Never Forget: The Meaning of the Global War on Terror in Post-9/11 U.S. Presidential Discourse

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ABSTRACT

Framed by cultural criminology, this project examines the discursive construction of the U.S. state and the Global War on Terror (GWOT) in 190 public speeches and statements made by U.S. Presidents George W. Bush and Barack Obama. Whereas cultural criminology's focus on the politics of meaning and transgression in deviant subcultures is often criticized for glorifying deviance and ignoring real harm (O'Brien 2005; Hall and Winlow 2007), this project instead uses the framework to analyze the cultural practices of the state in regard to the waging of war. A key contribution of this work is thus the development of a cultural criminology of the state. Through a deep reading of the cultural narratives driving U.S. Presidential discourse from September 11, 2001 - February 18, 2015, this dissertation asks: Through what narrative does ongoing, global warfare make sense? In what story does the torture of human beings seem necessary? How does the state construct a symbolic universe in which its material violence is justified? This project further contributes to a growing body of literature addressing state criminality. Using a constitutive conceptualization of crime (Henry and Milovanovic 1996) and narrative (Presser 2009), this study positions state discourse itself as criminogenic, as it constructs a totalizing narrative that encourages violence toward dehumanized others and justifies perpetual global warfare as a necessary means of achieving peace. With the state established as a potential criminal actor, it uses a distinctly cultural approach to expand the motivational framework used to analyze state criminality. It accomplishes this first by looking at state violence through an expressive rather than purely instrumental lens and connecting the transgression of U.S. ideals to national identity and ontological insecurity.

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CHAPTER I
INTRODUCTION

"This crusade—this war on terrorism—is going to take a while…"
-George W. Bush, September 16, 2001

On the morning of September 11, 2001, 2,996 individuals from over 90 nations lost their lives in the attacks on the World Trade Center and the Pentagon. The true scope of that day's consequence, however, is beyond measure, as its effects continue to reverberate through the ongoing violence of the Global War on Terror (GWOT). This unprecedented conflict now represents the longest foreign war in U.S. history (Astore 2017) as well as the most expensive (Bilmes 2013). When accounting for long-term medical care, disability compensation, military replenishment, the total expense is estimated to be between $4 and $8 trillion (Bilmes 2013; Brown University 2017). The costs of this war extend far beyond the fiscal, though. Measured in deaths, disability claims, and displaced persons, the human costs are staggering. Recent estimates attribute the deaths of over 370,000 people, including over 200,000 civilians, to the direct violence of the post-9/11 wars in Iraq, Afghanistan, and Pakistan, and an additional 800,000 have died due to the indirect effects of violence, e.g., environmental degradation, the destruction of health care infrastructure and sanitation systems. The number of war refugees and displaced persons is now over 10 million (Brown University 2017). For the U.S. military, the costs of the GWOT extend beyond the combat zone, as the trauma of violence follows soldiers back into their lives of seeming material security. Between 2002 and 2012, over 100,000 service members were diagnosed with post-traumatic stress disorder (PTSD) and over 250,000 with traumatic brain injuries (Fischer 2013).

Since the invasion of Afghanistan in the aftermath of 9/11 marked the inauguration of the GWOT, the war has become firmly embedded within U.S. culture and national identity. It is

referred to as the "forever war" (Klaidman 2012) and the "Orwellian war without end" (Rosenthal 2012). There is a “War on Terror” board game, in which the goal is to "liberate the world, ridding it of fear and terrorism forever” (BoardGameGeek.com 2006). It has inspired cultural products that are widely disseminated and celebrated, such as Academy Award winning films *The Hurt Locker* (2010), *Zero Dark Thirty* (2012), and *American Sniper* (2014). Existing in a state of war has become so ingrained within U.S. culture that Jeh Charles Johnson, General Counsel for the U.S. Department of Defense, felt it necessary to remind the nation’s citizens that "war must be regarded as a finite, extraordinary and unnatural state of affairs…in its 12th year, we must not accept the current conflict, and all that it entails as the 'new normal'" (Wittes 2012).

Is it too late to call for such a rejection? What of the significant proportion of the U.S. population that began to formulate their political and national identities after September of 2001? For U.S. citizens old enough to vote for the first time in 2016, the war spans across the vast majority of their lives. Individuals that could not vote when this war began have spent the entirety of their adult lives as citizens of a nation at war. Thus, there are many U.S. citizens who have little choice but to regard the Global War on Terror, and all that it entails as 'normal'. This normalization of the supposedly extraordinary begs the question: How has the U.S. state’s ongoing, global use of violence become a mere matter of fact? This project addresses that question by analyzing the discursive processes through which the state normalizes global warfare and further legitimizes its continued monopoly of violence. Toward this end, the analysis examines the larger question: How have America and the Global War on Terror been discursively constructed since September 11, 2001?

In regard to the discursive construction of America, the first point to explain is the use of the term ‘America’ as a shorthand representation for the United States of America. The

problematic aspects of this rhetorical replacement have been noted (Beirne and Messerschmidt 2010), as 'America' more accurately refers to the whole of North and South America, which includes the U.S. and *thirty-four* other sovereign nations. This rhetorical overrepresentation is precisely why I choose to use the term; it is itself emblematic of "American discourse" in that it positions the U.S. as the focal point of the free world, a beacon whose light outshines and overshadows other nations. This conceptualization of the U.S. is relevant in that it is a particular idea, a particular way of knowing the nation that is drawn upon to construct meaning and direct action. It is among the interconnected ideas and particular knowledges that constitute the field of American discourse.

When viewed through the lens of discursive analysis, use of this seemingly simple rhetorical shorthand is shown to be much more complex. Like the tip of an iceberg, it is the surface-level signifier of something that exists at a much deeper level. One of the definitive questions of discourse analysis is of underlying, unspoken assumptions. In this context, referring to the U.S. as 'America' expresses an underlying assumption of superiority and suggests that other nations in North and South America are of relatively little consequence. This idea, that the U.S. is a uniquely superior nation and/or the 'leader of the free world', is part of the established American discourse. Thus, referring to the U.S. as America, as a manifest expression of this idea of superiority, is a statement of American discourse. This formulation is the expression of but one of the many interconnected ideas that are drawn upon to define the U.S. Others commonly used include the beliefs that the U.S. is the home of equal opportunity and free enterprise, the defender of freedom and democracy across the world, and the site of global innovation and moral leadership (Pease 2009). The connection these statements share that makes them theoretically relevant is that they conceptualize the U.S. as a whole in *relation* to the world at large and thus,

implicitly or explicitly, define the nation's role in global affairs. This leads to another question: Where can one locate such statements of American discourse that define the state and its constructed role in world affairs, especially as it relates to the supposed necessity of state violence in the GWOT?

One of the defining characteristics of discursive statements is that they are used in the service of persuasion (Rose 2007:161). Thus, American discourse can be found in what might be its highest concentration in sources of U.S. political discourse. Whereas the overlap between American discourse and U.S. political discourse is vast, I analytically separate the two, with U.S. political discourse denoting statements and ideas that refer to the more specific political machinations of the daily grind of Capitol Hill and American discourse as a reference to the more collectively held ideas of the U.S. and its role in world affairs. A similar distinction can be made in regard to the Global War on Terror discourse, which includes more tactical knowledges of warfare or ideas from other nations in the "coalition of the willing" that are not necessarily expressions of American discourse thus defined. Many of the larger ideas of American discourse, though, are intimately tied in with the Global War on Terror discourse. Most important to the current analysis is the discourse at this intersection, e.g., when assumed superiority and/or moral leadership are employed to justify state violence. As these intersecting discourses can be found in an eclectic plurality of locations, a starting point of analysis must be established.

My effort to locate a theoretically relevant starting point for analysis of American and GWOT discourse leads me to a particular site of U.S. political discourse: the Presidential pulpit. As both the representative of the executive branch of U.S. government and Commander in Chief of U.S. Armed Forces, the U.S. President is the key contributor to and representative of the ongoing constructions of both U.S. political discourse and Global War on Terror discourse. As

the figurehead of the nation, discursive statements made by the President are not only in the service of persuasion, their appeal is meant to be broad and thus tap into the more collectively held notions that constitute American discourse. Thus, the starting points of my analysis are found in U.S. Presidential speeches since September 11, 2001.

Framed by cultural criminology, this project examines the construction of Global War on Terror (GWOT) in 190 public speeches and statements made by U.S. Presidents George W. Bush and Barack Obama since September 11, 2001. A defining feature of cultural criminology is the intellectual and political focus on the human construction of meaning (Ferrell 2013). In this framework, crime and crime control are conceptualized as cultural products, i.e., creative human constructs, which are "read in terms of the meanings they carry" (Hayward and Young 2004:259). In the context of this project, terrorism and the Global War on Terror represent uneasy variables of crime and crime control. This conceptualization is informed by and closely tied to the theoretical framework of constructionist sociology, in which crime and control are analyzed as social and political constructions often in tension (Best 1995). Constructionist perspectives on social problems inform the current project by providing a framework through which I analyze terrorism as a social problem being constructed by key claims-makers. Informed by a constitutive view of narrative, I analyze how these constructions coalesce into a coherent state narrative that influences specific lines of action and in particular justifies state violence in the GWOT. This narrative construction takes shape in a manner that forces the state to distinguish its own violence from that of crime, even as presidential utterances have criminogenic potential, manifesting in war, large scale, asymmetrical political violence, and harm. This top-down approach seeks to contribute to a cultural criminology of the state, which has long operated from the bottom-up. Here, I seek to expose the state itself as the transgressive

subject of cultural criminology in a manner that productively adds to our understanding of culture, criminology, and the state.

A constitutive conceptualization of narrative is central to the current project. A constitutive view of narrative departs from the traditional causal logic that events and experiences produce and always preempt stories. This conceptualization encourages the examination of how narratives influence particular lines of action and modes of thought, i.e., how narratives constitute reality. In regard to crime and transgression, from a constitutive viewpoint one sees an overlap between factors of motivation and opportunity, in which narrative acts as both an instigator of action as well as a moral justification that legitimizes harmful behavior. The power of narrative to legitimize behavior first lies in the fact that a person's narrative presupposes a moral self (Linde 1993). It is thus through the act of narrating that one separates himself/herself from past instances of moral deviance and opens the door for future transgressions. Of particular relevance to the current project is the legitimizing role of war stories that function as "morality plays." Such state narratives "buttress the belief in a just world and make violence the means for achieving this world" (Toch 1993:202), thus defining certain acts of violence as inherently moral endeavors. In this way, war stories both justify and motivate state violence. Narrative can also conduce to violence through the construction of a self that must be negated (Presser 2009). If, for instance, the state constructs a narrative in which the nation is held to be the subject of external forces, e.g., 9/11, state violence is "dramatic reassurance that [the state] can still make things happen" (Matza 1964:189). State violence in the GWOT thus represents "a transcendent project to exploit the ultimate symbolic value of force" (Katz 1988:302), one that helps the state to realize a particular self-story and provide a sense of ontological security for the nation and its citizenry.

As we see with the debates surrounding President Trump's tweets as executive power, language, especially as uttered from the presidential pulpit, carries force, violence, and is subject to accountability. The project is thus theoretically and methodologically grounded in discourse, through which I examine the following questions: Through what narrative does ongoing, global warfare make sense? In what story does the torture of human beings seem necessary? How does the state construct a symbolic universe in which its material violence is justified? How has this dimension of power been overlooked by criminology and what is the potential contribution of cultural criminology of the state? In all of this, I give attention to how America's role in world affairs is discursively constructed as part of a coherent and totalizing state narrative by those at the seat of power.

This project is both a theoretical endeavor as well as empirical analysis and makes a number of distinct contributions to both the subfield of cultural criminology as well as the larger field of academic criminology. To the larger field, it contributes by empirically analyzing the state's motivations to wage war through an expressive, rather than instrumental lens. To the field of state crime studies, it contributes by employing a constitutive conceptualization of crime that positions discourse itself as both criminal and criminogenic as well as a constitutive conceptualization of narrative, in which stories are situated as antecedents to crime and narrative itself is positioned "as a factor in the motivation for and accomplishment of crime and criminalization" (Presser 2009:178). It contributes to the subfield of cultural criminology by addressing perceived ambiguities surrounding conceptualization of several of the perspective's core concepts: culture, violence, and power (Webber 2007; Farrell 2010; Spencer 2010). It not only refines the perspective of cultural criminology as it currently exists, however. By applying the framework to the cultural workings of the state, it extends the theoretical purview of the

subfield. Whereas cultural criminology's focus on the politics of meaning and transgression in deviant subcultures is often criticized for glorifying deviance and ignoring real harm (O'Brien 2005; Hall and Winlow 2007), a key contribution of this work is the development of a cultural criminology of the state, the absence of which "is an oversight that we cannot afford" (Ferrell, Hayward, and Young 2008:75).

Toward this development, this project draws selectively from a variety of literatures from criminology and studies of the state. Utilizing these frameworks, I posit that the GWOT should be understood as an expressive, emotional response to national trauma, one that can be read and analyzed in a manner that illuminates the state's problematized legitimacy. In this context, I argue that the transgression of U.S. ideals within the GWOT serves as an effort to reassert American exceptionalism in the face of perceived national identity crisis and widespread ontological insecurity. Further, I argue that this discursive response is criminogenic, as it defines absolute military victory in the GWOT as an end that justifies any means.

I have organized the dissertation as follows. Before embarking on the primary analysis, I begin by providing a more extensive discussion of cultural criminology as a theoretical framework, which includes a theoretical history of the emergent perspective as well as a delineation of concepts most vital to the current analysis. This chapter also includes an outline of relevant concepts used to analyze the framing of social problems from constructionist sociology. I then move into a review of the literature, which, borrowing from various subfields, examines competing conceptualizations of culture, crime, and the state. I then proceed with a discussion of research methods and methodology, through which I review the role of discourse and provide a detailed description of the data and the processes of collection and analysis utilizing the qualitative research software program, NVivo. In the remainder of the dissertation, I lay out my

findings and discuss them in relation to the literatures and concepts that facilitate an understanding of a criminology of the state. In all of this, I attempt to make sense of the powerful words of the executive as actionable efforts to engage the foundational paradox of the state: the use of violence against violence.

CHAPTER II
THEORETICAL FRAMEWORK

This project uses the theoretical framework of cultural criminology to examine the meaning of the Global War on Terror in U.S. Presidential discourse and its relations to state violence. In this chapter, I first provide an overview of cultural criminology, through which I explore the theoretical foundations of the perspective and of its principal concept, culture. I then outline relevant concepts from constructionist approaches to the analysis of social problems (Loseke 2003) and conclude by outlining several concepts, i.e., ontological insecurity, cultural essentialism, and state fantasy, that aid in the interpretation of the present study through the lens of a cultural criminology of the state.

Conceptualizing Culture

Since its inception, cultural criminology has remained in flux. Jeff Ferrell, a core proponent of the perspective, has framed it as "less a definitive paradigm than an emergent array of perspectives linked by sensitivities to image, meaning, and representation in the study of crime and control" (1999:396). Yet, a common thread weaves through this emergent array of perspectives. As Ferrell recently acknowledged (2013), this defining feature shared by the perspectives of cultural criminology is an intellectual and political focus on the human construction of meaning, something that while mundane has been omitted in core criminological accounts. In this context, crime and crime control are conceptualized as cultural products, i.e., creative human constructs, which are "read in terms of the meanings they carry" (Hayward & Young 2004:259). These meanings are constantly constructed through the social interaction of individuals, power, and the interplay of ideas. Thus, cultural criminology involves the analysis of how the meaning of crime and its control are socially constructed in the cultural arena. To

provide a more detailed understanding of these processes, it is first necessary to explore the meaning and significance of ‘culture’ in cultural criminology.

‘Culture’ has been conceptualized throughout the history of social science in myriad conflicting iterations. It is thus helpful to briefly touch upon some meaningful patterns in the logic of these prior conceptualizations to better understand what 'culture' means to cultural criminology. In *Culture as Praxis*, Zygmunt Bauman (1999, pp. xvi-xvii) traces two distinct, diverging patterns of discourse in regard to the concept of culture. The first discourse, of which cultural criminology is an extension, conceptualizes culture as a kind of creative activity as well as the site of that creativity. Thus, it refers to culture as both a dynamic process as well as the symbolic space in which that process is carried out. It is the site of "invention, self-critique and self-transcendence" in which one can "step beyond closely-guarded boundaries." It is a space defined by the subversive freedom possible within it.

Implicit within this conceptualization is the presence of multiple, possibly overlapping, cultures and subcultures. It aligns with the conceptualization of culture espoused within Albert Cohen's subcultural theory (1955), which marks this symbolic space as a site of resistance for ‘outsiders’—those groups of individuals viewed in a pejorative light by dominant cultural standards. In this formulation, a ‘dominant’ cultural standard refers to those most widespread, and the transgression of prescribed boundaries is viewed as meaningful, creative action. In this account, we see the ways in which meaning construction at the level of dominance is referenced but under-developed. While emphasizing the creative aspects of transgressive meaning-making, the harnessing of meaning by those in the seat of power, who lay claim to “naturalized” meanings as dominant, is overlooked. This is a foundational omission from which the development of a cultural criminology of the state arises.

A much more prevalent and less useful account of culture stands opposed to the first in a number of ways. Instead of conceptualizing cultural activity as a dynamic process, it is framed as a set of static practices. With a regularity to their patterned repetition, these cultural practices serve as "a tool of routinization and continuity—a handmaiden of social order." This conceptualization, more closely aligned with orthodox social anthropology and Parsonian functionalism, sees culture as a kind of prop for social structure or a means to accomplish something akin to Durkheim's collective cohesion. Explicit within this conceptualization is the singularity of culture. There is no concept of resistance because there is no concept of dominant culture, only the value-laden notion of collective culture. Meaning is not actively constructed; it is held within this collective and is attained through successful socialization of the established cultural practices. In this formulation, the transgression of prescribed boundaries is neither meaningful nor creative; it is simply immoral. It marks the absence of culture, the result of failed socialization into the established collective meaning.

To see how cultural criminology relates to these two discourses, the work of Stuart Hall can be of service. Hall's work can be characterized by its emphasis on the uneven relations of cultural power—“the power to decide what belongs and what does not" (1974:452). His formulation of culture as a dynamic process is built around a dialectic of cultural struggle. This struggle is poised between two ever-present poles of influence: control and resistance. Applying this logic to Bauman's cultural discourses, cultural criminology positions the two at opposing ends of a dialectic of cultural struggle. The first represents a cultural discourse of resistance, a willingness to risk envisioning and enacting collective alternatives to the latter, which represents the cultural discourse of control—“the notion of culture as existing somehow outside human agency…the collective belief in tradition, the emotional embracing of stasis and conformity, the

ideological mobilization of rigid stereotype and fundamental value" (Ferrell et al. 2008:4).

The conceptualization of culture in cultural criminology maintains much of the first discourse outlined by Bauman. It is a dynamic concept intimately tied to the collective human construction of meaning. It is used to refer to the active process of constructing meaning as well as the symbolic space in which these meanings are constructed from available images and ideas. The discursive elements of a symbolic environment, the ideas and images accessible to the members of any given culture, are always open to negotiation. The precise meanings assigned to these elements are under constant construction and reconstruction. Though the meanings of cultural elements are always open for renegotiation, the playing field is anything but even. The symbolic environment of culture is a site of struggle, a space in which conflicts are played out. This is the conceptualization of culture as arena: the symbolic space in which constructed meanings compete for the power of legitimacy. This formulation implies that, through the lens of cultural criminology, even the meanings we construct around the concept of 'culture' are cultural products. It is an ongoing, cultural process with a long-standing tradition through which the meaning of the term 'culture' is negotiated. If that negotiation is ever finalized, if every last person agrees and assigns the same meaning to the term, it will still be a human creation and thus, a cultural product. In this dissertation, I map the manner in which the presidential utterance as the voice of the state seeks to foreclose the dynamism of culture through carefully scripted themes and concepts that justify state violence toward dehumanized others. These are static claims that can persist across different presidents and political parties, as state violence must foreclose contest.

With the meaning of culture in cultural criminology now established, it is next necessary to explore the factors that motivate individuals to engage in cultural work. In order to explain

said motivation, it is essential to understand the function of such creative, transgressive action, the role it fulfills for the individual. Further examination of cultural criminology's theoretical lineage illuminates a principle function of cultural work: the reconciling of contradiction.

Theoretical Lineage

The direct theoretical lineage of cultural criminology, the starting point of "the gathering storm" (Ferrell et al. 2008), springs from the emergence of new deviance theory. This theoretical development is conceptualized as containing two strands: subcultural theory and labeling theory. Developing alongside one another and often in debate, the two schools of thought "shared in common a distinctly cultural approach to the explanation of crime and deviance" (Ferrell et al. 2008:26). The first work marked as a gathering cloud is Albert Cohen's classic subcultural work *Delinquent Boys: The Culture of the Gang* (1955). Emblematic of the logical shift in subcultural theory, Cohen borrowed from the conceptualization of culture developed in social and cultural anthropology, which saw subcultural behaviors as responses to collectively experienced problems—attempts to reconcile contradictions within the larger culture.

A key theoretical point that separates this line of logic from prior subcultural theories is that, in addition to accounting for the transmission of subcultural values through socialization, "mature subcultural theory" (Ferrell et al. 2008:34) also addresses the origins of these differentiated cultural values. Growing up in the face of a cultural milieu defined by specific (middle) class values coupled with structural impediments to their attainment for some (lower-class) individuals can create the feeling of status deprivation. A possible attempt to ameliorate this feeling is to reject and replace, or invert, the unattained values by which one is judged. As new meaning is constructed, this becomes a process of cultural work. As this process becomes a collective endeavor, a subculture is created.

An essential insight within this context is that the behavior of deviant subcultures, rather than a hollow, mechanical response to external stimuli or merely a symptom of cultural deficit is meaningful action. Because its meaning is defined by the particular social time, place and context in which it is created and embedded, the subjective experiences of subcultural members became important areas of inquiry. Flowing from this logic is the insight that most delinquent behavior is not strictly utilitarian; rather than a simple means for desired material goods out of one's perceived reach, most delinquency is expressive at its core. The contribution of this theoretical strand to the present study is two-fold. First, it opens the door for the transgressive subject of criminological inquiry, which encourages the examination of expressive and emotional motivations of state violence. Second, it positions transgressions of purported U.S. ideals within the GWOT as meaningful actions taken toward the reconciliation of cultural contradictions.

The second strand of the new deviancy school came from labeling theory. Drawing from social constructionism (Berger & Luckmann 1966) and radical phenomenological traditions, labeling theorists eschewed the positivist attempt to reflect the objective reality of deviance on the basis that no such objectivity exists. Deviance is not an already-existing type of action or behavior waiting to be uncovered by the scientific method, nor is it defined by any intrinsic characteristic. Deviance is a social construction. It is culturally contingent. It is the dynamic product of an ongoing collective process of human creation and is definitively subjective.

A critical element within the labeling theory framework is the addition of the W.I. Thomas (1938:572) theorem: "If men [and women] define situations as real, they are real in their consequences." Thus, although definitions of crime and deviance are socially constructed and inherently subjective, the meanings created through this cultural work have very real, objective consequences. Important also is the acknowledgment that the social processes of constructing

meaning around the labels of crime and deviance are not of a democratic nature. Constructions do not carry equal weight within the cultural arena. As the specters of political authority, legal sanction and socialized stigma loom large, "the labeling process is one of power and marginalization" (Ferrell et al. 2008). These labeling processes is thus key in understanding how power works towards its own legitimacy, and, in the context of a cultural criminology of the state, how the symbolic violence of marginalization in U.S. Presidential discourse begets state violence toward dehumanized others on a mass scale.

A principle of labeling theory crucial in the logic and development of cultural criminology is the relationship between crime/deviant behavior and social control. Rather than the strictly linear, unidirectional relationship previously presumed within positivist thought (i.e., crime/deviance exists, social control reduces these behaviors), labeling theorists acknowledged the subjectivity and complexity of this relationship, and in so doing, turned this orthodox relationship on its head. This shift in logic makes a basic principle of English common law: *nullum crimen sine legs, null poena sine legs* (no crime without law, no punishment without law) relevant again in two slightly different yet connected ways.

First, labeling theory acknowledges the aforementioned subjective nature of crime. The concept of crime is created through the outlawing of specific behaviors by a legal authority. Without the law to label a behavior as criminal, there can be no such thing as crime. Thus, logically speaking, social control in the form of criminal law and legal sanction creates crime by labeling an already existing behavior as criminal. In the context of the GWOT, without the discourse to label certain acts as terrorism and certain individuals as terrorists, there is no terror upon which to wage war (i.e., there is no justification for state violence). Thus, there is no crime without law and no punishment without the discourse that sanctions it. The second idea, of a less

abstract nature but just as dangerous: When criminal/deviant labels are put upon an individual, he or she can internalize the label as part of his or her identity and thereafter act in accordance. Thus, social control creates crime not just as a new classification of an already existing behavior; in this way control creates behavior that would not have taken place otherwise through the creation of secondary deviance. A cultural criminology of the state extends the logic of secondary deviance beyond the individual. As discourse labels not just individuals but large segments of regional populations or even *an entire culture* as the potentially dangerous other, the internalization of this label can be interwoven into a form of collective identity (i.e., a subculture that acts in accordance with their essentialized label).

The cultural turns of these two theoretical strands, subcultural and labeling theories, constituted the emergence of the new deviance theory, the direct theoretical antecedent to cultural criminology. The next step in this progression is the synthesis of the two approaches. As Stanley Cohen came to explain, "[a]fter the 1960s—well before Foucault made these subjects intellectually respectable and a long way from the Left Bank—our little corner of the human sciences was seized by a deconstructionist impulse" (1997:101). This movement in the sociology of deviance, "cultural in its focus and post modernist in its sensibility" (Hayward & Young 2004), germinated at the London School of Economics. Beginning with David Downes' (1966) book *The Delinquent Solution* and further developed by London School of Economics PhD students Jock Young (1971) and Stan Cohen (1972), what has been referred to as "the British synthesis" (Ferrell et al. 2008) came to fruition at the National Deviancy Conference of 1968 and within the University of Birmingham's Centre for Contemporary Cultural Studies. Hayward and Young set as a defining characteristic of cultural criminology that it "seeks to highlight the interaction between constructions upwards and constructions downwards" (2004:259). The

exploration of this interaction was a key development of the British synthesis.

As labeling theory addresses the constructions of meaning flowing downward from those with power and legal authority onto the marginalized/criminalized, subcultural perspectives address the (re)constructions of meaning flowing upward from marginalized subcultures. When these two strands are synthesized toward the understanding of the interplay and interaction between constructions upwards and downwards, a crucial concept within cultural criminology comes to the fore: processes of mediation. By studying the complex relationships between the interpersonal worlds of deviant subcultures, social control interventions by the powerful and constructions of each within mass media, the "new criminologists" (Taylor, Walton & Young 1973) and cultural analysts (Hall & Jefferson 1976; Hebdige 1979; Willis 1977) began to explore the processes of mediation reflected in Ferrell's vast "hall of mirrors" (1999). To this point, cultural criminology has tended to focus on the upward constructions of meaning found in the margins of society. Key proponents of the theory refer to this asymmetrical focus as “an oversight we cannot afford” (Ferrell, Hayward, and Young 2008:75). A key contribution of this work and of a cultural criminology of the state overall is a focus on downward constructions of meaning found in state discourse.

The theoretical foundation of cultural criminology is thus built from the perspectives emerging from British "new criminology" and the Birmingham school of cultural studies (Ferrell 1999:396). From the new criminology, it borrows and builds on an emphasis of the relationships between crime, representation and social control (Cohen & Young 1973; Chibnall 1977). From cultural studies, it borrows and builds on the exploration of the situated dynamics of deviant / criminal subcultures (Hebdige 1979;1988) and the importance of symbols and style in the construction of meaning and shaping of identity (Willis 1977;1990). From their integration, it

borrows and builds on the analysis of mass media's role in constructing the reality of crime and generating new forms of social and legal control (Hall et al. 1978; Cohen 1972;1980). In all of this, it has placed heavy emphasis on bottom up approaches that privilege those actors and experiences most overlooked in state-defined accounts of crime and control. Unfortunately, in this pursuit, the state's own criminality has been overlooked as a site of meaning and contest. As a "hybrid orientation" (Ferrell 1999:397), though, the constitution of cultural criminology is built on more than this "simple integration"; it continues to develop and be influenced by insights in a number of fields. One such field relevant to the current analysis is that of constructionist sociology (Best 1995; Loseke 2003).

Social Problem Framing

The constructionist perspective relevant to the current analysis, specifically outlined by Loseke (2003), is designed to analyze the construction of social problems as they are framed by key claims-makers in the public arena. It allows for a close analysis of the logics of justification in presidential claims to state violence. In the proceeding analysis, I use many of the concepts and language of this theoretical framework to interpret the data and structure the analysis. The studied speeches, like any given by the President addressing the entire nation, had a purpose, and the purpose of these speeches was to construct a social problem: terrorism and a social response: war. Terrorism, however, raises a variety of conceptual problems for power as it exists somewhere between criminalized behavior and stateless enemy construction. It also exposes the problematic foundations of the state: its own force and violence. During the speeches, the President, consequently, outlined a very specific and widespread problem that, by all moral standards, should be changed and could be changed. He designated an enemy and a very specific solution to the problem. I thus use this framework to examine the various framing techniques

used to construct this 'solution' to the events of September 11th and the prospect of sudden, global terror. Loseke, building on the work of Snow and Benford (1988), divides these techniques, or social problem frames, into three categories: diagnostic, motivational, and prognostic.

The main purpose of any social problems work is to issue a claim about circumstances that will elicit a certain response from the targeted audience. To do so, the situation must be well-defined and singled-out among other potential putative problems. The diagnostic framing of a social problem refers to the particular definition of the situation put forth by the claims-maker: What is positioned as problematic? How is the problem defined? What is the meaning and cause of the problem? Loseke outlines four main criteria to be fulfilled in order for a situation to be diagnosed as a social problem. This is the realm in which acts are constructed as criminal and/or acts of war. The first criterion is that it is constructed as physically or morally harmful. The second is that it negatively affects a substantial number of people. The third is that it can be changed through human action, and the fourth is that indeed should be changed. These framing criteria relate to the question of the particular knowledges produced by discourse: How are America, terror, and the Global War on Terror, both literally and symbolically, defined?

The second section of framing tactics deals specifically with convincing audience members that the putative problem does indeed warrant some form of action. Motivational frames address the question: Why should the audience care? These tactics of persuasion relate to questions of a problem's possible consequences and the ways in which discourse categorizes and describes related individuals, group and events: What is the cost of inaction or defeat in the Global War on Terror? How are its victims and villains constructed? What cultural themes are implicit in the logic of these constructions? This is the motivational framing of a social problem,

which refers to the ways in which claims-makers attempt to convince audiences of the rightness of their cause. These tactics of persuasion include appeals to logic as well as appeals to emotion, which include constructions of victims as sympathetically innocent and villains as essentialized evil, and these are familiar tropes in the politicization of crime and criminals.

To appeal to an audience member's emotions, claims-makers attempt to connect the supposed issue to the personal lives of the audience. Though it is helpful, it is not necessary to convince individuals that they could be affected by an issue; it is enough to cause them to *identify* with someone who could be affected or to simply make them feel sympathy for the possible victim(s). In order to accomplish this goal, a claims-maker must construct the victims as people who deserve sympathy. Who deserves sympathy? People who are 'just like you and me.' They are victims through no fault of their own; they brought no harm upon themselves. Another characteristic of victims who deserve sympathy is that they are moral people. This framing tactic can be established by use of narratives. Narratives tell the audience a story about a victim that showcases the fact that the individuals affected by the putative problem are indeed good, moral people who deserve to be saved.

There is a second tactic that is used when making appeals to emotions, and that is the construction of the villain. The process of villain construction involves assigning the blame for a putative problem to a particular person or group of people and then constructing the villains as being worthy of condemnation. The first step is the isolation of blame. Loseke states that the construction of villains is not an avenue that is often traveled because of the incredible complexity involved in assigning blame upon a particular group of people. Once the blame has been assigned for a putative problem, though, the designated villains must be constructed in a particular way. To be specific, they must be constructed as "dangerous outsiders" who are "pure

evil" (Loseke 2003). One tactic of villain construction is "piggybacking" (Loseke 2003), through which villains are associated with the enemies and struggles of past generations, because the public has already accepted certain ideas or groups of people as evil and deserving condemnation. This process of villain construction is especially relevant in the context of the present study as well as the development of a cultural criminology of the state in that the dehumanization of an essentialized other justifies violence toward said other (Presser 2003).

When a claims-maker involves an appeal to logic, he or she is often citing a particular cultural theme that is embedded within the psyche or the culture to whom he or she is speaking. The 'logic' to which claims-makers appeal is culturally and historically situated; it refers to "audience members' understanding of cultural themes, which are beliefs about how the world should work" (Loseke 2003:63). Whereas appeals to emotion play upon certain pre-existing feelings of audience members, appeals to logic play upon certain conscious thoughts of audience members.

The situation has been explained and defined as a problem, and the audience has been told what they should think about it and how they should feel about it. The only question left unanswered is this: What should we do now? The prognostic framing of a social problem thus refers to the construction of a proposal of response: How are we to fix that which is defined as problematic? Diagnostic and motivational frameworks are built for the prognostic framework to stand upon. It defines the actual course of action from which to proceed. One tactic of social problems claims-makers cited by Loseke (2003) is to make the support request sound as simple and easy as possible. Essential to the current analysis, it also defines who is responsible for fixing the putative problem. This framework thus relates to questions of responsibility and accountability: What is America's role in world affairs? What would victory in the Global War

on Terror accomplish? How would victory be measured? And how might this allow for exceptions to state violence that might otherwise be criminal?

The principal conceptualization shared between cultural criminology and constructionist sociology, also a key facet of earlier work in labeling theory, is of crime and crime control as social and political constructions. One can easily link key constructionist concepts to parallel logics in cultural criminology. The "social problems game" of competing "claims-makers" (Loseke 2003) vying to convince audience members of the rightness of their cause plays out within the cultural arena, its outcome driven by cultural power—"the power to decide what belongs and what does not" (Hall 1974:452). In this way, "social problems work" (Loseke 2003:52) is cultural and criminological work.

This constructivist conceptualization of social problems work is relevant to the development of a cultural criminology of the state in a number of ways. First, it aligns with the conceptualization of culture as a discourse of resistance through its acknowledgement of the plurality of possible constructed meanings as well as the role of human agency in constructing those meanings through articulation of and interaction with discourse. Through such a lens, it is possible to view state discourses (e.g., legal definitions of crime and criminality as well as the presidential utterance) as but one "definition of the situation" amongst many, each framework seeking to define social reality by its own logic. It is thus through the analysis of such social problems work that a cultural criminology of the state examines the logic and discursive processes through which the state justifies its own violence. To facilitate such analysis, though, it is next necessary to introduce additional concepts relevant to the development of a cultural criminology of the state.

Additional Concepts Relevant to A Cultural Criminology of the State

In addition to the key frameworks above, there are several other concepts relevant to the interpretation of the present study through the lens of a cultural criminology of the state. These concepts are selectively pulled from various bodies of literature, including cultural criminology, constitutive criminology, critical theory and American studies. A key component in each of the selected frameworks is the concept of ontological insecurity, and it is thus first necessary to examine the role of ontological insecurity in the larger subfield of cultural criminology.

Cultural criminology takes as its backdrop the era of late modernity, an era defined by the increased awareness of the pluralism of values, emphasis on self-realization, and overall disembededness from traditional avenues of meaning and direction. These facets of late modernity work in concert to create and exacerbate already existing feelings of ontological insecurity. Feelings of ontological insecurity are combatted with (1) totalizing narratives and (2) essentialism of in-group cultural characteristics combined with dehumanization of the other (Young 2007). Furthermore, in the framework of cultural criminology, transgressive behavior is also conceptualized as a response to widespread and profound identity crisis, a "crisis of being": "Crime and transgression in this new context can be seen as the breaking though of restraints, a realization of immediacy and a reassertion of identity and ontology" (Hayward and Young 2004:267).

A cultural criminology of the state takes these concepts (i.e., ontological insecurity, totalizing narrative, cultural essentialism/dehumanization, and the transgressive subject) and applies them to the state. Through this lens, ontological insecurity is associated with a crisis of national identity. The totalizing narrative is a national narrative that defines the role of the state as an exception to its own rules. The transgressive subject is thus the state itself, and, informed

by a constitutive conceptualization of state crime, the utterances of state discourse, insofar as they are defined by cultural essentialism/dehumanization, are themselves both criminal and criminogenic. To provide further background on the workings of a cultural criminology of the state, it is next necessary to examine in greater detail some of these core concepts, in particular that of ontological insecurity, cultural essentialism/dehumanization, and the totalizing narrative of state fantasy.

Ontological Insecurity

In Horkheimer and Adorno's *The Dialectic of Enlightenment* (1947), the authors trace the formative lines of ontological insecurity to the processes of demythologization that have been played out by social actors throughout recorded history. One of the major themes of this work is the driving force that emanates from the fear of the unknown experienced by individuals within society. Adorno and Horkheimer trace this fear back to the lack of control experienced by individuals within mythical, or pre-enlightenment, societies in the face of the harsh and unforgiving forces of nature. In order to overcome the threat posed by these forces, individuals attempted to control them through the process of disenchantment (Weber 1946), or demythologization; the goal was to find the truth behind the forces in order to abolish the control the natural world had over their lives.

The latent consequence of the process of demythologization is the loss of meaning within social life previously attached to the mythical explanation of the forces of nature. Before this process, individuals within societies lived according to a specific and overarching worldview, or godhead, which was given in what we would consider the form of myth. The godhead explained to these individuals everything from the story of creation to how they were to navigate through their daily social lives. It provided an overarching ontological explanation, which in turn

provided individuals with meaning and direction in their lives, providing ontological security, fighting against the fear of the unknown. Further, this imposition of order on the otherwise chaotic politic is one way in which "law and order" societies legitimate the state and justify its actions, which can be seen in rhetorical efforts of the administrations of past U.S. Presidents Nixon, H.W. Bush, Clinton and Trump (Beckett 1999; Hall et al. 2013; Murakawa 2014).

Because this process of demythologization, finding the truth behind myth in order to abolish mythical control over social life, brings into question and eventually displaces the godhead, it inherently produces a level of ontological uncertainty and, if completely displaced, abolishes any semblance of a secure sense of self and place within one's social reality. The framework of mythical meaning along with its totalizing explanations, rendered useless if not utterly meaningless, no longer provides its adherents with meaning and direction. How, then, were men and women to know how to live their day-to-day lives? How were they to know what to value? This, then, is the core of ontological insecurity: the inability to meaningfully relate to one's social environment.

Ontological insecurity takes shape in a criminology of the state in the focal points of critical criminology, including moral panics (Cohen 1972) and the policing of crisis (Hall et al. 1978). It too must be a key factor in our understanding of the criminogenic possibilities of the state. Its contribution to the present study and overall development of a cultural criminology of the state is two-fold. First, it is ontological insecurity that works to catalyze the criminogenic currents of state discourse: (1) cultural essentialisms, which encourage violence toward dehumanized others and (2) totalizing narratives, which justify the transgression of U.S. ideals as necessary for their own preservation. The concept of ontological insecurity not only underlies these criminogenic elements of state discourse. The presence of ontological insecurity is

criminogenic in itself through the lens of cultural criminology, which sees crime and transgression as a "reassertion of identity and ontology" (Hayward and Young 2004:267).

Totalizing Narratives and Cultural Essentialisms

The ubiquitous influence of ontological insecurity can be found within the formation and maintenance of particular ideologies and totalizing narratives. Individuals are confronted with a social world containing a variety of competing world-views, ideologies, and value-systems. In the face of ontological uncertainty and identity confusion, social actors statically conceive a picture of reality that soothes their potential existential angst. Instead of acknowledging the complexity of such a world with its overwhelming plurality of particular phenomena, many:

> …transform events that they see or experience as micro-events into 'summary representations', or mind patterns, by relying on routing practices through which they convince themselves of having achieved the appropriate representation of those events; these are then objectified in coherent narrative constructions. (Henry & Milovanovic 1996:39)

In order for their picture of reality to fit together in a coherent and sensible way, details must be left out, gaps must be ignored, and 'truth' must be discarded for meaning, coherence, and the order of ontological certainty. Even where order does not exist or is at least hidden below the level of surface manifestations, the ontologically insecure actor discursively imposes the semblance of order, and the illusion of understanding and control is maintained.

Furthermore, "as we invest more energy in the fictions of what we produce...we cease to invest in direct relation to each other" (Henry & Milovanovic 1996:39). This position lies at the heart of the harmful phenomenon. Driven by a yearning for meaningful connection with his or her social environment, an individual invests endless amounts of energy in the construction of a

meaningful narrative of self and his or her place in the world. Yet, when individuals are confronted with manifestations of the discursively and socially constructed world, in which individuals are found to be complex and multi-faceted, those constructed as villainous evil-doers are found to bear the capacity for good, or the capacity for "deviant" or "criminal" behavior is found within oneself, confusion and frustration springs forth.

When a world-view is shaken, individuals attempt to solidify their own identity's foundation, simultaneously trapping themselves within it. The more concrete the foundation, the more difficult movement, both intellectual and emotional, becomes. Identity confusion and ontological frustration, which originate from fictitious boundaries, differences, and distinctions, are combated with a hardening of those same boundaries, differences, and distinctions within many individuals. Such behaviors are born out of a frustrated emotional and psychological state; they express the supposed concrete reality of one's own identity.

Ontological frustration results in even more investment into the ontological picture of society the frustration sprang from initially. One can see such expressive behavior as identity-work, meaning that when one's identity, as shaped by a particular world-view or discourse, comes into question, he or she must do identity-work to reconstitute his or her identity as it previously stood. It is through this expressive behavior that individuals perceive their identity to emerge, like something that was hidden within them that simply needed to be uncovered rather than something that was actively built by their own subjective decisions and place within a discursive process. This identity is then perceived as something static, concrete and objective, an always and already existing essence, which makes the next confrontation with contradiction even more frustrating (Young 2007).

This is especially relevant in the context of state discourse, national identity and

transgression. As the ontologically insecure citizens seek to place themselves within a meaningful narrative, state discourse provides a national narrative that defines past and present events as meaningful and directs future action. When state actions contradict this narrative (e.g., through transgression of the ideals it is supposed to represent), such contradictions must be reconciled and reinterpreted through the logic of state discourse (e.g., the state must transgress its ideals in the name of their lasting protection) in order to be rendered meaningful and thus continue in the provision of ontological security. Through this logic, state violence is inherently justified as long as it is discursively defined as an essential element in the national narrative.

Human subjects actively create the world in which they live through their various interpretive and discursive practices. Discursive practices do not happen in a social vacuum. An individual's social constructions can and often do cause very real harm to other individuals. Our words and actions contribute to the continual construction of reality; when individuals construct differences discursively, this constituted discourse is separated from the speaker and can be acted upon as reality by other individuals within society with access to said discourse.

> What 'causes' crime...is the ideology and invocation of the discursive practices that divide human relations into categories...such a process is the most lethal devised by humanity. At once, it both commands action toward goals, themselves seemingly harmless, and limits the human subject's responsibility to others, not classified as one or other lesser, disposable category, summarized as 'not my business.' (Henry and Milovanovic 1996:179)

The desire for ontological certainty breeds a static conception of life and those within it. It results in individuals being artificially boiled down to particular “essences” by which they can be

labeled and acted upon. Because the conception is static, the individual is conceived as unchanging, which means that further interaction and continuous attempts at empathetic understanding are pointless. 'Reality' is already known; individual 'essences' have been uncovered. Hence, "others are allowed to be known only through the ultimate denial of their human selves, the stereotypical categories of classification and summary representation" (Henry & Milovanovic 1996: 180).

Through the process of language, individuals in all of their inherent complexity are constructed as objects that must be acted upon in a certain way to ensure prediction and control. Such a conception legitimizes the use of physical violence and repression of those categorized individuals. It is not merely that the discursive process can allow for further symbolic and physical violence against individuals, many constructions of individuals, specifically encourage such symbolic and physical violence against those conceptualized. Indeed, many times, such as in the case of those labeled as "terrorists," forms of violence are framed as the only response to these individuals, as both justified and necessary. This is an essentialized response to a dehumanized other as justified by a totalizing narrative. In order to understand the workings of this particular narrative, though, it is next necessary to examine the concept of state fantasy, by which America is defined as an exception to its own rules.

State Fantasy

In *The New American Exceptionalism*, Donald Pease formulates the role of fantasy in political discourse and examines the influence of identifiable ideologies within both the macro-maintenance of modern society and the micro-construction of meaning and individual identity formation. The fantasy framework, or state narrative, is easily connected to both macro and micro processes because it fulfills essential functions for both the state as well as the individual

citizen. For the individual citizen, state fantasy provides an ordered and coherent narrative that provides a meaningful connection to one's social environment. Seemingly fractured and chaotic events must be brought into some form of order to be rendered meaningful. Within this framework, it is state fantasy, or "the dominant structure of desire out of which U.S. citizens imagine their national identity," that renders individual citizen's political lives meaningful and brings "the chaos of political events into order" (Pease 2009:4). For the political and economic elite, state fantasy, if successful, convinces the citizenry to desire the social order that already exists, therefore maintaining certain positions of privilege and influence without their appropriateness coming into question.

The fantasy of American exceptionalism is accomplished by constructing a political discourse that frames the United States as: (1) a nation of superior moral and economic ideals, and (2) the self-appointed defender of those ideals across the globe.

> American exceptionalism defined America as having already achieved the condition of the ideal nation that normally incited national desire. After it defined America as the fulfillment of the world's dream of an ideal nation, the fantasy of American exceptionalism eradicated the difference between the national ideal U.S. citizens wanted and the faulty nation they had, by representing America as having already achieved all that a nation could be. American exceptionalism thereafter motivated U.S. citizens to displace their normal national desire—to achieve an ideal nation—with the abnormal desire to propagate the U.S. model of nationalism (Pease 2009:22).

The particular formulations and basic tenets of this ideology of American exceptionalism change

according to each newly exposed contradiction they are purposefully constructed to hide. What the fantasy cannot hide, it must incorporate into its internal logic, reformulating it to fit comfortably within the carefully and coherently constructed narrative. In order for the state to maintain its perceived legitimacy, manifest contradictions must be defined as necessary by the logic of state fantasy. By constructing the terrains of the perceptible, state fantasy works as ideology in Adorno's "strict sense" of the term—as "a necessary illusion" that "automatically encourages and tolerates only such knowledge of itself that slides off its back without any impact" (1976[1969]:86).

Thus, when the state transgresses its own ideals, individual citizens who are ontologically invested in their national identities must either question the previously-held meaning they associated with their country or submit to the circular logic by which U.S. transgressions are automatically redefined as necessary because of nation's status as the Nation of Nations, the City on the Hill, the moral leader of the free world. Such a fallacy of logic is able to exist because of the desire held by citizens to view their lives as meaningful, which becomes stronger than any notion of truth when measured against the possibility of being confronted with a chaotic politic void of coherent meaning. Viewed through the lens of a cultural criminology of the state, the state's transgression of its own ideals is more than mere contradiction. It is meaningful action inspired by ontological frustration. It is transgressive action that reasserts a particular formulation of national identity – the state fantasy of American exceptionalism.

CHAPTER III
LITERATURE REVIEW

In order to lay the foundations for understanding the foundational paradox of the state and its ability to justify the use of violence to limit harm, I explore several of the ways in which the relationship between crime and state has been conceptualized in criminological literature. I begin by exploring the guiding assumptions concerning crime, the state, and human nature found in the foundational (enlightenment) era of criminological thought. I then review the question of state criminality through the lens of modern state crime scholars, positioning prior conceptualizations within Hall's dialectic of cultural struggle (i.e., as discourses of control and resistance). I then outline an alternative, constitutive approach to the questions of crime, state, and discourse. Finally, I examine the ways in which the GWOT in particular has been analyzed in the criminological literature and, in so doing, highlight the original contributions of the current project. I begin, though, with a discussion of the ways in which the state has been broadly conceptualized throughout the history of criminological thought.

Conceptualizing the State

The state has been conceptualized in myriad, contradictory ways throughout the history of classical and contemporary criminology. It has been cast as both a criminogenic problem as well as the solution to the problem of crime. Depending on the theoretical perspective employed, the state can be seen as the main source of crime prevention, a criminal actor, a criminogenic institution, and/or a contrivance for the criminalization of those perceived as a threat to the status quo. The two most diametrically opposed conceptualizations of the state can be traced back to the origins of criminological thought, the first of which is represented by classical criminology.

The conceptualization of the state and its resultant role in classical criminology springs

from its assumptions pertaining to human nature. The idea from which all others emanate is that it is 'natural' for individuals to pursue their own narrow self-interests at the expense of others. Left unchecked, this pattern of behavior culminates in what Thomas Hobbes referred to as "the war of all against all" and is reflected in Beccaria's foundational notion that "every man (sic) tends to make himself the center of his whole world" (1764:11). Classical criminology not only assumes this to be the case, it assumes that at some point there became a consensus that this was the case. This consensus sparked individuals to realize that it was in their mutual self-interest to guard against this "despotic spirit" (1764:13). Classical criminology is thus predicated on the assumption of a consensus throughout society specifically pertaining to the desirability of protecting private property and personal welfare. It is in the name of this protection that individuals freely enter into a "social contract" with the state. The idea is that citizens of a society sacrifice to the state a small portion of their own personal liberty in the name of personal and material security. The aggregate of these individual slices of personal liberty constitutes the "right to punish" yielded by the state (1764:13). Thus, classical criminology paints the "despotic spirit" (1764:13) of humankind as the problem and the state as the collective solution, a neutral tool to be used for the common good.

Beccaria and Bentham's models of classical criminology were not the only theoretical writings on crime of their time. A vastly different picture of crime, the social contract, and the state was painted by radical writers of the enlightenment era. In his analysis of varieties of enlightenment criminology, Jenkins (1984:114) writes:

> Enlightenment criminology was almost as broad a spectrum as that of the twentieth century. To see Classical views alone as representing the side of reform would be like seeing the Californian treatment model of the 1950s

as the sole trend in twentieth-century penology.

The term 'radical criminology' is most often used to describe applications of Marxist theory to the study of crime and crime control. Whereas the writings referred to here as early radical criminology, specifically those of William Godwin (1793) and Marquis de Sade (1787; 1797) are not explicitly Marxist, they do share a common materialist philosophical orientation and similarly offer only revolutionary solutions to crime and advocate for the abolishment of private property.

At the heart of the distinction between classical and early radical criminologies are two wholly opposing conceptualizations of the state, in particular as it relates to the establishment of the social contract. For classical theorists, humanity is inherently wicked. The only way to guard against society plunging into its "original chaos" (Beccaria 1974:13) is the establishment of effective social controls, which is accomplished through the social contract and enforced by the state. For early radical theorists, the causality is inverted. It was the establishment of the social contract that marked the true beginning of injustice. Whereas classical theorists conceptualize the social contract as a solution to the problems of an inherently flawed humanity, early radicals saw this imposition of social order as the problem, in that it created a flawed social system through which the few had power over the many. It was unjustly established to protect a social and economic system based on private property and maintain material inequality. By creating poverty, it created crime. The doctrine of "original chaos" was the lie that those in power told to justify their own sins over those without property.

For both of these enlightenment criminologies, the state's ultimate reason for existence is to enforce the social contract and therefore protect the political system of private property. The key difference is that classical criminology assumes that this social contract is based on and

accurately reflects a consensus of values within society, whereas early radical criminology see this as a consensus of values within one (property-owning) segment of society. Classical criminology's solution is early radical criminology's problem. In early radical criminology, the state is thus conceptualized as criminogenic (as it creates and perpetuates inequality), a conduit of criminalization (as it criminalizes "offenses which the wealthier part of the community have no temptation to commit" (Godwin 1793:631), as well as criminal (as it unjustly punishes those without property). The significance of this distinction between enlightenment era criminologies is two-fold. First, these two discourses and their relation in many ways mirror the competing conceptualizations of culture put forth by Bauman (1999), further explored in the previous chapter of this project. Whereas both the static conceptualization of culture and the classical view of the state (discourses of control) assume a consensus of values throughout society and define anything existing outside of that consensus as immoral and in need of amelioration, both the dynamic conceptualization of culture and the radical view of the state (discourses of resistance) assume a plurality of values and acknowledge the role and power of discourse in defining social reality. Second, it is through the logic of early radical criminology that the state can be conceived as a criminal actor. It is thus through this legacy that a cultural criminology of the state can turn the state on its head in a way that exposes its own violence.

The opposing conceptualizations of the state expressed in classical and early radical theories of crime, which can be broadly referred to as conceptualizations rooted in consensus and conflict theoretical orientations, respectively, continue to exist in contemporary theories of crime and deviance. There are a number of contemporary theories of crime and deviance that are defined on some level by an assumed consensus of values throughout society. The particular value-consensus such theories presuppose is one based on the core principles of a consumer-

based, capitalist economy and thus predicated on private-property based socio-economic organization of society. Hagan refers to such consensus-based theories as "structural functionalist theories," those in which "[w]ide agreement or consensus is assumed…about the core socioeconomic values of society—about what people want from their lives and how they are expected to behave in achieving theses goals" (2012:70).

An example of a contemporary conceptualization of the state that is rooted in an assumed consensus is Hirschi's (1969) theory of social control. Much like the classical conceptualization of humanity, Hirschi begins with the assumption that most people have 'antisocial' tendencies, which will be actualized in the absence of effective social controls. These social controls work by bonding an individual to society through: (1) attachment to parents, school, and peers; (2) commitment to conventional lines of action; (3) involvement in conventional activities; and (4) belief in conventional values. Hirschi not only assumes that a consensus exists as to the definition of 'conventional' lines of action, activities, and values. He positions state actors (teachers and police officers) and state values (respect for the law and police officers) as representations of this consensus. The state, with its 'conventional' values, is thus conceptualized as the solution to criminal, antisocial behavior.

The multi-faceted, conflict-oriented conceptualization of the state put forth by early radical theorists gains even more nuance in its more contemporary formulations. Several of the different facets of the original radical formulation spurred their own theoretical lineages. The conceptualization of the state as a weapon of those in power, wielded through the criminalization of certain behaviors (and not others) can be seen in conflict criminology (Quinney 1970) and the labeling perspective (Becker 1963). The conceptualization of the state as a criminogenic force can be seen in a number of contemporary theories as well. Building on the early radical critique

of a political-economic system of private property, contemporary radical/Marxist criminology holds that, whether it causes crime through promoting egoism at the expense of altruism (Bonger 1905) or through the creation of 'problem populations' expressing the fundamental contradictions of the capitalist economy and social control institutions (Spitzer 1975), the (capitalist) state is *the* criminogenic force to be reckoned with. The conceptualization of the state as a criminal actor can be seen in contemporary critical criminology, which has shed light upon state political repression (Parenti 1983) and state-corporate crime (Kramer, Michalowski, and Kauzlarich 2002) as well as provided criminological analysis of the invasion and occupation of Iraq (Kramer and Michalowski 2005) and the theft of Iraqi public funds thereafter (Whyte 2007).

Critical criminology is a label applied to multifarious theoretical endeavors in the study of crime and criminology. Numerous scholars have attempted to outline its central tenets and subfields (Schwartz and Milovanovic 1996) and distinguish it from other criminological traditions, radical criminology in particular (Lynch 1996). Radical criminology has previously been referred to here as applications of Marxist theory to the study of crime and crime control, particular those of the late 1960s and 1970s (Chambliss 1975; Platt 1974; Spitzer 1975; Taylor, Walton, and Young 1973). DeKeseredy (1996) holds the same timelines but extends this definition. He outlines two defining features of radical criminology: (1) rejection of state definitions in favor of class-based definitions of crime, and (2) focus on crimes of the powerful. Critical criminology began to take shape in the mid 1980s, when the focus of radical criminologists broadened to include postmodern perspectives (Milovanovic 1994; 1996), feminist perspectives (Daly and Chesney-Lind 1988), and left realism (Young 1987). Lynch (1996) makes a similar distinction, defining radical criminology as a radical approach to economics grounded in Marxist theory and critical criminology as an integration of more diverse

theoretical approaches.

Theories under the banner of critical criminology might be defined less by the principles and propositions they share than by the ones they reject. It is from these common rejections, outlined by MacLean and Milovanovic (1998), that a theoretical perspective able to aptly address the place of the state in the study of crime and criminology can be constructed. Among these common themes of non-critical criminological perspectives rejected by critical criminologists are: purely legalistic definition of crime; the lack of attention paid to political economy and overwhelming inequalities; the targeting of selected groups by law enforcement agencies and officials; and the disguising of systematic practices of sexism, racism, classism, and their intersecting effects as neutral realities. Whether it is in defining crime, creating criminogenic social forces, or performing illegal, discriminatory acts in the name of crime control, the common tie that binds these rejected themes together is the (lack of) acknowledgement of the role of the state. This defining feature of critical criminology helps us to best understand the place of the state in the study of crime and criminology: the state is ever-present—as a criminogenic force, as a conduit for criminalization, and/or as a criminal—and it must be acknowledged as such. In the following section, I will further explore the relationship between crime and state by examining questions of state criminality. It is through this examination of prior conceptualizations of state criminality that I continue to build the case for a new approach to the question of state violence, one that focuses on the constitutive role of state discourse in evoking violence.

Conceptualizing State Crime

What is crime? Occam's razor would suggest that crime is an act that violates criminal law. Thus, to understand crime, we must understand criminal law. But where does this criminal

law come from? Who designates a behavior as criminal? How are such decisions made? By whose authority are they upheld? To address these as well as many other questions essential to the field of criminology, the state cannot be ignored. If we are to acknowledge that the law is not an actualization of divine will or a perfect reflection of a universal division between good and evil, then we acknowledge that law, and thus crime, are products of human construction. In order to shed light upon the reality of crime, it is essential to examine this process by which some acts (and not others) are defined as criminal. This, the criminalization process, is an intrinsic part of a criminology of the state and critical to the past, present, and future of the field of criminology. This relationship between crime and the state has, however, been relatively neglected as an area of criminological inquiry.

William Chambliss, in the opening statement of his 1988 ASC Presidential Address, highlighted this neglect in his argument for a disciplinary shift in focus toward "state-organized crime," which he refers to as "a form of crime that has heretofore escaped criminological inquiry, yet its persistence and omnipresence raise theoretical and methodological issues crucial to the development of criminology…" (1989:183). Chambliss built on previous arguments that had similarly addressed the lack of attention given to crimes committed by governments (Douglas & Johnson 1977), especially those involving genocide (Brown 1971; Horowitz 1977) or victimizing nations referred to as 'Third World' (Shawcross 1979). Chambliss's Presidential Address "provided the more direct and immediate inspiration" (Rothe & Friedrichs 2006:149) for proceeding studies in state crime exploring areas and themes similar to those earlier identified as neglected, such as the lack of attention given to crimes perpetrated by states against their own citizens (Barak 1990), genocide and the social production of immorality (Jamieson 1999), as well as an expanded victimology of state crime (Kauzlarich, Matthews, & Miller 2001).

The relative neglect of state crime as an area of criminological inquiry is acknowledged by a number of contemporary scholars. Although most criminologists worldwide continue to focus on conventional forms of crime, conventional crime control efforts, and criminal justice system responses to traditional street crime, an increasing amount of academic attention has been paid to some transnational 'non-conventional' forms of crime (e.g., terrorism, organized crime, corporate crime), but, despite the documented calls for scholarly attention, "governmental crime—or crime carried out in a government context—[continues to receive] significantly less attention" (D. L. Rothe & Friedrichs 2006:147). In their reevaluation of the field, several leading scholars of state criminality note, "the study of state crime still has a long way to go before it ever reaches the magnitude or legitimacy afforded to the study of traditional street crime" (D. L. Rothe et al. 2009:4).

In regard to state criminality, Hagan and Rymond-Richmond ask, "Why is criminology—the science of crime—so slow to study the 'crime of crimes'?" (2009:xx). A possible answer to this question is provided by Kramer (2009), who argues that criminologists have generally failed to subject the legal and moral violations of state officials to the same level of critical scrutiny reserved for other forms of criminal behavior, citing the discipline's dependence on formal legalism, its primary focus on private crimes, as well as its prosystemic character in general as factors that have worked to limit academic attention to state crime. Lasslett furthers the logic of this argument by tracing the epistemological roots of the discipline's prosystemic character, identifying a "disciplinary tendency to fetishise those organizational forms—principally states and corporations—through which capitalist relations of production function" as a barrier state crime studies must overcome to fulfill its potential as a "rich intellectual resource for diverse struggles of resistance opposed to the crimes of the powerful" (2013:115).

Rothe and Ross (2008) document the neglect of state crime as a subject area in introductory criminology textbooks. The authors provide both qualitative and quantitative evidence that shows how these introductory textbooks "have disproportionately ignored the subject matter of state crime" (p. 741). Perhaps the most damning evidence documenting the neglect of state crime, though, is provided by two separate studies of major U.S. and British journals of criminology and criminal justice. Both Michalowski and Kramer (2006) as well as Tombs and Whyte (2003) found that articles focused on crimes of the powerful (i.e., state and corporate crimes) represented less than three percent of total articles.

Despite suffering from relative neglect as an area of criminological inquiry, the scope of state crime's consequence is nonetheless documented in decades of scholarly research. If we operationalize the concept in terms of Chambliss' definition—"acts defined by law as criminal and committed by state officials in the pursuit of their job as representative of the state" (1989:184) with the author's later addition of "behavior that violates international agreements and principles established in the courts and treaties of international bodies" (1995:9)—different instances of state crime, both domestic and international, affect a vast number of people and/or have dire, irreversible consequences for those affected. In terms of affecting a large number of people, the CIA has illegally gathered intelligence on over one million U.S. citizens (Parenti 1983, pp. 170–171; Parenti 2008; Rockefeller Report 1975, pp. 101–115), which pales in comparison to the reports of more recent acts of illegal intelligence gathering made through the U.S. PRISM program (Braun, Flaherty, Gillum, & Apuzzo 2013). In terms of having larger/more serious consequences, Frappier (1984) documents an overwhelming number of international law violations made by U.S. state officials through the illegal intervention in the internal affairs of dozens of sovereign nations. Such interventions have obvious (and not-so obvious) political

ramifications, the true strength and scope of which are impossible to measure (see P. Green & Ward 2009). This is to say nothing of the numerous documented instances of state-organized assassinations and murders (Dinges & Landau 1982; Gasiorowski & Byrne 2004; Lernoux 1984:188).

Contemporary scholars of state criminality often conceptualize the scope of state crimes' social consequence in relation to traditional crime. Rothe states: "State crimes are historically and contemporarily ever-present with atrocious results leading to more injury and death than all traditional street crimes put together" (2009:xvii); Friedrichs refers to state crimes as "the worst crimes—in terms of physical harm to human beings, abuse of civil liberties, and economic loss" (2007:122). Thus conceptualized, the expansive scope and dire character of state criminality's social consequences is directly related to scholarly acknowledgment and analysis of war crimes (Hagan & Greer 2002; Kramer & Michalowski 2005; D. L. Rothe 2009) and acts of genocide carried out by state actors (S. Cohen 2013; Hagan & Rymond-Richmond 2009; Savelsberg & King 2011).

Rothe (2009) documents the massive costs of such state crimes through different forms of harm, including environmental (e.g., nuclear waste cleanup), physical (e.g., millions of deaths at the hands of state regimes), psychological (e.g., widespread cases of PTSD), financial (e.g., over $30 billion for reconstruction efforts in Iraq), as well as cultural, social, and/or political dimensions (e.g., decreased legitimacy of cultural, political, and social systems). Rothe limits her discussion of the costs of state crime to state actions formally defined as criminal by legalistic standard (i.e., those resulting from states' violations of domestic and/or international laws). Whereas this delineated formulation includes the tens of millions of lives lost to genocidal state actions, for those working with "a more expansive definition of state criminality, the costs and

harms are even more insurmountable" (p. 76). Examples of more expansive definitions include those informed by human rights restrictions (McEvoy 2007; Schwendinger & Schwendinger 1970), socially analogous harm/analogous social injury (R. J. Michalowski 1985; R. Michalowski 2007), social audience/citizen perception (P. J. Green & Ward 2000), and process-driven approaches that focus on historical struggles to criminalize state practices from below rather than breaches of specific normative criteria from above (Ferrell, Hayward, & Young 2008; Lasslett 2014).

Such variety in accepted definitions of crime is longstanding and highlights state crime's contradiction - a criminal definition problem, which poses the question: What is the place of the state in defining state crime? Tautologically, if the state is the authority that defines its own actions as criminal, how will any state criminalize its own behavior? The contradiction of criminal definition problem represents academic criminology's initial resistance to the idea of a criminal state; its common argument was "governments and their agencies do not commit crimes, but only because criminal law does not take cognizance of them as criminal actors." Thus, the state can only commit "noncriminal deviance" (Cohen 1990:104). Similarly, Sharkansky (1995) argued that the only way a state action could be labeled as criminal would be if said action explicitly violated the state's own laws. Any other criteria in the author's conceptualization would violate principles of national sovereignty. Even state actions widely recognized by the international community as criminal are "nasty" but not criminal.

Other scholars of state criminality, however, were guided by a contrasting conceptualization of the place of the state in defining its own actions. This conceptualization was informed by the conflict-oriented position that relying solely on the state's legalistic definitions of crime results in a loss of scientific autonomy by the social scientist (Sellin 1938). It was also

informed by the critical/humanist-oriented position that strict reliance on the state's definitions of crime omits socially injurious acts (Michalowski 1985) and other restrictions of human rights (Schwendinger and Schwendinger 1970). Such critiques resulted in the expansion of the state definition into a "social definition" of state crime. What I refer to as a "social definition" of crime is any definition that moves beyond an exclusive reliance on the state's definition of its own behavior. Thus, the distinction is not between "legal" and "social" definitions of state crime; a definition of state crime that relies on international legal codes still falls under the banner of a "social" definition. The main distinction: Whereas a state definition relies on the state's ability and willingness to criminalize itself, a social definition recognizes the legitimacy of other authorities. Such authority can be official (e.g., codified by an international legal body) or unofficial (e.g., notions of human rights; socially analogous harm; citizen/public opinion). In short, a social definition recognizes that the state does not have a monopoly on the right to define behavior.

Even social definitions of state crime, however, remain a limited framework from which to understand state harm and violence. To fully understand the paradox of the state, its relationship to crime, and its propensity to spread violence in the name of limiting harm, one must acknowledge and account for the criminal and criminogenic potential of state discourse. This is especially true in the current context of the GWOT, as different aspects of this ongoing global endeavor meet the standards of criminality for each definition of state crime. The question thus becomes: How does the state justify violence that is criminal by any standard but its own? In order to understand this potential of state discourse, it is first necessary to understand the relationship between discourse and violence and/or harm and formulate a definition of crime that accounts for this relationship. It is thus next necessary to explore a constitutive conceptualization

of crime.

A Constitutive Conceptualization

Henry and Milovanovic take as a starting and organizing assumption that human subjects actively create the world in which we live through their various interpretive and discursive practices. In regard to the criteria by which an act is defined as criminal, constitutive criminology argues "that the dichotomous separation between law-abiding and law-breaking behavior is an artifact of the conventional criminologist." The authors separate constitutive criminology from this artificial distinction, rejecting any deterministic ideas springing from biology or totalizing social structure, instead opting for a world-view that conceptualizes individuals within society as investors in a certain view of reality. This view of reality entails a belief in power, specifically the power to predict and control others' behavior. "Criminals", without beings specific "types" of people, do share commonalities. Of this point, they say:

> This similarity lies not in their legal definition of having broken the law but in their substantive practice of creating differences of position for those with power to exploit against those without power: and this is true for the urban terrorist as for the corporate raider, for the date rapist as for the environmental polluter, for the armed robber as for the armchair swindler. All are investing their energy in creating and exploiting differences in power. All are excessive investors in power. (Henry and Milovanovic 1996:110)

Such a position is indebted to the Durkheimian conjecture that criminal behavior is not something categorically different from "normal" or law-abiding behavior. Rather, the kernel of "criminal" or "deviant" behavior lies within the logic of daily life, and the behavior that appears

to be something outside of the norm is merely an exaggeration of the same values held throughout mainstream modern society. Furthermore, society is not divided between those who are excessive investors and those who are not; such moments of excess are just that: moments.

To posit that an individual is defined in some way by a moment of excessive investment is both criminal and criminogenic. It is criminal because it is an act of reification against the individual in all of his or her multi-layered complexity. To reduce the individual to one moment or instance of behavior is a form of symbolic violence. Through the discursive practice of attaching a label to a certain individual or behavior, categorical differences are constructed by the speaker. Henry and Milovanovic said that "such a process enables some people to sometimes believe it is possible, and even acceptable, to act on the differences that they create, in such a way to deny others the freedom to make their own differences" (173).

Such categorizations become coordinates for social action and beget harms of reduction as well as harms of repression, which are defined by the authors as occurring when an individual "experiences a loss of some quality relative to their present standing" (103) and "experiences a limit or restriction preventing them from achieving a desired position or standing" (103), respectively. The quality that is being reduced within this action is the individual's ability to be conceived as a human subject rather than an object about which "something must be done" while also repressing the individual's ability to write his or her own story of his or her own life. This symbolic violence begets not only more symbolic violence, but also works to legitimate forms of physical violence and repression against others. Crime, then, is an attempt to take hold of and use the illusion of power, which is real in its consequences, to deny others. It is not just the denial of an individual's material existence. It is to deny an individual their voice. It is to deny an individual their identity. It is to treat a dynamic entity within a dynamic world as a static

abstraction, outside of what is to be considered "normal", who should be acted upon rather than related to.

Constitutive understandings of crime are central to the current project in a number of ways. First, constitutive criminology builds itself as the dynamic counterpoint to the static conceptualizations of crime held within conventional criminology. The relationship between these competing conceptualizations of crime, much like the competing conceptualizations of culture and the state already outlined, provides yet another example of Hall's dialectic of cultural struggle. The conventional conceptualization positions law as a static, objective reality based on a consensus of values and defines anything outside of that consensus as criminal. This is a discourse of control in that it seeks to place labels on individuals or groups of individuals in order to predict and control their behavior. It is built upon and reinforces several value-laden, dichotomous distinctions: normal/deviant, criminal/law-abiding, moral/immoral, good/evil. Constitutive conceptualizations of crime, conversely, assume a plurality rather than consensus of values and position law as but one discourse amongst many. As a discourse of resistance, it rejects the static formulations of convention and replaces them with a willingness to risk envisioning alternatives in which individuals remain human subjects rather than objects of control. Second, whereas another discourse of resistance, early radical criminology, opened the door for the state to be considered a criminal actor, constitutive criminology extends the purview of what can be considered criminal. This is especially meaningful for the current project and the larger development toward a cultural criminology of the state in that, through this lens, discourse, by legitimating violence and repression of others, can be both criminal and criminogenic. In this context, the utterances of U.S. Presidential discourse are criminal insofar as they create differences in social position for those with power (e.g., Military Police at Abu

Ghraib) to exploit against those without power (e.g., the tortured detainees at Abu Ghraib). Further, analysis of the presidential utterance takes on new importance in the era of President Trump, who refers to the constant use of social media as "modern day presidential" (Weiland 2017).

Criminology and the GWOT

There are a number of contemporary criminological scholars who have indeed acknowledged and explored the harm-producing role of the state in the GWOT. Review of these relatively recent studies of state violence demonstrates the most distinct of the current project's original contributions. In addition to the refinement of existing theoretical frameworks (i.e., refining cultural criminology's conceptualization of culture and integrating a constitutive definition of crime) toward the development of new frameworks (i.e., a cultural criminology of the state), the most pronounced of this project's original contributions is twofold: (1) the theoretical analysis of state violence through an expressive, emotional rather than purely instrumental motivational framework and (2) the empirical analysis of state discourse at a scope previously unseen in criminological investigations of the GWOT.

There are a number of theoretical pieces written in the wake of 9/11 that document the ways in which academic criminology must shift its understanding of the state's crime control/counter-terrorism efforts within the GWOT (McColloch and Pickering 2009; Aradau and van Munster 2009). Mythen and Walklate (2006), for instance, attempt to understand the state's efforts to manufacture the "new terrorist" (i.e., post-9/11) threat through two distinct theoretical perspectives: Beck's risk-society thesis and the Foucauldian looking glass of governmentality. The authors argue that neither framework provides an adequate understanding of state violence in the GWOT. At least in part due to the absence of "the power of cultural identities" within the

frameworks, the authors conclude, "it is evident that we need to search for more sensitive and reflexive institutional methods of engaging with terrorism" (2006:394) and counter-terrorism efforts, especially those that document "forms of control which unjustly vilify and criminalize" (395) communities. The current project as well as a cultural criminology of the state more broadly heeds this call by being sensitive to the power of cultural/national identities in shaping a state discourse that indeed vilifies and criminalizes.

Other scholars have framed state actions in the GWOT as violations of human rights and/or explicitly criminal. Welch (2003) invokes Cohen's concept of moral panic in examining the state's swiftly produced and wide-spanning legislation of the *USA Patriot Act*. He concludes that the U.S. Department of Justice (DOJ) produced an array of human rights violations in their initial response to 9/11, "especially in light of profiling and detentions concealed in secrecy" (2003:15). This differs from the present study in its units of analysis (legislation vs. Presidential speeches) as well as it analytic focus (how legislation creates harm vs. how state discourse justifies the harm it creates). Also, Welch's purpose is to document the ways in which legislation is harmful rather than to provide a motivational framework to understand why the state would create harmful legislation. Whereas Welch focuses on the ways in which particular pieces of state legislation create and exacerbate human rights violations, Kramer and Michalowski (2005) explicitly frame the 2003 U.S./U.K. invasion and occupation of Iraq as a form of state crime and offer a criminological analysis of the event (see also Kramer, Michalowski and Rothe 2005, which argues that the state officials responsible are guilty of war crimes). This differs from the present study in its heavy focus on demonstrating the criminality of the invasion in particular through international legal doctrines. The authors do analyze the origins of the criminal event through the lens of an integrated model for the study of organizational deviance, but their focus

is on instrumental rather than expressive motivations.

A number of other studies examine state violence within the GWOT from the perspective of cultural criminology. Hamm (2007) examines the Abu Ghraib prison scandal and argues that the infamous images of torture and abuse, along with supporting documents, "constitute the photographic record of a crime committed by the capitalist state" (2007:259) and, further, that these acts of torture followed directly from decisions made by top government officials. This differs from the present study in terms of its units of analysis (images and government documents) and scope (case study of Abu Ghraib). In addition, Hamm's motivational framework focuses on the criminogenic potential of group culture and organization leadership rather than the motivation of state leadership to create such a group culture. Wall and Linnemann (2014) also focus on a specific instance of state violence in the GWOT in their analysis of the "Mukaradeeb Massacre" (an instance of U.S. state violence in rural Iraq that resulted in the death of 40-45 Iraqi citizens, many of them children). The authors examine mainstream media representations of the violence, which they argue construct a sanitizing myth through which state responsibility for the violence is obfuscated. This again differs form the present study in terms of units of analysis (media representations) and scope (case study of Mukaradeeb) as well as a motivational framework that is primarily focused on the instrumental goals of capitalist accumulation.

Finally, Burrows (2013) provides analysis of mainstream media explanations of violence during the invasion and occupation of Iraq. By comparing such representations with data from the Wikileaks Iraq War Logs and human rights reports, Burrows argues that the mainstream media, along with state accounts of the conflict, constructed a hegemonic discourse that served to marginalize state criminality from popular public discourse. All of these studies mentioned

above share a dual goal with the current project and the more broadly conceived cultural criminology of the state, and that is to problematize the state's use of violence and deconstruct the sanitizing myths and narratives through which such violence is normalized. The current project builds on those prior and works toward this common goal through its own unique contribution, which is a focus on the expressive motivations toward state violence through analysis of state discourse at a scope previously unseen in criminological literature.

CHAPTER IV
RESEARCH METHODS

Cultural criminology is informed by multiple methodological approaches developed in, out, and even against the discipline of criminology. In this chapter, I briefly explore the influences most pertinent to the present study and demonstrate how cultural criminology's intellectual (and methodological) recklessness combined with the logic of "naturalism" (Matza 1969) necessitate a multi-layered, narrative-focused approach to the analysis of discourse. I then operationalize the concept of 'discourse,' focusing on its constitutive power as well as its relationship to culture, narrative and identity, and discuss the process of discourse analysis as a methodology of emergence. Finally, I outline the data collection and analytic procedures in this present study of state discourse.

Cultural Criminology & Methodological Recklessness

Cultural criminology's intellectual and methodological recklessness is directly related to its status as a discourse of resistance, an alternative conceptualization of the research methods of control found in the established orthodoxy. Cultural criminology traces the beginnings of its cultural approach to methodology back to the ethnographic orientations and "idiosyncratic, impressionistic approaches" of early 20th century Chicago School (Ferrell, Hayward, and Young 2008:161). As the influence of the Chicago School waned, however, a standardized style of survey research stepped into the void and "has held sway within the discipline ever since" (Adler and Adler 1998:xiii). Standards of random sampling and objective detachment from the subject(s) under study were adopted in order to position the discipline as an objective science. It is against this established orthodoxy that the methodological approaches of cultural criminology truly began to crystallize. Two pivotal works were instrumental in this methodological

development against orthodoxy: Feyerabend's *Against Method* (1975) and Cohen's *Against Criminology* (1988).

In Against Method, Feyerabend traces the development of science's great methodological innovations. Rather than isolated discoveries devoid of human subjectivity, he outlines how such developments are historically and culturally situated. These major innovations, even the scientific method itself, are cultural products. Their widespread acceptance and implementation was accomplished through appeals to the subjective, as ascendance in the cultural arena is contingent on hearts and minds. Whereas these major methodological shifts appear as the inevitable outcomes of pure, linear scientific progress, this appearance is itself a product of a mediated vantage point. That is, if one believes the path to social progress is marked by the scientific method, any outcome attributed to the scientific method is defined as progress. This circular logic, and the statically conceived discourse of control it represents, is the method cultural criminology stands against. In *Against Criminology*, Cohen calls for the establishment of immanent critique, a constant questioning of orthodox research practices, assumptions and modes of thought. The criminology that Cohen stands against is any iteration of the discipline that holds still. As truth is contingent and the social world dynamic, any method or technique established as complete must be called into question. Intellectual strength springs from intellectual movement, and the closest thing to an essential method, tool or technique of criminological inquiry is "lack of commitment to any master plan" (Cohen 1988:109).

It is the combination of these two works that serve as the dynamic ground upon which a cultural methodology is built. In concert, they "suggest a sort of anarchist understanding of method and knowledge" (Ferrell, Hayward and Young 2008). It is less a concrete foundation than a cultivated plot of land, cleared of extraneous debris. It is this space in which Feyerabend's

methodological principle can be actualized: “The only principle that does not inhibit progress is: *anything goes*” (1975:23). A background in methodological anarchy, however, does not mean that there is no rhyme or reason within the methodological framework of cultural criminology. As orthodox principles of methodology are deconstructed, new principles and practices, more open and adaptable to the shifting landscape of a dynamic reality, must be constructed in their stead.

The research methodology of cultural criminology is guided by the logic of David Matza's concept of "naturalism" (1969). Methodological decisions are thus driven by the necessity of researching the social world on its own terms, being "faithful to the phenomenon under scrutiny" (Ferrell et al. 2008) and "true to subject—without either romanticism or the generation of pathology" (Hayward & Young 2004:268). With regard to human behavior, these terms include an emphasis on subjectivity, emotion, and the mediated construction of meaning. For cultural criminology, this emphasis is accomplished through the "attentive gaze" (Hayward & Young 2004) and narrative-focused "ethnographic sensibility" (Ferrell et al. 2008) of a criminological *verstehen* (Ferrell & Hamm 1998) and is informed by various developments across sociology, anthropology and cultural studies.

The concept of criminological *verstehen* is rooted first and foremost in the work of one of sociology's founding fathers: Max Weber. His original concept of *verstehen* called for social scientists to develop a kind of sympathetic subjectivity, an empathetic understanding of the emotional context in which social behavior takes place. Thus, a criminological *verstehen* positions cultural criminology as an inherently personal endeavor through which researchers reflexively engage with the situations and subjects under study; it denotes a "subjective appreciation and empathetic understanding of crime's situated meanings, symbolism, and

emotions" (Ferrell 1999:400). This positioning reflects and is informed by long-standing traditions in criminology (Becker 1963) and the sociology of deviance (Humphreys 1975) on deep inquiry into the situated dynamics of deviant subcultures (Ferrell 1999). In the context of the present study, I turn this sympathetic lens of deep inquiry upon utterances of U.S. Presidential discourse and toward an understanding of the emotional context of the state response to the national trauma of 9/11.

The methodology of cultural criminology also reflects and is informed by developments in the field of anthropology. In addition to hallmarks of the discipline such as the use of thick description and attentiveness to the power of narrative, symbolic anthropologist Clifford Geertz's work was paramount in the development of cultural criminology, in particular his method of "understanding social action in terms of the deep reading of culture" (Hayward & Young 2004:260). As Geertz's work attests, the rejuvenation of Weberian logic was not limited to the "cultural turns" of 1960s criminology and/or sociology of deviance. Influenced by Weber's concept of *verstehen*, Geertz also saw subjective engagement as necessary in the development of an interpretive understanding of human behavior.

Cultural criminology is in many ways defined by a sensitivity to situated values and nuances of meanings. This attentiveness to the subtle particulars of cultural milieu reflects and is informed by traditions in cultural studies. As cultural criminology is driven by the desire to be "true to subject," developments in cultural studies helped to inform the conceptualization of that subject. From Stuart Hall, John Clarke, and other scholars of the Birmingham School, cultural criminology comes to define representational dynamics, symbolic discourses and stylistic ambiguities as fundamental in describing the cultural worlds from which they spring. The influence of cultural studies is also reflected in cultural criminology's methodological

orientation, as Paul Willis stated that his ethnographic approach was “dictated by the nature of [his] interest in ‘the cultural’” (1977:3).

Thus, cultural criminology brings together disciplinary distinct but logically related research principles and practices to form a cultural methodology suited for the late modern world. In addition to the deeply influential works in criminology (Cohen 1988; Matza 1969) and philosophy of science (Feyerabend 1975) that cleared the way for its construction, this methodological approach is built with sociology's principle and practice of *verstehen* (Weber [1920] 1978), anthropology's emphasis on thick description and practice of understanding social action through a deep reading of cultural narratives (Geertz 1973), and cultural studies' attentiveness to precise nuances of meaning, representational dynamics and symbolic discourses (Willis 1977; Hall et al. 1978). By meshing these principles and practices together with its own postmodern spin, cultural criminology builds its own multi-layered approach to the analysis of discourse.

Discourse

“I have undertaken, then, to describe the relations between statements.”
- Michael Foucault (1972:31)

I use 'discourse' to refer to patterns of interconnected ideas and particular knowledges that are drawn upon to construct meaning. I use 'discursive statements' to refer to statements or groups of statements that are themselves the manifest expressions of particular ideas and knowledges, i.e., discourses. When in a group of statements, "one can define a regularity (an order, correlations, positions and functionings, transformations), we will say, for the sake of convenience, that we are dealing with a discursive formation” (Foucault 1972:38; emphasis in original). Thus, within American discourse, I will examine discursive statements in an effort to identify patterns of constructed meaning that coalesce to form discursive formations.

In its broadest sense, this conceptualization of 'discourse' fits within the logic of Rosalind Gill's formulation of the term as a potential reference to any and "all forms of talk and texts" (1996:141). More specifically, though, it corresponds to what Gillian Rose (2007:146) refers to as "discourse analysis I", as it is concerned with the articulation of discourse and "how people use language to construct their accounts of the social world" (Tonkiss 1998:248); what is most essential to this conceptualization is the constitutive power of discourse.

The power of discourse springs from its productive capacity. When articulated, discourse produces what it describes. As individuals construct meaningful accounts of their social world, those constructions, defined as real, become real in their consequences; that which is articulated is actually called into being. As ideas are acted upon, discourses not only discipline individual subjects into particular modes of thought and paths of action. It is through the productive power of discourse that human subjects are created. We socially construct our identities as we express and interact with ideas and constructions of meaning.

The discursive process through which one's subjective self is created is not a simple, unidirectional imposition of identity from a discourse over and above human agency. It is complex and open to constant construction and reconstruction. As a process, it can be analytically divided into *active construction* and *interactive reconstruction*. As we use language to construct accounts of our social world, we are using discourse to actively construct our identities. Thus, active construction refers to the external expression of discursive statements; such expressions are primarily intended to persuade an audience. This is the first layer at which the present study analyzes U.S. Presidential discourse: Of what is the speaker attempting to persuade? What is the nature of the social world being actively constructed by the seat of state power?

Whereas the articulation of discourse through language is meaningful for the speaker's own active construction of identity, equally important is the productive capacity of discourse for those who encounter these articulations. As others use language to construct accounts of their social worlds, audience members "decode" (Hall 1974) the statements they encounter, interpreting them in the terms of their own interpretive schemata. As we assign particular meanings to the statements and ideas we encounter, we construct our identities through our interactions with discourse. Thus, interactive reconstructions refer to the internal thought processes through which we interpret and reinterpret discursive statements in the light of our own social worlds. It is through this process that situated audiences construct the situated meanings that constitute particular identities and subjective selves from collectively available discursive materials. It is where macro-level discourse interacts with micro-level consciousness. Thus, through the analysis of discourse, we shed light upon the interactive construction of meaning and subjective formation of identity.

This understanding of discourse is closely aligned with the concept of culture. If discourse represents a field of interconnected ideas from which individuals draw and construct meaning, culture represents those constructed meanings. Thus, culture is also a product of discourse. Whereas individuals construct their identities by assigning meaning to discourse; groups of individuals construct their culture by collectively assigning a shared meaning to discourse. Culture, then, is the collective form of identity; it is the product of the collective construction of meaning. The study of discourse is thus also the study of cultural relationships, "those webs of meaning and perception in which all parties are entangled" (Ferrell 1999:398).

Also relevant is the relationship between discourse, culture and narrative. A narrative is a statement or group of statements that are temporally ordered and focused on the actions of and/or

experience of events by one or more protagonists (Labov and Waletzky 1967; Presser 2009). To couch within the current conceptualization of discourse, a narrative is a particular type of discursive formation characterized by the temporally ordered emplotment of protagonist(s)' experiences and actions. Just as discourse represents a field of interconnected ideas that are drawn upon to construct meaning, collective narratives provide the resources individuals use to craft individual stories (Holstein and Gubrium 2000). Through such crafting, narratives cultivate personal identity and the sense of a coherent and unified self over time and across circumstances (McAdams 1999; Linde 1993), and state narratives in particular create a sense of group identity and nationhood (Bell 2003). In regard to the connection between narrative and culture, White explains that to investigate the nature of narrative "is to invite reflection on the very nature of culture" (1980:5). Especially relevant in the present context, Presser states, "In assessing individuals' creative use of any shared narrative and its elements, one begins to illuminate the agentive practices whereby culture shapes individual action" (2009:190).

This conceptualization of narrative is aligned with the post-positivist conceptualization of narrative found in narrative criminology (Presser 2009). Narrative criminology makes distinctions between (1) representational conceptualizations of narrative—those that conceptualize narrative as either objective record or subjective interpretation of reality—and (2) a constitutive view of narrative—"one that effectively blurs the distinction between narrative and experience by suggesting experience is always known and acted upon as it has been interpreted symbolically" (Presser 2009:184). The blurring of this traditional causal logic, i.e., that events and experiences produce and always preempt stories, encourages the examination of how narratives influence particular lines of action and thus constitute reality. Applying this logic to questions of criminality, narrative criminology "is concerned with how offenders construct the

world and/or themselves, with the effect being transgression" (Presser 2009:187).

Discourse Analysis

The first questions to answer in terms of an analysis of discourse are practical in nature: What does one analyze? What counts as discourse? Where does one find it? Nicholas Green referred to discourse as a "pattern of statements across a range of archives and sites" (1990:3). Most relevant to the current context is Green's formulation of the location of discourse, in particular its *range*, the *eclectic plurality of locations* in which discourse presents itself. As discourse denotes patterns of interconnected ideas, it also denotes a certain amount of *intertextuality* among these ideas. The concept of intertextuality signifies the ways in which the meaning of one discursive statement depends on the meaning of another to which it refers, either explicitly or implicitly. A statement's meaning, rather than being inherent to the language itself, shifts according to whether or not one has knowledge of its reference point. Given these two characteristics of discourse, its *ubiquity* and *intertextuality*, its analysis calls for the collection of a mélange of disparate sources of study.

As one can hardly follow Foucault's prescription to "read everything, study everything" (quoted in Andersen 2003:13), the next question must be in regard to the selection criteria of this mélange of disparate sources to be analyzed. Instead of starting by setting up concrete parameters around explicitly operationalized units of analysis, placing them in brackets that firmly separate that which is to be studied from that which is to be ignored, discourse demands a more fluid approach to data collection. What can be firmly established at the onset of analysis is source material that will serve as the research design's *starting points.*

Sites of source material are chosen as starting points of discursive analysis based on the perceived likelihood that they will "provide theoretically relevant results" (Phillips and Hardy

2002:66), meaning sources that contain identifiable patterns of constructed meaning. It is from these initial analyses, as one chases discursive meanings down their referential rabbit-holes, other sites and sources emerge as meaningful avenues of analysis. Discourse thus calls for a methodology of *emergence* (Phillips and Hardy 2002:75), in which sources of data, unconstrained by genre, type or technology (Rose 2007:149), are allowed to emerge as relevant throughout the course of analysis.

Within the analysis, what are the criteria through which information emerges as relevant? In answering this question, we see that *what* one studies emerges from *how* one studies the phenomenon in question at the starting point of analysis. Whereas relatively little attention is given to the selection of the "more obvious starting points for a discourse analysis" (Rose 2007:148) within the literature, the widening of one's gaze from initial starting points is given ample attention. This is because the process though which disparate sources emerge as relevant is the driving force of discourse analysis itself: the construction of meaningful relationships between and across statements.

To provide a more concrete conceptualization of this process: an emergent method calls for deep engagement with the initial source material under study and, through a form of conceptual coding, the identification of key themes within the material. Crucial again in this context is the situated construction of meaning. As words and images are assigned specific meanings in specific statements, the task of the analyst is to identify meaningful clusters of association (Anderson 2003:11-12), patterns of constructed meaning that coalesce into discursive formations. In analyzing these key themes and the meaningful connections between and among them, an emergent method demands the question: Where else do such discursive formations exist? What is the relationship between statements across disparate sources? As Foucault states,

one should analyze:

> [R]elations between statements (even if the author is unaware of them; even if the statements do not have the same author; even if the authors were unaware of each other's existence); relations between groups of statements thus established (even if these groups do not concern the same, or even adjacent fields; even if they do not possess the same formal level; even if they are not the focus of assignable exchanges); relations between statements and groups of statements and events of quite different kind (technical, economic, political, social). (1972:29)

Thus, a particular discourse has the ability to manifest through dissimilar authors, from divergent fields, and at varying levels of formality. As discursively connected statements exist across a wide and eclectic range of technical, economic, political and social sources, their connections can and should be analyzed no matter how sizable the social chasm between them appears.

There are two additional key points in Foucault's formulation, the first of which relates to intentionality. The establishment of a meaningful connection across statements from disparate sources does not presuppose any form of direct contact between the two. It does not suppose that a specific statement of one author influenced the second author to express a similar statement, but rather that each author is tapping into the same field of meaning, i.e., the same discourse. The second crucial point in Foucault's formulation relates to meaningful connections not only between statements but also between events. Here it is important to distinguish between the power of discourse and the power of discursive statements. Just as Foucault's formulation does not suppose that one discursive statement is the cause of another, it does not suppose that discursive statements in themselves cause individual actions or events. Even in the specific case

of an individual hearing or reading a discursive statement and immediately acting out its logic, her or his action is still an expression of an idea. It is an action or event structured by discourse just as the statement before it. Each is an expression of the discourse it represents. The power lies in the idea, from which statements, actions and events manifest. A statement is only as powerful as the meaning assigned to it.

Due to the importance of the productive power of discourse, the literature provides a number of important questions focused on the organizational properties of discourse and their relation to the production of meaning: How is discourse structured to produce knowledge (Rose 2007)? Of what is it attempting to persuade? Does it contain internal contradictions that allow for interpretive flexibility (Tonkiss 1998)? What are the underlying, unspoken assumptions on which discourse is based? What does a particular discourse implicitly define as true, real or natural (Jones 1989)? Jonathan Potter (1996) poses additional questions to guide discursive analysis: Where does a discourse construct the locus of blame for a particular problem? How does it categorize individuals, groups or events? These are the questions that guide my analysis of the rhetorical organization and productive power of U.S. Presidential discourse since September 11, 2001.

Data Collection

My effort to locate a theoretically relevant starting point for analysis of American and GWOT discourse leads me to a particular site of U.S. political discourse: the Presidential pulpit. As both the representative of the executive branch of U.S. government and commander-in-chief of U.S. Armed Forces, the U.S. President is a key contributor to and representative of the ongoing constructions of both U.S. political discourse and Global War on Terror discourse. As the figurehead of the nation, discursive statements made by the President are not only in the

service of persuasion, their appeal is meant to be broad and thus tap into the more collectively held notions that constitute American discourse. Thus, the starting points of my analysis are found in U.S. Presidential speeches since September 11, 2001. This top-down approach seeks to contribute to a cultural criminology of the state, which has long operated from the bottom up. Here, I seek to expose the state itself as the transgressive subject of cultural criminology in a manner that productively adds to our understanding of culture, criminology, and the state.

Given that the forty-third and forty-fourth U.S. Presidents gave hundreds of public speeches related to the Global War on Terror, I selected speeches based on their perceived relevance for the topic under study. This selection process was guided by the timing of the speech, the focus of the speech, and the size and importance of the stage from which the speech was given. In many cases, speech selection was guided by the titles given to the speeches by official sources such as the George W. Bush Presidential Library and Museum, the National Archives, or the White House Official website or unofficial sources such as the Miller Center at the University of Virginia, The American Presidency Project at the University of California, Santa Barbara, or the online database of PresidentialRhetoric.com.

In regard to timing, I selected speeches if they were given on the anniversary or actual date of a major event within the war (e.g., speeches given on September 11th or March 19th, the anniversary of the invasion of Iraq). In regard to focus, I selected speeches if their primary subject was identified as the creation of legislation related to the war (e.g., Homeland Security Act; the P.A.T.R.I.O.T. Act) or the historical meaning of the war (e.g., "The Meaning of the War"; "Historical Analogies for the War on Terror"). Additionally, I selected speeches that historically have reached the largest audiences (e.g., State of the Union Addresses; Inaugural Addresses) as well as those labeled as a "Primetime Address to the Nation".

I obtained transcripts of speeches from multiple official and unofficial sources (see Appendix A), converted them to raw text, and imported the text files into the qualitative data analysis software program, NVivo. The resulting data are not meant to represent the larger whole of U.S. Presidential discourse, nor are the results of my analysis generalizable outside of the specific speeches of the sample. My sampling procedure was purposive. Although I did include the major speeches of both Presidents (i.e., State of the Union Addresses, Inaugural Addresses, Addresses to United Nations General Assembly), I focused the gaze of my analysis only on segments relevant in at least one of the following contexts: (1) national security, the GWOT, or military conflict more generally; (2) the United States' role in world affairs; or (3) the nation's defining characteristics, or American exceptionalism. The final sample consists of 190 total speeches, 128 delivered by Bush and 62 by Obama. I assigned a specific reference identification number (ID) to each of these speeches, based upon the speaker and the date of the speech. Throughout the proceeding analysis, I use these IDs to reference specific speeches, which can be matched through use of the master speech list (see Appendix A). Speeches from George W. Bush are labeled W1-W128 and those from Barack Obama as O1-O62.

Whereas cultural criminology has long pointed toward the power of discourse, they have ignored the manner in which we might be more systematic and rigorous in our data collection and analysis. If we are truly interested in genealogical understandings of power, then we must make use of growing sets of methodological tools in an unprecedented digital information environment. New software and technologies allow for unprecedented aggregations of big data. Such changes "have heralded the age of 'Big Data' where the volume, velocity and variety of data both promise new opportunities for the harvesting of information and threaten to overload existing resources for making sense of this information" (Chan 2017:2). This conceptualization

of the "age of Big Data" influences the present study in two interrelated ways. First, it seeks to tap into its promise through the collection and analysis of speeches at a magnitude (n=190) previously unseen in criminological studies of state violence. Second, it remains wary of its threat and thus uses the quantitative trappings of big data to focus the qualitative analysis of discourse, as "the inductive, exploratory approach of Big Data analytics stretches the old saying 'the data speaks for itself' to 'data tells us what to look for'" (Matzner 2016:199-200).

Analytic Procedures

I began my analytic procedure with a number of predefined thematic codes drawn from the constructionist framework (e.g., construction of villain, isolation of blame, cost of inaction or defeat, inevitability of victory, etc.) as well as from concepts firmly established in American discourse (e.g., moral leader, global innovator, defender of freedom, champion of democracy, etc.). Whereas concepts of American discourse are inherently cultural, the thematic codes of constructionist sociology are in many ways criminological in that they designate actions, individuals and situations as problematic. In so doing, they demarcate the acceptable from the unacceptable, the social from the antisocial. From these starting points of culture and criminology, I cataloged additional themes as they emerged from the state, working chronologically from September 11, 2001 to the present. In the vast majority of cases, I coded the data at the paragraph level. Where adjacent, relatively small paragraphs (less than five lines of text) used pronouns to reference the same antecedent, I coded them as one paragraph.

The logic of my coding procedures can be seen in the evolution of a single code: moral clarity. Explanation of this particular evolution showcases the logical processes through which the code emerges, expands in meaning, and eventually splits into more specific codes. At the onset of analysis, "moral clarity" was not a predefined thematic code. The concept in its initial

formulation emerged in the discourse surrounding the 2004 election cycle. Part of President Bush's campaign message was that a change in national leadership would send mixed signals throughout the world. It would show that America was not fully committed to its course of war and further embolden the terrorists. In this framework, re-election of the incumbent equates with a demonstration of national unity and clarity of purpose. Thus, Bush's triumph in 2004 was a demonstration of the nation's 'moral clarity.'

Such logic is important to the development of a cultural criminology of the state in a number of ways. First, it represents a discourse of control: It is a static conceptualization of the state and its violence that seeks to forestall any possible change in power/state leadership by equating change with an increased outsider threat. This logic thus justifies the state's continued use of violence in the name of preventing future violence. Second, such logic is criminogenic insofar as it aligns with the idea that absolute victory must be accomplished in the GWOT "whatever it takes." In this context, 'moral clarity' does not mean that the state's specific methods of violence should be directed by a set of clear moral guidelines or established ideals. It instead serves as a reminder of the assumed consensus that the GWOT is an inherently moral endeavor, and questioning the use of violence or flinching from what must be done to attain victory would "embolden the terrorists," resulting in even more violence. Finally, by equating any resistance to this assumed consensus with future violence, the state preemptively obfuscates any connection between its own violence and future acts of terror.

Though the concept of 'moral clarity' did not fully emerge until well into the data, it was built from the logic of codes already established. In particular, the concept combined the logic of the code 'resolve' (i.e., GWOT depends on resolve of American people) with that of 'terrorist motivation' (conditions that create/motivate terrorism). Through the election cycle, I coded such

statements as both 'resolve' and 'terrorist motivation' and did not create the code 'moral clarity' until coding the "War Update" from June of 2005 (W69). I noticed that Bush was continuing to use this logic of 'moral clarity' over 'mixed signals' beyond the campaign trail. Further, he began couching other arguments in these same terms (e.g., setting a timetable for troop withdrawal would send the wrong message to U.S. soldiers, Iraqi citizens, terrorists, and the world). At this point, a new code has emerged.

After I created the 'moral clarity' code, I went back through references coded either 'resolve' and/or 'terrorist motivation' in the previously coded sources, applying the new code when applicable. Moving forward, Bush continued to utilize the concept and, as it was applied in an increasing number of contexts, important distinctions within the code emerged. Thus, after my initial coding of all sources, I went back through all references coded 'moral clarity' and split the concept into multiple codes (e.g., 'sending a clear message', 'clear moral guidelines', 'moral authority') isolated from the final formulation of 'moral clarity,' which specifically addresses the need for firm moral purpose and the certainty of conviction in this war on terror.

My coding procedures resulted in two data sets, one qualitative and one quantitative. The qualitative data set is compiled from the actual text of the speeches, organized by source and code. The quantitative data set imagines all coding references to be equal. The quantitative data are also organized by source and code, but whereas the cell corresponding to W12 (the twelfth speech given by Bush) and the code "national trauma" contains six separate quotes in the qualitative data set, it simply contains the number six in the quantitative data set.

I analyze the quantitative data to guide and refine the focus of my qualitative analysis. Whereas these and similar statistical tests are commonly used to substantiate that an observed pattern can be generalized to a larger population, I use them herein exclusively to uncover

patterns within the sample itself. In this context, a significant p-value has nothing to say about the relationship between the sampled speeches and the larger 'population' of U.S. Presidential discourse. Instead, it uncovers distinct differences among sampled sources and highlights prominent patterns across time. In this context, statistical results are a means to an end rather than an end in themselves.

This narrowing of focus allows for the deep reading of narrative meaning that discursive analysis requires. A key component of cultural criminology's methodological sensibility is the practice of understanding social action through a deep reading of cultural narratives. The coding process is itself an identification of relevant cultural narratives. It is through this qualitative process that I develop an understanding of the logic of social action driving said narratives. The quantification of these narrative elements does not tell us what is important; rather, it tells me where to find the highest concentration of what I had already deemed important. Quantified discourse is thus like a dowsing rod: meaningless in itself and largely driven by one's own hand, but it tells you where to start digging.

I conducted two main sets of statistical tests: one comparing coding references between the two Presidents, and another comparing coding references within each set of Presidential discourse across time. For comparison of the two Presidents, I first used Levene's test to determine whether relevant variables (i.e., codes) had equal variance; I then conducted the appropriate two sample T-tests. In order to conduct within-group comparisons, I divided each President's set of speeches into distinct eras based on meaningful shifts in logic and/or focus of content between speeches. This resulted in five mutually exclusive eras for Bush and four for Obama. I then conducted F-tests (ANOVA) to determine if there were any significant differences between eras. For the codes in which the F-test showed at least one era to be significantly

different than others, I conducted both a pairwise T-test with Bonferroni correction as well as Tukey's Honest Significance Test to determine exactly which eras were significantly different from one another.

In regard to George W. Bush presidential discourse, the demarcation of these eras serve to structure the analysis, through which I will explore the logic, presence, and frequency of each era's driving themes. The themes that I explore in each section are not necessarily those that occur most frequently. Rather, I will explore the themes whose presence and frequency are markedly different in the era in question, as compared to other eras within the Bush presidency. Breaking the Barack Obama Presidential discourse into distinct eras, however, did not yield the same theoretical fruit. Whereas significant differences between eras exist, the codes that differ are not logically connected in the way that Bush era differences are. In short, no meaningful narrative emerged to explain the differences between eras in Obama's presidency. This is a significant result in itself, and I address its implications within the analysis.

I separate the 128 speeches from George W. Bush into five distinct eras. The first era spans the first year of post-9/11 discourse, including 33 sources (W1-W33) from the initial remarks on September 11, 2001 to Bush's speech on the first anniversary of the event on September 11, 2002. The second era shifts focus toward Iraq and includes 19 sources (W34-W52) from an address to the United Nations (UN) on September 12, 2002 to an "Outline for the Future of Iraq" on May 24, 2004. The third era begins and ends with "Defending the War in Iraq" and includes 25 sources (W53-W77) from July 9, 2004 to November 11, 2005. The focus of the fourth era shifts from defense of the war in general to defense of the means of war (e.g., military commissions, wiretaps, and other tools of intelligence) and includes 20 sources (W78-97) from December 18, 2005 to the "Statement on the Execution of Saddam Hussein" on December 29,

2006. The fifth and final era of George W. Bush Presidential discourse begins with the announcement of "the surge" in "The New Strategy in Iraq Primetime Address to the Nation" on January 10, 2007 and spans the rest of the Bush presidency, including 31 sources (W98-W128).

The organization of the proceeding analysis and presentation of results is guided by a constructionist approach to the analysis of social problems, specifically the framework outlined by Donileen Loseke (2003) and Joel Best (Loseke and Best 2003). The analysis begins by examining speeches made by U.S. President George W. Bush from September 11, 2001 to September 11, 2002. I examine these speeches as the beginnings of the construction of terrorism as a social problem and President George W. Bush as a "claims-maker" attempting to convince audiences of the rightness of his cause (Loseke 2003: 25).

Though this first era of Presidential discourse represents the shortest time span of any era, it represents the highest concentration of source material. I intentionally oversampled speeches in this era due to its importance in defining the initial situation and framing all that follows. As the first and second eras of Bush's Presidency represent the initial framing of two theatres of war, I devote a relatively large portion of the analysis to these two eras. For the sections that follow, I focus on the shifts in content and logic of social problem framing techniques that differentiate each era from that which came before. In each era, I will analyze the quantitative coding differences in order to demonstrate the qualitative changes in the national narrative across time.

By this logic, I analyze the entirety of Barack Obama's sampled presidential discourse as an era in itself. Though I do not separate Obama's presidency into eras for comparison, I will address significant changes in the quantitative frequency and/or qualitative meaning of certain coding references across time within Obama's presidency. In addition, I address both the qualitative differences between presidents (e.g., comparing the meaning of the code 'philosophy

of history') as well as quantitative (i.e., comparing the frequency of codes that share the same meaning for each president).

CHAPTER V
ANALYSIS

An essential function of state fantasy is to provide citizens with a meaningful connection to their social environment. This state fantasy work is accomplished through the discursive construction of a coherent national identity that can then be drawn upon to construct meaning, direct action, and provide purpose to political life. The coherence of this national identity is established through use of narrative, in which events of the past, present, and future are interpreted through and then incorporated into the symbolic logic of the state. Even the logic of fantasy, though, can be stretched beyond efficacy by national traumas that defy the state's symbolic order of things. Such events, unable to be explained through the established national narrative, expose state fantasy for what it is—"the dominant structure of desire out of which U.S. citizens imagined their national identity" (Pease 2009:1).

The loss of this specific imagined identity, however, does nothing to sate the dominant structure of desire from which it came. It is thus from the shards of shattered meaning that a new prism of state fantasy must be built, using the trauma that brought down the old order as a foundation for the new. Pease states that a "state fantasy successfully takes hold when it transposes these sites of trauma into inaugural spaces within a newly configured order" (2009:5). Thus, examining the state response to a national trauma can provide a crucial look into the processes through which the state builds fantasy, and it is this concept of national trauma that serves to signify the first era of post-9/11 U.S. Presidential discourse.

Bush Era I: National Trauma

"Terror is a source of the sublime; that is, it is productive of the strongest emotion which the mind is capable of feeling."
- Edmund Burke (1759 [2014]:58-9)

The first era of post-9/11 U.S. Presidential discourse spans the first year of the GWOT, September 11, 2001 through September 11, 2002. The first prominent theme, national emotional trauma, serves as the definition of the situation, or the diagnostic framework, which describes the conditions at hand and lays the groundwork for the construction of a new social problem. The events of September 11, 2001 were framed as national trauma in 58 percent (19/33) of the first era sources, compared to 37 percent (35/95) of the remaining sources from the Bush presidency (see Figure 1). Of the top 15 sources across both presidencies in which emotional trauma is most prominent, measured in terms of coding frequency and coverage of source material, 93 percent (14/15) occur either within this first era or in future speeches given on the anniversary of 9/11.

To understand the role of trauma in the present discursive construction, it is first necessary to properly operationalize the concept. The meaning of national trauma in the context of this analysis is first informed by an understanding of the psychological components of emotional trauma and their effects upon the individual. Pearlman & Saakvitne define the individual experience of psychological trauma as "an event or enduring conditions, in which: (1) The individual's ability to integrate his/her emotional experience is overwhelmed, or (2) The individual experiences (subjectively) a threat to life, bodily integrity, or sanity" (1995:60). Further, Margolies states that the "essential psychological effect of trauma is a shattering of innocence. Trauma creates a loss of faith that there is any safety, predictability, or meaning in the world, or any safe place in which to retreat. It involves utter disillusionment" (2013:1).

The experience of a traumatic event can also lead to what Obama refers to as "the signature wounds of today's wars" (O21), Post Traumatic Stress Disorder (PTSD). PTSD is

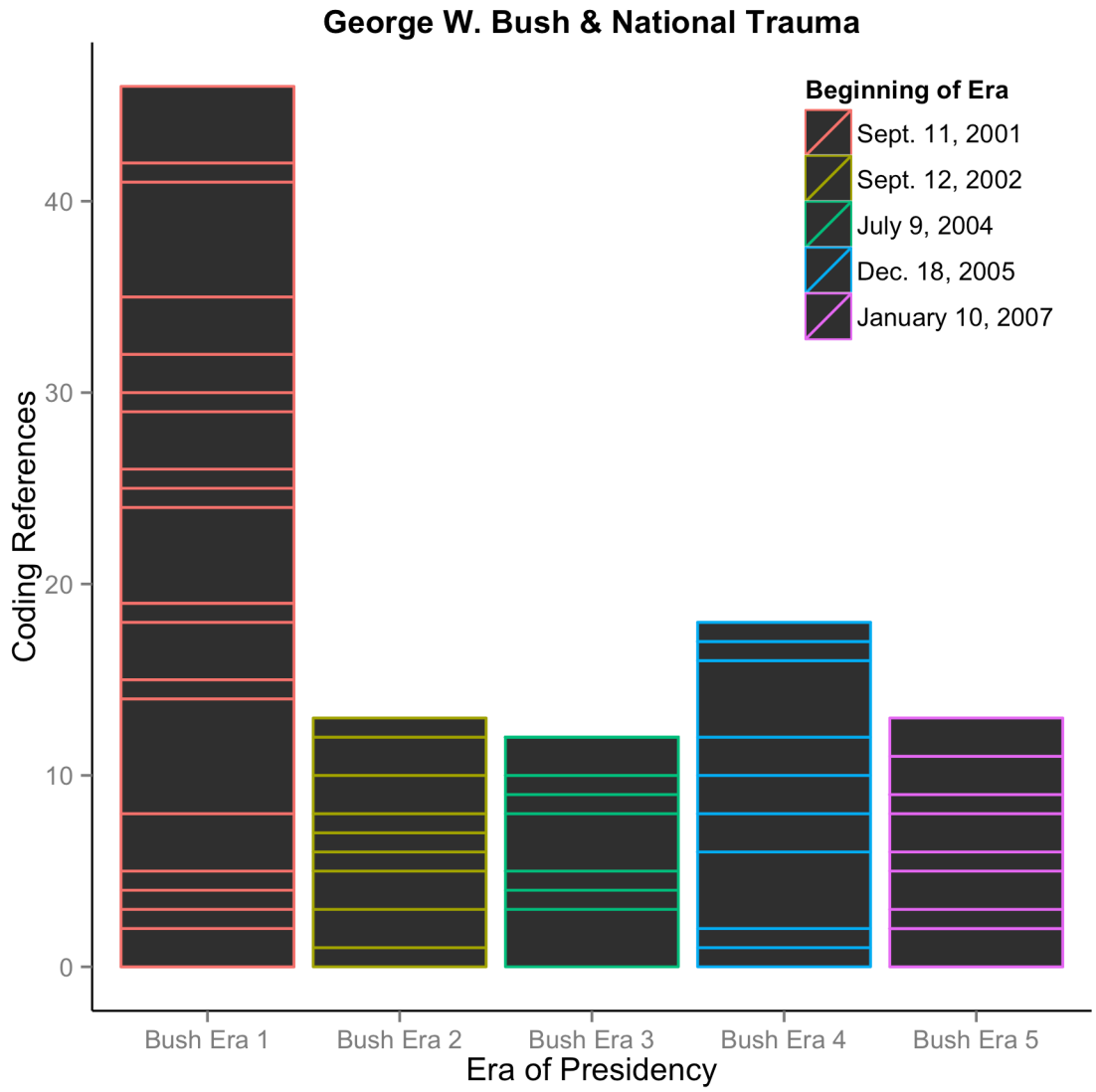


Figure 1. National Trauma by Presidential Era

marked by feelings of "intense fear, terror, and helplessness," and produces symptoms related to the emotional "re-experiencing" of the trauma as well as inducing a semi-permanent state of "hyperarousal," defined by anger and "hypervigilance" (Margolies 2013:2). The concept of national trauma is thus defined as the collective experience of a perceived threat to national security that cannot be integrated into established national narratives, the effects of which include a loss of previously held meaning (i.e., ontological insecurity) and PTSD-like symptoms (i.e., re-experiencing, fear, anger, hypervigilance) among the nation and its citizenry.

As currently defined, the framing of 9/11 as national trauma was prevalent in this first era of post-9/11 Presidential discourse. First, it is described as a collective, national event, the effects of which extend far beyond the physical destruction of the World Trade Center or even the loss of citizen life. The physical toll might have only been felt at the actual sites of attack, but as these sites both symbolize and constitute key facets of American national identity, i.e., World Trade Center as economic strength, The Pentagon as military might, and The White House as global leadership, the psychological trauma was inflicted upon the nation, and the emotional toll reverberated throughout its citizenry. From the Presidential pulpit, Bush frames the event as a "wound to our country" (W18) and speaks of "our nation's sorrow" (W12), "our wounds as a people" (W12), and "...a nation in crisis." (W31). He frames it as a collective experience, stating that "great harm has been done to *us*. *We* have suffered a great loss" (W18, emphasis added).

Bush also frames the event as overwhelming his and the nation's ability to integrate the emotional experience within any preexisting narratives. The President speaks of being personally "overwhelmed by the devastation" (W4). Projecting this emotion throughout the nation, he states that the images of "airplanes flying into buildings, fires burning, huge—huge structures collapsing have filled us with disbelief" (W3) and that "no one could have possibly dreamed that

it would come in the way it did, and it shocked our Nation" (W21). Indeed, Bush frames the event as something outside the comprehension of the collective American psyche: "It's hard for us to comprehend the mentality of people that will destroy innocent folks the way they have" (W25).

The inability to comprehend the experience within existing narratives leads to the questioning of those narratives and the meanings they once provided. Bush evidences this questioning: "In many of our prayers this week, there's a searching and an honesty. At St. Patrick's Cathedral in New York, on Tuesday, a woman said, 'I pray to God to give us a sign that He's still here'" (W12). As the supposed coherence of meaning is intimately tied to feelings of safety and predictability, the loss of coherent narrative results not only in ontological insecurity but manifests as physical insecurity as well. Bush asks for prayers for all whose "worlds have been shattered, for all whose sense of safety and security has been threatened" (W3).

Another symptom of psychological trauma found in Bush's framing of 9/11 is the "re-experiencing" of the traumatic event. On the one year anniversary of the event, Bush states that the images of that day's destruction "are seared on our souls, and remembering the horror, reliving the anguish, re-imagining the terror, is hard—and painful" (W33). The event is further framed as "a fixed point in the life of America" (W33), one which each of us will "remember the moment the news came—where we were and what we were doing" (W18). The President prophetically states that time may pass, but "for the United States of America, there will be no forgetting September the 11th" (W30).

The final component of psychological trauma evidenced in the studied speeches is an emotional state of "hyperarousal," defined by fear, anger, and hypervigilance. Bush addresses widespread fear throughout the nation on multiple occasions (W24;W25), and states that "it is

natural to wonder if America's future is one of fear. Some speak of an age of terror" (W18). Bush also frames the nation as being filled with "a quiet, unyielding anger" (W3) and references the nation's collective anger in multiple speeches (W12;W18;W21). He also demonstrates a state of hypervigilance, the nation as "awakened to danger" (W30) and "on high alert for possible activity" (W4). The danger to which the nation has awakened is the danger of the 21st century, a new era whose first lesson taught us that "there can be no peace in a world of sudden terror" (W24).

Tragedy as Opportunity

"War might be said to begin when a country becomes a patriotic fiction for its population."
- Donald Pease (2009:166)

The codes most highly correlated with the concept of national trauma were "tragedy as opportunity" (0.43), "a national purpose" (0.37), “manifest destiny” (0.39), “inevitability of victory” (0.46), and "whatever it takes" (0.48), expressing the logic that in this moment of tragedy, there is an opportunity to construct a new national purpose, a discovered destiny the nation will inevitably fulfill through victory in the GWOT, whatever it takes. The first facet of this opportunity felt in the wake of tragedy was a newfound national unity. This unity is first expressed as a unified reaction to the events of 9/11. Bush states that "Americans are coming together to share their grief" (W13) and forging a new unity through "a kinship of grief" (W13). This unity has been accomplished not only through "mourning together" but also "facing danger together" (W31). Thus, through shared grief and common threat, "a terrorist attack designed to tear us apart has instead bound us together as a nation" (W13).

The second facet of this opportunity was a revitalization of the nation's moral character; Bush states that "after America was attacked, it was as if our entire country looked into a mirror and saw our better selves. We were reminded that we are citizens, with obligations to each other,

to our country, and to history. We began to think less of the goods we can accumulate, and more about the good we can do" (W31). It is in this glow of a nation united, searching for meaning and purpose, that Bush states, "through my tears I see opportunity" (W17).

Armed with the unity of moral indignation, Bush constructs a response to 9/11, i.e., a Global War on Terror, that soothes both the physical insecurity posed by the threat of future attacks as well as the ontological insecurity caused by the initial attack. Addressing the nation's physical insecurity, Bush repositions the events of 9/11 as a lesson learned and frames acting upon this lesson as the exclusive path toward regaining our sense of safety and security. This lesson is that "America is no longer protected by vast oceans. We are protected from attack only by vigorous action abroad" (W31). Ontological insecurity, though, cannot be soothed by physical security alone. As Bush states, "Our nation's cause has always been larger than our nation's defense" (W32), and "We want to be a nation that serves goals larger than self. We've been offered a unique opportunity, and we must not let this moment pass" (W31).

Bush frames the GWOT as a cause larger than the nation's physical defense because the events of 9/11 were more than simply attacks on physical sites: "The attack on our nation was also an attack on the ideals that make us a nation" (W33). Thus framed as an attack on American ideals by "enemies of freedom" (W18), Bush sees an opportunity "for freedom-loving nations to come together to say resolutely we will fight terrorism" (W17). Through this prism, the nation's physical security requires a new mission, and it is the pursuit of that mission that redefines the nation's meaning and purpose, thus providing ontological security as well. Through waging war, Bush sees an opportunity to take part in the timeless struggle between good and evil, driven by the idea that "there is a line in our time, and in every time, between the defenders of human liberty and those who seek to master the minds and souls of others. Our generation has now

heard history's call, and we will answer it" (W33).

Destiny Manifests

"Just three days removed from these events, Americans do not yet have the distance of history, but our responsibility to history is already clear: to answer these attacks and rid the world of evil."
- George W. Bush, September 14, 2001 (W12)

President Bush's construction of a new national purpose is framed as a reclamation of the nation's manifest destiny. This framework is built upon the presumed existence of timeless truths, metaphysical currents of history, and eternal struggles between forces of good and evil. He gives the concept of "history" both agency and moral intention, stating, "I believe there is a reason that history has matched this nation with this time" (W33), "History has also issued its call to your generation" (W32), and certain generations "are also commissioned by history to take part in a great new calling for their country" (W32). Though it is most frequently 'history' that calls, Bush also references a larger Agency at work: "We're confident, too, that history has an Author who fills time and eternity with His purpose" (W30).

In addition to the larger purposes of history's Author, Bush's construction of a new national purpose relies upon several other eternal truths, such as "This world He created is of moral design. Grief and tragedy and hatred are only for a time" (W12) and "We know that evil is real, but good will prevail against it" (W30). The President also states that "God's signs are not always the ones we look for. We learn in tragedy that His purposes are not always our own" (W12) and that we must therefore "yield our will to a Will greater than our own" (W12). Bush thus frames the nation's new national purpose not as something recently constructed by human agents, but as a divine purpose existing outside the boundaries of time, a nation's destiny waiting to be found. The GWOT is not the nation’s chosen path; it is the path of the chosen nation.

Bush states that "adversity introduces us to ourselves" (W12) and that it was only through

"our grief and anger" that we "found our mission and our moment" (W18), thus providing a narrative lens through which the events of 9/11 could be reinterpreted and rendered meaningful. In this reconstruction, those planes were part of a larger moral design, and it was only through that experience of trauma that the nation's destiny became manifest. This is the work of the totalizing narrative of state fantasy. In response to the ontological insecurity stemming from a national emotional trauma, state discourse creates a coherent narrative that gives meaning to the experience of trauma and sets a course for the future. This framing technique is notable in that it obfuscates the agency of the state, positioning its use of violence within a larger narrative driven by "a Will greater than our own." State violence is thus sanitized as part of the larger "moral design" that requires it, and any narrative incoherence is explained away by the logic that "God's signs are not always the ones we look for."

Bush Era II: The Iraq Threat

The second era of discourse within the Bush Presidency consists of 19 sources spanning from September 12, 2002 to May 24, 2004. Exploration of this era provides an avenue to explore some of the myriad motivational framing techniques Bush uses to expand his war on terror. This era is driven by appeals to emotion, which rely upon constructions of victims deserving of sympathy and villains deserving no quarter. The theme whose frequency differentiates this era from others is the 'expansion of victim category' code ($F_4 = 9.6$, $p < 0.001$; *paired* $t_4 = 5.25$, $p < 0.001$). This code appears in 89 percent (17/19) of era sources, as compared to 51 percent (56/109) of all other Bush sources and just 30 percent (10/33) of first era sources (see Figure 2). To provide greater context to the examination of this motivational framing technique, I will also explore the concepts with which it is most highly correlated: 'costs of inaction or defeat' (0.61), 'fight between' (0.70), and 'piggybacking' (0.56). There is one remaining constructionist concept

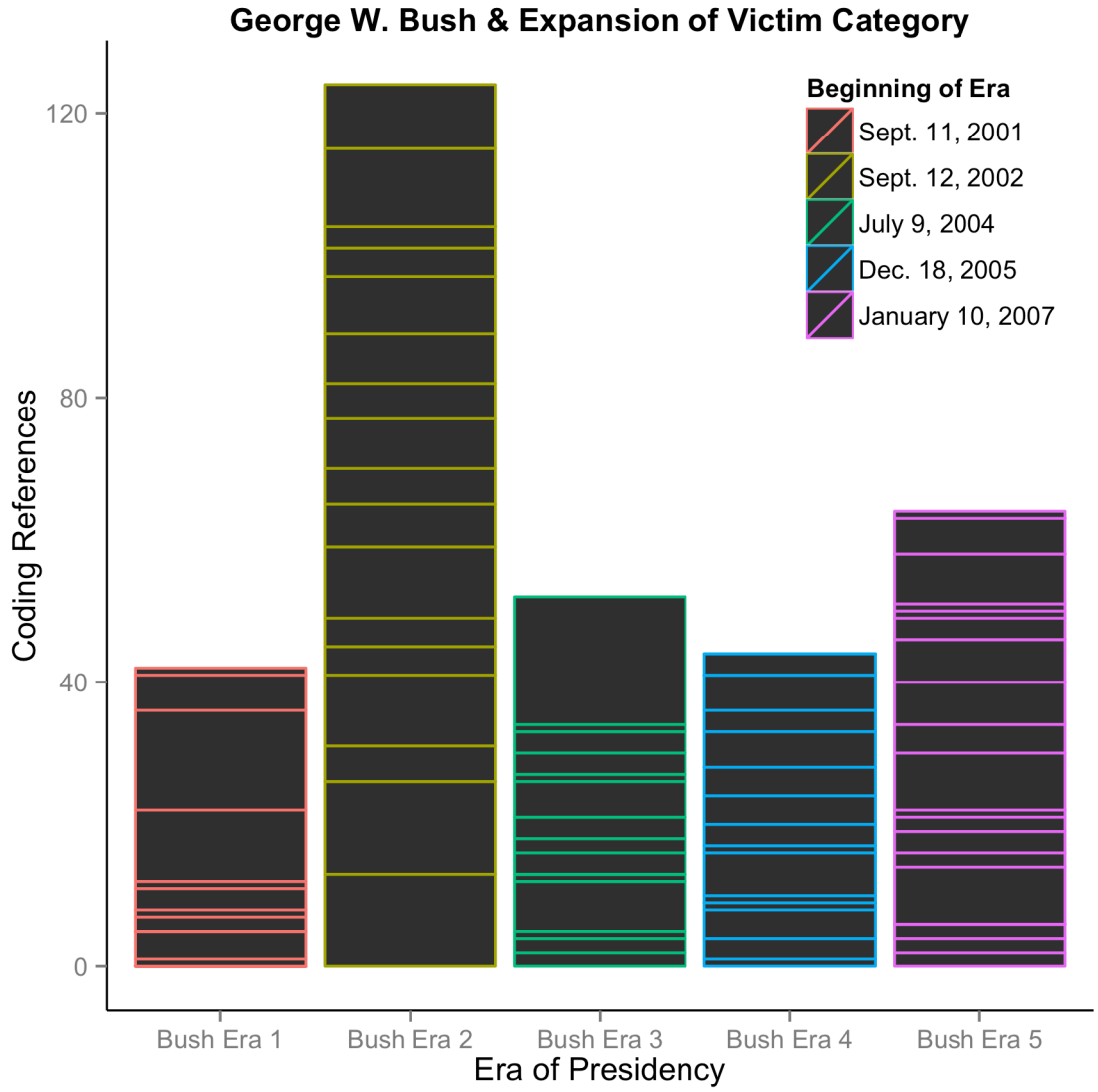


Figure 2. Expansion of Victim Category by Presidential Era

relevant to the construction of villains that did not figure prominently, i.e., 'isolation of blame.' In the context of an expanding war, though, the relative absence of this concept is meaningful in itself and thus serves as the starting point of this era's analysis.

Isolation of Blame

The process of villain construction involves assigning the blame for a putative problem to a particular person or group of people and then constructing these persons as villains worthy of condemnation. In the previous era, Bush assigns the blame regarding 9/11 by stating "the evidence we have gathered all points to a collection of loosely affiliated terrorist organizations known as al Qaeda" (W18). He isolates the blame upon this particular organization and locates them in Afghanistan, but the President is careful not to place blame on the nation itself: "The United States respects the people of Afghanistan. After all, we are currently its largest source of humanitarian aid; but we condemn the Taliban regime" (W18). This differentiation between the regime, the country, and its people evidences the potential complexity of isolating blame upon a particular group of people and demonstrates why it is used less often than other framing techniques (Loseke 2003). In order for Bush to construct the appropriate villain, he must connect al Qaeda, a "loosely affiliated terrorist organization" to the Taliban regime, while separating that regime from the country it represents. Whereas al Qaeda and the Taliban are blamed for the events on the morning of September 11, the scope of the problem he goes on to construct is much larger than one nation's emotional trauma.

In this framework, 9/11 was not *the* problem, but merely a symptom of the larger disease of global terror, which is itself only the newest manifestation of a timeless evil. In this construction, Bush inverts the usual process of isolating blame and creating villains, in which the blame is first assigned to an individual or group then that individual or group is constructed as an

evil other. Instead, Bush constructs a nebulous villain—freedom's enemy—who stands outside of humanity and against civilization, fighting against "progress and pluralism, tolerance and freedom" (W18). Instead of describing the evil characteristics of those who have been singled out to blame, Bush lists 'evil' characteristics and says anyone who possesses them is to blame for global terror.

Expansion of Victim Category

Given that Bush (1) does not prominently use the framing technique of isolating blame and (2) actually broadens the scope of the social problem he is constructing, the logic of constructionist literature would suggest increased use of an alternate motivational framing technique. True to form, as the scope of the social problem grows, the war against it expands, and the enemy becomes more abstract, the construction of victims increases exponentially. The expansion of the victim category is not new to this second era, as part of the initial framework was built by expanding the scope of victims beyond those directly affected by 9/11 to also include more local victims of a terrorist regime:

> Afghanistan's people have been brutalized—many are starving and many have fled. Women are not allowed to attend school. You can be jailed for owning a television. Religion can be practiced only as their leaders dictate. A man can be jailed in Afghanistan if his beard is not long enough. (W18)

What differentiates the second era's expansion of victims from the first is a significant increase in its quantitative frequency as well as a qualitative shift in the geographic location of constructed victims.

The first facet of this categorical extension is the inclusion of the Iraqi people as victims of Saddam Hussein and his "arsenal of terror" (W35). Bush frames Iraq as "one of the cruelest

regimes on Earth" (W42), one that "practices terror against its own people" (W35); he states, "On Saddam Hussein's orders, opponents have been decapitated, wives and mothers of political opponents have been systematically raped as a method of intimidation, and political prisoners have been forced to watch their own children being tortured" (W35). Thus, coinciding with the expansion of victim category is the inclusion of the Saddam Hussein's "outlaw state" (W51) in the category of forces responsible for global terror. Bush contextualizes this newly realized threat with a litany of atrocities.

> The dictator who is assembling the world's most dangerous weapons has already used them on whole villages—leaving thousands of his own citizens dead, blind, or disfigured. Iraqi refugees tell us how forced confessions are obtained—by torturing children while their parents are made to watch. International human rights groups have catalogued other methods used in the torture chambers of Iraq: electric shock, burning with hot irons, dripping acid on the skin, mutilation with electric drills, cutting out tongues, and rape." (W37)

Bush again separates the evil regime from the innocent victims of its citizenry, stating that the "United States has no quarrel with the Iraqi people; they've suffered too long in silent captivity" (W34). He also frames these newly constructed victims as deserving sympathy: "Liberty for the Iraqi people is a great moral cause...The people of Iraq deserve it" (W34).

The second facet of this categorical extension of victimhood expands the scope of Saddam's terror to the broader region. This is accomplished first by referencing the regime's "history of aggression" (W35): "Saddam Hussein attacked Iran in 1980 and Kuwait in 1990. He's fired ballistic missiles at Iran and Saudi Arabia, Bahrain, and Israel," and further, "His regime

once ordered the killing of every person between the ages of 15 and 70 in certain Kurdish villages in northern Iraq. He has gassed many Iranians, and 40 Iraqi villages" (W34). Bush extends the scope of *potential* victims to the broader region as well: "Iraq possesses ballistic missiles with a likely range of hundreds of miles—far enough to strike Saudi Arabia, Israel, Turkey, and other nations—in a region where more than 135,000 American civilians and service members live and work" (W35). The third and final facet of the expansion of victim category broadens the scope of the threat to include the national security of the United States as well as the peace and stability of the entire world. The heart of this final categorical expansion is situated at its intersection with another relevant concept, i.e., 'the costs of inaction or defeat.'

A Terrible Line Would Be Crossed

President Bush frames the growing threat of Iraq as a matter of national security, but not in its most direct sense. The threat of a direct attack on the United States by Iraq is scarcely mentioned. Bush's statement, "We're concerned that Iraq is exploring ways of using these UAVs [unmanned aerial vehicles] for missions targeting the United States" (W35), is typical: Iraq has not used these weapons for missions targeting the United States, but the President is "concerned" the regime is "exploring ways" to do so. Whereas Iraq is constructed as a threat in itself (a terrorist actor) to its local and regional victims, in terms of its threat to U.S. national security, it is constructed as an "arsenal of terror" with the willingness to arm an evil global in scope.

The President frames the liberation of the Iraqi people not only as "a great moral cause," but also as "a great strategic goal"; it is not only that “the people of Iraq deserve it,” but also because “the security of all nations requires it" (W34). This specific cost of inaction directly tied to the security of all nations is a product of Iraq's "drive toward an arsenal of terror" (W35):

> If the Iraqi regime is able to produce, buy, or steal an amount of highly enriched uranium a little larger than a single softball, it could have a nuclear weapon in less than a year. And if we allow that to happen, a terrible line would be crossed. Saddam Hussein would be in a position to blackmail anyone who opposes his aggression. He would be in a position to dominate the Middle East. He would be in a position to threaten America. And Saddam Hussein would be in a position to pass nuclear technology to terrorists. (W35)

Again, it is not that Iraq has powerful weapons that actively threaten America; rather, if Saddam Hussein had weapons powerful enough to threaten America, he would be in a position to do so. The active threat is not that Iraq would use hypothetical weapons of mass destruction, but that the regime would pass them along to a more essentialized evil: "Iraq could decide on any given day to provide a biological or chemical weapon to a terrorist group or individual terrorists. Alliance with terrorists could allow the Iraqi regime to attack America without leaving any fingerprints" (W35). This hypothetical doomsday scenario leads us to the final facet of villain construction, defining the gathering threat.

The Threat Gathering Against Us

The codes 'fight between' and 'piggybacking' are two different ways in which President Bush constructs "the threat gathering against us" (W35). The code 'fight between' refers to the construction of terrorist others as evil manifest and/or the practice of framing the GWOT as a grandiose final confrontation between forces of good and evil, freedom and fear, or other binary essentialisms. The concept of 'piggybacking' refers to the practice of associating current villains with the enemies and struggles of the past, in particular those already established as evil others.

Typical piggybacking refers to villains of previous generations, and Bush does use this tactic, e.g., "The dictator of Iraq is a student of Stalin" (W35). The method of piggybacking more frequent in this second era, however, associates the nation's new enemy with the terrorist others established as villains in the first era (i.e., "enemies of freedom").

President Bush traces multiple levels of connection between Iraq and the phenomenon of global terror. The first connection of concern is in regard to "Saddam Hussein's links to international terrorist groups." The prism of the Bush doctrine, through which "those who harbor terrorists are as guilty as the terrorists themselves" (W35), identifies Iraq as an enemy of freedom because the state "has given shelter and support to terrorism" (W35).

> Over the years, Iraq has provided safe haven to terrorists such as Abu Nidal, whose terror organization carried out more than 90 terrorist attacks in 20 countries that killed or injured nearly 900 people, including 12 Americans. Iraq has also provided safe haven to Abu Abbas, who was responsible for seizing the Achille Lauro and killing an American passenger. And we know that Iraq is continuing to finance terror and gives assistance to groups that use terrorism to undermine Middle East peace. (W35)

Bush provides another level of connection by associating Iraq with a more specific international terrorist group, i.e., al Qaeda. The President references connections that are both practical as well as ideological. He first establishes the general connection, stating, "We know that Iraq and al Qaeda have had high-level contacts that go back a decade" (W35). In terms of practical military support, in addition to serving as a "safe haven" for terrorists, e.g., "Some al Qaeda leaders who

fled Afghanistan went to Iraq" (W35), Bush states that "Iraq has trained al Qaeda members in bomb-making and poisons and deadly gases" (W35).

In terms of ideological connections, Bush states, "We know that Iraq and the al Qaeda terrorist network share a common enemy—the United States of America" (W35), and "we know that after September the 11th, Saddam Hussein's regime gleefully celebrated the terrorist attacks on America" (W35). In this framework, though, the most essential connection shared between Iraq and al Qaeda is that they are both manifestations of a larger, timeless evil, and with each inhuman act they show the symptoms of their disease. Thus, "Terror cells and outlaw regimes building weapons of mass destruction are different faces of the same evil. Our security requires that we confront both" (W35).

Bush makes a number of binary distinctions between opposing abstract concepts and/or forces of history. It is this dichotomized worldview that imagines the GWOT as the metaphysical confrontation between abstract concepts. In the initial villain construction, Bush speaks of an eternal line dividing (1) "those who believe all men are created equal," and (2) "those who believe that some men and women and children are expendable in the pursuit of power" (W33). Bush conceptualizes the GWOT as a competition for global ascendance between these "two visions of justice and the value of life" (W51). The enemies of freedom "choose death" while freedom's anointed defender "choose[s] life" (W51). The enemy "rejoices in suicide, incites murder, and celebrates every death we mourn" whereas its target "believe[s] in the values that uphold the dignity of life, tolerance, and freedom, and the right of conscience" (W51). Through their "contempt for life itself," the state's enemies "have set themselves against all humanity" (W47), thus defining the GWOT not as a conflict between nations or people, but rather between human and other. This framing technique is meaningful in that, within a constitutive

conceptualization of crime, such reliance on cultural essentialisms is both criminal and criminogenic. It is criminal in that it reduces an individual's ability to be conceived as a human subject and creates "differences in position for those with power to exploit against those without power" (Henry and Milovanovic 1996:110). It is criminogenic in that a dehumanized body does not require humane treatment, nor does it deserve the protection of law, which is reserved for human subjects.

The final point of importance in this era is that Bush does not construct the threat posed by Iraq as a new state of affairs. Bush targets Iraq "because it gathers the most serious dangers of our age in one place" (W35). He justifies the invasion of a sovereign nation through his own dichotomized GWOT logic, i.e., "There is no neutral ground in the fight between civilization and terror" (W51), positioning Iraq as an "outlaw state" that (1) practices terror against its own people, and (2) provides shelter and support for international terrorism. The factors that further distinguish Iraq from other dangerous states flow from the characterization of Saddam Hussein; the "threat from Iraq stands alone" (W35) because it has "an arsenal of terror" controlled by a "murderous tyrant" with a history of aggression and open hostility toward the United States. Again, none of these factors are new. It is not that the level of threat posed by Iraq increased, nor was any new intelligence concerning Iraq discovered. Addressing this newfound urgency, Bush states,

> Some citizens wonder, after 11 years of living with this problem, why do we need to confront it now? And there's a reason. We've experienced the horror of September the 11th. We have seen that those who hate America are willing to crash airplanes into buildings full of innocent people...We must never forget the most vivid events of recent history. On September

> the 11th, 2001, America felt its vulnerability—even to threats that gather on the other side of the earth. We resolved then, and we are resolved today, to confront every threat, from any source, that could bring sudden terror and suffering to America. (W35)

It was thus not an increased threat of attack that drew the nation into a new war, but an increased awareness, or *perception*, of threat. It was the narrative shift invoked by the trauma of 9/11 that cast new light on old facts and established old knowledge with new meaning. Through this new light, the trauma of 9/11 is rendered meaningful, marking the end of era, "and for America, there will be no going back to the era before September the 11th, 2001—to false comfort in a dangerous world" (W46). This again shows the work of a totalizing narrative of state fantasy. In this fantasy, the GWOT is the newest manifestation of the eternal struggle between good and evil. As there is "no neutral ground" and every potential threat must be confronted, Bush equates Saddam Hussein with the evil army of dehumanized others. It is thus through use of cultural essentialisms and the logic of totalizing narrative that Bush widens the scope of state violence in the GWOT.

Bush Era III: Defending the War

"The world changed on September the 11th, and since that day, we have changed the world."
- George W. Bush, July 12, 2004 (W54)

The third era of George W. Bush Presidential discourse spans from July 9, 2004 to November 11, 2005 and consists of 25 sources. The concept whose frequency differentiates this era from that which came before is 'philosophy of history' ($F_4 = 5.9$, $p < 0.001$; *paired* $t_4 = 4.05$, $p < 0.01$). I use this code to label references to metaphysical currents of history and/or immutable laws of human civilization that drive social progress, especially as they relate to freedom and democracy. This concept was already prevalent in the first two eras, (see Figure 3) appearing in

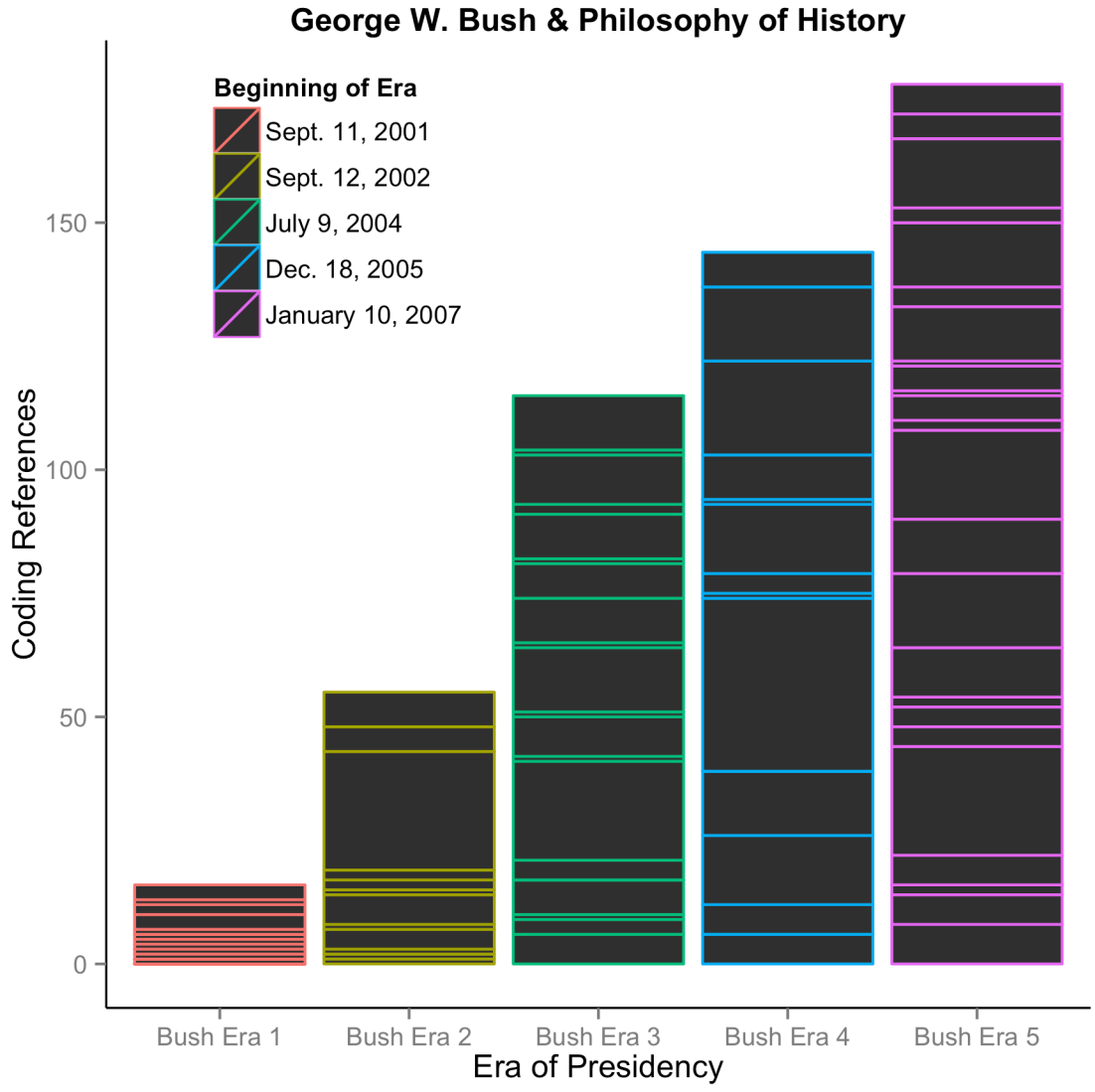


Figure 3. Philosophy of History by Presidential Era

44 percent (23/52) of sources. However, it is even more common in this third era, appearing in 76 percent (19/25) of sources.

As the war waged on without uncovering weapons of mass destruction or any such "arsenal of terror" that Bush used to define the singularity of the Iraqi threat, the President states: "While it's perfectly legitimate to criticize my decisions or the conduct of the war, it is deeply irresponsible to rewrite the history of how that war began" (W77). According to Bush, the supposed presence of weapons of mass destruction had very little to do with the decision to invade Iraq. In fact, the war would have been waged even with the knowledge that no weapons would be found, as Bush states "Although we haven't found stockpiles of weapons, I believe we were right to go into Iraq" (W53), "And let me just say this to you: Knowing what I know today, we still would have gone into Iraq" (W55). Even with no weapons, Iraq still "had the capability of producing weapons of mass destruction," and even that remote possibility was a risk too great to take "in the world after September the 11th" (W43).

Bush describes a pre-9/11 world in which America, always the defender of freedom, was content in defending "our own freedom" and "standing watch on distant borders" (W54). He describes this era of false comfort as "years of relative quiet, years of repose, years of sabbatical" with an abrupt conclusion: "And then there came a day of fire." (W62) In the light of this fire, all previous comfort and stability was shown to be self-absorbed and false: "We will not repeat the mistakes of other generations, appeasing or excusing tyranny, and sacrificing freedom in the vain pursuit of stability. We have learned our lesson; no one's liberty is expendable" (W67). As a result of this lesson, "America is also taking a new approach in the world," which calls for the nation to "challenge new threats, not ignore them, or simply wait for future tragedy" (W54). This new approach, after the "attack on freedom in our world…reaffirmed our confidence in

freedom's power to change the world," is "to spread the peace that freedom brings" (W64). Bush summarizes the strategy that coincides with the nation's new approach: "The heart of our strategy is this: Free societies are peaceful societies. So in the long run, the only way to defeat the ideologies of hatred and fear, the only way to make sure our country is secure in the long run, is to advance the cause of freedom" (W72). The nation's "new approach" falls in line with the totalizing narrative already established. Whereas the nation's purpose and "responsibility to history," i.e., to "rid the world of evil" (W12), was defined just three days after 9/11, the processes through which that responsibility could be realized were discursively refined in this third era. The slight shift in articulation of this narrative focuses on the role of freedom and democracy in the conflict between good and evil. In this fantasy, state violence is justified as a way "to spread the peace that freedom brings" (W64).

Bush describes the effects of the "rise of freedom" in Iraq as also "being felt beyond Iraq's borders" (W69). Indeed, all "across the broader Middle East, people are claiming their freedom" (W69). Among the effects of freedom's rise in the region, Bush counts "elections in the Palestinian Territories and Lebanon," which "are inspiring democratic reformers in places like Egypt and Saudi Arabia" (W69). Further, "Before our coalition liberated Iraq, Libya was secretly pursuing nuclear weapons. Today the leader of Libya has given up his chemical and nuclear weapons programs" (W69). Bush describes these effects as part of a larger transformation, in which "we are seeing the rule of fear give way to the hope of change" (W67). He states that "troops on the front lines see this transformation up close," and quotes one such Marine recently returned from Iraq: "We really kicked something off in the Middle East, and all the countries over there are starting to really think about the way they want to run their countries" (W72).

Bush attributes this transformation to the metaphysical and eternal power of freedom, the rediscovery of which marked the end of an era of false comfort. The post-9/11 era provides a new vantage point, from which the nation's past is reinterpreted and assigned new meaning:

> From the vantage point of this new century, we recognize the end of the Cold War as part of an even broader movement in our world. From Germany and Japan after World War II, to Latin America, to Asia, and Central and Eastern Europe, and now to the broader Middle East, the advance of freedom is the great story of our age. (W67)

Bush also purports to speak from a future vantage point. He states, "When the history of this period is written, the liberation of Afghanistan and the liberation of Iraq will be remembered as great turning points in the story of freedom" (W69). This turning point was made possible by the nation's realization that, although "the terrorists can kill the innocent…they cannot stop the advance of freedom" (W69). Freedom's great power, in turn, was only realized through the national trauma of 9/11. Through that day's flames, President Bush resolved that the nation would light its own fire: "a fire in the minds of men. It warms those who feel its power. It burns those who fight its progress. And one day this untamed fire of freedom will reach the darkest corners of our world" (W62).

A deeper look at Bush's metaphorical fire illuminates the workings of state fantasy. The "fire in the minds of men" is the fantasy itself, the discourse that drives social action. Because the fantasy provides an overarching explanation of social reality, it soothes feelings of ontological insecurity and thus "warms those who feel its power." As an ideology, it "tolerates only such knowledge of itself that slides off its back without any impact" (Adorno 1976[1969]:86) and thus "burns those who fight its progress." The final expression of the

inevitability that the "fire of freedom will reach the darkest corners of the world" demonstrates both the totalizing (global) nature of the narrative as well as the logic of cultural essentialism (as the state brings light to those in its darkest corners) upon which it is built.

Bush Era IV: Tools of War

The fourth discursive era within the Bush Presidency consists of 20 sources from December 18, 2005 through December 29, 2006. The concept whose frequency differentiates this from prior eras is the 'tools of war' code ($F_4 = 5.2$, $p < 0.001$; *paired* $t_4 = 3.7$, $p < 0.001$). This. Whereas Bush frequently mentions such tools (e.g., the P.A.T.R.I.O.T. Act) in previous eras, in this fourth era he speaks in greater detail about specific tools and their necessity in the GWOT. More precisely, in this era he begins to *defend* the increased scope of intelligence gathering tools as both *legal* and *necessary* measures that must be taken to avoid another national trauma. This code appeared in 45 percent (9/20) of fourth era sources, as compared to five percent (4/77) of prior sources (see Figure 4).

President Bush first points to the necessity of rethinking intelligence-gathering techniques in the post-9/11 era. This new approach to intelligence-gathering "has everything to do with understanding the world in which we live" (W88). Bush states, "For America, 9/11 was more than a tragedy—it changed the way we look at the world" (W91). Awakened from the slumber of false comfort, realizing "that we were not protected by oceans" (W80), Bush says, "right after September the 11th, I knew we were fighting a different kind of war" (W79). Further, the President saw that the enemy the nation faced "was not a conventional enemy" (W79). Thus, this was to be a "different kind of war with a different kind of enemy" (W80), "an unprecedented war against an enemy unlike any we had fought before" (W89). It was this "new threat," and the

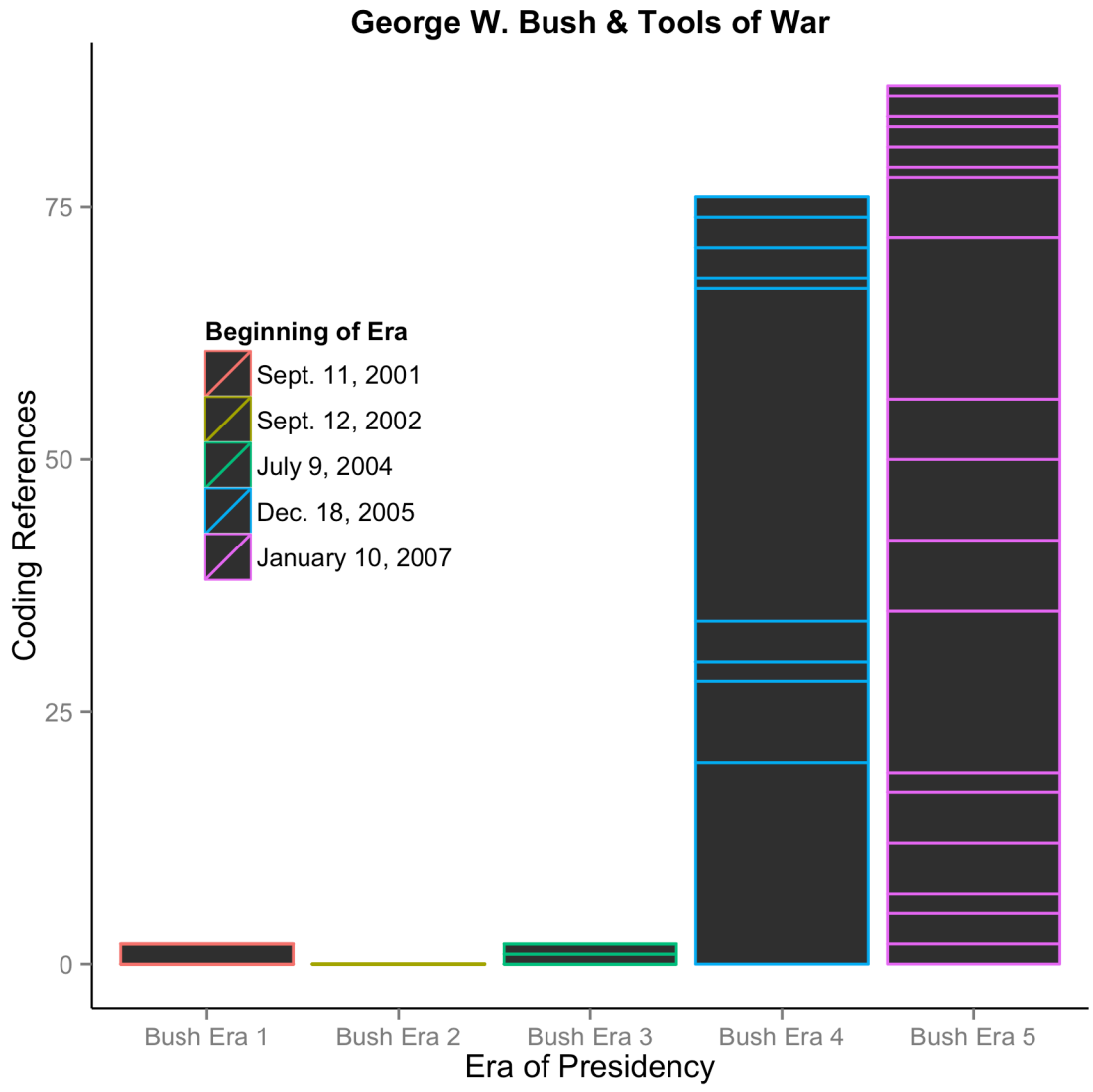


Figure 4. Tools of War by Presidential Era

state's inability to anticipate its fruition, that "required us to think and act differently" (W79). In this context of a war without precedent, thinking and acting differently also necessitates new tools of war, including new methods of intelligence gathering with unprecedented scope.

The Patriot Act

The first tools of war Bush defends as both legal and necessary to avoid future incidents of sudden terror are the expiring provisions of the Patriot Act. Bush describes the national atmosphere at the time of the Act's initial authorization; it was "with the Twin Towers and the Pentagon still smoldering, our country on edge, and a stream of intelligence coming in about potential new attacks" (W89) that Congress "saw the threat, and they said…let's give [the administration] the tools necessary to defend us" and passed the Patriot Act "by a huge majority" (W80). Bush states, "Congress acted quickly and responsibly by passing this law, which provides our law enforcement and intelligence community key tools to prevent attacks in our country." The Act, more specifically, "tore down the legal and bureaucratic wall that kept law enforcement and intelligence authorities from sharing vital information about terrorist attacks" (W79).

The President mentions on multiple occasions that his as well as prior administrations are criticized because "they didn't connect the dots prior to September the 11th" (W79). He further states, "You might remember, if you take a step back, people were pretty adamant about hauling people up to testify, and wondering how come the dots weren't connected. Well, the Patriot Act helps us connect the dots" (W79). Bush positions the possible expiration of the Patriot Act as "inexcusable"; "It is inexcusable to say, on the one hand, connect the dots, and not give us a chance to do so" (W79). Bush frames the expiring provisions as remaining necessary because the "threat still exists…the enemy has not gone away" (W80). He states, "I like to remind people the Patriot Act may be set to expire, but the threats to the United States haven't expired. And exactly

what has changed, I asked out loud, after the attack of September the 11th and today?" (W80) Given no change in the level of threat or nature of the enemy, Bush says, "The tools—if they were important right after September the 11th, they're still important in 2006" (W80), and thus, "In the war on terror, we cannot afford to be without this law for a single moment" (W79).

Terrorist Surveillance Program

Bush defends a second and related tool of war, which he refers to as a "terrorist surveillance program" (W80;W81;W88). The necessity of this program is evidenced by the idea that, in this new era of warfare, "We know that a two-minute conversation between somebody linked to al Qaeda here and an operative overseas could lead directly to the loss of thousands of lives." Thus, in order to "save American lives, we must be able to act fast and to detect these conversations so we can prevent new attacks" (W79). Providing a more detailed description of his surveillance program, Bush states that it authorizes "the intercept of certain communications emanating between somebody inside the United States and outside the United States; and one of the numbers would be reasonably suspected to be an al Qaeda link or affiliate" (W80). In regard to the criteria by which an individual is identified as an al Qaeda affiliate, the President is nondescript, stating only that, "we have ways to determine whether or not someone can be an al Qaeda affiliate or al Qaeda" (W80).

Further evidencing the utility of the program, Bush states definitively, "The terrorist surveillance program has helped prevent terrorist attacks" (W81). Bush also implies that if the program had been in place prior to 9/11, the nation could have avoided the trauma altogether: "We now know that two of the hijackers in the United States placed telephone calls to al Qaeda operatives overseas. But we did not know their plans until it was too late" (W81). In addition to framing this terrorist surveillance program as necessary in the GWOT, Bush frames the program

as (1) within the bounds of legal authority, and (2) under appropriate oversight.

The President first assures the audience of his authority through a rhetorical question: "Do I have the legal authority to do this? And the answer is, absolutely" (W79). He states that this authority is partially derived from Article II of the Constitution, which gives the Commander-in-Chief both the responsibility to protect the country as well as "the authority necessary to fulfill" (W79) this responsibility. He also positions the surveillance program as within the realm of the "additional authority" granted by Congress "to use military force against al Qaeda" (W79). Though this war is framed as an unprecedented endeavor, Bush is quick to mention precedents for his use of Presidential authority. He states, "Previous Presidents have used the same constitutional authority I have" (W81) and, "Federal courts have consistently ruled that a President has authority under the Constitution to conduct foreign intelligence surveillance against our enemies. Predecessors of mine have used that same constitutional authority" (W80).

President Bush goes on to frame the terrorist surveillance program as being subject to strict and appropriate oversight and thus posing no threat to citizens' civil liberties. Bush first alludes to U.S. Congressional oversight as a safeguard of civil liberties, stating that, "Leaders in the United States Congress have been briefed more than a dozen times on this program" (W79). Though he specifically mentions meeting with Congress "over 12 times" in multiple speeches (W79;W80;W81), the President is less clear on who these specific Congressional leaders are or how briefing them offers any real measure of accountability or oversight. Bush offers that "appropriate members of Congress have been kept informed" (W81) as evidence of the legality of surveillance: "You know, it's amazing, when people say to me, well, he was just breaking the law—if I wanted to break the law, why was I briefing Congress?" (W80) The second safeguard of civil liberties is a "careful review" of the surveillance program "approximately every 45 days

to ensure it is being used properly" (W79). Again, it is unclear who is conducting these reviews, though the President later mentions that "the folks at NSA, the legal team, as well as the inspector general, monitor the program…on a regular basis" (W79) and that he "had all kinds of lawyers review the process" (W80). Bush's question—"if I wanted to break the law, why was I briefing Congress?"—is a telling conceptualization of the subject of state criminality. In this formulation, any public action taken by a representative of the state *must* be legal as it is done under the objective eye of a consensus-based law.

A Separate Program

The final tool of war Bush defends as necessary in the GWOT is the state's right to detain and interrogate "unlawful enemy combatants." The criteria that serve to designate a human subject as an unlawful enemy combatant are not explicit beyond being labeled "terrorists and enemy fighters" captured and detained in the GWOT. Analysis of the term itself, though, is telling. The word 'enemy' associates these individuals with the essentialized "enemies of freedom" responsible for 9/11 and the legacy of all of history's atrocities, and the word 'combatant' signifies a history of violence. Choice of the word 'unlawful' in particular is revealing. Whereas 'illegal' denotes something forbidden by law and 'criminal' something punishable by law, 'unlawful' refers to something not *recognized* by law, and those unrecognized by law do not fall under its protection. This is emblematic of the potential violence of discursive labeling, as the state designates its own enemies, and by capturing and detaining them makes them combatants, i.e., "somebody taking part in a war." Hence when the state captures individuals, detains them and refuses to recognize their rights, they are unlawful enemy combatants. If the state must torture and abuse them in order to rid the world of evil, so be it, as they exist outside the realm of the law's protection or the scope of human empathy.

As Bush echoes throughout his Presidency, the GWOT is "a different kind of war with a different kind of enemy" (W80). This difference is largely due to the character and methods of the enemy, who "represent no nation…defend no territory…wear no uniform" and "operate in the shadows of society" (W89). Facing this different sort of enemy necessitates yet another new approach to intelligence gathering:

> In this new war, the most important source of information on where the terrorists are hiding and what they are planning is the terrorists, themselves. Captured terrorists have unique knowledge about how terrorist networks operate. They have knowledge of where their operatives are deployed, and knowledge about what plots are underway. This intelligence—this is intelligence that cannot be found any other place. And our security depends on getting this kind of information. (W89)

According to Bush, the state not only has the "right under the laws of war" but also "an obligation to the American people" to detain and interrogate those labeled as unlawful enemy combatants.

President Bush goes on to explain how the state has fully exercised its right to detain: "We've captured and detained thousands of terrorists and enemy fighters in Afghanistan, in Iraq, and other fronts of this war on terror" (W89). Bush outlines the serpentine processes through which the state determines (1) where individuals should be detained and (2) the methods of interrogation to which they should be subjected. Of the equivocal thousands of individuals captured in the GWOT, Bush says "most" are held in Afghanistan or Iraq, "where they're questioned by our military personnel" (W89). "Many" of these individuals, once it is determined that they "do not pose a continuing threat and no longer have significant intelligence value," are

released after questioning; “Others remain in American custody near the battlefield, to ensure that they don’t return to the fight” (W89).

Whereas this accounts for “most” captured combatants, “in some cases, we determine that individuals we have captured pose a significant threat, or may have intelligence that we and our allies need to have to prevent new attacks” (W79). Such cases require the state to “move these individuals to an environment where they can be held secretly” and “questioned by experts” (W89). One such environment is the United States Naval Base at Guantanamo Bay, Cuba. Still, only “some” of these individuals are taken to Guantanamo Bay, as the President states, “In addition to the terrorists held at Guantanamo, a small number of suspected terrorist leaders and operatives captured during the war have been held and questioned outside the United States, in a separate program operated by the Central Intelligence Agency” (W89).

Bush refers to this nameless CIA program as "one of the most vital tools in our war against the terrorists" and "invaluable to America and our allies" (W89). The program is used to question "dangerous men with unparalleled knowledge about terrorist networks and their plans for new attacks"; Bush states, "The security of our national and the lives of our citizens depend on our ability to learn what these terrorists know" (W89). In regard to the programs necessity, the President repeatedly refers to the innocent lives saved by this program, as it "has helped us connect the dots and stop attacks before they occur" (W89). He provides multiple examples of specific plots foiled by intelligence gathered in this program, including "a planned strike on U.S. Marines at Camp Lemonier in Djibouti...a planned attack on the U.S. consulate in Karachi" (W89), "a plot to hijack passenger planes and to fly them into Heathrow Airport and London's Canary Wharf," and "an al Qaeda operation to develop anthrax for terrorist attacks" (W93). The program has not only prevented attacks, it has also led to the capture of those responsible for past

attacks. Bush says the program has "played a role in the capture or questioning of nearly every senior al Qaeda member or associate detained by the U.S. and its allies" and "has helped us to take potential mass murderers off the streets...many of whom we had never heard about before" (W89).

President Bush provides an example of one man's experience in the CIA program that illustrates the program's supposed true utility. Bush refers to Abu Zubaydah as "a senior terrorist leader and a trusted associate of Osami bin Laden" (W89). After surviving his capture "only because of the medical care arranged by the CIA," Zubaydah was nonetheless "defiant and evasive" (W89). Bush states, "We knew that Zubaydah had more information that could save innocent lives, but he stopped talking. As his questioning proceeded, it became clear that he had received training on how to resist interrogation. And so the CIA used an alternative set of procedures" (W89). In regard to these procedures, Bush states,

> I cannot describe the specific methods used—I think you understand why—if I did, it would help the terrorists learn how to resist questioning, and to keep information from us that we need to prevent new attacks on our country. But I can say the procedures were tough, and they were safe, and lawful, and necessary. (W89)

This ambiguous construction of the “separate program” and the “unlawful enemy combatants” therein seems to acknowledge the power of discourse, as the state refuses to give name to that which does not fit its narrative. The language used in the construction explains a non-event, undertaken by faceless experts using undefined procedures as part of an unnamed program somewhere outside the geography of the state. The victims of these non-events, already established as evil and unlawful, become non-persons who “represent no nation…defend no

territory…wear no uniform" (W89). This dehumanizing ambiguity discursively separates the state from its violence and justifies the torture that shall not be named.

Bush Era V: Moral Clarity

"In a war, there are many moments for compassion and tender action. There are many moments for ruthless action. What is often called ruthless, but may in many circumstances be only clarity, seeing clearly what there is to be done and doing it directly, quickly, awake. Looking at it."
- W.E. Kurtz (Apocalypse Now)

The fifth and final era of discourse in the Bush Presidency consists of 31 sources, spanning from "The New Strategy in Iraq" (W98) on January 10, 2007 to "The Farewell Address" on January 15, 2009. The theme whose frequency differentiates this era from those prior is the concept of 'moral clarity' ($F_4 = 7.5$, $p < 0.001$; *paired* $t_4 = 1.81$, $p < 0.05$). This code is found in 77 percent (22/31) of fifth era sources compared to 42 percent (41/97) of sources from the first four eras (see Figure 5). The concept of 'moral clarity' refers to the need for firm moral purpose and the certainty of conviction in order for the nation to avoid the trauma of another cataclysmic event such as 9/11.

At the onset of this fifth era, President Bush sees the nation at a pivotal crossroads in the progress of the GWOT in Iraq:

> When I addressed you just over a year ago, nearly 12 million Iraqis had cast their ballots for a unified and democratic nation. The elections of 2005 were a stunning achievement. We thought that these elections would bring the Iraqis together, and that as we trained Iraqi security forces we could accomplish our mission with fewer American troops." (W98)

Instead, as the President points out, "the opposite happened," and any political gains in Iraq were "overwhelmed" by escalating levels of violence, as the Iraqis fell prey to "a vicious cycle of sectarian violence that continues today" (W98). Bush refers to the situation in Iraq as

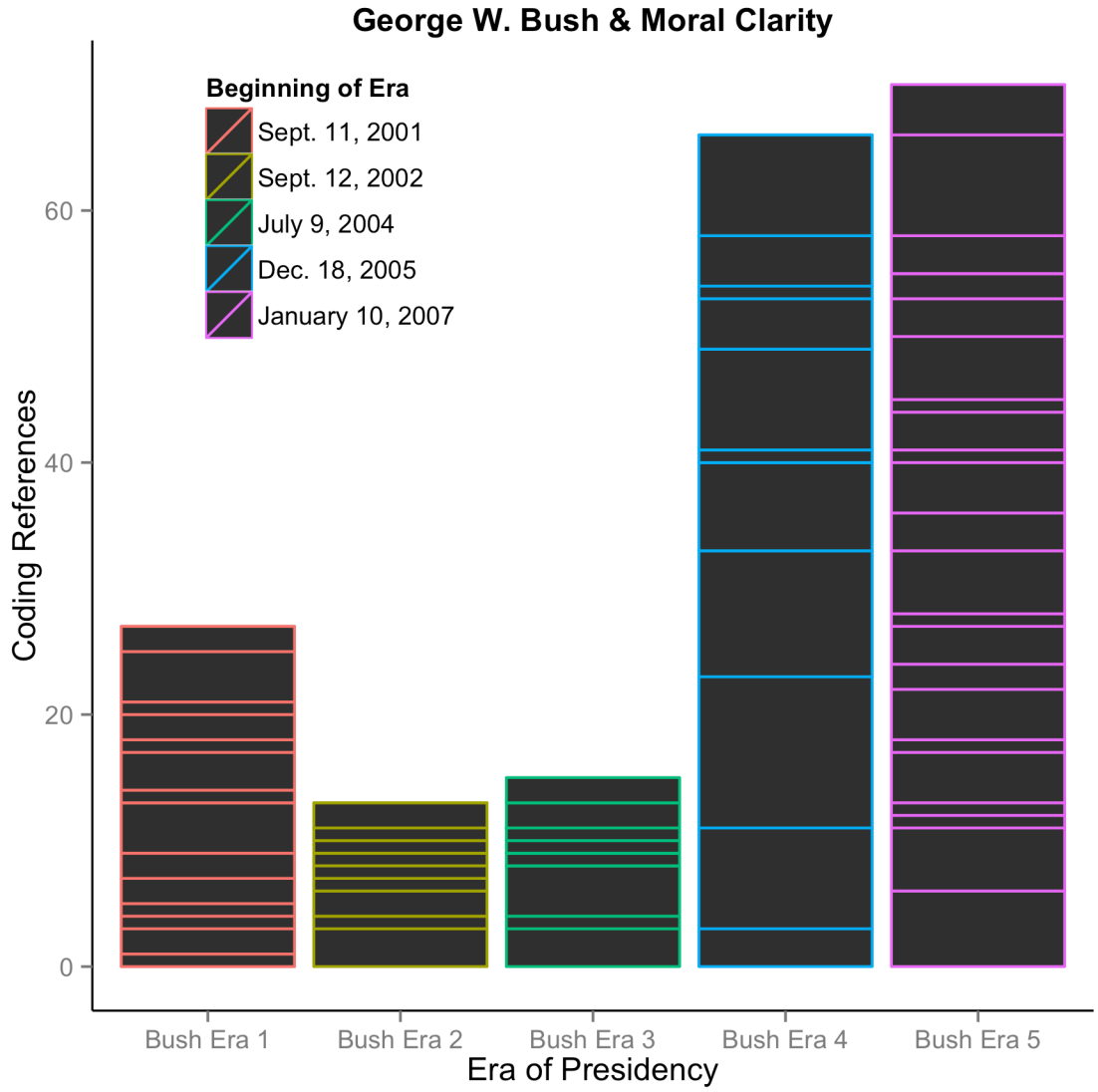


Figure 5. Moral Clarity by Presidential Era

“unacceptable” to the American people and to himself. Thus, “With the distance of time, we find ourselves debating the causes of conflict and the course we have followed” (W99), and “there is an understandable debate over whether the war was worth fighting, whether the fight is worth winning, and whether we can win it” (W115). Bush foils the current levels of uncertainty to the national environment directly after 9/11: “We went into this largely united, in our assumptions and in our convictions. And whatever you voted for, you did not vote for failure” (W99).

In light of the unacceptable situation, “it is clear that we need to change our strategy in Iraq” (W98). Bush addresses the proposed solutions of scaling back American efforts in the region or announcing a phased withdrawal of combat forces. In regard to reduced efforts, he states, “We carefully considered these proposals. And we concluded that to step back now would force a collapse of the Iraqi government, tear the country apart, and result in mass killings on an unimaginable scale” (W98), and in regard to any announcement of withdrawal, “setting a deadline for withdrawal would demoralize the Iraqi people, would encourage killers across the broader Middle East, and send a signal that America will not keep its commitments. Setting a deadline for withdrawal is setting a date for failure” (W102).

After a "comprehensive review" of the state strategy in Iraq conducted by the President's "national security team, military commanders, and diplomats," Bush states, “one message came through loud and clear: Failure in Iraq would be a disaster for the United States" (W98). In regard to this potential disaster in Iraq, Bush states, “To allow this to happen would be to ignore the lessons of September the 11th and invite tragedy” (W99). According to Bush, elected officials such as himself have a responsibility to maintain moral clarity. In regard to this responsibility, he states, "Each of us is guided by our own convictions, and to these we must stay faithful" (W99). In the face of an outside threat, he understands the temptation "to seek comfort

by turning inward" (W128). Further, he states, "I fully understand that after six years, the sense of imminent danger has passed for some—and it can be natural for people to forget the lessons of 9/11 as they go about their daily lives. I just want to assure you that I'll never forget" (W108).

The lesson the President refuses to allow his nation to forget—"In the 21st century, security and prosperity at home depend on the expansion of liberty abroad"—serves as a reminder that "retreating behind our borders would only invite danger" (W128). More specifically, he states, "If we were to quit Iraq before the job is done, the terrorists we are fighting would not declare victory and lay down their arms—they would follow us here, home" (W105). Bush reminds the nation of the consequences of compromise: "America must maintain our moral clarity. I've often spoken to you about good and evil, and this has made some uncomfortable. But good and evil are present in the world, and between the two of them there can be no compromise" (W128). Thus guided by the unwavering convictions that lives lost in the GWOT "were not lost in vain, that, in fact, there is an outcome that will merit the sacrifice" (W116) and that "an individual with moral clarity and courage can change the course of history" (W104), the President states, "I decided to do something about it—and sent 30,000 troops in as opposed to withdrawing" (W127).

The totalizing narrative of state fantasy is at work here again in Bush's final discursive era. Bush's philosophy of history—that freedom and democracy directly lead to peace and prosperity—is contradicted by the material reality of escalating violence. Rather than questioning the narrative, this contradiction instead is incorporated into the internal logic of the fantasy, which is still built on a framework that defines the GWOT as the modern expression of a timeless fight between good and evil. He acknowledges the "understandable debate" about the course of the conflict but quickly announces that any course other than an escalation of state

violence would result in failure. He paints a horrific picture of what such failure would mean to the Iraqi people, e.g., "mass killings on an unimaginable scale," but he also refers to the prospect of failure as a "disaster for the United States" (W98), one that would "invite tragedy" (W99) and result in the terrorists "follow[ing] us here, home" (W105). Moreover, failure would shatter the fantasy. It would introduce incoherence into the post-9/11 state narrative. It would render thousands of lost lives and years of state violence meaningless. Bush rejects this incoherence and embeds himself deeper within the totalizing narrative. Convinced "there is an outcome that will merit the sacrifice" (W116), he acts with moral clarity, "seeing clearly what there is to be done and doing it directly, quickly, awake. Looking at it" (Milius 1979). It is thus through this logic that the state used the failure of its past violence in Iraq to justify a surge in future violence, all in the name of spreading the peace the freedom brings.

Barack Obama Presidential Discourse

In the wake of the national trauma of 9/11, President Bush constructed a package of claims that (1) defined the prospect of sudden terror as a (criminal) social problem, (2) provided reasons why national and international audiences should care about terrorism, and (3) framed the only solution to the problem as a global war on terror. As previous chapters of this analysis have examined these constructions and the ways in which their frames shifted over time, in this section I analyze the Presidential discourse of Barack Obama by the same logic, i.e., by analyzing how this new era of discourse differs from those prior. I thus begin by examining qualitative differences between the two presidents' diagnostic frameworks.

Diagnostic Frame

The largest and most notable shift in the two Presidents' diagnostic frameworks is in regard to the war in Iraq. Whereas President Bush framed victory in Iraq as an essential part of

the solution to the social problem of sudden terror, President Obama positions the ongoing conflict in Iraq as part of his diagnostic framework, i.e., as a social problem in need of solution. Describing the conflict and its consequences, Obama states,

> From this desk, seven and a half years ago, President Bush announced the beginning of military operations in Iraq. Much has changed since that night. A war to disarm a state became a fight against an insurgency. Terrorism and sectarian warfare threatened to tear Iraq apart. Thousands of Americans gave their lives; tens of thousands have been wounded. Our relations abroad were strained. Our unity at home was tested. (O149)

Among the consequences of the war in Iraq, Obama says the conflict has resulted in the loss of "thousands of American and Iraqi lives, and nearly a trillion dollars" (O159); he also states "that the decision to go into Iraq caused substantial rifts between America and much of the world" (O142).

Obama's reference to these "substantial rifts" is emblematic of a major shift in logic between the two Presidents. This shift was evident even before Obama gave his first Inaugural Address. At President Bush's final press conference as president, he was asked for his reaction to the incoming administration's stated objective of "restoring America's moral standing in the world." Bush replied that he "strongly disagree[d] with the assessment that our moral standing has been damaged" (W127). He further states,

> You go to Africa, you ask Africans about America's generosity and compassion; go to India, and ask about, you know, America's—their view of America. Go to China and ask…I disagree with this assessment that, you know, people view America in a dim light. I just don't agree with

that…They view us as strong, compassionate people who care deeply

about the universality of freedom. (W127)

This significant shift in logic is further evidenced by the frequency at which the code 'moral authority' appeared in the two Presidents' speeches (*two-sample* $t_{(62)} = -4.1$, $p < 0.005$). This code refers to statements that specifically frame the maintenance of the nation's moral authority as a necessary part of foreign policy. This code appeared in 52 percent (32/62) of Obama's speeches with an average of 1.85 references per source, and appeared in only seven percent (9/128) of Bush's speeches with an average of 0.07 per source.

This shift is also seen in the frequency of the code 'moral leader' (*two-sample* $t_{(86)} = -4.3$, $p < 0.005$), which refers to statements that frame the U.S. as the world's moral leader. Although a frequent theme in Bush discourse, appearing in 71 percent (91/128) of sources with an average appearance of 4.8 per source, it was even more prominent in the Obama era (see Figure 6). 'Moral leader' was in fact the most prominent theme found in Obama's speeches, both in terms of the percentage of sources in which it appeared (71 percent, or 32/62) as well as average appearance per source (9.82).

As highlighted in analysis of previous eras, a key theme Bush revisited throughout his presidency was the necessity of remembering the lessons of 9/11. Obama failed to mention this necessity even once throughout the sampled speeches. Obama does, however, reference "the lessons of our effort in Iraq" (O149). Among these lessons are "that America must go to war with clearly defined goals," that "we must always weigh the costs of action, and communicate those costs candidly to the American people," and "that our political leaders must pursue the broad and bipartisan support that our national security policies depend upon" (O131). Relating this lesson

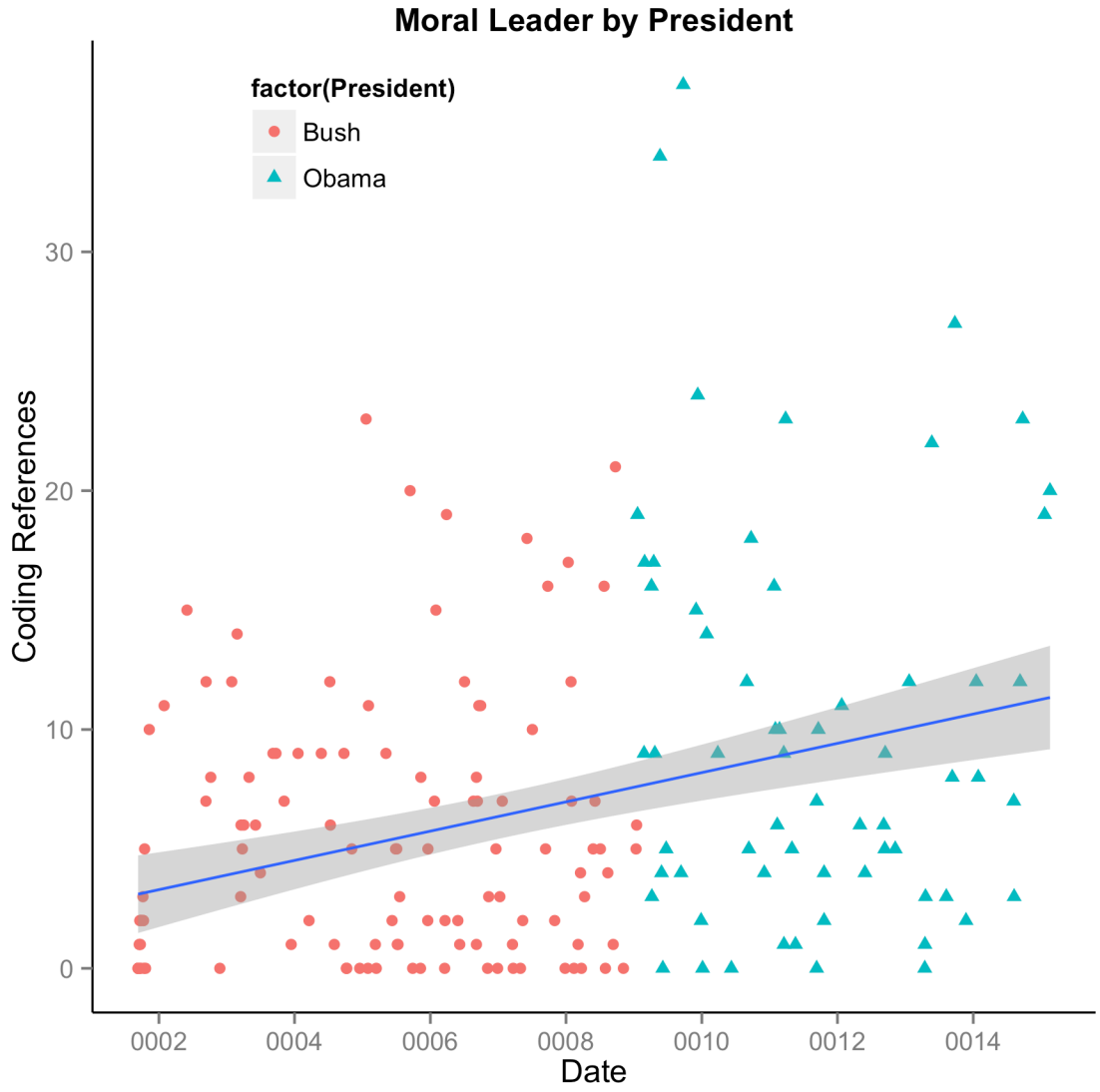


Figure 6. U.S. as Moral Leader by Date

to the necessity of restoring the nation's moral authority, Obama states that Iraq taught us "that American influence around the world is not a function of military force alone" (O149). Obama goes on to address, at least implicitly, the formulation of American exceptionalism that positions the state as an exception to its own rules: "America—in fact, no nation—can insist that others follow the rules of the road if we refuse to follow them ourselves" (O143).

The given reason that the U.S. must follow its own rules is that failing to do so would limit the state's ability to wage future wars, as "when we don't [follow the rules], our actions appear arbitrary and undercut the legitimacy of future interventions, no matter how justified" (O143). The state's continued ability to wage war is crucial in this context in that it highlights the fact that Obama is not positioning the larger GWOT as problematic. It is specifically the war in Iraq that Obama singles out and defines as a problem. As opposed to President Bush, who framed Iraq as but one front in a global conflict, Obama separates the two. He states, "in early 2003, the decision was made to wage a second war, in Iraq" (O142), and, during his acceptance speech for the Nobel Peace Prize, claims that "the world...continues to support our efforts in Afghanistan" (O143). It is thus apparent that Obama does not construct an entirely different diagnostic framework from Bush's. He still positions terrorism as a social problem, but, within the context of this already constructed problem, Obama additionally defines the nation's prior counter-terrorism methods as a problem in themselves. This significant shift in diagnostic framing results in key changes in Obama's motivational and prognostic frameworks as well.

Motivational Frame

A key qualitative difference between the two presidents' motivational frameworks is found in the logic to which each appeals in the attempt to convince audience members of the rightness of their cause. Emblematic of this difference is the shift in meaning of the 'philosophy

of history' code. For both presidents, I use the code to label statements that appeal to culturally and/or historically situated ideas about causality and 'how the world works,' especially as they relate to freedom, democracy, and terrorism. For President Bush, this meant a litany of references to metaphysical currents of history such as the immutable power of freedom and democracy, and, key in the current context, any notion that acts of terror could in some way be a response to U.S. action was categorically rejected. Bush states, "No act of ours invited the rage of killers" (W77), and, even more explicitly, "It is a ridiculous notion to assert that because the United States is on the offense, more people want to hurt us. We are on the offense because people do want to hurt us" (W55).

The logic of causality to which Obama appeals is circumspect by comparison, and the power to which he ascribes the forces of freedom and democracy is conditional, rather than immutable. Obama does hold to the logic that "the essential ingredient" to reduce terrorism and create "real and lasting stability and progress is not less democracy; it's more democracy" (O190), but adds that "countering violent extremism" also requires "institutions that uphold the rule of law and apply justice equally...security forces and police that respect human rights and treat people with dignity...free speech and strong civil societies where people can organize and assemble and advocate for peaceful change" (O190). In line with President Bush, Obama states that the U.S. "will continue to promote democracy and human rights and open markets, because we believe these practices achieve peace and prosperity" (O181), but he frames the power of democracy to achieve these goals as conditional, adding, "But I also believe that we can rarely achieve these objectives through unilateral American action, particularly through military action" (O181). Obama lists this as another lesson learned from Iraq, which "shows us that democracy cannot simply be imposed by force" (O181).

The issue in which Obama's causal logic departs most notably from Bush's is in regard to the potential relationship between U.S. actions and terrorism. Whereas Bush rejected the existence of any relationship, Obama traces a direct causal line between specific U.S. policies and terrorism. Obama frames two specific U.S. policies as reducing the nation's moral authority in the world and creating terrorism: (1) "the use of so-called enhanced interrogation techniques," and (2) the detention center in Guantanamo Bay, Cuba. In regard to enhanced interrogation techniques, Obama first "categorically reject[s] the assertion that these are the most effective means of interrogation," and further states that such policies "undermine the rule of law" and "alienate us in the world" (O136). As a result, these interrogation techniques "serve as a recruitment tool for terrorists, and increase the will of our enemies to fight us, while decreasing the will of others to work with America" (O136). In regard to Guantanamo Bay, Obama states, "instead of serving as a tool to counter terrorism, Guantanamo became a symbol that helped al Qaeda recruit terrorists to its cause" (O136). Obama goes on to speculate, "the existence of Guantanamo likely created more terrorists around the world than it ever detained" (O136); he further states without condition that the existence of the Guantanamo prison facility was in fact "an explicit rationale for the formation of al Qaeda in the Arabian Peninsula."

This qualitative distinction between the two Presidents corresponds with meaningful quantitative differences as well. The codes 'defender of freedom' and 'champion of democracy' refer to statements framing the propagation of freedom and democracy, respectively, as defining features of the U.S. and/or key facets of the nation's role in world affairs. The 'defender of freedom' code (*two-sample* $t_{(169)} = 6.1$, $p < 0.005$) appeared in 73 percent (94/128) of Bush era sources, with an average of 5.01 references per source, as compared to 63 percent (39/62) of Obama era sources and a significantly lower average of 1.69 reference per source (see Figure 7).

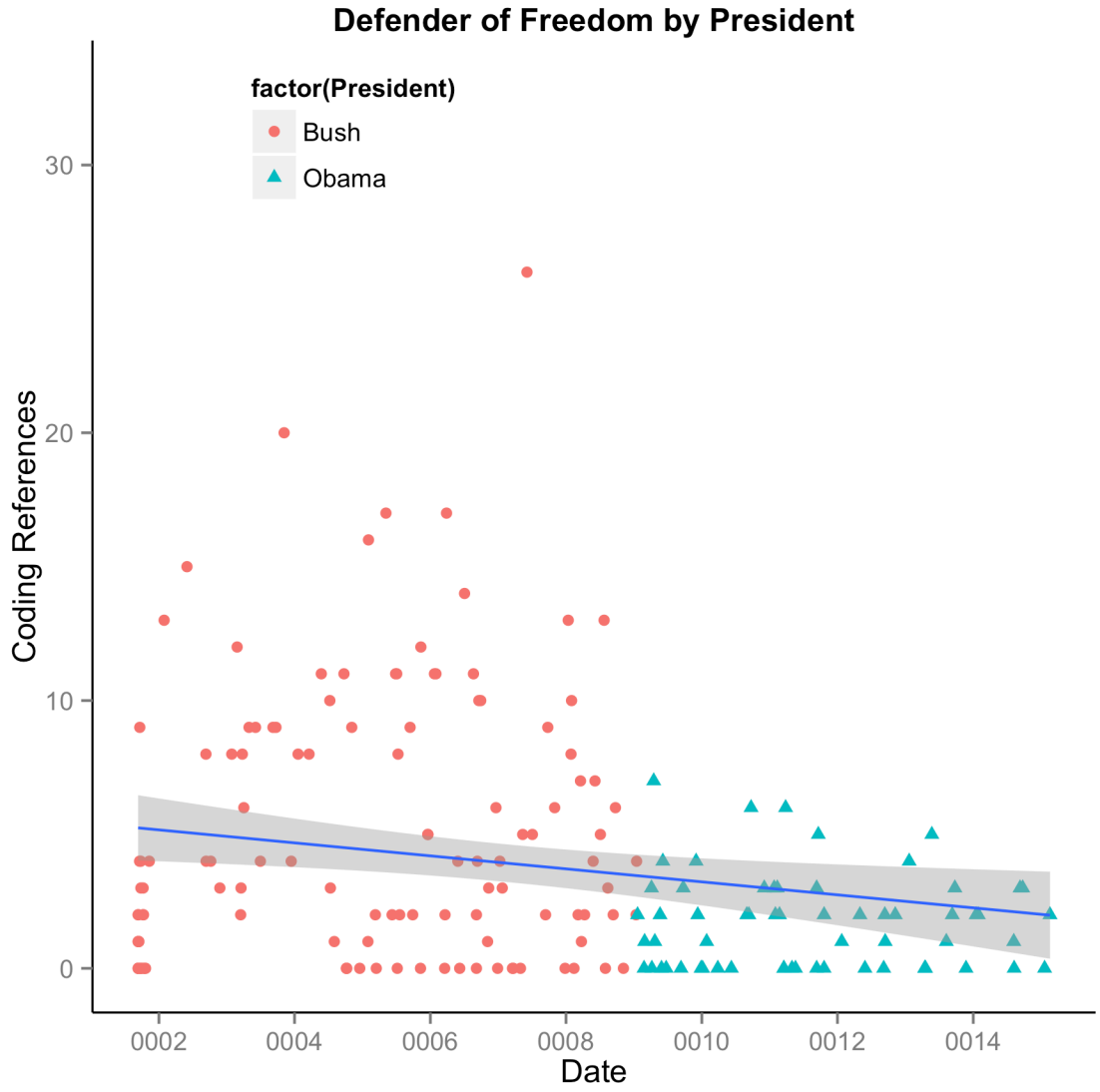


Figure 7. U.S. as Defender of Freedom by Date

The ‘champion of democracy’ code (*two-sample* $t_{(187)} = 2.4$, $p < 0.05$) appeared in 59 percent (75/128) of Bush era sources with an average of 2.84 references per source. Whereas Bush era sources contain significantly more references per source compared to Obama (1.76 per source), the code appeared in roughly the same percentage of sources for the two Presidents (61 percent, or 38/62 for Obama). It is important to note, however, that the ‘champion of democracy’ code appeared in only 18 percent (6/31) of sources from Bush’s first era. It was not until the second era, when Bush began to make his case to bring democracy to Iraq, that this logic became a prominent feature. If the first era of Bush sources are excluded, ‘champion of democracy’ appeared in 71 percent (69/97) of remaining Bush sources, with an average of 3.63 references per source.

Prognostic Frame

Although President Obama’s diagnostic framework maintains the definition of terrorism as a social problem that requires state violence, he additionally defines prior state violence in the GWOT as part of this problem. Whereas this is the logical equivalent of affixing President Bush’s prognostic framework to Obama’s own definition of the problem, it follow that Obama’s prognostic frame should be markedly different from Bush’s without being a comprehensive reversal of policy. Indeed, the shift in framing has little to do with the question of whether or not the state should use violence to combat terrorism. The shift, rather, concerns the specific ways in which violence should be used. The largest shift in prognostic framework is thus found in the ‘tools of war’ Obama frames as necessary for appropriate state action.

Obama maintains the state’s need to “remain vigilant” and use state violence “when needed to protect the American people” (O184). The line of logic that differentiates Obama is in regard to the type of conflict in which violence is defined as necessary to protect U.S. citizens. In

a stark departure from Bush era discourse, Obama defines certain forms of state violence as not only unnecessary but actually counterproductive as a measure of protecting the American people. Obama states, "We must fight the battles that need to be fought, not those that terrorists prefer from us—large scale deployments that drain our strength and may ultimately feed extremism" (O184).

In another meaningful departure from Bush's prognostic framework, Obama states that he will not "allow our sons and daughters to be mired in open-ended conflicts" (O184). Whereas Obama clearly states the necessity of a "firm timeline" (O168) in U.S. military conflicts, Bush frames any such public timeline as inherently problematic: "It makes no sense to tell the enemy when you plan to start withdrawing. All the terrorists would have to do is mark their calendars and gather their strength and begin plotting how to overthrow the Government and take control" (W102). This distinction is emblematic of another related shift in logic between the two Presidents, which is the necessity of public transparency as a component of the oversight of state use of tools of war.

This discrepancy in regard to the necessity of state transparency is most pronounced in the two Presidents' constructions of what Bush refers to as the "terrorist surveillance program" (W80). Obama's framing of this tool of war, which he refers to as "the telephone metadata program" (O183) follows Bush in constructing the program as legal, under strict oversight, and a necessary measure to save and protect the lives of U.S. citizens. The two Presidents even use the same example to evidence the supposed necessity of the program. Obama states, "One of the 9/11 hijackers—Khalid al-Mihdhar—made a phone call from San Diego to a known al Qaeda safe-house in Yemen. NSA saw that call, but it could not see that the call was coming from an individual already in the United States" (O184). Whereas Obama stops short of implying this

program would have prevented 9/11, he does evidence its necessity through use of a hypothetical terrorist attack scenario:

> And this capability could also prove valuable in a crisis. For example, if a bomb goes off in one of our cities and law enforcement is racing to determine whether a network is poised to conduct additional attacks, time is of the essence. Being able to quickly review phone connections to assess whether a network exists is critical to that effort. (O183)

Where Obama's construction of the surveillance program diverges from Bush era discourse, however, is in regard to the consequences of its public discussion. In this context, Bush is unequivocal: "The fact that we're discussing this program is helping the enemy" (W79). According to Bush, "an open debate about law would say to the enemy, here is what we're going to do. And this is an enemy which adjusts…revealing sources, methods, and what we use the information for simply says to the enemy: change" (W79). Obama constructs this issue in a drastically different light. Reconstructed through the prism of his diagnostic frame, which focuses on the restoration of state moral authority, Obama says, "One thing I'm certain of: This debate will make us stronger" (O183). Thus, what Bush frames as a source of weakness that makes the state more vulnerable to attack, Obama frames as a source of strength, in that it increases the moral authority through which the state is able to exert influence and justify violence.

The final facet of Obama's prognostic framework that differs from that of Bush era discourse is the addition of a new tool of war at state disposal: the use of "remotely piloted aircraft commonly referred to as drones" for "targeted lethal action" (O178). Obama begins his defense of the use of drones by stating that it is "not possible for America to simply deploy a

team of Special Forces to capture every terrorist" (O178). He references the "operation in Pakistan against Osama bin Laden," and frames this state action as an extraordinary one, which "cannot be the norm" (O178).

> The risks in that case were immense. The likelihood of capture, although that was our preference, was remote given the certainty that our folks would confront resistance. The fact that we did not find ourselves confronted with civilian casualties, or embroiled in an extended firefight, was a testament to the meticulous planning and professionalism of our Special Forces, but also depended on some luck. And it was supported by massive infrastructure in Afghanistan. And even then, the cost to our relationship with Pakistan—and the backlash among the Pakistani public over encroachment on their territory—was so severe that we are just now beginning to rebuild this important partnership. (O178)

Noting that "much of the criticism about drone strikes—both here at home and abroad—understandably centers on reports of civilian casualties" (O178), Obama frames the civilian consequences of drone strikes against two possible alternatives: (1) inaction, or (2) conventional military action.

First addressing the prospect of inaction, Obama states, "To do nothing in the face of terrorist networks would invite far more civilian casualties" (O178). These casualties would occur "not just in our cities at home and our facilities abroad, but also in the very places…where terrorists seek a foothold" (O178), which are presumably the very places the U.S. would use drone strikes. He further states, "Remember that the terrorists we are after target civilians, and the death toll from their acts of terrorism against Muslims dwarfs any estimate of civilian

casualties from drone strikes. So doing nothing is not an option" (O178). Obama goes on to compare the use of drones to its "primary alternative" (O178), i.e., conventional military options. According to Obama, such options carry an increased risk of civilian casualties in terms of both their manifest and latent consequences.

> As I've already said, even small special operations carry enormous risks. Conventional airpower or missiles are far less precise than drones, and are likely to cause more civilian casualties and more local outrage. And invasions of these territories lead us to be viewed as occupying armies, unleash a torrent of unintended consequences, are difficult to contain, result in large numbers of civilian casualties and ultimately empower those who thrive on violent conflict. (O178)

Due to the fact that, within this framework, "neither conventional military action nor waiting for attacks to occur offers moral safe harbor," Obama positions the use of drones as "the course of action least likely to result in the loss of innocent life" (O178) and thus the best way to maintain the state's moral authority while also preserving its right to use lethal action against those defined as deserving.

Obama goes on to state, "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" (O178). It is this shielding from public scrutiny that Obama says has the potential to "lead a President and his team to view drone strikes as a cure-all for terrorism" (O178). Obama never explicitly contradicts this idea of drone strikes as the ultimate solution to terrorism, but rather claims this as the reason he "insisted on strong oversight of all lethal action" (O178). He frames drone strikes as legal through the use of force authorized by Congress directly

following 9/11, and states, “Not only did Congress authorize the use of force, it is briefed on every strike that America takes. Every strike” (O178). However, this is directly after stating that appropriate committees of Congress are briefed on “all strikes outside of Iraq and Afghanistan” (O178). It is thus unclear how drone strikes within Iraq, in which “we’ve conducted more than 150 successful airstrikes” (O187) as of September 10, 2014, or Afghanistan are subject to the “strong oversight” (O178) Obama claims.

Barack Obama constructed a new state fantasy that positioned the transgression of U.S. ideals in the GWOT as the source of ontological insecurity. Whereas Bush’s construction of state fantasy invites an American exceptionalism that motivates “U.S. citizens to displace their normal national desire—to achieve an ideal nation—with the abnormal desire to propagate the U.S. model of nationalism” (2009:22), Obama contradicted this formulation throughout his Presidency. He explicitly states, “Because after a decade of war, the nation that we need to build—and the nation that we will build—is our own” (O166).

Whereas Obama’s construction of state fantasy, i.e., an acknowledgment that the U.S. cannot *appear* to be an exception to its own rules, and formulation of the nation’s role in world affairs, i.e., an emphasis on moral leadership and building democracy over the metaphysical power of freedom and democracy, differs from Bush’s, the two Presidents shared a common goal: to motivate the public to support state violence. Toward this end, they employed the same means of persuasion more than any other: the necessary construction of a villain as essentialized evil in order to build the nation – a criminalizing and criminogenic formation. It is a discourse of control, one that uses essentialized labels in order to predict and control the behavior of human subjects. This discursive process of dehumanization is criminogenic in that it justifies violence toward an essentialized other. This construction is measured in the code ‘fight between.’ For

Bush, this was the second most frequent code, appearing 5.09 times per speech. For Obama, this was the third most frequent code but was even more prevalent, appearing 7.24 times per speech. In the 190 sampled speeches of both Presidents, this was the second most frequent code overall, appearing 5.79 times per speech. The only code appearing more frequently was 'moral leader.' The fact that these are the two most frequent codes, one an expression of the state's immaculate morality the other an immoral enemy it defines itself against, fits logically within the constructed narrative of state fantasy, which is built on the dichotomy of us/them and used to dehumanize a terrorist other in order to justify state violence.

CHAPTER VI
TOWARD A CULTURAL CRIMINOLOGY OF THE STATE

Before embarking on the concluding analysis of pertinent findings, it is first necessary to synthesize key theoretical elements with findings in a way that illuminates a path toward the development of a cultural criminology of the state. Toward this end, this chapter first highlights the importance of a cultural criminology of the state in furthering the subfield of cultural criminology as well as any critical examination of the state in our late modern world. I then explore some of the defining features of a cultural criminology of the state. Throughout these discussions, I will identify ways in which this project actualizes facets of a cultural criminology of the state as well as directs scholars toward further steps necessary to realize a fully developed cultural criminology of the state.

The field of cultural criminology has "borne many slings and arrows, more so than almost any other of the critical criminologies in the last few years" (Muzzatti 2006:74). Many conceptualize it as exclusively aiming its inquiry at the subcultural level, seeking adrenaline through the examination of edge work and ethnographic participant observation. Some have posited that it only concerns itself with "rather trivial matters" of daily transgression, ignoring the real harms in society. Although the observant have noticed that this is not the case (Muzzatti 2006; Webber 2007), it is true that cultural criminology has, to this point, tended to focus on intersections of culture and crime at the levels of media, subculture, or criminal act. Ferrell, Hayward, and Young state that this lack of research on the state "is an oversight we cannot afford" (2008:75) and thus call for the development of a cultural criminology of the state.

The reason such oversight must be corrected is that "the cultural practices of the state are

too important to ignore" (Ferrell, Hayward, and Young 2008:75). In this context, the cultural practices of the state refer to the ways in which representatives of the state use discourse to create and assign meaning to the lived experiences of social reality. In the context of the current project, these cultural practices more specifically refer to the discursive methods by which the state legitimates its use of violence in the GWOT. A key function of a cultural criminology of the state is to break down the foundational binary of state/crime—as the state both creates categories of crime and criminality and is itself criminogenic in the GWOT. This contradiction represents the foundational paradox of the state: it holds the monopoly on violence and this will always undercut its very legitimacy, when the force of violence/state of exception is exposed. An essential function of a cultural criminology of the state is thus to shed light upon this state of exception.

This framework is well positioned to shed such light because of its sensitivities to image, narratives, and other discursive forms through which meaning is constructed. Indeed, in terms of "wielding power on the late modern global state," cultural criminologists hold that such avenues of meaning-making are "as important as the deployment of Apache attack helicopters" (Ferrell, Hayward, and Young 2008:75). Critical examination of state discourse is important not only because such discourse seeks to foreclose the dynamism of culture and identity, but also because, as the control of images and other discursive elements "becomes more vital to the maintenance of the capitalist social order…this gives rise to a paradox: the more the state relies upon the image, the more it is vulnerable to image manipulation" (75). This logic of 'image manipulation' holds true for other discursive elements as well, as images are but one of the "constitutive elements of the discursive field" (Young 2014:159). Images, narratives and other elements of the state's symbolic discourse are 'manipulated' not through change in their objective form but

through deconstructing the subjective meaning attributed to such forms. It is through this deconstruction of assumed consensus and supposed objective meaning that such hegemonic understandings are shown to be contingent, subjective. It is thus through 'manipulation' of the symbolic that the role of cultural power in defining social reality is exposed. In this light, definitions of criminality and logics of crime control are seen as illuminating expressions of state power rather than accurate representations of an everlasting objectivity. In today's late modern and multi-mediated social world, attempts to challenge the state's hegemony over the realm of the symbolic thus become "ever more central to any form of critical criminological analysis" (75). The significance of the subfield thus stated, it is next necessary to outline the defining features of a cultural criminology of the state.

Defining Features of A Cultural Criminology of the State

Herein I focus on three defining features of a cultural criminology of the state as called for in "Imagining a Cultural Criminology of the State" (Ferrell, Hayward, and Young 2008:75-80). The first such feature is toward the development of a "clearer understanding of the geo-political interaction between the symbolic and the material" (75). A cultural criminology of the state works toward this understanding through an emphasis upon using multiple levels of analysis when studying the state. Such emphasis is emblematic of cultural criminology's larger goal of highlighting "the interaction between these two elements: the relationship and the interaction between constructions upwards and constructions downwards" (Hayward and Young 2004:259). This is a defining feature of cultural criminology and necessitates multiple levels of analysis. By this logic, "no one level of analysis—'economic' or 'political,' global or local, focusing on the means of either material or symbolic production will do justice to the current strange mixture of chaos and grand design" (Retort Collective 2004:7).

The current project works toward this understanding of the relationship and interaction between the symbolic and the material by thoroughly examining the state's symbolic means of production. As cultural criminology has tended to focus on constructions upwards through its examination of discourses of resistance, the current project instead focuses on those discursive constructions aimed downwards from the state's seat of symbolic power, the presidential pulpit. It does so through reliance on one of the major tenets of cultural criminology, the use of the "attentive gaze," which prioritizes "the need for a multi-layered ethnographic approach to the study of crime and transgression" and, most relevant to the current project, an "accent on rich description and storytelling" (Hayward and Young 2004:268). It is due to the influence of this "attentive gaze" that this project seeks to find the larger narratives within which presidential utterances embed themselves. It is the source of many questions driving this study, all of which focus on the symbolic meaning of the state and its actions since September 11, 2001, as each is constructed by the state itself. The most immanent of these questions: Through what narrative does ongoing, global warfare make sense? In what story does the torture of human beings seem necessary? How does the state construct a symbolic universe in which its material violence is justified? The present study demonstrated the state's construction of a totalizing narrative, in which human civilization is pitted against essentialized evil. In this narrative, the GWOT is but the latest front in the timeless struggle between the forces of good and evil. In this statically conceived symbolic universe, any iteration of the state's material violence is sanitized as a force of good, any transgression of its defining ideals justified as a necessary means in overcoming evil.

Whereas the current project works toward a cultural criminology of the state through analysis of the previously understudied "constructions downwards," the narratives relied upon

and reinforced by state discourse, this is truly only one part of a fully realized cultural criminology of the state. In its full development, this would be one of several levels of analysis that would seek to understand not only how the symbolic justifies the material but the ongoing interaction and interplay between the two. It would seek to understand how the symbolic discourses of the state were interpreted and incorporated within individual identities and their relations to state and other. It would endeavor to ascertain how these newly forged national identities interpreted and interacted with the existing social world to form a new material reality and then, in turn, how this new material reality is reflected in proceeding symbolic discourses. It would, in short, stress the "mediated nature of reality in late modernity," in which "identities exist from the start as a moment in a mediated spiral of presentation and representation…[in] an infinite hall of mediated mirrors" (Ferrell, Hayward and Young 2008:76).

A second defining feature of a cultural criminology of the state is a focus on the state's reliance on and reinforcement of entrenched cultural essentialisms. In specific, "it should develop an analysis of terrorism that traces its roots to entrenched cultural essentialisms as much as economic imperialism or 'blood for oil'" (Ferrell, Hayward, and Young 2008:77). Here the use of entrenched cultural essentialisms refers to the discursive processes through which individuals and/or cultures are artificially boiled down to particular 'essences' by which they can be labeled and acted upon. An example of this essentialized logic in the current study is the construction of state enemies as existing somehow outside of humanity: through their "contempt for life" they have "set themselves against all humanity" and thus "have no claim on the world's sympathy" (W47). Because the conception is static, e.g., "No act of the terrorists will change our purpose, or weaken our resolve, or alter their fate" (W43), the individual and/or culture is conceived as unchanging, which means that further interaction or attempts at empathetic

understanding are deemed pointless. Because cultural reality is already known and individual essences have been uncovered, "others are allowed to be known only through the ultimate denial of their human selves, the stereotypical categories of classification and summary representation" (Henry and Milovanovic 1996:180). As such essentialisms and other stereotypical imaginaries "correspond to no stable reality that exists as a natural fact" (Said 2003:63), they must be interrogated and deconstructed. Such deconstruction also lends itself toward the fulfillment of another defining feature of the framework, which is "to expose the misleading narratives of terrorism and counter terrorism promulgated in the mass cultural script" (Ferrell, Hayward, and Young 2008:76), as such narratives feed a culture of terror, fear, paranoia, and xenophobia (Jackson 2005; Lewis 2005; Furedi 2007).

The current projects works toward the fulfillment of this facet of a cultural criminology of the state by focusing on the processes through which the terrorist enemy other is constructed by state discourse. In particular, it shines a light upon the ways in which both Presidents Bush and Obama discursively construct an enemy other defined by its position outside of civilization and humanity. This is the process through which an essentialized other is created to define oneself against, and, insofar as it dehumanizes human beings, it creates the necessary preconditions that justify violence against these essentialized others. Whereas the current project focuses on the ways in which entrenched cultural essentialisms work to justify state violence, a fully realized cultural criminology of the state would extend its gaze beyond this purview. It would look to the time before 9/11 to examine how theses cultural essentialisms, entrenched long before the 21st century, worked to influence the initial response and locus of blame in the immediate aftermath of this and other events labeled as terrorism. Indeed, it would make connections between these cultural essentialisms (e.g., the cultural background of those allegedly

responsible) and whether or not an event was labeled a terrorist attack. Toward further understanding of the interaction between the symbolic and the material, it would also look to trace the material influence of such discourse by examining the relationship between use of cultural essentialisms in state discourse and instances of hate-crimes against those cultures essentialized.

The third and final facet of a cultural criminology of the state discussed herein is the promotion of a criminology of war that "forces mainstream criminology to include in its intellectual scope crimes associated with military action and state-sanctioned violence" (Ferrell, Hayward, and Young 2008:77). A cultural criminology of the state would first point to the state's seeming inability to criminalize its own actions and call for alternative conceptualizations of crime, but this widening of intellectual scope extends beyond violations of the UN Charter, the Geneva Conventions, or other international definitions of criminality. It would look toward a "new criminology of war," which "must consider the importance of legitimation and ideology" (Ruggiero 2005:246) in the waging of war. Whereas criminological attention to war and its causes have tended to focus on the structures of political economy and elite interests (Chibber 2008; Kramer and Michalowski 2006), a new criminology of war would consider the "cultural processes that form the background of war" (Klein 2012:86) and would thus fit neatly within a fully developed cultural criminology of the state. This new criminology of war, with its distinctly cultural approach, would examine the cultural and ideological processes through which war is made 'reasonable' to a state's citizenry. According to Whyte, this "cultural legitimation of war is facilitated ideologically…via myths and narratives that support in-group militarism and war" (2007:119).

The primary way the current project works toward this facet of a cultural criminology of

the state is through framing state discourse itself as criminal and criminogenic. Framing such discourse as criminal, the project also looks to the ways in which the state uses discourse to normalize and justify its own violence. In so doing, the project shines light upon the presence of a number of "imperialist deep cultural ideas or attitudes that support foreign aggression" found within Klein's "Toward a Cultural Criminology of War" (2012:92), which argues that these and other such processes "through which war is made 'reasonable' to individuals should be seen as a macrosocial analogue of interpersonal crime neutralization" (87). Klein, who focuses on the U.S. but stresses that the framework applies broadly to all contemporary nation-states, identifies thirteen such deep cultural ideas: fear and the defense of necessity; an emphasis on threats; neuroticism (phobias, anxieties); a pessimistic view of human nature; disregard for human life, disregard for the other; egoism; suppression of the history of enslaving/exploiting/repressing; dichotomous thinking; the United States is invincible/superior; United States as chosen nation; the United States has God behind it; an emphasis on supremacy; and legitimacy of United States use of force, particularly first-strike (preemptive war) (2012:93-7). The following paragraphs highlight the presence of the most pertinent of these ideas, attitudes, and narratives within the present study.

The first of Klein's deep cultural ideas that work to legitimate state violence is the presence of fear and resultant defense of the necessity of violence. The presence of widespread fear is well documented within the first era of Bush's presidential discourse, in which he states, "it is natural to wonder if America's future is one of fear" (W18). In addition, the current project documents the discursively constructed 'costs of inaction or defeat' outlined by Bush in the time period between 9/11 and the invasion of Iraq, which foretold an age of terror if freedom's enemies were not confronted with state violence. This also coincides with a second documented

war-supportive narrative, which entails an emphasis on threats. Such emphasis is documented throughout this study and, in particular, during the second era of Bush's presidential discourse, in which he constructs "the threat gathering against us" (W35). An emphasis on ongoing threat, or potential threat, is used by the state to justify its violence throughout the GWOT, beginning with the invasion of Afghanistan. After 9/11, Bush extends the scope of the terrorist threat to include the citizens of Afghanistan, where "people have been brutalized" (W18) by the same forces of evil that pose a threat to the U.S.

An emphasis on threat was then used to justify the onset of state violence in Iraq. Bush frames Iraq, and Saddam Hussein in particular, as a source of threat ever expanding in scope. The locus of this threat's victims begins with the Iraqi people, who "have suffered too long in silent captivity" (W34), as "the dictator who is assembling the world's most dangerous weapons has already used them on whole villages—leaving thousands of his own citizens dead, blind, or disfigured" (W37) and "once ordered the killing of every person between the ages of 15 and 70 in certain Kurdish villages in northern Iraq. He has gassed many Iranians, and 40 Iraqi villages" (W34). This threat extends to the broader Middle East, a region Iraq "would be in a position to dominate" (W35) if left unchecked by U.S. state violence, as "Iraq possesses ballistic missiles with a likely range of hundreds of miles—far enough to strike Saudi Arabia, Israel, Turkey, and other nations—in a region where more than 135,000 American civilians and service members live and work" (W35). The threat then extends to the U.S., as "Iraq could decide on any given day to provide a biological or chemical weapon to a terrorist group or individual terrorists," allowing "the Iraqi regime to attack America without leaving any fingerprints" (W35). This threat is finally extended to the entire world, and to conceive it as anything short of a threat to global security would be "to bet the lives of millions and the peace of the world in a reckless

gamble" (W47). The initial use of state violence in Iraq is thus justified through the logic that "the security of all nations requires it" (W34).

Years after the initial invasion, the tactic of emphasizing the existence of threat is further used to justify the continuation and escalation of state violence in Iraq. This threat exists for both the Iraqi people, who without the aid of state violence would suffer "mass killings on an unimaginable scale" (W98), as well as U.S. citizens: "If we were to quit Iraq before the job is done, the terrorists we are fighting would not declare victory and lay down their arms—they would follow us here, home" (W105). Emphasis of threat is also used to justify the "enhanced interrogation methods" of torture and abuse, as "the security of our nation and the lives of our citizens depend on our ability to learn what these terrorists know" (W89). It is also used to justify the state's silence on specific methods of its violence: "I cannot describe the specific methods used…if I did, it would help the terrorists learn how to resist questioning, and to keep information from us that we need to prevent attacks on our country" (W89).

Emphasis on threats as a framing tactic to justify state violence is not exclusive to President Bush. Obama uses this emphasis to justify the continued use of violence in Afghanistan, the abandonment of which "would create an unacceptable risk of additional attacks on our homeland and our allies" (O14). In addition, he emphasizes the existence of threat to justify the continuation of violence in the larger GWOT: "To do nothing in the face of terrorist networks would invite far more civilian casualties…not just in our cities at home and our facilities abroad, but also in the very places…where terrorists seek a foothold" (O178). Finally, Obama emphasizes threat to justify state violence through drones: "Remember that the terrorists we are after target civilians, and the death toll from their acts of terrorism…dwarfs any estimate of civilian casualties from drone strikes. So doing nothing is not an option" (O178).

The emphasis on threats is also documented with the code 'fight between,' which refers to the construction of terrorist others as evil manifest and/or the practice of framing the GWOT as a grandiose final confrontation between forces of good and evil. The presence of such logic is extensive throughout the speeches studied, no matter the speaker or era. This coincides with the logic of previous arguments that "one of the most powerful effects of threat is to increase intolerance, prejudice, and xenophobia, and the contemporary war on terror has heightened negative views of Arabs and support for attacking the enemy" (Huddy et al. 2005:594).

The presence of the code 'fight between' is also easily connected to another war-supportive attitude: disregard for human life/disregard for the other. This connection is through the framing of the GWOT as a confrontation between humanity and other—enemies of freedom, "history's latest gang of fanatics trying to murder their way to power" (W33), who have "contempt for life itself" and "have set themselves against all humanity" (W47). This is a purely essentialized evil; Bush states, "if this is not evil, then evil has no meaning" (W37). Such constructions are also found in Obama's discourse, which describes a "network of death" that "no God condones" (O60); further, "the only language understood by killers like this is the language of force" (O60). Disregard for human life is also documented by the code 'whatever it takes,' significantly more prevalent in Bush era discourse, which defines absolute victory in the GWOT as an end justifying any and all means, as the prospect of defeat is defined as a cataclysm more profound than any violence the state could possibly inflict. Bush states, "Whatever the duration of this struggle, and whatever the difficulties, we will no permit the triumph of violence in the affairs of men—free people will set the course of history" (W37). It is through this logic that the state justifies its use of violence as a necessary means of overcoming violence. The presence of this discourse is most pronounced in Bush's first era, and evidence of its influence is

documented during the same time period, in which 60 percent of the U.S. public agreed that action should be taken even if thousands were killed (Mueller 2003:33).

Another war-supportive logic well documented in the current study is the use of dichotomous logic. This is present in a number of forms within state discourse, the most ubiquitous of which, already examined through the 'fight between' code, is Klein's straightforward definition of "emphasizing a good in-group against an evil out-group" (2012:95). This logic is ubiquitous, e.g., "defenders of human liberty" vs. "those who seek to master the minds and souls of others" and "those who believe all men are created equal" vs. "those who believe that some men and women and children are expendable in the pursuit of power" (W33). State discourse and Bush in particular extend the use of dichotomies beyond good and evil to also include "civilization and terror," "freedom and slavery," even "life and death" (W51) as well as a with-us-or-against-us conceptualization of the GWOT. Such dichotomies are brought to life within statements coded as 'philosophy of history,' which identify references to metaphysical currents of history and/or immutable laws of human civilization that drive social progress, especially as they relate to freedom and democracy. In these narratives, the United States serves to represent the force of freedom, the good defined against the evil enemies of civilized humanity's past and present.

These dichotomized characterizations found in state discourse rely upon and reinforce three final interrelated imperialist deep cultural ideas that support state violence: the United States is invincible/superior; United States as chosen nation; and the United States has God behind it. In the narrative constructed in state discourse, the U.S. is an exceptional nation-state, to say the least. The idea that the U.S. is a chosen nation is well documented throughout this study in the codes of 'a national purpose,' 'philosophy of history,' 'defender of freedom,'

'champion of democracy,' and 'moral leader.' The more specific extension of this idea, the United States has God behind it, is also found to be prevalent throughout state discourse, most explicitly in Bush's 'philosophy of history' and both Presidents' statements of 'manifest destiny.' In each iteration of this narrative, the U.S. is chosen by a higher power, be it history, the universe, God, or global consensus, to work as a force of global good. In this construction, "history has matched this nation with this time" (W33) and the state has a "responsibility to history…to answer these attacks and rid the world of evil" (W12).

The notion of the United States as invincible/superior is documented in statements expressing the 'inevitability of victory,' though the frequency of such statements declined significantly across time, as this symbolic inevitability meshed less and less with the material reality of an ever-expanding global war on terror. Statements expressing supposed U.S. superiority and status as an exceptional state among nations are well documented within the discourse. This superiority springs first from the ideals of freedom and democracy is supposed to represent. Obama refers to "the very ideals that make America America—those qualities that have made us a beacon of freedom and hope to billions around the world" (O22), and Bush states, "this ideal of America is the hope of all mankind. That hope drew millions to this harbor. That hope still lights our way. And the light shines in the darkness. And the darkness will not overcome it" (W53).

Superiority springs not only from the nation's ideals, but also from the state's ability to export and enforce those ideals with violent force. In this construction, "a world of peace and security" is only "made possible by the way America leads" (W33), and "this nation and all our friends are all that stand between a world at peace, and a world of chaos and constant alarm" (W37). Due to this superiority, "we are called to defend the safety of our people, and the hopes

of all mankind. And we accept this responsibility" (W37). U.S. superiority is thus predicated on both (1) the ideals it represents and (2) the violent force with which it can defend those ideals. This dual conceptualization is echoed in a quote from U.S. General George C. Marshall, quoted by Bush: "We're determined that before the sun sets on this terrible struggle, our flag will be recognized throughout the world as a symbol of freedom on the one hand, and of overwhelming power on the other" (W32). This duality is emblematic of a cultural criminology of the state's starting focal point: the paradox of violence at the heart of the state, in which freedom is only attained through ceding to the state's monopoly on violence. It is by this same logic that the state justifies the continuation of violence in the GWOT as a means of spreading freedom and the peace that it brings.

CHAPTER VII
CONCLUSIONS

In this concluding chapter I summarize and provide additional context for the interpretation of this study's key findings. I then move into a discussion of this project's strengths, focusing on its contributions to criminology and various subfields. I also discuss some of the project's limitations as well as directions for future research in the criminological analysis of state discourse and toward the development of a cultural criminology of the state.

On the morning of September 14, 2001, CBS, NBC and ABC collectively set a new broadcast television record by covering the same event for more consecutive hours than any prior event in U.S. history (Carter and Rutenberg 2001). All three networks dwarfed the previous record of 72 hours of coverage following the assassination of President Kennedy, remaining on air for more than 90 straight hours to cover 9/11 and its aftermath. The decision to remain on air without commercial break cost networks more than $30 million per day in advertising revenue (Carter and Rutenberg 2001). This temporary disregard for the bottom line is emblematic of a national response to 9/11 that was expressive, rather than instrumental.

Instrumental motivations cannot fully explain these network decisions, nor can they fully explain the state response to 9/11. This national trauma shattered the established narrative that previously provided U.S. citizens with a meaningful connection to the state. Living in a space to which they could no longer understand their relation, U.S. citizens acquiesced in George W. Bush's newly forged state fantasy, which propagated the belief that the collective disembeddedness of the nation could only be overcome by absolute victory in the Global War on Terror—"whatever it takes" (W14). Victory in this war, in which civilization was framed as taking a decisive stand against terror and chaos, was discursively constructed as the exclusive

path toward the attainment of both physical as well as ontological security. Within this logic, the transgression of U.S. ideals was held irrelevant by the idea that, without absolute victory in a context of war, there would be no ideals left to transgress.

Barack Obama constructed a new state fantasy that positioned the transgression of U.S. ideals in the GWOT as the source of ontological insecurity. He acknowledged the prevalence of ontological frustration in the late modern world: "given the dizzying pace of globalization, the cultural leveling of modernity, it perhaps comes as no surprise that people fear the loss of what they cherish in their particular identities" (O143), and in reference to the necessity of striking a balance between national security and U.S. ideals, states "What's at stake in this debate goes far beyond a few months of headlines, or passing tensions in our foreign policy. When you cut through the noise, what's really at stake is how we remain true to who we are in a world that is remaking itself at dizzying speed" (O183). Whereas Bush's construction of state fantasy invites an American exceptionalism that motivates "U.S. citizens to displace their normal national desire—to achieve an ideal nation—with the abnormal desire to propagate the U.S. model of nationalism" (2009:22), Obama contradicted this formulation throughout his Presidency. He explicitly states, "Because after a decade of war, the nation that we need to build—and the nation that we will build—is our own" (O166).

Whereas Obama's construction of state fantasy (i.e., an acknowledgment that the U.S. cannot *appear* to be an exception to its own rules) and formulation of the nation's role in world affairs (i.e., an emphasis on moral leadership and building democracy over the metaphysical power of freedom and democracy), differs from Bush's, the two Presidents shared a common goal: to motivate the public to support state violence. Toward this end, they employed the same means of persuasion more than any other: the necessary construction of a villain as essentialized

evil in order to build the nation – a criminalizing and criminogenic formation. This construction is measured in the code 'fight between.' For Bush, this was the second most frequent code, appearing 5.09 times per speech. For Obama, this was the third most frequent code but was even more prevalent, appearing 7.24 times per speech. In the 190 sampled speeches of both Presidents, this was the second most frequent code overall, appearing 5.79 times per speech. The only code appearing more frequently was 'moral leader.'

The fact that these are the two most frequent codes, one an expression of the state's immaculate morality the other an immoral enemy it defines itself against, fits logically within the constructed narrative, which is built on the dichotomy of us/them and used to dehumanize a terrorist other in order to justify state violence. This is emblematic of the project's contribution to criminology and the study of state criminality in that it uses constitutive conceptualization of crime (and discourse) to expose the criminogenic force of the state. With the state established as a potential criminal actor, it uses a distinctly cultural approach to expand the motivational framework used to analyze state criminality. It accomplishes this through first looking at state violence through an expressive rather than purely instrumental lens and connecting the transgression of U.S. ideals to national identity and ontological insecurity. Further, it looks at the neutralization techniques used in state discourse to justify transgression and violence. And it points to bifurcation/dichotomies as a criminalizing tactic foundational to state building in the halls – and words - of executive power. This holds important applications in our contemporary era as we move into yet a third presidential administration in the GWOT, the Trump era. This is clearly a site for future research.

As "the cultural practices of the state are too important to ignore" (Ferrell et al. 2008:75), another key contribution of this project is the extension of cultural criminology, which "has to

this point tended to conceptualize and study culture more at the levels of criminal act, subculture, or media than at the level of the state" (2008:75), toward the development of a cultural criminology of the state. The framework of cultural criminology is an essential lens for the study of the state in that it highlights the understudied expressive nature of state actions. Another facet of this project that works to develop a cultural criminology of the state is the examination of the geo-political interaction between the symbolic and the material (Ferrell et al. 2008) through the utterances of official forms of power and their relations to state violence. As patterns of constructed meaning coalesced into discursive formations and distinct eras of discourse, one can see the symbolic logic of the state shifting with its material focus and the resulting violence.

In the first year of Bush discourse, the President constructs the social problem of global terror as a manifestation of pure evil. The solution Bush constructs—the GWOT—is framed as the grandiose confrontation between forces of good and evil. On September 12, 2002, that evil found a new face, as Bush constructs a new villain in Iraq. Focus on the buildup and eventual conflict in Iraq dominated much of the next two years of discourse. As the election cycle ramped up, shortly after 60 minutes broke a story on the torture and abuse of detainees by U.S. personnel at Abu Ghraib (April 28, 2004), the focus of Bush discourse shifted to defending both its initiation as well as continuation. On December 15, 2005, the New York Times reported that President Bush had authorized NSA surveillance on U.S. citizens, and the discourse shifted toward the specific methods used to gather intelligence. To mark the final shift in focus of the Bush era, on January 10, 2007, the President announced "the surge" as the new plan to increase troop levels in Iraq.

Although there were meaningful changes in the material reality of the GWOT during Obama's Presidency, these changes did not correspond to major shifts in the focus or symbolic

logic of Obama era discourse. This is potentially due to a limitation of this project, which is the asymmetry of Bush and Obama GWOT discourse (128 Bush sources compared to 62 Obama sources). The analysis of Obama era discourse, at least in the context of the GWOT, cannot be separated from the analysis of Bush era discourse. Much of what Bush defines as a solution to the problem of terrorism, Obama positions as a potential source of terrorism. A key facet of Obama's package of claims is the definition of a new social problem: the state's loss of moral authority due to the GWOT.

Given Obama's intentional shift away from Bush era constructions of the GWOT, it makes sense that Obama would simply give fewer speeches devoted to the subject. A potential avenue for future study would thus be the examination of additional Obama era sources. Another limitation to this project was its sole focus on U.S. Presidential discourse. Future studies could compare these constructions to the framing of the GWOT in mass media and/or social media. These constructions could also be compared to those of other representatives of state such as members of U.S. Congress, or to those of U.S. Presidential candidates. Future studies could also compare these constructions to those of former and future U.S. Presidents' during different war eras. There are additional broadly conceived questions that should guide future interrogations of the state, violence, and discourse: Can the state provide a language or utterance that is not foundationally violent? What is the antidote or alternative to this formation of power? If it is 'image manipulation' or deconstruction of the symbolic, how can a cultural criminology of the state provide effective counter-discourses and counter-narratives to the state's symbolic universe?

A strength of this study is that it serves as both empirical analysis as well as an exercise in theory-building. This duality, however, could also be conceptualized as a weakness in that the

theory that is ultimately developed, a cultural criminology of the state, would require additional empirical analysis to be fully realized. Whereas the deep reading of this large amount of data, utilizing both qualitative and quantitative research methods, represents a rigorous and extensive approach to the analysis of discourse, it is still only analyzed at one level. It still only focuses on "constructions downwards" whereas a fully developed cultural criminology of the state would look toward both constructions upwards and downwards, the interaction and mediation between discourse of control and discourse of resistance. Toward this end, future research projects could take these constructions of state discourse and examine how they are interpreted and used to motivate actions and behaviors at the organizational as well as micro-levels. To be more specific, analysis of the organizational level could include, for example, examining the words of the soldiers at Abu Ghraib used to explain the torture and abuse of detainees. Analysis at the micro-level could include examining social media celebrations of the death of Osama bin Laden. To tie these accounts together, to trace the connections between the state's dehumanization of an essentialized other, the physical torture and abuse of humans by U.S. soldiers, and the celebration of death by the U.S. public, and to point toward the remarkable shifts in executive utterances in the Trump era, would take us far in the path toward a more fully developed cultural criminology of the state.

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APPENDIXES

Appendix A

ID	Date	Title
W1	9/11/2001	Remarks at Barksdale Air Force Base on the Terrorist Attacks
W2	9/11/2001	Remarks in Sarasota, Florida, on the Terrorist Attack
W3	9/11/2001	A Great People Has Been Moved to Defend a Great Nation
W4	9/12/2001	Remarks While Touring Damage at the Pentagon in Arlington, Virginia
W5	9/12/2001	Supplemental Appropriations To Address Terrorist Attacks
W6	9/12/2001	Remarks Following a Meeting With the National Security Team
W7	9/13/2001	Remarks Following a Visit to Washington Hospital Center
W8	9/13/2001	Remarks with Rudolph W. Giuliani and George E. Pataki
W9	9/14/2001	Statement on Emergency Supplemental Appropriations Legislation
W10	9/14/2001	Remarks to Rescueworkers at the World Trade Center
W11	9/14/2001	Declaration of National Emergency by Reason of Terrorist Attacks
W12	9/14/2001	Remarks at the National Day of Prayer & Remembrance
W13	9/15/2001	The President's Radio Address
W14	9/15/2001	Remarks in a Meeting With the National Security Team
W15	9/17/2001	Speech by George W. Bush at the Islamic Center of Washington
W16	9/18/2001	Statement on Signing the Authorization for Use of Military Force
W17	9/19/2001	Remarks Prior to Discussions With Megawat Sukarnoputri of Indonesia
W18	9/20/2001	Address to the Nation
W19	9/23/2001	Message on Financial Sanctions Against Terrorists and Their Supporters
W20	9/24/2001	Deployment of Forces in Response to the Terrorist Attacks
W21	9/25/2001	Remarks to Federal Bureau of Investigation Employees
W22	9/26/2001	Remarks to Central Intelligence Agency Employees in Langley, Virginia
W23	9/26/2001	Remarks Prior to a Meeting With Sikh Community Leaders
W24	10/7/2001	Address to the Nation on Occasion of Initial Operations in Afghanistan
W25	10/8/2001	Remarks at Swearing-In Ceremony for Tom Ridge
W26	10/10/2001	Remarks Announcing the Most Wanted Terrorists List
W27	10/12/2001	Statement on House of Rep Action on Legislation To Combat Terrorism
W28	10/16/2001	Remarks on America's Fund for Afghan Children
W29	10/21/2001	Joint Statement on Counterterrorism
W30	11/10/2001	First Address to the United Nations General Assembly
W31	1/29/2002	State of the Union Address 2002
W32	6/1/2002	Commencement Address at the U.S. Military Academy at West Point
W33	9/11/2002	September 11th Anniversary
W34	9/12/2002	Address to the U.N.
W35	10/7/2002	The Iraq Threat
W36	11/25/2002	Homeland Security Act
W37	1/28/2003	State of the Union Address 2003
W38	2/26/2003	Address to the American Enterprise Institute
W39	3/17/2003	Message to Saddam
W40	3/19/2003	War Message
W41	3/26/2003	Remarks at MacDill Air Force Base
W42	4/3/2003	Remarks to Marines at Camp Lejeune
W43	5/1/2003	The End of Combat in Iraq
W44	6/5/2003	Remarks to Troops in Sayliyah Qatar

W45	7/1/2003	Progress in Afghanistan and Iraq
W46	9/7/2003	Update in the War on Terror
W47	9/23/2003	Address to the United Nations
W48	11/6/2003	Freedom in Iraq and Middle East Address
W49	12/14/2003	Address on the Capture of Saddam Hussein
W50	1/20/2004	State of the Union Address 2004
W51	3/19/2004	Address One Year After Operation Iraqi Freedom
W52	5/24/2004	Outline for the Future of Iraq
W53	7/9/2004	Defending the War in Iraq
W54	7/12/2004	Defending the War in Iraq
W55	8/2/2004	Remarks on Intelligence Reform and the 911 Commission
W56	9/23/2004	George Bush Prime Minister Allawi Press Conference
W57	10/6/2004	Statement on Senate Passage of the "National Intelligence Reform Act"
W58	10/7/2004	Remarks on the Report on Iraq's Weapons of Mass Destruction
W59	10/8/2004	Statement on the Terrorist Attacks in Egypt
W60	11/4/2004	The Next 4 Years Press Conference
W61	12/17/2004	Statement on Signing the Intelligence Reform and Terrorism Prevention
W62	1/20/2005	Second Inaugural Address
W63	1/30/2005	Address to the Nation on the Iraqi Elections
W64	2/2/2005	State of the Union Address 2005
W65	3/11/2005	Statement on the Anniversary of the Terrorist Attacks in Madrid, Spain
W66	3/16/2005	Statement on Passage of Legislation Funding the War on Terror
W67	5/7/2005	Freedom and Democracy Address in Latvia
W68	6/9/2005	Renewing the Patriot Act
W69	6/28/2005	War Update
W70	7/4/2005	Independence Day Oration
W71	7/7/2005	Remarks on the Terrorist Attacks in London From Scotland
W72	7/11/2005	Progress Report in the War on Terror Address at the FBI Academy
W73	7/20/2005	The Future of the Patriot Act
W74	9/14/2005	Address at a United Nations Plenary Meeting
W75	9/28/2005	Remarks on the War on Terror
W76	11/9/2005	Statement on the Terrorist Bombings in Amman, Jordan
W77	11/11/2005	Veterans Day Address Defending the War
W78	12/18/2005	Transition in Iraq Primetime Address from the Oval Office
W79	12/19/2005	Wiretaps - The War The Year-End Press Conference
W80	1/23/2006	The War on Terror At Home and Abroad
W81	1/31/2006	State of the Union Address 2006
W82	3/19/2006	Focus on Iraq Remarks on the Third Anniversary of the War
W83	3/21/2006	Remarks Following a Meeting With Iraq and Afghanistan NGOs
W84	3/29/2006	Democracy and the Future of Iraq: Address to Freedom House
W85	5/29/2006	Memorial Day Address at Arlington National Cemetery
W86	6/8/2006	Statement on the Death of Abu Musab al-Zarqawi
W87	7/4/2006	Fourth of July Address to Troops at Fort Bragg
W88	8/21/2006	The War on Terror Iraq and Lebanon The President's Press Conference
W89	9/6/2006	Trying Detainees Address on the Creation of Military Commissions
W90	9/6/2006	Transmitting Draft Legislation on Military Commissions

W91	9/11/2006	Address to the Nation on the Five-Year Anniversary of 911
W92	9/19/2006	Remarks to the United Nations General Assembly in New York City
W93	9/29/2006	The Path of War Address to the Reserve Officers Association
W94	11/5/2006	Statement on the Conviction of Saddam Hussein
W95	11/11/2006	Remarks at a Veterans Day Ceremony in Arlington, Virginia
W96	12/20/2006	Status of the Nation and the War The President's News Conference
W97	12/29/2006	Statement on the Execution of Saddam Hussein
W98	1/10/2007	The New Strategy in Iraq Primetime Address to the Nation
W99	1/23/2007	State of the Union Address 2007
W100	3/19/2007	Remarks on the Fourth Anniversary of the Invasion of Iraq
W101	3/23/2007	Remarks on Passage of Emergency Supplemental Appropriations
W102	5/1/2007	Remarks on Iraq Accountability Appropriations Act, 2007
W103	5/13/2007	Remarks at America's 400th Anniversary Celebration
W104	6/5/2007	Remarks to the Democracy and Security Conference in Prague
W105	7/4/2007	Remarks on Independence Day in Martinsburg, West Virginia
W106	9/13/2007	The Progress and Future of the Surge
W107	9/25/2007	Address to the United Nations
W108	11/1/2007	Historical Analogies for the War on Terror Address
W109	12/27/2007	Statement on the Death of Benazir Bhutto
W110	1/13/2008	America & the Middle East Address in the United Arab Emirates
W111	1/28/2008	State of the Union Address 2008
W112	1/31/2008	Fighting Terror in 2008 and Beyond Address in Las Vegas
W113	2/13/2008	Congress and the Extension of the Protect America Act
W114	3/6/2008	Remarks on the Fifth Anniversary of the Dept. of Homeland Security
W115	3/19/2008	Five Years in Iraq Address at the Pentagon
W116	3/24/2008	4,000 American Troops Dead in Iraq Statement by the President
W117	4/10/2008	America the Military and the Future of Iraq
W118	5/26/2008	Memorial Day Address
W119	6/5/2008	Remarks at the Groundbreaking of United States Institute of Peace
W120	7/4/2008	4th of July Address at Monticello
W121	7/24/2008	Remarks on Freedom Around the World
W122	7/31/2008	July in Iraq
W123	8/13/2008	Statement on the Military Conflict between Georgia and Russia
W124	9/11/2008	Remarks at the Dedication Ceremony for the 9/11 Pentagon Memorial
W125	9/23/2008	Final Address to the United Nations General Assembly
W126	11/5/2008	Statement on the 2008 Presidential Election
W127	1/12/2009	The Final Press Conference
W128	1/15/2009	The Farewell Address
O1	1/20/2009	Inaugural Address
O2	2/24/2009	State of the Union Address 2009
O3	2/27/2009	Ending the War in Iraq: An Address at Camp Lejeune
O4	4/5/2009	Speech in Prague
O5	4/7/2009	Remarks to Troops During a Surprise Visit to Iraq
O6	4/17/2009	Remarks at the Summit of the Americas
O7	4/23/2009	Remarks at the Holocaust Days of Remembrance Ceremony
O8	5/21/2009	The Challenges of National Security Address at the National Archives

O9	5/29/2009	Address on Securing U.S. Cyber Infrastructure
O10	6/5/2009	65th Anniversary of D-Day Address
O11	6/23/2009	On the Uprising in Iran
O12	9/11/2009	Remembering September 11 Remarks at the Pentagon Memorial
O13	9/23/2009	Speech to the United Nations General Assembly
O14	12/1/2009	The Plan for Afghanistan Address at West Point
O15	12/10/2009	Nobel Peace Prize Acceptance Address
O16	12/28/2009	Terrorist Attempt on Northwest Airlines Flight 253 and Protests in Iran
O17	1/5/2010	National Security Review
O18	1/27/2010	State of the Union Address 2010
O19	3/28/2010	Speech to Troops in Afghanistan
O20	6/9/2010	Speech on United Nations Security Council Sanctions on Iran
O21	8/31/2010	Address to the Nation on the End of Combat Operations in Iraq
O22	9/11/2010	911 Pentagon Memorial Address
O23	9/23/2010	Speech at the 65th Session of the United Nations General Assembly
O24	12/3/2010	Speech to Troops at Bagram
O25	1/25/2011	State of the Union Address 2011
O26	2/1/2011	Remarks on Protests in Egypt
O27	2/11/2011	Address on the Revolutionary Changes in Egypt
O28	2/23/2011	Speech on Libya
O29	3/18/2011	Address on Libya
O30	3/19/2011	Address on Limited Military Action in Libya
O31	3/28/2011	Address to the Nation on Military Action in Libya
O32	5/1/2011	Speech on the Death of Osama bin Laden
O33	5/20/2011	Speech to the Intelligence Community at CIA Headquarters
O34	9/11/2011	Remarks by the President at A Concert for Hope
O35	9/11/2011	Remarks at the September 11th 10th Anniversary Commemoration
O36	9/20/2011	Speech on United Nations Meeting on Libya
O37	10/21/2011	Speech on the Death of Muammar Qaddfi
O38	10/21/2011	Speech on Ending the War in Iraq Responsibly
O39	1/24/2012	State of the Union Address 2012
O40	5/1/2012	Address to the Nation from Afghanistan
O41	5/28/2012	Commemoration Ceremony of the 50th Anniversary of the Vietnam War
O42	9/6/2012	Second Presidential Nomination Acceptance Speech
O43	9/12/2012	Remarks by the President on the Deaths of U.S. Embassy Staff in Libya
O44	9/14/2012	Address at the Transfer Ceremony for Benghazi Victims
O45	11/7/2012	Presidential Election Victory Speech
O46	1/21/2013	Second Inaugural Address
O47	4/15/2013	Boston Marathon First Statement
O48	4/16/2013	Boston Marathon Second Statement
O49	4/19/2013	Boston Marathon Third Statement
O50	5/23/2013	National Defense University Speech on Drones and Terrorism
O51	8/9/2013	Intelligence Gathering Reform Press Conference
O52	9/10/2013	Syria Address to the Nation
O53	9/24/2013	UN General Assembly Session 2013
O54	11/23/2013	Iran Accord Statement

O55	1/17/2014	Speech on NSA Review
O56	1/28/2014	State of the Union Address 2014
O57	8/7/2014	On Authorizing Targeted Air Strikes and Humanitarian Aid in Iraq
O58	8/9/2014	Iraq Air Strikes and Humanitarian Assistance Update
O59	9/10/2014	Address to the Nation on ISIL
O60	9/24/2014	United Nations General Assembly Address 2014
O61	1/20/2015	State of the Union Address 2015
O62	2/18/2015	On Combating Violent Religious Extremism

Appendix B: Coding References by Presidential Era

George W. Bush	Era 1	Era 2	Era 3	Era 4	Era 5	Total
National Security	101	115	185	133	148	682
Fight Between	126	125	116	127	159	653
Defender of Freedom	75	141	160	116	149	641
Moral Leader	66	130	122	118	178	614
Philosophy of History	16	55	115	144	178	508
Resolve	50	102	83	89	82	406
Cost of Inaction or Defeat	36	131	67	79	73	386
Champion of Democracy	12	81	83	91	97	364
Expansion of Victim Category	42	124	52	44	64	326
Motive of Attacks	35	35	76	65	90	301
International Support	59	67	48	29	46	249
Piggybacking	17	76	40	29	47	209
A National Purpose	27	43	54	39	43	206
Inevitability of Victory	64	42	31	27	27	191
Moral Clarity	27	13	15	66	70	191
Unity	57	25	50	17	39	188
Necessary Tools of Intelligence	2	0	2	76	87	167
Local Security Forces	0	5	33	51	74	163
Responsibility to Change	21	33	44	19	43	160
Sacrifice	25	33	28	33	32	151
World Peace and Security	0	0	17	56	65	138
Manifest Destiny	39	55	10	4	20	128
Isolation of Blame	31	20	6	40	21	118
Emotional Trauma	46	13	12	23	18	112
Building Blocks of Democracy	1	7	12	15	69	104
Whatever It Takes	34	15	7	10	11	77
Fabric of our Nation	38	14	5	4	10	71
Economic Strength	18	11	9	11	9	58
Enemy Combatants	1	0	0	41	13	55
Tragedy as Opportunity	26	7	8	5	6	52
Sending a Clear Message	0	2	6	25	16	49
Economic Freedom	2	4	1	3	29	39

Appendix C: Percentage of Sources Containing Coding Reference

George W. Bush	Era 1	Era 2	Era 3	Era 4	Era 5	Total
Fight Between	76%	100%	88%	85%	71%	**82%**
National Security	64%	95%	84%	85%	81%	**80%**
Defender of Freedom	52%	100%	72%	80%	77%	**73%**
Moral Leader	45%	95%	68%	85%	77%	**71%**
Resolve	33%	100%	72%	80%	77%	**69%**
Motive of Attacks	58%	68%	68%	65%	71%	**66%**
Philosophy of History	33%	63%	76%	65%	77%	**62%**
Cost of Inaction or Defeat	33%	95%	52%	60%	68%	**59%**
Champion of Democracy	18%	84%	72%	65%	71%	**59%**
Inevitability of Victory	58%	89%	52%	60%	48%	**59%**
Expansion of Victim Category	30%	89%	56%	70%	58%	**57%**
Unity	64%	63%	64%	40%	52%	**57%**
A National Purpose	24%	74%	56%	65%	71%	**55%**
Responsibility to Change	30%	74%	56%	45%	74%	**55%**
International Support	42%	89%	56%	40%	48%	**53%**
Sacrifice	39%	74%	48%	70%	45%	**52%**
Moral Clarity	39%	47%	32%	55%	71%	**49%**
Piggybacking	27%	68%	52%	50%	45%	**46%**
Emotional Trauma	58%	47%	28%	50%	29%	**42%**
Isolation of Blame	42%	37%	20%	50%	42%	**38%**
Whatever It Takes	52%	53%	24%	30%	29%	**38%**
Manifest Destiny	30%	79%	20%	15%	42%	**36%**
Local Security Forces	0%	21%	40%	60%	52%	**33%**
World Peace and Security	0%	0%	8%	75%	68%	**30%**
Fabric of our Nation	48%	42%	16%	15%	16%	**28%**
Building Blocks of Democracy	3%	26%	28%	35%	52%	**28%**
Necessary Tools of Intelligence	6%	0%	8%	45%	58%	**23%**
Tragedy as Opportunity	24%	26%	24%	20%	16%	**22%**
Sending a Clear Message	0%	11%	16%	55%	32%	**21%**
Economic Strength	15%	26%	12%	15%	19%	**17%**
Economic Freedom	6%	21%	4%	10%	39%	**16%**
Enemy Combatants	3%	0%	0%	20%	13%	**8%**

Appendix D: Coding Comparison by President

	Total Codes		Codes per Source		
	Obama	Bush	Obama	Bush	Diff.
Defender of Freedom	105	641	1.69	5.01	(3.31)
Expansion of Victim Category	87	326	1.40	2.55	(1.14)
Champion of Democracy	109	362	1.76	2.83	(1.07)
Cost of Inaction or Defeat	135	386	2.18	3.02	(0.84)
Inevitability of Victory	43	191	0.69	1.49	(0.80)
A National Purpose	66	206	1.06	1.61	(0.54)
Whatever It Takes	19	77	0.31	0.60	(0.30)
Emotional Trauma	37	112	0.60	0.88	(0.28)
Piggybacking	87	209	1.40	1.63	(0.23)
Resolve	182	404	2.94	3.16	(0.22)
Motive of Attacks	144	301	2.32	2.35	(0.03)
Tragedy as Opportunity	24	52	0.39	0.41	(0.02)
National Security	332	681	5.35	5.32	0.03
Economic Strength	47	58	0.76	0.45	0.30
Isolation of Blame	79	118	1.27	0.92	0.35
Sending a Clear Message	46	49	0.74	0.38	0.36
Local Security Forces	103	163	1.66	1.27	0.39
Sacrifice	101	149	1.63	1.16	0.46
Moral Clarity	128	191	2.06	1.49	0.57
Enemy Combatants	70	57	1.13	0.45	0.68
Manifest Destiny	118	128	1.90	1.00	0.90
Necessary Tools of Intelligence	164	167	2.65	1.30	1.34
Responsibility to Change	184	160	2.97	1.25	1.72
Moral Authority	115	9	1.85	0.07	1.78
Unity	207	188	3.34	1.47	1.87
International Support	249	249	4.02	1.95	2.07
Fight Between	449	651	7.24	5.09	2.16
Building Blocks of Democracy	228	104	3.68	0.81	2.86
Philosophy of History	463	508	7.47	3.97	3.50
Fabric of our Nation	310	71	5.00	0.55	4.45
Moral Leader	609	614	9.82	4.80	5.03

VITA

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