Visions of Power: Violence, the Law, and the Post-9/11 Genre Film

By

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Abstract

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My dissertation, Visions of Power, uncovers specific moments where key Hollywood genre films blur the line between perpetrators of violence and its victims, disrupting a post-9/11 public discourse shaped by Manichean divisions. Discordant notes in these films provoke productive estrangement and challenge us to think historically, to see the resonances between this cultural moment and past traumatized moments in US history. The study thereby advances our understanding of American and international politics through its exploration of the narrative production of discourses around a state of emergency and the effects of this storytelling in creating a space of vaguely defined enemies where the parameters of the battlefield are obscured. Recent speeches by US presidents—as when George W. Bush commenced the War on Terror by citing the wanted posters of Old West, or when Barack Obama compared ISIS to the Joker—show how genre modes hold sway in executive discourse. I probe the cross-sections, slippages, and conflicts that exist within the ongoing dialogue between Hollywood entertainment and political discourse in the creation of competing visions of power to frame genre as a contested critical site—one of equal interest to politicians and to critically inclined filmmakers. My analysis both reveals and wrestles with genre’s multivalent purpose: sometimes as a tool to normalize state violence and, in its shifting perspective between wielders of state power and its victims, at other times as a potential mode of human rights critique.

Visions of Power follows a five-chapter structure. The introduction establishes its interdisciplinary framework that spans trauma, legal, and post-9/11 film studies. Via my analysis of executive and political discourse, tracking its homages to genre, I uncover the state's investment in genre framings. Why did Bush speak of the Old West at the opening of the War on Terror and the search for Bin Laden? Why, to paraphrase Attorney General Eric Holder, was there no sustained outrage towards revelations of America's torture program? Why the general acceptance toward extrajudicial killing through drones? The core chapters, focusing on the Border Western, film noir, and Superhero Film answer these questions and show that such myths contain a potential to normalize state violence. At the same time, I frame each genre as a platform for critically inclined filmmakers to shed light on such violence, and, at times, our own collusion with it.
My first chapter on the Border Western considers Denis Villeneuve’s *Sicario* (2015), Tommy Lee Jones’ *The Three Burials of Melquiades Estrada* (2005) as well as Ridley Scott and Cormac McCarthy’s much-maligned *The Counselor* (2013). Their position as genre films about the borderlands is crucial in this study of the interrelation of trauma, genre, and the law, since few spaces were as affected as the US-Mexico border following the 9/11 attacks on either a discursive or political level. Saturated with surveillance imagery, *Sicario* frames a panoptic border wherein the state’s eye acts as a kind of haunting phantom that reduces the humans it surveys to little more than specks and blurs. Historian Mae M. Ngai identifies the illegal alien as an impossible subject—one stripped of all rights who exists within a legal limbo where his immigration status denies him his humanity. In *The Three Burials of Melquiades Estrada* (2005), I argue, Jones visualizes this limbo to articulate the psychological toll of such a status upon illegal aliens. Examining the film against the fearful discourse surrounding immigration after 9/11 which often conflated the Mexican and the terrorist, I show how *Three Burials* exposes the discursive process by which the illegal immigrant is transformed into a potential threat. *The Counselor* extends these concerns with discursive transformation, framing the US-Mexico border space as a kind of broken mirror glass, in which contemporary American anxieties find themselves refracted. Finally, *The Counselor*, along with the other Border Westerns of this chapter which merge the tropes of film noir and the Western together, frame genre as a vital critical mode where suffering might be confronted and where a revolutionary violence might be perceived, one defined by a greater humanity for how it reckons with our own propensity for violence.

My second chapter on film noir offers readings on Robert Rodriguez and Frank Miller’s *Sin City* (2005) and David Fincher’s *Zodiac* (2007). Using Paula Rabinowitz’s concept of a “pulp politics” which argues that a noir mood emerges within paranoid political discourse, I offer entirely new insights into the political critiques of both texts. Long viewed as a chauvinistic fantasy, I disrupt traditional readings of the *Sin City*. Placing it against the Abu Ghraib controversies, I reveal how the film visualizes a destabilizing potential in the “female perpetrator,” a militant portrayal of the femme fatale. Few have read the 1970s period film *Zodiac* against the political climate in which it was produced. Concerned with the failed search for a killer who encroaches into the everyday through his pervasive presence in the mass media, *Zodiac* cannily allegorizes the bureaucratic failures in the lead up to 9/11 and the search for the United States’ chief menace of the 2000s, Osama bin Laden: Furthermore, both films express the burden of the genre frame upon executive actors. Yet even as these texts capture how myth can haunt, they also show that it is only in such a violent, often spectacular mode where the phantoms of public discourse might be gleaned.

My final core chapter on the superhero film focuses on Christopher Nolan’s *The Dark Knight* trilogy. My framework draws out the nuance of Nolan’s critique, already glimpsed within other critical readings, to uncover the depth of his indictments of American executive during a state of emergency. I find the muddy definition of “enemy combatant” within the amorphous terrorist threat of the Joker and excavate the black bodies of Hurricane Katrina in Batman’s
Gotham City. Nolan is invested in symbolic fluidity, with the broken borders between the hero and villain, perpetrator and victim. The Batman films position the superhero as a spectacular "show" for the executive—legally unbounded and intoxicating for how it can turn excessive force into fodder for collective fantasy. However, Nolan also frames genre as too volatile to be entirely co-opted by the state, calling attention to both the terrorizing power of such genre myths as well as their resistant potential.

Just as American policy has shaped international law, influencing the creation of Global Security Law after 9/11, so too has the shadow of America's global War on Terror rippled through international cinematic works. Considering a range of films that either inhabit or comment upon genre types, my conclusion uncovers echoes to these American productions, these haunted texts, compelled and repulsed by the exhilarating modes of Hollywood spectacle. In these international films, we witness key disorienting moments that underline how these texts articulate regional concerns and reflect on the ways in which their respective governments have responded to America's wars. An emblematic Japanese example is Kiyoshi Kurosawa’s *Tokyo Sonata* (2008), which presents a Japanese youth joining America's conflict in Iraq. A nightmare sequence of his homecoming, shell-shocked in his military fatigues, employs a noir staging to reflect a home space invaded by American political forces. In France, I consider Nassim Amaouche’s 2009 *Adieu Gary*, a banlieu-Western that appears distant from post-9/11 transformations in international law. Yet its French-Arab protagonists negotiate mass media envisionings of the “terrorist” in ways that highlight the pressures the controversial resolution placed upon Arab and racially mixed populations. *Adieu Gary* subversively refashions the Western aesthetic and its iconic heroes for this post-9/11 context to signify not strength but weakness. In its appropriation of the ghost town convention, the film thus becomes a unique example of the disrupted, transnational Western which visualizes the disrupted lives of banlieue youth, articulating the psychological disempowerment of an ethnic group framed in legal terms as a potentially violent threat.

My turn to the global in the final chapter of *Visions of Power* intends not to simplify contemporary world cinema as a response to American policy and the contemporary traumas that underpin it: rather, it is a first step within an emergent dialogue, a challenge to scholars of world cinema, that aims to situate local cinematic texts within transnational frameworks to help clarify and critique states’ responses to terrorist threats. Through such work, we might bring what Paul Giles describes as a "critical transnationalism" to contemporary genre studies (Giles 65). Giles finds that “to reinscribe classic American literature into a transnational framework is to elucidate the ways in which it necessarily enters into a negotiation with questions of global power” (Giles 72). Reinscribing American genre cinema into this larger framework within the final chapter of my study allows us to appreciate the ways filmmakers cannily negotiate and question a geopolitical terrain shaped by American visions of power. In moments of enigmatic and compelling ambiguity, the global examples of genre cinema show the fraught ways such visions might also be appropriated by those rendered Other and relatively voiceless within post-9/11 political discourse and law, to express and potentially transcend their marginalized condition.
Dedication

This dissertation is the product of many wonderful conversations.

Leading the charge in these dialogues was Professor Miryam B. Sas. As my dissertation chair, she sat with me over many years - shaping my voice, my writing and my thinking. She taught me to linger on contradiction and tension, to see the most vexed sites as the roots of the most dynamic scholarship.

My advisor Professor David J. Cohen helped found the cross-disciplinary bridge of this study, one that spans cinema and the law. He encouraged me to see film through the framework of human rights law early in my graduate career and through our many cappuccino-imbued meetings since that time. In so doing, he deepened my appreciation for allegory’s power to articulate the invisible but powerful force of legal strictures.

My advisor Professor Anton Kaes taught me the subtleties of cinema's negotiation of traumatic history and the need to be vigilant against simplistic rupture narratives. Our semester-long interrogation of war cinema's history helped cultivate an awareness of the subtle and surprising ways trauma's shadow might fall upon cinematic texts.

My advisor D.A. Miller reaffirmed for me the importance and joy of filmic sensitivity—to savor how a camera wanders within a forest and to contemplate the often-un-remarked strangeness of a Western landscape. Together, we celebrated the slight and the fleeting within film, crystallizing it in the amber of our enthused conversations.

My typist and dear friend John Lee not only brought his sharp eye and expertise to the language of this work but also a levity that infused the writing process with delight.

My editor Kate Chouta expertly shaped this text, bringing a machete-like clarity to the thicket of my words.

My friends and family charged the project with the frisson of joyous, free-wheeling chats. The many sparks of insights that burst out of these talks were so bright as to be almost blinding!

Finally, and most importantly, this work is dedicated to my parents. My love of film comes from a lifetime of their sharing amazing cinema with me. My love of analysis comes from their (superhuman!) patience with, and even encouragement of, my half-formed thinkings, my giddy ramblings, and my impossibly long digressions. Maman and Baba, je vous aime.
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Introduction

President Donald Trump’s inaugural address on January 20, 2017, encapsulated the isolationist, anti-establishment rhetoric of his campaign—one that called upon the image of a threatened nation whose borders were undefended and whose elite leaders cared little for the need of its citizenry. Internet commentators noted that his so-called “American carnage” speech bore an uncanny resemblance to an address given by the supervillain Bane in Christopher Nolan’s 2012 Batman film, *The Dark Knight Rises* (Tilo Jung, 2017). Trump proclaimed, “We are not merely transferring power from one administration to another, but we are transferring power from Washington DC, but we give it back to you... the people” (Trump, 2017). In Nolan’s film, the masked Bane stands on the gates of a prison in Gotham City as he announces, “We take Gotham from the corrupt! The rich! The oppressors of generations who have kept you down with their myths of opportunity and we give it back to you… the people.” On the drizzly winter day, to some viewers, the president seemed one with a comic book supervillain. This dissertation looks back on genre films like *The Dark Knight Rises*, made in the post-9/11 period, to reveal the executive’s long-rooted and vexed discursive imbrication with cinematic visions of power, allowing us understand how such texts engage in a complex dialogue with more or less authoritarian visions of the roles of power and the state, one version of which is most starkly realized in the present administration’s rhetoric Co-creator of Bane and Trump-supporter, Chuck Dixon, also saw the equivalences between his comic book creation and the politician but was sure to point out the villainous aspects of Trump’s supposedly more progressive predecessor noting: “Is [Trump] like a Batman villain? In many ways, he is. But our last guy in that office often reminded me of a Bond villain” (Couch, 2017). By linking President Barack Obama to a villain in a James Bond film, an enemy that hides not simply in the finery but also the decorum of the upper classes, Dixon pushed his audience to perceive the often-obscured violence of Trump’s predecessor. At the 2009 White House Correspondents Dinner, a tuxedoed Obama jokingly warned the boy band, the Jonas Brothers, to stay away from his smitten daughters: “I have two words for you—predator drones.” Legal scholar Mary Ellen O’Connell ends an essay on drone warfare and the “growing complacency with respect to drone attacks” by meditating on this presidential quip, as it reveals a broader societal comfort with the targeted killing of those the administration considers to be threats (O’Connell 116, 2011). Obama’s attitude, however, reflects a wider acceptance of this new type of warfare, as echoed in the February 2013 Pew Poll which showed that a majority of Americans do support drone use overseas (“Continued Support for U.S. Drone Strikes”, 2013). Drone warfare, as it extends a state’s right to use lethal force internationally, does away with fundamental human rights like due process, has a history in legal policy surrounding state of emergencies that has accelerated since 9/11. How could such a policy come to seem so innocuous, even laughable? Whence springs this ‘growing complacency’? This dissertation looks to cinematic depictions of violence and “lethal force” in recent popular genre cinema to open an understanding of the tropes and genre elements that have been mobilized, explicitly or implicitly, in shaping perceptions of the use of particular forms of nationally-mandated force.

9/11 as an event has been transformed into a narrative of foundational rupture by the United States government and the mass media. By labeling 9/11 as a moment of supreme national vulnerability, the Bush administration expanded its power and transformed the legal landscape. I reveal how the language of trauma bled into the ill-defined laws that were created to fight the “War on Terror,” an unprecedentedly broad conflict whose borders spread from the wars in Iraq and Afghanistan to domestic counterterrorism efforts at home. America’s post-9/11
laws created a paranoid shield that privileged security over individual liberty. The dissertation reads these events within a framework of reflection on the impact of trauma theory and the controversies surrounding its (mis)use as well as in the light of the frameworks of genre theory within cinema studies. At the same time, through a close reading of legal as well as cinematic texts, the dissertation opens an understanding of the parallels and structural similarities between two otherwise distant discursive modes.

In the context of the changes in legal structure, the power plays of the executive branch were not based on human rights concerns but on realist concern for executive interest, and entrenched national myths became a key means to render the amorphous conflict palatable to the American populace. Led by George W. Bush, the administration echoed the language of Westerns and the ‘noble cowboy’ when speaking of the threat of Osama bin Laden and claiming that he was “Wanted: Dead or Alive” (“Bush: Bin Laden,” 2012). Karl Rove's underreported meetings with Hollywood executives shortly after the attacks point to an administration fully cognizant that cinema could play an allegorical role mediating its policies. This productive façade of a traumatized and frightened culture helped to establish neoconservative policy whose legacy was still being felt in the Obama years. Expansive laws, ranging from the PATRIOT Act to the infamous Torture Memos, forced a spot light onto the excesses of executive power like never before. With each photo of torture and leaks on domestic surveillance, the foundational myths of a morally superior American national identity were continually challenged. This criticism made its way into post-9/11 genre films as well; Americans were shown the sharp disjuncture between the state's ideals and its actions within their spectacles.

The slip stream that exists between mythic visions of power and the rhetoric of the powerful, George W. Bush’s gunslinger was replaced by the self-professed superhero fan Barack Obama who has now been followed by the supervillain-quoting Donald Trump, evinces the importance of such spectacle as a potential site of critique. This dissertation takes seriously aestheticized spectacle’s abilities to productively respond to what queer theorist Eve Sedgwick refers to as the state’s “forms of violence that are hypervisible from the start [which] may be offered as an exemplary spectacle” (Sedgwick 140, 2003). The illuminating possibility of the form will be considered against a cultural backdrop where spectacular modes of state violence, from torture to targeted killings, saturate the mass media and which have become largely accepted by the general public. How can spectacular cinematic mediation of inherently spectacular violence reframe our vision of such practices and encourage empathy towards its victims? The core chapters, focusing on the Border Western, film noir, and Superhero Film answer these questions and show that such myths contain a potential to normalize state violence. At the same time, I frame each genre as a platform for critically inclined filmmakers to shed light on such violence, and, at times, our own collusion with it.

Visions of Power ultimately uncovers specific moments where key Hollywood genre films blur the line between perpetrators of violence and its victims, disrupting a post-9/11 public discourse shaped by Manichean divisions. Discordant notes in these films provoke productive estrangement and challenge us to think historically, to see the resonances between this cultural moment and past traumatized moments in US history. The study thereby advances our understanding of American and international politics through its exploration of the narrative production of discourses around a state of emergency and the effects of this storytelling in creating a space of vaguely defined enemies where the parameters of the battlefield are obscured. Discursive fluidity, a concern of so many of these films, is enabled by genre form, marked by recognizable tropes and figures such as the detective, cowboy or superhero that remain singularly
malleable to those who mobilize them, whether within the political or cultural spheres. Recent speeches by US presidents—as when George W. Bush commenced the War on Terror by citing the wanted posters of Old West, or when Barack Obama compared ISIS to the Joker—show how genre modes hold sway in executive discourse. I probe the cross-sections, slippages, and conflicts that exist within the ongoing dialogue between Hollywood entertainment and political discourse in the creation of competing visions of power to frame genre as a contested critical site—one of equal interest to politicians and to critically inclined filmmakers. My analysis both reveals and wrestles with genre’s multivalent purpose: sometimes as a tool to normalize state violence and, in its shifting perspective between wielders of state power and its victims, at other times as a potential mode of human rights critique.

Elizabeth Anker, in her study Orgies of Feeling: Melodrama and the Politics of Freedom has productively pinpointed the generic dimensions of post-9/11 political discourse by situating it in relation to the genre of melodrama. Through such a form that privileges the retribution of a righteous victim against evil forces that have done it harm, Anker finds that “the nation’s terrible injury becomes the foundational justification for violent and expansive state power” (Anker, 2014). Anker extends the work of scholars like Michael Rogin. In his study, Ronald Reagan The Movie and Other Episodes in Political Demonology, Rogin framed the executive discourse of Ronald Reagan and its relation to the personas he inhabited in his career as a Hollywood actor. In Reagan, Rogin found a subject “replacing history by visionary myth” who “was soaring above the real” through the president’s continual citation of his own and other cinematic analogues (Rogin xvi). Rogin claimed that his focus upon cinema responded to a “shift in American politics from appeals to history (however mythicized) to the more immediate power of the screen” (Rogin xviii). My study considers a time where the shift to the screen has become well-established. Whereas Rogin often frames Reagan as a figure comfortable in appropriating cinematic and genre myth in his self-presentation and the framing of his policies, in this present study of the post-9/11 period, I find an executive overwhelmed by the ambiguity of genre myths, unable to cleanly co-opt the cinema for their self-valorizing intents. For George W. Bush, the West was at first a place of absolute moral clarity that transmuted into an impossible dream, a place outside the realities of Washington. For his administration, the idea of the superhero became a kind of insult to their own limited capacities to seek out its enemy, Osama bin Laden. For Obama, the superhero framed not simply the possibility of his ideals but also their eventual erosion—a mode that tracked his transformation from savior to villain caught in the superhero's web. For Trump, the discourse of the supervillain speaks to his malignant intents. I expand upon Anker’s and Rogin’s studies by drawing together state and aesthetic discourses, framing the intersection between these two modes as a crucial and contradictory concern, one mediated within the spectacular genre texts themselves.

At the same time, by focusing on the discursive influence of genres centered on violent actors, I move beyond Anker’s formulation of modes of melodrama that invites unity between the citizen and the nation state, to genre forms that stress and codify hierarchies of power. Such texts promoting a disunity offer a destabilizing individuality, one that is at times (super)empowered and at other times isolated. I reveal how an executive calling upon tropes from aesthetic modes that center on perpetration as much as victimization face a dilemma—in their veneration of empowered, legally unbounded ideals such forms contain the possibility to express the very limits of state power to not simply defend against transnational threats, but to sustain a legitimizing monopoly on violence.
To understand the framework of the study, it is important to further elaborate on how I perceive of genre’s allegorical role. This study finds that genre functions as an allegory, an extended aesthetic metaphor that assists in concretizing the abstract systems that govern everyday life. Theorist Fredric Jameson finds that “we map our fellows in class terms day by day, and fantasize our current events in terms of larger mythic narratives” (Jameson 3, 1995). Mythic narratives as modes to comprehend the present geopolitical moment, I reveal, are harnessed and constructed by the state, its citizens, and its artists. Allegory can be a form for representing change within system thereby bringing into view the broad transformations with the governing legal apparatus. Paul de Man’s stresses that, unlike timeless symbols, allegories are marked by their temporality. He wrote in his essay, “The Rhetoric of Temporality” that “in the world of allegory, time is the originary constitutive category” (de Man 206, 1983). Their complex embroilment within the period of their creation shows that allegories are inherently dynamic and fluid, whose meaning transmutes depending upon the audience that receives and considers such work. De Man suggests that the form exposes the tensions within signification, muddling the correlation between signifier and signified. Within these points of flux, allegories frame what Raymond Williams describes as structures of feeling, “a social experience still in process,” thereby helping to uncover the on-going processes by which state violence and extra-legal practices are normalized in the public discourse (Williams 132, 1997). Rather than expressing simple 1-to-1 equivalences with contemporary debates surrounding state-sponsored violence, I situate these sites of genre allegory a contradictory, self-contested mode well-suited for encapsulating the complexities of the sociological. My dissertation embraces the multivalence of these modes as it explores these texts’ fraught relation with both executive actors and the legal landscape that they negotiated while creating an indefinite state of war.

By placing key genre works in direct dialogue with the transformed legal landscape, this dissertation will cultivate a new relevance for individual films which have so often been perceived as merely a-political fantasies, revealing the capacity of these genres to collude with dominant discourses to deliver rich socio-political critiques. Similar to the harsh post-9/11 legal reality that promised an easy though fraught solution to the specter of transnational terrorism, these genre films privilege violent enforcement of conflicts through the Western Sheriff, the Noir Private Eye and the crusading Superhero. Such filmic allegories both reify and critique the discourse of trauma that manifests in muddled post-9/11 law, providing the possibility to see the shock waves within the legal universe that have an insidiously real effect but which are so often invisible. They show that genre film holds an influential and indeed determining sway in the conceptualization of how crime should be fought, not only in the minds of the public but in the views of the executive. Via their affective force, these films offer a taste of executive power rendering it both exhilarating and intoxicating. Silver screen heroes contribute to a view that limits critical assessment, encouraging a suspicion towards law, a traditional check on executive power. And yet, via the inherent multiplicity of meaning within such allegorical forms, these films also offer a critical possibility of reflecting on the framing of these views within both cinema and public discourse.

Through its distinct inter-disciplinary framework, spanning trauma, legal, and post-9/11 film studies, this dissertation is uniquely positioned to contribute to all these fields. Trauma studies, and memory studies more broadly, has been criticized for espousing reductive historical narratives that show a desire for cultural homogeneity. This study approaches 9/11 with an understanding that cultural trauma is a constructed phenomenon, a trope behind a group or a culture’s identity which can be exploited by state actors to further their own political agendas.
My approach expands upon the writing of sociologist Jeffrey Alexander who contends that cultural traumas are formed through an elaborate sociological process that begins with speakers from the victimized group connecting the violence that befell their sub-group to the wider culture (Alexander 12, 2004). It also takes seriously critiques of the cultural trauma paradigm which find that the language of healing can be exploited by the state. Legal scholar Vanessa Pupavac has argued that, in the case of Bosnia, the ‘traumatized’ nation was said not to be fit to govern itself, providing a pretext for other states to take control of the nation’s infrastructure thereby undermining its national sovereignty. A psychoanalytic rhetoric developed to encourage healing, then, has a paradoxically insidious dimension for fueling a state’s neo-imperial endeavors.

Expansive policy shifts sparked by 9/11 reveal how states employ the discourses of cultural trauma to achieve systemic change domestically. Engaging with developments in domestic and global security law lends my work a rigorous, formalized standard in which to understand how the narrative of trauma functions to legitimize state violence. The incorporation of the law into my study also illustrates how the traumatic rhetoric of rupture seeped into the very amorphous legal responses to transnational terrorism. My dissertation wonders what role do popular genre forms play in substantiating such narratives of cultural trauma and legitimizing the policy changes that these supposed ruptures cause?

The very nature of the genre texts that I consider, focused upon violent actors, allows this dissertation to go beyond the victim-centric bias often said to be endemic in trauma studies, a view best articulated by Debarati Sanyal in her work on Charles Baudelaire. She laments that an exclusive focus on the victim subject position “fails to address how literature might engage with specific forms of power through dynamic relations of complicity or resistance” (Sanyal 10). Sanyal finds that Baudelaire's writing creates a multivalent perspective that captures both the executioners’ and victims’ views. Similarly, Bush's official “Western-infused” rhetoric shows just how disquietingly malleable the ideas of victimizer and victim are when creating a national allegory built upon a constructed trauma. The films under review vacillate between the position of the victimizer and victim, the all-powerful and the powerless.

Although distinct in its inter-disciplinary approach, the study builds upon the work of seminal thinkers in film and cultural studies. Siegfried Kracauer and the aforementioned Frederic Jameson positioned mass art as a lens into the economic and political forces that shape society. I extend their views by arguing that such texts not only provide a systemic view of existing legal frameworks but also articulate minute shifts in the law’s particularities. My dualistic understanding of genre films mirrors film scholar Robert Burgoyne's view of the Hollywood historical film as a site of competing narratives of national identity. Challenging their ostensible message about a unified United States, Burgoyne argues that such films also show “that social identities in the United States have been shaped by relations of opposition and antagonism” (Burgoyne 2, 2010). The past becomes the lens to consider the present. He explains this process via Mikhail Bakhtin's conception of genre memory where conventionalized elements within a film’s story attest to the unchanging features of national ideals, accentuating contemporary challenges to those foundational values (Burgoyne 7-8; Morson 290, 1990). For Burgoyne, Hollywood historical cinema features a hybrid view of national experience: where a state-approved narrative of nation exists concurrently with its counter-narrative (Burgoyne 11). In a similar vein, though with an added awareness of changing legal reality, this dissertation asks what counter-narrative genre films uncover in a time where the executive sometimes framed itself as either sheriff or superhero? What resistant narratives of nation can we find from seemingly valorizing figures like Superman, whose statue Obama posed with in one of his early
campaign photos, or Batman, whose exploits served as expedient metaphors for the president to describe present conflicts in the Middle East? Co-opting the plot of *The Dark Knight*, Obama once told his advisors that the Middle East was Gotham City, its entrenched regimes were the mafia, and that the Joker was ISIL who just wants to burn it down (Goldberg, 2016). If Joker was ISIL in his analogy, then Obama was Batman.

This dissertation probes the stakes of such a discursive synergy that continues to reemerge in modes at once enamored and skeptical of great power. Zack Snyder's 2015 *Batman v Superman*, a film saturated by 9/11 imagery, links the superhero with the terrorists behind the attacks. A villain tells an American senator, “We know better now, don’t we? Devils don’t come from the Hell beneath us. No, they come from the sky.” The film conflates the Man of Steel flying through the sky with the planes that flew into New York. The valences of this linkage are manifold. On the one hand, the film encourages seeing the superhero as an extralegal transnational threat akin to the terrorist. At the same time, Superman’s positioning as a quintessentially American icon pushes us to contemplate the spectacular kind of violence practiced by Obama’s United States that comes from the sky—that of drone warfare. *Batman v. Superman*, like so many genre films, leads viewers into a productive space of ambivalence toward such vigilante icons associated with extralegal power and the state forces have they come to represent.

With its interdisciplinary frame, *Visions of Power* contributes to media history of the post-9/11 period in a variety of ways. The contours of such a contribution can be gleaned by situating the project against media historian David Slocum’s salient breakdown of such scholarship on the tenth anniversary of 9/11. Slocum identified three key critical imperatives for scholars, namely: “to historicize analyses of 9/11 film and media productions, to address the extraordinary transformations in the media ecosystem of the early 2000’s, and to provide rigorous and specific cultural groundings for studies” (Slocum 185, 2011) Firstly, my scholarship, resting as it does between legal, trauma, and film studies, between the humanities and social sciences, historicizes post-9/11 genre films in new and unexpected ways. Through such a framework, a film that has existed outside the purview of any post-9/11 study such as Robert Rodriguez’s and Frank Miller’s film noir *Sin City* (2005), may be perceived as a canny response to the Abu Ghraib controversy and the visions of militant perpetrating femininity that flared up in the torture scandal and within the exploits of female soldiers on the battlefield across the last two Iraq Wars. Secondly, by incorporating into my analysis a host of different media forms—not simply the aforementioned speeches by state leaders but also comic books, viral advertising on the Internet and video games— I at once situate these Hollywood and international genre films firmly with a wider media ecosystem as well as show how the subtleties of these texts’ political critiques most sharply emerge when viewed within such an intertextual spectrum. Finally, in synthesizing international law and international genre cinema, I illustrate how such genre texts frame the shifting meaning of the War on Terror and its discursive impact across borders and cultures.

Perhaps the study’s most crucial contribution, however, comes in its reaffirmation of genre as a productive site of ambiguity and tension. Slocum, like many post-9/11 film scholars, assumes a tendency for such entertainments to provide “coherent stories with clear resolutions” (Slocum 189). For how they vacillate in subject position between victimizer and victim, between skepticism towards state power and exhilaration towards its usage, I find that these texts engage in a productive incoherence, one wherein the viewers’ presumptions become destabilized and his potential collusion with structures of political violence might become exposed. In my
analysis of Nolan’s *The Dark Knight* trilogy, which has been criticized in previous scholarship for its political ambiguity, I frame how its inherent tensions and lack of overriding clarity lend it much of its decentering critical force. This study thus explores the fraught ways that audiences might be able to engage political violence and bridge new routes towards compassion through genre spectacle. I construct a new filmography that pairs canonical post-9/11 texts with some which have received little to no sustained attention while creating an interdisciplinary critical frame that allows scholars to "open outward to complex and contradictory readings, rather than closing in on themselves and reinforcing selective interpretive and political positions" (Slocum 192). Through such work, *Visions of Power* not only responds to Slocum's call for scholars to complicate histories of the post-9/11 decade, but it also points new routes to considering art and law within times marked by states of emergency, where leaders sometimes embody superheroes and at other times supervillains.

**Chapter Structure**

My first chapter on the Border Western considers Denis Villeneuve’s *Sicario* (2015), Tommy Lee Jones’ *The Three Burials of Melquiades Estrada* (2005) as well as Ridley Scott and Cormac McCarthy’s much-maligned *The Counselor* (2013). Their position as genre films about the borderlands is crucial in this study of the interrelation of trauma, genre, and the law, since few spaces were as affected as the US-Mexico border following the 9/11 attacks on either a discursive or political level. Saturated with surveillance imagery, *Sicario* frames a panoptic border wherein the state’s eye acts as a kind of haunting phantom that reduces the humans it surveys to little more than specks and blurs. Historian Mae M. Ngai identifies the illegal alien as an impossible subject—one stripped of all rights who exists within a legal limbo where his immigration status denies him his humanity. In *The Three Burials of Melquiades Estrada* (2005), I argue, Jones visualizes this limbo to articulate the psychological toll of such a status upon illegal aliens. Examining the film against the fearful discourse surrounding immigration after 9/11 which often conflated the Mexican and the terrorist, I show how *Three Burials* exposes the discursive process by which the illegal immigrant is transformed into a potential threat. *The Counselor* extends these concerns with discursive transformation, framing the US-Mexico border space as a kind of broken mirror glass, in which contemporary American anxieties find themselves refracted. Finally, *The Counselor*, along with the other Border Westerns of this chapter which merge the tropes of film noir and the Western together, frame genre as a vital critical mode where suffering might be confronted and where a revolutionary violence might be perceived, one defined by a greater humanity for how it reckons with our own propensity for violence.

My second chapter on film noir offers readings on Robert Rodriguez and Frank Miller’s *Sin City* (2005) and David Fincher’s *Zodiac* (2007). Using Paula Rabinowitz’s concept of a “pulp politics” which argues that a noir mood emerges within paranoid political discourse, I offer entirely new insights into the political critiques of both texts. Long viewed as a chauvinistic fantasy, I disrupt traditional readings of the *Sin City*. Placing it against the Abu Ghraib controversies, I reveal how the film visualizes a destabilizing potential in the “female perpetrator,” a militant portrayal of the femme fatale. Few have read the 1970s-period film *Zodiac* against the political climate in which it was produced. Concerned with the failed search for a killer who encroaches into the everyday through his pervasive presence in the mass media, *Zodiac* cannily allegorizes the bureaucratic failures in the lead up to 9/11 and the search for the United States’ chief menace of the 2000s, Osama bin Laden: Furthermore, both films express the
burden of the genre frame upon executive actors. Yet even as these texts capture how myth can haunt, they also show that it is only in such a violent, often spectacular mode where the phantoms of public discourse might be gleaned.

My final core chapter on the superhero film focuses on Christopher Nolan’s The Dark Knight trilogy. My framework draws out the nuance of Nolan’s critique, already glimpsed within other critical readings, to uncover the depth of his indictments of American executive during a state of emergency. I find the muddy definition of “enemy combatant” within the amorphous terrorist threat of the Joker and excavate the black bodies of Hurricane Katrina in Batman’s Gotham City. Nolan is invested in symbolic fluidity, with the broken borders between the hero and villain, perpetrator and victim. The Batman films position the superhero as a spectacular “show” for the executive—legally unbounded and intoxicating for how it can turn excessive force into fodder for collective fantasy. However, Nolan also frames genre as too volatile to be entirely co-opted by the state, calling attention to both the terrorizing power of such genre myths as well as their resistant potential.

Through a discussion of Resolution 1373, a U.N. resolution which made the laws of the “War on Terror” global, along with analysis of key genre films, the dissertation will end a brief exploration of other national cinemas and their allegories of a changed post-9/11 landscape. Just as the Bush administration transformed domestic law after 9/11, it also created global security law via the far-reaching Resolution 1373. 1373 was a binding resolution to all member states. Its poorly defined key terms, like terrorism, mired U.N. partners in the dangerous muddle of meaning that was emblematic of so much of post-9/11 law, where fundamental human rights were supplanted under the rhetoric of increased security (Scheppelle 253; 267, 2013).

Just as American policy has shaped international law, influencing the creation of Global Security Law after 9/11, so too has the shadow of America’s global War on Terror rippled through international cinematic works. Considering a range of films that either inhabit or comment upon genre types, my conclusion uncovers echoes to these American productions, these haunted texts, compelled and repulsed by the exhilarating modes of Hollywood spectacle. In these international films, we witness key disorienting moments that underline how these texts articulate regional concerns and reflect on the ways in which their respective governments have responded to America’s wars. An emblematic Japanese example is Kiyoshi Kurosawa's Tokyo Sonata (2008), which presents a Japanese youth joining America's conflict in Iraq. A nightmare sequence of his homecoming, shell-shocked in his military fatigues, employs a noir staging to reflect a home space invaded by American political forces. In France, I consider Nassim Amaouche’s 2009 Adieu Gary, a banlieu-Western that appears distant from the aforementioned transformations in international law. Yet its French-Arab protagonists negotiate mass media envisionings of the “terrorist” in ways that highlight the pressures the controversial resolution placed upon Arab and racially mixed populations. Adieu Gary subversively refashions the Western aesthetic and its iconic heroes for this post-9/11 context to signify not strength but weakness. In its appropriation of the ghost town convention, the film thus becomes a unique example of the disrupted, transnational Western which visualizes the disrupted lives of banlieue youth, articulating the psychological disempowerment of an ethnic group framed in legal terms as a potentially violent threat.

My turn to the global in the final chapter of Visions of Power intends not to simplify contemporary world cinema as a response to American policy and the contemporary traumas that underpin it: rather, it is a first step within an emergent dialogue, a challenge to scholars of world cinema, that aims to situate local cinematic texts within transnational frameworks to help clarify
and critique states’ responses to terrorist threats. Through such work, we might bring what Paul Giles describes as a "critical transnationalism" to contemporary genre studies (Giles 65, 2003). Giles finds that “to reinscribe classic American literature into a transnational framework is to elucidate the ways in which it necessarily enters into a negotiation with questions of global power” (Giles 72). Reinscribing American genre cinema into this larger framework within the final chapter of my study allows us to appreciate the ways filmmakers cannily negotiate and question a geopolitical terrain shaped by American visions of power. In moments of enigmatic and compelling ambiguity, the global examples of genre cinema show the fraught ways such visions might also be appropriated by those rendered Other and relatively voiceless within post-9/11 political discourse and law, to express and potentially transcend their marginalized condition.
Chapter 1: The Post-9/11 Border Western

In the opening stages of the War on Terror, President George W. Bush configured the conflict in terms of the Western. The head of the U.S. government situated the war less as an abstract transnational conflict and more as a metaphorical showdown between the sheriff George W. Bush and the outlaw Osama bin Laden. On September 17, 2001, responding to a reporter’s question about whether he wanted the Al Qaeda leader dead, Bush responded, “I want justice. And there’s an old poster out West, I recall, that says ‘Wanted: Dead or Alive’” (“Bush: Bin Laden”). This line has certain strange and telling linguistic markers. Bush spoke in the present tense as though the West that he referenced still existed, its values well-suited to the complexities of the contemporary political landscape. Moreover, the president transformed himself into a mythic hero operating with as clear and as stark a moral code as a Western gunslinger who would save the terrorized town that was post-9/11 America. Bush employed the language of genre to frame his administration’s acts, placing the far-reaching executive and legislative response to the attacks as a “larger mythic narrative” (Jameson 3).

This instance is just one among many that provoke serious questions: how does the state mobilize the mediating potential of genre expectations? Does genre, often deeply rooted in violence, contribute to legitimizing acts of state as the work of “heroes,” thereby neutralizing the views of the human cost of force-driven policies? Or, does this genre lens perform other, perhaps more insidious work, so that human death might be made not only visible but exhilarating? As a rhetorical mode that might validate state violence by rendering it spectacular, does the genre form provoke the spectator to reckon with the collusion of his or her own attraction toward this aspect of spectacle? The three Border Westerns that form the core of this chapter—Denis Villeneuve’s Sicario (2015), Tommy Lee Jones’ The Three Burials of Melquiades Estrada (2005), Ridley Scott and Cormac McCarthy’s The Counselor (2013)—are all deeply self-reflexive, meditating upon the disquieting allure of genre and how its viscerally satiating qualities might be both commented upon and challenged.

Cultural commentator Tom Engelhardt finds that Bush’s remarks referencing the West’s Wanted: Dead or Alive poster typify an establishment shaped by such pop cultural visions. Previous presidents, most notably Ronald Reagan, employed the Western myths of Hollywood in both their language and in their self-fashioning. However, Bush and his neoconservative peers differ in never having direct combat experience. Engelhardt suggests that this allowed Bush and many within the Bush administration to remain “screen warriors” (Engelhardt 314). Such warriors “never left the confines of those movie theaters where American war was glorious, our military men always bravely patrolling the frontier, and the Indians, or their modern equivalent, always fell before our might” (Engelhardt 314). The commentator suggests that such a diet of visions of war onscreen can insulate. Drawing on a range of questions related to these problems, this chapter will consider visions of a modern day frontier shaped by a post-9/11 discourse and law—the US-Mexico border—as well as the modern equivalent to the American Indian of the Western—the Mexican migrant. While Engelhardt sees such visions in film as valorizing and reinforcing contemporary political forms, in this chapter I am also attuned to the counter-narratives such genre films might offer.

“The Boundaries Have Been Moved”: Introducing the Border Western

The position of Westerns about the borderlands is crucial in this study of the interrelation of trauma, genre, and the law, since few spaces were as affected as the US-Mexico border following the 9/11 attacks on either a discursive or political level. Border scholar Tony Payan
finds that, following the attacks, “No geographical area of the country underwent as intensive and extensive changes as the U.S.-Mexico border” (100). The years following 9/11 saw a rise in border militarization as well interior enforcement. A border security fact sheet from the 2002 budget stated, “The massive flow of people and goods across our borders help drive our economy, but it can also serve as a conduit for terrorism” (“Securing America’s Borders”). Somewhat irrationally, as Payan finds, the border has often been cited as a central reason for the attacks and an ever-present vulnerability, so that “the state of the border was viewed as a national security threat” (94). Emblematic of this fear-filled rhetoric, and despite all evidence to the contrary, U.S. Representative Sue Merick claimed in 2005 that “terror was spilling across the border” (qtd. in Payan 2). More recently, U.S. Congressman Duncan Hunter disseminated unfounded reports that ISIS fighters were caught by Border Patrol moving in from Mexico (qtd. in Parkinson). The attacks both exposed and exacerbated the marginalized position of the illegal migrant who was conflated with the wartime enemy. Reflecting upon the shifting conceptions of the Mexican worker, an El Paso community organizer found that “from [9/11] on, everyone across the border was a potential threat” (qtd. in Jones 109).

Within this paranoid climate, policy changes transformed the border into a hyper-surveyed space akin to a post-9/11 war zone. Such geographical dislocation denotes that the Mexican border space, in the eyes of the state at least, has been and is often potentially conflated with the Middle East. The thematic thread of a merging home and war front is shared by the various Border Westerns I will be discussing. These films often frame the omnipresence of police surveillance upon border actors, figuring the state’s sight as a kind of haunting phantom. They emblematize Tony Payan view’s that the policy related to the Drug War and the War on Terror has ensured that a “Panopticon Border” is emerging. Payan writes, “In the borderlands, the U.S government is waging a war to surveil and control all border crossers” (Payan 114). What, Border Westerns like Sicario ask, are the costs and impacts of such an effort at panoptic vision, and what may be its discomfiting pleasures?

Border Westerns often visualize a geographical muddling between the Southwest and other global sites of violence and terror that have been a motif in post-9/11 political discourse. Sicario opens with an over-title stating “The word Sicario comes from the zealots of Jerusalem.” Then, these explanatory words appear: “Killers who hunted the Romans who invaded their homeland.” Before introducing the film’s US-Mexico border setting, the film notably gestures to a historical vision of the Middle East, where other border Westerns may gesture also to today’s Israeli-Palestinian conflict. Finally, the last line appears “In Mexico, Sicario means hitman.” The film then fades to an establishing shot of Chandler, Arizona overtaken by a SWAT Team sneaking toward a suburban home. Through this brief evocation, the film creates a linkage wherein the United States resembles the Roman Empire, an invading force whose presence inspires violent resistance. The Mexican cartel members, its hitmen, are positioned as radical combatants fighting imperial force. Calling upon a kind of prototypical Zionism, the film troubles the delineation of the Mexican hitman as a kind of criminal outlaw without an agenda. The over-titles frame such border violence as inherently political, a response to an American superpower’s invasion upon its southern neighbor. Sicario thus establishes that the setting’s violence needs to be understood within the broader context of United States’ wartime endeavors.

When performing this correlation of geographies, viral ads for Ridley Scott and Cormac McCarthy’s The Counselor (2013) formally and covertly transpose the US-Mexico border setting upon the Middle Eastern site of America’s war. In so doing, they capture the uncanny sense of estrangement when the two locations become conflated. The videos feature mundane
conversations of the film’s central characters that become interrupted by the radio chatter of the police or aerial footage from drones surveying the scenes. The coordinates presented in the drone view do not correspond to the film’s border setting but to the very center of Iraq! They are found within aerial footage from one ad set at a Texas gas station. Such geographic dislocation in these ads denotes that the border space of *The Counselor* is, in the eyes of the state at least, conflated with the Middle East. This thematic thread of a merging home and warfront is shared by the various US-Mexico border films I will be discussing. Another shared formal feature is the chatter of the state that encroaches upon innocuous scenes. The sense of a totaling vision is a shared feature as well. The filmmakers here suggest the omnipresence of police surveillance upon border actors, figuring the state’s sight as a kind of haunting phantom.

These Border Westerns extend certain trends within the post-9/11 Western: (1) a heightened presence of the traumatized hero, (2) visions of a tainted landscape, and (3) images of death and decay. Reflecting macabre aspects of the contemporary discourse marked by loss and war, death permeates these films in a way that is even more stark, terrifying, and extreme than the violence of historical Westerns. In an essay discussing key texts of the Border Western, film scholar Camilla Fojas helpfully contextualizes this recent shift within imaginings of the border. Due to increased militarization of the space, Fojas finds that “the borderlands, which are typically associated with risk, are now associated more often with death” (Fojas 97). Border Westerns stand apart from other post-9/11 Westerns for the varying borders which they visualize—geographic, political and generic. Through such blurring—wherein the space is made to seem the front line of a War on Terror, where its inhabitants are akin to enemy combatants and are made to seem disposable subjects whose deaths are seen as spectacular—the films blend together the archetypes of the Western genre with the shadowy form of film noir. The Border Western thus hangs on the edge between America’s dream of itself and its nightmare. The films under review all perceive the Western with what we might call a kind of “noir skepticism,” considering the genre of John Wayne and Gary Cooper at an ironic remove. In doing so, the Border Westerns position the Western myth as inherently kitsch, one whose dangerous malleability comes from its perception as an innocuous, highly commodified vision of American ideals and its history.

Dennis Villeneuve’s 2015 *Sicario* encapsulates many of these qualities of the Border Western. The film offers its mission statement when its heroine, FBI agent Kate Macer, asks if her inter-agency drug taskforce operates within the law’s boundaries. Her superior answers, “The boundaries have been moved.” The line identifies the film’s investment in an amorphous US-Mexico border space where spatial, legal, discursive and generic lines come together. Saturated with distancing drone imagery and featuring an extensive sequence of interrogation, where water-boarding is heavily implied, the film contemplates a space where the controversial policies that have marked America’s foreign wars come home. During the film’s opening set piece, a drug raid on a suburban home, FBI agents uncover rotten bodies within the walls. Plastic sheets obscure the individualizing features of these victims of the Drug War. The opening suggests that the border rests on an unseen and unmourned mass death, a positioning that can also be seen in Tommy Lee Jones’ *The Three Burials of Melquiades Estrada* which brings the decomposing body of an illegal migrant into the center of its form and narrative. *Sicario*, like the other Border Westerns within this study, asks: how does one confront an implicating suffering, caused in large part by the appetites of the American public for drugs, the same public that constitutes the audience of such genre films? The film gestures to its concerns toward blind appetite in a scene wherein the revenge-seeking mercenary Alejandro confronts a Mexican drug lord eating dinner
with his family. Clothed in black army gear, like a noir specter sitting at the head of table, the mercenary notes, “Every night you have families killed, and yet here you dine.” These accusatory words—said in English to hide the meaning from the drug lord’s children—could in one view apply to the viewer of genre who dines on images of suffering to fulfill his own taste for blood.

*Sicario* performs helpful work in framing the generic contours of the Border Western when it presents the meeting between aspects of the Western and Noir genres. One shot in particular, in which the evermore-disillusioned Mercer visits the Wild Pony Bar with her partner, brings the two modes together. The purple light of a neon sign bathes the heroine while the silhouette of a stallion-riding cowboy looms in the background. Gazing with incredulity at the Western iconography around her, Mercer goes on to ask her partner, “Where have you taken me? What is this place? It's full of cowboys!” The film frames the Western, presented at its most gaudy and kitsch, as suspect and estranging within a noir universe. Western imagery reappears later when Mercer smokes a cigarette after being attacked by a hitman she met at the Wild Pony Bar. A cut-in on her hands shows that she smokes Indian Creek Cigarettes, whose box features the profile of a Native American chief. The fictional brand suggests the Border Western’s interest in interrogating the traditional enemies of the frontier space and reframing our prism on such figures. Inhabiting a victimized position wherein she might be able to bring damaging judicial oversight to the state agents she works with, Mercer resembles the figure of the Native American in the Western—at once a threatening entity to the state and a threatened one. More often in these films, however, the Mexican—be it as migrant or drug cartel member—fulfills the Native Americans’ role in Westerns. Film scholar A. J. Prats writes that the classical Western genre is distinct in that it “must produce an Other whose destruction is not only assured but justified”; allowing for the forgetting of indigenous genocide (2, 14).

While Villeneuve’s *Sicario* does show the destruction of the Mexican subject by American forces as assured, it questions whether such destruction is justified.

The film exemplifies the troubling vantage point upon the Othered enemy of the state that such Border Westerns might offer, going into far murkier moral territory than what one might expect of the genre films that ideologically train Engelhardt’s ‘screen warriors.’ In a tense shoot-out at a US-Mexico Border Crossing, the film emulates the paranoid view of Mercer and her American colleagues. The scene’s momentum builds on the government’s vehicles moving quickly out of Juarez, until it comes to a lengthy pause at the border as Mercer and her team become trapped between other cars coming in from Mexico. The camera’s position in the car underlines that it shares Mercer’s perspective. Sharing the road with emigrants, the heroine looks out of her vehicle, gazing at row upon row of Mexican profiles (fig. 1). Having previously established that anyone might be from the cartels, every surrounding Mexican person seems to be a threat. Performing a kind of racial profiling in this Border Crossing sequence—an action that the film ironically winks toward via its composition—the film pushes audiences to share a perpetrating, suspicious perspective on the agents of the state.

Reinforcing the spectacular distance, the film presents a magisterial final set piece that cycles between surveillance footage from the FBI’s night vision, the army’s infrared, and the CIA’s drone view, making for a disorienting sequence which creates a visceral appreciation of the kind of sight that reduces humans on the border to little more than specks and blurs. Before their trek, the camera faces our heroine in a mid-shot through the military’s infrared filter, so that she visually resembles a grey form, as if hollowed out by her experience where she has become estranged from her own country’s political regime (fig. 2). In the following scene, where the
agents approach a drug cartel tunnel, the film luxuriates in the highly abstracted vision, drained of color and marked by obscuring grain. Before the infrared camera passes by the dead body, the camera pans down to traces of footsteps on the ground, confirming our surveillance vision's capacity to see beyond the human (fig. 3). Arriving at the corpse, the face of the dead cartel member is entirely obscured in the white light of his fading body heat, a juxtaposition that implies how this superhuman vision of the state can reduce our capacity for empathy (fig. 4). *Sicario* thus shows an awareness of what (and who) is lost by this spectacular, panoptic vision upon the border.

The violence of the border is compared to a show when a soldier asks Mercer, "You like fireworks? Want to see something cool?" He then takes to the rooftop of a military base adjacent to Juarez—from this vantage point, the cartel violence is abstracted and reduced to a sequence of distant explosions (fig. 5). The jailers see only plays of fire and light, detached from the human stakes, in a way that seems to mirror the journalistic media’s own myopia referenced in the film. After the shootout in broad daylight at the Border Crossing, one agent worries that the violence will provoke nationwide media scrutiny and appear "on the front page of every paper in America." A wizened colleague replies, "It won’t even make the paper in El Paso." In referencing the disinterest of the news media toward border violence, as does *The Counselor*, the film suggests that most are not willing to confront the suffering of the Drug War and their potential complicity within it.

Villeneuve often ends his action sequences and also ends his larger film lingering upon the sight of Mexican victims, the subjects seen as disposable. For instance, the Border Crossing scene ends with a pan away from the US Federal Government vehicles driving away to the dead cartel member on the road. Then, the camera moves past the body to the Mexicans in their cars looking on in silence. Visually linking the corpse with the concerned passersby, the film suggests all Mexican subjects in this space might share in the threat of this deathly condition. The self-reflexive Border Westerns in this chapter visualize and critique a dehumanizing public discourse. How can these subjects be humanized by a genre lens and how can compassion be reinserted into this discourse? How can their suffering and our role within it be gleaned?

The remainder of this chapter will consider Tommy Lee Jones’ *The Three Burials of Melquiades Estrada* as well as Ridley Scott and Cormac McCarthy’s much-maligned *The Counselor*. Historian Mae M. Ngai identifies the illegal alien as an impossible subject—one stripped of all rights who exists within a legal limbo where his immigration status denies him his humanity. In *The Three Burials of Melquiades Estrada* (2005), I argue, Jones visualizes this limbo to articulate the psychological toll of such a status upon illegal aliens. Examining the film against the fearful discourse surrounding immigration after 9/11 which often conflated the Mexican and the terrorist, I argue that *Three Burials* exposes the discursive process by which the illegal immigrant is transformed into a potential threat. *The Counselor* extends these concerns with discursive transformation, framing the US-Mexico border space as a kind of broken mirror glass, in which contemporary American anxieties find themselves refracted. Furthermore, the parodic Border Western frames genre as a vital critical mode where suffering might be confronted and where what we might call a “revolutionary” violence might be conceived, one defined by a greater humanity for how it reckons with our own proclivity toward violence.

*The Three Burials of Melquiades Estrada: Gleaning the Impossible Subject’s Humanity*

*Three Burials* tells the tale of a ranch hand Pete’s quixotic quest to bury his friend Melquiades back in Mexico, a friend who was killed by a Border Patrol agent. Reminiscent of
how *Sicario*’s opening sequence contains images of rotting Mexican bodies within the walls of a suburban home, *Three Burials*’ first scene presents the titular Melquiades as a corpse. In so doing, the film gestures to how illegal immigrants are envisioned within the public discourse as dehumanized archetypes (fig. 6). Filmed upside-down in the center of the frame, the dead worker appears on a metal slab in the county morgue. His milky eyes are turned away from the camera, hinting at the impossibility of perceiving this figure on fully human terms. The inverted view of Melquiades points to a topsy-turvy world that the film hopes to expose, where such immigrants are viewed as fodder for the rifles of Border Patrol and analogous law enforcement agencies. Further sharpening the edge of the film’s sociopolitical commentary on U.S. policy and public discourse is the shot’s color scheme. The blue hue of the scene, coupled with the dried red blood and the dead man’s stained white shirt, sardonically echo the colors of the American flag. *Three Burials* issues its mission statement in its first image of Melquiades: the film intends to probe the border, where American ideals appear as inverted and skewed as this camera’s initial view.

In the very morbidity of the opening image of Melquiades, *Three Burials* creates a visual metaphor for the disenfranchised condition of the illegal alien as described by Mae M. Ngai—as impossible subjects, a “social reality and a legal impossibility—a subject barred from citizenship and without rights” (4). Ngai argues that these impossible subjects linger in a limbo where their immigration status deprives them not only of their rights but in some sense their very ability to be perceived as fully human. After 9/11, Tanya Golash-Boza finds that “a heightened, yet unsuccessful frenzy to find dangerous people has created a climate of fear in immigrant communities across the U.S.” (8). Polls of Californians in 2010 found a larger percentage of Hispanics felt “less secure” after the attacks than those in Arab-American populations and attributed their decreased wages to 9/11 (Tirman, “Immigration and Insecurity”). Jones’s film, by way of its nightmarish mise-en-scène against a more grounded depiction of Melquiades’s alienation while alive, structures a macro-level critique of border policy within a micro-level exploration of the anguish caused by societal and legal stigmatization.

Melquiades’s feeling of being ostracized stems from his outsider status, equivalent to that of Ngai’s impossible subject. The film evokes this sentiment formally in scenes when it situates Melquiades against the mass media. Ngai finds that the impossible subject is a person who, in the eyes of the state, “cannot be and [is] a problem that cannot be solved,” since these individuals stand as antithetical to a migration system defined by the status of citizenship (5). As such, these individuals are governed by immigration law “where sovereignty, not the Constitution, rules” (Ngai 90). Melquiades’s own visible discomfort with urban spaces, which he expresses to the seemingly oblivious Pete about the threat of La Migra, highlights the toll of this demarcation of difference, where the attention of the U.S. government represents the possibility of expulsion.

The film expresses Melquiades’s fractured psyche, cracked by fear and the label of difference, when he wanders alone toward a bank of televisions sitting in an electronic store’s display window (fig. 7). The plasma screens present the blurred image of a NASCAR finish line to form the dark visual pun that Melquiades is near his own finish line. Lending the over-the-shoulder image a critical dimension about the representations of illegal aliens within the public discourse, Melquiades’s reflection in the glass shows a man in shadow. The composition makes it appear as though Melquiades confronts his doppelganger, a silhouette that seems to radiate out of the television (fig. 8). In this moment of literal reflection, we see Melquiades perceive
himself as other. Through the interplay of glass and shadow, Melquiades confronts an undifferentiated impression, less a human than a phantom that lingers within the media.

Before the glass, the film offers an image of Melquiades entirely cleaved from himself. Ngai chronicles how the discourse surrounding the Mexican as a commodity strips individuals of their sense of being. She quotes anthropologist Carlos Velez-Ibanez, who finds that the linkage of the Mexican to the seasonal migrant laborer in the Southwest made migrants “see themselves not only as strangers in their own land but also strangers to themselves” (132). The scene of a Mexican contemplating his image on a screen poignantly articulates the estrangement that Melquiades feels, even as its visual joke recalls the literal death to which these manufactured conceptions will bring him. The scene ends with a shot of Melquiades coming out of his reverie when his friend Pete sneaks up beside him to exclaim, “Can I see some ID?,” thereby situating the scene within a cultural context where Border Patrol could indeed ask for such material based on nothing more than limited articulable facts. The ghostlike impossible subject is haunted by the state, whose very presence keeps him in a psychic and literal limbo.

To borrow Foucault’s terms, “visibility is a trap” for Melquiades. The film shows how the white man begins to empathize with the dead Mexican, coming to share his feeling of claustrophobia in a South Texas town. When Pete realizes that the local authorities will not investigate the circumstances of his friend’s death, Pete no longer jokes about his friend’s susceptibility to state scrutiny and sees the setting anew. Having decided to abduct Melquiades’s killer, he sits waiting in front of the patrolman’s home. The presence of steel fences in the scene—first when a nearby neighbor chains up her dog and then in the point-of-view shot where the Border Patrol’s vehicle arrives—underlines how Pete has come to perceive the American town as a stifling prison (fig. 9-10). Via the iconography of entrapment that calls to mind the security fences across the U.S.–Mexico border, the scene shows Pete’s visceral understanding of his friend’s alienation. He comes to inhabit the subject position of those affected by what Gilberto Rosa describes as “policeability,” which labels persons like Melquiades as “worthy of dying in the treacherous geography of the border, or subject to militarized policing, or vigilante action, or daily forms of surveillance” (qtd. in Golash-Boza 150). In obtaining the perspective of a policable subject, the Texan no longer sees a life within the United States as tenable.

The film continues to play with shifts in subject position—the perpetrating Border Patrol officer adopts the rotting, victimized perspective of Melquiades—to explore his painful process of gaining compassion and empathy toward he who is made other in the political discourse. In the early moments of the film, Mike treats the Mexican migrants with brutality and is visually linked to a predatory hawk flying over the frontier. Following his abduction by Pete, Mike becomes visually equated with the corpse of Melquiades, forced underground with the body and often occupying the same visual plane in the frame. Mike, faced with the prospect of his own demise, also begins to rot, bemoaning his disenfranchised status, which allows the film to offer a mediator between the iconic Other and the film’s presumably occidental spectator. As the correspondences between Mike and Melquiades grow—from both pumped with antifreeze by an increasingly deranged Pete to Mike developing gangrene on his foot after a snakebite—the film evokes the despairing weakness of the alien forced to navigate a treacherous border. Ultimately, the film renders Mike’s increasing sense of impotence when Pete compels him to traverse the Rio Grande, the natural border between the United States and Mexico. Here, the film most correlates Mike with a beast, just as it does with Melquiades when previously confusing his presence with that of a coyote in the narrative. His screams and profanities are crucial because they linguistically mark the struggling as those of an American. In an essay
Richard Rorty writes how empathy is constructed for victimized others only when their story of suffering shows listeners how they are “people like us” (77). This scene operates in a parallel way; having the disempowered individual garbed in the clothes of his Mexican victim but screaming in English in some way makes comprehensible the plight and disenfranchisement of illegal aliens. His fight for independence is short-lived, as Pete easily catches Mike with his lasso, likening the patrolman to nothing more than a stubborn calf wandering away from the herd (fig. 11). The camera first jerkily follows Mike’s angry stumbling, and then glides with Pete’s horse after he lassoes the patrolman, in a way that signals the former’s relinquishment of all power once dragged into the Rio Grande. Submersed in water, his cries grow distorted, thereby resembling the bleats of an animal. The very incomprehensibility of his voice explains why Pete has reacted so impassively to his charge’s cry for help—Pete, in this scene at least, does not see Mike as human. The perpetrator and victim subject positions have inverted so that it is now the ranch hand who operates with Mike’s former detachment and the patrolman who tacitly sympathizes with the dead man. The film confirms this point with the first shot of the following sequence. Mike slumps across his horse exactly echoing how Melquiades slumped across his donkey; the aggressor and the aggrieved have become one.

The scene in which the patrolman speaks to Melquiades at his final resting place conveys a dual recognition in which Mike acknowledges both the humanity of his victim, the impossible subject, and his own role as perpetrator. The painful lucidity on display in the murderer’s speech is denoted by the harsh lighting as he buries Melquiades for a final time, which differs from the overwhelming darkness that surrounded the patrolman when he excavated the body in Texas. Forced onto his knees under the shade of an oak tree where the Polaroid of Melquiades and his supposed family sits, Mike appears about to be executed. Whatever last bit of resistance Mike has is nullified when Pete then fires his gun. Through the use of slow motion, time becomes traumatically elastic, mirroring the patrolman’s purgatory in this moment—trapped by his disempowerment as well as his own resistance to admitting guilt. The threat of death propels an apology, which shows how Mike’s attention shifts from his present victimizer to his past victim. Through tears, Mike exclaims, “I did not mean to kill him.” For the first time in the film, Mike refers to the alien by name. With Pete off-screen, Mike begins to speak directly to Melquiades, saying “I didn’t want it to happen. It hurts me. I regret it every single day. Forgive me. Forgive me, Melquiades.”

Golash-Boza proposes that legal scholars pursue a “human rights analysis to calculate the human, not simply economic costs, of immigration policy” (3). Via the timeless tropes of the genre form, the Border Western *Three Burials* begins to perform such a vital analysis, demonstrating how crucial the aesthetic can be in coming to grips with the human cost of sometimes abstract policy. Even in the film’s despairing retooling of a Western trope, that of the lone cowboy going off into the sunset, it shows its broader investment in the birth of compassion within a contemporary public discourse reliant on Manichean archetypes of good and evil. Waking up to the gentle prodding of Pete’s foot, Mike expresses surprise that the ranch hand will not be killing him. Pete replies, “You can keep the horse, son,” performing a gesture of goodwill that mirrors Melquiades’s bequeathing of the animal to Pete when the former was alive. As Pete rides off into the morning sun, an act evocative of classic Westerns, Mike yells, “You gonna be all right?”

The film ends on a moment of empathy as Mike is concerned about his aggressor, thereby illustrating that the journey has brought him to perceive the humanity of his victim, the
impossible subject, and his victimizer. These roles, the film demonstrates, are not mutually distinct categories, since Mike’s trajectory has portrayed how the qualities of victim and perpetrator can coexist in one being. *The Three Burials of Melquiades Estrada* closes with a man accepting a dissensus, what philosopher Jacques Rancière calls a “putting [of] two worlds into one,” the interweaving of perpetrator and victim (304). The final, quiet moments of the film thus testify to the possibility of a human rights analysis within the Border Western genre—the very violent form, where pleasure coexists with pain, encourages the spectator to understand his own complicity while also revealing his capacity for compassion.

**The Noir Border in *The Counselor*: Where Economics Trump Humanity**

*Three Burials*, with its portrayal of emerging empathy, is counterbalanced by another recent Border Western: Ridley Scott and Cormac McCarthy’s 2013 *The Counselor*. If Jones’s film tries to uncover the human lost within the discourse around a border tinged by post-9/11 fear along with the ensuing shifts in legal policy, *The Counselor*, infused with the generic tropes of noir, considers the very lack of humanity within such a discourse. It too turns its gaze upon the viewer, not to show him a lost humanity, but to meditate upon his own inhumanity. Although *The Counselor* resembles both *Sicario* and *Three Burials* in its deep concern with the illuminating potential of genre, Scott’s film contemplates the limits on the violent form’s ability to enlighten as well. On a thematic level, while *Three Burials* examines the struggles of individuals crossing the border, illegal migrants as well as law enforcement agents, the Border Western quickly evinces an overriding concern for the drug economy, which implicates those living far north of the Rio Grande. Such indicting work resembles *Sicario* which also explicitly positions American desire as a root cause for the Drug Trade and the Drug War.

The initial scenes of *The Counselor* gesture toward the potential distortion of its genre-infused view of the U.S.–Mexico border while underlining that its interests, unlike those of *Three Burials*, lie in the economic forces and not the human actors that move across the border. The film opens with a surprising image of tranquility (fig. 12). The establishing shot depicts a traffic sign denoting that Juarez, Mexico, is straight ahead. Behind the road sign lies a row of modern turbines silently rotating. These elements undermine conceptions of the border space as wild, showing an environment whose energies have been cleanly harnessed by man. The camera disrupts this harmonious representation by following a motorcycle that races by to reveal another road sign, this one for El Paso, Texas (fig. 13). The very intensity of the camera pan suggests an underlying desire for discord, its jerk echoing the narrative of conflict used by the media when presenting the border space.

In *The Three U.S.–Mexico Border Wars*, Tony Payan admits that those in the media “generally tend to sound a note of doom” thereby risking the broadcast of an inaccurate view of the Drug War’s wider impact on the border (48). Capturing this apocalyptic tenor, a U.S. counsel in Juarez wrote in 1921 a sentiment that is echoed in the media today: “Ciudad Juarez is the most immoral, degenerate, and utterly wicked place I have ever seen…. It is a Mecca for criminals from both sides of the border” (qtd. in Martinez 57).äm The film returns to the border environment during its opening credits. The wind turbines are nowhere to be seen. They have been replaced by cheetahs roaming the landscape, while the film’s larger-than-life femme fatale Malkina rides along on a horse: she stands as the personification of a world where noir and the Western have been fused together (fig. 14). Presenting the U.S.–Mexico border through a genre filter, the film focuses on discourses related to the War on Terror and the Drug War and how
they sculpt the borderlands into a mythic space, into a bricolage of the fears that permeate contemporary public debates.

The credit sequence also highlights that this representation of the border, less a place than a discursive phenomenon, is complicated by the economics of the drug trade and not outwardly interested in the problem of illegal migration. Tracking a shipment of drugs through an established point-of-entry, reflective of the shipping technique used in a vast majority of drug-trafficking operations, the sequence features a moment where the traffickers come upon a group of migrants wandering through the desert (Payan 27). The camera begins the scene first atop and then within the truck to align itself with the traffickers, before cutting to a wide shot where migrants cross a desolate highway, trudging along in silence (fig. 15). Catching the driver’s eye, the trafficker exclaims in Spanish: “Illegals! Welcome to America.” His dozing passenger stirs only to wave his hand with indifference. The Counselor captures a drug trade concerned only with the ceaseless movement of illegal commodities that flow with perverse ease through official channels.

This film has been by-and-large critically reviled, as exemplified by The New Republic’s David Thomson: “The Counselor is a very bad film…. It lacks clarity, plausibility, suspense, and purpose.” The Counselor chronicles the downfall of a criminal lawyer, known only as the counselor, who mistakenly believes he “can live in this world and not be a part of it.” In this heightened setting mirroring the inflamed rhetoric surrounding the border space, where cheetahs roam wild and razor wire extends tautly, a noir feeling of claustrophobia and menace emerges. The film’s border space reflects a broader economics of desire that I will explore via sociological and legal debates surrounding the failure of the Drug War. Through a simultaneous embrace and parody of genre, particularly noir’s titillation and the Western’s core violence, the film metaphorically frames our own complicity within this economics of desire. The Counselor ultimately delivers a nuanced sociopolitical critique that exposes a social myopia toward the suffering that material desires engender. In imagining ourselves as separate from such violence, we resemble the film’s predatory femme fatale—fulfilling our wants with little concern for wider human consequences.

Cormac McCarthy treats the border space as a reflection of contemporary fears in his 1985 novel Blood Meridian. In an account of an attack by the Comanche that takes place somewhere between Mexico and Texas, McCarthy writes, “up… rose a fabled horde of mounted lancers and archers bearing shields bedight with bits of broken mirror glass that cast a thousand unpieced suns against the eyes of their enemies” (Blood Meridian 55). How the menacing riders’ accoutrement permits them to both reflect and blind the Americans they come upon signals that the border operates like a broken mirror for the broader culture, where our fears are projected and take on a blinding dimension. In a scene where Reiner, an associate of the titular counselor, speaks of the dangers that lurk within the underground economy, the production points toward the nation’s perceived threats in a time when the Comanche of McCarthy’s earlier figuration of the border has been replaced with the terrorist. Behind Reiner hangs a framed Jasper Johns painting of an early American flag,
identifying the scene as one that ruminates upon the root threats that preoccupy American media and political actors. After Reiner has described the nefarious killing methods of the cartels, he notes that their newfound penchant for beheading is inspired by practices “blowing in from the East.” When the counselor asks him whether he intends to do business with the Arabs, the usually smiling Reiner grows serious and replies, “They don’t need your money,” thus implying that the forces of terrorism are somehow uncontrollable, beyond the governing equation of a place defined exclusively by economic exchange. For Reiner, a master of this domain ruled by the endless flow of money, such individuals are troublesome because they operate as a systemic challenge whom he cannot engage.

Director Ridley Scott’s surreal and stifling imagery harnesses the sense of unease found within the official rhetoric in his rendering of wilderness. The presence of cheetahs, animals outside their natural element, creates an interplay of the various anxieties at work in this setting—where the Near East and the Southwestern collide to the point of being indistinguishable. The film, through its presentation of a hit man running nearly invisible razor wire across a highway, underscores how treacherous the borderlands can be for the individual. Writings on classic Hollywood films that have blended Western and noir have noted how the iconic, expansive landscape of the West sometimes nullifies noir’s central emphasis upon individual weakness. Considering 1953’s *Shane* in the essay “The Film Noir and the Western,” Edward Recchia finds that, “despite the dark interior shots and the understated dialogue, the grandeur of the exterior shots gives the film’s characters a heroic stature that clearly overwhelms any vestigial film noir techniques that the film inherited” (609). By introducing estranging African beasts and razor wire, the film cannily exposes the liberating potential of the untrammeled border to be a deception. It represents not freedom but a trap where many lose themselves.

In addition to expressing the insidious dangers involved with border crossing, the scene where the hit man prepares his Rube Goldberg–like contraption symbolically gestures toward the spectator’s willful embroilment within an economy of desire. Minutes pass and the film belabors the effort involved in setting up the deadly mechanism. A misspelling on a billboard shows the scene’s intended meta-register, commenting on the viewer’s expectation of blood. It features the phrase “aye have faith” (fig. 16). The misspelling of “I” as “aye,” the affirmation of assent, changes its meaning significantly. It is as though the film states, “yes, have faith,” directly addressing the spectator as it delivers a promise that soon heads will roll.

The scene’s comic articulation of the corrosive aspect of our wants resonates with the role of corruption within the economics that drive the Drug War. The hero’s position as a court-appointed attorney on the state’s payroll draws attention to the issue of the corruption of government employees in sustaining the flow of drugs into the country. Revealingly, a DEA survey of its informants noted that those interviewed found corruption to be of paramount importance for the success of a drug-running enterprise (Redmond, “The Political Economy of Mexico’s Drug War”). There would of course be no need for corrupt officials if the American consumer did not have an appetite for illicit drugs. Payan underlines, however, that end users’ understanding of their role in this economy is tremendously abstract, since most “live away from the border. They have no incentive to reach into their consciences and consider the motivations of the drug lords and dealers...they are not in the trenches of the border; they cannot see. They cannot care” (49). *The Counselor* probes the role of genre in allowing the viewer to see the consequences of participation in such an economy.
Via parody, particularly in relation to the aforementioned femme fatale Malkina, the film presents the absurdity of the blindness to our own destructive needs and the suffering they inflict upon others. What defines *The Counselor* is the film’s cultivation of an absurd atmosphere to expose the vast chasm between those who live sated and those who live with nothing. Writing about what he dubs a mature Western with noir elements, Clint Eastwood's 1992 *Unforgiven*, Recchia finds that the film’s “personalities veer sometimes to heroic heights, sometimes to levels of bestiality, sometimes in both directions at once” 611). *The Counselor* is similarly dualistic, encouraging a delight that coexists with a repulsion toward its characters. The character Malkina serves as an exaggerated example of the ravenous bent of the neo-noir femme fatale, consuming for her own amusement and pleasure. In one scene, she immediately appraises the value of a diamond with her naked eye. How her cheetah-print tattoo running down her bare back is visible as she evaluates the object’s worth indicates that she represents a literal embodiment of the carnivorous capitalism that governs the border (fig. 17).

Malkina most explicitly functions as a subversive parody of the femme fatale when, ostensibly for Reiner’s amusement, she proceeds to masturbate herself to a climax on the windshield of his sports car (fig. 18). Her lover sits in the passenger seat, looking on in a state of confusion. As expressed by her superior positioning in relation to him, along with how her body fills much of the frame, she subverts her role as a gazed-upon object. Through Malkina’s canny performance where her exposed genitalia becomes, in Reiner’s estimation, a threatening object, the femme fatale aggressively turns being the center of scopophilic pleasure into an opportunity to command the spectator. The scene plays with the classic femme fatale’s sexual power over the males of her universe (69). In this case, Malkina employs her sexual capital to captivate as well as frighten Reiner and his proxy behind the screen, the film viewer. In a study on sadomasochism, Ani Ritchie and Meg Barker find that female practitioners are often drawn to role-playing since it permits “a parodying of sexual relations considered as traditionally subjugating, oppressive, and exploitative of women” (5). Parody, then, is power. After reflecting upon the experience, the counselor asks a clearly troubled Reiner whether Malkina knew what the effect of her ride upon the car would be, to which he categorically replies, “she knew exactly what she was doing.”

A bitter visual joke in the montage following the cartel’s abduction of the counselor’s fiancée, Laura, reiterates a blindness toward the violence on the borders. As Laura walks through an airport parking lot toward a flight that will take her to Idaho and, presumably, safety, an SUV slowly follows her from behind. It crosses the various parking lines, enacting a breakdown between markers of separation that frames the scene as one where the violence of the U.S.-Mexico border crosses over into the seemingly insulated American setting. Chased down by one of the gang’s thugs, Laura falls to the ground, a visual echo of the prone position under bed covers, how she starts the film with the counselor, which only reinforces her present vulnerability. Once pulled up, she is pushed inside the vehicle. The camera’s vantage point
from inside shows the whimpering woman pressed down into the darkness that dominates the frame (fig. 19). The troubling image where the gang member forces Laura’s head into a seat cushion speaks to the human toll of the Drug War, directly reenacting established intimidation tactics. It is followed by a match-cut to Caucasian children plunging into a pool (fig. 20). Laura moves downward out of complete subordination; the children move downward out of pure joy.\textsuperscript{xiv} The film presents this tonal and spatial juxtaposition to metaphorically articulate a larger psychic distance for contemplating border violence. Following the image of children playing in water, the film cuts to their father busily preparing a barbecue, unaware of the cheetah that has just wandered into his backyard, which further emphasizes his oblivious state. A gruesome reality juts against a comfortable one without being seen.

*The Counselor* most starkly renders this empathy gap when one of the counselor’s business associates is beheaded in the London streets, a scene that also exemplifies the differing materialities of violence within the film—here, a frictionless violence where the perpetrator’s invisible hand meets a grotesque one grounded within a distressing corporeality. By beginning with the marked man leaving what appears to be a Bank of America branch location, its sign partially obscured by the sunlight, the film signals that the execution takes place in a financial center. The mise-en-scène of the brightly lit urban setting, defined by a regimented blocking of the various businesspeople walking in perpendicular angles, appears to be at odds with its chaotic rendering of the border; however, this is shown to be a deception. Indeed, the scene of most explicit violence in the film occurs within a London far removed from the chaos of the borderlands. The assassins disguise themselves as joggers, thus creating a quotidian appearance that seamlessly blends with the surroundings, effectively diverging from the image of the racialized outlaw inhabiting the lawless southern border. Although the scene begins in mid shot close to the counselor’s associate as he leaves the bank, it increasingly draws away until it views the subject in a long shot. The camera’s distancing draws attention not only to the world of finance in which he is currently enmeshed but also to the character’s diminishing power. He comes to be dominated by the urban landscape in ways that harken back to man’s smallness within the Western wilderness.\textsuperscript{xv}

Only when the target is hooked with the deadly bolito described earlier by Reiner, a mechanical garret that slowly tightens around the neck, does the camera draw close to him again. The film’s gaze returns to the victim to expose, even luxuriate upon, his deepening wound. Several wide shots show the distance between the screaming man on the brink of death and the various financiers looking on. As the mechanism closes, the victim lets out a momentary laugh. Is he remarking upon the very absurdity of these bankers who do nothing, refusing to get blood on their hands?\textsuperscript{xvi}

Malkina’s presence in the scene underlines the institutional collusion that helps prop up the drug economy. Before the victim’s ill-fated walk through the streets, the femme fatale sits on a café terrace, conversing with the woman she has hired to get key identification off the business associate. A sign for the London Underground hovers over the women in the background of the wide shot. This detail gestures toward the dark side of the economy that gains legitimacy through such financial centers. Appropriating the universal and seemingly unremarkable signage to perform this symbolic work reminds us that such collusion remains largely invisible thanks in part to the very ubiquity of these financial entities within quotidian life. Emphasizing the banks’ complicity, after one of the joggers places the assassinated man’s briefcase in Malkina’s car, she proceeds to make bank transfers to her account. As she does, the transferred millions appear on
an official bank letterhead on the dead man’s computer screen. The bankers’ presence at the site of execution blisteringly condemns these figures as perpetrators, not innocent bystanders.xvii

There exists a troubling auto-critical valence in the bankers’ sustained gaze upon the excruciatingly slow beheading—one that indicts the viewers of such genre cinema that delights in relentless depictions of brutality. The first beheading is notable for the cleanliness of the execution—the razor wire stretched across the road slices the target’s head right off. Whereas the film previously asked viewers to have faith that extreme violence would occur during the assassin’s preparation for the murder, it is in the second assassination scene that the film fully delivers on its promise. Contrasting with the clinical air of the desert scene, an outpouring of blood defines the killing in the London streets. Several features in the staging of the second beheading lend it a meta-register that comments upon the violent pleasures audiences derive from genre films. A crowd forms a semicircle around the dying man, thus creating a kind of a theater, where the space on the sidewalk upon which the victim dies functions as a stage. While the crowd screams as the blood gushes from his neck, the film shows no member of this audience looking away. Their pristine clothes are never sullied by the outpouring of crimson in front of their eyes. By placing the camera among the onlookers, their heads appearing in the extreme foreground of the frame while the victim’s lies trembling in the mid ground, the film shows that, in regards to their focus, the film’s viewers resemble the bankers. Both are spurred on by a morbid desire to witness extreme gore. That the site of this gore happens to be Brad Pitt, among the most famous of film actors, suggests that part of the joy of genre is that it can reduce cinematic idols to mere fodder for imaginative killing devices. When the film cuts from an extreme close-up of the noose cutting into the skin to a wider overhead shot, the width of the framing matches the distance blood spurts out of Pitt’s neck, thereby signaling that the genre form’s very materiality is dictated by violence. While gore lends genre its formal pulse, the gesture toward the audience during the death scene underscores that film genres like noir and the Western are built upon the spectator’s insatiable desire to be moved by such corporeal rhythms.

Through an analogue with the snuff film that follows the beheading, the film posits that genre contains, by its very emphasis on such violence, an illuminating possibility for viewers to glean their own involvement in such inhuman economies. A colleague tells the counselor about snuff films, recordings that depict actual killings that the drug cartels release. He notes that “the consumer of the product is essential to its production. You cannot watch without being an accessory to murder.”xviii The snuff film’s position in the dialogue of the Border Western aligns it with the genres that the film exemplifies. By referencing the victimizing component within the act of watching, the film testifies to the viewer’s enmeshment in a web of culpability.

In Mexico City, the attorney, having failed to convince a drug lord to grant him clemency, receives a DVD slipped under his door. The two shots where he unpacks the film, along with his response when he realizes its awful significance, merit attention. A crumpled-up newspaper lies in the background of the cut-in featuring the disc. The presence of the tossed-aside publication stands as a tacit repudiation of the power of traditional news outlets to show readers their ethically fraught condition (fig. 21).xix Perhaps, in line with Sicario’s skepticism toward news outlets’ interest in border violence, the paper’s crumpled state marks the continued apathy of the news media toward such consequential social realities. The counselor’s visage is reflected on the DVD, creating a correlation between the two so that we understand that this film depends on its audience. He turns the DVD around to see written in marker the Spanish salutation “Hola,” a word that interpolates its intended recipient and calls him to attention. Cutting to a low-angle mid shot of the hero against a black background reinforces the isolation
he feels when experiencing his newfound understanding (fig. 22). Such high-contrast imagery is representative of noir that, in the words of film scholar David Cook, often “parallels the moral chaos of the world [that film noirs] represent” (406). The counselor has fallen into a trap of his own making.

When the film most embraces the visuals convention of the noir city, marked by shadowy spaces whose closed quarters cultivate a profound sense of claustrophobia, it does so to present the most widespread consequence of the Drug War, which has largely been ignored by the American media. As the shell-shocked counselor walks through the streets of Mexico City, initially framed as a small silhouette against the vertiginous facades of the dilapidated buildings surrounding him, he comes upon a group of Mexicans protesting President Felipe Calderón’s War on Drugs. Calderón endeavored to quell border violence and shake the hold of the cartels upon the north, a policy that has led to the deaths of many thousands of citizens. The president sent nearly 50,000 troops to the border, which as Peter Watt and Roberto Zepeda point out in an analysis of neoliberal economic policy in sparking the Drug War, equaled the amount sent by the British government to Iraq (Watt 2). Calderón’s under-reported War on Drugs shares many hallmarks with a large-scale armed conflict, and in its scene of protest The Counselor attempts to bring its often-unseen victims into view.

The actions of Calderón’s administration have been heavily criticized by organizations such as Human Rights Watch, which found that “Mexico’s military and police have committed widespread human rights violations in efforts to combat organized crime, virtually none of which are being adequately investigated” (“Mexico: Widespread Rights Abuses”). In a 2011 report, Neither Rights Nor Security: Killings, Torture, and Disappearances in Mexico’s ‘War on Drugs’, HRW found that Mexican police exist within a culture of impunity, torturing and killing those with no relation to the drug trade. Describing the “dangerous rhetoric” of the Calderón administration, HRW reported that his government often presents falsified statistics to “cast the victims as criminals” (Neither Rights 10). The enforced disappearances create a stark sense of powerlessness in the victim’s loved ones faced with a corrupt and uncaring system. As a wife of a disappeared man describes, “We don’t know even know what to do anymore. We know who did this and we can’t do anything” (13). Such reports frame Calderón’s War on Drugs as one that positioned a callous and increasingly militarized police force against the everyday citizens of the border regions.

Visual touches within the film’s protest scene situate the police as the object of the citizens’ collective ire. In the very first shot of the demonstration where the lead speaker cries out against those who have taken the city’s youth, the blue-and-red hues of the police’s emergency lights shine behind her. Lending a personal edge to the disappearances cited by the speaker, the briefly captivated counselor walks by a sign of a smiling young girl. Next to her image is the question “me has visto?,” or “have you seen me?” These criticisms are softened by the linguistic barrier that the scene cultivates: all the signage as well as the scene’s dialogue is in Spanish, and thereby largely incomprehensible to the English-speaking counselor and to the quintessential white and Anglophone film viewer for whom the protagonist is a proxy. Although taking up a sonically central position within the film’s soundtrack, the speaker’s fiery words are further obscured by the mechanical distortion caused by her equipment. As she speaks of injustice and killings, the film cuts to a shot from behind the police who stand in shadow, their machine gun perched atop a jeep pointed toward the protesters. The juxtaposition of the machine gun and the flashing red emergency light frames an entity that is at once the military and the police. Pervasive shadows strip the onscreen officers of any identity, unlike the evenly lit
protesters that the film takes efforts to individualize, thus creating a visual discrepancy that marks these branches of the Mexican executive as inhuman. This noir staging, which obscures the particularities of the demonstrators’ grievances while clearly marking the angry citizens against the state, suggests that genre allows the viewer to glean hereto unseen suffering even if he or she does not fully comprehend the language in which it expressed and, by extension, the contextual details that lend that pain its singularity.

In keeping with the pessimism of noir, *The Counselor* has some lingering reservations about the ability of such discoveries to catalyze a change in thinking. The counselor, rather than be moved to action, or even to a wider empathy, by the scene he comes upon, wanders away just as the wider collective becomes animated and starts to chant for justice. Confused, with his brow furrowed in agitation, he pushes past the camera, the photo of a victimized girl becoming lost as the film moves to follow its troubled hero. The film ends not with the image of the broken hero in a hotel room or the later shot that presents Laura’s corpse among trash heaps; instead, it ends with Malkina, who offers some unnerving musings about the animalistic, self-interested nature of man and his tendency to deceive himself. In keeping with the empowered variant of the femme fatale found within neo-noir who thrives as all around her die, she ends the film eating with her banker. She notes that one of her cheetahs still roams the borders, indicating that the space stands as a place of menace, the momentarily visible and benign wind turbines forgotten. Talk of her animals leads her to wax poetic about the grace of a hunter and its purity of purpose. Malkina then speaks with venom toward humanity defined by a hypocritical division between its ideals and its actions, claiming that “nothing is crueler than a coward.” The film overlies these words on a close-up of the banker looking vaguely unsettled by the sentiment. To this he responds, “You’ve told me more than I wished to know,” resisting her words meant to highlight his, and by extension the viewer’s, savagery and self-delusion. Does the genre form reveal the limits of our empathy when our wants come under indictment? The film ends with Malkina happily dropping the subject and noting in the film’s last line, “Shall we think about ordering? I’m famished.” The often critical Border Western admits that for both the participants in the drug trade and the consumers of such a film, a hunger and a desire outlast and perhaps overpower more abstract moral concerns.

**Finding (and Exploiting) the Divine Violence in Genre**

Political scientist José Nava writes that in the past decade the border has been touched by cartel violence to such a degree that in some regions of Mexico, “organized crime groups have effectively supplanted local as well as state governments…as the sole purveyors of the legitimate means of violence” (20). Issues that arise in studying the Western genre about legitimacy of violence in Mexico echo issues articulated in philosophical writings such as Walter Benjamin’s “Critique of Violence,” which probes the tensions in a legal order founded upon, sustained and legitimized by violence. He argues that the legal order is established through the peace ceremony, a ritual that he finds demonstrates that peace’s correlative is war, and its law-preserving mechanisms rest on corporeal punishment (Benjamin 283, 286). The three films in this chapter, focused on a border where the state’s executive agencies have sometimes been challenged and replaced, highlight the central violence and the tenuousness of those institutions that must execute the law. Both *Sicario* and *Three Burials* offer a portrait of what Benjamin calls “the great criminal,” a figure whose pursuit of individual justice positions him as a dangerous alternative to the established order (281). At the same time, *Sicario* and *The Counselor* highlight
the root indistinguishability between the criminal and the state within their depiction of an economics of desire.

Aside from articulating the legal system’s relationship with violence and the processes by which it sustains itself, Benjamin also envisions what he calls a “divine violence,” a saving or expiating one (297). In this chapter, I sought to demonstrate that within sometimes fleeting moments, whether of empathy or self-understanding, these films do point to alternative worlds that might exist beyond a law-preserving or law-making violence. Crucially, to get to where a saving violence can be envisioned, these genre films suggest that the subject must interrogate his own natural violence and perceive the very limits of the established legal order as well as his complicity within it. Benjamin himself suggests this process when defining divine violence as an expiating violence, as an atoning one. Genre films, I argue in this dissertation, are uniquely positioned to perform and reflect on atonement because they can at once luxuriate in violence and provoke a vital calculus about the ethical stakes of viewers’ relationship to violence and, particularly, the pleasure they derive from watching it.

In conclusion, I would like to linger upon culminating moments from each work to consider what they might express about Benjamin’s idea of a “saving violence.” Sicario finds a heroine forced to witness the law’s moral emptiness and whose position as a critical outsider threatens the state. She moves from an uncritical state agent to a figure of disillusionment, losing faith in the state institutions that she once upheld. She comes to face to face with a system governed by the military and what Benjamin calls the “formless power” of the police capable of acting extra-legally in the name of security (280). Benjamin argues that such a system is inherently vulnerable (287). He considers that “violence, when not in the hands of the law, threatens it…by its mere existence outside the law” (283). Any violence coming from outside that legal order is potentially delegitimizing because it contains within itself the capacity to modify existing legal conditions (282).

After Mercer has seen that the state works to sustain a status quo of violence by clandestinely supporting a single cartel, a mercenary agent of the state, Alejandro, visits her home to force her to sign a report that exonerates his team. After she resists, he brings his gun under her chin as he again beckons her to sign. While the legal document remains out of the frame, the shot’s composition makes it appears as though the gun comes out from the contract. The staging literalizes Benjamin’s statement that each legal contract operates through the possibility of violence or punishment (288). She signs. As Alejandro leaves, he advises her to leave the border noting, “You should move to a small town, somewhere the rule of law still exists. You will not survive here. You are not a wolf, and this is a land of wolves now.” The legal system appears as a kind of smokescreen for the state used to attest to a governing humanity that no longer exists. It would seem that Mercer comes to inhabit a position of total vulnerability, holding none of the disruptive potential of saving violence. The threat she poses, however, is one of perception. Attuned to the hypocrisy of the state and the victims it ignores, Mercer brings out the true face of the state—making its hidden amorality as well as its precarious nature fully visible.

Three Burials more fully renders the empathetic force of such divine violence. “You gonna be all right?” Mike asks his victimizer, Pete, at the end of the film. With this question of concern, the Border Patrol agent goes beyond his initial role of preserving the law through force; instead, after he has had to atone for his violence and accept the necessity of self-sacrifice, he goes beyond the legal order into a space of mere life. Mike now sees victim and victimizer as fully human subjects. The synopsis I offer here of Mike’s emotional arc intentionally employs
aspects of what Benjamin defines as a divine violence, from the notion of accepting one’s own sacrifice to the birth of a “mere life” that exists outside the legal order (Benjamin 297). In the process, the divine, law-breaking violence permits a reframing of our own perspective, allowing us to understand our own complicity within the prevailing order. Genre forms like the Border Western are well positioned because they honestly wrestle with, as The Counselor unrelentingly demonstrates, our propensity for violence. They do not shirk away from this disquieting facet of humanity nor the violent origins of the law. Benjamin laments that the legal order is fragile because lawmakers have forgotten the violence intrinsic to its creation (290). The theorist posits that no viable solution to lawmaking violence can be found if “violence is totally excluded in principle” (293). Genre, especially a subgenre of the Western founded upon the tension between morality and the law, brings violence to the forefront of our thinking, giving us a prime conceptual space to consider alternative forms of divine or saving violence.

One of the villains in The Counselor, the head of the drug cartel that has had Laura killed, reflects quite directly on the difficulty of such a conceptual change. The counselor has called the drug lord to beg for clemency for his abducted fiancée; the relaxed criminal figure, with the camera lavishing attention upon him as a servant prepares coffee in the background, subtly raises the question of the exploitative possibility of pleasure. Yet over a series of shots that oscillates between the drug lord, the servant, and a cut-in on the coffee, the criminal notes, “Reflective men often find themselves at a place removed from the realities of life. In any case, we should all prepare a place where we can accommodate all the tragedies that sooner or later will come to our lives.” Referring to the violent death of Laura in abstract terms, he holds up two fingers, thereby indicating the number of sugars he wants in his coffee. The drug lord continues, “but this is an economy few people care to practice,” a line whose first words are transposed over the film’s final and very fleeting mid-shot of the servant.

In this moment, the genre film mingles visions of pleasure and pain, of exploiter and exploited. In a self-reflexive and ironic moment, the film frames the drug lord narrating an anecdote about the poet Antonio Machado, who was inspired by his wife’s death. The counselor, responding to the story about Machado, replies that he will sacrifice himself to save his fiancée. The drug lord appreciates his willingness to sacrifice but suggests that this gesture is not enough. To achieve enlightenment, which can encompass life’s tragedies, the drug lord finds that one must experience a transcendent despair that leads to “the ancient understanding that the Philosopher’s Stone will always be found, despised, and buried in the mud.” This mud, suggested in the shadowy noir framing of the drug lord as he delivers this proclamation, may be genre itself. The dramatic irony of the drug lord’s satisfied philosophical pontificating shortly after having ordered the brutal murder of Laura sparks skepticism of his words and pushes us to consider the tensions of the kind of genre aesthetic for which he is a herald. Interweaving pain and pleasure, violence and understanding, such vexed forms can permit us to glimpse a pathway for atonement.

As I end this chapter, it is important to reiterate that these myths are themselves powerful conceptual tools for the very executive forces explicitly critiqued by Benjamin in his essay. Genre myths can present an expiating façade and suggest that their law-preserving violence is not about the preservation of its power but is grounded in a humane concern. To step away from cinema to a political gesture, we can again note that President George W. Bush employed the Western gunslinger’s formulation of justice when delivering the opening salvo of his hunt for bin Laden. In an interview with CNBC, he would later inadvertently mention how the Western offers a dreamlike alternative to a complex geopolitical reality. Questioned as to whether or not
he uses Google, Bush replied that he used Google Maps, “In fact, I kind of like to look at the ranch, remind[s] me of where I want to be sometimes” (“George Bush uses ‘The Google’”). The ranch, located in a border setting outside the nation’s political center, was thus envisioned by the president as a space of escape. As Bush’s language reveals, the tropes of the Western offers the executive its own means of escape where it can sidestep moral gray areas in favor of a more palatable Manichaean framework that pits good against evil. Bush, in his wistful aside, evinces a longing for the mythic; here, he is less the sheriff-like chief executive of the days following 9/11 than Engelhardt’s rapt screen warrior, eager to succumb to a mythic dream.

Even as the genre might permit filmmakers to destabilize boundaries of perpetrator and victim, to find the lost humanity of the impossible subject, the same narrative elements can be employed by the state in ways that efface ambiguity and distort. The films *Sicario*, *Three Burials of Melquiades Estrada* and *The Counselor* are valuable because they challenge even as they unveil the discursive processes by which the migrant becomes an Othered menace and the War on Terror becomes linked to the War on Drugs. The myth of genre has a very palpable weight upon those in state leaders and its agents. I will consider this burden in more depth in my next chapter, on the Western’s thematic inverse, film noir, particularly within recent representations of the female soldier as femme fatale and the police officer as detective.
Chapter 2: Post-9/11 Noir

Spike Lee’s 2002 film 25th Hour contains an indelible image of the 9/11 trauma that smoothly interweaves with the fabric of this neo-noir film. As two men stand at a window discussing the fate of a mutual friend about to be sent to prison, Ground Zero looms in the background. At the climax of their conversation, the apartment owner states that he would never move out of his apartment even if bin Laden were to attack again, then he yells at his friend to metaphorically, “Wake the fuck up!” His rebuke catalyzes Lee’s camera to pan towards the site of devastation. The camera pan, accentuated by the lamenting soundtrack’s pulsating crescendo as the wreckage comes completely into view, indicates the connection emerging between recent neo-noir and the visualization of the 9/11 attacks.

The scene from Lee’s film frames a New York wrapping itself in the colors of the flag while at the same time exposing a fractured citizenry underneath. It represents an emblematic post-9/11 noir vision of the American city as a space of disillusionment. Edward Dimendberg, in his 2004 work Film Noir and the Spaces of Modernity, argues that a later variant of the film noir genre, the neo-noir, developed precisely at “the end of the metropole of classical modernity, the centered city of immediately recognizable and recognized spaces,” shifting the genre’s focus away from the city to reflect an American culture increasingly defined by a sprawling suburbia (p. 255) and a more ambivalent, decentered city space. In post-9/11 noir, then, as Lee’s camera transfixed by the urban wreckage attests, the city reemerges as a dominant though unsettled trope. Whereas once the urban environment was inescapable, dominating, like a prison for the citizenry, it emerges here newly fragile. In an era that corresponds to the rise of transnational terrorism, a shift occurred, one might say, in cinematic conventions—in classic film noir, the city was a threat to man, but in post-9/11 noir the individual came to stand as a threat to the city.

Noir, laden with anxiety and yet famously indefinable, can serve to reflect discourses of fear during times of national trauma. Recent examples of noir ask what happens after the American metropolis has been revealed to be destructible. What has happened to this genre that classically defined its protagonist in relation to the insurmountable force of the urban? Such films show the shock of waking up not only to sights of mass destruction, but to the dangerous policies that such destruction engendered. In a different way from Lee’s camera, public policy pushed the American public’s attention towards the rubble, turning Ground Zero into the embodiment of American victimization. Noir, I argue, offers a critical space in which to perceive the transformation of a singular event into an archetype, in this case the symbolic national trauma that motivated the policies of the Bush administration. Although Bush often adopted the rhetoric of the Western gunslinger when fighting his War on Terror, he identified the post-9/11 world as a noir world. The films and discourses I discuss in this chapter shed light on genre’s imbrication with the thinking of policymakers and with the rhetorical forms that give apparent justification to their practices.

Literary scholar Paula Rabinowitz’s concept of “pulp modernism,” detailed in her interdisciplinary history Black and White and Noir, serves as an appropriate lens through which to consider the anxiety palpable in presidential discourse following the attacks. Rabinowitz describes pulp modernism as a “political theory of America’s problematic democracy disguised as cheap melodrama,” a theory useful for considering the “hidden history of state violence” that Rabinowitz argues has come to define American modernity (p. 18). The term “melodrama” is salient here, and forms an important generic cross-current in my readings in this dissertation as well. Casting a critical gaze on a range of disparate texts, Rabinowitz explores how noir and pulp fictional forms manifest within the American political imagination. Rabinowitz summarizes her
argument about the intimate relationship between pulp forms and politics in a way resonant with the work of this dissertation: the “politics of twentieth-century America becomes pulp fiction…or, more accurately, pulp fiction leads the way in matters political” (p. 18). She goes on to underline a point with which I very much agree, that such narratives haunt the rhetoric that emerged after 9/11 centered on the devastation of the attacks.

The Homeland Security Advisory System sought to gauge threat levels, but thereby also offered a barometer for national anxiety. The Advisory System stood as a visual emblem of a key rhetorical trope within the Bush administration’s narrative of a threatened nation. Such prognostications were born from the so-called Threat Matrix, a statement prepared for the executive branch that provides a macrolevel view of every potential menace that the nation faces as culled from daily intelligence reports. The very term “Threat Matrix” sounds as though it may first have emerged in pulp fiction, and its logic of extremes of good and evil resonates with a melodramatic imagination. In a memoir on the Bush administration and the law, The Terror Presidency, former Assistant Attorney General Jack Goldsmith argued that such lists of potential catastrophes bred a paranoid executive branch that circumvented established legal restraints out of fear. The flood of such reports over the years caused those working for and within the executive branch, in the words of Goldsmith’s colleague in the Justice Department, to “imagine a threat so severe that it becomes an obsession” (qtd. in Goldsmith, The Terror Presidency, p. 72).

Both publicly and internally, the Bush administration existed within and reinforced a climate of constant unease. Former Secretary of Defense Donald Rumsfeld, in his memoir Known and Unknown, synthesizes the feeling of dread shortly after 9/11 with the following statement: “Major landmarks considered likely targets were watched with anxiety. Each rumor of another attack set people on edge” (p. 349). Rumsfeld then identifies the attacks as a catalyst for the sweeping Congressional Joint Resolution Public Law 107–40 that was tantamount to a “declaration of war” and that imbued the president with complete authority over U.S. retributory actions (p. 39). Although Rumsfeld lauds the bipartisan spirit that codified the state of emergency at the time, finding it akin to the nation’s response to Pearl Harbor, he ironically identifies a link between a climate of fear and increased executive power. In justifying the need for a full-fledged War on Terror, he writes that the terrorist can “attack any place and at any time,” a description that encapsulates how the administration positioned the transnational enemy as an almost existential threat (p. 362). Scholars across disciplines have recognized this essential quality of the “terrorist” when contemplating nations’ policing practices. French philosopher Jean Baudrillard argues that it was impossible to prevent the terrorists’ 9/11 plot, which ensured that they achieved “a veiled form of perpetual terror” in the West, ultimately “forcing [it] to terrorize itself” via ever-increasing, but futile, security measures (qtd. in Toffoletti, “Terminal Indifference”, p. 70). Similarly, political theorists Michael Hardt and Antonio Negri find that, unlike the sovereign nation, terrorists belong to a distributed network defined by its lack of center (Multitude, p. 54).xxii This network cannot be effectively tracked and regulated, making it seem as though terrorists are omnipresent. The effect of this indeterminate condition of the network upon the nation is tremendous, as those who are named terrorists and their unlocatable perceived threat can thrust the “old form of power into a state of universal paranoia” (p. 55). Such was the condition of the United States following the attacks, in a state of national paranoia sustained by policy and the words of its leaders.

The establishment visions of post-9/11 America, I argue, resembled a world also frequently framed in film noir, a world where no one could be trusted and a sense of security was impossible. Rabinowitz argues that a “pulp politics” provides a ground on which to theorize
American modernism “not as a seamless grand narrative… but as a chaotic repetition of the familiar” (p. 22). The very conventions of genre, continually adapting to negotiate different points of history, force a recognition of the recurring conventions of such political discourses. Of course, the Bush administration’s use of the language of catastrophe to describe terrorism echoed past presidencies during their states of emergency, and in this sense the forms of noir as well as the pulp politics of the Bush administration have a long historical legacy. As one example, Richard Kelly’s 2008 sci-fi noir pastiche *Southland Tales* makes such a point through its many citations of Robert Aldrich’s 1955 *Kiss Me Deadly*. The latter film, widely perceived as film noir’s contemporary response to the possibility of nuclear annihilation, saturates the former. Its opening, featuring a mysterious woman nearly colliding with an oncoming car, evokes an imagined pleasure of obliteration achieved by technological force. The scene plays in the background of the introductory shot of *Southland Tales*’ Krysta Now, an adult film star who, along with the film’s Arnold Schwarzenegger analogue, had written what the voiceover describes as a “screenplay that foretold the tale of our destruction.” *Kiss Me Deadly*’s presence in the background of the shot that features these words foregrounds *Southland Tales* as a contemporary response to Aldrich’s work. It draws historical connections between differing rhetorics of destruction, illustrating the ways in which Cold War hysteria, centered on the nuclear bomb, and 9/11 fear-mongering, focused on the terrorist, share similar roots and generic conventions. The film’s transhistorical linkage not only illustrates the way in which noir films expose pulp politics but also shows that such works, illuminating the present via an appropriation of tropes from the past, demonstrate the reiterated structures of state-sanctioned national allegories, in their wild vacillation between the now and then.

Whereas some might consider noir to be too vaguely defined to be a singular object of study, given the long long-running debates in film scholarship as to whether it even constitutes a genre, I argue that the very impossibility of distilling this film type into a single essence is part of what lends itself precisely to contemplating the disordered situation and haphazard process of law production after a national trauma. In an essay tracking these scholarly debates, “American Film Noir: The History of an Idea,” film scholar James Naremore argues that a recurring element in all noir is the very lack of a sense of order. He cites French film critics Raymond Borde and Etienne Chaumeton, who claim that such films often feature “the disappearance of psychological bearings or guideposts” (p. 19). The anxiety present within these texts is complemented by feelings of detachment, floating out of time so that quotidian existence becomes a sort of waking nightmare. Post-9/11 noir films emulate the classically understood forms of Freudian belated-traumatic memory, where past fears stumble forth into the present, fostering a temporal breakdown. Such a blind spot in the historical memory appeared within the political discourse about 9/11 where the transnational nature of the attack fostered a narrative of absolute rupture, in which previously established restrictions on executive force governed by the tenets of human rights law were rendered moot.

State actors created policies after 9/11 within what one might call a “terrified public space” of suspended rationality that they helped to sustain via their codified rubrics measuring the threat level. Traditional guideposts of conventional human rights, like the Geneva Conventions, seemed to disappear from view in the context of this terror-built exceptionality. Similarly, in noir one often sees a clear vision of a nation in limbo. Through the medium of noir, one can at times perceive forgotten historical resonances and witness, as in *Southland Tales*, the absurd paradox of a normalization of a state of emergency. Naremore posits a series of questions about genre function, asking, “What are the modes of existence of this discourse? Where has it
been used, how can it circulate, and who can appropriate it?” (“American Film Noir,” p. 14). The post-9/11 noir films under review in this chapter demonstrate an understanding of how the tropes of noir and those of other genres can be appropriated by the powerful even as they are harnessed by critically-inclined artists. Bordé and Chaumeton found that “above all, noir produces a psychological and moral disorientation, an inversion of capitalist and puritan values, as if it were pushing the American system toward revolutionary destruction” (qtd. on p. 22).

Here, I ask: What occurs when the state co-opts such a language of revolutionary destruction? I find that the paranoid view espoused by the Bush administration, marking lone individuals as possible threats to the nation, led to a sort of state-sanctioned noir rhetoric that these genre texts both express and question. The two key films of this chapter, Robert Rodriguez and Frank Miller’s 2005 *Sin City* and David Fincher’s 2007 *Zodiac*, present the noir icons of the femme fatale and the detective within the newly fragile city to allegorically showcase executive actors both emboldened and oppressed by mythic archetypes. Even as these films identify the genre’s potential contribution to the Threat Matrix, where reality is made into a foreboding noir, they also show that such film types have the potential to expose the theater behind a culture of fear.

**Sin City and the Militant Femme Fatale**

Essays in the influential anthology *Women in Film Noir* (1978) testify to how the femme fatale has long been seen as a complex figure in feminist discourse: one who at times functions to expose male weakness even while her very formation suggests the preponderance of a masculinist discourse within popular cinema. Film scholar Janey Place begins her essay “Women in Film Noir” by admitting that classic film noir “is a male fantasy” (p. 47). And yet, through the defining autonomy of the femme fatale archetype, Place finds that the genre offers a rare vision of empowered femininity in Hollywood cinema of the period. Such tensions have always been a part of the essence of the femme fatale, who has been perceived as a response to a supposed domestic shift on the home front after World War II. The femme fatale has been read as representing newly independent women that veterans encountered upon their return from war. Hierarchies were shaken and, in this historical reading of the genre, it is understood to capture what Silvia Harvey describes as an “erosion of expectations” following the war, where the very liberty of women at home brought into relief postwar male disempowerment (qtd. in Bould, *Film Noir*, p. 39).

If the femme fatale is traditionally emblematic of a home front anxiety, Robert Rodriguez and Frank Miller’s *Sin City* situates the femme fatale on the front line. The film builds upon a crucial facet of the neo-noir iteration of this female figure: her delight in violence. Film scholar Ruby Rich argues that, in recent examples of noir, such individuals grew ever more depraved and yet articulated “a new version (albeit warped) of female empowerment” (“Dumb Lugs and Femmes Fatales,” p. 9). Her essay illustrates a key change in the critical perception of the femme fatale figure that informs my analysis of the film—the inherent violence of the femme fatale has come to be seen as not simply a manifestation of male anxiety but also an embodiment of her liberated potential. *Sin City* probes the increased depravity of these noir icons in its allegorical contemplation of women as both a part of and potentially against the fighting force of a state whose wartime practice became increasingly brutal and sadistic.

Some may question the validity of studying the representation of a militarized femininity within *Sin City*, given how the noir genre is oft-criticized for its misogynistic tendencies. Would not a militant feminist work like Monique Wittig’s *Les Guérillères* be a more apt subject? It is precisely because *Sin City*, on one level, works to titillate that it is of such value, for it exposes
structures of desire and expectation around gender and power. The pastiche embodies postmodern cinema’s ability, as described by Kate Stables in her essay on the sadomasochistic dimensions of the modern femme fatale, to “accommodate and package radically opposing discourses at the same time” (“The Postmodern Always Rings Twice,” p. 166). Within this tension between the feminist and chauvinistic, the film can explore the issue of collusion via the figure of the prostitute, an individual met with ambivalence or derision within feminist thought. Lynn Sharon Chancer finds that the prostitute’s perceived collusion with the male power structure renders her inimical to at least some strains of feminist thought (“Prostitution, Feminist Theory, and Ambivalence,” p. 155). Uninhibited by the constraints of a singular ideology, however, the film is able to explore the possibility of freedom offered from within this position, presenting the relatively radical view of sex work held by other feminist thinkers. Through a legally independent red-light district, Old Town, the film depicts a utopian vision of a band of militant female sex workers who operate within an organization that guarantees safe working conditions. Such a representation in some ways recalls the perspective of the activist group COYOTE, which has long pushed for the decriminalization of all sex work (Jennes, “Sex as Sin to Sex as Work”, p. 409). Mindful of such individuals’ complicity within an economy underpinned by male desire, *Sin City* unveils the power and powerlessness that come through the deployment of what Chancer terms, echoing Bourdieu, “sexual capital” (“Prostitution, Feminist Theory, and Ambivalence,” p. 162). The pressures of such a dualistic position of the sex worker, tottering between empowerment and objectification, are articulated within a film enmeshed in a patriarchal mode of viewing. The organized violence practiced by the sex workers in the film pushes its critical focus onto law enforcement actors and, in particular, the military.

On a broader political level, as will be discussed throughout the chapter, the female soldier’s collusion with the male order has been the focal point of public debates. Although it would be too reductive to place the female characters of the film in one-to-one alignment with actual soldiers, their characterizations resonate with a public discourse both enamored with and repelled by such fighters. Kelly Oliver’s essay “Women: The Secret Weapon of Modern Warfare?” repeatedly compares female soldiers to the femme fatale for how the discourses depicting both meld sexuality with brutality, an alignment she shows to be highly prevalent within the cultural imaginary (pp. 5–6, 13). *Sin City* is about the conflicting discourses surrounding these women. I intend not to reduce the film to simplistic correlations but rather to highlight the scope of the film’s allegorical critique in a time when the icon of the femme fatale resonated in fraught ways with the cultural discourses of militant femininity.

In the post-9/11 period, *Sin City* proposed a new paradigm for the ever-more-empowered archetype, presenting a proliferation of the femmes fatale where such women form a militant community independent from patriarchal structures. This paradigm, centered on the representation of a community of women, articulates a fear of a femininity that appropriates from men not only sexual power but also the powers of violence. A reading of the film in terms of the heightened anxiety that the femme fatale classically embodies, however, ignores the contextual specificity that emerges when one considers the contemporaneous public discourse shaped by two very different militarized visions of femininity of the Iraq War: the female-Rambo-turned-damsel-in-distress Jessica Lynch and the Abu Ghraib torturer Lynndie England. Examining analogues to both figures in the film alongside contemporary debates surrounding women in the military and developments in military law, I see *Sin City* as a dynamic work that touches on antifeminist and feminist discourses concerning a transformed femininity in war. The female roles are neither wilting damsels nor “gender decoys” that buttress the established masculinist
structure through their violent acts; the noir where “the ladies are the law” suggests a transformed view of gender hierarchies as well as of legal structures that would prevent women from serving in combat roles. Cases like Lynch’s and England’s at once subverted and reinforced prevailing gender hierarchies.

In order to wrestle with *Sin City* and its negotiation of a geopolitical landscape defined by war in the Middle East, we need also to consider the original comic book series by Frank Miller that inspired the film. The series was released in 1991, mere months after the end of the first Persian Gulf War, an American conflict known for the unprecedented number of female soldiers who served in combat situations. In an essay titled “Techno-Muscularity and the ‘Boy Eternal,’” media scholar Lynda E. Boose summed up the gender dimensions of the conflict by conceptualizing the war as a reassertion of American masculinity undermined by the failure of the Vietnam War (p. 69). Even as the ideal of a supplicating, vulnerable femininity played a key role in constructing a narrative that helped garner public support for the war, through the common media refrain that an unchallenged Iraqi army would rape Kuwaiti women, Boose argues that the very presence of American females on the battlefield defied the military’s framework that implicitly posited women as victims and men as their saviors (pp. 77–78). For the first time in the history of American war, there existed a challenge to the male warrior. Indeed, one of the most infamous female American soldiers to take part in combat, Private Melissa Rathburn-Nealy, was captured by Iraqi forces, and, according to official accounts disseminated within the military, “she had been raped and/or found ‘slit from [her] crotch to [her] neck’” (qtd. in Pin-Fat, “The Scripting of Private Jessica Lynch,” p. 38). It proved irrelevant that the soldier in fact experienced no such assault at the hands of her capturers; what mattered was the narrative that effectively redefined the female fighter in similar terms to the mythic Kuwaiti woman, as purely a victim.

The ways in which the official military discourse of the first Iraq War reduced female soldiers to beings that either have been or are on the verge of being raped echoes the process of female objectification that gender scholar Sharon Marcus argues occurs linguistically within rape narrative prevalent in the public discourse. Countering both the establishment and the feminist conception of rape, Marcus concludes that the codified roles of woman-as-victim and man-as-victimizer in the rape script only perpetuate the envisioning of women as powerless and make rape into an inevitability. The rape script functions as a part of the “micro-strategies of oppression” that validate the patriarchy while serving as a means of “feminizing women” (Marcus, “Fighting Bodies, Fighting Words,” p. 391). In order to resist “a gendered grammar of violence [that] predicates men as the subjects of violence and the operators of its tools, and predicates women as the object of violence and the subjects of fear,” Marcus argues that women can challenge the rape script by developing their own “capacities for violence” (pp. 392, 397). In this way, they move from a position of passivity into one of active resistance. Marcus also calls for new ways to represent militant femininity, ones in which the female body becomes the “potential object of fear and agent of violence” (p. 399). I argue that *Sin City*, in its militant portrayal of the femme fatale along with its inversion of the power dynamics of rape, functions as a cinematic depiction of a perpetrating femininity. The film shows women transcending their objectified state through violence to ultimately challenge the patriarchy that, in its official rhetoric, conflates femininity with weakness and vulnerability.

Rathburn-Neely’s trials during the Persian Gulf War foreshadowed the plight of Private Jessica Lynch during the Iraq War more than a decade later, pointing to a profound institutional concern with the very idea of a female soldier on par with her male counterparts. The hereto
unprecedented infusion of women in the male-dominated system, not as secretaries or nurses but as soldiers, created a host of problems, the starkest being an epidemic of sexual assault. Although rates vary depending on the study, it is estimated that anywhere from 52 percent to 70 percent of female veterans experienced some form of sexual trauma while serving (Middleton, “A Systematic Literature Review of PTSD among Female Veterans from 1990 to 2010,” p. 242). Sexual assault in the military flared into the public eye most infamously in the Tailhook Scandal of 1991 where, at an annual convention of aviators in the Navy and Marine Corps, eighty-three female soldiers were alleged to have experienced sexual assault. Sin City, then, spectacularized a war where women were shown to have violent strength and, yet, were either rhetorically marked as victims or literally reduced to sexual objects by their brothers in arms.

Sin City in its original and adapted iterations contains depictions of women in complete command of men, in both sexual and violent terms. These female figures operate in a space linked in the first tale of the series with the conflict in the Middle East. Following the exploits of Marv, a hulking bruiser searching for the killer of his one-time love, a bouncer looks at our original hero with disgust and proclaims, “And you—your coat looks like Baghdad. So does your face. Take off!” In the comic book panel where the Iraqi capital city is mentioned, negative space takes the place of the brick wall seen in previous frames (fig. 1). Mention of Baghdad, then, appears to shatter the confines of the American metropole, thrusting Sin City into the void of war. The film underscores the close relation between its noir world and Iraq by placing the depicted scene of Marv and the bouncer just after a moment when the bloodthirsty hero announces with manic relish: “These are the old days, the bad days, the all-or-nothing days, they’re back! And I’m ready for war.” Teetering on the edge of chaos, Sin City represents an American urban reality haunted by conflict, much as Lee’s New York City was haunted by Ground Zero, and it presents a fusion of the home front and the frontline. Like Marv, the women share a predilection for conflict and always seem primed for a fight. Gail, the head of the female-controlled red-light district Old Town, articulates this soldier-like mentality when she responds to a potential threat to her territory by exclaiming, “We’ll go to war!” In the comic, the lettering of the word “war” is exaggeratedly large and breaks out of the speech bubble (fig. 2). War cannot be contained in this image; it bleeds into every facet of this world. Responding to a discussion of the series’ politics in a letters column, Miller cautions his readers, “If you go looking for political ‘messages’ in Sin City, you’ll get a headache” (Sin City: The Big Fat Kill #2, p. 30). The dearth of scholarship on the comics’ or the film’s politics suggest that critics have largely heeded Miller’s advice. On closer look, Sin City reveals itself to be a self-aware hyper-noir about the Iraq War and, more broadly, about gender at war.

Stitching together a broad swathe of Sin City tales, Robert Rodriguez and Frank Miller’s film adaptation presents an equally shrewd representation of the femme fatale in her varying iterations within film noir, subverting expectations as it shifts the female figure from a passive object in need of male protection into a dominating force fully able and willing to protect her own autonomy. The final turn occurs in its last act, after it has presented the violent potential of Gail’s community of femme fatales. The film returns to the damsel-in-distress trope to present the vision of the feminine at its most subordinated by suggesting that the ideal of an innocent woman untouched by a desire for violence does not exist. The very need for her, Sin City suggests, is but a testament to masculine weakness and insecurity. This grand arc, this reconfiguration of womanhood in a reality defined by war, begins with a presentation of the classic variant of the femme fatale on the verge of being assassinated by a contract killer, an opening scene that emphasizes the inherent tensions that exist between the male and female in
this noir universe. After the contract killer embraces her and declares his love, his gun fires. The screen briefly explodes in white, a visual trope that the film employs with slight variation at every moment of connection between men and women throughout the production (figs. 3 and 4). Such a visual stutter recalls a sexual climax—through its initial linking of the man’s metaphoric orgasm and the femme fatale’s death, however, the stutter also suggests the impossibility of any profound union across genders and highlights that they exist in separate, opposing spheres.xxvii

When the contract killer reappears at the end of the film, *Sin City* offers a compelling conjunction of symbolic tropes to articulate the potentially destructive power of the archetypical conception of women that the film, like the original comic series, extensively employs. Becky, a prostitute who attempted to sell out Old Town to the mafia, meets her end courtesy of the same dapperly dressed assassin now posing as a surgeon. Walking down a hospital corridor, she is beneath an illuminated placard that exclaims “Emergency.” An arrow points towards the side of the frame, calling attention to another metaphorically significant feature of the *mise en scène*, a sign for the men’s restroom (fig. 5). Is there an emergency in the world of gender divisions? She continues walking down the hall, and the camera moves back in time with her steps, passing an abstraction on the wall (fig. 6). This piece of art seems to depict the distorted profile of a woman’s body. While now smaller in the background as Becky has moved down the corridor, the emergency sign’s arrow points directly at the abstract image of the female form. Becky, another noir woman of the classic type unknowingly bounding towards her death, stands on the same visual plane as the artwork. In *Sin City*’s final sections, it presents its females on a par with objectifying abstractions. More viciously than critiques that label the film adolescent male fantasy, *Sin City* tackles the limits of its genre-infused vision reliant on sexual exaggeration, suggesting how abstractions stemming from narrow views of femininity can be a deadening force. Archetypes emerging from popular narrative forms and appropriated by mass media immobilize such figures, destroying their individuality and robbing them of their power. Through a touch in the staging, however, an opposing valence also emerges, emblematic of the potential threat that these feminine icons embody. When Becky walks by the male restroom door, she comes briefly between it and the emergency sign. Even as a variant of the classic femme fatale, Becky is a danger to the male order. She has a potency that needs not only be controlled but destroyed in order to preserve the male order and quell the anxiety that such forceful women produce.

By lingering upon Becky’s disruptive presence in the narrative as well as the formal echoes of her final scene in her introduction, one that initially positioned her as menaced by malevolent male forces, the intricacies of the visualized power dynamics, of femme fatale as active agent and passive object, come more sharply into view. In the narrative, Becky holds the dual distinction of being a traitor to her fellow prostitutes as well as the person whose actions brought the male authorities to the slaughter. Becky maneuvered the institutions of power against each other and, up until this moment before her presumed execution, is one of the few left standing after the warlike chaos that she helped spark. She is then a damaging force, as much to the women of the film as to the men. The effective transposition of the very tensions of the femme fatale onto the character of Becky is further reinforced by the scene’s staging. Aside from the aforementioned *mise en scène*, the film initially transitions to Becky from the site of a hero’s suicide. It pans up into the night sky until it comes upon Becky’s feet as she walks down the corridor. Her presence in the sky suggests the ethereal nature of the femme fatale, reigning like a goddess above the men that she entrances. Her presence visually above the demise of a male hero also connects the femme fatale with death. Adding to this reading, which invests
Becky with great potency, are the scene’s formal harmonies with her introductory scene. The way in which the film captures Becky, from the opening shot on her feet to her general walk towards the camera, mirrors the earlier scene where she was assaulted by men. Considering the broader narrative and formal elements helps to contextualize the conflicting metaphorical significance of the seemingly incidental features of the setting that I discussed previously. This brief scene, negotiating both the empowerment and disempowerment of the femme fatale, captures the tensions that define *Sin City* and points to the shifting discourse surrounding Private Jessica Lynch, which is well documented in scholarship on recent mass media. The troubling ideal of Lynch as a female Rambo was quickly squashed and replaced by a vision of the female warrior as a damsel-in-distress in need of saving, a lamb rather than a lioness.

At the opening stages of the Iraq War, the story of Jessica Lynch, who was taken hostage by Iraqi forces, thrust two sharply disparate popular visions of femininity into the public discourse. Journalist Susan Faludi, in her overview of post-9/11 national identity within the mass media, *The Terror Dream*, describes this rhetorical reshaping of Jessica Lynch, a process that she argues reveals the establishment’s discomfort regarding a fully militant female soldier emerging in a time of expansive conflict. Initial reports of the Lynch incident described her as a “female Rambo” who took a lone stand against enemy fire and shot her weapon until no bullets remained (qtd. in Faludi, *The Terror Dream*, p. 175). In cold desperation, she was “fighting to the death…and [did] not want to be taken alive” (Schmidt, "Lynch kept firing until she ran out of ammo"). These media reports constructed the soldier as a ruthless fighter, completely liberated from feelings of fear or even a sense of self preservation. The battle was all.

An examination of the scholarly discourse surrounding her labeling derived from one of the most hypermasculine figures in all of war film crystallizes the awe and fear that this idea of Lynch inspired. John Rambo is the titular figure of a series of war films from the mid-1980s that, for media scholars, captured the zeitgeist of a popular culture that sought the reassertion of the American male in the wake of defeat in Vietnam. Film scholar Guy Westfall argues that the sequel, 1985’s *Rambo: First Blood Part II*, showed an America fighting a guerilla war and winning, an America reborn (*War Cinema*, p. 72). Theorist Susan Jeffords stresses the figure’s importance when she links the hero to the president himself. Jeffords cites a specific instance where President Reagan spoke of the film when discussing a successful attack by Libyan terrorists. Reagan noted, “Boy, I saw Rambo last night. Now I know what to do the next time it happens” (qtd. in Eberwein, *The Hollywood War Film*, 72). If these stated parallels between Rambo and the executive are taken into account, then the emergence of a “female Rambo” suggests a woman’s total appropriation of masculine power.

In later reports of the kidnapping, the conception of Lynch’s battle prowess changed entirely, as exemplified by the sentiment expressed by *Time*’s Nancy Gibbs: “other people around her may have been fighting heroically, but she couldn’t do a thing” (qtd. in Faludi, *The Terror Dream*, p. 175). The weakened damsel description dictated the prevailing conception of Lynch as the media came to reconceive her image in the form of a helpless young girl. While recuperating in the military hospital, she is said to have sat “clutching her teddy bear,” completely erasing any trace of her former physical power, moving from potentially autonomous force to a passive entity dependent on the masculine superstructure for protection (qtd. on p. 183). In this weakened state, the media refashioned Lynch from a potential threat to the established order into a vital cog of the war machine: Lynch provided the moral justification for invasion of Iraq by conforming to the archetype of the asexual, virtuous white woman that needed to be saved from foreign barbarians (Feitz, “The Militarization of Gender and Sexuality
in the Iraq War,” p. 206). Lynch fulfilled the same rhetorical role as Kuwaiti women and Rathburn-Neely before her, a damsel in distress that supplicated to and validated the male order, a weakened female who provided a moral gloss to America’s present conflict.

*Sin City* contains what I would deem a Lynch analogue, Nancy Callahan, a female tortured by an ostensibly Oriental threat. Yet she entirely subverts the damsel type, ultimately pulsating with the destructive potency that Lynch the soldier was briefly said to have, situating the very need to objectify her within a totalizing archetypical view as a signal of anxiety on the part of the male subject about the strength of his own sexual identity. First seen as a scared eleven-year-old sent into the hands of a pedophile—a deranged son of a U.S. senator—the film initially portrays Callahan as a consummate victim by framing her in a subordinate visual position to her seemingly gigantesque captors (fig. 7). The sequence ends with Nancy being pulled from the hands of her captors and huddled in the arms of her savior, Detective John Hartigan. When Hartigan comes to her rescue, Nancy reacts to the violence of the primal noir setting with horror, covering her eyes at the detective’s behest while he brutally castrates her assailant. Nancy is unable to comprehend or confront the brutality of the chaotic setting in which she finds herself. Nancy is saved by a good male force, just as Lynch was said to have been saved by her brothers in arms.

Emerging from her childhood trauma eight years later, however, the once meek girl seems entirely changed, in command of a sexuality and the explicit violence that permits her to dominate the male-controlled space that once threatened to destroy her. Twice during the film, Nancy dances at the nightclub where she works, hypnotizing the male clientele and completely controlling their attention. In the logic of classic noir, the femme fatale achieves her power via overwhelming sexuality, which she employs as a weapon to achieve her desired ends, and thereby gains a transcendent strength through her body.*** During her second appearance on stage, the camera focuses on her Western-inspired accoutrement that indicates how she is now inured to brutality and is in full command of lethal force. Framed in a wide shot, Nancy stands at the edge of the stage, positioned high above the men whose silhouettes jut into the bottom third of the frame (fig. 8). She twirls a lasso above the men who have flocked to see her, ensnaring nameless men as easily as a cowgirl ensnares cattle. Shots follow that fracture her body; the focus on her curves troubled by guns in their holsters serves as a reminder that her sexuality is intertwined with and complements a violent efficacy. Once Nancy and Hartigan are reunited, she reveals that a loaded Magnum revolver sits under her driver’s seat. This detail confirms that, as an adult, Nancy resembles less a frightened girl than a gunslinger from the Wild West able to protect herself with the pull of a trigger. These elements that recall mythic masculine heroes, whether a lone commander like Rambo or the Magnum-toting cinematic icon from whom Nancy drives her name (Harry Callahan, popularly known as Dirty Harry), suggest that the very idea of a damsel is a fading veneer upon a femininity comfortable with masculine force.

Nancy’s cooptation of power most surprises at the very moment she appears most subjugated, during her second abduction by the Yellow Bastard, the senator’s son rendered monstrous by surgery. Unlike the first such scene, which framed Nancy in a wide shot that rendered her small against the shadows of men, this torture sequence relies extensively on close-ups of her face, which is indifferent to the frenzied whipping by her assailant. Never does the Yellow Bastard break her autonomy over her body, a fact confirmed when the two meet in a culminating mid shot where Nancy indicts him. After suffering a series of whippings, she lifts herself up and turns to regard her captor, who has leaned in to whisper in her ear. A close-up on
Nancy’s face as she turns around shows how the woman forces her abductor to regard her unimpeachable identity and reckon with his very impotence at supplicating her to his idea of a weakened female. She then spews, “You can’t get it up unless I scream. You’re pathetic. You’re pathetic.” Her indictment quietly shatters the strength of the captor, since he then moves out of the frame. Nancy successfully halts the advances of her would-be rapist via her words, via a calculated undermining of a script that would have her act the victim by screaming in agony. Her strategy recalls Marcus’s assessment that “verbal self-defense can successfully disrupt the rape script by refusing to concede the rapist’s power” (“Fighting Bodies, Fighting Words,” p. 396). Nancy’s appropriation of control enacts the scenario Marcus describes where “a rapist confronted with a wisecracking, scolding, and bossy woman may lose his grip on his power to rape” (p. 398). Once again the character of Nancy shows a canny awareness of the roles women are meant to play, from the woman oblivious to the law’s strictures to the rape victim, twisting or shirking them completely in order to gain authority over the patriarchal forces that intend to harm her. To employ an ideal of a vulnerable femininity as a means to reaffirm one’s masculinity is thus identified as the ultimate weakness. Following the verbal evisceration of the would-be rapist, the film makes Nancy the master of the torture chamber in a way that suggests that analogous archetypes, like the transforming images of Jessica Lynch, ultimately highlight a military masculinity unsure of itself.

When Nancy fulfills the role of the captured female sexually assaulted by the enemy, serving as a sort of noir equivalent to the most grotesque mass media imaginings of the fates of Rathburn-Neely and Lynch, the critical edge of her figure cuts most sharply as her impotent, perverted captor exists disquietingly between the domestic and foreign spheres. This very dualism, vacillating between being an embodiment of a crudely rendered Eastern threat and a corrupt American establishment, commits the film to an implication that the weakened damsel archetype stems from a malevolent and hateful view of women, one that resembles the mythic Iraqi enemy bent on rape. The Yellow Bastard, like his comic book iteration, exists as the only fully colored figure in this black-and-white film, a disparity that positions the menacing figure on a different plane from any of Sin City’s other inhabitants. For much of his screen time, he follows Nancy and Hartigan in silence, a muteness that links his “yellow” moniker with the jingoistic definition of the enemy as an Eastern Other out to harm innocent women (fig. 9). Just as this film expands its view of the damsel, linking her with a measure of power, the ultimate xenophobic view of the Other is then linked to the American establishment. After Yellow Bastard punches out Hartigan while he showers, the villain asks the ex-cop, “Recognize my voice, Hartigan? Recognize my voice, you piece-of-shit cop? I look different, but I bet you can recognize my voice.” With this question, the Other figure draws attention to his Midwestern whine, to his uncannily familiar aspects. He is as much an American threat as a foreign one, revealed to be Patrick Henry Rourke Jr., the perverted son of a corrupt U.S. senator. Through his connection with the legislator, the Yellow Bastard exposes a malignancy at the heart of American power, revealing it to be an enemy against women like Nancy. With the revelation of the Yellow Bastard’s domestic origins, another meaning of the slang term “yellow” becomes apparent; it is a euphemism for cowardice. The Yellow Bastard shows an institutional fear of such women, comfortable in combat and equal to men, whom a clichéd mass media narrative attempts to render into objects that no longer challenge the established dominion of male power. Sin City’s Yellow Bastard exposes the enemy within, underlining the deeply ingrained misogyny of state institutions like the military, which are implicitly indicted in this noir film where the femme fatale goes to war. The critique offered by the figure of Nancy, and those who menace
her, encompasses the law’s role in protecting the insidious enemy while further marginalizing his victims, his sisters in arms.

A fleeting, but pointedly specific reference to criminal code, Nancy’s annotated textbook *Criminal Law: Case and Manuals*, illustrates the film’s deliberate gesture toward the law in its relation to female victims of male abuse. More abstractly, it highlights the fundamental absurdity of the illusion that such strictures can give female soldiers justice after they have suffered at the hands of their male peers (fig. 10). Thinking that Nancy has been abducted, the just-released Hartigan enters her home, where he encounters a vision of her scholarly life. Examining the piles of books, including the aforementioned textbook, Hartigan notes in voice-over, “It’s like all she ever does is read, study, and write.” Unlike Nancy from the comics who is said to study literature, the cinematic incarnation brings her focus to the law. Written in Nancy’s careful hand on an interior page of the book are citations to basic rights, including due process. This reference to a fundamental legal right to a fair trial seems laughable given Nancy’s past experiences with the legal system. After Hartigan saves her as a child, Nancy goes to his hospital bed, lamenting that the authorities will not let her testify in Hartigan’s defense. The wizened Hartigan roughly responds, “Sometimes the truth doesn’t matter like it ought to,” depicting the whole legal system as a realm of deception and lies. Their exchange follows the monologue of Senator Rourke, who exclaims, in Joseph Goebbels–like fashion, “Power comes from a lie…lying big and getting the whole damn world to play along with you.” The legislator and his work are separated from truth, separated even from any morality since Nancy’s experience shows that the law is designed to protect the very perpetrators who harm individuals like herself. Seen in this context, rights like due process are represented as pitiful deceptions for victims who are ultimately made powerless by the very apparatus said to provide them with recourse against their assailants.

This noir portrayal echoes issues that have been central to debates around the narrow definition of sexual assault in the military as well. Reports by the nonprofit organization The Miles Foundation, focused on sexual violence in the military, have taken the government to task for a definition that excludes acquaintance or offender-known rape and does not label assailants as personally responsible, thereby creating a culture where prevention is difficult and perpetrators fail to be reprimanded (Feitz, “The Militarization of Gender and Sexuality in the Iraq War,” p. 215). The 2012 documentary film about the sexual violence epidemic in the military, *The Invisible War*, elaborates how the existing legal structure functions to protect assailants, because such cases were prosecuted, up until 2012, within the chain of command. It was at an officer’s discretion whether cases of sexual violence by a soldier under him or her would be pursued. The vast majority had not been investigated, a policy of inaction that transformed the “relatively closed system [of] the military” into what U.S. Army Psychiatrist Brigadier General Loree Sutton describes as a “prime, target-rich environment for a predator” (qtd. in *The Invisible War*). Nancy, left entirely voiceless by the justice system after her travails, bring to mind the struggles of female soldiers who are silenced by the legal system. The critique implicit in the association of the language of rights with a legal impotence, present in the brief shot, recalls the claim by Kelly Oliver that “the struggle for women’s rights and equality is as much a discursive struggle as a material one” (“Women: The Secret Weapon of Modern Warfare,” p. 9). Nancy’s reference to due process is placed against two cases that appear utterly irrelevant to her plight as a sexually grieved individual: one about drug use and the other about fishing rights. This juxtaposition emphasizes that the law is inherently absurd, a cruel joke to victims since it appears to insulate and protect their victimizers.
While the scene with Hartigan in Nancy’s residence contains many cynical valences concerning the constricting potential of legal code, close analysis of the language of the briefly glimpsed text illustrates Nancy’s savvy understanding of the law in an amoral universe—as an essential tool for understanding the oppressive machinations of the establishment as well as a weapon to protect herself from those who would use the law against her. In this passage, the femme fatale masters the law, the system codified and controlled by men, in order to escape its clutches. The two seemingly disparate cases, along with Nancy’s note, provide a coherent legal philosophy, one aware of the risks involved when the quintessential victim attempts to co-opt the system that frees her victimizers from accountability. On the top portion of the visible page, the drug case includes the note that the “lack of knowledge that the possession of controlled dangerous substances is illegal” does not stand as a valid defense. In addition to functioning as a reminder of the importance of understanding the legal code, advice that Nancy appears to have taken to heart, the phrasing crystallizes a general rule often applied by courts that ignorance of the law is not an excuse. The second case depicted, “Ostrosky v. State,” establishes an exception to the maxim, known as reasonable reliance. In short, the case is between the state and a fisherman who did not believe in permits; Ostrosky was continually charged with violating the state’s hunting and fishing guidelines. The fisherman, though, was able to mount a reasonable reliance defense, since he based his actions on a judge’s concurrent ruling that fishing permits were unconstitutional (STATE v OSTROSKY). Nancy’s notes under the headline “Reasonable Reliance Issues” indicate an individual aware of the exception, since the following phrasing comes briefly into view when Hartigan begins to close the textbook: “opp[ortunity] to fake ignor[ance].” Although the film never expresses what her reasonable reliance would be, the shot of the textbook crucially articulates her awareness of this legal loophole. This twice-abducted woman has studied the finer points of the law to uncover a defense that permits her to deceive, to conceal the true depths of her knowledge and thereby remain legally blameless for her actions.

Legal scholar D. M. Kahan’s essay on reasonable reliance, “Ignorance of the Law Is an Excuse—But Only for the Virtuous,” offers a largely optimistic argument for legal moralism, where morality and the law are interlinked, but also provides a vision of liberal positivism that maintains that the concepts are distinct from each other (pp. 127–128). This helps us to see Nancy’s implicit noir vision of the law, as well as her understanding that entities that seek to learn the minutiae of legal doctrine represent a threat to the established order. Ignorance must be feigned in this amoral universe. From the moment that Nancy realized the law’s disinterest in the truth behind her case, she faced a landscape where law and morality were distinct, the former simply allowed a few people to consolidate their power and act with impunity. Kahan articulates that in a framework defined by liberal positivism where the law is not intertwined with more general ideas of right and wrong, extensive knowledge of it becomes a danger because “the more readily individuals can discover the law’s content, the more readily they’ll be able to discern, and exploit, the gaps between what’s immoral and what’s illegal” (p. 129). Nancy is finding the means to act for her own benefit, free from the control of unspoken norms, when she learns the law. Kahan specifies the sort of danger such an individual poses when describing the “impudently inquisitive,” the layperson whose very attention to legal detail implies a desire to devise “false and diversionary stratagem(s)” (p. 137). An ability to fake ignorance, to hide her knowledge and essentially pass as the archetypically uninformed woman, gives Nancy the capacity to maintain a superior understanding of those machinations of the powerful without supplicating herself to the law.
Whereas Nancy ultimately does liberate herself from the system that permits predators like the Yellow Bastard to thrive, leaving Sin City behind after Hartigan saves her a second time, the film shows that those women who assimilate entirely into the legal system created by men are either literally or figuratively destroyed. Lucille, a police officer, finds herself objectified in the most grotesque fashion when a psychopath protected by Senator Rourke forces her to watch while he eats her hand. Later, assuming the position of the noir detective by wearing a man’s trench coat, the mutilated officer is gunned down by her peers (fig. 11). Meanwhile, a female justice of the peace, who appears for a single farcical shot to condemn one of Sin City’s righteous heroes to death, illustrates the limited gender identity of those who manage to rise within the legal system. Although she initially dominates the shot of her tribunal setting, where she sits between state flags and madly pounds away at her gavel, elements of the mise en scène indicate how much her identity has been subsumed into the male order. While the judge initially lords over the courtroom setting, when the camera finally settles, she appears diminished in the background, lost within the multitude of the exclusively male crowd (fig. 12). In time with her gavel poundings, a man-made gargantuan in the extreme foreground nods his head, not only illustrating how her actions meet the approval of the existing hegemony but also intimating that the masculine framework codified by the law she practices manipulates her action. Even her uniformed appearance, so distinct from the formfitting garb accentuating the curves of every other female in this film, draws attention to the judge’s defeminized condition. In a world dictated by genre logic where the female body is a weapon, such a uniform is an ultimate sign of assimilation. To work within the existing legal order protective of masculine entities, as the examples of Lucille and the unnamed judge reveal, is akin to losing one’s life or one’s womanhood.

A brief, but key, smile from the victim–turned–femme fatale Nancy, once her assailant reaches his violent end, points to a starker vision of femininity presented during the Iraq War: the female as willing perpetrator. Expressing the extent of her transformation from victimized child to would-be Rambo, the level to which she has become inured to bloodshed, the Nancy vignette culminates with a parallel scene of the Yellow Bastard’s castration at the hands of a vengeful Hartigan. Although Nancy once would have shielded her eyes from the brutality, she now regards the scene of her tormentor’s emasculation with a smile. This moment, where the supreme sexual humiliation of the enemy is associated with a young woman’s grin, interlinking torture’s violence with pleasure, reflects the infamous image of Private Lynndie England in Abu Ghraib that saturated the media in the year before the film’s release. Commentators remarked that one of the more unsettling features of the photographs was England’s ever-present smile while she pointed at stacks of naked Iraqi prisoners in various formations. Social critic Barbara Ehrenreich wrote in a Los Angeles Times opinion piece that England’s grin brought to mind not the banality of evil, but “the cuteness of evil” (Ehrenreich). The turn of phrase captures the gleeful aspect of the photographs that Ehrenreich claimed shattered her view of female soldiers as morally blameless, forcing her to confront the idea that, just like their male counterparts, women are capable of sexual sadism. Nancy’s final grin links her less to the increasingly infantilized figure of Lynch than to the joyously cruel England. The metaphorical linkage surprises given that, in the discourse surrounding genders in combat, the two women were emblematic of two distinct and seemingly incompatible—but perhaps finally complementary—narratives.

According to gender scholars Lindsay Feitz and Joane Nagel, the outwardly malicious England was Lynch’s “photographic negative” who fulfilled an important role in the state’s
propaganda machine by drawing media attention away from the policy roots behind the uncovered prisoner abuse, thereby sustaining the narrative that the brutality was carried out by only a few deranged soldiers (qtd. in Feitz 208). Nancy’s smile hints towards a woman’s plunge into the sadistic, a shift further explored via England’s more direct analogue in the film, Gail, who not only smiles at violence but also laughs, according to her former lover Dwight, “with the pure, hateful, bloodthirsty joy of the slaughter.” Similar to the way in which the Nancy figure overturns the prevalent antifeminist narrative of Lynch as the quintessentially fragile woman, Gail and her peers challenge feminist readings of England that attempted to rationalize her violence by arguing that the military indoctrinated her such that it made her into a proxy for the masculine order. By situating a unique community of femmes fatales within popular cultural and mythic traditions of figures defined by their independence from dominant gender or political confines, the film hints that England’s sadism may represent a newly autonomous, bloodthirsty femininity with the potential to break down the masculine identity upon which the military is founded.

Grappling with the violence on display in the photos of England, Eisenstein coined the term “gender decoy” to describe the smiling soldier. She concluded that the torturing woman did not represent a new form of femininity, vicious and violently strong, but a substitute for the male soldier. The strength of the male identity is not shaken by this camouflage as the “gender swapping and switching leaves masculinists/racialized gender in play [so that] just the sex has changed…the uniform remains the same” (qtd. in Feitz, “The Militarization of Gender and Sexuality in the Iraq War,” p. 217). While the film links the male law enforcement arm of the police with the prostitutes of Gail’s Old Town, suggesting they perform the same function over their respective territories, Eisenstein’s conception is less apt for Gail and the women of Old Town than for the aforementioned female justice of the peace. Her defeminized presentation, where even her curly hair resembles the wigs of traditional English judges, is consistent with the idea of the gender decoy whose femininity becomes entirely absorbed by the role she plays in the legal system. Gail, meanwhile, has all the violent potency and sadistic tendencies of her male equivalents but represents a politically separate and independent order that, for a time, exists concurrently with the traditional male one.

To signal absolute control over this territory legally emancipated by a “shaky truce” with the police, the film captures the women of Old Town in a monumental fashion while focusing on these warrior women’s uniforms, which blend classic masculine and feminine icons of strength with the overwhelming sexuality of the classic femme fatale. Old Town women, in their first appearance, dwarf the hulking bruise Marv. A traveling shot captures a pair of exposed posteriors that engulf Marv, showing that Old Town is dominated by female sexuality that not only challenges men who cross its path but diminishes them as well. As the sequence of Marv searching for the culprit behind the murder for which he has been framed continues, the film cuts to wide shots that showcase the uniforms of the women that contain a marked intertextual component, which highlights the independent violent strength of Old Town. One individual wears a replica of the superhero Wonder Woman’s costume (fig. 13). The reference situates the film’s violently empowered community of women into a broader tradition of American (and ancient Greek) myths that provide insight into their antagonistic relationship with the male establishment. Cultural scholars have articulated the sadomasochistic root of the Amazonian heroine, conceptualized by her creator as a dominatrix that would enlighten men by forcing them into submission. At the same time, a vital piece of the heroine’s accoutrement, her metal bracers, testified to the Amazonians’ ultimate servitude to the male hegemony in Greek
mythology. To remove those bracers would render Wonder Woman “maniacally and insanely destructive” (Stanley, “Wonder Woman and the Reinvention of the Feminine Ideal,” p. 148).xxxiv By changing the bracers from metal to leather, Frank Miller cannily plays with the established mythos of Wonder Woman to emphasize that the women who control Old Town’s streets not only remain free of patriarchal shackles but contain within themselves the strength to bring about its destruction.xxxv Underlying the importance of the Wonder Woman icon to comprehending the essence of Old Town, the superheroine’s insignia appears at the very moment when the girls unknowingly slay a police officer, an action sure to incite a war. The film presents an overhead shot of the man’s dead body surrounded by the Old Town women. As the camera zooms out, away from the face of the slaughtered detective, the film reveals that the women stand around him in a W formation that resembles the symbol of the heroine. The presence in the crowd of the Wonder Woman substitute wearing leather bracers further ties this assembly of women to the superheroic and the figure whose own origins are linked with the mythic Amazonians.

Just as Wonder Woman is defined by her tenuous relationship with male authority, Gail and her peers initially function alongside the police; however, the aforementioned shaky truce is broken by the murder of the cop in a sequence whose imagery exposes how these women warriors exist in conflict with their male peers. When Gail, in her first scene, is asked for some handcuffs, she inquires, “What style do you want? I got a collection.”xxxvi Recalling a tool of law enforcement here reconstituted as an instrument of Gail’s sexual power, the film begins to reveal her to be the chief officer of this alternate law enforcement regime. Her position is later confirmed when a police car reaches the edge of Old Town only to silence its sirens and turn around. The voiceover reaffirms the powerlessness of the traditional police in this setting, noting that the police officer “knows he’s not the law here, the ladies are the law here. Beautiful and merciless.” The movement of the women as they go about locking down Old Town to contain threatening drunken men later revealed to be plainclothes policemen is intercut with shots of Gail calmly looking on, creating a contrast with the others’ activity that denotes how she silently manipulates her forces. Once the narrator makes references to the women’s trap, the girls slam shut a wrought iron gate that resembles prison bars, framing Old Town as the prison, the prostitutes as the jailers of men, and Gail as the warden (fig. 14). Is Old Town this world’s Abu Ghraib?

Once Gail’s women execute the male intruders, only then to discover that they are police officers, Gail’s visual position in relation to the badge of a slain policeman illustrates how the community of Amazonians shifts from being a sanctioned parallel part of the male-controlled legal system to representing the legal code of an enemy force (figs. 15–16). The seal, with its glistening metal, dominates the foreground, becoming a monument to the establishment. Gail, framed against the badge, is rendered into an antithetical, subversive force. The camera then zooms in on Gail so that she overtakes the frame, a usurpation of visual authority that foreshadows how she and her warriors will obliterate the patriarchy as they reclaim their territory. When Dwight asserts that the women once had the right to “defend their own turf,” the film cuts to a tight shot of the badge. Intertwining a mention of the women’s territory with the image of the insignia identifies the patriarchal authority of the state as a challenge to the autonomy of women.xxxvii

From a sanctioned part of the legal system to its enemy, the fall of the women led by Gail parallels the discourse around England following the Abu Ghraib scandal that sought to absolve the established military authority of any wrongdoing by framing the female soldier as an exception, a brutal anomaly. In the essay “The Militarization of Gender and Sexuality in the Iraq
War,” Lindsay Feitz and Joane argue that the prevailing narrative of female-soldier-as-perpetrator that surrounded England in the aforementioned editorial pieces drew attention away from the broader systemic issues that created the culture of violence on display in Abu Ghraib (p. 209). Following the release of the photos, an official Department of Defense report concluded that such sexual torture was standard practice in U.S. military prisons (p. 211). The study revealed that male as well as female soldiers regularly took part in activities that touched upon taboos thought to be held by the Arab men that, when broached, might lead to a psychological breakdown. It was no coincidence that the interrogation techniques photographed echoed those practiced at Guantanamo Bay, a logical similarity given that the Guantanamo prison commander, Major General Jeffrey Miller, helped implement the Cuban model in Iraq (p. 210). The scholars point out that the documented complicity of the wider military apparatus was largely ignored and that “the torture and abuse of prisoners became an incidental backdrop to the more important media story—the sexual soap opera and demonization of its bad girl star, Lynndie England” (p. 211). Within a soap opera where the abuses were labeled by the head of the Department of Defense, Donald Rumsfeld, as the actions of “a few bad apples,” England was defined by the military as a rogue element (“Donald Rumsfeld: What Did He Know?”).

Through presenting Gail as hypnotic distraction from the violence taking place around her, the film touches upon how such a violent femininity, which resembles England’s, could conceal systemic issues within the existing military apparatus that may lead to soldiers acting with wanton brutality. A conventional element of the femme fatale that is apparent when Dwight comes upon Gail—her overwhelming sexual potency—suggests a film aware that such facets of femininity could distract from broader systemic deficiencies.** When Dwight begins to charge towards the drunken men, Gail’s gun protrudes into the shot, looming above him, while she commands him to stop (fig. 17). The Old Town leader jokingly tells him to “enjoy the show,” an ostensible reference not only to the forthcoming execution, but also, given Dwight’s gaze upon her, to her own body as spectacle. Her success at commanding Dwight is made clear when he notes in voiceover that “all kinds of death is about to hit 20 yards ahead of us, and still it’s hard to take my eyes off her.” He speaks this line over a sustained view of Gail’s earrings that include depictions of the sun (fig. 18). Her adornment metaphorically accentuates the degree to which her sexually violent femininity draws attention away from the bloodshed to come, which is revealed to be reflective of a fractured law enforcement system. Gail and the women like her are so captivating that they act as beacons that initially might seem to distract from the law enforcement system’s inhumanity. The aforementioned conflation of the term “show,” linking her physique with the violence, recalls critiques of the War on Terror that found that the woman’s body was rhetorically transformed into a spectacle by the state, one that emblematized the supposed liberating facets of the global conflict.** Ideologically, however, such women are less a distraction than an integral part of the process that transforms wartime sadism from an atrocity into a show. England, for example, was said to be a “fall girl” for a military system that encouraged inhumane treatment against captured enemy forces (Goodman, “The Downside of Equality”). Through cinema’s affective nature, by the way the medium emulates Dwight’s desirous view towards the statuesque Gail, the film sparks a visceral appreciation for how the creation of a fall girl does not simply absolve the military of blame. By encouraging the viewer to fall for the smiling dominatrix in the same way that Dwight does, the film shows that such a sexually potent symbol sustains the violence of the war machine by rendering it palpable, into a spectacle in and of itself.
There is a range of imagery potentially linked to female embodiment employed during the successful war of the women of Old Town. The scene illustrates the destructive potency of a militarized femininity free from patriarchal legal structures by fatally trapping the police and mafia in “a crevice.” Presaging the final empowered image of annihilating women, when the prostitutes come to understand the consequences of Jackie Boy’s death, Dwight describes Old Town’s fate: “It’ll be war. The streets will run red with blood. Women’s blood.” While such language seems to reference their violent fate, the placement of these words over a shot of Gail’s posterior imbue them with a menstrual subtext. This alignment of voiceover with a shot of the leader’s thonged buttocks specifies the female embodiment of the blood. In addition, the bullets on her belt point downwards. Such emphasis saturates the moment where Dwight and the girls of Old Town corner the mafia in an alley such that the sequence of victorious women and condemned men might be said to resemble a “lethal return to the womb.”

Luring the Mafiosi into the alley on the pretense of exchanging the captured Gail in return for the head of Jackie Boy, which will give the male authorities control of Old Town, Dwight sets the stage for the massacre to come. His voiceover highlights the tactical advantages of the alley, noting that it is “dark, crooked, and very narrow. They can’t surround me. Sometimes you can beat the odds with a careful choice of where to fight.” High angle shots of the heavily armed mobsters expose their presently confined state. At the point where Gail and Dwight are reunited at the end of the passageway, they draw the mobsters’ gazes upwards to the women of Old Town standing on the rooftops above them. The film presents a shot of a gun-toting prostitute wearing a broad smile similar to the torturing England before sweeping downwards, bringing the rooftop and stormy sky into view. From the low-angle position of this shot, which mirrors the vantage point of the mobsters the alley is further transformed into an imprisoning orifice. The film colors the sky red, which, when taken with the inverted triangle form of the opening, metaphorically demarks this moment as one where men find themselves confronted and defeated by a uniquely feminine fury inside an alleyway. The film then fluctuates between shots of men being punctured by bullets and women firing their bullets while laughing hysterically. Dwight, in his narration, describes Gail as a Valkyrie and his warrior woman, language that underlines that, at the very moment when she and her kind most violently rebuke their male rivals, they have most completely embraced their inner soldiers. Gail’s smile allegorically echoes the joy of England in the Abu Ghraib photos; however, here, the humiliating and dangerous zest is directed not at some external enemy, but at the very law enforcement system of which she was once a part.

In the scene’s conflation of Gail and her peers with the mythic Spartans that Frank Miller went on to depict in 300 (adapted to the screen in 2007 by Zack Snyder), Sin City suggests that the torturing femininity that England displayed in the photographs represents not a subsuming of the male order; rather, here, it represents a separate power that has the potential to squash the very ideological apparatus that seeks to keep female soldiers subservient and disenfranchised. The fifth issue of “The Big Fat Kill,” the Sin City saga featuring Gail and Dwight, opens with a full-page image of a Spartan warrior and an extensive description of King Leonidas’s stand against the Persian army where “the whole of civilization [was] kept alive by Spartan courage and a careful choice of where to fight.” While Miller explicitly links the women of Old Town with the Greek heroes in his comic series, the film contains only Dwight’s repetition of the phrase “a careful choice of where to fight.” Such a linkage to antiquity not only places the women as substitutes for those ancient heroes, but transforms the men into substitutes for the Persians bent on destroying their culture and taking away their freedom. What is the significance, then, in positioning the Old Town women as the heroic Greeks and the male forces
as the Persians? Analogues of male power are made malevolent, akin to an empire that sought “to extinguish the only light of reason in the world” (p. 1). In this scene, it is worth underlining that the Mafiosi function as proxies for the law enforcement agencies. Their efforts to subjugate the women stands as a metaphor for the military system’s efforts to render female soldiers as damsel-in-distress archetypes or mere sexual objects with no legal recourse. To deny them their full potential as warriors is to deny reason itself. How the women go on to annihilate their enemies reveals a corrosive potential in a militarized femininity for an institution that depends on a weakened vision of femininity to justify its foundational masculinity. Just as it took but a few Spartans to bring Persia’s war machine to a halt, Sin City wonders whether (and enacts a fantasy that) only a few women like England might devastate the entire ideological framework and undermine the ideals of a modern empire’s army.

This discussion of the power of such feminized symbols of wartime brutality to validate as well as attack the hegemony and to spark a meta-cognition in how such practices become normalized exists within a film that also starkly envisions a harmonious military: as a union between perpetrators. In the scene where the women “kill every rat bastard” member of the mafia thus liberating Old Town by trapping them in the aforementioned womblike alley, the film ironically alludes to the possibility of coexistence across genders within fighting forces, a harmony not dependent on either women being objectified as victims or forced to shirk their femininity. Dwight follows the example of the film’s other male heroes, accepting the inherent violent possibility of women, not threatened by their adoption of the tenets of classical masculine strength, namely, a mastery of lethal force. To read this scene solely as an innocuous recognition of the fusion of masculine and feminine forces ignores his relish at Gail’s smile and his tacit understanding that women can be perpetrators. They can be victimizers who not only practice violence on a grand scale, but even enjoy it. How a former lover fires his gun in the same direction as Gail fires hers speaks to a cross-gender bond within this battalion that is free of both the friction and the possibility that the depicted male hopes to aggrieve his female ally. Their deadly sights are pointed at a common enemy.

Seen in the context of the military’s sexual abuse epidemic, this image of cross-gender cooperation in combat has an almost naively utopian air. When describing how the women on the battlefield face two fronts, out in the streets and in their barracks, Feitz and Nagel include a telling quote from Specialist Michaela Montoya on why she carries a knife: “The knife wasn’t for the Iraqis, it was for the guys on my own side” (qtd. in “The Militarization of Gender and Sexuality in the Iraq War,” p. 214). The edged weapon, designed for close combat, heightens the intimate dimensions of the institutional war in which female combatants are embroiled. In Sin City’s very moment of supreme feminist victory, when the Old Town women are aided by an understanding male, the film shows an awareness of the impossibility of this framework via Dwight’s final narration, which ends on a pessimistic note. After Dwight embraces Gail, he admits, “there’s no place in this world for our kind of fire…you’ll always be mine. Always and never.” The way in which their union, built on an understanding of each other’s violent sides, is labeled as an impossibility points to Sin City’s recognition that its warring femininity may remain a cinematic fantasy with little chance to realize the potentially subversive militant femininity glimpsed in the cases of the Rambo-like Lynch and the cutely malicious England.

A detail in the mise en scène undermines the monumental image of women as enforcers of the law and reveals Sin City’s recognition of the limits on the liberatory potential of women in war. The film counterbalances Dwight’s assertion that in Old Town, “the ladies are the law,” by laying these words over an image of a group of prostitutes. As the women confidently strut
towards the camera, they move within the borders of the darkened neon sign for “Woody’s Movies,” which on one level plays upon the phallic meaning of the word “woody” to define these beings as mere fodder for titillation (fig. 19). Such a move relates the sequence to the final scene of Becky, where signs on the hospital walls point towards the destructive potential of female archetypes like the femme fatale. At the same time, the presence of the word “Movies” turns this moment into a meta-commentary about the absurd quality of a world where women might craft their own laws. Such a composition could suggest that these women are the stuff of fantasy. However, as Janey Place argues, when the classic femme fatale meets her end, “we retain the image of the erotic, strong, unrepressed (if destructive) woman” (Place 48).

Once made into femmes fatales, what image do Lynch and England leave behind? Does their subversive militant femininity ultimately subvert the finale of their narratives that the state directed? Tinged by the specters of Jessica Lynch and Lynndie England, Sin City couches the femme fatale within the framework of a world where the law marginalizes female soldiers while protecting male comrades who hurt them. Pop cultural ideals, be they Wonder Woman or Nancy Callahan’s Dirty Harry, underlie the images of these violently empowered women. They are figures that transcend the masculine order codified within the law to assert their independence. The image these cinematic icons leave is one which draws out and further strengthens the fleeting impression of Lynch—not as an object but as a subject of violent power—and of England—not as a ‘bad apple’ but as a blinding smoke screen towards systemic corrosion. Perpetrating femininity within such political discourses is as vexed a site of empowerment as it is within the noir form: at once it contains an obliterating force toward patriarchal legal struggles (as suggested by how quickly the narrative of Lynch was squashed) and as a useful distracting trope when deployed by the state to hide its own deficiencies. By contrast, the noir mystery Zodiac shows the terrifying influence that the world of fantasies and cinematic myths of masculinity may have in shaping the worldview of those with the task of framing as well as fighting the War on Terror.

Zodiac and the Allegorical Representation of Bureaucratic Failure in the War on Terror

While Sin City and Zodiac are stylistically distinct—one an exaggerated genre hyperreality, the other a naturalistic police procedural with noir touches—both films present institutional critiques of law enforcement agencies. Sin City, in its one explicit reference to pop cultural ideals as they relate to men, helps crystallize the stifling relationship that Zodiac frames between the executive actors and their glorified representations in the cultural imaginary. When Jackie Boy asks his girlfriend her lover’s whereabouts, she notes, “He’s Superman. He flew out the window just as soon as he heard you were coming.” When analogous figures of power are linked to women in the film, they accentuate the women’s strength; however, their male counterparts serve only to emphasize the cowardice and, more broadly, the frailty of men. Similarly, Zodiac, a counterpoint to Sin City in its negotiation of noir masculinity in the post-9/11 context, probes how such visions of the powerful taunt law enforcement agents struggling with legal constraints and day-to-day bureaucratic obstacles whose confining nature the attacks brought to the forefront.

On 10 September 2001, Secretary of Defense Donald Rumsfeld delivered a prescient speech concerning this “internal threat” to American society. He described this enemy not as some far-flung, despotic nation-state, but “an adversary [that] lives closer to home. It is the Pentagon bureaucracy—not the people, but the process; not the civilians, but the systems” (Known and Unknown, p. 333). Rumsfeld’s conceptualization of the dangerous potential of bureaucracy was confirmed the following day when Al Qaeda’s terrorist attacks took the entire
U.S. security system by surprise. The 9/11 Commission later concluded that the attacks took place largely as a result of a sprawling intelligence community unable to gather or process information about the terrorist threat. 9/11 was, at its core, a bureaucratic failure.

Although rarely seen as a post-9/11 film, David Fincher’s 2007 *Zodiac* mediates this systemic catastrophe with nuance, using the cynical genre of noir to reflect upon a law enforcement community unable to effectively combat its chief menace. After 9/11, the nightmarish vision of a state seemingly unable to safeguard its citizens arose, as the world’s one remaining superpower proved vulnerable to attack. *Zodiac* reconstructs the unsuccessful manhunt for the Zodiac Killer that haunted the San Francisco Bay Area for much of the Seventies, creating a searing portrait of law enforcement impotence. When the director spoke of the model for *Zodiac*, he did not reference an analogous serial killer film but rather 1976’s *All the President’s Men*, which depicts the Watergate scandal and the journalists who broke the story (“Zodiac Production Notes,” p. 35). His citation of this sharply political cinematic influence highlights the film’s efforts to probe corrupt elements within the centers of American power. In its opening images, establishing shots of San Francisco at night on 4 July 1969, *Zodiac* situates the isolated murders as significant to broader U.S. history.

*Zodiac* ostensibly represents a true-to-life police investigation from the Seventies while also illustrating how that decade was viewed by post-9/11 Hollywood and, I argue, functioning as an allegory of bureaucratic failure in the lead up to 9/11 and during the ensuing manhunt for Osama Bin Laden. The opening shots of Independence Day represent the first of many steps the film takes to link the 1970s tale with the political concerns of the 2000s. On the specific issue of a failed bureaucracy, many studies, including “The Domestic Intelligence Gap: Progress since 9/11?” by James Burch, identify legislation of the Seventies like the Foreign Intelligence Surveillance Act as a root cause for the fractured intelligence community that was unable to coordinate to the degree necessary to prevent 9/11 (Birch). The noir *Zodiac* then encourages a transtemporal engagement with recent history to see how the paranoid thinking of the Nixon presidency shaped the worldview of the Bush administration and how the former’s executive excesses led to protocols that stifled intelligence agencies under the latter.

The film employs generic tropes to perform an institutional critique in an early montage where the nation’s premiere law enforcement and intelligence agencies attempt to decipher a code that the killer sends to *The San Francisco Chronicle*. From a tight cut-in on a copy of the cipher left on the wall of a suburban home, the film cuts to brief shots from the Naval Intelligence Center, the Federal Bureau of Investigation, and the Central Intelligence Agency (figs. 20–24). These disparate settings, packed with formally dressed men, each receiving or staring intently at the code, appear systematic and organized in stark contrast to the quiet domestic locale that opens the sequence, thereby suggesting that an efficient bureaucracy oversees this United States recently shaken by random acts of violence. Completely undercutting the presumed strength of these depicted security institutions, however, the sequence culminates with a return to suburbia, specifically to the breakfast nook of Donald and Bettye Harden in Salinas, California. The film goes on to reveal that the ordinary suburbanites solve the cipher, indicating that the security arms of the executive branch in this cinematic universe have only the facade of competence, performing a well-organized befuddlement.

This early comic sequence, depicting ineptitude within the American intelligence and law enforcement community, establishes the institutional focus of *Zodiac*. As a film concerned with the failed search for a killer who encroaches into the everyday through his pervasive presence in the newspaper, *Zodiac* functions as a metaphoric representation of the bureaucratic failure in the
lead up to 9/11 and the search for the U.S.’s chief menace of the last decade: Osama Bin Laden, an individual who, like the Zodiac Killer, cannily transformed the media into a platform for his violent antiestablishment rhetoric. The film draws such a parallel with a crucial excerpt from the Zodiac’s letters that echo Bin Laden’s jihadist philosophy, commonly found within popular culture, that centers upon a desire for martyrdom and a blissful eternal life. The killer’s cyphers that the intelligence agencies attempted to crack assert that “the best part of it is that when I die, I will be reborn in paradise. And all that I have killed will become my slaves.” These words express how the mass murderer’s violent actions are driven by a spiritual fervor that resembles that which drove Al Qaeda’s crusade. Examining the politically resonant production, released when the search for Bin Laden was ongoing, through The 9/11 Commission Report as well as sociological studies that examine the intelligence community’s recent failures, crystallizes the scathing indictment at the heart of the procedural noir—the bureaucratic structures of the institutions designed to promote security actually leave the nation vulnerable. By depicting the presence of Dirty Harry, a figure free from all bureaucratic and legal bonds, Zodiac offers an empathetic but skeptical portrait of those individuals responsible for maintaining national security, men and women burdened by the grand visions of unencumbered law enforcement found in popular culture. The film’s eventual shift in focus, from agents of the state to an unlikely amateur detective equated with a disgraced president, mirrors the mythic framework of the War on Terror to ultimately illustrate the dangerously myopic quality of an executive worldview built on models from popular cultures, one devoid of restraint that sees the law as a surmountable hindrance.

In the study Spying Blind, which examines the structural reasons behind the intelligence community’s failure to prevent 9/11, sociologist Amy Zegart focuses on the issue of structural fragmentation (p. 48). She argues that a fragmented organizational structure ensured that the intelligence agencies were unable to utilize the information they had acquired on Al Qaeda and its plans to launch a domestic attack. These organizations lacked formal mechanisms promoting integration, making the sharing of information within and across agencies exceedingly difficult. Furthermore, fear of prosecution for breaking the strict legal protocols that governed interagency coordination made intelligence institutions adverse to sharing information (p. 93). In her reasoning, Zegart takes a conservative stance behind an intelligence community where structural secrecy predominates, largely ignoring that such a structure also assures that these arms of the executive can act extralegally with little fear of repercussions. Whatever the reasons behind the fragmented structure’s formation, it would prove to be a hindrance in a time when terrorists could easily cross jurisdictional lines in their moves between the foreign and domestic spheres (p. 65). Indeed, transnational terrorism necessitates an agile and cohesive community that was antithetical to the pre-9/11 system, “where trails would run cold, information would not be shared, and dots would not be connected” (p. 113).

Although The 9/11 Commission Report is littered with cases where bureaucratic procedures impeded the flow of valuable intelligence on Al Qaeda, the fate of then-Director of Central Intelligence George Tenet’s 1998 directive concerning Bin Laden illustrates the extent of the structural fragmentation. While the letter stated that the United States was “at war” with Bin Laden and called for a community-wide shift in focus to combatting terrorism, then-NSA Chief Lieutenant General Kenneth Minihan bluntly told the 9/11 Commission that he assumed the letter applied only to the CIA (qtd. in National Commission, The 9/11 Commission Report, p. 357). Those in the CIA believed Tenet’s message solely targeted the other intelligence agencies; hence, Tenet’s call for wider focus on Bin Laden was completely ignored. A similarly fractured
reality plagues the depicted police force in *Zodiac*, which is in the midst of what one former police officer describes in the film’s press kit as “the first multi-jurisdictional police investigation in California. Before [the Zodiac] case, there was no organized effort between departments as a rule” (“Zodiac Production Notes,” p. 33).

*Zodiac* subtly articulates disjunctures, fracture points, within and between law enforcement agencies by the sonic motif of the ringing phone. The film lays this sound over every exchange between officers from differing police departments. Like a cacophonous score, the rings often punctuate the moments where the officers gain information that changes their understanding of the jurisdiction responsible for the murder case. Its discordant quality emphasizes the frustration towards the murder case’s expansive complexity that muddles the macrolevel view of the information available to the police. The diegetically produced ringing complements the aggressive tone of the phone conversations between departments, as when the San Francisco detective defensively asserts, “I don’t want to get into a jurisdictional thing here.” As the investigation wears on, a call from Vallejo County rings loudly at the end of the scene where the San Francisco officers are informed that a lead suspect has been disqualified because of a handwriting sample, preventing the acquisition of a warrant to search his home. The phone’s ringing becomes an aural sign that the film links to its investigation of bureaucratic impasses.

After the film makes the motif synonymous with interdepartmental miscommunication, the film adds another partly contradictory layer of meaning to the sound, linking it now to the Zodiac Killer’s invasions into the lives of those attempting to find him. A political cartoonist, Robert Graysmith, takes over the investigation in an amateur fashion when the police lose focus, and he is then menaced by a mysterious caller once the *San Francisco Chronicle* publishes an article about his role in the case. The first instance of the frightening anonymous communication demonstrates how the film laces the innocuous sound with an element of horror. This scene begins with Graysmith numbly brushing his teeth only to be startled by the phone’s piercing call. Over the course of two shots, the film seems to pull in to Graysmith, settling in on a close-up of his scared face when he picks up the phone and hears labored breathing on the other end (figs. 25 and 26). A culmination of factors—from Graysmith’s shaken physicality and wide-eyed expression to the corridor setting shrouded in shadows—briefly thrusts the noir into the domain of the traditional horror film, establishing the sound of the phone as a signature of the film’s terrorizing force. Via mirrored staging, the film creates a startling parallel between bureaucratic process and the killer, bringing into sharp aural relief the similarities between the state security and terrorist forces. It pinpoints the locus of terror as being present everywhere and nowhere, like an equally amorphous bureaucracy that presides over the world; a linkage that suggests such institutions may pose a malevolent threat to the citizenry. For the terrorist force, the phone rings stand as a testament to its reach; but, for the fractured bureaucracy, these rings metaphorically serve as a warning alarm that futilely calls attention to its blinding sprawl.

Beyond the fragmented nature of the bureaucracy, which assured that “information flow withered,” sociologist Zegart underlines the importance of institutional culture in thwarting successful adaptation to a time defined by a transnational threat demanding long-term analysis of regions that were largely minor players during the Cold War (National Commission, *The 9/11 Commission Report*, p. 79). The FBI’s culture, from its inception, tended to valorize agents out in the field who were viewed through the swaggering image created in the 1930s when J. Edgar Hoover’s G-Men solved crimes in the movies, leading to a bureau-wide idealization of the field agent and distaste towards the analyst. The handsome Hoover savored the theatrical aspect of his
position as the public face of the newly formed bureau, posing for publicity shots holding a machine gun with a Hollywood leading lady by his side (Weiner, *Enemies: A History of the FBI*, p. 70). His cinematic ideal was ingrained not only in the minds of the public but in the minds of the FBI operatives. A veteran agent summed up the prevailing attitude when remarking, “Real men don’t type. The only thing a real agent needs is a notebook, a pen, and a gun” (qtd. in Zegart, *Spying Blind*, p. 125). While this worldview served the FBI well when it was a reactive entity, solving individual crimes which led to convictions, Zegart argues that it led to ineffectiveness when the bureau had to take on a more preventative role after the emergence of transnational terrorism (p. 129). Terrorism made the conviction-oriented mind-set of the G-Man obsolete.

The mythic ideal of a policeman assails the investigators in *Zodiac*, exposing the chasm between the efficient model of law enforcement found in popular culture and the less glamorous reality of officers beholden to legal protocol. In *Zodiac*, lead SFPD detective Dave Toschi, the real-life inspiration for movie idols like Steve McQueen’s Bullitt and Clint Eastwood’s Dirty Harry, typifies what a policeman should be, at least to onlookers he interacts with in the film who continually reference his influence on the movies in hushed, reverential tones. However, the film emphasizes how the ideal in cinema stands in mocking counterpoint to the legal reality through a fleeting composition that subordinates the downtrodden Toschi to the vision of the empowered Dirty Harry. Troubled by Dirty Harry’s account of a crime spree inspired by the Zodiac killings, which appears as a film-within-a-film, Toschi leaves a screening of the Clint Eastwood picture in disgust. Walking through the theater lobby, Toschi moves under a giant cardboard cutout of Dirty Harry (fig. 27). Compositionally, the character points his Magnum directly at Toschi, creating a metaphor that such heroes effectively obliterate any conception of bounded law enforcement and make existing institutions seem utterly ineffective by comparison. This frustration is apparent when elated moviegoers mock Toschi on their way out of the screening.

Of the very few critics to consider how the film relates to post-9/11 political concerns, Elbert Ventura characterized this sequence as a “rebuke to the shoot-from-the-hip heroics of a show like 24,” a television program starring a Dirty Harry–like antihero who will gladly torture in his quest for justice in an America fighting a war on terror (“Zodiac: File It Under: Serial Killer Flick/Brief on Behalf of a Just, Liberal Society”). By situating Dirty Harry in a superior visual position to the real-life detective, the film indicates the temptation to break legal protocols in the face of a threat that subordinates itself to no legal standard. This suggestion stung in 2007 during the film’s release, when the search for Bin Laden was being “hindered” less by gaps in intelligence than by legal restraints over the issue of national sovereignty. By 2006, there was a general consensus in the intelligence community that the Al Qaeda leadership had taken up residence in Pakistan. Fear of damaging the already fragile Pakistan–United States relationship by performing covert actions in Pakistan’s territory left U.S. executive agencies at a standstill (Bergen, *Manhunt*, p. 160). The general anger towards the labyrinthine code of laws that governed the intelligence community was forcefully articulated by an FBI agent impeded from sharing information about one of the eventual 9/11 hijackers; he asserted, “The biggest threat to us now, [Osama Bin Laden], is getting the most protection” (qtd. in National Commission, *The 9/11 Commission Report*, p. 271). Indeed, the Obama administration caught Bin Laden only after deciding to act extra-legally and ignore the concerns of sovereignty that preoccupied the Bush administration (Bergen, *Manhunt*, p. 174). At the moment where Toschi confronts his own ineffectuality, the film allegorically crystallizes an anxiety of those in law enforcement and in the
intelligence community that the laws do more to protect the perpetrators of terrorism than its victims.

While individuals working in the intelligence community face pressures from cultural and legal considerations, both Zegart’s study and *The 9/11 Commission Report* find that the external pressure of the news media greatly shifted priorities towards short-term analysis largely dictated by the day’s headlines. For much of the Cold War, the CIA was comparable, in the commission’s words, to a “university gone to war,” creating in-depth strategic reports on intelligence concerns that were reviewed by peers and judged by the caliber of the classified publications where such analysis appeared (National Commission, *The 9/11 Commission Report*, p. 91). The quality of the CIA’s strategic analysis sharply declined in the mid-Nineties following the rise of the twenty-four-hour news networks, which led to policy makers’ expecting intelligence reporting that reflected up-to-the-minute developments. Whereas once carefully crafted analysis was considered a valuable addition to the broad base of knowledge on the Soviet Union, the CIA no longer invested in such work, forgoing a long-term understanding of the developing terrorist networks for scholarship that had the deceptive sheen of momentary relevance. In short, the CIA’s “university culture with its versions of books and articles [gave] way to the culture of the newsroom” (p. 91). Zegart describes the institutional transformation even more succinctly, claiming that in the 1990s the agency became “CNN with secrets” (*Spying Blind*, p. 100).

*Zodiac*, narratively concerned with how the media propagates the killer’s message at the risk of jeopardizing the investigation, reflects an intelligence community at odds with the press, the Fourth Estate, following the Cold War’s end. This conflict is visually expressed in a sequence where the Zodiac letters published by *The San Francisco Chronicle* bleed onto the environment, appearing to overtake the officers as they walk into the newsroom. Multiple exposures, superimposing one image on top of another, create the sense that these officers are deluged by the Zodiac’s taunts broadcasted by the media. At one point, the film presents Toschi’s partner between the words “Zodiac 10, SFPD 0”: the victims attributed to the murderer serve as points in an imagined game that exposes the police’s inability to protect the citizenry (fig. 28). A sign for *The San Francisco Chronicle* broaches the top of the frame, not only reinforcing that the battleground between the state and the film’s terrorizing force is on the front pages, but also, in presenting the newspaper environment as saturated by the Zodiac’s presence, cynically establishing the importance of the media in driving forward the enemy’s terror mission. Bin Laden once attested to the media’s primacy for attaining his political goals when noting that 90 percent of his war was waged through the media (Bergen, *Manhunt*, p. 143). The Zodiac, a similarly unseen violent force, is defined by his awareness that the media can function as a weapon, transforming a solitary man into a terrorizing specter.

Within the montage sequence where the officers are overwhelmed by the Zodiac’s correspondence, a fleeting but key juxtaposition illustrates how these actors, haunted by their fragmented bureaucracy, their mythic representations, their legal responsibilities, and the pervasive concerns of the media, are doomed in their quest to find the terrorist foe that looms on the edges of the quotidian. The placement in the frame of the Zodiac symbol, which resembles a gun sight, points to the inability of those caught inside the bureaucracy to succeed in their mission. As Toschi walks with his partner, the Zodiac symbol falls on his upper back, an image that shows his present focus on the case (fig. 29). The underlying image of Toschi then cuts to a mid-shot of Robert Graysmith, the aforementioned cartoonist who takes it upon himself to solve the murder, in which his face is encompassed by the Zodiac symbol (fig. 30). It expands out of
the frame, keeping its crosshairs dead center on the face of Graysmith, thus foreshadowing how he will eventually be psychically overtaken by the murderous puzzle. Crucially, in the wide shot of Toschi that immediately follows, the symbol floats beside the policeman, suggesting that he and his force will not be able to maintain their focus and resources on the Zodiac (fig. 31). The film then hints at the result of the organization’s inability to mobilize against the killer when the symbol moves off screen and a scrawled phrase, “The police shall never catch me,” appears (fig. 32). The cartoonist is the character who comes closest to uncovering the identity of the killer. Only someone outside the faulty system of the police can, to quote the cartoonist, “put all the information together [and] can jog something loose.”

Among the men that attempt to find the Zodiac killer, Graysmith’s blessing appears to be his relative naïveté about the realities of bureaucracy, an understanding that implicitly looms over his San Francisco Chronicle colleague, crime reporter Paul Avery, who falls into the fate of the classic noir male, becoming “a broken image of modern man” (Dickos, Street with No Name, p. 66). The scene presents parallels to the frustrations of Toschi, echoing the detective’s unease towards Dirty Harry, when Avery lashes out at the very mythologized nature of the enemy he helped to construct. Avery’s ire towards the Zodiac myth reflects the statements of Bush administration officials in the year prior to the film’s release who complained about Bin Laden’s identification as public enemy number one.

In July 2006, the CIA reportedly disbanded its Osama Bin Laden unit to improve focus, even though many perceived such a shift in resources as suggestive of the state’s stalemate in achieving any quantifiable successes in its global manhunt (“CIA Reportedly Disbands”). Former White House spokesman Tony Snow asserted that the War on Terror was not “a war against one guy, Osama Bin Laden. It [was] against a network” (“U.S. Remembers 9/11”). The very specter of Osama Bin Laden that propelled the U.S. conflict after the attacks had grown too large, even for the very administration that identified him as America’s preeminent enemy. The hidden Bin Laden not only proved distracting for the executive branch but remained a failure that tainted any success in the fight against a transnational threat. The genre framework that gave the wartime actions such unassailable logic—Osama bin Laden as targeted outlaw—had become a burden.

In the film, when Graysmith asks Avery why he does not write a book on the Zodiac murders, the former crime reporter responds with Snow-like logic: “Do you know that more people die every three months on the East Bay commute than that idiot ever killed?” Becoming a myth only further imbues the Zodiac with power, and his elevated status in the public discourse turns a lone idiot into a mysterious Zodiac killer. Avery’s lucid argumentation is undermined by the harsh ray of light that falls upon him, making the former journalist into an almost spectral presence and indicating the psychic cost of this mass media creation (fig. 33). While Avery appears phantomlike, broken by the knowledge of the Zodiac’s hold on his and the wider public’s imaginations, Graysmith is unmoved by the thought of what he could become if he loses himself in the manhunt. An outsider’s perspective permits Graysmith to perceive himself in mythic terms—he can be the Dirty Harry icon that neither Toschi nor Avery can fully emulate. A key irony of Zodiac is that Graysmith, who shapes the contemporary political landscape into mythic representations through his political cartoons, functions as the film’s closest proxy to Dirty Harry, not in the violence of his pursuit of justice but rather in his elision of the strictures of standard operating procedure.

While others involved in the case appear worn down by the mythic representations of police authority, the mise en scène surrounding Graysmith, along with his own rhetoric about
himself, evokes a man who finds himself to be the heroic alternative to the villainy of the Zodiac. A cult of personality propels him forward and pushes him past the obstacles that cause his contemporaries to stumble in their respective investigations. In his home, he surrounds himself with posters of classic film noir, such as 1950’s *The Asphalt Jungle* and 1955’s *I Died a Thousand Times*. The latter film, about a successful police manhunt, is an ideal counterpoint to the present stymied reality as well as a model for Graysmith to emulate. Not only do these posters position the stylistically restrained film within a broader noir tradition, they also reinforce how Graysmith constructs an identity via a framework of genre film. He is not dissuaded but instead motivated by these larger-than-life visions. Suggesting that the ever-optimistic Graysmith finds encouragement rather than reflections of existential angst in these noir texts, he stands next to a poster for Alfred Hitchcock’s 1956 *The Wrong Man* (fig. 34). The only Hitchcock film based directly on a real-life occurrence details the plight of a man wrongly accused of a crime. Like the puzzle-loving Graysmith, star Henry Fonda likes playing the odds on horse races with nothing at stake. Both men appear to be outside observers and, although each come close to noir despair, they never lose their innocence or their faith that they will succeed against broader malevolent forces. Emblematic of exceptional morality, Captain Narlowe asks the motivated Graysmith if he’s “some kind of boy scout,” to which the cartoonist seriously replies, “Eagle Scout, actually. First class.” Graysmith may not carry a gun, but his ingenuity allows him to see beyond the limited visions of his more jaded peers. In addition to being fundamental to his self-envisioning as a hero, the cinema spiritually connects the cartoonist with the Zodiac, since they both perceive their endeavors through the framework of popular culture. As such, they echo the dualistic narrative that pitted George W. Bush against Bin Laden, rather than the U.S. law enforcements’ and intelligence agencies’ battle against a network of transnational terrorists. Early on, the cinephile Graysmith responds to a note to one of the Zodiac’s ciphers that “man is the most dangerous animal.” Apparently meaningless to the other journalists and police officers, this phrase immediately rattles the cartoonist’s pop-culture saturated mind, before he realizes that it comes from the 1932 film *The Most Dangerous Game*. The Zodiac litters the letters presented throughout the film with other pop cultural references, at one point linking the police to the Blue Meanies, the antagonists of the Beatles’ 1968 animated film *The Yellow Submarine*. The conflation of his antagonists in the law enforcement community with the chief menace of the Beatles, a monstrous race that stands against their chief tenets of love and happiness, implies that the Zodiac perceives his enemies to be on a different spiritual plane, much like Bin Laden described his battles against the United States as a conflict not against a nation, but against the Great Satan. What *Zodiac* depicts ever more narrowly is a mythic conflict that exists outside the realms of bureaucratic reality—an American Eagle Scout who associates himself with an actor most famous for his portrayal of a kindhearted Abraham Lincoln against a terrorizing force that views American power as entirely antithetical to its principles. *Zodiac* frames the mythic discourse of the War on Terror in its most absurd terms, a cartoonist attempting to be a hero and a recluse trying to be a supervillain, allegorically uncovering how this formulation encourages constraints on executive power to fall by the wayside.

Undercutting this classic hero-versus-villain narrative that the film eventually adopts, which culminates with Graysmith staring down the prime suspect in a general store, the work views the legally unbounded cartoonist with suspicion, labeling him less a glorious Dirty Harry than the more vilified embodiment of executive excess Richard Nixon. In addition to the uneasy connection that Graysmith has with the Zodiac, both myth-obsessed individuals out of step with
reality, the film labels him as potentially mentally regressed. Early on, the worldly Avery asks the editor, “What’s the story with the kid? He seems a little ‘touched’ or medicated.” The implication that Graysmith might be mentally sick is further reinforced when the film reveals his nickname around the office is “Retard.” These instances brusquely denote that the cartoonist who claims to have a set system of values concerning good and evil does not have a fully developed moral compass. Indeed, Graysmith appears to never have any qualms about following the advice of policemen who encourage him to overstep his bounds as a private citizen, becoming in effect their extralegal proxy. Toschi punctuates his citation of legal code with advice that directly contradicts his words and points to legal loopholes. When asked whom the Zodiac called directly, Toschi replies, “I can’t tell you. That’s privileged information,” before saying, “But maybe Melvin Belli could.” The detective brazenly goes against protocol and tells Graysmith whom the killer contacted. In one shot, the film ties Graysmith to Nixon, framing him sitting next to a presidential pin (fig. 35). The Nixon presidency has been conceptualized as an administration where paranoia dictated all aspects of executive thinking, thrusting Nixon towards an unconstitutional mode of action that culminated with the Watergate scandal. After his presidency, Nixon himself noted, “I was a paranoiac, or almost a basket case in regards to secrecy” (qtd. in Wheen, Strange Days Indeed, p. 98). (This self-professed paranoiac, like Graysmith, was also enamored by the movies; Nixon screened over five hundred films during his presidency [p. 31]). The president and the cartoonist are both men who find on the silver screen not just their heroes but their role models. Film is a dangerous influence when negotiating a complex reality antithetical to the simplicity of archetypes. By comparing the ostensible hero of Zodiac with Nixon, with whom journalist Frances Wheen describes as “the shorthand symbol for ruthless ambition and moral corruption,” the film simultaneously critiques the investigative mode that Graysmith practices while unveiling the corrupt nature of his worldview dependent on larger-than-life heroes (Wheen 33). At the same time, in conflating Graysmith with Nixon, the figure of real-world power, the film creates a lament that acknowledges that these skewed ideals saturating the public discourse have disquietingly real effect. Zodiac shows that genre film holds an influential and indeed determining position in the conceptualization of how crime should be fought, not only in the minds of the public but in the views of the executive. Such a work, employing the Nixon era as a prism to consider the post-9/11 era, illustrates how genre film continue to exert a strong influence on the public discourses on terror. Zodiac makes explicit how the antiestablishment noir occupies a privileged position to comment on the shaping of such discourses. Silver screen heroes contribute to a view that limits critical assessment, encouraging a perpetuation of Dirty Harry’s dangerous attitude that the law, a vital check on executive power, “is crazy.” And yet, films like Zodiac also offer ways to reflect on the framing of these myths within both cinema and public discourse across different moments of American history marked by terrorism.

A brief discussion of a key quotation in the film’s DVD commentary elucidates the noir’s discursive complexity. During the scene where Toschi and Graysmith attend a screening of Dirty Harry, David Fincher not only stresses the Clint Eastwood film’s centrality to the plot, underlining the inefficient reality of the very investigation that inspired it, but also identifies the scene as the very moment that the audience is meant to feel “despair.” The intended sentiment mirrors Toschi’s true feelings towards Dirty Harry; he told Fincher that he was “a little sickened by how easy it was all concluded in the movie.” Zodiac, in this meta-moment, engenders a repulsion towards Harry and his analogue Graysmith, whose outfit in the scene echoes the screen icon’s. If the film, in its very construction, engenders frustration towards the law, it also
creates sympathy with those who follow its constraints. Graysmith and Toschi again refer to *Dirty Harry* in their last scene together, when the cartoonist manically declares that he has solved the Zodiac case. Frustrated that the policeman dubs all the evidence as circumstantial and therefore legally invalid, Graysmith asks for Toschi’s nonprofessional opinion. At that suggestion, Toschi cautions, “Easy, Dirty Harry.” His mention of the film character serves as *Zodiac*’s culminating articulation of genre cinema’s divided position in normalizing extralegal executive activity while also showing and criticizing the medium’s role within the process of ideological indoctrination that risks breeding contempt towards legal restraint. The film provokes a crucial reflection through Toschi’s quiet caution of Graysmith, of the lure of an unbounded executive force akin to Dirty Harry, one that has manifested as a paranoid Nixon in the Seventies or an irresponsible George W. Bush in the post-9/11 era. In this call for restraint, *Zodiac* offers a salient example of a genre film looking back on itself to show that the promise of an easy answer to crime stands apart from the humane pursuit of justice.

Both *Sin City* and *Zodiac* show characters following the law’s strictures; however, such activity cannot fit within the mythic narrative created in genre films and espoused by the executive. Nancy Callahan never fires the Magnum gun she shares with her namesake Dirty Harry, suggesting that she has been liberated by her legal savvy, which, like the firearm that “kicks like a mule,” had to be mastered. The film leaves the viewer to infer her fate, seemingly unwilling or perhaps unable to present her savviness of the law. *Zodiac*, similarly, offers an epilogue where a living victim of the killer points out the Zodiac’s photo. The scene’s bespectacled policeman speaks with none of the conviction of Graysmith or Toschi before him, even cautioning the interview subject to resist jumping to conclusions. That the “Eureka!” scene exists in an epilogue, sheared from the central action of the plot by a decade, speaks to the laboriousness of due process. The years leading up to this climatic interview fall within an ellipsis, indicating that the arduous investigation is too devoid of drama to visualize. With what these productions leave unseen, they highlight an ultimately cinematic dilemma—operating within the confines of the law fails as spectacle.

Executive actors, allegorically presented within these films, articulated the shock of such a disjunction. If, as Rabinowitz describes, “American fiction has performed political theory through sensationalistic narratives,” this chapter has illustrated that executive actors directly evoked sensationalistic narratives in their exercise of political power (*Black and White and Noir*, p. 18). In making themselves into larger-than-life heroes fighting similarly monumental villains, however, they have had to confront the disquieting reality of their own limitations. As the search for Bin Laden wore on, President Bush spoke of the terrorist less and less; however, in private, Bin Laden remained a focal point of his concerns. Former CIA director Michael Hayden said that the first question that Bush asked him during their daily meetings was the status of the manhunt (*Manhunt*, p. 103). The administration’s frustration manifested outwardly during a routine press conference in Bush’s second term. Discussing the inability to capture Bin Laden, Press Secretary Dana Perino brusquely responded, “This is not the movies, we don’t have superpowers” (qtd. in Stolberg, “New Significance for Bin Laden Hunt.”). The spokeswoman for the president lost the ability to speak in hyperbolic terms in the face of bureaucratic reality and encountered the frailty of an executive burdened by such visions of power. An executive that so often invoked a despairing noir rhetoric reached a moment where such discourses failed. Ironically, in the very failure of these tropes during the press conference, Perino enacted another noir convention—that of lost bearings. Perino’s moment of public vulnerability where she
seemed overcome by her own rhetoric shows the noir genre’s potency to challenge the very actors that seek to use its trappings of paranoia as a mechanism of control.

In contrast to Perino and her frustrated language, then–presidential candidate Barack Obama rhetorically framed himself as a superhero for a nation mired in the morally ambiguous policies of George W. Bush. During his first presidential campaign, the self-professed comics fan struck a pose in front of a Superman statue in Metropolis, Illinois. He even joked during a fundraising dinner that he was the Man of Steel, coming down to earth from Krypton to act as Earth’s salvation (“US Elections”). Obama thus positioned himself as a super-powered alternative to the seemingly powerless Bush, a moral agent that would transform the nation into a principled actor on the world stage. Much like the noir genre commented with skepticism on executive actors who perceive their reality in archetypical lenses, the superhero films of the past decade, in particular Christopher Nolan’s *Dark Knight* trilogy, showed that übermenschen flying above the law lose sight of the human consequences of their actions. They offer a critique of a wartime policy marked by enhanced interrogation under Bush, drone warfare under his predecessor, and domestic surveillance under both.\textsuperscript{xlviii} The following chapter examines the ideal of the onscreen superhero to uncover a conflicted figure allegorically acting out the very policies that exposed the chasm between the nation’s actions and its stated ideals. The exhilarating dimension of these films, unique to the superhero genre, illustrates a dangerous allure of such ethically fraught policies when America’s military and intelligence agencies are reframed and narratively configured as invulnerable, all-seeing entities.
Chapter 3: Post-9/11 Superhero

In contrast to Bush administration officials who admitted, “This is not the movies, we don’t have superpowers” when referencing their failed search for Bin Laden, then–presidential candidate Barack Obama rhetorically framed himself as a peerless superhero for a nation mired in the morally ambiguous policies of his predecessor. During his first presidential campaign, the self-professed comics fan struck a pose in front of a Superman statue in Metropolis, Illinois. He even joked during a fundraising dinner that he was the Man of Steel, coming down to earth from Krypton to act as Earth’s salvation (“US Elections”). Obama thus jocularly positioned himself as a super-powered alternative to the seemingly powerless Bush, a moral agent that would return the nation to being a principled superpower on the world stage. The gunslinger of Bush was replaced by the self-fashioned superhero that is Obama. Much like the noir genre commented with skepticism on executive actors who perceive their reality in archetypical lenses, the superhero films of the past decade, in particular Christopher Nolan’s The Dark Knight trilogy, showed übermenschen flying above the law losing sight of the human consequences of their actions. They offer an implicit critique of a wartime policy marked by enhanced interrogation under Bush, drone warfare under his successor, and domestic surveillance under both.

The following chapter examines the ideal of the onscreen superhero across the last two administrations to uncover a conflicted figure acting out the very policies that expose the chasm between the nation’s actions and its stated ideals. To combat terrorist threats, Nolan’s Batman adopts many of the controversial policies that have underpinned the War on Terror from torture, both physical and psychological, to pervasive foreign and domestic surveillance. The state with whom Batman works—by day, as a government contractor and, by night, as an often helpful vigilante—perceives its citizens with skepticism, if it sees them at all. In an oblique allusion to the Bush administration’s failures during Hurricane Katrina to provide support for the impoverished, often black population of New Orleans, the state abandons the poor of the city during 2012’s The Dark Knight Rises.

The exhilarating, sensorial dimension of these films illustrates how such fraught policies nonetheless implicate an alluring spectacularity as America’s military and intelligence agencies are refashioned into what are imagined as invulnerable, all-seeing entities. Through their tensions, counter-narratives that flare up that undermine the righteousness of the American gods onscreen, these films ask us: what is the capacity of genre spectacle either to normalize or to critique increasingly intense state violence? How might these productions show that symbols of spectacle have a utility for the state, containing a power to obscure the terrorizing force of its violence?

While the chapter will touch upon a host of contemporary superhero films, the bulk of the discussion will focus on The Dark Knight trilogy. Before delving into my analysis, I will offer a short summary of Nolan’s trilogy. 2005’s Batman Begins shows the grief-stricken Bruce Wayne obsessed with avenging his parent’s death. He trains with the terrorist organization the League of Shadows, before eventually adopting the mantle of Batman to commence his war on crime that scourges of Gotham City. The threat escalates in its 2008 sequel, The Dark Knight, as the terrorist Joker emerges on the scene. To combat the clown-like supervillain, Batman surveys the entire city with his fantastic technology. Batman exiles himself following his victory over the Joker, taking the blame for a series of murders conducted by the deranged District Attorney Harvey Dent. Such self-incrimination allows the city to pass repressive laws, called The Dent Act, in its efforts to preserve law and order. In the third film, 2012’s The Dark Knight Rises, Batman returns from exile eight years later to battle the masked terrorist Bane who coerces the state to abandon Gotham City. Bane, while promising to deliver the city back to the
disenfranchised citizens, aims to destroy it with a nuclear bomb. Although the supervillan sends
the superhero to a foreign prison, so that he might witness his city’s destruction from afar,
Batman ultimately triumphs and is monumentalized in a statue at City Hall. Bruce Wayne,
having faked his own death, passes the mantle to an apprentice. The symbol of Batman endures.

The series embodies a crucial trope of post-9/11 superhero film, namely the redefinition
of superhero into super soldier. The company of Bruce Wayne, Batman’s billionaire alter-ego,
acts (at least initially) as an arms manufacturer for the US government. Undermining Wayne’s
valiant repudiation of the death-dealing technology, his suit and gadgets are all re-appropriated
military equipment. He is a super soldier in the guise of a cape-wearing vigilante. This trope is
also present in nearly every Marvel film of the past decade, culminating with Joss Whedon’s
2012 superhero team-up film The Avengers, which features a group that operates under the
jurisdiction of the covert military agency known as S.H.I.E.L.D. The fact that the vast majority
of superheroes has been linked to the military place many of these films in a vexed position in
relation to government authority. Nolan’s films reveal a deep suspicion toward such institutions
as well as a rich evocation of complex and related legal concerns; the filmmaker has stated that
his Batman movies seek both to enjoy and to question vigilantism (Holleran). Is it possible to do
both simultaneously, and if so, what is the effect? Both narratively and formally, The Dark
Knight trilogy relishes the superhuman capacity of its hero while continually linking the state
power that Batman represents to varying forms of terrorism. I will argue that although the films
capture the terrorizing potential of state power, such connections are subtly framed—in a briefly
shifting musical score or a glimpsed metaphoric staging—such that these emblematic post-9/11
genre films also manage to visualize an American myopia toward the losses entailed in a
contemporary legal setting built upon a rhetoric of fear.

The films are narratively concerned with shifting legal frameworks in the face of
terrorism. The Dark Knight Rises, released at the end of Obama era, plays upon a disillusionment
with the administration that in many ways sustained continuity with the conceptual frameworks
of the Bush era. In the film, the civic leadership of Gotham City has adopted sweeping policies
that arbitrarily detain criminals, gesturing to the spongy “enemy combatant” concept developed
following 9/11. The Dark Knight directly cites the RICO laws developed in the 1970s to quell
organized crime, policies that in the film seem impotent when faced with the terrorizing presence
of the Joker who so easily breaks free from the custody of traditional law enforcement. What
does a threat like the Joker demand, the film asks? A brute force solution emblematized by the
film’s executive-as-vigilante? The Dark Knight formally expresses its marked ambivalence as
Batman, its answer to the Joker, progressively transforms into a paranoid surveyor and his city,
an urban panopticon.

To better contextualize why the superhero genre seems so engaged with a changing
landscape of contemporary political concerns, it is helpful to consider the evolution the
Superman’s mantra, from the comic books and cartoons of World War II to post-9/11 film. As a
genre of pulp literature, the superhero reached its initial apex with the trauma of World War II. The
first incarnation of Superman offered his readers a reassuringly nationalistic message, “For
Truth, Justice, and the American Way.” Following 9/11, with some earlier key exceptions, the
superhero emerged as a highly prominent cinematic genre. The tinge of the attacks and the wars
that followed are perhaps best expressed in Bryan Singer’s 2006 Superman Returns. Denoting
a marked ambivalence toward the present American way, the superhero’s motto was now
expressed by an incredulous newspaper editor who asked, “Does he still stand for truth, justice,
all that stuff?" In the context of 9/11, marked by a United States embarking on an internationally criticized global war, Superman’s American Way seemed inexpressible.

Moreover, Superman of the post-9/11 era appears to have grown strangely passive. Reading animated Superman cartoons from World War II, media scholar Aldo J. Regalado notes that the jingoist shorts underlined that the hero mirrored the American flag—red cape, white skin, and blue leotard (Regalado 139). Superman, along with the other superheroes of the day, were “unequivocally supportive of the war effort, [and] comics continued to serve as propaganda pieces” (Regalado 140). In another scene from Superman Returns, quite unlike his aggressive forties era equivalent who fought the Axis Powers with his bare hands, the superhero only confronts the Iraq War when sitting on his sofa. Seeing the carnage in the Middle East broadcast on the evening news, with a veiled Arab woman lamenting her loss, the so-called Man of Steel does not move, unable or unwilling to aid America with its wars abroad. The televisual mediation of such conflicts does not spur action.

The curious scene where Superman only briefly sees the consequences of some distant war on television brings up key theoretical questions significant to my larger project related to the televisual representation of catastrophe, genre's mediating possibility, and the spectacular envisioning of state violence. Mary Ann Doane's classic essay "Information, Crisis, Catastrophe" examines the curious temporality of the hyper-mediated medium of television, whose materiality is undergirded by the discontinuity of catastrophe. When examining the etymological roots of the word 'catastrophe,' Doane lingers on the dictionary definition—‘the final event of a dramatic action, esp, of a tragedy’ (Doane 255). She finds that the definition "contaminates [catastrophe] with fictiosity,"(Doane 255). Her formulation is of interest to this film study precisely because, in framing catastrophes as inherently dramatic events that smack of fiction, Doane encourages us to turn toward fictional mediations like the works under review to understand the wider political context of the dramas of which catastrophes constitute the final act.

Doane later argues that in television "crisis is produced and assimilated as part of a spectacle" presented in such a way so that catastrophe deflects attention from its systemic roots (Doane 261). While Doane explicitly cites world economic crisis here, her conception relates well to the televisual mediation of war and other explicitly political turmoil, in ways that cinema comments on and makes explicit. At first glance, Superman’s TV watching pose suggests an impotence of the superhero icon against real world crisis. When perceived through Doane's framework that televisual presentation of catastrophe hides its defining contours, however, the scene functions as a potent meta-commentary on the impotence of the televisual to render such crises viscerally palpable and comprehensible. Doane reiterates that television, while utterly transfixing, "thrives on its own forgettability" (Doane 254). In the momentariness, in the very ephemerality of the hero's confrontation with the televised geopolitical reality, Superman Returns underlines that such a form places an insurmountable distance between spectator and victim. Does mythic storytelling stand as an antidote, capable of imbuing decontextualized catastrophe with a context that might permit for greater or more meaningful engagement?

In Doane's estimation, it is television's ability to color the catastrophic with the hue of the spectacular that strips individual events of context and of meaning. Spectacle, Doane reminds us, can blind. Many Obama Administration officials strikingly perceived the execution of Osama bin Laden through a televisual lens. The US soldiers at bin Laden's Pakistani compound wore cameras that broadcast the operation back to the White House. Yet they also invoked cinematic discourses: remembering the explosion of a downed helicopter, one Obama official declared "It was like a Jerry Bruckheimer movie!" (qtd. in Bergen 228). Secretary of State Hilary Clinton
blurred TV and cinematic figures: "This was like an episode of 24 or any movie you could ever imagine" (qtd. in Bergen 220). The officials either made sense of, or distanced themselves from, the corporeal reality of the assassination by perceiving it as a particularly kinetic televisual or cinematic set piece. Their testimonies underline how state violence on such a scale is both inherently spectacular and potentially choreographed in ways that are not without reference to cinematic tropes.lix

The challenge that a subset of these superhero films take up, one well-articulated in passing by the late Eve Sedgwick, might be phrased as the effort to change our perception, “reframe the aperture” upon spectacular state violence (Sedgwick 140, 2003). Sedgwick refers to the state’s “forms of violence that are hypervisible from the start [which] may be offered as an exemplary spectacle” (Sedgwick 140). In a cultural milieu where spectacular modes of state violence, from torture to targeted killings, saturate the mass media and have become largely accepted by the general public, how can spectacular cinematic mediation of inherently spectacular violence reframe our vision on such practices? Can it, at the limit, show the complex delineation of the discourses of victim and perpetrator, of state-sponsored and terrorist violence, perhaps even allowing for empathy towards its victims? How does the immersiveness and exhilaration of genre cinema’s reflections on state violence at times collude with or at other times counter the phenomenologically “live” yet distancing forgettability of televised catastrophe?

‘The Power of Fear’ and Psychological Torture in Batman Begins

In a meeting with a Gotham City crime boss, a young Bruce Wayne learns a formative lesson that shapes his ethos as a crime-fighter while gesturing towards the series’ thematic linking of justice with terrorism. The unimpressed mobster pulls a gun on Wayne and, after listing the various officials and judges surrounding him in the bar, notes, "Now, I wouldn't have a second’s hesitation of blowing your head off right here and right now in front of 'em. Now, that's power you can't buy. That's the power of fear." The vigilante, without any compunction, co-opts the criminal's mantra as he dons the mantle of the bat. Moreover, the film pushes consideration of the blinding fanaticism of the hero when it presents how Wayne learns his penchant for spectacular "theatricality" in the mountains of central Asia, from the League of Shadows, this world's Al Qaeda.lix He practices a state sanctioned form of terror whose mode of psychological domination echoes that not of been Bin Laden's organization but of the Bush executive, whose enhanced interrogation techniques made headlines the year before Batman Begins was released.lx

Accentuating the grotesque quality of its hero and his practices designed to mentally destroy his enemies, Nolan presents Gotham City as a noir labyrinth where Batman has an almost supernatural command of the shadows. The end result of the staging, particular to the series' first film, is that the Caped Crusader appears truly horrifying, more monster than man. His tactics resemble a nightmarish iteration of the controversial techniques employed by the CIA in Iraq. An influential text, the 1963 Kubark CIA Counterintelligence Interrogation Manual, provides a clarifying prism to understand the film’s terrifying presentation of Batman. The manual states that the detention must make the prisoner feel as though he were "being plunged into the strange" (qtd. in Danner 17). Batman Begins plunges us into the strange, often adopting the point of view of the horrified criminals so as to present an estranging view of the iconic hero.lxii Often times, rather than creating a sense of exhilaration, the film's particularly horror
film-inspired aesthetic provokes fear toward its own hero. Such a position, I argue, embodies Christopher Nolan’s torn sympathy toward Batman and his vigilante ways.

Nolan’s ambivalence, while threaded into the entire trilogy, is made visible within the first film’s superheroic rendition of the practice of enhanced interrogation. Creating a metaphorical linkage between the sequence of interrogation taking place inside an alleyway and the intelligence-gathering methods of America’s wars in the Middle East, the victim, a corrupt police detective, grabs a falafel from a stand before his encounter with the hero. He is caught in a trap which then sweeps him up, many stories, to face Batman upside-down.\textsuperscript{lxiii} While not a direct analogue to waterboarding, the rain-swept setting of the alley contains certain metaphoric resonances with the method where American interrogators “forced [water] down the victim's throat to simulate the sense of drowning” (McCoy 59). As in waterboarding, the victim is positioned upside down as water rushes down his face. Also as in waterboarding which simulates drowning, the threat of death is present in the scene as Batman grabs and proceeds to hurl his suspended victim downwards towards the pavement, stopping just before the moment of impact.

The degree to which the interrogated cop’s worldview is meant to be broken and Batman’s dominance made total is suggested in their dialogue. After the man cries out, “I don't know, I swear to God,” Batman barks back, "Swear to me!" The thunder of the storm matches the movement of the hero’s trap—it rumbles whenever the Dark Knight drops his victim down to what seems to be his demise. Coupled with their exchange, where Batman substitutes God with himself, the staging reconstitutes the figure into an awe-inspiring divine entity. The discomfiting echo that exists to techniques that have been described as torture in the scene, however, provokes profound questions in the righteousness of this God’s actions, who takes as his governing creed the power of fear.\textsuperscript{lxiv}

As we move to consider the product of these fear-filled tactics, the terrorist Joker, it is worth lingering on a scholarly evaluation of \textit{Batman Begins} which helps puts into relief the critical possibility I find within such ambivalent genre spectacles. In his essay about the contradictory role of fear within three recent Hollywood films, including \textit{Batman Begins}, film scholar Andrew Schopp offers a salient distillation of the post-9/11 anxieties within Nolan’s film while also critiquing what he finds to be the contradictory position it takes toward its eponymous superhero. Schopp, pinpointing what would become the core theme of Nolan’s trilogy, the imbrication between villain and hero, sees the ironies in Bruce Wayne as a defense contractor and, though less pointedly than I in the above reading of Batman’s mode of psychological torture, notes the resonances between the film’s hero and the United States military’s actions in Iraq (Schopp 275). Moreover, Schopp frames Gotham City as a space that embodies America’s present front line and home front (Schopp 275). Nolan employs this multivalent allegorical framework throughout his trilogy: in \textit{Batman Begins}, the torture of Abu Ghraib finds its way to our streets; in \textit{The Dark Knight}, domestic surveillance and drone warfare merge; in \textit{The Dark Knight Rises}, echoing the more blistering critiques of the Bush Administration’s failed response to Hurricane Katrina, the foreign wars come home and the lower classes become the enemy.

Schopp, however, worries that the film’s “vexed and even contradictory messages threaten to mitigate the impact of that interrogation" of the present culture of fear and concludes that “despite these allusions [to a blurring of enemy and villain], the comic book and Hollywood formula demands that we note the distinction between the Batman who use fear tactics for "Good" and who learns to conquer and control his fear, and the other figures who uses fear tactics purely for "Evil." (Schopp 280). While I agree that the Nolan film is intentionally muddled, I argue that these core fluctuations are vital to the critical work of the film and similar
genre spectacle. Schopp says that the films are constrained in their critique “by their offering of distracting visual spectacle… or a melting pot of allusions that are plentiful yet conflicted” (Schopp 280). Yet I would claim that the very distraction, the obscuring excitement of the spectacle, works to disrupt overriding Manichean frameworks, breaking down conceptions of absolute “Good” and “Evil” thereby encouraging the spectator to appreciate their own potential collusion with state violence even as they reckon with the possibility of being its victim. Nowhere is this breakdown more apparent than in The Dark Knight’s presentation of the terrorist, the Joker, who exudes a palpable charisma and, with carnivalesque glee, reveals the very emptiness of the hero’s power.

“*It's Not About the Money, It's about Sending a Message!*”: The Transformation of a Clown into a Terrorist

With a composition of the Joker standing in a destroyed police station, The Dark Knight metaphorically implies that, in a post-9/11 world, established legal practices have been all but obliterated by the figure of the transnational terrorist. After the Joker is temporarily put into custody, he escapes using an explosive device. Following the blast, the Joker stands tall amongst floating shreds of paperwork. Given the setting at the center of law enforcement, these pages seem to stand in for the very legal framework that the police use to fight enemies of the state. The metaphor is clear: in fighting terrorists, established rules of law have been ripped apart. This imagery representing the rupture in the legal foundation echoes the discourse of terrorism and legal experts after 9/11.\textsuperscript{lxv}

The amorphously defined Joker speaks to how post-9/11 law has become immersed in a muddle of meaning. His fluid identity echoes a certain flexibility in how the state currently defines the enemy. This lack of definition applies to the identification of terrorist as well as term ‘enemy combatant’, which was used in executive memos establishing the rules for the War on Terror.\textsuperscript{lxvi} As President Obama’s adviser Bruce Riedel described it, the nature of the terrorist threat is an “existential” one for Americans (qtd. in Mueller 81). The eerily fluid Joker in this fictional film mirrors the establishment rhetoric of the terrorist as an unknowable and haunting other, while also bringing to light root deficiencies in the legal system to clearly define the enemy.

Unlike previous renditions of the character, Nolan’s Joker is not a crime-loving anarchist, but a calculating political agent, determined to use his spectacular crimes as a way of “sending a message.” Nolan visually and narratively pays homage to previous iterations of the character across media, to crystallize the most salient features of his post-9/11 iteration. Shots of Joker staring through the wide iron bars of his holding cell recall his first appearance in Batman #1, released in 1941, particularly his final panel. In it, the Joker clutches the bars of his cell, looks directly at the reader, and exclaims, “They can't keep me here! I know of a way out - the Joker will yet have the last laugh!” The very lack of depth within the rendering of the image makes it seem as though the villain pushes outward. The image highlights that the villain has always, from the start of the series, exposed the vulnerability in institutions of law enforcement and revealed their discomfortingly tenuous hold. Nolan brings this facet of the villain to the forefront of his film, made during a cultural moment following 9/11, where concerns of terrorism and of the righteousness of the laws crafted to govern a state of exception pervaded the public discourse.

The film reinforces its Joker’s ties to such contemporary conceptualizations of terrorism through its depiction of his relationship to the media that again plays with past iterations of the
character. In *The Dark Knight* the Joker sends out an execution video to the media where he kills a Batman copycat. While steeped in the visual iconography of the Islamist terrorist’s beheading video, featuring shaky camera work and noticeable digital pixilation, the creation and broadcast of the production also mirrors that of the Joker in Tim Burton’s 1989 *Batman*, who inserted a homemade advertisement into a news program after his deadly makeup had just killed an anchor on air. Nolan suggests, through such allusions, that the Joker has previously exposed systemic failures in the security apparatus and wielded the media as a weapon. Whereas Joker of the Burton film seems focused on making artistic or aesthetic critiques of fashion-obsessed culture through his terrorizing plot, labeling himself the “world’s first fully functioning homicidal artist,” Nolan’s terrorist Joker espouses a more politically oriented philosophy. While the exact particulars of his worldview are kept vague, the “agent of chaos” appears dedicated to exposing both the moral emptiness within the established order Batman upholds and the very susceptibility to undoing of its security system built on fear.

Like Malkina in *The Counselor*, the Joker of *The Dark Knight* represents genre spectacle’s disruptive potential, a quality most apparent during a scene with Batman in the police’s interrogation room. The very mise en scène of the scene demonstrates the Joker holding the power in their encounter, as the bright fluorescent lighting of the chamber lends a glow to Joker’s makeup, while making the Caped Crusader appear faintly ridiculous, drawing attention to the permanent scowl on his face, to the “man” behind Batman. Unlike the hero who speaks in grunts and short phrases, the supervillain waxes poetic on their shared position as “freaks,” and on the faux morality of civilization. Further accentuating the conflation between supervillain and superhero, between terrorist and state, when Batman begins to physically torture the Joker, punching him, the latter quips, “Never start with the face, the victim gets all fuzzy, he won’t feel the next [hit].” The Joker’s line of polite professional advice establishes both as victimizers. More disquietingly, the film simultaneously links the violence of the superhero to torture and suggests that his actions are a sign of underlying impotence. With each blow, the Joker laughs ever more exuberantly, chortling, “There is nothing you can threaten me with, nothing you can do with all your strength.” Even the very generic framing of the brutalization, a low-angle shot of the hero cut against a high angle shot of the villain, is undermined as the Joker continues to push himself off the floor, rising in the frame. What the Joker unveils here is the very possibility that the traditional American ideal of the superhero, linked to the military might of the executive in his many post-9/11 iterations, cannot mask a profound ineffectuality that borders on weakness.

Just as the villain troubles the force of his incarceration in his first comic book appearance, this later film goes on to undermine the resolution of his capture in his final appearance in the film. Nolan returns to the scene’s staging of the rain-swept torture sequence of *Batman Begins* in the climax of *The Dark Knight* where Batman catches the Joker with a grappling hook as the villain is falling to his death—with one striking and important difference. Whereas in the first scene the camera framed the corrupt cop upside down, delineating its distance from the character, in the staging’s second iteration, the camera slowly turns, so that the Joker is framed right-side up: the film seems to identify more closely with the trickster here who rants that the populace of the American city will lose their minds, and presumably their morality, when “their spirit breaks completely.” The scene lends a new weight to his opposing ideology that works to expose the core hypocrisies of the hero and the order he upholds.

The film proffers a potent discursive platform for the Joker’s critique of the establishment. It showcases the terrorist’s motivation not as an unknowable evil but as careful reason, a nuance that was rarely presented within the discourse of the Bush Administration. We
see in such scenes how genre spectacle might contribute to the richness of the discourses within the public sphere. Replying to a gangster who calls him crazy, the Joker says in a measured tone, “I’m not [crazy]. No. I’m. Not.” This chaotic agent who affects the materiality of film’s form demonstrates the caniness of Nolan’s deployment of genre spectacle to bring to life a vision of the terrorist as a complex figure. The director crystallized a key tension in the film when noting, “Our Joker - [Actor Heath Ledger’s] interpretation of The Joker has always been the absolute extreme of anarchy and chaos, effectively... And what makes him terrifying is to not humanize him in narrative terms. Heath found all kinds of fantastic ways to humanize him in terms of simply being real and being a real person, but in narrative terms we didn’t want to humanize him, we didn’t want to show his origins, show what made him do the things he’s doing because then he becomes less threatening” (Jolin).

If we are to take Nolan at his word, what might glimmers of the villain’s humanity through the staging, working at odds with the dehumanizing narrative, suggest? In other words, what are the stakes when the exact reasons for his terrorist mission, his origins, remain enigmatic? Batman’s code is, by contrast, crystal clear. It has all the clarity of Bush’s “with us”-“against us” dichotomy that opened the War on Terror. The villain indicted the underlying simplicity of the hero’s code when he tells him, “You have all these rules and you think they'll save you!” He taunts Batman with the possibility that the morals founding the system under his protection are nothing but “a bad joke” while his own brand of anarchy bristles with possibility.

The comic book enemies represent order against chaos, an opposition as stark as Bush against Bin Laden. Each side perceives rot in the other. *The Dark Knight*’s representation of the terrorist entices because it gestures towards an underlying logic that motivates the enemy, that his alternative may not only have validity but that it can capture the hypocrisy and the perpetration of the state. However, the enemy, though made more human in his characterization and in the presentation of his reasoning, is not entirely recognizable. We do not know how the Joker got his scars, so more broadly, we cannot fully know him. Batman and Bush share moral codes of such comprehensibility that they border on self-fashioned caricature. Building on ideas expressed with the aforementioned Western, *The Three Burials of Melquiades Estrada*, we might ask: is the Joker’s unknowability a sign of his humanity? If the Joker resembles a portrait of Osama bin Laden for how he stands as a terrorist that takes an antithetical position to an American superpower, what do we make of his complexity and charisma? In refashioning an archetypical national enemy into a transfixing, irascible force, the Joker may testify to genre’s power to humanize, to render newly complex and vivid, the state’s opponents for how he continually provokes questions. Genre takes what seems known in the public discourse and unsettles such conceptions. In such a forum as *The Dark Knight*, the representative of the state can only grunt whereas a terrorist might provoke us with his lucid speech worthy of Shakespeare’s fools.

Within his highly textured study *Bending Steel*, that employs analysis as well as biographies of superhero creators to frame the figure as a key and ever-changing "cultural response to American modernity," Aldo J. Regalado denotes that the superhero film has become the preeminent forum for these superhero stories, surpassing the comics by a wide margin (Regalado 11). While he describes the stew of contemporary anxieties found in the Nolan films, gesturing to “the postmodern anarchy” that the Joker represents, he worries that the corporate scale of film production will dull the critical bite of these pictures, sheering them from the concerns of their readership as they strive to gain mass appeal. In his criticism of the latest Superman picture, Zack Snyder’s 2012 *Man of Steel*, he takes issue with the multiple and
opposing sentiments expressed in the film. He finds that its myriad strands represent less a coherent political response than a symptom of producers trying to “maximize profits” (Regalado 227) He resembles Schopp in this way, critiquing the muddle of the film. Even if there is some truth to this, however, the ‘postmodern anarchy’ of the Joker, perhaps the sharpest expression of the transgressive possibility of this mass art shows that these oppositional elements bristle because of, and not in spite of, the innocuous nature of the commercial vehicle in which they are couched. Testifying to this tension between the ethically ambiguous content and highly commodified context, the most tonally despairing trailer for The Dark Knight, was released exclusively for the Domino’s Pizza chain. It ends with a series of deleted shots from the film, where the Joker tells a gangster, “This town is mine now.” A wider shot then shows the two men standing in front of a pile of money that the Joker burns. Whereas the rest of trailer contains rapid style editing, here, the camera lingers upon the criminals staring at each other in silence. The crackle of the burning money, while the camera fades to the black, signals a self-destructive Hollywood blockbuster whose terrorist antagonist will make the film his own. As the Joker tells the gangster in the film, looking askance that he has burned the funds he has acquired, “It is not about the money, it’s about sending the message.” The Joker’s message, allaying Regalado’s fears, gains its very force as it emerges within a mode of mass art designed for maximum profit, one which is ostensibly all about the money.

In this way, The Dark Knight encapsulates the multi-valance that some film scholars have found to be possible within the sprawling blockbuster form, which contains a critical potential because it is a product designed for mass appeal. As argued by Miriam Hansen in her 1993 essay “Early Cinema, Late Cinema: Permutations of the Public Sphere,” “blockbusters “are catering to as many diverse constituencies as possible, confronting the problem of, as Timothy Corrigan puts it, 'an audience fragmented beyond any controllable identity'. These films… no longer attempt to homogenize empirically diverse viewers by way of unifying strategies of spectator positioning… Rather, the blockbuster gamble consists of offering something to everyone, of appealing to diverse interests with a diversity of attractions and multiple levels of textuality” (Hansen 199). Although Hansen is focused on how such films fracture audience identities, I find her framework useful because it encourages us to see blockbusters as a form full of ideological fissures and to examine these seams. No antagonist quite embodies such fracturing as fully as the Joker. Emerging out of a film designed to sell products as mundane as pizzas, Joker frames the interests of the ‘blockbuster gamble,’ one wherein a cutting message might burn through the piles of money the film both garners and seeks.

‘Beautiful, isn’t it?’: On the Allure and Trap of State Surveillance in The Dark Knight

When the Joker’s reign of terror reaches its apex in The Dark Knight, after the blowing up of a general hospital, the film shows the escalation that the terrorist provokes. Intercut with the unveiling of Batman’s fantastic technology that permits for an omniscient view of Gotham City, the film shows that the military is now involved in the city’s political crisis, presenting images of armed soldiers on the ground and military helicopters in the sky. The film thus primes the viewer for an envisioning of its hero’s surveillance practices. Nolan goes on to frame his unease with pervasive domestic surveillance through the use of continuous diegetic sound of a gun blast to link the execution of a corrupt police officer with a shot of Batman standing behind a bank of monitors. The sonic bridge creates an implicit connection between corrupt law
enforcement activity and Batman’s intelligence gathering, dependent on the surveying of the city’s denizens without their knowledge. The superhero seems oblivious to such concerns. Referring to the monitors around him and speaking directly to the camera, Batman asks, “Beautiful, isn’t it?”

His question and apparent awe at such technological vision illuminates the dualistic position that the film takes—its repulsion is intermingled with wonder. Through the hero’s break of the fourth wall, the film underlines its intentions to ponder the root fascination of such spectacle. It forms an aesthetic of power, where state control might lead to beauty for the beholder, and where the watched, often economically or socially marginalized, become nothing more than color in an expansive portrait of urban life that only the wealthy superhero and the spectator have the privilege to see.

On the allure of surveillance, Jeremy Bentham, in his famous Panopticon Letters, wrote that, for the family of the jailer charged with overseeing the panopticon, the sight of the prisoners “will supply in their instance the place of that great and constant fund of entertainment to the sedentary and vacant town—the looking out of the window. The scene, though confined, would be a various, and therefore perhaps, not altogether an unamusing one” (Bentham). The Dark Knight suggests the fraught attraction of such entertainment, of a world where citizens are like prisoners, vulnerable to the surveyor’s sight. Through the vicarious visual access to the surveillance apparatus offered within the film, Nolan encourages us to ask: is the viewer of such spectacle made to feel like the jailer’s family, able to look down upon the masses for their enjoyment? The film acknowledges the intriguing fractured subject position it fosters in the viewer, alienating for how the objectified individual might see himself as a target, but also exhilarating for how a superior vantage point offers a taste of unbounded power.

Focusing upon an economically privileged protagonist, The Dark Knight offers the under-explored perspective of the elite class’s fascination with mass surveillance. The theme of class conflict becomes narratively central in Nolan’s later The Dark Knight Rises, a film tinged with the concerns of the Occupy Movement and thus attuned to the absurdity of a hero whose superpower derives from his status as a member of the elite, the 1%. As Catwoman reminds Wayne at a high-society ball, “There’s a storm coming, Mr. Wayne. You and your friends better batten down the hatches, because when it hits, you’re all gonna wonder how you ever thought you could live so large and leave so little for the rest of us.” In the earlier The Dark Knight, the film raises its concerns toward Wayne’s economic status more obliquely, through the kinds of jokes and brief but pointed visual compositions described below. The end result is an ambivalent rendition of the hero, one that helps to capture the magnetism of such a lofty position for those in the audience who want to be Batman, who Wayne derisively refers to as “Copy Cats.” State surveillance, the film ultimately suggests, is reflective of a class hierarchy, where the state power, the elite, sees those below them as either naive buffoons, like a masked citizen who challenges Batman’s rights to perform extra-legal activity while wearing a comically ill-fitting costume, or potential terrorists, like the Joker who seems to be everywhere and nowhere.

Near the end of an essay on global surveillance, David Murakami Wood reflects upon a gap in surveillance studies, noting, “We need to understand more about the processes of by which surveillance is…embraced… by an emerging ruling class for their own perceived safety. We know relatively little about the technocratic or elite views of surveillance by which they come to understand it as normal and desirable for themselves, let alone the rationalities for its imposition on others” (Wood 324). Spectacles like The Dark Knight, whose hyper-wealthy protagonist enacts a mode of “beautiful” control, might offer insight into such normalization. So
certain of the righteousness of their police action, they take pleasure in a form of surveillance that is so all-encompassing, so capable of mapping the individual precisely in a urban panorama, that it takes on an aesthetic majesty. Batman’s brief critique represents, not an incidental glimpse into a superhero’s tastes, but a crucial denoting of the worldview of the powerful wherein the lower classes are aestheticized, worth contemplation only when they signify the ruling’s class’s hold. The sequence is discomfiting for it suggests that genre forms encourage viewers to see themselves through this prism of the ruling class, where they might come to see their own subjugation as “beautiful.”

Nolan considers the post-9/11 state’s changed relation with its citizenry, drawing a comparison between the untraceable Joker’s terrorism and the subsequent scenario where citizens are seen as threats, creating an urban space as panopticon. Mirrored sonic cues reveal how the film blurs the line between the superhero’s and supervillain’s practices; however, by emulating the God-like vision of drones via kinetic imagery, The Dark Knight illustrates the allure of a mechanical eye that represents the culmination of what Paul Virilio describes as warfare’s marrying of camera with weaponry. How can superhero films help us understand the normalization of policies that privilege an unbounded mode of executive power, one that impinges upon the rights of citizens? What is the potential and limit of spectacle to critique such eerily beautiful optics? Considering the film through an intersectional framework productively brings into relief various tensions between the privileged and the underprivileged in its renditions of empowered viewing. The Dark Knight, in juxtaposing a mogul against an unknowable terrorist enemy, highlights the threat of an amorphous identity to the post-9/11 established order as well as its utility to that very order in helping to transform a domestic space into a hyper-surveyed one, under the executive’s total control.

Building off a characterization from films and comics past, Bruce Wayne is explicitly identified as a surveyor who clandestinely watches those around him. The film denotes his economic privilege and his voyeuristic tendencies in the scene where the billionaire first appears outside his costume. His butler, Alfred, moves through his master’s expansive penthouse with breakfast, only to find his charge below ground. As Alfred drives there, the film cuts to an establishing shot of the hideout’s front, an innocuous construction site. In the foreground of the image, signs labeled with the Wayne Enterprise’s logo state “Private property. No trespassing.” Unlike the richly decorated penthouse, Wayne’s hideout remains bare, with the exception of a series of monitors that screen footage of the hero’s former lover and his romantic rival. The cut in on the monitors first shows crime scene footage of one of the Joker’s bank robberies, followed by images of the lover, Rachel Dawes, and his competitor for her affections, the district attorney Harvey Dent. As they walk on the street, Wayne uses his peeping camera to zoom in rapidly on the woman, belying his defense that he uses surveillance merely for professional concerns. Wayne’s penetrating gaze, the film makes clear, is fraught with personal desire. The butler quizzically states, “I hope you don’t have me followed on my day off.” Wayne, in the process of putting on a suit, quips back, “If you ever took one, I might.” The delineation of Wayne’s tendency to look upon his social circle suggests there lies a discomfiting grain of truth in his joke. By presenting not only privilege and privacy as synonymous, but also privilege and unencumbered sight as well, the film lays the groundwork for Batman’s later delight in a technologically enhanced view of Gotham City’s citizens.

While it reiterates the genre trope of post-9/11 superheroes as interlinked with the military industrial complex, The Dark Knight more directly visualizes intelligence practices and policy shifts that privileged technological surveillance both internationally and domestically.
Most controversially, in 2005, The New York Times reported on a secret program of warrantless wiretapping that permitted the NSA to freely choose targets within the United States without any oversight within the justice department or Bush Administration (Risen). Justice department lawyer John Yoo wrote a classified legal opinion shortly after the 9/11 attacks, claiming the state could employ “electronic surveillance techniques and equipment that are more powerful and sophisticated than those available to law enforcement agencies, without obtaining warrants for such uses” (qtd. in Risen). Batman’s sonar technology, which depends on phones of citizens in order to function, serves as a wink to the clandestine Bush-era operation, thereby framing its presentation in the film as a spectacular meditation upon the ethical stakes of the administration’s policies.

Although the Joker offers justification for invasive action, the film underlines that this type of extralegal surveying may push the state and its defender, Batman, toward its own brand of terrorism. When Batman stands atop a tower, adopting an iconic pose from the comic book, the film’s soundtrack formally links his listening with the actions of the Joker. The superhero cycles through different frequencies, capturing snippets of conversations, before listening in on the Joker’s 911 call. The diegetic sounds of the dialogues are interwoven with the score that features a leitmotif associated with the villain: overwhelming white noise. Through this parallel, the film identifies that the tactics of Batman morph into those of the Joker, since each depends on subjugating the citizenry.

The scene initially cultivates a sense of skepticism toward Batman’s enhanced wiretapping. In capturing the silhouetted hero initially from a high angle, recalling the classic surveilling perspective, in one of the rare times that the film frames Batman from such a visually diminutive angle, the film highlights its intention to look down upon the hero and see his actions with suspicion, as one of a criminal caught on CCTV. Such a tone becomes undermined as the camera tracks inwards and the hero takes on a more visually dominant angle as the words of Joker speaking with a 911 operator can be heard. Formally, the film marks its distrust, in a curious, contradictory fashion—as though the soundtrack and the visuals at times fight against the superhero’s iconic presence.

This formal grappling, the simultaneous rendition of the beautiful and the horrific aspects of total surveillance reaches its apex when Batman employs his fantastic technology to gain a complete view of the city to track down the Joker. The set piece is visually marked by its shifting POV imagery, where the camera luxuriates in the potency of technically empowered sight. Whereas the camera looked down on Batman when he listened in on citizens’ phone conversations earlier in the film, it now adopts Batman vantage point, labeled in the film as the “omni” view. To mark this shift in the superhero’s visual potency, when he tells his employee Lucius Fox manning the monitors, “I need picture,” glass lenses fall over Batman’s eyelets. His eyes appear to glow white, and for the first time in the character’s cinematic history, he mirrors the iconic rendition of the character’s white, pupil-less eyes in the comic books. To achieve an omniscience through technological means is thus correlated with comic book fantasy. The film, at this very moment of penetrating vision, highlights that a reality of present day executive practice—be it domestic surveillance or drone warfare—belongs to the domain of the four-color superhero.

Gliding effortlessly through the floors of the building while emulating the “omni” perspective, the camera points to the sheer thrill of a kind of sight that represents the perfect synthesis of camera and battle. For Paul Virilo, technology like the drone that hovers over the
Middle East stands as the culmination, the progressive “fusion” between war and cinema (Virilio 104). Nolan’s rendition of such a merging is made deliberately exhilarating. Accentuating Batman’s point about the urban panorama’s beauty, the blue palette of both the monitors and the perspective through Batman’s eyes do have a striking presence, offering a rare streak of color in the hero’s often grey surroundings. When the equipment’s sight, made to look like a gun sight in an explicit linkage to drone warfare, falls upon its target the Joker, the screens flash red. On the bank of security monitors, the images of Gotham City resemble an abstract swarm of colors, and are made much more legible when the “omni” view takes up the frame and we are fully immersed in Batman’s vision. The kinetic, colorful and fluctuating legibility of the staging encourages a slip from judgement to relish as we glide from the position of the watched-upon to the watcher. While Schopp would no doubt criticize this shift in Nolan’s work, the filmmaker does not promote a complete shirking of the more critical mode; rather, he continues to cultivate an ambivalent relationship to this kind of sight.

Even in this scene of supreme exaltation for such technology, however, there exists a crucial moment of breakdown that promotes a doubt in such intoxicating tools of control. While Virilio clarifies the intermingling between camera and weapon presented in the film, he also speaks of “technological vertigo,” a term that allows insight into the moment where Batman’s empowered sight briefly fails him (Virilio 106). “Technological vertigo” refers to a condition where technology provides so much information as to overwhelm, paralyze the soldier so that he can longer distinguish what lies before him and what is projected onscreen. The confusion suffered by military forces in a time where the omniscience of cinema and war machine’s violent power are interlinked resonates with Batman’s own plight when his surveillance technology stalls after a few strikes from the Joker. We return to the perspective of the “omni” camera, which was once defined by its absolute clarity. Now, it spins about, flickers briefly, then the feed cuts out. The film then shows Fox’s monitors shut off as well, then cutting to a wide-shot of Batman standing in place, evokes a feeling of paralysis. An eerie pause disrupts the action. The superhero cannot even see the Joker, whose visage takes up the frame of the glitchy omni view, nor can he defend against his next blow.

What are the critical stakes of such disorientation? Does it serve as a caution regarding the military’s over-reliance of such technology against its enemies? Or might the fleeting destabilization in the film’s form at the height of visual ecstasy invite viewers to consider the problematic nature of this illusion of mastery, or even to reflect critically upon the seductions of such a view? Within The New York Times article revealing the existence of the NSA’s domestic surveillance program, an official noted that, although he raised concerns about its legality, “people just looked the other way, because they didn’t want to know what was going on” (qtd. in Risen). The Dark Knight infuses echoes of this scandal into its narrative, spectacularizing it so that viewers can glimpse the breakdown in their liberties and their vulnerabilities to the state’s machinations. In transforming the viewer into a favored subject of an all-seeing superhero, a status analogous to a member of the jailer’s family detailed in Bentham’s Letters, Nolan’s film simultaneously offers him a glimpse of privilege while denoting his subjugated condition.

Seeing Spectacular State Violence Anew: The Shadow of Hurricane Katrina in The Dark Knight Rises

2012’s The Dark Knight Rises denotes its increased investment in exploring the spectacle of state terrorism in the staging of a conversation between a terrorist and the soldier. In the film, Gotham City is being contained by a masked terrorist Bane, who under threat of nuclear
detonation coerces the state to help them keep Gotham citizens trapped. The soldier flatly tells the terrorists, "You don't have enough men to stop 12 million people from leaving this island." With a smile, the terrorist replies, "No but you do." They have their tête-à-tête on the very bridge where what look like black bodies will be hung, and which will be broadcast on the news. The shared staging of the military's negotiation and the lynching obliquely lays blame for these eventual deaths, rendered so spectacular, upon the state.

The film harnesses this shocking imagery to mediate institutional indifference toward the city and its populace. On a macro level, the state colludes with a terrorist, sustaining his hold over the city. This narrative framework works to expose an impotent government whose own interests, at least for those on the ground, seem colored by those of an aggressor. That this bridge, the site of grotesque racialized violence, goes to be mediated on television situates Nolan’s film as one invested in representations of state power and that of its opponents within the mass media. Such framing, where the action is seen through the eyes of the news camera, seems of a piece with Sedgwick’s provocation that state violence is not invisible but hyper visible and inherently spectacular. The following section considers the strategies by which the film works to ‘reframe our aperture’ on such brutality and challenge our relationship with it.

Featuring news media reportage and bristling with concerns related to the terrorist as well as natural disasters such as Katrina, The Dark Knight Rises also encourages us to return to Doane. She admits in a post-script to the essay that news coverage of the September 11 attacks "blurred the already fragile line between catastrophe and crisis… transforming a political act into something with the proportion of a monumental natural disaster (as a grandiose battle between abstractly good and evil), at the expense of any more nuanced attempt at historical explication" (Doane 262). As seen on television, Doane explains, 9/11 seemed to have the magnitude of disaster but was sheered from any broader historical context. Referring to the threat of terrorism and popular uprising to come, Catwoman employs a metaphoric language of nature stating “There's a storm coming, Mr. Wayne.” The final film of Nolan's Batman trilogy brings together a host of post-9/11 catastrophes and crises, so that it acts as a multidirectional reflection on these events. The dialogue that the genre distance permits shows how such spectacle might re-inject nuance and provide an infusion of historical perspective, grounding our understanding of the present state of emergency, its myriad costs, and how it might manipulated by those in power. Inviting us to experience multiple perspective onto this political storm, from state and terrorist perpetrator to racialized victim, the superhero film puts in a fluid subject position. Melding brief glimpses of lynching and metaphorical suggestions that the state is a terrorizing force, the unsettled film provokes questions about the extent to which such a film may be transgressive. Do such short sequences speak to a popular form that is bridled by certain generic or, to use Regalado’s frame, corporate expectations? Or, instead, do these moments speak to the ways in which transgressive views may be inserted into such texts, akin to droplets of ink that change the color of water that is the film? I find that the film, more than even earlier examples, shows the subject positions of perpetrator and victim exist upon the same spectrum, continuing to bleed into each other. As it investigates the processes by which state violence comes to be spectacularized, the film exposes that our sympathies are similarly contested.

This section will explore the film’s grappling with the politics surrounding the inherent spectacle of its hero. First, I situate its presentation of the superhero as valuable theater for the state within the comic book’s hero history. Then, I analyze the film’s various slippages between hero and villain which leads to a broader exploration of the slippages within the film’s allegory—Gotham City stands for both a terrorism-stricken New York City following 9/11 and
New Orleans after Hurricane Katrina. I will then consider the film’s Katrina-inspired iconography against various studies concerning the disaster. The comparison will show that the film visualizes a collision of various discourses that some media scholars and sociologists argue hurricane revealed. Lingering on its shifts in point of view between a terrorized black man and state police who sees the city as a foreboding warzone, I show how the film visualizes what has been called a new ‘biopolitics of disposability.’ Showing its hero repulsed and resistant toward such realities when portrayed in the news, I ask: does the film demonstrate the limits of traditional media outlets in creating an accessible forum to critically engage with such hyper-visible, spectacular state violence? In its final moments, showing the symbol of Batman monumentalized by the state and embraced by an opponent of such institutions, does the film push us to consider the fraught imagination that these genre films cultivate, at different moments embracing state violence and bucking against it?

Through its direct citation of Frank Miller’s 1985 graphic novel The Dark Knight Returns, the film signals an interest in contemplating the relationship between such superhero myths and the state which embraces their normalizing potential. The broader contours of the plot seem indebted to Miller’s work as both depict the hero’s return from a self-imposed exile. The film considers Batman’s return to Gotham City after an eight year absence to fight Bane. While Batman is now seen as a criminal figure in the eyes of much of the establishment, he has grown into a legend for the residents of Gotham City. The film’s presentation of the deepening of Batman’s mystique, with children speaking about him with awe, reveal its efforts to reflect on the sway of such a mythic vision of power. When Batman returns in the film, an older policeman smiles and tell his rookie partner, "we are in for a show tonight, kid." Lifting this exchange almost word for word from Miller’s media saturated opus, the film frames the superhero as a spectacular "show"—legally unbounded and intoxicating for how it can turn excessive force into fodder for collective fantasy.

Typical of the Nolan films, however, the work also emphasizes the multivalence of genre symbols, suggesting that super-heroic icons can just as easily magnify the state's failures as they can draw focus upon its perceived successes. Often interpreted as a meditation on the Occupy Movement, the film in my political reading reveals the scope of Nolan’s spectacular lament about post-9/11 America wherein one also finds a reflection on Hurricane Katrina and the Bush administration’s unwillingness to rescue the disenfranchised urban population of New Orleans.

When viewed through such a context where the catastrophes of the post-9/11 world run together, the film suggests that Bush's handling of Katrina was less a testament to the state's resilience against disaster than to its corrosive disinterest, even suspicion towards marginalized populations. The spectacular "show" offered by the superhero is framed in a manner too volatile to be entirely co-opted by the state. Showing a state fully embracing the superhero in its final moments, the film gestures to the Joker to call attention to both the terrorizing power of such genre myths as well as their critical potential.

Via formal echoes to past films in the trilogy, Nolan positions his conclusion as a film concerned with symbolic fluidity, with the broken borders between hero and villain, perpetrator and victim. The opening sequence, where Bane crashes a CIA plane and escapes with one of its informants, ends with a shot that mirrors one of Batman in The Dark Knight. Bane is lifted into an airplane with his informant, just as in the earlier film, Batman is lifted into one with a man he seeks to interrogate. The visual mirroring offers a framework to consider Batman as a terrorizing force.
While the film aligns Batman with the perpetrators of this universe, the film visually links the weakened hero with the subjects of institutional violence as well. After Wayne has been brutalized by Bane and taken to a CIA black site-like foreign prison, the film presents an image of his bare feet against those of his captors' leather military boots. He has been transformed from the wealthy jailer of the first two films into a penniless prisoner. Batman thus contains within him resonances to both the aggressor and the aggrieved, functioning as a kaleidoscope to perceive state actors as perpetrators and to glimpse forgotten victims of such violence. His very amorphousness embodies the larger geopolitical pastiche of the film where post-9/11 anxieties of war, terrorism, and disaster form a spectacular stew—where, most pointedly, Gotham City becomes an analogue to both post-9/11 New York City and post-Katrina New Orleans.

Nolan's bringing together of the terrorism that haunted New York and the disaster of New Orleans reflects the mass media discourse on the hurricane. The multidirectional aspect of this discourse is detailed in sociological study of media coverage after 9/11, Selling Fear by Brigitte L. Nacos, Yaeli Bloch-Elkon, and Robert Y. Shapiro. They document that journalistic accounts of the Bush administration's failures during the disaster often made references to terrorism noting: "the bungled government response to Katrina laid bare the soft underbelly of America's disaster preparedness. It took this show-stopping natural disaster for critics inside and outside the news media to take up the state of terrorism preparedness... since terrorists— unlike hurricanes—hit without warning." (Nacos 26). The scholars go on to find that Katrina, so rich with affecting images of disaster, was well suited for the visual medium of TV, thereby keeping the attentions of the fourth estate fixed on the ramifications of an unprepared government (Nacos 169). The spectacle of desperation, the scholars argue, propelled critical inquiry within the journalistic media. Their conceptual turn, that spectacle might provoke engagement, well-captures what I am elaborating in another form around the critical potential of the superhero film. The Dark Knight Rises, however, goes further to ponder how genre spectacle may be positioned to provoke a more sustained critical engagement in its presentation of an urban purgatory, an American city abandoned by the state that resembles the Big Easy during Katrina.

During its most legible parallel to New Orleans, the film demonstrates how spectacle might push the viewer to perceive the desperation of victims of such a disaster. When Bane arrives on the scene, his major act of terrorism centers on a football stadium. The stadium is the center of a disaster which exposes the very limits of the government’s own compassion for the city. Its centrality within the film recalls the media’s focus of the New Orleans Superdome during the hurricane. As David Theo Goldberg describes within his study theorizing the institutionalization of racial animus, The Threat of Race, during the disaster, "the poor were reduced to a decaying and in some cases deadly domed stadium" (Goldberg 88).

Just as the scholar emphasizes the racial makeup of the refugees in the stadium, Nolan’s staging the scene contains a marked racialized dimension. Framing the attack as one concerned with an American national identity wrestling with the questions of race, it is preceded by a rendition of the Star Spangled Banner. Bane takes on the position of critic, framing the aesthetic qualities of the violent scene, when he listens to the song and comments, “What a lovely, lovely voice.” As the boy sings, the camera pans over the players, revealing that most killed by Bane’s bomb blasts are black. Black bodies are thus shown to be dispensable as well as the object of spectacle, even of entertainment. Bane appears to confirm this reading as, before he hits the detonator after the national anthem, he states, “let the games begin.” Of the white multitude watching in the stands, the terrorist only destroys the mayor’s skybox, gesturing to the radical and abrupt abdication of executive support for the cataclysm’s victims. Heightening this
sense of abandonment by the state, Nolan cross-cuts between the stadium and scenes where the Gotham police of the city are trapped underground by a series of well-placed bombs. Following a “God shot” where the field progressively becomes a crater, the camera cuts back to one player who reaches the safety of the end zone. He is the sole individual on the field to survive, his touchdown a mark of his exceptional status in Bane’s game. The player turns in the center of the frame to look up on the devastation. The camera for a moment shares the vantage point of this black man, sharing in his solitude as he looks at the urban desolation about him. This moment attests to the possibility of spectacle at times to mobilize an identification with a devastation’s victims whose suffering is sustained and exacerbated by institutional indifference.

Yet interspersed among these apparently alternative viewpoints are others that inhabit the perspective of state actors, who view the city and its inhabitants as part of a hostile war-zone. Goldberg, in his assessment of Katrina, draws yet another geopolitical linkage to Katrina that the film visualizes. He states, “post Katrina New Orleans, in short, is simply Iraq come home” (Goldberg 89). He positions various cases of state-sanctioned private security forces killing black looters as examples of the violence of the frontline merging with the home-front. Goldberg’s proposed synthesis can be seen repeatedly in the imagery following Bane’s attacks on the stadium, including Batman’s camouflaged Batmobile patrolling the Gotham streets. This synthesis culminates when one of Batman’s allies, Detective John Blake, confronts state police who block a bridge out of the city. Knowing a nuclear device of Bane’s is about to detonate, Blake attempts to reason with the federal agents, begging them to let the impoverished and minority orphans under his care escape. While Goldberg finds that during Katrina, “in the name of security, the city, New Orleans, was quickly turned into a military camp,” the scene of the superhero film shows an American city turned into a prison for the same reasons. Blake begs the state police to let them pass. His approach provokes fire from the blockade before they blow up the bridge. This action sparks a brief series of shots of citizens cowering in fear, recoiling from the actions of an institution ostensibly designed to protect them. Blake then yells, “You son of a bitches! You killed us!” Over the last line, the film cuts to a point of view shot from a state policeman’s perspective, illustrating his distance from those caught in the city. The point of view shot accentuates the degree to which Gotham has become militarized as the border on the citizen’s side is lined with barbed wire fences and metal barriers that recall iconic images of D Day. By offering the policeman’s perspective, the film lends the viewer a schema to see ordinary citizens as an enemy that must be restricted. In some ways, the film achieves a more destabilizing effect here than when it has us share the perspective of the black subject on the football field. The film makes us partake in a dehumanizing perspective of the perpetrator, encouraging us to see our troublesome collusion with the state. Nolan continues his characteristic fluctuations in perspective, moving, not between just Batman and his enemies, but more broadly between the black man whose death becomes fodder for spectacle and a white police officer who sees the inhabitants of the city as potential menaces.

While the scene with Blake resembles a fusion between an American city and its foreign wars, the film presents more gruesome imagery that brings together wartime violence with the lynchings of the South. Bane catches Special Forces officers and proceeds to smother their black leader. He then issues a stark directive, “hang them for the world to see.” The film then presents images of the bodies hanging onto a Gotham bridge broadcast on television. Through the far away framing of the news cameras, the film nullifies the military stature of the soldiers, capturing them as black silhouettes, akin to black bodies hanging. Imbuing this image of violence against black subjects in an American city with the tinge of a near-Eastern conflict, the
shot is presented on an Al Jazeera-like new station, featuring Arabic letters at the bottom of the screen. Although Goldberg decries that in the case New Orleans “few seemed to notice that for domestic purposes America was mimicking tactics of militarization it honed in the desert war,” the superhero film, with the wide net that the genre mode permits, brings such a correlation between Iraq and the Southern city fully into view (Goldberg 89).

Bane’s punishment of Bruce Wayne, a *Clockwork Orange* like arrangement where the latter is imprisoned and forced to watch news of the city being destroyed, grows untenable when he sees what appears to be the hanging black bodies on screen. At the sight, he breaks the television. Such a refusal to see is of interest in part because it gestures to a social reality that is beyond the superhero. This moment where Bruce Wayne cannot look at this grim reality when it is broadcast on television, encourages us to ask: what does it mean to have something that the superhero cannot face, not only the character, but the genre itself? He cannot see the lynching for any duration open questions regarding the limits of representablility. The moment where the hero rejects the televisual opens up the correlating question: what can the superhero film not represent? What is the taboo element that is not enjoyable to observe, that cannot be represented, that it cannot overcome?

The torture thus proposed by Bane fits within in a larger characterization of Batman’s villains across his film series—an urge to co-opt and twist popular media modes so that they represent the un-representable, In Tim Burton’s aforementioned 1989 *Batman*, the Joker glances at the photographer Vicky Vale’s portfolio. He flips through its various fashion photos with complete disinterest calling each image “crap.” When he arrives at war photography of a dead body, he perks up and offers his aesthetic critique to the artist and to the camera, “Ah! Now that's good work! The skulls... the bodies... you give it all such a glow! I don't know if it's art, but I like it!” The moment is eerie for several reasons. On the one hand, it shows the sociopathic aesthetic of the villain. On the other hand, how Joker directly addresses the camera is reminiscent of the scene in Nolan’s film where it twists to his level. The framing acts as an invitation to consider that we share his view, finding the suffering of others rendered into art enjoyable. Supervillains offer a reality in which the superhero can never admit. Batman might find the surveillance of a city beautiful, but he cannot look at image which might confirm that the suffering of the marginalized can be made pleasurably spectacular.

Given that Wayne turns away from lynching imagery, it may be worth further theorizing the relationship between such iconic images of racialized violence and their divergent signification for perpetrators and victims. In her essay, "The Consumption of Lynching Images," Leigh Raiford uncovers “the threads of white supremacy and black resistance embedded in, or perhaps more accurately, read into these photographs” (Raiford). Through the very spectacular nature of these images of death, Raiford finds that consumer was able to immediately self-identify as either black victim or white perpetrator. She articulates that the very images used as a means to terrorize the black subject and to create a unified white community "emerged and evolved as visual shorthand as a powerful icon paradigmatic of the suffering of all African Americans and understood only through the abject black male body" (Raiford). Threaded with images of lynching, what does the iconic superhero film express about contemporary African American suffering?

I find that such imagery unveils a "biopolitics of disposability," briefly seen, some theorists have argued, within the state of emergency of New Orleans. In line with Goldberg, Henry A. Giroux's essay "Reading Hurricane Katrina: Race, Class, and the Biopolitics of Disposability" makes the argument that the event exposed the minority population as not within
"the sphere of human concern" for the state (Giroux 175). Giroux employs the titular concept to mean "a new kind of politics, one in which entire populations are now considered disposable, unnecessary burden on state coffers, and consigned to fend for themselves" (Giroux 174). Giroux argues that what catalyzed views into this new politics is the footage of death projected out of New Orleans. Linking such visuals with of the photographs of the murdered black teenager Emmett Till, the scholar writes, “cadavers have a way of insinuating themselves on consciousness, demanding answers to questions that aren’t often asked" - questions regarding the state terrorizing of the black subject (Giroux 89).

Giroux wrestles with the means in which the public realm might offer new imaginations and new spaces for a pedagogic enterprise that counters the authoritarianism of American biopolitics. He finds that such politics situates itself against critical engagement, fostering an "abiding powerlessness that atrophies the imagination and leads to a political paralysis" (Giroux 190). The scholar finds that a productive alternative lies within the emerging techno-culture of the Internet but The Dark Knight Rises pushes us to ask: can genre spectacle itself function as a new imagination that exposes and counters the processes by which visions of power spectaculize state violence? Using a concept proposed by Leigh Raiford in response to lynching images mysteriously left upon the UC Berkeley campus in December 2014, might genre spectacle serve as a site for a kind of exposure of discursive structures and hence contain within it a form of “guerilla protest” where the suffering of the marginalized might be highlighted, or, at least read, within a text made for consumption by the cultural center (“Black effigies displayed on Berkeley campus”)?

As an answer to these questions, I will end this section returning to the symbol of Batman and how Nolan presents its treatment in two lights: co-opted by the state and as a potentially transformative tool for non-state actors. In one of its final scenes, the leadership of the city monumentalizes the vigilante Batman figure in the form of a statue at City Hall. The film ends in a center of political power with no reference to the state or Batman’s previous antagonism to its citizens. Gotham has been saved.

The framing of the Batman statue forms a smiley face recalling the terrorist Joker who sought, in The Dark Knight, to bring pandemonium to the city and expose its institutions’ bend away from any governing morality. Further winking to the villain, the monument is hidden under a purple veil which was the same color as the villain’s suit. The image of the smiley is placed against a mid-shot of the disillusioned Commissioner Jim Gordon who sits in the audience. Juxtaposing the more figurative god shot against the close up of the commissioner suggests that he sees this political theater critically and perceives that the Joker's destructive energy is now a part of a legal foundation. Why would Gordon, an ally to the Batman, see such action critically? Perhaps because it represents a moment wherein the state comes to valorize an extralegal force, without reckoning with or admitting its own failures. The superhero myth becomes a balm that the state places upon the very wound it inflicted on its citizens. By reasserting the primacy of symbols in the envisioning of executive actors represented by the newly-monumentalized Batman as the Joker reemerges quietly, Nolan’s closing film of his post-9/11 opus calls attention to how enduring images of power function in both executive discourse and mythic cinematic form—validating in the former while potentially critical in the latter. However, the subtlety in the framing of the supervillain’s return also functions as a reminder that these symbols of spectacle have the potential to obscure the terrorizing force of state violence whose victims can be forgotten and whose perpetrators, like the Joker himself, so easily slip in and out of view.
Nolan ends the trilogy on a more optimistic note, also gesturing to the productive counter narrative such symbols can illuminate. The film ends not with the broken Gordon, but with his protégé Blake who has left law-enforcement claiming its "structures to be shackles." From afar, the retired Wayne pushes the young man to find his Batcave under his manor that has adopted a new mission becoming a home for the very troubled youth that Blake defended against the state police. In Batman Begins, this cave is narratively defined as a site of resistance against the state and its institutionalized racism as Alfred explains that a former Wayne family patriarch used it as a stop in the Underground Railroad. Standard readings on race and Batman made by comic historians like Regalado argue that the blackness of Batman represented an attempt by white creators to co-opt the perceived strength of a threatening black Other (Regalado 122). Nolan tweaks Batman so that he moves from a reactionary figure, synonymous of fear toward the urban black man, to a progressive one, representing black power. The site also has additional metaphoric resonance as it previously housed the bats that Wayne formerly feared. Through his journey to redeem himself, Wayne has learned the importance of fear. Up to this point, Wayne has been literally paralyzed when he leaves this impulse behind. Nolan thus transforms a key theme of the series. In Batman Begins, “the power of fear” is articulated as a tool that allows the powerful to act with impunity. In The Dark Knight Rises, fear is reconstituted into a motivating force for the powerless that might promote Giroux’s critical agency. Discomfiting, frightening social realities can be sewn into the seams of genre spectacle. Bruce Wayne’s rejection of lynching imagery suggests how repulsive such interweavings might be and articulates how the mode of guerilla protest functions. The voice of the voiceless tear at the fabric of the blockbuster, shunned by its hero but perhaps momentarily heard. As Wayne escapes Bane's prison only when he recognizes the need to be afraid, so to might viewers escape the prison of a desiccated, hermetically sealed public imagination for a moment, obliquely perceiving such fears projected within a mythic framework. The film, in its final moment shows Blake rising through the cave. The final wide shot of Blake in the cave with his back turned the camera renders him into everyman figure, a staging of Wayne's assertion: "The idea was to be a symbol. Batman could be anybody. That was the point." The director shows us that such spectacle has a strength because of its fluidity, for how such genre projections can be amorphous, between oppression and resistance, and bringing together multiple violent frames. Our aperture upon spectacular state violence, The Dark Knight Rises demonstrates, can productively be reframed when both victimizer and victim remain in the shot.

Conclusion
In his 2012 memoirs, former Secretary of Defense Donald Rumsfeld touts an unusual gift he presented to the then-president of Syria, Hafez al-Assad, in 1984. He gifted the leader with a satellite image of Damascus that included his presidential palace. Rumsfeld notes, "I gave Assad the photograph less to acknowledge his hospitality than to remind him that we were watching from above" (Rumsfeld 25). Rumsfeld found that it behooved the nation to show Syria that it was capable of omnipresence, that the United States was a superpower which exuded an almost tangible superpower. His anecdote establishes the super-heroic, almost divine vision of power that the United States hoped to project. Within an essay on the seductive hold of drones, legal scholar Mary Ellen O’Connell argues that a similar attitude also manifests in the policy of targeted killing that has come to define President Obama’s approach to counterterrorism. O’Connell finds that this attitude is so pervasive in conceptualizations of American foreign policy that the cost of the technology has become entirely lost or even negligible in the eyes of
the American public. To express this complacency, the scholar, quotes John Rizzo, a CIA lawyer under the Bush administration, who finds that compared to the non-fatal practice of waterboarding, "There were lethal operations going on, and to think about it, there was never, as far as I could discern, ever any debate, discussion, questioning… of the United States targeting and killing terrorists" (qtd. in O'Connell 20). Such policies, privileging killing over capture and which may be intended as a mere performance of power rather than an effective military act, have sparked little debate. O'Connell provides a stark lens to examine superhero films as texts that merely valorize American superpower and offer a pathway to normalize spectacular state violence. After all, the films may lead audiences to ask: what choice do soldiers and policymakers have if even the culture's superheroes resort to a technologically-saturated mode of war to hunt enemies that plot in faraway places?

Bruce Wayne, when contemplating the need for an alter ego in *Batman Begins*, speaks to the enlightening power of the very mythic symbols that come to be critiqued by the series' end. He tells his Butler, “People need dramatic examples to shake them out of apathy, and I can't do that as Bruce Wayne. As a man I'm flesh and blood, I can be ignored, I can be destroyed but as a symbol… As a symbol I can be incorruptible, I can be everlasting." Only in the realm of such dramatic symbols, the film argues, can a public's apathy be shaken. Through such storytelling, the public might be nudged to view force-striven policies in fuller complexity. Reframing the aperture on state violence, as these ambivalent tales highlight, is not a process that entirely transforms our vision of such practices, but rather one that brings the pain of the victim onto the edges of the frame. Transformative context upon a state that operates with the might of the superhero only briefly appears in the exhilarating picture. Working through Walter Benjamin's assessment that "storytelling has an amplitude that information lacks," Doane finds that storytelling lends itself to additional reflection (Doane 254). Unlike information that one finds within non-allegorical evening news, which only exists in the moment, "meaning in storytelling has time to linger, to be subject to unraveling" (Doane 254). These often bombastic films have an amplitude, a heightened register, that begins the work of unraveling a politics spurred on by catastrophe, exposing the cracks in the façade of power.

Considering the ambiguities of these texts, especially in how Bruce Wayne rejects the televisual representation of state violence, I would like to return to the scene in *Superman Returns* where the superhero sits on the sofa and present a final counter-reading of Superman’s inaction. The Man of Steel does not engage directly in the conflict, performing perhaps a tacit critique of the justness of this controversial war. Like a critical spectator, he engages with the imagery of state violence and the suffering it causes. To empathize with or at least to contemplate these victims upon the television screen, unmediated by a genre filter, is thus rendered into superheroic task. When compared with Batman, who breaks his television rather than witness news of lynching on screen, Superman’s viewing does not seem impotent, but rather a brave and monumental act. In their unresolved moments, in how they unravel set assumptions, these superhero films may foster such bravery in viewers to perceive new imaginations in which their collusion with perpetrating forces is revealed and their capacity for empathy is tested.
Dissertation Conclusion: International Post-9/11 Genre Film

Visions of Power: Violence, the Law, and the Post-9/11 Genre Film uncovers specific moments where Hollywood genre films blur the line between perpetrators of violence and its victims, disrupting a post-9/11 public discourse shaped by Manichean divisions. Discordant notes in these films provoke productive estrangement and challenge us to think historically, to see the resonances between this cultural moment and past traumatized moments in US history. We come to understand the narrative production of discourses about a state of emergency and the effects of these narratives in creating a space of vaguely defined enemies where the parameters of the battlefield are obscured. The genre form, marked by recognizable tropes and figures, enables discursive fluidity and remains singularly malleable to those who mobilize it, whether within the political or cultural spheres. Genre thus emerges as a contested critical site—one of equal interest to politicians and to critically inclined filmmakers. Combining an array of theorists and films, either ignored or crystallized within a more limiting frame by prior critical writings, I bring this fluidity to the fore to theorize a mode of critical spectatorship, one aware of the cross-sections, slippages, and conflicts that exist within the ongoing dialogue between Hollywood entertainment and political discourse in the creation of competing visions of power.

Just as American policy has shaped international law, influencing the framing of global security law after 9/11, so too has the shadow of America's global War on Terror rippled through international cinematic works.\textsuperscript{xix} Considering a range of films that either inhabit or comment upon genre types, I uncover echoes of the American productions I have examined over the course of this study, haunted texts both compelled and repulsed by the exhilarating modes of Hollywood spectacle. In these international films, we witness key disorienting moments that underline how film can both articulate regional concerns and reflect on the ways in which their respective governments have responded to America's wars.

My turn to the global in the final chapter of Visions of Power intends not to simplify contemporary world cinema as a response to American policy and the contemporary traumas that underpin it; rather, it is a first step within an emergent dialogue, a challenge to scholars of world cinema that aims to situate local cinematic texts within transnational frameworks in examining state responses to terrorist threats. Through such work, we might bring what Paul Giles describes as a "critical transnationalism" to contemporary genre studies (Giles 65). Giles finds that "to reinscribe classic American literature into a transnational framework is to elucidate the ways in which it necessarily enters into a negotiation with questions of global power." (Giles 72). Reinscribing American genre cinema into this larger framework within the final chapter of my study allows us to appreciate the ways filmmakers cannily negotiate and question a geopolitical terrain shaped by American visions of power. They frame the dreams propagated within genre storytelling as corrosive while also demonstrating genre’s potential to articulate the impotence such commanding visions engender, both on a national and individual level. In moments of enigmatic and compelling ambiguity, the global examples of genre cinema show the fraught ways such visions might also be appropriated by those rendered Other and relatively voiceless within post-9/11 political discourse and law, to express and potentially transcend their marginalized condition.

Alba Sotorra's Game Over: Tracking the Shadow of the War on Terror

Alba Sotorra's documentary Game Over (Spain, 2015) functions as an apt lens through which to view the genre-infused films under review here. The film visualizes the shadow of America's War on Terror across an international pop cultural and geopolitical landscape. It
examines a pop-culture addled Catalan youth, Djalal, who follows his war fantasies from pop culture to go off to the war in Afghanistan in real life. His tour in Afghanistan, which he scrupulously films, bring him to kill Near-Eastern enemies. Intrigued by the tension between Djalal’s militaristic fantasies and his own Iranian heritage, the film asks whether Djalal points his rifle at himself in some way as he is envisioned in the public discourse, as a Near Eastern enemy? The question also motivates a key scene within Nassim Amouche's unique banlieue-Western, Adieu Gary (2009) discussed below. Both of these texts bring to mind Franz Fanon’s articulation of the ways that the popular culture of the metropole teaches the colonial subject to destroy himself.\textsuperscript{1xxii} Before cutting to a shot of the Djalal’s plastic guns, the camera lingers on the US flag hanging in his bedroom. The montage visualizes the forces of soft power, where entertainment primes a subject for the state’s war.\textsuperscript{1xxiii} The shot reinforces the stakes in his errant comment that identifies the right to own guns as a central part of his beloved "American way of life" that he aspires to even while living in Spain.

While aware of the ways in which genre forms may be function as a tool for ideological formation, Game Over strives to show that visions of power promise to provide an antidote for a youth who “feels trapped.” They offer an apparently liberating path, a sense of agency, gestured to within the video games he plays as well as in all three films I will discuss. Cognizant of how genre myths might be appropriated by the US executive to justify a destructive post 9/11 American exceptionalism, Felix Van Groeningen’s The Broken Circle Breakdown (Belgium 2012) shows how the Western and Superhero form render grim realities palatable, uplifting for how they speak to what may be possible and cathartic for how they give meaning to individual pain.

When the documentary subject fires at a target on the battlefield using a sniper rifle, the film articulates how genre myths may lead toward a vexed adoption of the perpetrating position. Throughout the film, even on the front line, Djalal plays videogames, his avatar firing on all who appear onscreen. Before it shows us the sequence in its entirety, to underline the raised stakes of the unmediated killing, it frames the Djalal watching the footage on his television. Through this composition, his televised projection appears to aim his rifle at himself as he watches. As his uncle laments that nothing came from his nephew going to war, Djalal’s recorded self adjusts the gun onscreen so that it appears to be pointed directly at his own head as he watches the footage (Fig. 1). Director Sotorra thus frames the potential victimhood of the victimizer—through such violence one may gain the means to destroy himself—before offering an extensive view of perpetration. Unlike the videogame footage, defined by its kinetic camera and explosive score, here the camera is fixed on the subject aiming his gun. Silence predominates. The reality of war has a stillness that separates it from the bombastic visions presented within Djalal’s first person shooter videogames. Once he does fire a shot that hits an enemy, the screen cuts to black, as though the viewer cannot comprehend the experience of wielding this kind of violence. The screen remains dark, but the reaction of the subject, his long exhale, can be heard. He seems thrust outside the film’s form, an ejection that articulates the psychic limbo in which he finds himself. His dreams leave him detached, even as they allow him a dominating power.

Watching some of the footage, Djalal’s uncle calls him a mercenary fighting another's war. However, by including footage filmed by Djalal of his more humanitarian work with Afghani children, Sotorra's complicates a vision of the hero as a simple gun for hire. Capturing himself as both killer and aid worker, Djalal emerges as a lucid filmmaker and an aware chronicler of his position in a spectrum between perpetrator and victim. In war, Game Over
suggests, Djalal’s reckons with the fraught possibility of the dual subject position as a consumer of projected visions of power and a willing arm of the state’s war machine.

Kiyoshi Kurosawa’s 2008 *Tokyo Sonata* reflects on how war might encourage such critical work mirrors the character arc of a teenager in Adopting a noir aesthetic during an argument about a son’s ambitions to join the US army as well as a mother’s nightmare sequence where the youth returns from Iraq. *Tokyo Sonata* also rests on a fulcrum between the power of violent force and the impotence of geopolitical subjugation. The teenage youth of Kurosawa’s film, Takashi, searches for a kind of meaning that Djalal also desires, but, through this process, risks finding himself deadened. Takashi may be read as reflecting the anxieties of impotence sparked by the conception that Japan acts as a kind of mercenary force for the post 9/11 United States. In *Tokyo Sonata*’s epilogue, the film goes on to complicate this nightmare vision by revealing a subject whose Manichean framework has been challenged by war, much as *Game Over*’s hero ultimately gives his prized guns away and moves beyond his militaristic fantasies.

Sotorra’s documentary ultimately permits us to see the toll taken by a world forced to play by America’s wartime game and how individual subjects might challenge the rules set by the superpower. It is a valuable map by which we might stop at key points in contemporary world cinema to understand how filmmakers employ genre modes to lament and push against this game that all nations are now legally bound to play. The following genre-infused films, gestured to within my analysis of *Game Over*, contain moments where the specter of 9/11 emerges through the mass media: in *Adieu Gary*, videogames testify to a French-Arab youth’s own increasingly subordinated condition following the post-9/11 moment, where to be Arab is to be abject; the television in *The Broken Circle Breakdown* highlights the insidious sway of the attacks on the lives of Belgian citizens, reflecting the perception that the needs of America trump those of the smaller European power. Televisions in *Tokyo Sonata* often detail the United States’ war in Iraq, expressing an older generation’s blindness to the United States’ dominance over Japan as well as a younger generation’s desire to assume greater autonomy.

However, these texts go beyond merely expressing national weakness to offer a cogent defense for how genre aesthetic might empower viewers to see and thus grapple with social or political realities to which they would otherwise be blind. Just as the consummate consumer of genre stories Djalal seems able to capture the ambiguities of his own position as an enforcer of the state will when taking on the role of filmmaker, these films explore the kind of lucidity, the moments of clarity, offered by these violent genre myths. While all three films gesture to how genre myths might permit viewers to transcend the myopia of the public discourse, in its epilogue, *Tokyo Sonata* contains the most extended appreciation of the aesthetics’ power to awaken the viewer. The three films that make up the remainder of this conclusion explore, as Sotorra does in her documentary, the potential for genre myths to not only blind viewers to the realities of state violence but also open a different possible relation to their necessary collusion within such structures.

**Nassim Amouche’s *Adieu Gary*: Adopting a Destructive Gaze on the Self**

Pop cultural objects embolden *Game Over*’s subject, even as they gesture to his Othered position. Similarly, French-Arab protagonists of Nassim Amouche’s banlieue-Western *Adieu Gary* negotiate mass media envisionings of the “terrorist” in ways that highlight the added psychological pressures post-9/11 laws placed upon Arab and racially mixed populations. The film refashions the Western aesthetic and its iconic heroes for a post-9/11 context to signify not strength but weakness. In its appropriation of the ghost town convention, the film thus acts as a
unique example of the disrupted, transnational Western which visualizes the disrupted lives of banlieue youth, articulating the psychological disempowerment of an ethnic group framed in legal terms as a potentially violent threat. In a scene involving videogames, *Adieu Gary* visualizes how Western pop cultural products create an unsustainable subject position for the marginalized, one where, like in Sotorra’s work, feelings of power are generated through the destruction of demonized representations of the self.

In *Black Skin, White Masks*, Frantz Fanon elucidated the impact of European pop culture, namely in “Tarzan stories, the sagas of twelve year old explorers, the adventures of Mickey Mouse, and all those comic books” (Fanon 146). Fanon argues that these works carry a perverse dimension in which the racially marginalized subjects existing on the periphery of empire are placed in an untenable situation psychologically and linguistically. *Adieu Gary* brings a parallel phenomenon into a post-9/11 context by showing the banlieue inhabitants playing video games and relishing the killing of Arab terrorists. While the Arab’s pop cultural annihilation distances the racially mixed individual from his near-Eastern roots, the film’s presentation of its exhilaration plays out the process Fanon describes in a more ambivalent, visually compelling way.

Besides Gary Cooper, a military video game *SOCOM: U.S. Navy SEALs* is the primary pop cultural object that takes hold of the film’s attention, filling the screen entirely. The privileged position of the video game in the Western-infused film underlines that the American soldier may be the contemporary equivalent to Cooper’s Sheriff. Allowing the viewer to play as American soldier or Arab terrorist, the first person shooter is a mediation of the wars that stemmed from the War on Terror. The video game seems ferociously alive as the game’s camera weaves and bobs with the action. The general presentation is entirely unlike the slow moving, steady camera of the main film. The players, Icham and the disabled drug dealer Abdel, seem emboldened and energized. The terrorist enemy is a pixelated and distant mass wearing a white turban. Once he falls into the players’ crosshair, he is flung back dead onto the desert floor. Cutting away from the virtual world, the film shows these two players sitting rigid and unblinking. As they take the perspective of American soldiers, they concentrate on the virtual environment with far more attention than they do their own material one. Without a second thought, these sons of immigrants bandy about slurs, calling the fighters interchangeably terrorists and Arabs.

The on-screen soldier continues to fire away seemingly unimpeded as his body becomes riddled with enemy bullets- symbolized when the screen turns red. The scene of gleeful abandon in the digitized battlefield recalls Fanon’s articulation of collective catharsis as experienced by the former colonial subject. The framework of the video game allows players of Arab descent to “subjectively adopt a white man’s attitude” (Fanon 147). A video game, then, permits the player to take on the white gaze at its most racist and violent, through the reticule of a rifle aiming to kill the blurred and aggressive vision of the Other.

Icham expresses the sheer pleasure of such an act when he brags about his video game exploits at the dinner table. Is his pleasurable adoption of the dominant colonial perspective, in Fanon’s terms, an act “permeated with sadism?” (Fanon 147). On one level, Icham derives joy by shooting a representation of himself; yet, the film encourages us to wonder what strength this vision of power offers the marginalized subject otherwise trapped in an economic, social, and psychic limbo? Icham’s family points out the irony that he is destroying Arabs onscreen, and yet, Icham’s nonchalance about this fact suggests this facet of the game is not what compels him. Sitting at the head of the table and in the frame’s center during his reminiscences
of the videogame, the film suggests paradoxically that the transporting video game ‘centers’ him. The peripheral figure, armed with a digital rifle, might for an instant at least be brought out of the edges in his own mind. Adieu Gary complicates Fanon’s formulation, showing that such visions might not simply lead to a destruction of self but that they might allow for a simultaneous and rare reassertion of self, unsustainable though it might be and necessitating the adoption of a destructive gaze.

**Felix Van Groeningen's The Broken Circle Breakdown: Inspiration and Disillusionment with Contested Genre Forms**

Whereas Icham briefly inserts himself into the position of the US soldier, the protagonists of the Belgian melodrama Broken Circle Breakdown more fully inhabit the genre guise. The film crosses genres, shifting between references to the Western and the superhero, to showcase how these modes might inspire and also function as sites for the performance of disillusionment with a dominating post-9/11 American state. It focuses on a couple of bluegrass singers who struggle with the cancer diagnosis and eventual death of their daughter—their changing relationship to American ideals mirrored by their changing relationship with its myths. The mise-en-scène is saturated with elements of Americana. An early wide shot features the protagonist Didier’s pickup truck cutting across a field. Another shot shows a group of horses running alongside the vehicle. These images capture the film’s geographic ambiguity where markers of Belgium are obscured. Such imagery, when combined with the film’s Bluegrass score, transform their world into a European Appalachia crossed with the West of the cowboy.

These images speak to the transnational origins of the Bluegrass mode as detailed by Didier. Citing the Jew’s guitar and the African’s banjo, Didier frames the art as one of power and pain, universally compelling for its hopeful aspect as well as its possibility to lament. Upon meeting Didier for the first time, and seeing that he sleeps in a trailer, his love Elise jokes, “You’re a real cowboy then.” Broken Circle suggests through Didier’s discourse that the ‘real’ cowboy is not someone who is tied geographically to the American West but one who employs the genre’s codified ideals as a personal platform of expression. In many ways Van Groeningen articulates the allure of genre for filmmakers of world cinema by foregrounding its transnational origins. Genre stands as a site, where regional identities might be expressed through tropes that are synonymous with an imagined America.

Didier the character shows a canny understanding of how genre and folk forms, bluegrass being inexorably connected with the Western in the film, offer a vehicle in which to reckon with difficult realities. These miners from across the globe, when working in the mountains, “to combat the hunger and the misery, […] started singing songs about their dreams of a promised land, often about their fear of death, their hope for a better life in the hereafter and their sorrow, their hard life.” For their daughter, obsessed by the superheroine Mega Mindy, the parents and doctor use a language infused with superhero tropes. Her doctor tells her to return for a checkup so that “we can see if Captain Chemo won the fight.” Much like the miners Didier describes, adults employ the tropes of myth to render the grim reality of sickness more hopeful.

While the production considers the genre form's illuminating possibility, Broken Circle goes on to present a disillusionment toward such myths whose cultural sway seems linked with a unilateral post-9/11 American executive that also mobilize such forms when introducing their policy. 9/11 is first mentioned in the film when the parents play with their infant daughter. Although they remain oblivious to the breaking news of the World Trade Center attacks, the film camera draws closer to the TV. The attacks grab hold of the camera's attention. The words of
George W. Bush citing scripture are overlaid over the spectacular scene of destruction. By excerpting the biblical reference, "as I walk through the valley of the shadow of death," the film highlights the religious foundation of Bush's wartime rhetoric. The president cited within the film thus transforms the attacks into a mythic cataclysm that merits righteous retribution.\textsuperscript{\textlt{xxvi}}

The camera then cuts to a shot where the television is central in the frame, featuring the American president speaking of the state's intention to defend freedom. In the shadow-filled shot, a Western cactus sits next to the TV, a reminder that the president often spoke of himself as a Western sheriff. The prop also suggests the desert of the post-9/11 public discourse and how such myths would be appropriated to not enrich but to desiccate debate. Genre in \textit{Broken Circle} is presented as a tool for the powerless miners and for a powerful state. 9/11 sparks this exceptional interlude in \textit{Broken Circle} where the camera engages in a dialogue with the contemporary moment, its catalyzing trauma and the state leader who imposes his rhetoric upon it. The ominous presentation of the scene, marked by darkness and a low thrum in the soundtrack, denotes the perceived shadow of America upon individuals and their world.

Yet through the character arc of Elise, who in her grief takes on the moniker Alabama Monroe, the film underlines the transformative potential of myths. During her first meeting with Didier, he states the allure of America: “I've been crazy about America all my life… No matter where you are from, when you get there you can start all over again. It's a country of dreamers.” This American malleability of self acts as a vital means for Elise to confront the forces that might otherwise trap her within a stasis of mourning. She adopts the name of the Southern state and the last name of the founder of Bluegrass, Bill Monroe, to create a new, more resistant identity. Her identity founded on sites and figures from the Western coexists with an expansive faith that incorporates icons from Christianity and Hinduism. Genre serves as a secular faith, one that motivates her identity construction.

Ultimately, when Alabama commits suicide, the film's final image—a cut-in on the tattoo of her name—suggests the transcendent possibility of genre myth. Didier and his bandmates play Bluegrass as his wife dies in the hospital. The scene begins in somber silence as Didier asks his wife, “will you kiss Maybelle for me when you see her?” Their music starts as the life-supports machines are turned off, lacing her death with a joyous rhythm. As her vitals drop, their tune builds speed as if the fleeting percussion of her heart beat is replaced by the lasting song of Bluegrass. The film then cuts to her tattoo which shows the name Alabama Monroe. The star on the right represents her lost child. Early on, Didier tells his child about how a star's light extends forever into the universe, so it never goes out. By appropriating this analogy within the Alabama Monroe tattoo, a self-founded upon folk and genre myth, Elise-as-Alabama figures herself as an undying star. Embodying timeless genre tropes of the Western, an idea reinforced by the presence of her also visible revolver tattoo, she might render herself similarly timeless. As Alabama, she heralds the kind of unified community that performs around her body—driven by a life-affirming song which is not afraid to face sorrow. With its earlier presentation of George W. Bush quoting Bible verse as he makes reference to the shadow of death and resisting life-saving research on moral grounds, the film has highlighted a post-9/11 public discourse driven by violence and division. Here, Alabama's death embodies such deadening discourse while also offering a kind of fraught resistance. For those who can face her death and accept her new Western identity, she offers a separate path, one wherein death might affirm life, where the solidarity it offers might open perspectives to others rather than close them off.
**Kiyoshi Kurosawa’s *Tokyo Sonata*: Seeing America’s Wars as a Noir Nightmare**

Whereas the heroes of *Adieu Gary* and *The Broken Circle Breakdown* are indirectly affected by Americans wars and their unilateral approach to international law, Kiyoshi Kurosawa's *Tokyo Sonata* presents a Japanese youth, Takashi, joining America's conflict in Iraq. Takashi’s argument with his parents as well as a nightmare sequence, from the mother's perspective, employ a noir staging to reflect a home space invaded by American political forces.

Framing a son pulled into the United States' Iraq War, the film visualizes a subservience that political commentators and theorists have pinpointed as a key aspect of then-Prime Minister Junichiro Koizumi's support of America's wartime ventures. His unquestioned support for US policy, many critics found, pushed Japan’s Security Defense Force into war. As explained by East Asian policy expert Gavin McCormack in his essay, “Koizumi's Japan in Bush's World after 9/11,” the prime minister's “desire to prove trustworthiness outweighed constitution, laws and morality” (McCormack). McCormack explores how Japan’s reliance on the US for protection from North Korea mired the state within the Iraq conflict. The process, McCormack finds, cut against Japan’s constitutional imperative of pacifism. Such action led to "the constitution steadily [being] emptied of content, the constraints of Article 9's pacifism dismissed, and the country pushed in the direction of becoming a great power, possessing and using force just like other great powers, albeit as... a US ‘vassal state.’” (McCormack). The scholar finds that few have fully addressed the humanitarian cost of these recent transformations. He writes, “Official Japan, and most of the media, concentrates its attention on Japan's role in the post-9/11 world around the Self Defense Force commitment, but is reluctant to address the question of Japanese responsibility for what happens in the totality of the system it thereby supports.” (McCormack). This paucity of discussion around human consequences of wartime policies is key to understanding the critical force of *Tokyo Sonata*’s nightmare sequence, detailing a soldier coming home. The director uses a noir aesthetic to counter such myopia, drawing attention to these often unremarked costs of a Japan engaged in war and pushed into the role of the perpetrator.lxxxvii

Using expressionist technique, where an inner mood is visualized through shadow and light, the director infuses the Japanese home with darkness at the very moment where Takashi expresses his desire to go to Iraq. The son asks his father to sign his deployment paperwork. His request sparks an argument between the two generations about Japan's place in the world. When the father claims that the wider world's concerns are irrelevant, the son barks back, “That is why Japan is so hopeless. It's the American military that protects Japan.” As their argument escalates after this remark, the son walks from the warm dining area into the coldly-lit living room. He sits beside the television which broadcasts news about America's war throughout the film—its blank screen, creating negative space in the frame that positions the broadcasted Middle Eastern conflict as a rupture in the family home. The desperate mother brings both individuals back to the edge between the dining room and the living room. When Takashi asks his father, “What am I supposed to do?” a train speeds by, creating a punctuation of light across the father's face who has been made speechless. It is as though the war acts as an electric force that shocks the youth into blind action and the father into passivity. The rumble of the train when the discontented son storms off speaks to the emotional tumult that the war sparks in the lives of ordinary Japanese, one which exposes their troubling lack of agency.

The opening image of the nightmare depicting Takashi's homecoming establishes a dream logic by which the son’s expressions of guilt are met by motherly incomprehension. He walks into his home wearing military fatigues, the words US ARMY embroidered on his jacket. The taciturn son falls on the steps and announces “I'm so tired.” To this, the mother expresses
polite concern. A wide shot upon the front entrance of the home films the reunion at a remove, accentuating the emotional disconnect the sequence presents. The blue light evokes the deathly pallor of the argument between the father and son about his decision to join the army; however there is no visual warmth present in this scene. The dark wood paneling creates a visually fractured composition, so that the home appears to be broken up by bars. The home has been transformed into a site of entrapment. Kurosawa cuts away from the wide shot when Takashi's announces “I have killed many people.” Now, the film cuts to a close-up shot on the admitted murderer, emulating the gaze of the mother who now sees her shell-shocked son with more frightening clarity. Following his admission of guilt, the scene shifts to the mother cutting vegetables in a brightly lit kitchen. It initially seems as though the violence of war fails to puncture her normal existence; however, she then turns, compelled into the darkness of the dining room where her son sits. She moves into the shadow, waking up screaming right before her hand comes to rest upon Takashi’s shoulder. The nightmare, culminating on their interrupted contact, signals the despair caused by the fracture, the crack between generations—one turning a blind eye to the violence that underpins the US-Japan relation while the other is deadened by it.

Myopia towards contemporary Japan's costly interest in becoming a global power comes most fully into view when Takashi's parents take their younger son Kenji to the hospital shortly before the mother's nightmare. The television, as in every film discussed in this chapter, takes up the screen entirely. The mirrored aspect ratio between the film frame and the television creates a formal parallel that highlights just how completely the Iraq War pervades the production and haunts its protagonists. A newsmen announces the new policy where Japanese citizens can participate in the US Army, before cutting to a series of interviews with youth affected by it. A man of Takashi's age says “I support it. We have a lot of trade with America, so if America has a problem, Japan will be directly or indirectly affected by it.” His testimony corresponds with a wide shot showing the parents looking on in silence. The film visualizes their willful distance from this reality by the shifting use of focus. Neither the television nor the parents are in focus at the same time. When they face forward looking away from the television, it remains out of focus but centered between them. Another individual protests the policy on constitutional grounds. Blurred, the last speaker vocalizes their repressed thoughts when he admits, “to be honest, I couldn't believe that the government let them join the American military.” During the father's aforementioned argument with Takashi, the TV appeared like a black hole in the frame. Here, in the harsh light of the hospital waiting room, we gain a glimpse into the kind of psychic abyss it heralds, where the loss of a son to an American war personifies the nation losing it stated principles.

**Genre as the “Claire de Lune” in Post-9/11 Public Discourse**

Using a noir mode, where shadows and blank screens express anxieties, *Tokyo Sonata* tacitly frames genre's ability to make unspoken truths more fully legible and even overwhelming by expressing them through recognizable tropes that take over a film’s form. The film also suggests something of the liberating potential of the violent myths that the films throughout my study have explored. *Game Over's* protagonist insists on the necessity of the experience of war, speaking to how service may liberate a trapped youth. *The Broken Circle Breakdown* frames genre as a contested tool for artists to lament and for states to self-mythologize. *Adieu Gary* finds that genre visions of power accentuate the weakness of the marginalized, while allowing a rare feeling of agency that is potentially impossible to sustain.
For its part, *Tokyo Sonata*’s epilogue contains word from Takashi that suggests how facing state violence head-on, even participating in such actions, might liberate the consciousness. His letter to his mother features two stamps of a bald eagle and his name signed in Latin characters, an aspect of the missive that reveals his now hybridized mentality somewhere between the two powers. In entering the conflict previously depicted as a noir phantom, however, he does not emerge a deadened perpetrator; instead, he gleans the humanity in the stated enemy of both nations. He tells his mother, “I've learned that America isn’t the only one that’s right. That’s why decided to stay in this country so I can understand them better. I've come to the conclusion that the best path for me is to fight alongside the people of this country in order to find true happiness.” Through violence, Takashi experiences a push away from set prejudices and out of the US-dominated framework by which the Japan of the film appears governed. The divine, saving violence that Malkina in *The Counselor* heralds seems visualized in this narrative about a soldier who goes off to war.

During its last scene, *Tokyo Sonata* offers an affecting reassertion of the aesthetic as a means to challenge and to inspire. The young son Kenji performs an extended rendition of Claude Debussy's “Claire de Lune.” Kurosawa presents the boy's entire performance, and the film falls to the sway of the very piano music that the father had previously banned Kenji from playing in an effort to make a principled (if un-explained) stance as the family’s patriarch. The director encourages us to witness’s aesthetic majesty within a space of brightness, antithetical to that of the nightmare sequence which was spawned by the older generation's refusal to reckon with state violence. Kenji's flawless performance suggests the exhilaration of art, its transporting quality. What does Kurosawa—in his expansive text that pairs a sustained performance of Debussy with visions of war and nightmares of noir despair—show us to be the resistant possibility of such modes? His parents have previously turned away from scenes of war, only facing their fears in nightmare. Now, they are fully attentive, even transfixed by their son's song. Culminating the film with such a performance, Kurosawa constructs a metaphor for genre cinema as a platform to confront taboo and to ease us into discomfiting worlds, so that we might confront our weaknesses as even they can be made beautiful.

Thinking transnationally about post 9/11 genre cinema, through my brief survey of disparate films across world cinema, allows us to glimpse the shadow of War on Terror upon the world. These few readings function as a challenge to scholars to perform transnational critiques of their own. While these few films all expressly discuss 9/11 and its ensuing wars, I hope that scholars take inspiration from my own readings of works like *Sin City* and *Zodiac* and consider films more removed from the contemporary moment. In so doing, we may track the extent of this shadow, while priming our eyes to see the Clair de Lune that such storytelling modes might offer filmmakers. If deployed critically with a conscious understanding of how their established tropes might express ambivalence, these visions of power can permit for moments of resistance and beautiful ambiguity which serve as moonlight which can break through the darkness of a Manichaean public discourse during a worldwide state of emergency to productively shift conceptual borders.

While a central focus of the examples of world cinema described in this conclusion, even genre films made within the Hollywood system often express an understanding that the War on Terror has a global impact. In *The Dark Knight*, the Joker argues with a Chinese national who has escaped to Hong Kong and who feels he is safe from prosecution by American law enforcement. The Joker scoffs, “Batman has no jurisdiction. He’ll find [the wanted man], and make him squeal!” The villain, the terrorist caked in clown makeup knows that the post-9/11
superhero’s grasp is global. What are the critical possibilities of a genre study responding to a world mired in an amorphous War on Terror where borders lose their importance? I ask: in such a political landscape, how might codified genres stretch? Recent Border Westerns, detailed in the first chapter, seem tinged with noir paranoia. The disparate noirs of the second chapter—near-parody and true crime—touch on the burden of super heroic vigilantes. Wonder Woman seems to imbue the perpetrating femmes fatales of Sin City with an added power and autonomy. Dirty Harry acts as kind of mocking presence to the real-life detectives of Zodiac, putting their impotence in relief. The Dark Knight trilogy of the third chapter on the superhero film finds itself in a noir universe, where the fragility in power might be confronted. The concluding chapter on international genre films exemplifies the breakdowns in the genre form, tropes of the Western, noir, and the superhero, crack through these productions which are concerned with tracking the ripples of the global War on Terror upon the local pop imagination. Just as the set conventions of genre permit filmmakers to negotiate and engage with discursive fluidity in the public discourse, so too might such parameters allow film scholars the ability to pinpoint and work through breakdowns in the set borders between genre modes and even between Hollywood and world cinema. The comparative framework ultimately proposed by this study thus becomes a key means of situating genre within a world where the American state and its corresponding visions of power begin to break free of jurisdictional boundaries—be it those established in the law or within genre storytelling.
The film reveals that such liberatory, populist language is but a lie to control the citizenry as Bane’s cabal works to secretly destroy the city. Hearing Trump’s words through the prism of the masked terrorist begs the question: what potentially destructive plot was Trump’s revolutionary discourse hiding?

The piece will take steps to nuance the idea of political ‘realism,’ often used by legal scholars critical of the administration. For many key players of the administration including Dick Cheney and Donald Rumsfeld, realism, where state interests matter above all stated ideals, contained a moral component, becoming what neoconservative thinker Charles Krauthammer describes as ‘democratic realism.’ See Krauthammer’s 2004 speech “Democratic Realism–An American Foreign Policy For A Unipolar World.” Furthermore, the dissertation will consider the contradictions in the efforts to create policies shaped by this uncompromising moral philosophy when these aforementioned executive actors also sought to create a legal framework supporting a ‘unitary executive,’ a presidency unencumbered by any obligations to either other branches of government or to the tenets of international human rights law. See Mary L. Dudziak's essay "A Sword and a Shield: The Uses of Law in the Bush Administration" in the anthology The Presidency of George W. Bush for more. 59-87.

Cited in Slocum’s review of the field, Stephen Prince’s Firestorm: American Film in the Age of Terrorism speaks to a broader tendency to disregard the value of more oblique mediations of the present moment offered within genre cinema. Near the end of his study, looking at non-allegorical representations of terror on the screen, he wonders why literal-minded productions like Paul Greengrass’ United 93 (2006) and Oliver Stone’s World Trade Center (2006) have failed to resonate with audiences. He writes that their failures “suggest that viewers are rejecting the role that popular cinema might claim in bearing witness to atrocity” (Prince 305, 2009). His study then ends with an undercutting of genres comprised with what he views as “impregnable” story formulas that fail to react to changes in the political landscape (Prince 308). According to the scholar, Hollywood remains in its past genre dreams, espousing answers which are disengaged with the moral dilemmas that define the post-9/11 moment. The success of 9/11-tinged blockbusters like The Dark Knight would seem to show how atrocity can be witnessed within popular cinema while maintaining a strong sense of moral ambiguity fitting for a time marked by terrorism and global war. While Prince represents an extreme in his stance against the relevance of genre modes, his reservations point to the continued need for scholars to pay attention to and draw out the complex socio-political critiques from these popular forms of storytelling.

Delineating the sub-genre of the Border Western may seem unnecessary, in part because of the Western genre’s root preoccupation with the frontier, with that which historian Frederick Jackson Turner influentially described in 1893 as “the meeting point between civilization and savagery” (Turner). Constraining our focus geographically, however, permits for a more incisive exploration of the US-Mexico border space so affected by post-9/11 policy and occupying a space within the public discourse as vulnerability. At the same time, framing the Border Western allows for an appreciation of the unique formal qualities of these cited films that stand at the meeting point between the tropes of the Western and those of noir. This chapter extends the critical work of film scholar Camilla Fojas who finds a preponderance of Westerns about the borderlands beginning in the mid-2000’s (including the film Three Burials discussed above). In her essay "Hollywood Border Cinema: Westerns with a Vengeance," Fojas productively identifies central themes of these formally unstable films noting: “Many of the films that take place on or near the borderlands express “American” anxieties, messianic prophesies, and fears about porous boundaries and the integration of the hemisphere through political intervention, economic globalization, and the transnational migration of people and goods” (Fojas 98). My analysis of the Border Western, though in many ways parallel to that of Fojas, emphasizes the formal features of these generically unstable films. Through such awareness, I explore how these anxiety-ridden Border Westerns articulate a meta-level anxiety regarding genre’s ability to engage the viewer with the subject who is made Other within political discourse as well as contemplate his own complicity and pleasure in that subject’s suffering.

In Border Walls: Security and the War on Terror in the United States, India, and Israel, Reece Jones performs comparative work between the border policy of United States and Israel as well as the discourse of fear that undergirds it. Jones cites the 9/11 attacks as well as the Second Intifada in Israel/Palestine as providing the necessary political and public will to embark on large-scale border wall and border security projects (Jones 6). Jones finds that

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these various projects were framed against “an enemy-other in the global war on terror… an evil that has no place in the modern world” (Jones 7). States strove to not simply contain but to eliminate the threat of this non-legitimate enemy-other (Jones 8). One wonders if Sicario’s citation of a historical ancient Jerusalem is meant not only to push viewers to perform transnational comparative work between the United States and Israel cases but also to encourage an appreciation for the state’s mobilizing of the archetype of a pre-modern enemy. Does the state, the film asks, also configure the Mexican as an enemy-other that stands out of time, a radical threat to the project of modernity?

vi There contains a crucial element of forgetting in this discursive transformation of bin Laden-as-bandit, so that the present comes to be linguistically deprived of its defining detail. The reconstitution of the mythic past of the West, a space defined by its as-yet unformed nature, paradoxically resembles a forgetting of the present, a gap in a culture’s vision. Nostalgia for a generic past, to a moment that never was, breeds a myopia of sorts that can be harnessed by the state for narrativizing its actions.

vi The film’s predilection for intertextual gesture, from its formal homages to a host of Western films and art historical movements, encourages a consideration of Melquiades’ names as a wink to Gabriel García Márquez’s One Hundred Years of Solitude. Roberto Gonzalez Echevarria, in his essay “Cien anos de soledad: The Novel as Myth and Archive,” argues that the novel stood as “a razing involve[ing] the various mediations through which Latin America was narrated, the systems from which fiction borrowed truth-bearing forms, erased to assume the new mediation, which requires [a] level-ground of self and history” (Echevarria 367). The Melquiades of the novel embodies Márquez’s project to drain and mine truth in the service of fiction. A historical archivist who only collects fictional works, Melquiades seems to be a transtemporal figure, at once young and old. His archive “stands for writing, for literature for… an arche, a relentless memory that disassembles the fictions of myth, literature and even history” (373). The prism of Márquez’s Melquiades frames the film’s Melquiades as a figure ensnared by fictions. By the film and its heroes, the Mexican is seen and remembered as less a man than a structuring fiction that exists outside of time.

vii Western scholar Lee Mitchell posits that a key part of the reconstitution of masculinity that he finds to be central to the Western is the literal destruction of the male body, since it “must be beaten, distorted, and pressed out of shape so that it can paradoxically become what it already is” (Mitchell 160). The process of physical recuperation from such travails parallels an emotional growth so that the hero becomes a man in both body and soul (176) The process of identity formation resonates not with the figure that the film denotes as the quintessential cowboy Melquiades, who can never be healed, but with his killer, Mike. The rattlesnake poison leaves his body like the venom toward the Mexican leave his mind; hence, through the healing of Mike, the film plays with genre conventions so that the patrolman becomes not a “man” but a human capable of compassion.

ix All readings in this chapter are based on the extended cut of the film released on 11 February 2014.

x The U.S. counsel’s idiomatic use of “Mecca” coincidentally gestures toward a key note that will be elaborated within The Counselor—how contemporary threats from the Near East manifest within the border setting.

xi Complementing McCarthy’s configuration of the border as a site where contemporary national anxieties are projected, Peter Andreas explores, in his sociological study Border Games, how the border is a powerful discursive tool for the state to symbolically express its continued fight against such perceived menaces. Andreas argues that “the border functions as a kind of political stage,” offering both politicians and police a prime performative space (Andreas 9). In line with Chertoff’s aforementioned statement about the border fence’s largely symbolic function, Andreas argues that actual results matter far less than the pantomime of an engaged state relentlessly fighting the Drug War and vigilantly fending off illegal immigration. He finds that any police action like drug seizures serve primarily “ritualistic performance” in which the state acts out its “moral resolve” (Andreas 11). By articulating and slyly commenting upon the discourse of a chaotic, lawless border, The Counselor demonstrates a supreme awareness of the theatrical dimensions of the setting, less an actual environment and more a mythic set for state actors that can be co-opted to fan anxieties and to testify to the strength of America’s governing institutions. For more on Andreas’s very productive formulation of the border-as-political stage, see Border Games: Policing the U.S.-Mexico Divide (Ithaca, NY: Cornell University Press, 2000), 3–29.

xii The ironic juxtaposition of the amorphously foreign Reiner against an obscure configuration of the Stars and Stripes, where twelve stars surround one, denotes a culture that has always pushed one outside its trusted circle. By
Robert Warshow writes in his influential analysis of the Western hero, “The Westerner,” that the figure “comes into the field of serious art only when his moral code…is seen to be imperfect, though the Westerner at his best exhibits a moral ambiguity, which darkens his image and saves him from absurdity” (Warshow 440). Intriguingly, Warshow also finds that what he describes as anti-Westerns, films that run diametrically against the founding myth of the genre as they perform sociopolitical commentary, fail precisely because ambiguous characterizations are minimized in service of a larger allegorical critique. He writes: “If the ‘social problems’ of the frontier are to be the movie’s chief concern…the hero himself, the film’s central figure, now tends to become its one unassimilable element, since he is the most ‘unreal’” (Warshow 99). I wonder, then, whether The Counselor, which cultivates an absurd atmosphere by virtue of being simultaneously a genre film and a parody of one, sidesteps the problem of the anti-Western described by Warshow where earnest, overarching messages flatten the films’ messages and render them inherently ridiculous. At the same time, does The Counselor’s genre parody prevent this move toward the “unreal,” toward the unassimilable? Does it create a framework so that the viewer is in a position to appreciate the absurdities at work, laughter being a form of assimilation between the spectator and the film’s universe that allows him or her to appreciate the human consequences of the desirous economics under review? The film suggests the importance of its comic tone when, after a drug trafficker explains the never-ending circulation of a body across the border done by cartels to irritate him, he quips, “They think it’s a fucking joke, they think it’s funny. In this business, you got to have a sense of humor, you know?” This question of the absurdity in the face of grand violence is also taken up in McCarthy’s earlier, more earnest noir-Western, No Country for Old Men. The sheriff’s deputy laughs at a news story detailing the killing of the elderly, and the sheriff’s resigned note that the murderers were discovered not because of their crimes but because of the incongruity of one of their victims escaping wearing a dog collar. After the deputy quickly quiets himself, the traumatized sheriff dryly replies, “It’s alright. I laugh myself sometimes, not a whole lot else you can do.” Payan repeatedly employs the term “absurd” to describe the conflation of discourses that occur around the border as well as the ignorance by political actors to the interrelation of the Mexican and American economy as well as each country’s national security (Payan 17, 20, 140). How, The Counselor encourages us to ask, can the absurd be consciously deployed to heighten moral ambiguity even as it exposes the bizarre assumptions that underpin contemporary political discourse?

Given the film’s anarchic spirit as it reaches toward and implicates the viewer, one wonders: does the sudden emergence of joyful children mark the viewer’s underlying delight in the female suffering on display, thus speaking to the inhumanity of our desires? Is Laura’s being forced down into the cushions made akin to a moment of jouissance like the pure bliss of boys diving into a pool? Toeing the line between genre and parody, between gravitas and the absurd, The Counselor provokes such disquieting questions.

Contrasting the dichotomy described earlier in this chapter by Recchia, where the majestic Western landscape subsumes all semblance of the noir mood, Imogen Sara Smith, in her essay on classic examples of noir Western, fruitfully suggests that such an immense landscape can accentuate the morally corroded qualities of its hero where the “splendor of the western scenery merely shows up the sordid pettiness of the men traveling through it” (Smith). Reading the 1947 film Ramrod, Smith claims that rocky cliffs in the Western film are “as vertiginous as the towers of a city” and share a similarly oppressive aspect. Indeed, the critic suggests that noir tropes might even sap the landscape of its majesty, drawing into view a desiccated space. Coming so late in a film filled with images where sublime expanse is made claustrophobic, The Counselor encourages a view of the city, even one lit in the midday sun and free of any explicit markers of noir, as a stifling setting where extreme violence might flare to the surface.

The bankers’ unwillingness to help the victim of cartel silence in the scene is ironic since the institutional support of established financial institutions sustains the drug cartels. In one particularly egregious true case, a compliance officer at Wachovia found that the bank had laundered hundreds of billions of dollars for a Mexican drug cartel. After the bank was penalized with a small fine, less than 0.04% of the total amount laundered, the individual who discovered the malpractice was fired. He later noted, “There was no consequence for anyone dealing with that money. Some other compliance officers broke the rules and they kept their jobs. I obeyed all the rules, blew the whistle and lost my job” (Arsenault).

The Counselor draws a more direct parallel between drug dealers and financiers earlier in the film. In a scene where traffickers unload cocaine from a septic truck, a financier in a blazer and a trafficker in mechanic’s overalls
discuss the loopholes in international trading. The satisfied words of the financier discussing the minuita of his malfeasance are overlaid against images of bricks of cocaine, correlating the abstract extralegal activity described with the tangible commodities of the drug trade. Capping off their discussion, the trafficker laughingly remarks, “Shit, you know, of all the people, you and I should know if electronic money earns an extra day of interest when it crosses an international date line.” Although these words link the two men and the enterprises they each represent, the financier’s final request points to their shared depravity. He asks whether he can see the body that was hidden in one of the truck’s oil drums as a punishment for offending the drug cartels. At this morbid curiosity, even the trafficker is surprised. The scene shows that the actors operate with the same perpetrating mentality, the very same disinterest in the human costs of their activities. Several of the scene’s reverberations with the drug trade, from the setting of the financial center of Chicago, a major hub of cartel activity in the United States, to the practice of entambados, where cartels dispose of bodies by placing them in oil barrels, reinforce the terrible reality of this connection (Morris; Payan 46).

Although cartels have been known to employ spectacular acts of violence to frighten local populations, even posting killings on YouTube, writings about the drug economy have noted that violence is a core feature of day-to-day business operations (Martin 44). As Evelyn Krache Morris wrote in a 2013 article on the expansive business model of the drug cartels, resembling less a gang than Wal-Mart in its logistical scale, “Violence…is not a function of the drug trade specifically. It is how the cartels manage everything from marketing to public relations to human resources” (Morris). Part of the horror of The Counselor is in how it demonstrates that horrible acts of violence, including the filmed murder of Laura, testify not to the presence of a malevolent evil, but to the routine costs of doing business. What, the film pushes us to the wonder, is our role in such economic exchanges?

The crumpled-up Mexican newspaper in the shot might also refer to the failure of traditional media sources in Mexico to effectively cover the Drug War’s costs out of fear of repercussions from local cartels. Due to increasing violence against journalists, many news companies have a self-imposed information gag, sometimes describing drug violence as reflective of a “state of collective psychosis” (Correa-Cabrera 104). In “Drug Wars, Social Networks, and the Right to Information: Informal Media as Freedom of Press in Northern Mexico,” Guadalupe Correa-Cabrera and José Nava explore this self-censorship as well as the power of informal media within Mexico to sidestep such strictures. Informal media, like blogs, have a degree of anonymity that allows them to frame the causes of violence and, the authors argue, provoke authorities to change their policies accordingly. The scene described here is of interest in part because it frames genre as an informal media, operating with the same freedoms, hence permitting it to work outside of the more limited rhetorical realm of the mainstream news outlets. Such liberty allows the film to boldly state its broad critique, which extends from an ineffective mass media framing the border in mythic terms that fails to account for the cross-bordered cultures of consumption to a potentially hypocritical viewer enmeshed within an economy of desire. For more on Correa-Cabrera and Nava’s exploration of the impotence of traditional media and the power of reporting through more informal modes, see their essay in A War That Can’t Be Won: Binational Perspectives on the War on Drugs (Tucson: University of Arizona Press, 2013), 95–118.

Andreas’s translations of Calderón’s language about his War on Drug shows that the president positioned his endeavor in the same Manichean terms as Bush did his War on Terror in 2001. Calderón stated: “It will be an all-out war, because the possibility of coexisting with drug trafficking organizations is no longer viable. There’s no turning back. It’s us or them” (qtd. in Andreas 150). His “us or them” line brings to mind Bush’s words, “You are with us, or you are with the terrorists.” This linguistic echo reinforces the shared rhetorical base of these two wars, shedding light on why they are so often conflated by executive actors.

My thinking builds on Miryam Sas’s exploration of the possibility of portraying divine violence in Ōshima Nagisa’s 1967 animated film Ninja bugeichō (Band of ninja). Sas defines divine violence in the context of Oshima in visual terms as one that “moves edges, switches the lines around, changes fixed frames and perspectives” (Sas 265). For Sas, how blood is framed in the animated film encourages an appreciation of enduring revolutionary energies that run across time and history. Her analysis pushes me to investigate how these Westerns, invested in the legal order’s limited ability to preserve the humanity of the individual, posit alternatives to Manichean thinking based on fear and hatred, even as they encourage a new perspective on one’s own perpetration and one’s own natural violence that has been rendered invisible within broader economies.

Hardt and Negri provide a historical context as to why the terrorist threat proved so destabilizing to the United States in their work Multitude. Following the end of the Cold War in 1989, the United States found itself the world’s
only superpower, becoming the dominant force over all nation-states, at least militarily. American military power became more centralized, and with that shift came an added emphasis on bodiless and bloodless war (p. 42). The post-1989 Revolution in Military Affairs, or RMA, sought to “make war practically risk-free for US soldiers, protecting them from the threats of any adversary” (p. 42). Antithetical to this system based on centralization, information, and bloodless combat was the suicide bomber, which was fully realized in the popular consciousness in the wake of 9/11. With evocative and almost sensationalistic language, the scholars highlight the uniqueness of this enemy, calling him “the dark opposite, the gory doppelganger of the safe, bodiless soldier” (p. 45). For more on the terrorist and the challenge it represented to the nation-state, see Hardt and Negri’s discussion of the RMA in Multitude: War and Democracy in the Age of Empire (New York: Penguin Books, 2004), pp. 41–48.

xxiii In an essay on the film titled “Kiss Me Deadly: Evidence of a Style,” Alain Silver encapsulates this critical assessment, writing that the film “typifies the frenetic post-Bomb LA with all its malignant undercurrents” and bristles with an “underlying sense of nuclear peril” (p. 209). Silver argues that the film represents a culmination of classic film noir’s fascination with total obliteration.

xxiv In an essay titled “Sex as Sin to Sex as Work: COYOTE and the Reorganization of Prostitution as a Social Problem,” Valerie Jenness describes in detail the organization’s goals as well as its struggle for legitimacy during the AIDS epidemic. Countering views that sex workers were spreading the disease, a COYOTE representative stated, “Most of the prostitutes I know are getting tested on their own. They use condoms. Obviously we’re being used as symbols” (qtd. on p. 415). Her note is relevant for my broader argument that explores the fraught position created when individual female identities are transformed into symbols that support an establishment narrative. Whereas in this chapter that narrative centers on war, the travails of sex workers illustrate that such a transformation is emblematic of a broader trend that demands scholarly attention.

xxv For further elaboration of Marcus’s view on the insidious aspects of the discourse on rape and ways it can be undermined, see her essay “Fighting Bodies, Fighting Words: A Theory and Politics of Rape Prevention,” in Feminists Theorize the Political, ed. Judith Butler and Joan W. Scott, pp. 385–403 (New York: Routledge, 1992).

xxvi The film was largely viewed as simplistic chauvinistic fantasy upon its release and has continued to be so perceived within the academic discourse. Film scholar Mark Bould offers an interpretation emblematic of the mainstream view that ignores or downplays all complexity in favor of a literally surface read. Bould asserts that the film deals with present-day concerns for how it reflects a central vacuousness that shies away from exploring depth (Film Noir, p. 114). Like many critics, Bould considers the film’s play with noir tropes an empty if not juvenile exercise in style rather than a canny strategy to achieve a productive critical distance to contemplate the varying anxieties expressed in the public discourse following the Iraq War. For further elaboration of Bould’s stance concerning Sin City and how it reflects a film type stripped of all historical specificity, see the closing chapter of his genre overview, Film Noir: From Berlin to Sin City, pp. 108–115.

xxvii Such breakdowns in the diegesis feature prominently within post-9/11 noir, functioning as a metacommentary on how the attacks both challenged and reaffirmed the role of the genre in mediating their historical moment. As discussed previously, Sin City conceives of moments of intergender unity as an overwhelming flash, a visual rupture. Spike Lee punctuates 25th Hour with moments of imagistic stuttering; the image occasionally skips, thus conveying a film type in the process of absorbing the recent mass-mediated trauma. Nowhere is such a break more foregrounded than in the musical sequence of Southland Tales. Playing a disfigured Iraq War veteran, pop singer Justin Timberlake drunkenly belts out a version of the song “All These Things that I’ve Done.” After dancing with interchangeable uniformed nurses that appear to have stepped out of a Busby Berkeley musical, he stares directly at the camera then takes a sip of beer. As he drinks, the lyrics continue to play on in the soundtrack and the film exposes not only the artifice of genre, directly the musical and indirectly the noir, but that its well-worn conventions have been rendered inadequate. These moments of a shaken diagesis, however, are always temporary. Like Timberlake’s song, the tales continue onwards despite the fissures in the form, prompting us to ask: Is the narrative of rupture that these moments exemplify a deception of sorts? These noir films show a vision of rupture while simultaneously bringing to light forgotten continuities between this time of trauma and those before it. The films recall the argument, presented through the work of controversial political theorist Carl Schmitt, that states of emergency only bring to light already existing operating principles of the political realm (Varon, Bringing the War Home, p. 284). In terms of this argument, one might say that we live in a noir-reality, and the present state of emergency only accentuates this fact. For further elaboration of Schmitt’s views of politics in relation to a legal system

The challenge of the male hegemony that this idea represents can be gleaned through the more subversive aspects of the Rambo icon. The Vietnam veteran has a marked disdain towards the military apparatus, working alone and ignoring orders from above. He is at once all-powerful and impossible to control. Further compounding his antiauthoritarian nature, Rambo is a mix of German and Native American. He contains the guerrilla potency of a marginalized people as well as the military efficacy of a domineering state power. At his core, Rambo has an unassimilable quality that Lynch briefly brought to the fore. A female Rambo represents a new entity that may not be controllable by the established strictures of the military, thereby forcing a paradigm shift in the conception of women as either victims that the military must rescue to give its mission meaning or as mere objects that it can manipulate. Rather than confront the full implications of this femininity that incorporates the feminine features of masculine strength, the finale in the drama of Jessica Lynch permitted a reinforcement of the idea of weak femininity prominent in military discourse. Once Lynch was found, all mention of her being a female Rambo ceased.

Contemplating the significance of the Lynch narrative as it relates to establishing a deeply gendered view of the Iraq War in “The Militarization of Gender and Sexuality in the Iraq War,” gender scholars Lindsay Feitz and Joane Nagel focus on moments that reveal the artifice of the damsel-in-distress construction. They probe moments that unveil the icon of Lynch to be a starlet in the big-budget production that was the Iraq War, including the testimony of an Iraqi doctor present at her rescue. The medical professional stated that “there were no [Iraqi] soldiers in the hospital… it was like a Hollywood film… they made a show for the American attack on the hospital resembling action movies like those of Sylvester Stallone” (qtd. in Feitz, “The Militarization of Gender and Sexuality in the Iraq War,” p. 207). His testimony reveals Lynch’s rescue to be a choreographed finale to showcase a weakened femininity. The doctor’s fleeting reference to Stallone, best known as the aforementioned war figure Rambo, emphasizes that the Lynch narrative showed a military reabsorbing the violent strengths of the cinema icon and asserting that his command of fatal force remained firmly in a masculine domain.

In the essay “Klute 1: A Contemporary Film Noir and Feminist Criticism,” Christine Gledhill ponders whether a woman’s discourse manifests within film noir and offers a summary of the key thematic and aesthetic features of classic film noir, many of which *Sin City* reworks. The presentation of Nancy in the saloon from Hartigan’s point-of-view mirrors Gledhill’s assessment that the noir woman “is filmed for her sexuality. Introductory shots, which catch the hero’s gaze, frequently place her at angle above the onlooker” (p. 32). The very superior visual position of the noir woman suggests the power that her sexuality has over the male protagonist. Ayako Saito’s essay “Occupation and Memory: The Representation of Women’s Body in Postwar Japanese Cinema,” detailing several iconic films that thematize the lives of female erotic dancers in post-war Japanese cinema, gives a salient framework to consider the ambivalent space that the stripper Nancy occupies, both sexually empowered and objectified by the onlookers. Saito argues that the body of the stripper, an entertainment figure brought to Japan with American occupying forces, captured “the contradictions of defeat and occupation” and reflected Japan’s emasculated men and newly liberated women (“Occupation and Memory,” p. 330). She finds that “the sheer cinematic presence and power of the lively dynamic bodies… subvert the potential objectification of their bodies” (p. 339). Her formulation speaks to the strength of Nancy as she inhabits the focal point of the scene, seen less as gazed-upon dancer and more as dominant puppet master.

How the act of faking functions as an unexpected avenue for power echoes Chancer’s evaluation of the sense of control that prostitutes can, in her argument, obtain when they fake pleasure with a client. Such role playing offers the prostitute “the power of secretly knowing that what to him appeared authentic may have been to her actually ridiculous and revolting” (“Prostitution, Feminist Theory, and Ambivalence,” p. 163). Consciously enacting the tropes of pleasure, by this argument, highlights the underlying absurdity of the patriarchal system and the expectations of those at its heights. The sex worker can adopt a position of insight into both the man and her own position. The film demonstrates that the codified gender roles upon which the patriarchy relies can be exploited by women. Nancy finds ways, such as her knowledge of reasonable reliance, to subvert the subjugated position she finds herself in, using the lowered expectations that such classically feminine roles engender to manipulate others.

The defeminized presentation of the judge in this shot is consistent with feminist arguments that assert that female entrenchment in the highest echelons of masculine power structures does nothing to challenge their root patriarchal foundation. Instead, such a process, as detailed in the study by Orna Sasson-Levy concerning officer trainings of
In an examination of Wonder Woman and her various transformations alongside the feminist movement in America, “Wonder Woman and the Reinvention of the Feminine Ideal,” Kelli Stanley articulates the mythic roots of the heroine, alluding to her subversive edge as well as her inextricable connection with the very sort of sadomasochistic power practiced by Gail and her real-world equivalent Lynndie England. Created in 1940 by William Moulton Marston, the superheroine who tied her male enemies in the Lasso of Truth embodied his beliefs that “women are inherently superior to and should dominate men” (Stanley, “Wonder Woman and the Reinvention of the Feminine Ideal,” p. 146). Marston fervently believed that such dominance represented a key step in female emancipation. To free themselves from the bonds of male patriarchy, women had to uncover their inner dominatrix. According to comic book lore, Wonder Woman came to the United States from a mythical paradise island inhabited exclusively by divine Amazonian women. Stanley argues that in antiquity, Amazonians functioned as the symbol of the Other, whose very presence in popular culture buttressed the established order (p. 145). Aspects of this subordination exist in the traditional costume of the heroine, who problematically teetered between master and slave, bound by her lasso as often as she bound others.

Stanley finds that the metal bracets create the fantasy of a reconquest, a tangible reminder that this supreme vision of feminine power can be cowed (“Wonder Woman and the Reinvention of the Feminine Ideal,” p. 163).

Revealing the intention of this rendering, in The Dark Knight Returns (1986), Frank Miller draws metal bracelets on a prostitute dressed up as Wonder Woman who had been savagely beaten (p. 135). This drawing indicates that the artist and co-director Miller is keenly aware of the significance in switching the composition of the bracers as a mark of the liberated and dangerous quality of these women.

Such careful references to established heroes and icons that push their oft-unconsidered morally problematic dimensions into view are a hallmark of Miller’s work as an auteur. The aforementioned The Dark Knight Returns highlights the fascistic dimension of the vigilante Batman. According to Mike S. Dubose in “Holding Out for a Hero,” an essay on superheroic vigilantism during the Reagan era, Miller ends his influential tale by positing that the “new role of Batman is as the leader of an alternative system of justice not opposed to the system but removed from it” (p. 923). Such a concern for alternative forms of justice is deeply entrenched within Sin City, expressed by the women of Old Town, but elsewhere Miller more fully explores how such alternatives conflict with the patriarchy within the noir tale. He would go on make that the central concern of his critically acclaimed 300, documenting the clash of civilizations between the Spartans and the near-Eastern Persians. Later in this chapter, I will articulate how the threads of this work are deftly sown in the earlier Sin City. Miller’s oeuvre offers monumental visions of mythic heroes that are recognizable but transformed. As his contemporary, comic book writer Alan Moore, put it in his preface to The Dark Knight Returns, in Miller’s comic book universes, “Everything is exactly the same, except for the fact that it’s all totally different.... The values of the world we see are no longer defined in the clear, bright, primary colors of the conventional comic book but in the more subtle and ambiguous tones” (Moore).

With streaks of solid black ink, just as he brought out the oppressive potential of Batman, Miller brings the inherent contradiction of the femme fatale to light, revealing how constrained the icon of empowerment remains to masculine ideals or, worse, male fantasies. In the original comic book edition, there is a canny awareness on the artist’s part of the inherently misogynistic edge of such imagery. A vignette from the tale “That Yellow Bastard” includes a self-professed art photographer, whose work has won “all kinds of awards,” asking permission to photograph a stripper heroine (p. 14). In his initial appearance in the background, the art photographer stands in the same visual plane as the villain, the titular Yellow Bastard, a composition that suggests the award-winning artist Miller is aware that he skirts very problematic territory: luxuriating in the objectified feminine form under the guise of pulp art (p. 10). The scene’s self-awareness demonstrates Miller’s sensitivity to the dangers of the titillating form, since it risks undercutting the series’ complex imagining of female empowerment in a warlike setting by turning these autonomous subjects into gazed-upon objects.

Gail’s humorous braggadocio at the mention of her collection of handcuffs brings to mind feminist assessments concerning the empowering possibilities of sadomasochism. Within an exploration of the psychology behind the
fetish, “Feminist SM: A Contradiction in Terms or a Way of Challenging Traditional Gendered Dynamics through Sexual Practice?,” Ani Ritchie and Meg Barker find that female practitioners are often drawn to role-playing precisely because of its satirical dimensions. Sadomasochism permits a “parodying sexual relations considered as traditionally subjugating, oppressive and exploitative of women” (p. 5). Parody is power. In that same vein, does the hyper-exaggerated Sin City consciously parody the conventions of noir in order to highlight the viewer’s own complicity in sustaining visions of women as objects?

With visual emphasis on the badge along with the repeated mentions of territory in the scene, the space of Old Town is made synonymous with the Old West, where justice and violence were inextricably linked. As mentioned previously, the hero Marv suggests that Sin City’s present state of war represents a return to a time when it was “blood for blood and by the gallon,” to “the old days.” In this setting that functions as the ultimate temporal mélange, many of the Old Town women wear the outfits of gunslingers. Belying the women’s place on an urban reservation of sorts, does their symbolic appropriation of Western iconography insinuate that the men are the true savages of this universe? I will further consider the implications of the use of such Western tropes in the next chapter.

In a genre study titled In a Lonely Street: Film Noir, Genre, Masculinity, film scholar Frank Krutnik provides a salient summary of the noir woman’s transfixing potential, writing that such tales present “the woman as erotic object, as a glorified body of awesome excitation which poses [a] danger of overwhelming male rationality” (p. 69).

In the essay “Theses on the Questions of War: History, Media, Terror,” anthropologist Rosalind C. Morris links the discourse of British colonization with the U.S. war in Afghanistan by arguing that the endeavors were underpinned by the same mission, where “white men save[e] brown women from brown men” (p. 162). Women were the fulcrum upon which colonial violence operated, the wounding of their bodies emblematic of the colony’s broader supplication to the metropole. Morris finds that the war in Afghanistan was validated and propelled by a narrative of emancipation centered upon Afghani women “tearing off their veils” (p. 162). Both colonization and the twenty-first-century conflict spectacularized the woman’s body, transforming it into a show that articulated either the depths of colonial subjugation or the heights of freedom permitted by the U.S. military. Allegorically grappling with England through the smiling leather-clad Gail, Sin City asks: what are the stakes when the body of the perpetrator and not the victim becomes the show? Does that validate the brutality of the war mission just, as Morris finds, it sustained the violence of colonial terror?

Commenting on the covert use of fake menstrual blood by female soldiers to psychically break prisoners at Guantanamo Bay, a revelation that was leaked to the press, Oliver argues that the bodily fluid “has become a top-secret interrogation technique” (“Women: The Secret Weapon of Modern Warfare,” p. 4). She finds that the blood may threaten the male subject for how it “provokes fears of women’s procreative powers” or for how it “conjures the maternal body as an uncanny border and ultimate threat to individual autonomy” (p. 4). Such effects of blood resonate with the shot of Gail where the film’s explicit call of “women’s blood” is juxtaposed against a framing that emphasizes her armed dominatrix uniform. Oliver’s reading, working from Freud’s assessment of the uncanny, also provides a salient view into the metaphoric features of the vignette’s climactic scene where the invading male forces are destroyed within an Old Town alley.

The full subversive weight of this connotation can best be understood by a brief reflection on the critical response to 300’s portrayal of the brave Greeks fighting against the foreign hordes. Upon the film’s release in 2007, critics found that the hyper-exaggerated work reflected the jingoistic rhetoric that defined the Iraq War and that underpinned broader conceptions of the U.S.’s relationship with the Middle East. Conservative commentator Bill Walsh, writing for The Weekly Standard, considers the myth of the three hundred Spartans to be vital to Western national identity, as the liberated Spartans’ “sacrifice helped preserve the notions and institutions which blossomed into the glorious civilization eventually built on Greek formulations” (Walsh, “True Thermopylaes”). Finding in the tale an allegory about preservation of freedom in the face of a despotic near-Eastern threat, critics like Walsh labeled 300 to be the quintessential cinematic representation of Bush’s war in the Middle East, one that rendered glorious the president’s ideals that championed the spread of democracy. Although I find that that the critical establishment read 300 far too simply, much as it did Sin City, Walsh’s allegorical assessment is useful for clarifying the symbolic force of linking the women with the Spartans and the men with the Persian enemy forces.

This chapter employs allegory as an extended aesthetic metaphor that assists in concretizing the abstract systems that govern everyday life. Such a conceptualization has roots within both Walter Benjamin’s and Fredric Jameson’s
later use of the term. Benjamin’s conception that allegory can “blast open the continuum of history” and “seize hold of a memory as it flashes up at the moment of danger” points to the destabilizing potential of metaphorical representations during a state of emergency (“Theses on the Philosophy of History,” pp. 262, 265). In The Geopolitical Aesthetic: Cinema and Space in the World System, theorist Fredric Jameson finds that the wider capitalist system cannot be encompassed in any other form but allegory, as it “allows the most random, minute, or isolated” elements “to function as figurative machinery” (p. 2). Zodiac then stands as an allegory that comments on the simplistic yet powerful mythic narratives, stemming from genre forms, that influence not only how the War on Terror is conceived by the public but how it is fought by state actors.

Michael Mann’s 2008 Public Enemies tracks the genesis of this mind-set in its portrayal of the FBI’s manhunt for bank robber John Dillinger, emphasizing the cinema’s crucial role in mythologizing Bureau Chief Hoover and his agents as intrepid heroes who chase down their targets in the shadows. The film portrays Hoover as obsessed with sculpting his media image. One scene cuts from the FBI chief delivering a speech to his image on the big screen, reinforcing that the G-Man ideal was created in the movies. Hoover moves in front of the press’s cameras to induct a new generation of “junior G-Men.” The film next frames a group of children wearing crisp suits. The film then transitions into a black-and-white aesthetic that evokes the look of newsreel stock, using the color shift to transition into the cinema, where Dillinger and his gang plan their next heist. The youths present in the scene metaphorically underscore the indoctrinating effect such early public relations campaigns had upon the psyches of future FBI agents who were weaned on the myths that Hoover helped create, in which direct action, not analysis, was praised.

Famously, the character of Dirty Harry ignores policy and legal guidelines in his violent pursuit of justice. At one point in the 1971 film, he declares, “The law is crazy.”

It is important that these are the words of a man under whom both Dick Cheney and Donald Rumsfeld served their formative years in government. What kind of executive did this paranoid executive envision, and how did his disciples go on to promote his ethos in the post-9/11 era of surveillance-oriented legislation marked by the U.S. PATRIOT Act of 2001?

Whereas the cartoonist implicitly envisions himself as a Henry Fonda figure in a noir world, President Nixon relished the image of an embattled but principled General George S. Patton in the 1970 biopic starring George C. Scott. Nixon was said to have watched the film twice before deciding to invade Cambodia (Wheen, Strange Days Indeed, p. 20). For a brief overview of Nixon’s adoration of Hollywood, consult chapter 1 of Francis Wheen’s history of the seventies: Strange Days Indeed: The Golden Age of Paranoia.

With the director’s cut of Zodiac, the sequence that follows the movie theater scene is an extended sonic montage that illustrates the passage of four years, with sound cues from both popular music and current events. Through the use of a blank screen, the film positions the contemporary political universe as an overwhelming cacophony, implicitly situating the mass art of cinema as the vehicle that brings coherence both to broad political transformations and, in presenting President Ford’s declaration of his absolute pardon of Richard Nixon, to the executive’s elision of the legal landscape.

Indeed, where once Obama was visualized as a peer of Spider-Man on a January 2009 comic-book cover, late in his first term, the White House released a photo of Obama caught in the hero’s web (Bicker). Such a photo, though delivered with humor, suggests that the Obama presidency grew to understand the stifling possibility of a mythic discourse and how it can trap a president within an impossible ideal. At the same time, the official photograph actually posits Obama as a villain in relation to the web slinger, obliquely signaling how his realist wartime policies transformed his image from a Bush alternative to a mere continuation.

As so succinctly put by his arch-nemesis the Joker, a terrorist figure who emerges as a result of the hero’s extralegal practices, “Batman has no jurisdiction. He’ll find [the wanted man], and make him squeal!” Employing such
legal language, Nolan cannily reconstitutes the superhero convention of omnipresence into an example of the hero’s disavowal of the law as an effective check on his power. The Joker’s discourse evokes the oft-criticized framework used by the Bush and Obama administrations that the War on Terror has no boundaries and is global in its breadth. In an article on Obama’s secret Kill List, New York Times journalists Jo Becker and Scott Shane note, “Justly or not, drones have become a provocative symbol of American power, running roughshod over national sovereignty and killing innocents” (Becker and Shane) The Nolan films often push for a reevaluation of this unbounded American power; however, that the villainous Joker delivers the most salient indictment of Batman’s rules of engagement also point to the limits of critique within a genre mode. Can post-9/11 superhero cinema, often toeing the line between skepticism and a wide-eyed wonder toward its heroes’ abilities, provoke a sympathy toward, or at least an intellectual understanding with the figure marked as supervillain thereby productively troubling the Manichean construction that has defined and justified the War on Terror? Nolan’s films in particular provoke such inquiry.

The post-9/11 superhero films like the superhero comics, can fruitfully be divided between those featuring the superheroes of the two largest American publishers: DC Comics and Marvel Comics. Although they both tell stories about popular heroes, there exists a key aesthetic distinction between the two modes that stems from their comic book roots—namely, DC stories are typically set in an allegorized America, while Marvel tales take place in a more recognizable United States. Whereas Marvel has New York City, for example, DC has the gothic Gotham City. The end result is that DC films, presenting the mythic exploits of icons like Batman and Superman, tend to be more outwardly skeptical of institutions of power, of the military and law enforcement. It is as though the added allegorical distance permits for more ambiguity and ambivalence. The opening credits of Zach Snyder’s 2009 Watchmen, a sprawling adaptation of Alan Moore’s well-regarded 1986 superhero satire, embodies this attitude. Paired with the Bob Dylan protest song, “The Times They Are a-Changin’,” the sequence presents a series of quintessentially American historical achievements and traumas (the dropping of the Atomic Bomb, the assassination of John F. Kennedy) with images of superheroes. By presenting superheroes as agents of such trauma, be it as pin-up model on the side of the Enola Gay or the assassin in the grassy knoll, the film posits the superhero form as one well-equipped to express national trauma. Concurrently, even though Watchmen is exceptionally set in the “real” world, typically the domain of Marvel, the sequence offers a frank, DC-like assessment that such heroes are complicit in and offer a bearable gloss to state violence. The lyrics of Dylan, whose words “Come senators, congressmen. Please heed the call. Don’t stand in the doorway. Don’t block up the hall” are juxtaposed against a wide-shot of tied-up criminals that appropriates classic Batman iconography, denoting that the form can also serve as potent site of critique. Here, Snyder concisely expresses what my dissertation finds is essential to the genre forms under review: the superhero stands a genre whose intrigue lies in how it simultaneously colludes with and indicts the practices of the powerful.

Of course, the DC/Marvel distinction I draw should not at all suggest that the more explicitly jingoistic Marvel films are simplistic pop cultural texts that blindly valorize the establishment. For instance, in Marvel’s 2014 Captain America: Winter Soldier, the titular hero goes to meet his love from the 1940s, Penny Carter, in hospice. While the WWII veteran Captain America has been perfectly preserved, having literally been frozen in time, his damsel is now decrepit. Carter sees the stridently principled hero through the haze of her dementia, suggesting that only delusion lends any sense to his presence in a seemingly unprincipled world. Through this scene, where both parties struggle with those who stand before them, the film articulates the over-riding absurdity of such an ideal-driven hero in our current geopolitical climate. Marvel films crackle with these kind of destabilizing counter-narratives.

In his study of Obama’s foreign policy team, The Obamians, journalist James Mann notes, “While the Obama administration rejected the Bush administration’s rhetoric about a “global war on terror,” the change seems to be mostly decision not to put those words together anymore while still preserving the concepts and using each of the words separately” (Mann 109). Mann’s conclusion, of the Obama’s lack of substantial shift in policy in regards to its fight on terrorism, was echoed by former Vice President Dick Cheney who found “I think he has learned that what we did was far more appropriate than he ever gave us credit for while he was a candidate” (qtd. in Mann 115)

While critics and legal scholars often cite Obama’s continuation of Bush-era policies (i.e. the unceasing operation of the Guantanamo Bay prison camp), I find that their most crucial parallel feature manifests in the language of new policies created to dictate the controversial practice of targeted killing through drones. Operating terms are defined so broadly as to place executive practice within a very exploitable muddle. Whereas the Bush team used identifications like “enemy combatant” to sidestep established protocols of war like the Geneva Conventions, in relation to targeted killing, Obama’s policy makers employ anomalous terms so the legal limit of such practices is little more than a façade of control. One operating principle used to make the decision on whether to execute a target
is the ‘imminence’ of the threat; however, as legal scholar Jeanne Mirer notes in her analysis of the legality of extrajudicial killings, “to justify a targeted killing, [Obama lawyers] are arguing for a definition of imminence so broad as to render the term imminence meaningless” (Mixer 152). How can these films showcasing a billionaire Batman fighting street thugs or an Iron Man exterminating nameless Near-Eastern militants, so invested in asymmetric power, visualize the post-9/11 executive’s lack of constraint and proportionality in its fight against terrorism? For a revealing break down of the amorphous terminology employed by the Obama Administration in relation to counterterrorism operations in her essay “US Policy of Targeted Killing With Drones: Illegal at Any Speed” in Drones and Targeted Killing: Legal, Moral, and Geopolitical Issues (Ed. Marjorie Cohen. Northampton, MA: Oliver Branch Press, 2014), pp. 135-168.

Comic book sales were extremely high during the war. Not only was an estimated 84% of youths aged 12-17 reading these comic books each week, soldiers also devoured them, as they represented over 28% of all books shipped overseas (O’Rourke 114). For more information about early comic book popularity, see Dan O’Rourke’s essay, “The Transcreation of a Mediated Myth: Spider-Man in India” (Wandke 112-128).

Alejandro González Iñárritu’s 2014 Birdman: Or (The Unexpected Virtue of Ignorance) offers a deft meditation as to why the superhero genre now is what one critic describes as the nation’s new ur-text, replacing the Western (Baron). Directly citing the attacks with nightmarish image of a burning bird, or man (or is it a plane?) streaking above New York City, Iñárritu uncovers a strand of weakness woven into the genre’s fabric. The satirical film asks: is the current infatuation with this genre a signal of a widely-held desire for escape? Or is it only in this mode of strength where American weakness can be even momentarily confronted? The valence of weakness in superhero mythology is expressed within one of the film’s closing images. Its mad hero, the former onscreen superhero Reegan Thomson, stares through bandages, and his bruises act as a substitute for the black makeup underneath the eyelets of the cinematic superhero's mask. Birdman shows that a wound underlies the iconic myth and lends it a transfixing vitality.

The testimonies of comic book creators as well as various comic book materials produced in the aftermath of 9/11 demonstrate the sizable impact the attacks had on the representation of superheroes. Speaking about his 2004 comic book series Identity Crisis, where DC heroes were notably attacked and brutalized in their homes, author Brad Meltzer notes, “Without question, Identity Crisis was a reaction to 9/11. The Norman Rockwell picture of America and firemen and policemen was shattered. And so the popular culture goes too. It was weeks after I began the series, determined to remind people of that humanity in heroes” (qtd. in Marano 82). Shortly after the attacks, both companies released non-canon anthologies for 9/11 charities where their various heroes reacted to the attacks. While a key theme of these works was to underline that the true supermen were the policeman and fireman New York, presenting what Meltzer calls the ‘humanity in heroes,’ many of the vignettes evoke a sense of total shock that suggest the inability of the superhero form to fully encompass a traumatic event of such magnitude. One emblematic portrait shows Daily Planet photographer, Superman’s colleague Jimmy Olsen, looking up at what is presumably the World Trade Center. Since his trademark camera is held at his mid-section, the reporter who enthusiastically framed the many fantastical exploits of the Superman seems unable to bring his camera to capture the attack on American soil. Much as Iñárritu does in his above-mentioned Birdman, with its numerous shots to a burning entity streaking across the night sky, the image knowing plays with the catchphrase, “Look up in the sky! It's a bird! It's a plane! It's Superman!” In a post-9/11 world, the drawing of Olsen looking up shows, the sky, the wondrous domain of the quintessential American superhero, has been tainted with horror.

9/11 iconography is present throughout recent superhero films as well. In The Dark Knight, Batman solemnly stands within the ruins of a building destroyed by the bombs of the terrorist Joker. More strangely, it references the blue beams of light of the World Trade Center monument via the blue beam of his signature Bat Signal, a beacon that the police commissioner traditionally employs to call the hero. Rather than shooting straight up into the night sky like the WTC monument, the beam of the Bat Signal projects diagonally, suggesting a genre form that can uncover an America that has been somehow skewed and distorted by the attacks.

Later on in this chapter, in my discussion of how Batman-alter ego Bruce Wayne rejects the televsual representation of state violence, I will offer a counter-reading of Superman’s inaction.
Although Doane defines crisis as an often political form of catastrophe, often shorter in its duration and demanding of human agency, she admits in a post-script to the essay that news coverage of the September 11 attacks "blurred the already fragile line between catastrophe and crisis... transforming a political act into something with the proportion of a monumental natural disaster (as a grandiose battle between abstractly good and evil), at the expense of any more nuanced attempt at historical explanation" (Doane 262). In the above discussion of her argument, given her blurring of the two terms in the post-9/11 context, I employ them interchangeably. This chapter, building upon Doane's awareness of the reductive force of a catastrophic register, investigates whether or not such spectacle might re-inject nuance and provide a historical anchor to ground our understanding of the present state of emergency and how it might manipulated by those in power.

The pop culture-saturated commentary of Clinton and her colleague suggests the long-entrenched idea about war's imbrication with spectacle. In The Ultimate Spectacle, Ulrich Keller argues that the Crimean War was one driven by notions of the aesthetic. Early on in his study, he calls the conflict an "eminently picturesque war" (Keller 1). Representations of the war sought to create a beautified and glorious façade to the often bloody imperial endeavor. Servicing as historical forerunners for the Obama officials who viewed the killing of Osama bin Laden through the lens of a Jerry Bruckheimer film or an episode of the action television series 24, British officers in the Crimean War saw battle as analogous to a London ball. Keller writes that the British officer’s association of the war with a formal dance served as a potent psychological defense as such language allowed for “the business of killing and dying [to be] rendered bearable to well-bred gentlemen” (Keller 8). While the military crafted war into a beautiful and stimulating entity, the news reportage reinforced and perpetuated such views. Reporters intended to manufacture “a war that was from beginning to end constituted as a spectacular performance” and which could become an object of mass entertainment (Keller 7; Keller 38). Accounts from Crimea, in prose and image form, intended to transform the clash between armies into accessible mass entertainment (Keller 38). Within that 19th century war, image and style was all. Superhero films, infused with monumental special effects and so often rendering grand battles bloodless to an almost an uncanny degree, expose this truth about the nature of war. Moreover, Keller's study serves as a valuable if troubling reminder that conflict in its conceptualization is as akin to, if not more-so, a superhero picture than more 'authentic' envisioning like Steven Spielberg's 1998 Saving Private Ryan or Katherine Bigelow's 2009 The Hurt Locker. The stakes of this seeming disjuncture between the human reality of conflict and its epic sheen will be explored in this chapter. For further elaboration on what Keller describes as the first mass-mediated war and its still relevant lessons, see the first chapter of The Ultimate Spectacle: A Visual History of the Crimean War (New York: Routledge, 2001) pp. 1-40.

Besides offering a useful reading of the film’s terrorist plot as a spectacular reenactment of the 9/11 attacks since both center upon the collision of a mode of transport into skyscrapers (the Headquarters of Wayne Enterprises standing in for the World Trade Center), film critic Michael Marano offers a new historicist account that links the creation of the League of Shadows and its head Ra’s Al Ghul in the pages of the Batman comic books to the terrorist activity of the early seventies (Marano 81). As a figure, Ra’s “bring[s] the kinds of conflict fomented by Black September and Baader-Meinhof into the familial conflict of ancient Greek and early modern tragedy" (Marano 79). This paternal relationship to terrorism, central to post-Vietnam iterations of the character, shows that the terror that Batman inspires in his enemies can be fruitfully perceived through the prism of political critique, as a kind of terrorism. The chapter explores the stakes of this correlation within a post-9/11 world where the terrorist has been figured as the nation’s enemy. For a more detailed account on the historical influences upon the characterization Ra’s Al Ghul as well as Batman’s terrorist formation, see Marano’s "Ra's Al Ghul: Father Figure as Terrorist" in Batman Unauthorized: Vigilantes, Jokers, and Heroes in Gotham City (Eds. Dennis O'Neil and Leah Wilson. Dallas TX: BenBalla Books, Inc, 2008. pp. 69-84.

As frequently mentioned in the trilogy, Batman follows one rule that sets boundaries on his war on crime—he will not kill his enemies. Rather than being in anyway substantially restricted, legally speaking, his rules of engagement resemble the Bush administration's notoriously limited definition of torture, as expressed within Assistant Attorney General Jay S. Bybee's 2002 memo on The Standard Conduct for Interrogation a.k.a. The Torture Memo.

Leaked to the press in the year preceding the film's release, Bybee's memo accomplishes the following: defines torture, presents precedents for the administration's very narrow framing, stretching back to the Reagan administration, and posits potential legal defense for its interrogators. Bybee states that, "Physical pain amounting to torture must be equivalent in intensity to the pain accompanying serious physical injury such as organ failure, impairment of bodily function, or even death" (Bybee 317). Under that definition, the Bushing administration and
the extralegal vigilante share a parallel governing code. Bybee takes pains to argue that physical violence is allowable upon the interrogated subject. He reads the Convention Against Torture, which the United States is a signatory, as defining torture as on "the furthest end of impermissible actions, and that it is separate from the 'cruel, inhumane, or degrading treatment or punishment'" (Bybee 330). The latter kind of treatment does not carry with it, he finds, the sort of "criminal penalties and the stigma of torture" (Bybee 330). For such procedures to count as forms of psychological torture, instigating "profound mental harm," under Bybee's argumentation, the actions "must disrupt profoundly the sense of personality" of the subject under interrogation (Bybee 322; 325). In the second film, *The Dark Knight*, Batman meets the Joker in a police station's interrogation room. After the hero punches him face, the Joker admonishes the superhero reminding, "Never start with the head, the victim gets all fuzzy. He can’t feel the next [hit]." The scene, in which the murderous joker adopts the language of the knowledgeable teacher, blends their forms of violence together while underscoring, through its setting inside a police station, a center of executive power, that Batman employs techniques of interrogation that Bybee defends in the memos and which the Bush administration used on its own suspected terrorists. Through this scene with the Joker, whose fluorescent-light filled mise-en-scene suggests an intended exposure of the typically shadowy hero's protocols, Nolan shows a marked interest in finding how Batman’s methods of fighting resonate with contemporary debates surrounding executive excess.

Using the Bybee framework as critical lens, we can ask: does Batman commit acts of torture? Regarding the hero's physical brutality, the scene of interrogation described above stands as a definite possibility. Bybee writes that a measure to judge torture is whether or not death seems imminent ala Russian roulette (Bybee 227). Batman's trap appears designed to cultivate such a tenuous position. Regarding the hero’s techniques crafted to terrorize, the mobster who instructed Bruce Wayne about the power of fear is sent to an asylum following his first meeting with Batman. During the confrontation, the hero straps the criminal up to a fog light in an oddly corporeal, victim-centric staging of the Bat Signal. The Caped Crusader clearly has a profoundly disruptive effect on the mobster's personality, driving him to madness. Even under the Bybee formula that offers an admittedly "aggressive interpretation" of the concept to lend its interrogator a very wide and un-prosecutable latitude, Nolan’s Batman tortures (Bybee 334). What, this chapter asks, are the critical possibilities in such a rendition of Batman? In moments denoting the dread of the criminal whose perspective the camera shares or in the piercing insights of the Joker, *The Dark Knight* trilogy renders fear into a blinding weapon, one that dramatically and enlighteningly muddles the line between hero and villain.

Regarding this particular aesthetic feature, Christopher Nolan notes, "We spent a lot deciding how much of Batman to show, how much of his fighting to show. I always look to a representation of Batman from the criminal's point of view, so that you would see less of him. You would see him as more frightening... more animal-like" (*Shaping Mind and Body*). The film is invested in presenting us a superhero-as-beast thereby revealing and troubling our expectations regarding the kind of hero we valorize.

The series returns to this scene’s staging in the climax of *The Dark Knight* where Batman catches the Joker with a grappling hook as the villain is falling to his death, with one striking and important difference. Whereas in the first scene the camera frames the corrupt cop upside down, delineating its distance from the character, he exists on a separate plane, in its reiteration, the camera slowly turns, so that the Joker is framed right-side up thereby signifying how the film identifies with the trickster who rants that the populace of the American city will lose their minds, and presumably their morality, when “their spirit breaks completely.” How the Joker holds such sway on the film’s formal construction lends weight to his opposing ideology that works to expose the core hypocrisies of the hero and the order he upholds (can probably be moved to the Joker section).

Christopher Nolan’s own articulation of the formal logic behind the scenes of combat in the film underscore the intended critical dimensions of the superhero film. He notes, "We want to take [the fighting] back to a grubbier place, a place where you feel the punches a bit more, and you're actually a bit more concerned about the violence onscreen. There has been, I think, an excessive use of wire-work and martial arts to the point where violence loses its threat… and you become a bit comfortable watching it in that way" (*Shaping Mind and Body*). His words demonstrate how the film seeks to provoke distress and a more thoroughly engaged viewer so that the threat of violence might be seen anew and make one uncomfortable. The film, in its presentation of a more corporeal, less clinical representation of brutality, wonders if the means the hero employs to achieve his desired ends to save the city represent their own kind of societal threat.
Testifying to Congress in 2002, the head of the CIA Counterterrorist Center Cofer Black emphasized the shift in thinking within the executive branch when fighting the War on Terror. He admitted, “This is a very classified area, but I have to say that all you need to know is there was a before-9/11, and there was an after-9/11. After 9/11, the gloves came off” (Priest). Black admitted that the policy against terrorism transformed after 9/11. Guiding legal precedents like the Geneva Conventions were rendered moot by the attacks. Standing tall after the explosion, in shadow, with the shredded law enforcement papers shining in the light, the film evokes a terror toward the villain while denoting the impotence of the legal strictures that he so effortlessly destroys. Detonating his improvised explosive device using the cell phone he received from the police, after demanding his rightful one phone call, further positions the Joker as a terrorist ready to show how the law can be twisted and harnessed.

Critics of the PATRIOT Act have lamented how, by expanding the definition of ‘terrorism’ to cover domestic activity, the law gives excessive power to the state to arrest anyone they care to define as political dissidents. The ACLU asserted that the actions of protest groups like Greenpeace now fell under the expanded term (“How the USA PATRIOT Act”). “Terrorists” might effectively be anyone, whether or not they harbor violent intentions toward the United States and its people. This lack of definition also applies to the term ‘enemy combatant’, which Bush used in his executive memos establishing the rules for the “War on Terror.” Commenting on this notoriously vague identifier for non-uniformed foes captured in war, legal scholar Gabriel Rona sardonically noted that “efforts to pin down the administration’s workable definition of ‘enemy combatant’ have resembled a game of Whack-a-Mole and Three Card Monty combined” (Rona “Legal Issues” 245). Loose definitions of enemies permitted the administration to sidestep legal precedent and indefinitely detain whomever fell into these broad categories. How the Joker in this film, and how villains throughout the trilogy, easily adopt civilian clothes is not just a demonstration of the omnipresence of terrorism; rather, given that the trilogy is largely from the paranoid perspective of the wealthy Bruce Wayne, it suggests a new legal reality where the spectator, just an ordinary face in the crowd, is suspect. I elaborate further how Nolan’s superhero films engender a bifurcated position of the viewer in my later discussion of surveillance in *The Dark Knight*.

This moment in the interrogation room stands as the most explicit parallel made between Wayne/Batman and the Joker. Their physicality and mannerisms are linked throughout the film. At a party, Wayne clandestinely toasts out his champagne, while the Joker does the same, albeit far more publically, when he takes a champagne from a glass. Just as the hero speaks in a growl when wearing his mask, so too does the usually lilting villain when he commands the copycat Batman to “Look at me!” Does the film, via these conflations, command the viewer to look closer at the philosophical parallels between the two beings who seem, at first, to be opposed?

Indeed, how the film encourages the spectator to flutter between jailed and jailer, between marginalized and central, suggests the nuanced intersectional work that the superhero film accomplishes. Intersectionality, a branch of identity studies focused on the fluid cross sections that form a subjectivity, offers, in the words of film scholars Vivian M. May and Beth A. Ferri, “a more fruitful intersection of the paradoxes of subjection and agency while also allowing further appreciation of the productive and liberatory possibilities of multiplicity, porosity, and ambiguity” (May 146). Through *The Dark Knight*, the viewer transcends intersections, to move from disempowerment to empowerment. It forces us to see the invisible intersections obscured in the world view of the powerful, and to question the threat of the hyper-intersectional figure, the amorphous menace like the Joker, in a system designed to categorize and compartmentalize subjects. At the same time, in contrast to May and Ferri, the film offers insight into how an amorphous identity might not simply be a tool against the established order, but a tool for it as well, as the state can harness porous definitions of those they deem threats, like the Joker in the film or the enemy combatant in post-9/11 law, to further expand its reach. For a rich account of how an intersectional framework may show the resistant potential of categories traditionally denoting marginalization, see Ferri and May’s attentive reading of disability in Atom Egoyan’s *The Sweet Hereafter* in their essay “I’m a Wheelchair Girl Now”: Abjection, Intersectionality, and Subjectivity in Atom Egoyan's *The Sweet Hereafter.* *Women's Studies Quarterly*, 30.1 (Spring - Summer 2002), 131-150.

To better appreciate how entrenched the characterization of Bruce Wayne as wealthy surveyor is to the figure’s history, it is helpful to consider some emblematic examples. The Wayne of Tim Burton’s 1989 *Batman* is also immediately linked to surveillance. In a hall of fantastic armors in Wayne Manor, where two reporters mill about, the film cuts to a security camera behind two-way glass thus visualizing such equipment as a sort of armor for Wayne. This precedes a shot of Wayne in front of his monitors, a framing whose every feature—from its initial zoom in upon a blurry screen to its opening up of the billionaire dwarfed by his many monitors—directly homages
Fritz Lang’s 1960 *The Thousand Eyes of Dr. Mabuse*. As an intertext, Lang’s film about the mysterious villain, Dr. Mabuse, who watches a former-Nazi hotel taints the intention of the superhero’s gaze. In Alex Ross and Mark Waid’s acclaimed dystopic rendition of the DC Universe, 1996’s *Kingdom Come*, an older Wayne sits in his Batcave, examining seemingly omniscient security footage of Gotham City and remotely commanding robotic iterations of Batman to stop criminals caught in his sight. Panels in the comic book feature high angle imagery where mechanical vigilantes encircle suspects. Progressively, our view grows more distant so that the criminals appear small and trapped under the spotlights of the machines. The spectral observer of the scene notes, “Batman has his city under control,” Bruce Wayne has aged into an Orwellian even Mabuse-like figure, whose control is interlinked with fear and the city he supposedly protects is now subjected to the wealthy hero’s all-seeing eye. Alex Ross noted that *Kingdom Come* was “an intended kind of metaphor... speaking out that we [superhero creators] needed to connect much more with the real world” (qtd. in Weinland). The unsavory, paranoid aspect of the character comes to the fore in Nolan’s political critique of post-9/11 America and its leadership.

Following the 9/11 attacks, Congress passed the USA PATRIOT Act, which codified many practices related to surveillance that had previously been sanctioned by the judiciary, particularly a loosening of the standards needed to obtain court warrants (Scheppelle 1031). Who could be targeted for surveillance was also expanded, from identified foreign agents to those loosely involved with any international terrorism investigation (Scheppelle 1037). Along with the PATRIOT Act, in 2002, Attorney General John Ashcroft issued guidelines that lowered the threshold required to use intrusive surveillance technology (Scheppelle 1040).

It should be noted that those charged with law enforcement in the film, be it district attorneys or police lieutenants, have a relatively laissez-faire attitude toward legal checks on their power. When the sympathetic DA Harvey Dent gives Batman’s chief ally, Lieutenant James Gordon, warrants of search and seizure on several banks without knowing the reasons for the request, Gordon notes, “In this town, the fewer people know something, the safer the operation.” These men act without any sense of accountability, merely going through the motions of obtaining the proper authorization. Warrants appear meaningless. How different are they, then, from the vigilante Batman? How different are they from an executive liberated by the PATRIOT Act, John Ashcroft’s far reaching guidelines, and the NSA’s surveillance program? Unlike later scenes where Batman surveys the city, the sunny staging of their conversation suggests the innocence of their activity. Not only have the bounds of executive actions been expanded, but so too have, the film insinuates, the audience’s own tolerance for such policies. Only when those excesses impose themselves on citizens does a sense of shock and outcry become formalized in the film.

The rhetoric around drones is saturated with pop cultural references, making it a valuable area for my study invested in the effect of genre models not only on the language of the executive but also on how war is fought. A member of a design team for iRobot, a drone producer with links to the military, found, “We were all influenced by science fiction” (qtd in Singer 164). In response, a colleague at iRobot replied, “Now we are finding that our stuff is getting more advanced than science fiction” (qtd in Singer 164). Recalling the footage of a target taken from a Predator Drone, Pakistan’s Interior Minister A. Rehman Malik exclaimed, “It was a perfect picture! We used to see James Bond movies where he talked into his shoe or his watch. We thought it was a fairy tale. But this was fact!” (Mayer). These various testimonies show that drone designers mine generic inspirations for inspiration and actors on the battlefield conceptualize their impact through a lens shaped by genre’s icons. For a more detailed description of science fiction effect upon drone technology, see P.W. Singer’s finely researched overview about this emerging mode of warfare, *Wired for War: Revolution and Conflict in the 21st Century*. New York: Penguin Books, 2009. For an emblematic journalistic example of how drone warfare is often mediated and understood through a pop cultural lens, see Jane Mayer’s in-depth essay on the CIA drone program, ”The Predator War,” *The New Yorker*. 26 October 2009. Web. 15 May 2015.

The imagery of the gun sight in the sequence pushes for a consideration of the other ways in which the set piece metaphorically evokes drone warfare. While Batman might be an American executive, the presence of white and blue collar American hostages on the boat, whom the Joker offers the possibility of detonating a bomb on an opposing boat full of prisoners while facing he same threat, suggests how the film seeks to trouble distance of drone warfare. Referring to drone warfare de-realizing potential of the drone warfare, analyst Christopher Corker describes "the pleasure of a spectacle with the added thrill that it is real for someone but not the spectator" (qtd in Singer 321). The Joker’s terror plot which frames a philosophical dilemma, showing humanity’s inhumanity in its quest for self-preservation, also works to taint the thrill of this new brand of warfare. He makes such spectacle very real for subjects whom resemble the film spectator. The Joker attempts to make clinical remove impossible.
Furthermore, counterbalancing the optimistic resolution of the plot, where neither the citizens nor the prisoners blow up the opposing side, the citizens vote in droves to use lethal force; however, the consummate spectator of such violence does not have a fortitude to get blood on its hands. Such a twist works to underline the attraction of drones where such violence might be enacted with an exonerating detachment.

Batman’s own infatuation with such technology to combat terrorism presages the enthusiasm of the Obama administration for drone warfare. Speaking to the National Defense University in 2013, President Obama spoke candidly its dangerous allure, “The very precision of drone strikes and the necessary secrecy often involved in such actions can end up shielding our government from the public scrutiny that a troop deployment invites. It can also lead spoa President and his team to view drone strikes as a cure-all for terrorism” (Obama). In their survey of the ethical and legal concerns of drone warfare, “The Laws of Man Over Vehicles Unmanned,” legal scholars Brendan Gogarty and Meredith C. Hagger caution that super heroic aura of drones contrasts a decidedly fallible reality noting, “Drones have largely arisen from the annals of science fiction, and the potential for their mystique to overwhelm the filters of criminal justice is equally strong as it has been in other technological revolutions. Despite their mystique, drones feeds’ are not completely reliable” (Gogarty 131). Nolan both shows us the overwhelming force of such technology and finds way to expose the underlying risks of such inherent fascination.

All of the federal government’s effort to assist the city is marked by reticence, a hesitance to help which has an Othering effect. Due to the national government's passivity, in the view of the skeptical Detective John Blake, "Gotham lives under a warlord like some failed state." The film also presents more micro level rhetorical expressions of the state's dehumanizing view of the city and its inhabitants. This framework is apparent in an exchange with a Special Forces soldier, whose National Emergency relief uniform stuff links him to institutions like the Federal Emergency Management Agency (FEMA), who were oft criticized for its incompetence during the disaster. Referring to the Gotham police who Bane has trapped underground, the soldier mentions "men who haven't seen daylight in three months." Blake barks back, "police officers who haven't seen daylight in three months." Their exchange illustrates that the state sees the victims, even officers of the city, as a mass of humanity. Their present condition of struggle strips the Gotham police of their socially constructed identities. The pessimism the heroes of the film have towards the government’s goodwill is further made clear by Commissioner Gordon's cynical reaction to the American president’s declaration "People of Gotham, we have not abandoned you." Asked to explain the meaning behind that statement, Gordon answers, "It means that we are on our own." Through such touches, Nolan correlates Gotham to New Orleans and frames the state in The Dark Knight Rises as analogous to an ineffectual Bush administration.

The state’s reticence to proactively intervene in Gotham City mediates Bush administration’s condition of supreme and costly inaction in the wake of Hurricane Katrina that, some have argued, was sparked by federalism concerns. As explained by legal scholar Sean McGrane in his essay "Katrina, Federalism, and Military Law Enforcement: A New Exception to the Posse Comitatus Act,” the federal government chose not to lead the situation on the ground and give its soldiers the right to perform law enforcement actions due to fears that they would impose on Louisiana’s rights to state sovereignty. McGrane notes that under the Insurrection Act, the federal government has the right to override state and local government when citizens are "deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity" (qtd. in McGrane 1323). The situation in New Orleans, primarily in regards to looting, approached anarchy (a scenario restaged in the chaotic city scenes of The Dark Knight Rises), making it impossible for the city and Louisiana to guarantee the rights of its inhabitants. Why then was the Insurrection Act not invoked? The scholar gestures to the political calculation underlying this decision—that the administration was motivated by concerns surrounding its image. Paul McHale, then-Assistant Secretary of Defense for Homeland Security, framed the dilemma thusly: "Could we have physically moved combat forces into an American city, without the governor's consent, for purposes of using those forces... for law enforcement duties? Yes. Would you have wanted that on your conscience?" (McGrane 1329). McGrane implies that the administration did not want such sights on the conscience of voters. For our purposes, this legal and political conundrum that McGrane studies is significant because it reveals an executive not just concerned but paralyzed by how representations of its power might be broadcasted, an anxiety that ultimately cost innocent lives. Returning to the sequence where the president states his solidarity with the people of Gotham City, with McGrane’s work in mind, we more so glean a biting portrayal of a callous executive. Resembling indictments of the Bush administration during Katrina, the film shows a president simply going through the motions of support, refusing to sustain his words with action.
Given that the most common reading of the film centers on its resonances to the Occupy Movement, the reader may ask: why am I not focusing upon the question of Occupy? Firstly, many critics have already worked through the various reverberations between the film’s plot and the Occupy Movement. Media scholar Will Brooker offers compelling readings of The Dark Knight Rises’ trailers and viral marketing which accentuated the populist themes in the film, marking a shift in focus from its elite hero. He argues that Bane’s notably distorted rasp positions him as the “voice of the early 2010s: the voice of the crowd, the voice of the people… Bane’s is the voice that leads the masses… of social media: articulate, mobile, fluid, powerful. He isn’t just one man, but many.” When speaking about the film’s concerns, Nola foregrounds an interest in the tensions between a multitude and a privileged few. He describes the film as “as a historical epic with all kinds of great storytelling taking place during the French Revolution. There’s an attempt to visualize certain things in this film on this large scale that are genuinely troubling to the idea of an American city. Or, to put it another way: revolutions and the destabilizing of society have happened everywhere in the world, so why not here?” (Hayes) His words, while buttressing Occupy-oriented interpretations so prevalent in the press, attest to a wider historical concern, encouraging spectators to consider the film through the shadow of state of emergencies like Katrina which challenged the possibility of cohesion within an American city. I aim to perform such critical work in this section. Moreover, minimizing my attention on the film’s many valences related to Occupy, a multidirectional comparative framework emerges that allows us to glean that the anxieties of disunity to which Occupy attested also undergirded the vision of a fractured and abandoned New Orleans.

As described throughout this chapter, the blurred boundaries between heroism and villainy is a thematic obsession of Nolan’s trilogy. The idea is referenced outright in The Dark Knight, when Bruce Wayne dines with the District Attorney Harvey Dent. Their conversation touches on a host of relevant concerns: the symbolic role of Batman, the ethics of vigilantism, as well as the dangerous allure state of an emergency. Dent speaks in admiring terms about the Roman tradition of suspending democracy during times of crisis and instilling an emergency dictatorship. When one of his conversation partners retorts that Julius Caesar refused to give up his power, Dent states, “You either die a hero, or live long enough to see yourself become the villain.”

Perhaps the most elegant expression of this idea, of the amorphous line between oppressor and oppressed, in The Dark Knight Rises occurs through an under-stated homage to Nagisa Ôshima’s 1983 Merry Christmas, Mr. Lawrence about a Japanese captain’s love for a resistant Prisoner of War whom he tortures. Batman is psychologically tortured by Bane, left to watch the city fall into chaos in a foreign prison. Linking the two films, actor Tom Conti plays a prison translator in both films. Under such an analogy, Bane is connected with Captain Yano and Batman to the prisoner he falls in love with, Jack Celliers. The homage acts as a more subtextual expression of the amorous link between hero and villain that the Joker plays with in the previous film. Quoting Cameron Crowe’s romantic comedy 1996 Jerry Maguire, the Joker tells Batman, “You complete me.” Under the shadow of Ôshima, The Dark Knight Rises pushes us to see the shared philosophy of these two ostensible opponents. Taking on the dream logic of Oshima’s POW film, the imprisoned Wayne dreams of his and Bane’s mentor, Ra’s Al Ghul. The terrorist leader tells him, “Now you understand that Gotham [and its decadence] is beyond saving and must be allowed to die!” The reveal that this conversation takes place in dream denotes that on a subconscious level, Gotham’s supposed protector may share some of the same loathing towards the city and its excesses as the terrorists he fights. His urge to control the city may not stem from altruistic concern, but from a more megalomaniacal, tyrannical place. Batman, to his horror, begins to see himself as a villain. References to Ôshima’s cinema in the film urge the viewer to see the hero in the same manner.

I read the conflations of Batman and his villains to show the former’s possible villainy. In a cogent defense of the film as an object worthy of close reading, one that highlights the oft-unseen ambiguities in its connection of the Occupy Movement to popular terror, Slavoj Žižek takes an opposing approach. He demonstrates what the conflations show of the villain’s potential heroism. While noting that Bane “stands for the mirror image of state terror, for a murderous fundamentalism that takes over and rules by fear,” Žižek also posits Bane as a figure of revolutionary love (Žižek). He places the figure within a philosophical tradition that extends from Christ to Che Guevara. Examining the character’s stated affections for his leader, the daughter of Ra’s Al Ghul, the theorist reads the villain’s philosophy as more authentic, more human than Batman’s. For greater elaboration on Bane as a revolutionary propelled by love, as well as a convincing call for immanent readings of popular Hollywood texts’ politics that take seriously their “absences and surprising presences,” see Žižek’s essay “The politics of Batman,” The New Statesman. 23 August 2012. Web. 15 July 2015.
This sequence includes a close-up shot of the officer looking on in horror after he issues his command to destroy the bridge, demonstrating how such genre spectacle may challenge notions of an inhumane oppressor. The film shows us the humanity lies within the victimizer as much as it does within the victim. Moreover, by remaining for a moment with the policeman trapped by his own orders, the genre film encourages us to appreciate the victimhood of the victimizer. Can genre push further into more complex territory than many of the more polemical theorizations on the subject of New Orleans (including the above-described Goldberg and Giroux), destabilizing governing Manichean formulations?

The creation of global security law was spearheaded by the United States after 9/11. The attacks set the stage for an immediate transformation of international law led by an American executive dedicated to making global its War on Terror. The Bush administration accomplished this task by harnessing the power it held as a member of the U.N Security Council to pass UNSC Resolution 1373, which legal scholar Kim Lane Scheppele calls “the boldest resolution ever passed,” emphasizing the unprecedented requirement of UN member states to align their domestic laws with its mandate (Scheppele 655). Its poorly defined key terms, like terrorism, mired U.N. partners in the dangerous muddle of meaning that was emblematic of so much of post-9/11 law, where human rights were supplanted by concerns for increased security (Scheppele 355). Given its binding nature, all members states including those whose films are discussed in this chapter, fall under the parameters set by 1373.

The walls of the Djalal’s childhood bedroom, coincidentally contain references to works discussed in this dissertation, including a poster of Sin City. The poster hovers over the protagonist and his girlfriend as they play a video game shooter, creating a visual linkage that posits that each media mode shares a destructive governing logic. The character arc the documentary presents, from video player to willing arm of the state, puts pressure on the destabilizing force of these texts as it paints them as ostensible tool of indoctrination. Saturated by visions of power for all his life, even acting as a Western sheriff in old home videos, the film's subject seems molded by violent dreams.

Given that he and his girlfriend plays the Japanese arcade game, Time Crisis, the film gestures to a geopolitical embroilment between the US and Japan which is a central concern of Kiyoshi Kurosawa's noir-infused Tokyo Sonata which I discuss later in the conclusion.

The sequence of estranging delight and the film as a whole, infatuated by and alienated from visions of Gary Cooper, provokes reflection on a phrase offered by James Baldwin in his 1965 essay “The American Dream and the American Negro.” He writes, “In the case of the American Negro, from the moment you are born every stick and stone, every face, is white. Since you have not yet seen a mirror, you suppose you are, too. It come as a great shock around the age of 5, 6, or 7 to discover that the flag to which you have pledged allegiance, along with everybody else, has not pledged allegiance to you. It comes as a great shock to see Gary Cooper killing off the Indians, and although you are rooting for Gary Cooper, that the Indians are you” (Baldwin; emphasis mine).

In his survey of European involvement in the Iraq War, policy scholar Hartwig Hummel notes that Belgium did not participate directly in any aspect of the Iraq War. He also notes that a vast majority of Belgian citizens opposed the war, with over 84% finding the intervention to be unjustified. Belgium only “allowed movement of troops and material for the Iraq war from US bases in Germany to the Belgian port of Antwerp” (Hummel 9). Through the angry Didier, frustrated by US post-9/11 action, Broken Circle voices the popular and official opposition to US policy. Van Groeningen’s staging of the 9/11 attacks, wherein the news of the event overtakes the camera’s attention, suggests the powerlessness of the Belgium state which still provides logistical support for a war neither its government or its people backed. An idea, however, that Broken Circle also proposes, is the distorting tendency to view the US as a mythic, omnipotent entity. Unlike her husband, who goes on to blame the Bush administration’s stance against stem cells for the death of his daughter, Elise does not perceive the US as a monolith whose actions dictate their reality in Belgium. Van Groeningen’s film, so infused with various American myths, underscores the power of perception in the conceiving of one’s own and one nation’s sovereignty. For a very salient but detailed account of European support in Iraq, see Hummel’s “A Survey of Involvement of 15 European States in the Iraq War 2003.” PAKS WORKING PAPER SERIES. Parliamentary Control of Security Policy. 2007.

Through such excerpting, Van Groeningen frames a post-9/11 moment when President George W. Bush often acknowledged God’s wisdom while calling for retribution for the attacks. In the former president’s 2011 autobiography, Decision Points, Bush recalls praying to himself, “Lord, let your light shine through me” before
delivering a speech that intertwined pronouncements on God's divine love with the prospect of the nation's vengeance (Bush 146).

lxxvii In his essay entitled "Emotional Spaces and Places of Salaryman Anxiety in Tokyo Sonata," Romit Dasgupta explores the various cultural anxieties expressed within the bourgeois drama. He proposes that the presentation of the father in a Guantánamo Bay-like jump suit at work along with the narrative strand of the son volunteering for war acts as a “deliberate subcultural referencing of Japan's complex (and relatively impotent) position in its partnership with the US in post-Cold War/post-9/11 world—specifically the increased pressure for Japan to take a more active role in US-led Military efforts” including sending the SDF to Iraq (Dasgupta 380). The scholar only mentions the nightmare sequence briefly. Going beyond Dasgupta who reads the scene solely as an expression of the nation’s impotence, I also read it as a noir lament for a Japan abandoning its constitutionally-inscribed humanist principles.

lxxviii The first stanza of the 1869 Paul Verlaine poem “Clair de Lune” that inspired Debussy’s compositions may be worth quoting in full to understand the critical work of the film as well as genre-infused texts, more broadly:

"Your soul is a select landscape
Where charming masqueraders and bergamaskers go
Playing the lute and dancing and almost
Sad beneath their fanciful disguises."

What sadness, the film’s moment of aesthetic contemplation encourages us to ask, do these masquerading heroes who don fedoras, Stetsons, and masks express?
Bibliography

Introduction


Chapter 1: Post-9/11 Border Western

Introduction


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**Chapter 2: Post-9/11 Noir**

**Introduction**


*Sin City*


STATE v OSTROSKY, 667 P. 2d 1184 (Alaska Supreme Court 1983).


Zodiac


**Conclusion**


**Chapter 3: Post-9/11 Superhero**


**Conclusion: International Post-9/11 Genre Film**


Figures

Chapter 1: Post-9/11 Border Western


Fig. 2
Fig. 11

Fig. 15

Fig. 16

Fig. 17
Chapter 2: Post-9/11 Noir

Fig. 1 - Miller, Frank. *Sin City Episode 4. Dark Horse Presents*. Portland, OR: Dark Horse Comics, July 1991.
Fig. 2 - Miller, Frank. *Sin City: The Big Fat Kill* #3. Portland, OR: Dark Horse Comics, July 1991. 3.
Fig. 3 - *Sin City*. Dir. Robert Rodriguez. Frank Miller. Dimension, 2005.

Fig. 4 - *Sin City*. 
Fig. 5 - *Sin City*.

Fig. 6 - *Sin City*. 
Fig. 7 - *Sin City*.

Fig. 8 - *Sin City*. 
Fig. 9 - *Sin City*.

Fig. 10 - *Sin City*.
Fig. 11- *Sin City*.

Fig. 12- *Sin City*. 
Fig. 13- *Sin City*.

Fig. 14- *Sin City*. 
Fig. 15- *Sin City.*
Fig. 16- *Sin City*

![Image](image-url)

Fig. 17- *Sin City*
Fig. 20 All stills from this point on taken from *Zodiac*, 2007.

Fig. 21 (Above) Fig. 22 (Below)
Fig. 23

5 hours later - Langley, VA
Central Intelligence Agency

Fig. 24 (Above) Fig. 25 (Below)

12 hours later - Salinas, CA
Breakfast nook of Donald and Bettye Harden
Fig. 29

Fig. 30 (Above) Fig. 31 (Below)
Fig. 32

Fig. 33 (Above) Fig. 34 (Below)

The police shall never catch me, because I have been too clever for them.
Fig. 35

Conclusion Illustrations

Fig. 1 - *Game Over*. Dir. Alba Sotorra. Dirk Manthey Film, 2015. Digital Copy.