of

representation such as language).[43] The attacks of 9/11, the physical acts of planes

hitting buildings, constitute the Real. However, they were immediately conveyed

and formulated to acquire meaning for the political and social lives of the

American public through various cultural responses (the Symbolic). As linguist

Adam Hodges writes, "Although the events of 9/11 are actual happenings in the

world, those events do not intrinsically contain their own interpretation. Only

through language are such events turned into a full account of that experience.

Through language, we name protagonists, ascribe motivations, and provide

explanations. Through language, we construct a narrative."[44] These interpretations

are not only verbal; particularly in the case of 9/11 and the War on Terror, visual

reproductions and other forms of technology also play a crucial role. In this

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[43] Fredric Jameson, "Imaginary and Symbolic in Lacan: Marxism, Psychoanalytic Criticism, and the Subject," Yale French Studies, No. 55/56 (1977): 338-395.
[44] Adam Hodges, *The 'War on Terror' Narrative: Discourse and Intertextuality in the Construction and Contestation of Sociopolitical Reality*. (New York, NY: Oxford University Press, 2011), 3-4.

chapter, I argue that the "interpretation" of the event is produced through its mediation, and thus that the narratives produced by the Bush administration, the mass media, political activists, academics, and artists differ because of the different ways the events are mediated to their audience.

The fourth chapter focuses on the concept of witnessing, which I define as a particular orientation toward the event and towards other subjects. Kelly Oliver writes, "Witnessing as address and response is the necessary ground for subjectivity...The tension between eyewitness testimony and bearing witness both positions the subject in finite history and necessitates the infinite response-ability of subjectivity."[45] Understanding the witness as positioned in relation to other events and subjects, and therefore impacted by their relationality with these events and subjects, we see the "address and response" that Oliver articulates. The witness is intersubjective by design, and actively engages with the event as the event engages with them. This intersubjectivity is facilitated by the dual meaning of the term "witnessing." As Oliver explains, to witness can mean both "to bear witness, to testify, to give evidence" and "to be present as an observer, to see with one's own eyes."[46] In other words, it is not enough to simply view an event; the witness must also respond to that event. Thus, my interpretation of "bearing

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[45] Ibid.
[46] Kelly Oliver, *Witnessing: Beyond Recognition* (Minneapolis, MN: University of Minnesota Press, 2001), 16.

witness" goes beyond simply recounting events and includes the multiple actions taken by the witness that are shaped by the initial viewing.

Underlying my argument is the assertion that a crucial element of cultural responses to trauma involves the kinds of subjectivity they assume and produce in the viewer. Anthropologist Sherry Ortner defines subjectivity as "the ensemble of modes of perception, affect, thought, desire, and fear that animate acting subjects...as well as the cultural and social formations that shape, organize, and provoke those modes of affect, thought, and so on."[47] For Ortner, and for this project, understanding subjectivity is necessary in "understanding how people (try to) act on the world even as they are acted upon."[48] The official discourse surrounding 9/11 has responded to and shaped the projected subjectivity of the American citizen, a citizen acted upon by external forces (such as terrorism) and yet responsible for acting in a way that contributes to and defends a certain construction of the United States as a nation of freedom, democracy, and global power. I use the term subjectivity to refer to one's social, political, and affective positioning in the world that shapes how one interprets and acts on knowledge. It arises from the relationships established between the subject and events, objects, and other subjects. Specifically, I am focused on such relationships as formed by the cultural responses to 9/11 and the War on Terror. These relationships are

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[47] Sherry B. Ortner, Sherry B, "Subjectivity and Cultural Critique," Anthropology and Social Theory: Culture, Power, and the Acting Subject. Durham, NC: Duke University Press, 2006), 107.
[48] Ibid., 110.

forged when one encounters an event, either as it occurs or through mediation,

becoming an audience for a particular construction of the traumatic event and its

consequences (for even in viewing an event in real time, one's interpretation of

that event is shaped by one's subjectivity). According to Rebecca Adelman, such

an encounter "is a way of establishing a relationship, stepping into a perspective,

adopting a subject-position."[49] Such encounters include, but are not limited to,

watching a president's speech, reading a newspaper article, viewing photographs

and video, and visiting a museum exhibit. Each encounter is a way of coming to

understand the event. Therefore, the question of how we come to know an event is

fundamentally a question of what kind of relationship we enter into with that

event, in this case, the kind of relationship we develop with a cultural trauma.

The official narrative of the 9/11 attacks and the War on Terror posits the

American citizen-subject as belonging to an innocent nation Self attacked by an

evil and incomprehensible terrorist Other. This project is particularly engaged

with the "affective coordinates" that delineate these two groups and their variable

"modes of belonging," arguing that the official response to the attacks mobilized

certain affects (such as fear) to separate the Self from the Other.[50] Such an

engagement will move beyond ideas of political positioning to better understand

how cultural responses to trauma both contain and shape ideas about the viewer's

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[49] Rebecca R. Adelman, *Beyond the Checkpoint: Visual Practices in America's Global War on Terror*. (Amherst, MA: University of Massachusetts Press, 2014), 3.
[50] Ibid.

(in the case, the American citizen's) subjectivity, for, as Ortner writes, "a fully cultural consciousness is at the same time always multilayered and reflexive, and its complexity and reflexivity constitute the grounds for questioning and criticizing the world in which we find ourselves."[51] I argue that in constructing an innocent Self and a terrorist Other, the official narrative of the cultural trauma of 9/11 relies on coordinating the American citizen as ultimately detached from the terrorist enemy, and that such a coordination has legitimized the perpetration of the War on Terror. Kelly Oliver asks, "How can a unified, self-contained being ever come in contact with something or someone wholly other to itself? If the self is bounded and experiences only that which is within its boundaries, then how can it encounter anything outside its own boundaries?"[52] The impossibility of this encounter has not been challenged by many of the legal and journalistic cultural responses to 9/11, and artistic responses do not necessarily challenge it either. Only those responses that attempt to intervene in the subjectivity of the viewer, particularly the separation between Self and Other, can hope to stage such encounters. These encounters shape the way we know the world, the way we communicate about the world, and what we do with that knowledge. I will argue that justice is not a single action or an end goal, but rather an orientation, a particular way of understanding trauma and therefore a particular relationship to

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[51] Ortner, "Subjectivity and Cultural Critique," 127.
[52] Oliver, *Witnessing*, 2.

events and others. I will also argue that responses that construct embodied

experiences have the potential to create just relationships.

Chapter One
Astro Noise

Laura Poitras is an acclaimed documentary filmmaker who began following the War on Terror in 2004. She has produced a trilogy on this theme, including *My Country, My Country* (2006), *The Oath* (2010), and the Academy Award winning *Citizenfour* (2014). Citizenfour documents her experience with Edward Snowden, who first contacted her and Glenn Greenwald to facilitate the exposure of the NSA's illegal mass surveillance operations. In *Astro Noise*, her first exhibit, she brings the information exposed in that encounter into conversation with other post-9/11 practices, specifically torture and drone warfare, as well as with her own experience of being monitored by the United States government. This exhibit shares its name with the file that Snowden first shared with her; the term "astro noise" refers to "the faint background disturbance of thermal radiation left over from the Big Bang."[53] It was on display at The Whitney Museum of American Art, located in the Meatpacking District of New York City just ten minutes north of the World Trade Center. Poitras first became involved with the Whitney at the 2012 Whitney Biennial, when she presented her film *The Oath* and organized a Surveillance Teach-In. At the time, she knew she was under investigation by the FBI, and she had been stopped at airports to have

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[53] http://whitney.org/Exhibitions/LauraPoitras

her possessions (including her notes and footage) seized and examined. She moved to Berlin in 2013 so that she would not face this scrutiny every time she returned home. It was during her stay in Berlin that she was contacted by Edward Snowden and began to create *Citizenfour*. Simultaneously, she began communication with the Whitney about the possibility of creating an exhibit. Eventually, the Museum's own Jay Sanders co-curated this exhibit, which ran in 2016 from February 5th to May 1st. The exhibit consists of three main installations: O Say Can You See, Bed Down Location, and the Disposition Matrix.

Before you enter the first room of the exhibit, you are met with large, undecipherable prints. Some of these images are black and white, while others are bright green and orange, some purple. The intensity of these colors is especially striking given that the rest of the exhibit is dark, the natural lighting of the Whitney's large windows being shut out with curtains, creating a blackbox-type environment. These images are from *Anarchist*, which is the code name for a United Kingdom government program that "[intercepts] signals from satellites, drones, and radars in the Mediterranean region."[54] These are visual captures of encrypted data, representations of metaphysical transmissions unknowable to the average citizen.

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[54] Laura Poitras, *Astro Noise: A Survival Guide to Living Under Total Surveillance*. (New York, NY: Whitney Museum of American Art, 2016), 236.

Entering the first room, the installation titled O Say Can You See, you find yourself in a space that is both empty and full. The only physical part of the installation is a large, thin screen hanging in the center of the room; there are videos being projected on each side of the screen. The room is largely filled by a crowd of people spread out along the perimeter of the room. You join this crowd, coming into close contact with other visitors and with the images before you. Some stay to watch the entirety of the projections, while others maintain a slow but steady pace throughout the exhibit. The only light comes from the videos, and a haunting edit of the national anthem, O Say Can You See, plays in the background. The song is almost unrecognizable, as each syllable has been slowed, the reverb amplified so that every note whirs with static. *Astro Noise* seems a fitting description.

The first projection brings you face to face with people stopped in the street, looking ahead and upwards to the site of the burning Twin Towers in the aftermath of the attacks. For you, the Twin Towers are out of view. The shots are set to slow motion and focused on one or two individuals at a time, mostly catching them from the shoulders up, cutting out to black between clips. The individuals are of varying race, gender, and age. Some people stop and stare, while others look up but continue to walk down the street. Many wear glasses, the lenses reflecting bright light. A teenage boy looks on for a while before his eyes shut and his mouth turns down, and he reaches up to wipe a tear. A mother leans

toward her daughter, brow furrowed, pointing at the scene in front of them and moving her lips, as if trying to explain what they are seeing; the girl is wide-eyed, her mouth open, before she too squeezes her eyes shut and turns away. Another woman stands with her hand over her mouth, nodding her head as a pair of hands next to her gesture emphatically. Her hand moves to her heart before the shot cuts out. A Sikh man stares straight ahead with a grimace, wearing both a turban and an American flag pin. One woman wears a surgical mask and shakes her head. A man stands with his arms around a woman, leaning down to kiss her head and looking at her, while her gaze is unwaveringly set looking forward; a woman in the background snaps a picture with a disposable camera. You see NYPD hats and red, white, and blue t-shirts. One man watches through the viewfinder of his digital camera, another uses binoculars.

You make your way to the far wall of the room, turning to face the other side of the screen. Footage labelled "Afghanistan to Guantanamo November 2001" plays. This is CIA footage of the United States military's interrogation of Salim Hamdan, Osama bin Laden's personal driver. Hamdan was the focus of Poitras' 2010 film *The Oath*. As documented by Poitras, he was convicted in a military tribunal using evidence that the military had obtained through torture. His case became a point of interest when it was brought to the Supreme Court, in Hamdan vs. Rumsfeld, and the Court ruled that these tribunals violated the Geneva Conventions. The footage on display here was taken just two months

after the footage on the other side of the screen. It is of low quality and grainy,

poorly lit with a shadowed, yellow cast. This light is variably turned on and off

throughout the footage. The interrogation takes place in what appears to be a

room with a dirt floor, upon which the detainee, Hamdan, sits. It begins with a

bag over his head, but the bag is later removed. The interrogator is off screen,

while another United States soldier stands and paces around Hamdan in full

combat gear, with his gun consistently pointed at him. The screen goes black in

between clips, and English subtitles run across the bottom of the screen.

"When I speak to you I want you to answer slowly and clearly."   "Okay."

"What is the name of your wife?"   "Saboura."

"Saboura? Who is Fatima?"   "What?"

"Who is Fatima?"   "My daughter."

"We found a few small items with you, correct?"   "Yes."

"And we found the name of 'Fatima' written on these."   "My daughter…"

"Your daughter?"   "It is also my mother's name."

"Your mother?"   "Yes."

"May I adjust my legs?"   "Go ahead."

"When did you join al Qaeda organization?"   "I joined it and then left it...I did not stay there."

"Why did you have al Qaeda written in your personal belongings? And then there is a card with the names of different people who are in charge of al Qaeda organization..."   "This was not with me, I only had my card."

"Which card?"   "My ID card."

"From where?"   "From Yemen."

"From Yemen? A passport?"   "Yes."

"But you had a second passport. A passport from Afghanistan."   "Yes, that is correct."

"It's the same picture, the same face, but the name is different."   "Yes."

"Why?"   "It is an alias, an assumed name, as they say. They gave it to me."

"Who?"   "In Kundus. I used to work for an agency."

"What kind of agency?"   "Relief agency."

"Relief agency? And you transport anti-aircraft missiles?"   "The car was not mine."

"Who did it belong to?"   "It belonged to a friend of mine who was in Kandahar. I am telling you the truth, even if you don't believe me."

"No."   "You don't believe me, but it's true. But he never told me. I do not know how to use them."

"You did not know there were missiles in the car?"   "They told me they were there. The car owner told me they were there. But don't know how to use them in the first place."

"Where does your family live in Yemen?   "I don't remember exactly the location, but I know that…"

"Where in Karachi does your family live?"   "It's true, I don't know the name."

"No."   "I honestly don't know. I don't remember."

"You are lying."   "Why would I lie to you?"

"Because you are a member of al Qaeda."

In the next room you encounter a raised platform that fills much of the room. It is cushioned and lined with velvet. You follow the lead of the other participants, first sitting on the edge and then laying back, your head resting next to that of a stranger, as you look up at the ceiling that has been transformed into a projection of the night sky. There are bright lights, some pinpricks, like stars, others moving: some quickly, some slowly. Some move across the ceiling, some circle the area. The room is dark except for these lights. This is the first element of the installation called Bed Down Location, the military codename for where the enemy sleeps. You rest, observing the movements of the sky above you.

Clouds and objects discernable as planes move, slowly, from one end of the screen to the other; lights flash from an unclear, stationary object. The sky you find yourself underneath is a composite projection of the skies of Yemen, Somalia, and Pakistan, countries where the United States uses drones for surveillance and direct strikes.

You then turn down a hallway and enter the Disposition Matrix installation. This is also the name of the sophisticated kill list developed by the Obama administration, a database for tracking, capturing, and/or killing suspected enemies. This list is at the heart of the drone program, which seeks to target insurgent fighters. For Poitras, the Disposition Matrix takes a different form. The hallway is dimly lit, and empty except for cut outs in the walls at varying heights and of varying sizes. You may have to bend down, or stretch your neck, to peer into these cut outs, where you find a collection of illuminated documents and video clips. The documents include parts of the Snowden archive, documenting the expansion of the surveillance program and the growing relationship between the NSA and the CIA. This includes a 2002 memo from then director of the CIA, George Tenet, ordering the NSA to "collect, process, and disseminate non-communications data from foreign computers at [his] request," and an internal NSA newsletter describing the differences between Digital Network Exploitation ("processing multiple layers of computer protocols...**from any device on the digital global network**"**)**, Digital Network Intelligence ("the set of

facts, inferences and relationships that describe target intelligence"), and

Computer Network Exploitation (**"the surreptitious infiltration and mastery of**

computers and other network components"). There are Powerpoint-style

graphs, charts, and diagrams depicting the scale of the program. One Powerpoint

slide lists private companies who serve as providers to the NSA's PRISM

program that collects internet communications: Microsoft, Google, Yahoo!,

Facebook, PalTalk, YouTube, Skype, AOL, Apple. Next to this list is a list of

what these companies provide: E-mail, Chat, Videos, Photos, Stored data, VoIP,

File transfers, Video Conferencing, Notifications of target activity, Online Social

Networking details, **Special Requests.** Another slide, found in a separate cut out,

explains the path of information, using a flowchart to show that the data providers

report to the NSA, who can then provide information to the FBI and CIA upon

request. There are also hand drawings, one including crude renderings of devices

used for "enhanced interrogation" in U.S. prison camps and another describing

how the NSA can redirect and collect data from unsecured fiber cables, featuring

a stick figure with a speech bubble that reads, "YEAH!!! MAKE DATA

HAPPEN!" All of these documents still carry their TOPSECRET classification at

the top of each page. The other elements relate more directly to Poitras herself,

including film clips and documents from the FBI's investigation into her work as

a filmmaker in Iraq. One cut out features a screen that plays footage identified as

coming from Yemen: the first clip is of a vibrant party, with people dancing; the

next is of the same spot, filled with smoke and debris, after a drone strike. She has

also included files she received after filing a Freedom of Information Act into her

own surveillance, documenting how she has been a person of interest for the FBI

since she began documenting the War on Terror.

As you turn the corner at the end of the hallway, you are met with two

screens. The first is an infrared feed shot from the ceiling of Bed Down Location;

you see museum visitors lay where you were just a few minutes prior, their bodies

outlined with red and orange, limbs moving but other features obscured by the

infrared filter. The next screen is a rolling list of all of the signals being picked up

from electronic devices:

Device Manufacturer: Apple, Inc.

Last Seen: a few seconds ago

MAC Addr: 48:eq:f1:c3:2e:aq

You return to the main hallway, and the light streaming through the windows is

bright against your eyes.

In lieu of a typical exhibition catalog, Poitras published a collection of

written pieces in *Astro Noise: A Survival Guide for Living Under Total

Surveillance*. The book opens and closes with high quality prints of the same

"Anarchist" images that open the exhibit. In the introduction, co-curator describes

the book as "a collection of texts at once subversive and matter-of-fact concerning

life in a surveillance state," and he includes a transcribed excerpt of an interview

he conducted with Poitras.[55] The chapters that follow vary greatly and include short fiction, excerpts from the journal Poitras kept while working in Berlin, a description of the NSA's operations in space, a script for a short film, an analysis connecting the documents provided by Snowden with the Oracle of Delphi, an open letter to the next generation, and more. Poitras ends the book with a list of acknowledgments, and her last statement reads, "This exhibition emerges from nearly fifteen years of documenting post-9/11 America and the global consequences of the so-called war on terror. None of my work would be possible without the many individuals who took enormous risks to allow me to film their efforts to build a more just world."[56]

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[55] Poitras, *Astro Noise*, 29.
[56] Poitras, *Astro Noise*, 228.

Chapter Two
The Production and Transformation of Knowledge

An integral part of the response to trauma, and the response to 9/11, is the production of knowledge of the traumatic event and its consequences. This chapter will examine the process of knowledge production and how it both depends upon and constructs the subjectivities, or ways-of-being, of involved actors. I begin with the assertion that "knowledge" is not a static or unilateral concept, as there is no single way to "know" something. To "know" something is to enter into a relationship with it. In an academic sense, many different disciplines study the same object in different ways: for example, the way anthropology studies trauma is not the way psychologists study trauma. With this awareness has come the classification of knowledge into many different types, types that often come into conflict with one another, such as historical, legal, psychoanalytic, etc. Each of these kinds of knowledge are particular kinds of relationships with the object of that knowledge. The 9/11 attacks, affecting so many people both in their immediate moment and in the years that would follow, inspired the production of many different types of knowledge. Roger Luckhurst argues that the immense number of "specialist knowledges, general accounts and stark images of traumatic experience...issues a challenge to the capacities of narrative knowledge."[57] He acknowledges this challenge, but interprets it as a call

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[57] Luckhurst, *The Trauma Question,* 80.

"to regard trauma as a complex knot that binds together multiple strands of knowledge and which can be best understood through plural, multi-disciplinary perspectives."[58] Similarly, observing the failures of more traditional ways of knowing in the face of the unique challenge of terrorism, Roland Bleiker advocates for the use of art as a means of knowledge production in confronting terrorism, for it "is far too complex and far too serious not to employ the full register of human intelligence and creativity to understand and deal with it...One of the key intellectual and political challenges today thus consists of legitimizing a greater variety of approaches to and insights into the phenomenon of terrorism." [59] This chapter, however, hopes to step outside these boundaries between types of knowledge to consider, on a more fundamental level, how knowledge is transformed in form and complexity. This transformation determines the kind of relationship one can have with the object of that knowledge. .

I argue that an examination of public responses to 9/11 and the War on Terror reveals that there are three different levels of knowledge produced in responding to cultural trauma: data, information, and awareness. Data consists of the raw elements of knowledge, the facts of what exists, as well as when and where it exists. The War on Terror has become particularly fixated on data through the increase of mass surveillance programs that cast a wide net in order to collect as many of these raw elements, such as who said what to whom, as

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[58] Ibid., 214.
[59] Bleiker, "Art After 9/11," 77.

possible. However, this data is not useful in its raw form; they must be transformed into information, establishing how they connect to one another and what they tell us about a larger subject or narrative. In other words, they must move from "what, when, and where" to "how and why." One may know that a plane crashed into a building on 9/11, that almost 3,000 people were killed, and that within a year the United States military was conducting air and ground operations in two countries. Each of these facts is an element of data, and that data becomes information when connections are drawn, when one knows that the planes that hit the Twin Towers were part of a larger coordinated attack and that the following military actions were constructed as a response to achieve justice and prevent future attacks. This transformation of data into information can occur in many different settings with many different effects, particularly in different responses to trauma.

The next level of the transformation of knowledge is more slippery: the movement from information to awareness. When one knows how the many events before, during, and after 9/11 relate to one another, they have information. When one knows how one is implicated in these events, relationships, and histories, this knowledge can shape one's subjectivity, one's own relational way of being in the world. Therefore, when one understands one's own relationship to information, one has awareness. I argue that this awareness can be created by artistic responses to trauma, including Laura Poitras' exhibit. I will first examine how knowledge

has been produced and transformed in the wake of 9/11, paying particular

attention to who has access to different types and levels of knowledge as well as

to who controls this access. I will do so in the context of two separate, but related,

examples: the legal debate regarding the constitutionality of the Bush

administration's military tribunals to try detainees at Guantanamo (a judicial

state-sponsored response), and the media flurry regarding the leaks from Edward

Snowden about the NSA's mass surveillance program (an investigative

journalistic response). Both of these cultural responses revolve around questions

of knowledge, including what kind of knowledge is considered valid and what

pieces of knowledge should be private. Additionally, Poitras responds to these

examples in her own way in *Astro Noise*, and through comparing this artistic

response to the judicial and journalistic, we can further understand the distinction

between information and awareness. At the end of the chapter I will discuss the

implications of the production and transformation of knowledge for developing a

definition of justice in relation to 9/11 and the War on Terror.

Terrorism in the Justice System

The transformation of knowledge is a key component to one of the most

well-known judicial state-sponsored responses, the Supreme Court case of

Hamdan v. Rumsfeld. Salim Hamdan, Osama bin Laden's personal driver, was

captured and interrogated by the CIA shortly after 9/11. Hamdan's story goes all

the way to the Supreme Court and demonstrates, through a debate on rules of

evidence and trial procedures, the power of understanding how knowledge is

produced and transformed. He was detained at Guantanamo before being tried in

a military tribunal. Hamdan's lawyers challenged his trial until the Supreme Court

ruled that the military tribunals were unconstitutional because they had been

convened by the President, rather than by Congress. The Supreme Court opinion

asserted that "the military commissions created by President Bush did not meet

the basic standard of justice required by both American and international law."[60]

Although this "basic standard of justice" is not defined, the Court also found that

the tribunals "violated Common Article Three of the Geneva Conventions of

1949" which "set a minimum standard that prisoners of war and individuals who

found themselves in Hamdan's position be tried by 'a regularly constituted court

affording all the judicial guarantees which are recognized as indispensable by

civilized peoples.'"[61] Although *Hamdan v. Rumsfeld* was a landmark case, the

verdict was quickly followed by the passing of the Military Commissions Act of

2006 by Congress, which "amounts to a congressional authorization of existing

practices at Guantanamo Bay."[62] This served as a cosmetic remedy for executive

overreach, but did not address the violation of the Geneva Conventions:

"Defendants can still be convicted on the basis of hearsay and secret evidence.

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[60] Dennis Phillips, "Hamdan v. Rumsfeld: The Bush Administration and 'The Rule of Law,'" *Australasion Journal of American Studies*, Vo. 25, No. 2 (2006): 42.
[61] Ibid., 43.
[62] Margaret Kohn, "Due Process and Empire's Law: Hamdan v. Rumsfeld," *Dissent* Vol. 54, No. 1 (2007): 5.

Not only are defendants and their lawyers not always able to cross-examine prosecution witnesses, they may not even know the nature of the accusations against them, if this information is classified by military authorities."[63] The issue of due process was never adjudicated; Hamdan would continue to be detained and then convicted of material support for terrorism in 2008. He was released to Yemeni authorities for the remainder of his sentence, but continued to appeal his conviction even after he was released. In 2012, the DC Circuit Court of Appeals vacated his conviction on the grounds of *ex post facto*.

The underlying contention of the military tribunals, never ruled on by the Court, thus centered on questions of what evidence would be permitted, and how it would be used and interpreted. "[A]ccused terrorists would not, of right, be permitted to see all the evidence against them. Furthermore, hearsay evidence, unsworn testimony and evidence obtained through coercion were all permitted and, in extreme cases and for 'national security' reasons, the defendant might not even be allowed to be present at his own trial."[64] Thus, in convening the military tribunals at Guantanamo, Bush bypassed the Constitution in order to create a forum in which the executive branch could control what knowledge was considered valid and permissible in the courtroom, and who would have access to that knowledge. Evidence is a particular type of knowledge, and I argue that it constitutes data. It is only transformed into information when it is pieced together

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[63] Ibid., 6.
[64] Ibid.

into narratives by lawyers, judges, and jurors (such as in the published Supreme

Court opinions from *Hamdan v. Rumsfeld*). Writing about international criminal

trials, Richard Ashby Wilson argues, "The decision of judges to admit or exclude

evidence in the courtroom goes to the heart of a legal system's understanding of

probative value and fact, the building blocks of knowledge about an armed

conflict."[65] These "building blocks of knowledge" should, theoretically, speak to

facts about actions and events, and thus are equivalent to my understanding of

data.

In civilian courts in the United States, hearsay evidence and unsworn

testimony are excluded because they are not considered to constitute reliable or

legitimate data. Both of these types of evidence were allowed in Bush's military

tribunals. Additionally, perhaps the most contentious type of evidence--evidence

obtained through coercion and torture--was permitted in the military tribunals

while being excluded from civilian courts and other military court martials,

despite the fact that the "CIA had concluded long before 9/11 that torture,

including techniques very similar to the [Enhanced Interrogation Techniques],

was neither authorized nor accepted, that it was not effective, and that there was a

risk of recriminations against agents involved in its use."[66] The effectiveness of

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[65] Richard Ashby Wilson, *Writing History in International Criminal Trials*. (Cambridge, UK: Cambridge University Press, 2011), 49.
[66] Ruth Blakely, "Dirty Hands, Clean Conscience? The CIA Inspector General's Investigation of 'Enhanced Interrogation Techniques' in the War on Terror and the Torture Debate. *Journal of Human Rights* 10, no. 4 (2011): 547.

evidence obtained through torture would rest on its purpose: why is this data

being collected, and how would it be useful? The dimension of time, particularly

of the future, is critical in determining the usefulness of certain kinds of data. The

argument for the use of torture to obtain evidence relies on the assertion that the

usefulness of this evidence in preventing harm outweighs the harm caused by the

torture techniques themselves. Blakely writes, "Central to such arguments is the

ticking-bomb scenario--that if the detained 'terrorist' does not talk, hundreds of

people will die when the ticking bomb explodes. This underpins the arguments of

US officials involved in efforts to justify torture in the War on Terror."[67] Notably,

this is a purely hypothetical scenario and an investigation into the interrogation

techniques used at Guantanamo "notes that none of the plots uncovered were

imminent."[68] However, it is still important to note that in this argument, no matter

its accuracy, the data obtained through torture is purportedly transformed into

information about the future.

In contrast, legal trials focus on transforming the data of evidence into

information about the past. This has become a point of contention, particularly in

international tribunals as courts become wrapped up in the larger efforts of history

and justice. Wilson writes, "Liberal legalism claims that the sole function of a

criminal trial is to determine whether the alleged crimes occurred and, if so,

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[67] Ibid., 545.
[68] Ibid., 549.

whether the defendant can be held criminally responsible for them."[69] He

references Hannah Arendt's argument that the court is responsible for justice

"understood as determining the guilt or innocence of an individual. A court

should not attempt to answer the broader questions of why a conflict occurred

between certain peoples in a particular place and time, nor should it pass

judgment on competing historical interpretations. Doing so undermines fair

procedure and due process, and with them the credibility of the legal system."[70]

Although this argument has not gone uncontested, as many have tried to redefine

the function of the courts particularly in the international system, it is relevant to

the specific example of Bush's military tribunals because they were part of the

larger effort of the War on Terror. In convening these tribunals and thus

circumventing the judicial branch of government, the Bush administration

implicated them in the campaign against terrorism. Describing the military

tribunals, "William Barr, the former attorney general of the United States, perhaps

expressed the mood of the nation when he notes that our 'national goal in this

instance is not the correction, deterrence and rehabilitation of an errant member of

the body politic,' but rather, 'the destruction of [a] foreign force that poses a risk

to our national security.'"[71] In fact, Joseph Masco argues that the "innovation of

the War on terror is that it formally rejects *deterrence*, with its focus on global

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[69] Wilson, *Writing History in International Criminal Trials,* 3.
[70] Ibid.
[71] Marouf Hasian, *In the Name of Necessity: Military Tribunals and the Loss of American Civil Liberties*. (Tuscaloosa, AL: University of Alabama Press, 2005), 197.

stability, as an objective in favor of *preemption*--an unending manipulation of the

future for national advantage."[72]The "destruction" that Barr is after, therefore, is

preemptive destruction: destroying the threat before it becomes a threat. Whereas

typical "[criminal] courts require linear connections that establish which acts

caused which others,"[73] and they rely on a certain standard of data in order to

form this information, the military tribunals at Guantanamo were different: "From

the very beginning, President Bush made it clear that he believed the alleged

terrorists should not be treated as ordinary criminals who deserved the due

process rights Americans were used to seeing. This characterization of the 9/11

tragedy as a part of a much larger war, and not as a large-scale policy matter, was

just one more reason why civilian courts might be bypassed in these exigent

situations."[74] Bush's fashioning of the military tribunals as a tool of war directed

toward the future, rather than as a tool of criminal justice directed toward the past,

therefore shifted the standards for data that constituted legitimate knowledge.

    The information produced from the presented evidence in a court of law is

used to determine the guilt or innocence of the defendant. However, Margaret

Kohn observes, "Even the basic principle of 'innocent until proven guilty' seems

outdated when the president describes the commissions as 'a way to deliver

justice to the terrorists' rather than a way to decide whether the detainees are

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[72] Joseph Masco, *The Theater of Operations: National Security Affect from the Cold War to the War on Terror.* (Durham, NC: Duke University Press, 2014), 15.
[73] Ibid., 217.
[74] Hasian, *In the Name of Necessity,* 192.

actually terrorists."[75] I argue that this decision, "whether the detainees are actually

terrorists," would constitute awareness because the subjectivity of the "terrorist"

encompasses more than just what that individual has done in the past. It is a

constructed way of being and thinking in the world, and the identity of the

"terrorist" was used by the Bush administration to justify the War on Terror. The

terrorist, as defined by the Bush administration, is not just someone who

completed an action (in Hamdan's case, driving a car for Osama bin Laden) but

rather someone who is actively engaged in destroying Western civilization and

terrorizing the American people. In her discussion of the development of the term

"terrorism," Lisa Stampnitzky argues that "'terrorism' came to be understood as

rooted to a terrorist *identity*, rather than as a tactic that any group might adopt."[76] I

argue that this identity, constituting a particular subjectivity, cannot be determined

by a court of law, least of all in the military tribunals convened by Bush, because

it is inextricably tied to the subjectivity of others: the targets of their terrorism, the

victim of the crime. We act in relation to one another; everything that one does in

this world will have an effect on another being, whether or not that effect is

measured and anticipated. One's subjectivity encompasses both how one is

subject to the actions of others, and how one subjects others to their own actions.

The legal system is designed to determine the guilt or innocence of an individual,

and "[law's] epistemology is positivist and realist, demanding definite and

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[75] Kohn, "Due Process and Empire's Law," 6.
[76] Stampnitzky, "Can Terrorism Be Defined?" 3.

verifiable evidence typically produced through scientific forensic methods."[77]

Therefore, it cannot reckon with the dimension of intersubjectivity. Because of

this, data can be transformed into information, but legal knowledge cannot

produce awareness for the state and the public it serves.

Interrogation and Experience in *O Say Can You See*

Critics of Guantanamo and the military tribunals have looked beyond the

courts for answers to the many questions raised by the War on Terror. Kohn

writes, "The United States wages war in the name of freedom and democracy, yet

the prison is a reminder of the glaring contradiction between the rule of law and

the war on terror...This tension between the moral ideal of the law and the

realities of power can be an inspiration for self-reflection, criticism, and action.

The *Hamdan* decision is only a first step in this process."[78] Laura Poitras is

someone who has taken the next step as she has produced her own strands of

knowledge regarding Guantanamo, primarily through artistic responses. Her 2010

documentary, *The Oath*, documents Hamdan's case through the lens of his

brother, who anxiously follows the little information he is given about Hamdan's

status in the legal process while also openly discussing his own involvement with

al Qaeda. This opens up a new source of data: the data of the daily lives and larger

involvements of the families of detainees. This data can provide contextual

information, offering up a more nuanced, humanizing view of the "terrorist,"

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[77] Wilson, *Writing History in International Criminal Trials,* 7.
[78] Kohn, "Due Process and Empire's Law," 8.

while also making the information about Hamdan's case readily accessible for a

public audience. One of Poitras' strengths as a filmmaker, as demonstrated in all

three of her films on the post-9/11 world, is her ability to tell a larger story

through following one individual. This creates an intimate perspective that makes

her documentaries especially effective in capturing the attention of the viewer.

For example, interspersing conversations between Hamdan's brother and his

young nephew in *The Oath* into the larger story of the military commission at

Guantanamo, without her own commentary, draws the viewer into these familial

relationships. Hearing a young boy express his desire to be a jihadist is initially

shocking, and the viewer must then see how the concept of jihad is understood by

his father and communicated to him and other youth in the community.

The museum exhibit offers a different kind of intimacy, packing viewers

in like sardines to watch the footage of Hamdan's interrogation in public, with

strangers, rather than in the safety of their own homes. Therefore, the viewer has

been removed from the individualized context in which much learning takes

place, shifting their position to become part of a randomly assembled collective.

The footage is also recontextualized: the details of Hamdan's case that I have

described in this chapter are not provided anywhere in the exhibit. A frame

reading "Afghanistan 2001" plays on the screen before the footage, but that is all.

This, and the fact that it comes after the footage of bystanders watching the

burning Twin Towers, provides context that is also situated within the year 2016,

when most viewers will already be familiar with the infamous photos of torture at
Abu Ghraib. Hamdan's jumpsuit and chains, as well as the dirt floor, thus situate
the interrogation within the larger narrative of the US' use of torture in the War
on Terror, without depicting such torture itself.

In the footage, the only data presented in the form of text is contained in
the subtitles that run along the bottom of the screen. These subtitles tell us very
little about Salim Hamdan. We find out his name, his wife's name, his daughter's
name. Although these questions are likely designed by the interrogators to get him
talking, their answers serve as a reminder to the viewer that this man has a family.
In other words, while the interrogators may disregard these pieces of data when
determining what information they can pull from him, the viewer can draw
connections between Hamdan and his family members to gather information
about his life outside of this cell in U.S. custody. This is valuable information for
cultivating an awareness about his subjectivity, his way of being in the world. He
answers all of their questions with minimal hesitation. We learn that he was
captured while driving a car that contained al Qaeda weapons. The interrogators
ask him about this, and he does not deny it; rather, he insists that he was simply
borrowing the car, and did not know what it had in it. Regardless of whether or
not he is telling the truth, he appears to be cooperating with their investigation.

Ultimately, we learn more about the interrogators than we do about
Hamdan. At one point, they insist that he is lying. He asks, "Why would I lie to

you?" and they respond, "Because you are a member of al Qaeda." The museum

visitor has two options here: one, they can believe this statement from the

interrogator and consider Hamdan a terrorist, with all the implications that this

term carries within American political rhetoric, or two, they can question why the

interrogator is so sure of this identity (thus questioning how they have

transformed data into awareness). Although Poitras cannot ultimately control the

interpretation of the viewer, she has contextualized the footage to inspire

reflection rather than acceptance. Coming directly after the footage of bystanders

looking at the Twin Towers in the aftermath of the 9/11 attacks, flush with

symbols of American patriotism, the focus at the moment of encounter with the

footage of the interrogation is on the American public, not the terrorist enemy.

The visual cues of the footage maintain this focus. Although the main figure in

the clips is undoubtedly Hamdan, the footage is shot from the perspective of the

interrogators. They are not visible; only their words appear on screen. This aligns

the perspective of the museum visitor with the perspective of the interrogators.

Additionally, the dynamic of perpetrator-victim has been flipped. While

the typical narrative presents the American subject as the victim and the detainee

as the cruel perpetrator of violence, the shifting of context also shifts these

identifications. Hamdan, the supposedly violent terrorist, is handcuffed and

chained to his spot in the middle of the room. At the beginning of the

interrogation, he has a bag over his head. In contrast, the American soldier in the

background can move freely, is turned toward Hamdan, and has his gun at the ready. At several points throughout the interrogation, Hamdan asks if he can adjust his legs to be more comfortable. It is clear who is in power in this relationship. The U.S. military, the champion of freedom, has made this man wholly unfree through his detention. In this context, Hamdan poses no threat, imposes no terror, and is instead subject to the threat and terror of the soldier with a gun. This is a shift in the intersubjectivity of the Self and the Other: the Self for the museum visitor, identified with the U.S. military through their alignment with the interrogators, becomes the one in power and wielding terror, while the Other manifested in Hamdan becomes the victim. Poitras employs this shift at other points in the exhibit, as I discuss throughout the following chapters. Here, I will focus on how the construction of this shift transforms the knowledge of Hamdan's case into awareness.

The data at play here is not just the data on the screen, the pixels that our brains process into images from which we then determine meaning. The other data that is permissible, in a sense, is the data of the experience of the visitor. It is this experience, the product of a certain context and physical positioning, that enables the transformation of data into information and then awareness. Consider two separate pieces of data: that there is an invisible interrogator somehow present in the footage, and that in watching the footage, the visitor is facing the detainee. Draw the connection between these two pieces of data to construct the

information that the visitor is being placed where the interrogator might stand.

Now, bring into account the relational knowledge I have discussed: that Hamdan

has a family, that the interrogator insists that he is a member of al Qaeda and

therefore carries a certain subjectivity, that in his detention, Hamdan is subject to

the power of the U.S. military. How, now, does the visitor relate to Hamdan? The

answer may be different for each individual, and audience response lies beyond

the purview of this thesis. Rather, I argue that it is through the introduction of

relationality, here taking the form of an embodied experience that situates the

visitor in relation to the interrogated subject, that Poitras is able to raise these

questions and thus transform the entirety of the presented knowledge to the level

of awareness, a level that calls the subjectivity of both the visitor and the detainee

into question in a way that the judicial state-sponsored response of *Hamdan v.*

Rumsfeld could not.

Mass Surveillance and Investigative Journalism

Journalistic responses are intimately tied to executive state-sponsored

responses. The media in the US works closely with the executive branch of the

government, seeking data and worried about operating outside the bounds of the

law. Hodding Carter III writes, "[while] the press and government are both

products of a Constitution designed to safeguard liberty, they are not the same.

Their roles and responsibilities differ mightily and carry within them inherent

conflict."[79] I argue that this conflict can be productive when investigated in terms of the transformation of knowledge, particularly in reference to Edward Snowden's 2013 leaks from the NSA, revealing the ever-expanding network of NSA surveillance over the communications of non-Americans and Americans alike. How does the government program of mass surveillance transform data into information, and how do journalists?

Snowden, an actor from the executive branch, turned to journalists to expose NSA policies. Glenn Greenwald writes that Snowden "stressed that it was vital to publish the documents journalistically--meaning working with the media and writing articles that provided the context for the materials, rather than just publishing them in bulk. That approach, he believed, would provide more legal protection and, more important, would allow the public to process the revelations in a more orderly and rational way."[80] Additionally, "he also wanted meticulous journalists to take as long as necessary to ensure that the facts of the story were unassailable and that all of the articles had been thoroughly vetted."[81] Therefore, Snowden saw journalists, and the journalistic response, as the most effective and reliable path for publishing the raw data he had collected in the form of classified NSA documents. Here, we see three defining characteristics of journalistic

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[79] Hodding Carter III, "The Press." In *After Snowden: Privacy, Secrecy, and Security in the Information Age*, ed. Ronald Goldfarb. (New York, NY: St. Martin's Press, 2015), 61.
[80] Glenn Greenwald, *No Place to Hide: Edward Snowden, the NSA, and the U.S. Surveillance State.* (New York, NY: Metropolitan Books, 2014), 53.
[81] Ibid.

responses: they are ordered and contextualized, typically legally protected, and

fact-checked presentations and transformations of data. All three of these

elements were crucial for Snowden's leaks to have their desired effect.

However, not all journalistic responses function in the same way.

Greenwald is critical of the mainstream media, arguing that "US establishment

journalism is anything but an outsider force. It is wholly integrated into the

nation's dominant political power."[82] For Greenwald, the mainstream media's

cooperation with the state is detrimental to its efficacy. This argument rests on

two key points: first, that the mainstream media will censor itself and refrain from

publishing certain material at the request of the government, and second, that they

fear critiquing the government and therefore use a weak tone.[83] As an

investigative journalist, Greenwald distinguishes his work; he would not advise

the government on what he intended to publish, nor would he hide his opinions.

As opposed to the compliant mainstream media, often acting as an extension of

the state (an example of which will be examined in the next chapter), investigative

journalistic responses take an antagonistic response, revealing data that the

government would rather keep private. I will now examine this response in terms

of the transformation of knowledge, focusing on the same two points identified in

Greenwald's argument. First, how do the executive state-sponsored responses

(including both the surveillance policies themselves and Obama's public speeches

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[82] Ibid., 235.
[83] Ibid., 55.

after the Snowden leaks) consider who should have access to, or control over,

what knowledge? How does the investigative journalistic response disrupt this

construction? Second, how do executive state-sponsored responses and

investigative journalistic responses differ in how they take data and transform it

into information? Together, these two points of comparison will allow me to

examine what kind of knowledge that is made available to the public and for what

reason.

A crucial element in the debate over mass surveillance is how much the

public should know about government policy. In his first speech to the nation

following the Snowden leaks, Obama argued that "intelligence agencies cannot

function without secrecy, which makes their work less subject to public debate."[84]

From this perspective, the actions of intelligence agencies like the NSA must be

kept private for national security. In the articles Greenwald wrote that first broke

Snowden's leaks, he emphasized the secrecy of the program. He writes, "The

court order expressly bars Verizon from disclosing to the public either the

existence of the FBI's request for its customers' records, or the court order itself."

[85] His own publishing of the leaked documents placed him firmly on the side of

transparency, and he is conscious of these implications. Having obtained these

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[84] Barack Obama, "Remarks on Review of Signals Intelligence." In *The Snowden Reader*, ed. David P. Fidler. (Bloomington, IN: Indiana University Press, 2014) 321.
[85] Glenn Greenwald, "NSA collecting phone records of millions of Verizon customers daily," *The Guardian*, 6 June 2013.

documents, he writes, "Such a leak is extremely rare in the history of the NSA, which prides itself on maintaining a high level of secrecy."[86] In leaking these documents, Snowden and Greenwald were claiming power over knowledge by removing it from the NSA's tight grasp of secrecy.

Obama defended the secrecy of the program against leaks, saying, "If any individual who objects to government policy can take it into their own hands to publicly disclose classified information, then we will not be able to keep our people safe, or conduct foreign policy."[87] This key pillar of his perspective on mass surveillance, that it should be kept classified, co-exists with his own acknowledgment that "there is an inevitable bias not only within the intelligence community, but among all of us who are responsible for national security, to collect more information about the world, not less."[88] In other words, his perspective on privacy shifts depending on whose privacy, exactly, is in question. He simultaneously asserts that the privacy of individuals can be compromised for national security, and that the privacy of the government must not be compromised in order to protect national security. These combine to suggest an interest in total control over knowledge: knowing everything, and deciding who knows what. How do Snowden and Greenwald's perspectives compare? They, in contrast, argue for more privacy on behalf of individuals and less privacy on

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[86] Glenn Greenwald, "NSA Prism program taps in to user data of Apple, Google and others," *The Guardian*, 7 June 2013.
[87] Obama, "Remarks on Review of Signal Intelligence," 322.
[88] Ibid.

behalf of the government. Greenwald writes, "Secrecy is the linchpin of abuse of power, we discovered, its enabling force. Transparency is the only real antidote." [89] In doing so, they still stake a claim to control over knowledge, but only over certain kinds of knowledge: the knowledge of the actions of elected officials.

Greenwald and Snowden were also aware that they would not simply be presenting raw data to the public; rather, how they chose to break the story "would play the predominant role in how it was discussed and framed...For this story to have the effect it should, the unwritten rules of establishment journalism--designed to soften the impact of revelations and protect the government--had to be broken, not obeyed."[90] The "discussion and framing" of the story constitutes how the data, the facts of NSA policy, would be transformed into information regarding executive power, national security, and the privacy of citizens. We see a clear example of this in how Obama and Greenwald each chose to contextualize the practice of surveillance. Obama began his speech with a reference to Paul Revere, introducing him as a predecessor of sorts for contemporary intelligence agencies. Revere's story is one of bringing freedom through the American Revolution, and thus stands in stark contrast to the claims that mass surveillance programs impinge on the freedoms of American citizens. Additionally, Obama draws an explicit connection between the intelligence practices in 2013 and the attacks of 9/11, saying, "The horror of September 11th

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[89] Greenwald, *No Place to Hide*, 12.
[90] Ibid., 58.

brought all these issues to the fore. Across the political spectrum, Americans

recognized that we had to adapt to a world in which a bomb could be built in a

basement, and our electric grid could be shut down by operators an ocean away."

[91] Here, he minimizes the political dissent to the expansion of executive power

that arose immediately following 9/11, homogenizing the American public's

response to the attacks, and constructs the expansion of surveillance as a natural

and necessary effect of the 9/11 attacks. In contrast, Greenwald writes, "Indeed,

opposition to government invasion of privacy was a major factor in the

establishment of the United States itself, as American colonists protested laws that

let British officials ransack at will any home they wished."[92] Here, he places the

practice of surveillance not as an enabler of the Revolution, but as a mobilizing

point of opposition. This difference in contextualization captures the crux of the

conflict over mass surveillance: is it a tool for protecting a nation, or for

infringing on civil liberties?

According to both Snowden and Greenwald, it is precisely the asking of

this question that they see as the function of investigative journalism. Greenwald

writes, "Snowden repeatedly emphasized that his goal was not to destroy the

NSA's capability to eliminate privacy. 'It's not my role to make that choice, he

said. Instead, he wanted American citizens and people around the world to know

about what was being done to their privacy, to give them the information. 'I don't

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[91] Obama, "Remarks on Review of Signals Intelligence," 320.

[92] Greenwald, *No Place to Hide*, 2.

intend to destroy these systems,' he insisted, 'but to allow the public to decide whether they should go on."[93] For Greenwald, "those who exercise the greatest power need to be challenged by adversarial pushback and an insistence on transparency; the job of the press is to disprove the falsehoods that power invariably disseminates to protect itself. Without that type of journalism, abuse is inevitable."[94] Therefore, in claiming power over secret knowledge, investigative journalism and government leaks can serve as a check on state-sponsored responses. They provide alternative information, partially through expanding the reach of data and partially through transforming that data in relation to particular contexts that disrupt, rather than support, the state-sponsored narrative. This disruption creates discussion and debate. Greenwald writes, "This disclosure is likely to reignite longstanding debates in the US over the proper extent of the government's domestic spying powers."[95] Even Obama said, in his speech to the nation, "One thing I'm certain of: This debate will make us stronger."[96] A debate is, in its most elemental form, a dispute over the meaning of knowledge. Investigative journalistic responses thus intervene in the transformation of knowledge by opening up new interpretations for determining meaning.

However, this interpretation remains limited to the realm of information: although the prospect of debate implicitly involves the reader, they do not

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[93] Ibid., 47.
[94] Ibid., 230.
[95] Greenwald, "NSA collecting phone records."
[96] Obama, "Remarks on Review of Signals Intelligence," 329.

interrogate that reader's subjectivity. This is perhaps most evident in their emphasis on the fact that NSA practices are particularly deplorable because of their application to American citizens. Considering possible legal consequences for publishing the leaks, Greenwald writes, "I knew there was no plausible national security argument against our specific Verizon report, which involved a simple court order showing the systematic collection of Americans' telephone records. The idea that 'terrorists' would benefit from exposing the order was laughable...The people who would learn something from our article weren't the 'terrorists' but the American people."[97] Although he imparts some skepticism through his use of quotation marks around the word "terrorist," he also implicitly reinforces this subjective designation through drawing a strict separation between "terrorists" and "the American people." Not only does this argument presuppose that Americans are entitled to more privacy than others, it also implies that the only people who can represent a threat to national security are non-Americans. This leaves the US government's construction of an innocent Self and dangerous Other intact by not questioning the designation of the terrorist as an ultimate threat and that threat's detachment from the American subject. Therefore, intervening in the transformation of data to information is not enough to transform that information into awareness of the complicated relationships between involved actors.

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[97] Greenwald, *No Place to Hide*, 66.

Laura Poitras and the Snowden Archive

Poitras' Disposition Matrix was on display three years after the initial

leaks, after (minimal) reform had been passed in Congress and the government

had shown no inclination to move any further on the issue. It therefore serves as a

reminder to the museum visitor that many of the practices exposed by Snowden

are still occurring. This reminder also displays the process by which data becomes

transformed into information. The Disposition Matrix presents different pieces of

data--evidence of the government's policies regarding domestic surveillance,

videos of the aftermath of drone strikes, and documents of the FBI's investigation

of her own activities--as individual pieces of a larger story. These pieces are

displayed in cutouts in the wall, and as co-curator Jay Sanders writes, "Each slit

allows a view into the secret state--but only a partial, cutaway one--in the form of

documents, videos, and still images."[98] The fact that this data is presented in

pieces makes it clear to the visitor that they are not seeing everything; in having to

bend down or lean in, they are reminded that the data was meant to remain secret

from the public.

As scholar Kate Crawford writes, "The immense collection of material

captures the era when mass collection metastasized: the black world's gradual

evolution of many of the techniques and approaches that we now call 'big data.'

This knowledge is normally off limits, part of a 'classified empire' once estimated

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[98] Poitras, *Astro Noise*, 29.

to be growing five times faster than the public storehouse of knowledge."[99] In this

sense, Poitras has only provided the tip of the iceberg: PowerPoint slides and

inter-agency memos that hint at the power and scope of such surveillance

programs but, if anything, demonstrate that these programs reach deeper and

expand further than we could ever master. Of her own work with the Snowden

archive, Crawford writes,

"Our understanding of the NSA is being shaped by the type of access Snowden

had as a contractor, by the search interface on top of the database...More

realistically, the archive can only ever be a very particular type of reconstruction,

a keyhole view. It is not a window into the truth of things."[100] This is emphasized

by the "keyholes" through which Poitras presents the data. The documents and

clips are provided plainly, without explicit commentary. This is not to say that her

presentation of the data is somehow more objective than the others: the choices

she made about which documents to include, the order in which the visitor

encounters the documents, and the physical characteristics of the hallway all

frame the data in a specific, calculated way. In fact, I argue that all of these

choices are meant to demonstrate the constructed nature of information.

By not providing explicit commentary, Poitras leaves the task of

transforming data into information up to the visitor. How do the snippets of

documents relate to one another? A memo between the FBI and the NSA is

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[99] Ibid., 139.
[100] Ibid., 148.

included alongside a diagram of how one particular collection program functions.

These two pieces correlate to different questions: who is in control of these

programs and the data they collect, and what data do these programs have access

too? Individually, these are two pieces of data. It is up to the visitor to draw the

connections here, to determine that the FBI, an agency with domestic jurisdiction,

is working together with these programs from the NSA; therefore, this

surveillance is being used on American citizens. Whether or not the visitor is able

to draw these specific connections, they are implicated in the process as they are

confronted with carefully curated, but decontextualized, pieces of data. Similarly

to her presentation of the footage of Hamdan's interrogation, she negotiates the

relationship between the visitor and the data before them.

This is also true of the placement of the Disposition Matrix in the context

of the exhibit. It interrupts the trajectory of Bed Down Location, coming after the

visitor lies under the projected drone-filled sky but before they watch others do

the same through a live feed. Drones are referenced within the Disposition Matrix

through footage she shot of local people walking through the rubble of their

homes after a drone strike. Thus, overt violence is juxtaposed within the more

covert violence of surveillance. Feldman argues that surveillance, premised on its

ability to "see," is a mechanism of state control, pulling from his fieldwork in

Northern Ireland. He writes that "power lies in the totalizing, engorged gaze over

the politically prone body, and subjugation is encoded as exposure to this

penetration."[101] In other words, whatever the state can see, it can make subject to its will. Visible technology plays a large role in this subjugation, whether it be through surveillance cameras at a convenience store or a drone overhead, but that is not the only manifestation. Particularly as communication has become more and more digitized, the state has been able to access it through invisible means, using phone and e-mail records instead of physical cameras and recorders. This has created a false sense of privacy, but Feldman argues that "compulsory visibility is the rationality of state counterinsurgency."[102] How does the visitor connect the knowledge of surveillance to the knowledge of drone strikes? It follows that everything under the "compulsory visibility" of the state is also able to be attacked or eliminated through a drone strike. This is not to argue that the government is intent on killing everyone on which they collect data, but rather that the control of surveillance enables physical violence. Therefore, displaying the scope of the NSA's surveillance program comes to demonstrate the larger threat, possibly to the visitor themselves, that arises within the strategies and standards of the War on Terror.

Furthermore, by including evidence of her own surveillance, Poitras considers how the museum visitor can come to know about her, or about any individual subject. Can her identity be represented by redacted documents that

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[101] Allen Feldman,"Violence and Vision: The Prosthetics and Aesthetics of Terror," *Violence and Subjectivity. (*Berkeley, CA: University of California Press, 2000), 49.
[102] Ibid.

show where and when she travelled? Sanders writes, "The documents recount

firsthand the extent to which the American government is able to search, seize,

copy, and hold one's property, including data, without a warrant or suspicion of a

crime."[103] It is this kind of power that allows the government to presume that it

can determine the identity and motivations of the individuals it tracks, and that it

can come to know those who pose a threat to national security through the

collection of data. However, these documents tell us almost nothing about Poitras

herself. The details of her travels are not enough to understand why she went

somewhere, and how that trip contributes to her work, or how her work

contributes to her own subjectivity.

I argue that this inspires awareness in a way that neither Obama nor

Greenwald could. While they focused on questions of who should have power

over knowledge, Poitras asks the larger question of how we relate to the

knowledge we encounter in the world. What can we gain from specific pieces of

data, and how do we incorporate them into larger narratives about ourselves and

others? In this way, she interrogates the subjectivity of the visitor. Sherry Ortner

writes, "Subjectivities are complex because they are culturally and emotionally

complex, but also because of the ongoing work of reflexivity, monitoring the

relationship of the self to the world."[104] This "work of reflexivity" is the kind of

work demanded of the museum visitor, who must, at each point in the exhibit,

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[103] Poitras, *Astro Noise*, 26.
[104] Ortner, "Subjectivity and Cultural Critique," 126.

reconsider their relationship to the knowledge in front of them, to the subjects around them and in their own government, and to those subjects at a distance (whether that distance be geographic or political). What do they do with the knowledge they encounter, when they are tasked with transforming data into information? How are they controlled by the knowledge held by others? These questions do not have concrete answers, but the fact that they are posed by the exhibit demonstrates how Poitras is speaking to the third level of knowledge, awareness. By involving the visitor in the process of knowledge transformation, she causes them to interrogate their own relationality and subjectivity. The data that they experience can thus lead to awareness.

Justice and Knowledge in the War on Terror

I also argue that *justice*, beyond the determination of guilt or innocence of an individual, can only be obtained if information is transformed into awareness, and that this is done through such reflexive work. To develop a more holistic definition of justice, I turn to Susan Hirsch, a legal anthropologist who lost her fiance in the al-Qaeda led 1998 East African embassy bombings. In her book *In the Moment of Greatest Calamity: Terrorism, Grief, and a Victim's Quest for Justice*, she reflects on her participation in the judicial state-sponsored response to these bombings, which took the form of a trial in New York City unlike any of the responses following 9/11. She writes, "When prosecutors and others asserted that the trial would bring justice, for me that meant paying tribute to victims'

suffering, explaining the crime, and punishing those responsible."[105] Each element

of her understanding of justice ("paying tribute," "explaining," and "punishing")

is a broad endeavor that suggests no specific path of action. While "explaining"

suggests a reliance on data and information, "paying tribute" and "punishing"

both involve taking into account the implications of that information for the

involved parties (which she neatly separates into two categories, "victims" and

"those responsible"). 9/11, as a large attack on U.S. soil, implicates many more

parties: the U.S. government, the leadership of Osama bin Laden, the hijackers

themselves, those who lost their lives, and the witnesses to the attacks (both

immediate and removed). Since it was used as the justification for a war that has

lasted over 15 years, all those involved in that war (soldiers, detainees, military

casualties, civilian casualties, new rising terrorist threats, activists, and now three

administrations) must also be included in a definition of justice. It is perhaps an

insurmountable challenge to properly consider each individual, and each nation,

that is due justice in this situation. Marouf Hasian, in reference to the military

tribunals, suggests that the international court system may be better suited for this

job, writing, "I argue that we need to recognize the fact that the Guantanamo

detainees come from more than forty nations, and that these countries need to be

actively involved in the formation and implementation of these legal proceedings.

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[105] Susan F. Hirsch, *In the Moment of Greatest Calamity: Terrorism, Grief, and a Victim's Quest for Justice. (*Princeton, NJ: Princeton University Press, 2006): 8.

If we are going to claim that these prisoners have ties to the international problem of terrorism, we need international solutions."[106]

Hirsch brings this argument further by including the need for solutions that are not limited to the legal realm, writing, "Creative thinking about how to address the multiple needs of victims, the public, and nation-states, and to do so at an international level, might lead to innovative and productive responses to terrorism that serve a wider array of people."[107] This brings us back to Bleiker's argument about the usefulness of art in this endeavor. However, I argue that it is not just about what *kind* of knowledge we utilize in pursuing justice, but more fundamentally about the *level* of knowledge we reach. Data provides important pieces of knowledge, without which we would be wholly ignorant. In both military tribunals and investigative journalism we see the effects of deciding what information is made available to whom. Information is crucial in drawing connections, especially connections of causality. Such connections can be crucial in understanding how and why certain events took place, and are invaluable in moving forward. Both the judicial state-sponsored response and the investigative journalistic response examined in this chapter attended to facilitating certain connections between data. However, if we hope to truly reckon with the causes and consequences of 9/11 and the War on Terror, we must reckon with intersubjectivity, how individuals and forces coalesce, break down, push, and pull

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[106] Hasian, *In the Name of Necessity*, 243.
[107] Hirsch, *In the Moment of Greatest Calamity*, 257.

to produce the characters, settings, and events of our world. By actively involving

the museum visitor in the transformation of knowledge through the inclusion of

contextual and embodied cues, Poitras opens up the possibility for awareness of

this intersubjectivity. If, as I argue, justice is a particular relationship to the world,

awareness can impact this relationship and therefore produce justice.

Chapter Three
The Mediation of Knowledge

The different kinds of knowledge that were produced following 9/11 had

to then be mediated to the public. I use "mediate" here to refer to the ways in

which reality comes to be communicated and understood. In this chapter, I will be

examining the ways in which the events of 9/11 and the War on Terror have been

mediated to the American citizen-subject. In doing so, I will consider the

multiple layers of mediation introduced by technologies such as photography and

film. What images do different mediations use to represent the event to the

citizen-subject? What are the effects of these different images and the different

kinds of technology they employ? This analysis is driven by the argument that the

mediation of an event has tangible consequences, particularly through how the

mediation comes to be witnessed. By utilizing the three-dimensional space of the

museum exhibit, and specifically the body of the museum visitor, Poitras provides

an alternative to the official narrative, an alternative that critically examines the

boundaries between the Self and the Other.

It is imperative to investigate these mediations because "[regardless] of the

accuracy of the assumptions and explanations that the Narrative forwards about

America's struggle against terrorism since September 11, 2001, the knowledge

that it spawns serves as the truth in the sense that it produces real effects in the

world"[108]: although the Bush administration's mediation of the attacks and the

Obama administration's mediation of drone warfare can be disputed both

factually and ethically, they have material consequences in the formation of

policy and cultural attitudes. Thus, the importance of understanding the process of

mediation is two-fold. First, we must examine the mainstream mediation of the

9/11 attacks if we hope to understand the War on Terror that followed; and

second, alternative mediations have the potential to create, or at least lay the

foundation for, material consequences of their own.

Mainstream Media

The attack on the World Trade Center was immediately mediated to the

American (and indeed, global) public. Before political, linguistic narratives began

to be crafted, images and videos of the planes hitting the buildings were replayed

on television screens across the country and the world. The second plane hit live,

after emergency broadcasts had already begun and cameras were already turned

on the towers. These broadcasts constitute a mainstream journalistic response to

the attacks, with their focus on documenting and spreading knowledge of specific

events. Many photographs were taken, photographs that one can purchase today at

the gift shop at Ground Zero. The attacks were visually stunning, and the fact that

they were immediately mediated through visual technology contributed to their

threatening and traumatic power. They were strikingly similar to apocalyptic

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[108] Hodges, *The 'War on Terror' Narrative*, 5.

blockbuster movies, and Marc Redfield writes, "[The] phrase 'it was like a movie'

conjures up not just an excess of event over believability but a sense that this

event *is to be mediated*, would have no sense, perhaps would not even have

occurred if it were not being recorded and transmitted...this particular act of

terrorism was utterly dedicated to the camera, down to the lag between the first

and second strike, making possible maximum media coverage."[109] In other words,

the attacks depended on the power of visual mediation. They directly killed

almost 3,000 people, but the mediation of this violence produced symbolic

violence of its own against the safety and impenetrability of the United States.

Therefore, the mainstream journalistic response is itself implicated in the attacks.

The visual mediation of an event can create a certain distance for the

viewer, and such "mental, temporal, and spatial distance thus allows for the

conceptual grasp and rationalization, or the domestication and taming of the terror

before us."[110] The terrible event is communicated but not directly experienced,

and so the viewer has survived the trauma. However, the visual reproduction of

the attacks produced another, opposite effect, in that it "displaces and de-realizes

the events it 'covers.'"[111] In the immediate aftermath, the constant replay of the

attacks on public and private television constructs a narrative of its own in which

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[109] Marc Redfield, *The Rhetoric of Terror: Reflections on 9/11 and the War on Terror*. (New York, NY: Fordham University Press, 2009), 30-31.
[110] Dora Apel, *Beautiful Terrible Ruins: Detroit and The Anxiety of Decline*. (New Brunswick, NJ: Rutgers University Press, 2015), 17.
[111] Redfield, *The Rhetoric of Terror*, 3-4.

the event has happened, is happening, and will happen again. Because of their visual reproduction, the attacks were no longer tied to a particular temporal or spatial moment. They could be happening anywhere, anytime. Redfield writes, "Thus, in its having to be mediated, the event called 9/11 at once warded off and enacted the central paradox of technological reproduction, whereby a single event--most poignantly, the deaths suffered by irreplaceable people, at a specific time and place--enters representation as reproducible, fungible, displaced, split off from itself."[112] The visual mediation of the events in the mainstream journalistic response thus contributed to the elusive threat that the Bush administration would call terrorism and use as justification for an unprecedented expansion of executive power and the military invasion of two countries, a threat and a legacy that continues in the contemporary state of drone warfare.

The technological reproduction of the events is layered upon the fact that the human lives involved in and destroyed by the attacks were implicitly represented by images of skyscrapers and commercial airplanes, objects that constitute success stories of modern technology (when they are whole, and not destroyed). The images that came to represent the events are of the planes hitting the buildings, of the steel and concrete rubble, of bright blazing fires and dark smoke, but not of dead and dying human bodies. This is partially because of the nature of the attacks and their "total destruction of the body...Many of the victims

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[112] Ibid., 4.

did not have enough body left even to be imagined as haunting us, coming back in ghostly form: they passed straight from corporeal integrity to dust and vapor."[113] The fire that took over the Twin Towers did not leave behind recognizable human bodies. However, "so many of the bodies that have survived--those who jumped or fell from the towers, or the bodies returning from Iraq, for example--have been quietly removed from public sight and thus from a reckoning with the dimensions of time and space involved in their endings."[114] Instead of visually representing the victims' bodies, the mass media used images of technology to stand in for human death and destruction, foreshadowing a war that would become increasingly mechanized. The victims were thus immediately abstracted; without specific images for reference, they could be easily described and depicted in politically useful ways. Just as the clips of the attacks played on a televised loop and thus entered their own constructed and malleable timeline, so too were the bodies of the victims detached from their specific material existence.

Another mainstream journalistic response took the form of a series run by *The New York Times* in the fall and winter of 2001 entitled *Portraits of Grief.* This series featured school yearbook-styled profiles of the victims who lost their lives in the attacks: headshot framed images followed by short descriptions that were submitted by families and friends. David Simpson argues that "the dead of 9/11

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[113] David Simpson, David. *9/11: The Culture of Commemoration*. (Chicago, IL: University of Chicago Press, 2006), 42.
[114] Ibid., 53.

have been made to figure into grander narratives of national futures and civic virtues than any of them could probably have imagined or perhaps desired."[115] High-powered bankers and managers are portrayed alongside custodial workers; any inequality that was maintained in life by the capitalist system epitomized by the World Trade Center is removed by death, at least according to *The New York Times*. As Simpson argues, "The ambition of the man who washed the windows might have been rather different from that of the person about to make partner in a law firm or investment corporation, but that question is never raised, indeed it is aggressively displaced."[116] Furthermore, "[it] is certainly doubtful to the point of implausibility to suggest that anything as rarified as patriotism was in the minds of those dying during the events of 9/11. The multinational (seventy or so nationalities) and multiethnic workforce that was inside the towers on that terrible morning would have subscribed either to a whole range of patriotisms or to none at all."[117] However, the visual mediation of the victims as smiling faces unaware of their future untimely death, in combination with short, homogenizing blurbs further enabled their removal from the material reality of difference and economic inequality. Read in their entirety, these profiles create a singular narrative in which all victims become representative of the "innocent" American state that

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[115] Simpson, *9/11,* 29.
[116] Ibid., 38.
[117] Ibid., 48.

would then figure into Bush's formulation of a War on Terror. The affective

dimension that this series portrays is uniform and unilateral.

Reaction Shot

Laura Poitras departs from this mainstream mediation and the political

narrative attached to it in the O Say Can You See installation of her exhibit. She is

not the first to do so. Although images of those who jumped or fell out of the

towers aired live, they were quickly removed from the loop of footage that played

on television; however, one such photograph, taken by Associated Press

photographer Richard Drew and entitled "The Falling Man," has been of interest

to artists, inspiring a documentary and a novel by the same name. Rather than

taking this approach, however, Poitras turns the camera around. The footage that

the museum visitor immediately confronts is not of the attacks themselves. In fact,

there are no images of the Twin Towers in her exhibit. Rather, the first set of O

Say Can You See clips consist of bystanders on the streets of New York City

watching the Towers burn. One could argue that this is a more subtle or respectful

way of mediating the events, by avoiding the violence of the attacks themselves.

Poitras describes this choice in the exhibition catalogue, writing, "I don't

know if it's possible to represent the tragedy and destruction of what happened at

Ground Zero. By staying with the reaction shot, I felt I could 'see' things better

than if I had pointed the camera at something no longer there."[118] This "reaction

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[118] Poitras, *Astro Noise*, 32.

shot" thus mediates the "tragedy and destruction" of 9/11 through the effect on the witness to the event. The facial expressions and body language of the witnesses become the text on which the museum visitor is oriented to the subject matter of the exhibit, and they are the only representation of the attacks. This focus on and use of the body is in stark contrast to the material mediation of steel and concrete emphasized by the mainstream journalistic response. However, these are not the bodies of the immediate victims. These bodies are not dead or dying--they are not the victims that lost their lives in the attacks--but they are bodies that would be forevermore impacted by what they witnessed. The mainstream media response, especially Portraits of Grief, conversely focused on the direct, dead victims, victims who were unable to respond in their own way and therefore unable to complicate the mainstream narrative of the attacks and the lives lost. Poitras' witnesses are not homogenous, disembodied icons of national suffering. One sees pain, confusion, and shock. For Poitras, "It's a primary document of people trying to make sense of the unimaginable."[119] While there are some commonalities, there is not a uniform response. There is also not a uniform witness: the clips contain people of varying sex, race, age, and clothing. A blonde-haired, blue-eyed little girl on the verge of tears turns toward her mother; a Black man looks through the viewfinder of his camera in disbelief and shakes his head; a Sikh man wearing an American flag pin stares straight ahead with a

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[119] Ibid.

grimace on his face. There is a certain irony in the pervasive nationalism, as evidenced by the multiple flag pins and FDNY hats captured by the cameras, situating these witnesses not just as subjects, but as citizen-subjects. While many of the emotions are varied and up for interpretation, it is certain that Poitras is depicting the affective dimensions of the attacks, not just the steel and concrete. She thus attends to affect through the human body, and it is this choice in mediation that enables her deviation from the mainstream media responses.

The dimensions of time and space are also disrupted in Poitras' response. Although the bodies of the witnesses are used to mediate emotion, those bodies themselves are mediated through the visual reproduction of film, just as the initial television coverage mediated the attacks to the public. Because of this, the reactions of the witnesses are similarly displaced, temporally and spatially. Their pain, confusion, and shock exist in a loop, replayed in a museum exhibit. However, there are two important distinctions between the space and time of Poitras' response and that of the mainstream media response. Spatially, the fact that the exhibit is in New York City, only a 10 minute drive from the site of the Twin Towers, is imperative to the experience of the exhibit. The clips could have been taken from the streets surrounding the museum. Additionally, although the clips themselves may be playing continuously, the experience of the visitor encountering the clips can only happen once. They are confronted with the footage at the beginning of the exhibit and then must continue through. Even if

they return to watch the clips again, that initial encounter cannot be recreated.

This is because the museum exhibit uses the body of the visitor, structuring that

encounter in a specific way in both time and space. At a time when video clips are

readily accessible to the public, whether through television, computers, or

smartphones, the visitor's experience is structured by the setting of the viewing,

particularly the proximity of the Whitney to Ground Zero and the information

about the War on Terror that follows these clips. Therefore, the technological

disembodiment of film (Poitras' usual medium) is countered by its incorporation

into an embodied museum experience.

Furthermore, Poitras also uses the body to demonstrate the constructed

dichotomy between innocent American Self and terrorist enemy Other in O Say

Can You See. The first side of the screen complicates the identity of the victim

through the mediation of the human body, specifically of diverse bodies with

diverse reactions, a complication that she elaborates on in Bed Down Location.

However, there is still another side of the screen in this installation: when the

visitor moves across the room, they see projected footage of a Guantanamo

interrogation. While extreme and overt techniques of torture, such as

waterboarding and solitary confinement, are not depicted, the detainee is

handcuffed with a bag over his head while soldiers pace with their weapons

pointed at him. Their faces are blurred; as opposed to the clips on the first side of

the screen, this footage removes the element of facial expressions. What is left to

mediate the event, then, is only the body. The footage is taken from November 2001, just two months after the attacks. The quick transition between the two sets of clips demonstrate how "everyday assumptions about the neatness of rhetorically declared oppositions, them and us, create a climate for the blatant political manipulation of binaries of the sort we have been seeing since 9/11."[120] When viewed in 2016, these clips call to mind the many images of tortured bodies that have entered the public sphere throughout the War on Terror, from the intentionally publicized images of detainees shackled in orange jumpsuits to the infamous leaked photos from Abu Ghraib. Poitras' clips and the Abu Ghraib photographs are similar in that they depict both the detainees and the American soldiers. For Simpson, "these images have brought forth a panic of uncertainty about who 'we' are and what 'we' stand for...Abu Ghraib was supposed to be Saddam's prison, the icon of his brutality, not ours."[121] I argue that the inclusion of these clips, particularly on opposite sides of the same screen, thus reveals that the construction of the benevolent "we" of the United States depends on the construction of the malevolent "they" of the terrorist.

Although Simpson notes the "cultural narcissism"[122] inherent in the public's fixation on these images, Rebecca Adelman takes this analysis one step further by arguing, "Orientalism remains entrenched in the GWOT [Global War

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[120] Simpson, *9/11*, 7.
[121] Ibid., 109-110.
[122] Ibid., 109.

on Terror], especially in its visual culture. Even the purest of intentions, including

the desire to write on the side of justice and to condemn torture, like feelings of

pity or shame, can privilege only the Westerner, who demonstrates his sentience

and ethical superiority by confessing to and demonstrating penitence for a

wrong."[123] Here, Adelman touches on ethical questions of visually mediating the

pain of the Other, questions that have been raised as more and more images of

pain and destruction have entered the public sphere but have not inspired

meaningful changes in policy. She writes, "No matter how hard or carefully

researchers work to sift meaning out of the photographs, those images cannot

capture knowledge about their subjects' interiority; the photographs leave them

both hypervisible and mute, and no one has yet figured out how to correct for

that."[124] In order to satisfy the identity of the American citizen-subject, many

mediations have relied on the simplistic gesture towards representing the Other. In

other words, the terrorist enemy is mediated only so that the nation's self can be

mediated. The body of the Other becomes a medium for witnessing the Self, but is

not granted its own subjectivity. As Simpson argues, "To counter the model of

'them *and* us' with one that claims that 'they *are* us' is not good enough: neither

absolute binary distinctions nor essentialist identifications describe carefully

enough the situation in which we are living. What we have instead are various

kinds of boundary troubles that cannot be generalized into philosophical absolutes

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[123] Adelman, *Beyond the Checkpoint*, 44.
[124] Ibid., 49.

of any kind but that reveal, on close inspection of the empirical kind, that some

work is to be done in understanding the different and critical imbalances of power

that govern all postulates specifying identity and difference."[125] How can we

begin this work? How can the Other be mediated *without* privileging the Self?

Poitras involves the museum visitor in her exploration of the boundaries

between Self and Other, and the power dynamics that accompany them, in Bed

Down Location. There are two parts to this installation: the dark room in which

the visitor lays on their back to see a projected night sky on the ceiling full of both

stars and drones, and the last room of the exhibit in which the visitor comes face

to face with a large screen playing a live infrared feed from that very ceiling.

Through the combination of these parts, the visitor occupies both the Self and

Other positions. Poitras herself describes the design of the installation, writing,

"By asking people to lie down in *Bed Down Location*, I want them to enter an

empathetic space and imagine drone warfare--not simply to understand it from

news articles but to ponder the sky and imagine that there is a machine flying

above you that could end your life at any moment."[126] However, this "empathetic

space" could never truly capture the experience of a civilian living under an area

patrolled by drones; the extent of the physical and psychological damage of such

a constant threat is extreme and still unknown. Rather, the viewer is forced to

consider the two sides of the mediation that takes place in drone warfare. I will

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[125] Simpson, *9/11,* 10.
[126] Poitras, *Astro Noise*, 33.

discuss the different witness positions that are created by this installation in the next chapter; here, I will focus on Poitras' exploration of how the Other, time, and the battlefield come to be mediated using the technology of the War on Terror.

Drone Warfare

The fact that the 9/11 attacks were themselves so reliant on technology perhaps foreshadowed the future of the war that would become more and more virtual, reaching its current form in which the majority of the fighting is being conducted by remotely controlled military aircraft, also known as drones. The use of drone warfare, a practice that began under the Bush administration and was heavily expanded under the Obama administration, relies on technological mediation. Since the pilots are not in the aircraft, but are instead operating at a great distance, they are viewing the events of the battlefield as they have been mediated by the technology of surveillance. While they are viewing unedited footage in real time, they are still dealing with a particular perspective: the cameras can only capture a finite number of shots and angles, always leaving something out of sight. The shots are often very close to the targets, closer than a physical soldier would be able to get from a piloted aircraft, while that soldier remains in safety thousands of miles away, making the perspective "simultaneously intimate and remote."[127] Hugh Gusterson writes, "[In] a way that amplifies the strange mix of distance and intimacy, the scene is mediated entirely

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[127] Hugh Gusterson, *Drone: Remote Control Warfare*. (Cambridge, MA: The MIT Press, 2016), 3.

through a single sense--vision. The attack has no sound, smell, taste, or texture. And we are invited to experience it through a narrative of mastery and control--of the cool, righteous exercise of overwhelming power."[128] This is an asymmetrical narrative, in which the drone operators "get to frame the picture."[129] Similarly to the visual mediation of the attacks themselves, this added layer of technological reproduction allows the targets to be removed from their spatial and temporal context. This has profound implications for the experience of space and time, implications that Poitras both exposes and inverts in her exhibit, as I will discuss later in the chapter. However, as I demonstrated in relation to the visual images of the 9/11 attacks, such technological removal also allows a constructed narrative to latch on to the events (in this case, the people and activities captured by the drones' cameras), and this narrative has material consequences whether or not it is an accurate portrayal.

The visual effects of mastery and control are amplified by the verbal narrative that accompanies drone warfare. This narrative is, in part, a response to the public backlash that came from the visual mediation of torture, as drone strikes were said to be cleaner, more precise, and therefore less brutally violent than torture.[130] Obama has portrayed drones as "discriminate weapons used sparingly and judiciously against rogue outlaws in the international system."[131]

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[128] Ibid., 4.
[129] Ibid.
[130] Ibid., 106.
[131] Ibid., 24.

This portrayal again relies on two clearly defined groups: the ethical, judicious, and effective American military against the rogue, inhumane, insurgent terrorist fighters. The main threat has shifted from al-Qaeda to ISIS, but Obama is still relying on post-9/11 legislation to justify his use of drone strikes.[132] As with the Bush administration's campaign against Iraq, the legitimacy of these military actions relies on the terrorist characterization of the targets. Thus, "[when] President Obama and other U.S. leaders speak of drone attacks on individual leaders of the insurgency who have been identified as engaged in planning or executing attacks on U.S. personnel, the impression given is that the identity of the person on the receiving end of the Hellfire missile is clearly known."[133] This is, in fact, not the case; in most of the cases the identity of the target is unknown because of a lack of reliable intelligence as well as the fact that the resolution on the drones' cameras is simply not high enough for facial recognition.[134] The shortcomings of the power of surveillance technology are minimized in order to maintain the mediation of targets as members of the terrorist threat. Additionally, although drones are operated remotely, there is still a human operator: Gusterson reminds us that the "same drone with the same video capability and the same missiles under the wing can kill more or fewer people and more or fewer innocent civilians depending on the orders that have come down through the chain of

[132] Ibid., 120.
[133] Ibid., 99.
[134] Ibid.

command, the training of drone operators, the pressures from commanders on the ground, and the organizational culture in which the drone team is embedded." The interpretation of drone surveillance is an additional layer of mediation that impacts the outcome on the ground.

One element of such interpretation, and a layer of its own, is the element of time. Drone warfare both compresses and extends temporal relationships because the operator can spend days, weeks, or even months patrolling and surveilling an area before a strike is executed.[135] They are granted this ability because of their physical removal from the battlefield; there is no need to act quickly for self-protection. Additionally, after a strike is executed, the drone must stay to watch, in an attempt to count the dead and record its success, and in some cases the drone will strike again when people appear to tend to the dead or help the wounded, acting under the assumption that this round of people must be aligned with the initial target.[136] The drone operator is therefore present for an extended period of time, longer than they would be if they were on the ground. However, "[once] a target is in the cross-hairs drone technology speeds war up for the target while slowing it down for the targeter. Those targeted by drones have a fraction of a second when they realize (if they do) that an explosive is hurtling at them from the sky at hundreds of miles an hour."[137] Thus, time constitutes another

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[135] Ibid., 46.
[136] Ibid., 47.
[137] Ibid., 46.

asymmetrical element of the experience of drone warfare: the attack is elongated

for the operator and quickened for the target.

Building on the Bush administration's principle of pre-eminence,

however, Obama's Justice Department further scrambled ideas of time by arguing

that it is not necessary for "the United States to have clear evidence that a specific

attack on U.S. persons and interests will take place in the immediate future" in

order to execute a drone strike.[138] As argued earlier in the chapter, the

technological mediation of the 9/11 attacks removed that specific threat from its

temporal moment, allowing the Bush administration to argue that an attack could

happen at any time. This is explicitly used to justify the use of drone strikes, as

the Justice Department argues that "certain members of al-Qaeda...are continually

plotting attacks against the United States; that al-Qaeda would engage in such

attacks regularly to the extent it were able to do so; that the U.S. government may

not be aware of all al-Qaeda plots as they are developing and thus cannot be

confident that none is about to occur."[139] It is in this state of constant imminent

threat, the narration of which stems from the mediation of the attacks themselves,

that the drone operators come to understand their temporal positioning. Of course,

with drones overhead at all times, those living in areas patrolled by drones "[look]

up to watch the machines, hovering at about twenty thousand feet, capable of

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[138] Ibid., 135.
[139] Ibid.

unleashing fire at any moment, like dragon's breath."[140] The threat that these

people feel is mediated by their own physical experiences, rather than by political

narratives about previous attacks. Drone warfare creates for its targets the same

consistent threat of violence that it is supposed to combat.

Bed Down Location

Poitras invokes the element of time in the design of Bed Down Location.

The dramatic reveal of the fact that visitors are being recorded as they look up at

the ceiling is temporally removed from that moment itself by the hallway of the

Disposition Matrix. This constitutes the extension of time, an extension

experienced by drone operators in the time they take to decide on and oversee a

drone strike. The visual mediation of the previous room is also a compression of

time, as the two moments of being watched and of watching become overlaid.

The threat of surveillance was always already there, even though the visitor was

not initially aware of it. However, the threat stems not from the terrorist target, the

Other, but rather from the drone operator, the representation of the Self for the

American citizen-subject. Thus, Poitras demonstrates the manipulation and

asymmetry of time as mediated by the drone and its accompanying narrative in

order to complicate the visitor's alignment in the constructed Self/Other

dichotomy. Because the visitor alternatively occupies each position, this is not a

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[140] Ibid., 41-42.

simple role reversal. Rather, I argue that it is an exploration of boundaries as they have been presented to the American citizen-subject.

In addition to temporality, both drone warfare and Poitras' Bed Down Location trouble spatial boundaries. Gusterson argues, "Drone operators trap the targeted adversary within the local by acting from an unseen distance but at the same time enable shards of that faraway local battlefield to embed themselves in their own experience of the local."[141] The site where the physical violence takes place, the targeted area of a drone strike, is connected to a network of locations; just as one of the difficulties of counterinsurgency is that there is not a single concentration of power in the same way that a nation-state enemy has a geographic capitol or an army base, the geographic location of the operation of the drone is spread throughout local command centers, trailers in the United States, and the Pentagon. Most important in this relationship is the separation between the soldier and the weapon: "What was formerly a tightly packed and spatially concentrated ensemble--weapon, weaponeer, and target--has been disarticulated."[142] The disarticulation of this ensemble contributes to the disarticulation of the boundaries of the battlefield. Following 9/11, the United States has never technically been at war with a spatially bound nation-state, and this has allowed the administration to disregard, to a certain extent, political boundaries in the Middle East. However, the drone has further traversed the

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[141] Ibid., 48.
[142] Ibid., 45.

typical boundaries of the battlefield, which rely on the distinction between combatant and civilian spaces. In the pursuit of insurgent fighters, drone strikes have been executed in civilian spaces. The trailers in which the drone operators are located are also embedded in civilian spaces. Gusterson considers, "If the battlefield exists wherever combatants are located...then drone operators have not entirely removed themselves from the battlefield but instead have globalized the battlefield, bringing experiential and organizational fragments of the battlefield inside the national boundaries of the homeland."[143] This battlefield is both global and local, fragmented and cohered. Just as the technology of visual mediation removed the 9/11 attacks from their spatial location, so has it combined with advanced weaponry to complexly remove the battlefield from geography.

Poitras has also engaged in displacing the battlefield in Bed Down Location. She has taken visual reproductions of the night skies in Pakistan, Yemen, and Somalia to create a composite projection in an exhibit in New York City. The boundaries of these countries, already crossed by United States' weaponry, are thus blended and lifted in technological reproduction. That reproduction then constructs the experience for the first room of Bed Down Location, an experience that cannot be tethered to a point on a map. Furthermore, the projection of the night sky facilitates the surveillance of the visitors, who lie down and look up. This surveillance footage becomes a projection of its own in

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[143] Ibid., 47-48.

the second room of Bed Down Location, and so the space of the first room,

already an abstract construction, is again reproduced through visual technology.

There is also a spatial separation in the form of the Disposition Matrix between

the visual mediation of the night sky and the visual mediation from the night sky.

However, this separation is miniscule in comparison to the separation between the

drone target and the drone operator, or the targets and operators of most other

surveillance mechanisms. These multiple layers of connection, reproduction, and

separation function similarly to Gusterson's description of drones, in which he

writes, "they scramble relations of distance, making them simultaneously more

elongated and more compressed in ways that are subjectively confusing and

paradoxical."[144] Poitras' exhibit is a similarly scrambled space and experience.

These spatial relations are navigated by the body of the museum visitor.

The Self, manifested in the body rather than in technology, is thus constructed

through its relationship to the space around it. I argued in Chapter Two that

Poitras' exhibit transmits embodied knowledge. From this discussion of

embodiment, we remember that the body can be taken as a contentious subject,

not a biologically predetermined object. It must be consistently differentiated and

constituted by the world around it. I argue that this is the equivalent of mediating

boundaries, and that such boundaries can be mediated by affect. In making this

argument, I am pulling from theorist Sara Ahmed, who asserts that affects "are

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[144] Ibid.

relational: they involve (re)actions or relations of 'towardness' or 'awayness' to such objects."[145] By "objects," Ahmed refers to physical objects as well as to ideas, people, and groups of people (including religious groups and nation-states). Crucially, within this model affect is conceptualized in space, as being physically oriented "towards" or "away from" others. It is through these orientations, and therefore through a navigation of space, that "we respond to objects and others, that surfaces or boundaries are made: the 'I' and the 'we' are shaped by, and even take the shape of, contact with others."[146] It follows that the circulation of affect through space is the mechanism for the distinction of the Self.

In Bed Down Location, as in drone surveillance footage, the human body is delineated by color, through an infrared filter. In this mediation, the boundaries between the body and the rest of the space are accentuated. As with the boundaries of the battlefield, it is through contact and distance that boundaries are formed. Ahmed's theory of affect inherently acknowledges the relationality between subjects: "To say that feelings are crucial to the forming of surfaces and borders is to suggest that what 'makes' those borders also unmakes them. In other words, what separates us from others also connects us to others."[147] Boundaries not only bind a subject to itself, but also to others. As the subject moves through space, they are constantly negotiating the boundaries of their body; and so the

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[145] Sara Ahmed, *The Cultural Politics of Emotions*. (New York, NY: Routledge, 2004), 8.
[146] Ibid., 10.
[147] Ibid., 24.

mediation of the Self is layered upon the mediation of space. Although Poitras

relies on technological elements in order to construct an experience for the visitor,

these elements are secondary to, and only utilized by, the body. The museum

visitor must use their body, and move their body, to witness the mediation not

only of time and space, scrambled as they may be, but also of their own

citizen-subjectivity.

Chapter Four
Witnessing

I have argued that certain kinds of knowledge, mediated in a certain way, are imperative to create just relationships between subjects and their worlds. However, this alone cannot guarantee how an audience will take up the knowledge that has been presented to them. I turn now to focus on the subjectivity, or way of being, fostered by different cultural responses to 9/11 and the War on Terror. I contend that these different cultural responses call on the viewer to respond and relate to the event before them in different ways. These responses are based in part on the boundaries drawn between the subject (the viewer) and the event, as well as between the viewer and other implicated subjects. Following theorist Sara Ahmed, I argue that these boundaries are created and shaped by affect, or emotional force, and that when affect is used explicitly, rather than implicitly, to explore these boundaries, it creates the subjectivity of an ethical witness. This ethical witness, by which I mean a witness who is aware of their positioning, is best posed to respond to the trauma in a just manner. I will first articulate the theoretical relationship between subjectivity and affect, before following this relationship through my examples. I will then explore how Poitras' exhibit brings the subjectivity of the viewer closer to that of an ethical witness, and thus to a just relationship with a cultural trauma.

Rebecca Adelman is focused on the "innumerable visual encounters" that "assemble us into spectators," ranging from the images that are broadcast non-stop by the mainstream media, to anti-war activist projects that take a visual form and the intense focus on the power of visual surveillance.[148] She argues: "By the production, circulation, and consumption of visual artifacts, we orient ourselves to the horizons of this visual landscape: the state, the nation, and terror itself."[149] In this way, our encounters with these "visual artifacts" of 9/11 and the War on Terror "orient" us to the different forces at play, and this orientation affects one's subjectivity. Paying particular attention to the relationship between the subject and the state, Adelman defines "citizen-subjectivity" as "a dynamic mode of belonging to the nation-state that has affective, physical, intellectual, and political coordinates, a posture that must be continually maintained and that is variable over time."[150] Her emphasis on the "dynamic" and "variable" nature of subjectivity is crucial for this project because it opens up the possibility for change; that is to say, the subjectivities we currently inhabit are not set in stone. Despite the powerful political narrative that claims Americans are positioned in one way and terrorists in another and that this fundamental difference is justification for a state of exception and far-reaching war, this definition of

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[148] Adelman, *Beyond the Checkpoint*, 3.
[149] Ibid.
[150] Ibid., 11.

subjectivity can allow us to see that these coordinates are not natural or inherent. Rather, they are plotted by our encounters with cultural responses.

This definition is also in line with Kelly Oliver's argument that "[we] need a new model of subjectivity, a model that does not ground identity in hostility toward others but, rather, one that opens onto the possibility of working-through hostilities."[151] The concept of "working-through" is one I will return to later in the chapter; here, I want to argue that Adelman's conception of subjectivity presents such a model because it is based on continuously fluid positions in the world as opposed to the "violence and antagonism" that are more typically used to draw boundaries between subjects.[152] In moving away from the idea of firmly, statically separated subjects, we are able to "describe subjectivity in ways that support the normative force of ethical obligations to be responsible to others rather than exclude or kill them."[153] In other words, by understanding subject positions as affected by the positions of others, and therefore inherently connected to others, we can cultivate a sense of responsibility rather than hatred as the basis for our relationships. Oliver further argues, "To serve subjectivity, and therefore humanity, we must be vigilant in our attempts to continually open and reopen the possibility of response. We have a responsibility to open ourselves to the responses that constitute us as subjects."[154] I argue that in framing subjectivity,

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[151] Oliver, *Witnessing,* 11.
[152] Ibid.
[153] Ibid.
[154] Ibid., 19.

and thus our relationships with others and the world around us, in the terms of positioning and orientation instead of opposition and separation, we open up the subject and its relationships to influence and change.

How is this positioning achieved? To answer this question, I turn to the concept of affect, or emotional force. I pull this conceptualization of affect from the work of Brian Massumi, who uses the word "intensity" to refer to "resonation and feedback...Intensity is qualifiable as an emotional state, and that state is static--temporal and narrative noise."[155] This "state" of "resonation and feedback" is affect, the force from which different calls to emotion and feeling pull. Kathleen Stewart elaborates on this in her description of "ordinary affect" as "a surging, rubbing, a connection of some kind that has an impact. It's transpersonal and prepersonal--not about one person's feelings becoming another's but about bodies literally affecting one another and generating intensities."[156] In other words, affect does not belong to or reside in a single subject; rather, it moves between subjects to produce action and material effects in the world (for example, the circulation of terror as a constant threat to mobilize support for military action). Theorist Sara Ahmed takes this idea one step further to argue that affect itself creates the "surfaces of bodies" that it then circulates around and between.[157] To make this argument, she (like Adelman and myself) employs the language of

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[155] Brian Massumi, "The Autonomy of Affect," *Parables for the Virtual: Movement, Affect, Sensation.* (Durham, NC: Duke University Press, 2002), 26.

[156] Kathleen Stewart, *Ordinary Affects*. (Durham, NC: Duke University Press, 2007) 128.

[157] Ahmed, *The Cultural Politics of Emotions*, 8.

positioning in space. She writes, "Emotions are relational: they involve (re)actions or relations of 'towardness' or 'awayness' to such objects."[158] It is affect, then, that positions the subject in particular ways, always in relation to events, objects, and other subjects. Ahmed continues: "[It] is through emotions, or how we respond to objects and others, that surfaces or boundaries are made: the 'I' and the 'we' are shaped by, and even take the shape of, contact with others."[159] In this model, relationships between the Self and Other are created by surges in affect, movements that move us to experience and respond to the world in particular ways. In making this argument, I am not calling on the development of intimate, personal relationships between each and every subject. Rather, I am following LaCapra's criticism of narratives of cultural trauma. He argues that "a strict separation or binary opposition between subject and object," "a denial of transference or the problem of the implication of the observer in the object of observation," and "an exclusion or downplaying of dialogic relation to other recognized as having a voice or perspective that may question the observer or even place him or her in question by generating problems about his or her assumptions, affective investments, and values" underlie the reductive and dangerous elements of trauma narratives.[160] What these issues share with the

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[158] Ibid.

[159] Ibid., 10.

[160] LaCapra, *Writing History, Writing Trauma,* 4-5.

mainstream visual representations of the War on Terror, and with many of the activist visual responses, is an assumed separation between implicated subjects.

The subject position of the witness is a particularly intersubjective orientation because of the dual meaning of the term "witnessing," as outlined in the introduction. The role of the witness has been analyzed in many different ways. In the legal realm, the witness serves to present evidence to the court, based either on things they saw or did, or on expert knowledge. The focus is on accuracy. However, trauma theorists such as Cathy Caruth and Dori Laub have examined the witness through a psychoanalytic lens, arguing that the act of witnessing plays a crucial role in the experience of trauma. In this view, "bearing witness" is an act of repetition of the initial trauma, a psychological way to "work through" the traumatic event and its aftermath. La Capra describes "working through" as "an articulatory practice: to the extent one works through trauma (as well as transferential relations in general), one is able to distinguish between past and present and to recall in memory that something happened to one (or one's people) back then while realizing that one is living here and now with openings to the future."[161] In this argument, bearing witness can help the witness position themselves in relation to the trauma in a way that facilitates healing. Similarly, I argue that by witnessing, in both senses of the word, one can be re-positioned in relation to the event in a way that facilitates justice.

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[161] Ibid., 22.

Affect and Witnessing in Journalistic Responses

Journalistic responses to 9/11 have been plentiful, and I have analyzed both mainstream and investigative types in the last chapters. I turn now to review the positioning of the witness assumed by the journalists and their audiences in mainstream, investigative, and editorial journalistic responses, paying particular attention to the role of affect in this positioning. How does affect move when one encounters a cultural response to trauma? How does it push the subject into a particular position, re-surfacing and re-shaping the subject and its relationship to the world? I begin to tackle these questions through examining the positioning of the viewer to the event being viewed, and then the positioning between subjects. I argue that the boundary between the viewer and the event, constructed and tenuous as it is, is a crucial element in the subjectivity of the viewer. Ann E. Kaplan demonstrates this argument in her analysis of the television coverage of the War on Terror, coverage that I classify as a mainstream journalistic response to the war. She writes, "New wireless and cell phone technology allowed the journalists to relay images as things were happening...I could hardly believe that I was seeing an actual war taking place and not watching yet another war movie...The empathy I felt for people in these scenes was 'empty' partly because what I was seeing hardly seemed *real*."[162] As boundaries of space and time began to be stretched by modern technology, the positioning of the viewer to the event

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[162] Kaplan, *Trauma Culture*, 94.

shifted: unlike in previous wars, the public could see the event up close, remotely positioned "in the midst of the ongoing battle, and yet distant."[163] This closeness, made possible and watchable because of the knowledge that the viewer is still at a distance, does not, as may have been expected, lead the viewer to respond more immediately or affectively to the knowledge of the war. Rather, because this positioning is most familiar in the context of viewing fiction ("yet another war movie"), it inspires the same detached response as would be appropriate in that context. Kaplan writes, "Without context and a continuity that would bring events into our own lives, such images can elicit empathy that in the end is 'empty.'"[164] Thus, a shift in visual positioning alone is not enough to carry with it an affective shift. Although boundaries of time and space were stretched by TV coverage, such coverage did not fundamentally reimagine the relationship between the viewer and the events of the war.

Adelman discovers a similar disconnect in her analysis of anti-war activism after 9/11, much of which took the form of investigative journalistic responses. Activists hoped to expose U.S. practices in the War on Terror in order to mobilize the public against the war. Therefore, the images of the war that are circulated with an activist intention are images of "death, dying, and spectacular injury."[165] When the viewer encounters these images, they are given "an

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[163] Ibid., 95.
[164] Ibid., 100.
[165] Adelman, *Beyond the Checkpoint*, 27.

opportunity to demonstrate their sentience and affective sophistication without ever confronting the systemic causes of the violence they witness or their implication in it…[employing] visual evidence of spectacular harm as an instrument of protest, a demonstration of affective refinement, and an index of ideological rightness."[166] In other words, little changes after the viewer encounters the event in this way because they exercise their "ideological rightness" through the expression of Kaplan's "empty" empathy, and this satisfies the response stirred by the images without action. Because I use subjectivity to encompass both how one interprets and acts on knowledge, I argue that these encounters do not lead to change because they maintain the subjectivity of the viewer. This was a point of concern among activists and academics alike after the dissemination of the Abu Ghraib photographs, which sparked outrage but little accountability and change. Although the photographs exposed inhumane and illegal treatment in the form of physical and sexual torture, this exposure did not ultimately impact the trajectory of the war; some lower-level officers were prosecuted for their actions but those who gave the orders maintained impunity. Adelman explains this disconnect by arguing, "No matter how hard or carefully researchers work to sift meaning out of the photographs, those images cannot capture knowledge about their subjects' interiority; the photographs leave them both hypervisible and mute, and no one has yet figured out how to correct for that."[167] The inability to capture

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[166] Ibid.
[167] Ibid., 49.

this knowledge is due, I argue, to the positioning not only of the viewer to the event, but also of the involved subjects, in this case, the viewer and the victim of torture. The visual representation of these victims serves as a form of separation, and the boundaries between subjects remain unchanged.

Another investigative journalistic response has taken the form of casualty counts. These are either lists or visual representations of all the civilians killed by U.S. ordered drone strikes. These numbers themselves are often controversial, as the government and those on the ground will have conflicting counts. One website, drones.pitchinteractive.com, opens with written statistics regarding how many have been killed and how many of those are children. It then moves to an animated timeline, in which a point is successively dropped down at each recorded drone strike. A count runs across the top of the screen, separated into categories: Children, Civilians, High Profile, and Other. This is meant to reveal the immense loss of life that is typically excluded from official and mainstream media accounts. Adelman writes, "The abstract body of the war casualty has become valuable capital in this economy of knowledge, the casualty count promising to give it the visibility that has otherwise been denied."[168] This technique does not represent each life except for through a number; those killed are not represented as having any differentiating qualities, or as existing within unequal power relationships, and the assumption is that every life can be

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[168] Ibid., 31.

represented in the same way because all lives count. It removes deaths from their

context, and even from bodies: there are no visuals of the victims except for a

point on a line. As Adelman argues, "Casualty counts abide by a simple equation

of numbers with truth; overtly political tallies rely on this perception of truth to

invest the numbers with moral value."[169] Ultimately, these counts depend upon the

moral framework and subjectivity of the viewer. Casualty counts "seek to create

bonds between the dead and those who did not know or love them, but they are

tenuous, filaments made of questionable numbers and uncertainty...what we

cannot conceive is our implication in the event, the messy and myriad

connections."[170] Although it is powerful to see the total numbers, and the passage

of time demonstrates shifts in drone policy, the Other remains obscured, hidden

behind abstraction. So too does the witness' relationship to that Other.

The third type of journalistic response, editorial responses, vary from the

others because they can be written by any writers, not just journalists. The authors

generally take a more defined position on the issue at hand, which theoretically

opens up space for a more critical subjectivity. For example, a series of short

essays, mostly by literary commentators or fiction authors, were published in the

New Yorker's "Talk of the Town" section on September 24, 2001. The title of the

series, *Tuesday, and After*, indicates that the authors are concerned not only with

the event itself, but also with its aftermath: how should they respond to "the

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[169] Ibid.
[170] Ibid., pg. 37.

tragedy and its consequences," as described in the introductory blurb?[171] I will

examine two of the contributions: those from novelist John Updike and visual

culture critic Susan Sontag. These two pieces propose conflicting ideas about the

responsibility of the witness moving forward. Their comparison not only reveals

that the witness' role must be practiced and is therefore not predetermined, but

also allows us to explore the connection between one's response to the events and

one's relationship to the state. How can the multiplicity of reactions to such a

trauma on behalf of the American public re-shape the multiplicity of orientations

towards the United States' government and policy?

Updike's piece opens: "Suddenly summoned to witness something great

and horrendous, we keep fighting not to reduce it to our own smallness."[172] His

language invokes the awfulness of the event with his initial reference to an

uncontrollable, higher power that has "summoned" him to assume the subjectivity

of the witness. However, it is not just he himself who has been summoned.

Rather, he invokes the universal "we," an undetermined group of

similarly-positioned people who somehow share the response of "fighting not to

reduce it to [their] own smallness." This "fight" makes evident two important

points: first, that their response to the event is an active, not passive, process;

second, that within this process there is an inherent tension between the witness'

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[171] "Tuesday, and after." *The New Yorker* 24 September 2001.
http://www.newyorker.com/magazine/2001/09/24/tuesday-and-after-talk-of-the-town
[172] Ibid.

response in terms of their individual life ("our own smallness") and their response in terms of something larger than themselves ("something great and horrendous"). In bringing these two facets into tension with one another, the traumatic event has also drawn connections between previously separate people: watching the south tower fall, Updike writes, "We knew we had just witnessed thousands of deaths; we clung to each other as if we ourselves were falling."[173] He thus affectively positions himself in line with the direct victims of the attacks, most of whom he had no connection to prior to 9/11. These connections also foster Updike's own nationalist feelings, as he writes, "But fly again we must; risk is a price of freedom, and walking around Brooklyn Heights that afternoon...renewed the impression that, with all its failings, this is a country worth fighting for. Freedom, reflected in the street's diversity and daily ease, felt palpable. It is mankind's elixir, even if a few turn it to poison."[174] His use of "elixir" and "poison" once again call to mind a higher power, out of the control of humans. Looking back on this piece now, knowing the ramifications of the changes in the U.S. foreign policy, we can criticize his invocation of freedom. Freedom for whom, and who shall pay the cost? At what point is a country no longer "worth fighting for"? Yet, what we see in Updike's writing is a negotiation of his role as a witness to these events and a reflection on what the attacks could mean for him as an individual and as a citizen of the United States.

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[173] Ibid.
[174] Ibid.

Sontag takes a different approach, expressing her dismay and disappointment with the responses of public figures. This criticism, in a similar way to Updike's internal "fight," implies that there is a right way and a wrong way to witness the attacks. However, while Updike opened his piece with a mighty summoning, Sontag opens hers with a biting critique: "The disconnect between last Tuesday's monstrous dose of reality and the self-righteous drivel and outright deceptions being peddled by public figures and TV commentators is startling, depressing. The voices licensed to follow the event seem to have joined together in a campaign to infantilize the public."[175] Her characterization of the events as a "monstrous dose of reality" is in sharp contrast with Updike's surreal description. Furthermore, invoking the "self-righteous drivel and outright deceptions" of the mass media, those bearing witness to the public, situates her piece as being invested in a self-conscious process of witnessing. While Updike had referred to the country as being "with all its failings," Sontag emphasizes the lack of unity that initially followed the 2000 election, as would be expected for any election that was ultimately decided by the Supreme Court. This was a time that would question American democracy, and yet, Sontag notes, "A wide spectrum of public figures, in and out of office, who are strongly opposed to the policies being pursued abroad by this Administration apparently feel free to say nothing more than that they stand united behind President Bush."[176] She thus

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[175] Ibid.
[176] Ibid.

argues that the public witnesses to the event have quelled dissent. She urges:

"Let's by all means grieve together. But let's not be stupid together. A few shreds

of historical awareness might help us understand what has just happened, and

what may continue to happen."[177] This piece demonstrates her negotiation of her

position as both a witness to a trauma and a vigilant citizen invested in

contextualizing the events before her. She refuses to give in to the "infantilizing"

efforts of public figures that would have her align herself, unconditionally, with

those in power. Rather, she chooses to position herself as a witness not only to the

events of that day, but also to history; in doing so, she engages self-consciously

with her subjectivity as she notes how others fail to do the same.

We have therefore seen how Updike and Sontag position themselves in

relation to the event itself. I turn now to discuss how they position themselves in

relation to the Other, and contrast this to other journalistic responses previously

examined. Who is the Other? In this argument, I use the "Other" not just to refer

to the human subjects of the mediations we view. Rather, it includes all subjects

that are implicated in and affected by the event being mediated. An encounter

with the Abu Ghraib photographs is not just an encounter with the detainees or the

military officers, but also with those higher up in military command who have

ordered such actions, all those connected to the detainees either by family or

politics, those who have contributed to the war from all sides, and even the

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[177] Ibid.

victims of 9/11 themselves, who were invoked in justification of the war. From this list, we see that one does not have to actively engage with a specific event in order to be implicated in it. In witnessing an event, even through mediation, the subject is also implicated. All of these subjects become positioned in relation to one another. Adelman considers the relationship between these subjectivities when she writes, "Throughout the [Global War on Terror], the achievement of various American citizen-subjectivities has often been contingent on the denial of the subjectivity of others, those others who seem to threaten us above all."[178] The "terrorist" is denied subjectivity in the way that they are construed as immoral combatants beyond the purview of national or international law.

Ahmed provides a powerful analysis of the mobilization of hate and pain that allows us to see how affect is moved in this relationship. She writes, "The emotion of hate works to animate the ordinary subject, to bring that fantasy to life, precisely by constituting the ordinary as in crisis, and the ordinary person as the *real victim*...The bodies of others are hence transformed into 'the hated' through a discourse of pain." Updike's response is a clear example of the swell of feeling caused by trauma, at the moment at which the nation was told it was under an all-encompassing, never-ending threat, putting the ordinary "in crisis." In this case, the "ordinary person" is the American citizen-subject, one who has now suffered pain. Affect thus aligned Updike with other Americans and with the

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[178] Adelman, *Beyond the Checkpoint*, 13.

larger state, while the bodies who caused that pain, the enemy, became "the hated." Wendy Brown provides an example of this in her exploration of government discourse after 9/11, writing, "In the domestic war against terrorism, Americans were asked to become the 'eyes and ears of the government,' and to heighten vigilance about strange people and strange behaviours...This need for wariness, of course, justified racial profiling undertaken by the citizenry."[179] Aligning citizens with the government also served to turn them against "an Arab man sitting in an office reception area with a package on his lap or toward a 'foreigner' on an airplane who was nervous and fidgety."[180] While Sontag questions this discourse, asking for historical reflection to accompany emotional responses, she does not fundamentally question the separation between the American citizen and the terrorist. This is similar to Glenn Greenwald's invocation of the distinction between surveillance on American citizens (the Self) and Others. The journalistic responses examined in this project fail to posit a witness oriented towards justice because they do not attend to the movement of affect in shaping the subjectivity of their audience as connected to, rather than separate from, the Others affected by the 9/11 attacks on the War on Terror.

The Museum Visitor as Witness

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[179] Wendy Brown, *Regulating Aversion: Tolerance in the Age of Identity and Empire*. Princeton, NJ: Princeton University Press, 2006), 102.
[180] Ibid.

The interactive museum exhibit created by Poitras has the potential to

attend to the subjectivity of the visitor and particularly the separation of the Self

and Other. Poitras' O Say Can You See clips provide both a commentary on the

process of witnessing and a unique positioning of the museum visitor as a witness.

As argued in the previous chapter, she chooses to represent the attacks only

through the witnesses on the streets of New York City. They bear witness to the

events with their facial expressions and body language, expressing shock and

pain. The duality of the witness is captured perfectly in this choice, as there is no

temporal separation between the act of viewing and the act of bearing witness: the

strangers simultaneously view and represent the events they see. The eery music

in the background has a similar effect to the more-than-human summoning

referenced by Updike, but the fact that it is an edited track of the national anthem

distorts the idea of freedom with which Updike aligns himself. The anthem,

typically a unifying song, is destabilized by the manipulation of its speed and

pitch. This destabilization matches the destabilization of nationalism and national

identity achieved through the juxtaposition of national symbols, like the American

flag pins, with the pain of a diverse public. Not only do the witnesses themselves

not match the assumed (white, male) American citizen-subject, they also do not

have a uniform affective response. Instead, they depict unsettled subjects in the

moment of their unsettling, before they have been positioned within an

overarching narrative and before they have been discursively and politically separated from the "enemy" Other.

This unsettling is mediated by the body, the faces and facial expressions of the passerby. Nigel Thrift argues that "the technical form of modern media tends to foreground emotion, both in its concentration on key affective sites such as the face or voice and its magnification of the small details of the body that so often signify emotion."[181] This same principle is at play in Poitras' presentation of the witnesses: the focus is on their emotions, how they move and are moved by affect. We can therefore see the connection between witnessing the process of witnessing and witnessing emotion, reinforcing my argument that the witness is positioned by the movement of affect. In this case, affect is mobilized by the mediation of the human body.

Furthermore, Poitras positions the museum visitor as a different kind of witness. They are positioned, like Sontag, not as the initial responders to the trauma but a step removed, subjectively aligned in a more critical manner. In the most fundamental, literal way, they are positioned towards the initial witnesses and thus away from the event itself (although, of course, one of the effects of the trauma is to make the two inseparable). Thus, they become witness both to the event itself and to process of witnessing. Oliver argues, "Vigilance in elaborating

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[181] Nigel Thrift, "Intensities of Feeling: Towards a Spatial Politics of Affect," *Geografiska Annaler. Series B, Human Geography,* Vol. 86, No. 1, Special Issue (2004): 65.

and interpreting the process of witnessing--both in the sense of historical facts and historically located subject positions on one hand, and in the sense of the response-ability opened or closed in the performance of bearing witness on the other--enables working-through rather than merely the repetition of trauma and violence."[182] Such "vigilance" entails a reckoning with the fluid, relational nature of one's own subjectivity, and the enabling of such working-through separates the ethical witness from others.

Imperative in the process of understanding one's own positioning is reckoning with the positions of Others, since the two always occur in relation to one another. In witnessing the process of witnessing, as the visitor does in viewing O Say Can You See, we see how subjects come to be positioned and thus can interrogate the implications of these positions. How does the Sikh man in a turban come to be positioned as the enemy (violence against Sikh men spiked following 9/11 because they were often perceived as Muslim and, therefore, terrorists) when he stands, in Poitras' clips, wearing an American flag pin and projecting, with his body, the same complicated emotional unsettling as the little girl with blonde hair and blue eyes? Understanding his position, and the positions of all the other witnesses captured by Poitras, is not a simple task, particularly when the tendency cultivated by the state is to marginalize or hate the Other, as argued by Adelman. Kozol writes, "[Recognition] of the other is neither only a

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[182] Oliver, *Witnessing*, 18.

(violent) imposition of difference nor an unproblematic embrace of sameness but rather an ambivalent process fraught with possibilities and constraints. The challenge that persistently arises is to find ways to represent difference that remain recognizable to intended viewers while visually doing justice to others within their own worlds."[183] As we have seen, visual representation is an imperfect medium for this challenge because of the way it decontextualizes its subjects and "trade[s] on the assumption that to see is to know the subject of the image."[184] This assumption is based on and supports the unequal power relations that underlie conditions of witnessing. Wendy Kozol argues that "witnessing cannot be understood without considering both the intimate processes of looking at an image and the broader social contexts in which looking takes place."[185] It is with this consideration in mind that I turn to Ashuri and Pinchevski, who assert that witnessing "is subject to a constant struggle and is hence an inherently political practice."[186] Assuming the subjectivity of the witness is always a contentious act involving the transformation of data into information as well as the ability to re-present that information within the witness' own social and political positioning: "it is something to be accomplished, not simply given."[187]

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[183] Wendy Kozol, *Distant Wars Visible: The Ambivalence of Witnessing*. (Minneapolis, MN: University of Minneapolis Press, 2014), 203.
[184] Ibid., 12.
[185] Ibid., 19.
[186] Tamar Ashuri and Amit Pinchevski. "Witnessing as a Field," *Media Witnessing: Testimony in the Age of Mass Communication*. (UK: Palgrave MacMillan, 2009), 133.
[187] Ibid., pg. 136.

Understanding the position of an Other always involves also

understanding the position of the Self in relation to that Other, for as I have

argued, the two are constantly affecting one another and are inherently

interconnected. Within the struggle of establishing the subjectivity of the

witness(es), different subjects have different amounts of power, particularly in the

bearing witness to the event, which impacts how others come to view the event.

For example, as Sontag demonstrates, the United States government was given

the authority of a public witness following the attacks, and their articulation of

terror and safety, good and evil, positioned the American citizen-subject

affectively as witnesses aligned with one another and in opposition to the enemy

Other. If we hope to attend to these power relationships, we must consider who is

not empowered to bear witness to an audience. Those killed in the attacks were

not given this opportunity; neither were the Guantanamo detainees. How can we

come to recognize these Others, and their subjectivities, when they are given an

unequal amount of power in the process of witnessing? The bodies and faces

captured in O Say Can You See are not typically empowered in this way; yet,

their visual representation entails a certain amount of decontextualization and a

removal of agency, as it is always impossible to fully represent an Other.

How does Poitras reckon with these issues of power and representation, as

they relate to witnessing? As argued in the previous chapter, she uses the body of

the museum visitor to express the difference in subjectivities on either end of the

drone. In Bed Down Location, the literal positioning of the visitor's body has implications regarding one's position in terms of power and affect. In the first room, looking up at the projected sky, the visitor is powerless to the technological forces above them, and they serve as a witness to the representation of the conditions under drone surveillance. This representation is a collapsed capture of time, space, visibility, and vulnerability. Yet, as previously argued, their bodies are not truly in danger; they are both subject to and independent from the events they are witnessing. Then, the film clips in the Disposition Matrix show the aftermath of a drone strike in Yemen: in effect, what *could* have happened to the visitor while assuming that position. The juxtaposition of information regarding surveillance and drone strikes reveals that surveillance is itself an act of violence as it enables state control through threat.

The visitor is then yanked through the field of witnessing to the opposite end, becoming the surveiller rather than the surveilled. In the second room, looking directly at an infrared feed, the visitor appears to be in a position of control. The irony, of course, is that they have no choice in the matter; they have been placed in this position involuntarily, and because of this they experience discomfort as they witness the power of surveillance that they are implicated in, even though they are not typically direct participants. This is accomplished through the physical positioning of their bodies, moving from lying down and looking up to standing up and looking down, which echoes their affective

positioning. Thus, Bed Down Location is distinguished from the pieces in the

New Yorker by the attention it pays to these different roles. While Poitras does

not (and can not) represent the subjectivity of the Other, the moving between

positions constructs a different kind of witness: a witness not only to the process

of witnessing, but also to the relations of power and intersubjectivity inherent in

such a process. While the dual-sided screen of O Say Can You See represented

the negotiation of power, the experience of Bed Down Location embodies this

negotiation. Neither visual evidence of drone strikes nor numerical summaries of

drone strike victims can produce and mediate the complex differential of power

involved in the establishment of subject positions. As my analysis of *Astro Noise*

demonstrates, the body of the witness is a useful tool for artistic responses in

calling attention to intersubjectivity and unequal distributions of power, thus

producing an ethical witness through the mobilization of affect.

Conclusion

"Astro noise" refers to "the faint background disturbance of thermal radiation left over from the Big Bang."[188] The attacks of 9/11 have left their own disturbance that radiates through global politics, U.S. policy, and the everyday lives of people both in the U.S. and abroad. Every airport in the United States still features a Department of Homeland Security desk adorned with a rendering of an American flag, the stripes filled with names; the flag reads, "Flag of Honor: This flag contains the names of those killed in the terrorist attacks of 9/11. Now and forever it will represent their immortality. We shall never forget them." These same airports have become the battlegrounds in the legal debates over Trump's executive orders banning immigration from Muslim-majority countries. This disturbance persists because of the way cultural responses have harnessed the emotional effects of a traumatic event, fanning the flames of grief in certain political directions. State-sponsored responses, journalistic responses, and artistic responses to cultural trauma both assume and create subject positions for their creators, subjects, and viewers that fit within their own overarching narrative, and these subject positions are utilized for political means. Since the attacks, the initiation and perpetuation of the War on Terror have spurred their own responses, as U.S. policy and military actions undeniably contradict the construction of innocent American subjects and evil Other subjects. The current geopolitical

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[188] http://whitney.org/Exhibitions/LauraPoitras

landscape is the result of local conflicts embroiled in global histories and vice versa, driven by imperialist economic and political interests. To this day, there are American troops on the ground in Iraq and drone strikes continue. Three thousand people died as a result of the 9/11 attacks and over 2 million have died as a result of the War on Terror. Where, in this complicated web of money and violence, can justice be found?

There is no single definition of justice in political or anthropological thought. In much anthropological literature it is left undefined. I take the term to describe a possible relationship between a subject and its context; it is not an end result, but rather an active process, always unfinished. It is a *way* of knowing and acting, not an *act* itself. What kinds of relationships are just? I begin to answer this question by turning to Eve Sedgwick's conception of reparative reading. Describing literary criticism in queer studies, Sedgwick argues that scholars have become accustomed to practicing paranoid reading, anticipating harmful or threatening aspects of a text. She writes, "The first imperative of paranoia is *There must be no bad surprises*...because there must be no bad surprises, and because learning of the possibility of a bad surprise would itself constitute a bad surprise, paranoia requires that bad news be always already known."[189] In contrast, "to read from a reparative position is to surrender the knowing, anxious

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[189] Eve Kosofsky Sedgwick, "Paranoid Reading and Reparative Reading, or, You're so Paranoid, You Probably Think This Essay is About You," *Touching Feeling*. (Durham, NC: Duke University Press, 2002), 130.

paranoid determination that no horror, however apparently unthinkable, shall ever

come to the reader *as new*; to a reparatively positioned reader, it can seem

realistic and necessary to experience surprise. Because there can be terrible

surprises, however, there can also be good ones."[190] The War on Terror has

established a paranoid relationship to the world, in which no more "bad surprises"

of terrorism can be tolerated. For the paranoid reader, as for the United States

government, "no loss could be too far in the future to need to be preemptively

discounted."[191]

Sedgwick's advocacy of reparative reading is not an argument that there

are not real threats or that the world is not dangerous. The reparative reader

accepts the possibility of pain and suffering, at least partially because paranoia

cannot prevent it either. However, "because the reader has room to realize that the

future may be different from the present, it is also possible for her to entertain

such profoundly painful, profoundly relieving, ethically crucial possibilities as

that the past, in turn, could have happened differently from the way it actually

did."[192] A reparative relationship to trauma, therefore, is a relationship of

possibilities. The reparative way of knowing the world is aimed not at mastery

and control, but at relational understanding and hope. If we understand our

subjectivity as relational, we understand it as contingent upon outside factors. In

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[190] Ibid., 146.
[191] Ibid., 131.
[192] Ibid., 146.

recognizing their intersubjectivity, the reparative subject recognizes their own

contingency and the contingency of the events that have shaped their life. Things

could have been different, things may still be different. Opening oneself up to

surprise is one way of stepping into a just relationship with the world.

This expanded understanding of justice must be incorporated in national

and global policy moving forward. Most of all, we must be critical of our own

attempts and attitudes. It is not enough to simply capture *more* knowledge about

the actions of involved players, as demonstrated in Chapter 2. Mediating this

knowledge does not automatically produce just action in the recipient, as

demonstrated in Chapter 3. As examined in Chapter 4, theories of witnessing call

attention to the transmission of relational knowledge. I argue that this

transmission, the spreading of awareness of one's positioning in relation to the

traumatic event and to others, is essential in crafting a reparative subject. E. Ann

Kaplan writes, "'Witnessing' involves not just empathy and motivation to help,

but understanding the nature of injustice--that an injustice has taken place--rather

than focusing on a specific case...Art that invites us to bear witness to injustice

goes beyond moving us to identify with and help a specific individual, and

prepares us to take responsibility for preventing future occurrence."[193]

Witnessing's dual nature, including both seeing and testifying, encompasses the

crux of subjectivity: how one interprets the knowledge around them and

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[193] Kaplan, *Trauma Culture*, 23.

incorporates that knowledge into future action. Thus, it is through interrogating

the audience's subjectivity as witness that we can begin to understand how

subjects can be moved into just relationships.

The cultural responses I have investigated in this thesis thus have the

potential to cultivate justice through the subjectivities they project. However, in

an increasingly globalized and virtual landscape of injustice, this is no easy task.

State-sponsored responses are often the least effective in this endeavor, including

the "justice" system, because they are explicitly driven by the political and

economic agendas of those in power, who seek to maintain and expand that power

rather than incorporate holistic knowledge into their decision-making processes.

Executive responses, such as speeches and policies from both Bush and Obama,

have served to further delineate the subjectivities of Americans and others based

on a paranoid understanding of the dangers of the world, playing into and

exacerbating perceptions of cultural and national difference. Even as the leaked

NSA documents reveal a weakening of privacy protections for American citizens,

the rhetoric used to justify such policies relies on tropes of preemptive national

security mobilized in the wake of 9/11. Judicial responses, such as *Hamdan v.*

Rumsfeld, demonstrate an investment in determining what kind of knowledge is

legitimate, but the very structure of the judicial system views justice as an *end*, as

something that can be ruled on and decided once and for all. Even in this

endeavor, these responses are often ineffective because they lack the ability to enforce their decisions or truly guide government policy.

Legislative responses, such as the Military Commissions Act of 2006, often support the ideologies and rationales purported by the executive branch. A unique deviation from this standard that warrants further investigation is the Justice Against Sponsors of Terrorism Act, which was vetoed by Obama but that veto was overturned by Congress. This act allows families of the victims of 9/11 "to sue the Saudi government for damages over its alleged ties to the 9/11 hijackers, 15 of whom were Saudi citizens" in U.S. courts.[194] Obama vetoed the bill because it could set a legal precedent that would allow the U.S. to be sued for its military actions overseas, but members of Congress worried that voting against the bill would be perceived as a vote against 9/11 families in the run up to an election.[195] In this bill, justice is perceived as monetary compensation for lost lives, while the U.S. government continues to support Saudi Arabia in its indiscriminate airstrikes responsible for the deaths of over two thousand civilians in Yemen.[196] This is an example of turning to judicial responses to provide immediate, one-time solutions to injustice rather than incorporating awareness into our ways of knowing and acting in the world.

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[194] Russell Berman, 30 September 2016. "The Runaway Bill that Congress Refused to Stop," *The Atlantic*.
[195] Ibid.
[196] 2016. "Stunts & Punts." *Commonweal* no. 17, pg. 5.

The journalistic responses examined here also fall short of facilitating justice. Mainstream journalistic responses are often complicit with the narrative of the executive branch and reinforce the effects of technological representation that untether traumatic events from their temporal and spatial contexts. While investigative journalistic responses uncover and disseminate important knowledge, especially in the face of a secretive government, they do not have the power to insure that this knowledge leads to action. They remain in a paranoid relationship to the world, insisting upon knowing and exposing as a way to control the uncontrollable past, present, and future. Furthermore, editorial journalistic responses are often more critical of the knowledge before them, but they often rely on language that leaves the dichotomous separation between the Self and Other unquestioned.

This brings us to artistic responses, those most explicitly posed to interrogate and move the audience's emotions and therefore their affective positioning in the world in relation to the event and to others. What kind of art is best suited for this task? I have already argued that an appropriate cultural response must attend to the process of witnessing, as well as to the many subjects implicated in the event and in that process. Since the affective positioning of the witness is key in this attention, I turn back to affect theory to consider this kind of art. Ahmed writes, "Injustice is a question of how bodies come into contact with other bodies. We need to respond to injustice in a way that shows rather than

erases the complexity of the relation between violence, power and emotion."[197] As

clearly demonstrated in the Bush administration's crafting and portrayal of

"terror" following 9/11, affect (understood as emotional force) can be harnessed

in obtaining and deploying power. Therefore, if we hope to attend to power

relations, we must also attend to affect and emotions. This also assists in the

creation of just relationships, as Ahmed writes, "Emotions also open up futures, in

the ways they involve different orientations to others."[198] Assuming the

subjectivity of an ethical witness as defined in this chapter opens up more just

orientations and thus more just futures, while attending to the ways in which "the

past persists on the surface of bodies."[199] Here, we see the recurrence of the

element of time, and I argue that this is a crucial aspect of our understanding of

embodiment. While clips of the planes hitting the Twin Towers can be played on

a loop, the experience one has walking through Poitras' exhibit can only happen

in that specific way once. It is a singular occurrence, facilitated but not capturable

by technology of representation and reproduction. This is what makes the

interactive exhibit the ideal medium for art that produces ethical witnesses: it has

the ability to position, both in time and space, the viewer in particular ways.

Video clips, photographs, poems, articles—all of these responses—can be made

mobile, consumed more and more on individual devices. The museum exhibit is

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[197] Ahmed, *The Cultural Politics of Emotions,* 196.
[198] Ibid..
[199] Ibid., 202.

unique in its ability to involve the body of the viewer. Poitras' exhibit exploits

this ability at every turn, bringing the body into conversation with questions about

violence, knowledge, power, affect, and witnessing.

Following the work of Rita Kesserling, who argues that "embodied

knowledge, to a certain extent, resists discourses," I argue that it is through an

engagement with one's body and the body of others that the ability to act justly

can be found.[200] It is this engagement that can disrupt the strict delineation and

evaluation of individual subjectivities. Kesserling writes, "it is the bodily

dimension of being that presents the condition for the possibility of change. Any

kind of agency is anchored in sedimented perceptions of the world...Embodied

experiences thus also hold the possibility of resistance to or emancipation from

domination."[201] While the War on Terror, including torture, surveillance, and

drone strikes, has served to further control the bodily experiences of different

subjects, artistic responses that engage the body of their witnesses have the

potential to create new bodily experiences that can lead to the recognition of

intersubjectivity. Within this recognition is also the recognition of contingency,

necessary for a reparative relationship.

Materially, this argument calls for more funding for the arts and the

utilization of public space. However, under the Trump administration it is likely

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[200] Rita Kesserling, *Bodies of Truth: Law, Memory, and Emancipation in Post-Apartheid South Africa*. (Stanford, CA: Stanford University Press, 2017), 3.
[201] Ibid., 11.

that we will see the slashing of arts funding and a continuation of the increased

privatization of space. As private interests are becoming even more explicitly tied

to the actions of the state, it is difficult to imagine any cultivation of responses

that open up new possibilities for understanding. Additionally, the administration

has expressed interest in detaining more people at Guantanamo and utilizing

torture for interrogation purposes. At a moment when it seems that the injustice of

the War on Terror is going to be amplified and increased, how is one supposed to

pursue these conditions for justice? Unfortunately, I do not have an answer for

this question. However, acts of resistance will continue. By understanding the

shortcomings of responses to 9/11 and the War on Terror (so far), I am hopeful

that we can be better posed to resist in ways that push against and complicate

simplistic, but powerful, divisions.

What kind of relationship do we want to have with the world we live in?

An open, intersubjective relationship allows us to believe that the world does not

have to be unjust, that we are not destined to reproduce trauma for others. The

ways in which we choose to understand others and events can be reparative, and

therefore just.

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