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Post-9/11 Dilemma over the Priority of National Security or Civil Liberties in Marvel Comics (2001-2004)

The article contains an analysis of comics from Marvel Comics, published between the second half of 2001 and the end of 2004. With the mixed methods approach (quantitative and qualitative research), the criterion for the analysis is appearance of and references to the socio-political dilemma of the conflict between ensuring national security and respecting civil liberties. It was one of the most important topics of debate for American society after the terrorist attacks of 9/11 in the sphere of politics and law in the US. The analysis aims to discover the number of comics that dealt with the subject of this post-9/11 dilemma, as well as to categorize individual stories, with the use of Jonathan Culler's over-interpretation, as supporting the priority of national security or advocating for the importance of civil liberties. With these data, it will be possible to determine the political tone of individual comics, as well as to establish the views of the artists working for Marvel Comics and their attitudes to the policy pursued by the administration of President George W. Bush. The article uses studies conducted as part of doctoral research from the unpublished dissertation *Terrorism, politics, and civil liberties in the American comics after September 11, 2001, based on a comics analysis of Marvel Comics, DC Comics, and Image Comics*.

Key words: comics, comic books, history, USA, America, Marvel, 9/11, terrorism, WTC, civil rights, civil liberties, constitution, due process of law, national security, president, George W. Bush, Patriot Act, war on terror, Captain America, Daredevil

> *It was very clear to me and to all of us at Marvel that it was something that we were going to have to address in our books. It would be callous for us not to. We were a company, a universe, that had Spider-Man swing across those towers. We're a company that had its characters fighting World War II, we're a company that had its characters experience the civil rights movement and all those things.*
>
> Marvel Comics editor-in-chief Joe Quesada about 9/11
> (Maslon and Kantor 242)

Introduction

As part of the doctoral research, a quantitative analysis of over 3,700 comic books that appeared between September 2001 and December 2004 was conducted.[1] The study results indicated that American comics to a large extent (**42.6**%) dealt with a wide range of issues related to terrorism, anti-terrorism policy, or their effects in the sphere of civil liberties. Of the three largest publishers, it was the titles from Marvel Comics that referred to terrorism-related themes in the greatest degree (**51,9**%).[2]

The purpose of the article is to present the results of the quantitative research, and conduct a qualitative analysis in terms of the occurrence of threads and topics that can be interpreted as illustrating the dilemma between the priority of civil liberties or national security. The combination of quantitative and qualitative analysis in one research process is a determinant of the explanatory design method that belongs to the mixed methods.

The structure of the analysis combining both types of research will allow to exploit their strengths and balance the weaknesses. It will provide a fuller immersion in the research problem and subsequently a more effective explanation of it. The mixed approach will allow for a comprehensive view of the issue discussed: the presentation of statistical data, as well as including a broader analytical description of the common themes, motifs, and attitudes.

The whole approach relies on the content analysis coding process. During it, the plots of each comic book undergo a process of interpretation in order for their meaning and context to be assigned to one side of the dilemma: civil liberties or security. For this purpose, the approach of Johathan Culler's over-interpretation of the texts will be used. The method consists in asking questions and finding answers to them that are not provided by the text explicitly in order to reveal what is hidden, to discover its sub-meanings (Eco et. al. 109-124). Such an interpretation of comic books will allow to disclose their ideological message, which, in turn, will allow to place them in the socio-political debate on the issue of terrorism and its consequences. It is also worth mentioning the mythic criticism of comic books, utilized here, which consists precisely in the interpretation of symbols, figures, and motifs in relation to the concerns of a given culture (Duncan et al. 283-285).

The article has been divided into clearly differing parts. The first one presents the purpose and the methodology. The second is an introduction to the subject of the post 9/11 dilemma over civil liberties or national security, as well as explaining the need to study pop culture texts due to their hidden socio-political meanings. The third contains a presentation and examination of the results of

[1] The unpublished Ph.D. dissertation is called *Terroryzm, polityka i swobody obywatelskie w amerykańskim komiksie po 11 września 2001 roku na podstawie analizy komiksów wydawnictw Marvel Comics, DC Comics oraz Image Comics* (Terrorism, politics, and civil liberties in the American comics after September 11, 2001, based on a comics analysis of Marvel Comics, DC Comics, and Image Comics). The public defense of the thesis and the conferment of the academic degree took place on January 26, 2021.

[2] The entire research sample in the selected analysis period was **1,612** comics from Marvel Comics. Out of this number, in **836** issues (**51.9**%) threads or motifs related to the subject of terrorism were found.

qualitative analysis, along with the description of the comic books' plots and their interpretation in the context discussed. This section is further subdivided into four individual paragraphs that group comics by publishing years from the second half of 2001 to 2004. The fourth and last one gathers the outcomes of the quantitative study along with the data presented in charts. The end of the article brings also a summary of the most important conclusions from the research, together with the table National Security or Civil Liberties in Marvel Comics, a list of references, and analyzed comics.

Post 9/11 Dilemma

The date September 11, 2001 is one of the most important and most frequently mentioned in the modern history of the world. As emphasized by Krzysztof Liedel and Paulina Piasecka, despite numerous related cases in the past, it was the attacks of 9/11 that awoke the general awareness of the threat of terrorism (Liedel and Piasecka 4). President George W. Bush and his administration had to reorient their foreign policy priorities and redefine the role of the United States of America in international relations. 9/11 was, therefore, a cut-off date and a turning point in US history, leaving a mark on every aspect of the functioning of the state and on the nation itself.

With the increase in the terrorist threat and the social shock caused by the attacks of September 11, 2001, the US administration had to change its political assumptions and take steps to increase the security of the country and its citizens. To this end, in October 2001, the *Patriot Act* was introduced, giving authorities several additional legal powers to combat terrorism. Also in 2002, a new government structure, the Department of Homeland Security (DHS), was established. However, over time, along with subsequent media reports on new methods of surveillance of citizens, including eavesdropping on telephone calls or viewing electronic correspondence, as well as information on the practices of interrogating terrorism accused persons at the Guantanamo base, a debate arose in the United States on the scope of values which state should protect (Margulies 189-94).

The discussion that can be seen in most societies in the world today and which absorbed Americans at the beginning of the century centers on the challenges facing state power. On the one hand, the state is obliged to protect the security of citizens, and on the other, to guarantee respect for human rights. The dilemma faced by the American administration after the attacks on September 11, 2001 was the need to balance two fundamental values: freedom and security. The debate arose among the public and the media as to whether it is worth sacrificing some liberties to reduce the threats and the public sense of fear. In other words, the challenge was whether, and to what extent, violations of civil rights were justified to prevent potential threats to the security of individuals and the nation itself (Napolitano et al.).

The dilemma over the priority of civil liberties or national security has been present in the American legal sphere for over a century along with the trials of Schenck v. United States or Abrams v. United States (Laidler, 231, 299-300). However, after the terrorist attacks of 9/11, its scale, especially in the face of the new national security strategy, made the issue one of the most important social and political challenges, which was also noticed by creators, including comic creators.

Comic book artists more and more often began to include political themes related to the war on terrorism, the problem of abuse of power by government agencies, issues of surveillance of citizens to improve security, and other cases related to the violation of civil rights by the state. Comics, along with cinema and television, was an active medium commenting on contemporary socio-political reality. It is important to note that the first comics that dealt with the subject of 9/11 as well as the war on terror announced by President Bush's administration appeared just a few weeks after the attacks,[3] whereas the first major Hollywood productions on this subject were not launched before 2006.

Cord A. Scott argues that pop culture reflects the beliefs, hopes, aspirations, and fears that form a given society. The study of pop cultural sources, which have been ignored for years, may offer a unique insight into the minds of people at a given time, as they 'conceal a hidden gems of historical import' (Scott IX). Ryszard Kazimierz Przybylski expresses a similar opinion and emphasizes that popular culture'… gives a chance to participate in collectively experienced forms of mythical thinking. The myths of popular culture are diverse and extremely mobile. After all, they respond to the fluctuating market conditions and quickly transform into a social reality' (Przybylski 15).

Thus, the study of the popular culture texts is one of the ways of understanding and describing the processes taking place in society. As Anne Magnussen aptly points out, comics, as every other medium, is simultaneously formed by society, but also participates in its shaping, creating identities and ideas (Magnussen et al. 17). Agnieszka Cybal-Michalska and Paulina Wierzba underline the importance of researching pop culture because '. . . it is a very important element of contemporary reality, it is the basic source of knowledge, patterns of thinking, and behavior patterns for members of Western societies… It shapes value systems, gives social status, creates rituals, and even constitutes a driving force for introducing social changes…' (Cybal-Michalska and Wierzba 9). The need to research pop culture was most clearly and emphatically expressed in one of the theses by Jakub Z. Lichański, who concludes that it is an almost immanent phenomenon for the possibility of describing a given society (Lichański et al. 42).

Therefore, an analysis of comic books helps to capture, describe, and understand both the real and existing, as well as the imagined and ideal image of the society towards which a given community strives or expects it. Especially that legal, political, and social issues of the post 9/11 American society have become the subject of discourse in many comics' issues from the Marvel Comics.

Qualitative Analysis

Comics Published in 2001

Two comics story arcs published in the second half of 2001 can be considered harbingers of the post 9/11 social-political dilemma. This also indicates that these issues had been considered important before, but the political developments and

[3] *Amazing Spider-Man Vol. 2 #36.*

international events made them appear even more frequently in comic books in the following years. It is worth noting that in the course of the interpretation process, each of these two stories was assigned to the opposite sides in the conflict of the values of national security and civil rights.

The story *Playing to the Camera* presented in *Daredevil Vol. 2 #20-25* does not refer directly to the issue of terrorism, however, it seems to deal with the discussed dilemma from a different perspective. The issues tell a story of a man who accuses the title superhero of causing damage on his property while fighting criminals and he sues him for compensation. The court trial fueled a social debate about the activities of the superhero. It took place both in the media and on the streets of New York. The main argument for the defense was that people in masks pursue criminals, administer justice, and make the city safer. Nevertheless, they perform duties that should be the responsibility of law enforcement. Now, if private property is damaged during a police action, the owner will be able to claim compensation from the city authorities. However, this possibility is very limited in the case of superheroes, who hide their identity and do not operate within federally authorized groups, such as the Avengers. Thus, they cannot be held responsible for their actions, which puts them above the law.

It should be underscored that the majority of the citizens of this fictional New York supports the actions of the Daredevil. They gather on the streets with banners and loudly defend their hero. There is even an act of aggression against the employee of the law firm that prepared a lawsuit against the Daredevil. People's behavior can be considered as an expression of their belief in the importance of safety issues.

It is worth pointing out that in the American judicial system, the right of ownership not only was an important issue for delegates to the Philadelphia Convention of 1787 but was directly included in the document as one of the fundamental individual rights. The 5th Amendment to the US Constitution, which is an integral part of the Bill of Rights, stipulates that the state cannot deprive citizens of their property rights without proper compensation.

So in that sense, the comics' story is dealing with a dilemma arising from the collision of the sense of safety provided by superheroes fighting crime, on the one hand, and the civil right for protecting property and the possibility of receiving compensation for its destruction by third parties, on the other hand. Showing the majority of the city's inhabitants supporting the superhero's actions at the expense of constitutional rights seems to suggest that a similar opinion was also shared by comic book creators at that time. It also indicates that in the period preceding the 9/11 attacks, security was seen by them as a priority over civil rights.

By contrast, the second analyzed story arc from 2001 not only directly referred to the issue of terrorism, but it can also be interpreted as an expression of support for the second wing of the socio-political dilemma in question. In the comic book story from the *Brotherhood Vol. 1 #1-3*, a radical group of mutants fighting for their rights carries out a series of bomb attacks in which innocent people are killed.

Due to the attacks, the issue of mutants has become the subject of a heated social debate. In one of the television programs, the commentator proposed a prohibition of marriages between citizens with gene X, which would limit the possibility of their reproduction. During the show, it is mentioned that such an idea would be a violation of basic constitutional rights and it is criticized by human rights organizations. The

father of one of the protagonists who is watching the television debate agrees with the radical expert and quickly equates the problem of mutants with terrorist threats.

The theme of the television debate reappeared once again, this time with the participation of a US senator. The politician denied that the government was planning to introduce a law prohibiting marriages between mutants. At the same time, he assured that the authorities were making efforts to estimate the scale of the phenomenon and the number of individuals with the X gene in society. Later on, it turned out that under the guise of HIV testing, an unnamed government agency conducted obligatory blood tests in public schools. Their actual goal, however, was the detection of students with gene X.

Through this story, the artists expressed concerns about the government's attempts to limit or even violate civil liberties. Actions such as prohibiting marriages and mandatory tests under a false pretense were aimed against mutant citizens. Due to the biological characteristics of the perpetrators of mentioned bomb attacks, these innocent people have been automatically associated with terrorism.

By emphasizing the theme of discrimination against a particular group, the authors of this story presented an issue that will electrify American society in the years to come. The idea of limiting the rights of citizens with gene X due to associating this biological feature with the threat of terrorism can be compared to the wave of discrimination against American Muslims and their situation after the 9/11 attacks (Bayoumi 121-167).

Equally significant is a very suggestive and brutal scene from the *Brotherhood Vol. 1 #5*, where a terrorist is being interrogated by a sadistic government agent. The key point to note is that the issue of torturing those accused of terrorism appeared in the comics before it became a topic of public debate. Journalists from the *Washington Post* were the first to raise this issue in October 2001, when they published reports on the use of controversial techniques by the FBI. Press releases led to a discussion in American society on the issue of restricting civil rights to counteract terrorist threats (Margulies, 189–194; Hajjar 14–19).

Brotherhood Vol. 1 #5 (2001)[4]

[4] All images are screenshots of comic books available as part of the Marvel Unlimited online service (https://www.marvel.com/unlimited).

Comics published in 2002

In 2002, 34 comics' issues were qualified, which presented the analyzed dilemma. Of these, 6 come from the *Daredevil Vol. 2 #32-37*, where the creators explored the issue of the hero's double identity and the legal aspects of vigilantism. In this story, FBI agents discovered that Matt Murdock is the Daredevil by interrogating a detained mafia member. They passed the information to their supervisor, but he was not interested in pursuing Daredevil or holding him accountable for vigilantism. He believed that the superhero has always helped in their investigation against the New York Mafia, especially when the limits of the law paralyzed further FBI actions. As a token of gratitude, he ordered his agents to ensure that his true identity never comes to light. However, one of the officers sold the information to the press, which caused the media to take an interest in Matt Murdock. Reporters and paparazzi followed him all the time, complicating his life even more and making his superhero activities nearly impossible.

The attitude of the FBI supervisor, who notices the positive effects of Daredevil's actions in increasing the level of security in the city, could be appreciated by readers, as it is natural that their sympathy will be directed towards the main character. By presenting superheroes as symbols of justice unfettered by the need to adhere to police procedures and respect the rights of criminals, the authors make the readers automatically take sides with limiting the rights and freedoms of criminals to ensure safety. Thus, the need for security is placed over civil liberties resulting from *due process of law*. This clause is considered one of the most important under American law as it appears twice in the 5th and 14th Amendments to the US Constitution. It means that the state may not violate the rights of citizens, including in particular the right to life, liberty, and property, unless this is done following a court procedure or by legally binding regulations (Laidler 76-78, 132-133, 218).

The same motif of assessing the role of a superhero in society was presented in the miniseries *Deadline Vol. 1 #1-4*. Its main character, a journalist, is initially a vehement opponent of vigilantism, believing it to be simply against the law. However, she begins to undergo an internal transformation after becoming acquainted with one of the superheroes. The journalist starts to notice that they protect society from unusual threats that cannot be dealt with by ordinary law enforcement.

The theme of superheroes' struggle to maintain security, albeit in a very controversial context, was also presented in two issues of a larger story arc called *Kang Dynasty* from *the Avengers Vol 3. #48* and *#55*. In the first of these issues, during the war with Kang, a supervillain, called the Master of World, seized the opportunity to kidnap all of the US governors. Due to the methods and motivations, this act can undoubtedly be considered a terrorist act. One of the Avengers units has been sent to rescue the politicians. During the fight, Master of World mocked the heroes for not being able to defeat him because they hesitate to use lethal means. To everyone's surprise, superheroine Carol Danvers decided that this unwritten rule of superheroes does not have to be obeyed during the war times. She dealt the blow to the villain and killed him on the spot. Such behavior of comic book heroes is an extremely rare case, as the overwhelming majority of them follow the moral principle of non-killing, which distinguishes them from the criminals and lunatics they fight against.

In the next issue, Danvers felt guilty and, at her request, faced an internal peer court, where the other Avengers are asked to evaluate her actions. To her surprise, she was acquitted as her companions justified the act with exceptional circumstances and war conditions. Such a plot may lead to the interpretation that comic book creators place the need to stop terrorists and the threat posed by their activities over compliance with the law, while also justifying executing the perpetrators.

The additional interpretative context is gained by the fact that in later comics' issue—*Avengers Vol. 3 #70*—Danvers is nominated by President Bush as the Secretary of the Department of Homeland Security. Thus, the superhero, who killed a terrorist as she preferred to limit the threat than being obliged by moral principles and *due process of law,* became part of the presidential administration and the person responsible for running the DHS, one of the most important anti-terrorist agencies in the country.

In addition, also the issues of *Black Panther Vol. 3 #48-49* showed terrorists whose rights were restricted. In this story, political opponents of the title hero, who tried to seize his throne by force, were put in prison. A woman named Asira accidentally discovered their whereabouts and learned that they had been held for a long time without a trial. Although she was warned that they are dangerous terrorists, she let them out of their cells. Their leader M'Baku made a promise not to continue the fight, but eventually he decided to attack the ruler once again. The attempt was partially successful because the terrorist managed to assassinate Black Panther. However, it quickly transpired that it was only an imposter and a decoy. At the same time, M'Baku, sure that he killed the king, gathered an army with which he intended to invade the capital and seize power in the country. Asira, aware that it was all her fault, tried to prevent the battle, and as result, she got herself very seriously injured.

Taking into account the finale of the story, it should be interpreted that comic book creators condemn the behavior of Asira. Her pity for the detainees and her willingness to respect their rights to a fair trial put herself, the king, and the whole country in danger. Thus, the creators of the book seem to suggest that terrorists should not be trusted and that restricting their freedoms brings a significant security improvement.

Moreover, an interpretation leaning towards the need to provide protection against a potential threat irrespective of civil rights can be also drawn from the miniseries *Chamber Vol. 1 #1-4*. In this story, the fictional New York-based college, Empire State University, began a pilot program to admit mutant students, while most of the other institutions refused to enroll such citizens. After these young people unexpectedly die, the title character received a mission to check whether a hate crime had occurred. Ultimately, the event proved to be an unfortunate accident caused by the mutants themselves, who were unable to control their powers. Cyclops, the leader of the X-Men, criticized the university authorities for taking an ill-considered act of tolerance that has increased the threat to both mutants and regular students. In that case, he was an opponent of equal rights, as he believed that the issue of ensuring the safety of each side was a priority. Such a stance of Cyclops, known as an advocate of the fight for the rights of mutants, makes the comic's message unambiguously supportive of one pole of the dilemma.

In contrast, the problem of respecting the rights of mutants is presented in the opposite light in an issue of a mini-series *Mekanix Vol. 1 #3.* In this comic book, FBI agents wrongly accused the heroine, Kitty Pryde, of a terrorist attack at the university. Based on the provisions of the Homeland Act,[5] they searched her room in the dormitory.

Mekanix Vol. 1 #3 (2002)

During the sweep, the FBI agents showed exceptional insolence and arrogance, as they cruelly made fun of the girl's dead father. Watching the government officials devastate her apartment, especially focusing on a thorough inspection of her underwear, Kitty sang in her mind *My Country, 'Tis of Thee.*

By using in this scene the patriotic song of Samuel F. Smith, which until 1931 served as the anthem of the United States of America, the authors intend to evoke in the reader intense negative emotions towards representatives of the federal

[5] It does not seem coincidental that the name of the Homeland Act in the comic is so close to the actual Homeland Security Act of 2002.

authority who formally act within the confines of the law, but nonetheless violate the privacy of the citizen, which is guaranteed by the constitution.[6]

However, it should be emphasized, that the next issue of this miniseries, *Mekanix Vol. 1 #5*, which appeared the following year, showed a debate that took place at the university. It was devoted to a motion to limit the activities of the Purity Organization, which was accused of racism against mutants. Kitty became one of the people who were in favor of banning this group. She argued that their views can inspire violence and murder. At the same time, Kitty rejected and criticized the counter-arguments about the freedom of speech that every citizen is provided by the 1st Amendment to the US Constitution. This part of the comic's story can be interpreted as the author's voice in favor of limiting civil liberties to ensure security.

These two stories' threads and their context makes the *Mekanix Vol. 1* an intriguing miniseries for analysis. It addresses the issue of racism that leads to discrimination and acts of terrorism, but it also presents the criticism of the abuse of powers by representatives of the government. Thus, it provides arguments for the two sides of the socio-political conflict of values and becomes evidence of the possibility of comic book stories to tell nuanced stories that take up topics of a grave matter.

Likewise, the activity of the security forces against the potential terrorist threat is also presented in a negative context in the *Howard the Duck Vol. 3 #2*. Based on an anonymous denunciation, the comics' main character was accused of working with Al Qaeda and Osama bin Laden. Without confirming these reports, the officers brutally entered the hero's trailer and destroyed it completely. After finding that the accusations were false and groundless, the government agents left the scene without any compensation or even offer of help for the victim, rendered homeless now. The tone of the book seems to point out to the problems of restricting civil rights in the face of accusations of terrorism. It should be stressed that the accusations were not grounded in evidence and the only reason to conduct the search limiting constitutional freedoms was a possibility of the terrorist threat. The same theme of abuse of power by security services also appeared in *The Hood Vol. 1 #3*.

Next, the issue of discrimination and restriction of liberties in the context of national security is shown in the story arc called *Hidden Ones* from the *Fantastic Four Vol. 3 #51–54*. The plot revolves around the reaction of people to the arrival of cosmic refugees. The community of Inhumans requested asylum on Earth, as they had been unjustly pursued by the galactic Shi'ar Empire. Representatives of national governments gathered at the United Nations refused to help, arguing that it would endanger their citizens. Subsequently, the controversy of providing asylum to Inhumans becomes the subject of public debate. People talked about it at work, at home in front of the TV; even school children got involved in this argument. The overwhelming majority of people were against aliens. Crowds were gathering in the streets with banners proclaiming 'Inhumans, go home,' 'Earth for Earthlings' or 'Die, alien scum.' There have even been acts of vandalism and aggression against the superheroes who gave shelter to the aliens. The leader of the Fantastic Four warned US administration officials that the behavior of the crowd would lead to pogroms.

[6] Although the right to privacy is not unequivocally enshrined in the Constitution, it can be deduced, inter alia, from 4th amendment, which prohibits unjustified searches of property belonging to a citizen.

In response, the superhero heard a threat suggesting that failure to cooperate with the government may be considered a threat to national security and that he may be imprisoned. Already one of the team members had been captured by army representatives for this reason.

In this story, the intolerant attitude of national governments and American society is condemned, and the creators point to the behavior of superheroes who are ready to help those in need. The extreme slogans used by the protesters, which evoke associations with the worst arguments used by racists and xenophobes, are particularly outrageous. Another key thing to remember is that the authors amplify their criticism by showing the abuse of national security-driven restraints, which are used to silence and illegally arrest inconvenient opponents.

The most extreme example of the abuse of power under the veil of national security, the one that can even be considered a crime against humanity, was presented in the stories referring the government's *Weapon X* program, in such comics as *New X-men Vol. 1 #129-130*; *Weapon X Vol. 2 #½–1*; *Weapon X: The Draft – Sauron*; *Weapon X: The Draft – Wild Child*; *Weapon X: The Draft – Kane*; *Weapon X: The Draft – Marrow*; and *Wolverine Vol. 2 #173–175.*

Project Weapon Plus was a series of military experiments to create a super-soldier that had been running since World War II. Steve Rogers aka Captain America was one of the willing participants of this program, but the American government went so far as to force Afro-American soldiers to be test subjects.[7] This motif seems to be a reference to the actual controversial actions of the American military during World War II (Smith 517-21).

In the comics, Project Weapon Plus has been reactivated as the Weapon X program, by the order of President Bush. It was aimed to reduce the threat posed by mutants and terrorist acts they committed against humans. In issue *Wolverine Vol. 2 #173*, there is even a phrase that the American government is at *war on mutants*, which brings to mind the 'war on terrorism' undertaken by the real-world President Bush's administration. The *Weapon X* project was led by the sadistic Malcolm Colcord, who committed numerous crimes against American citizens such as conducting illegal experiments on mutants and humans. The official goal of the program was to use people with the X gene to prevent terrorist threats. However, the preventive team consisted of murderers and former mutant terrorists like Sabretooth. This individual, although he worked for the US government, continued to indulge his murderous desires by harming innocents while his crimes got covered up by government agents.

Even though the team undertook the fight against terrorists, they also carried out terrorist acts at the request of their superiors. One of them was the attack on a South American official known for his disapproval of the policy of the US government. An even more shocking case was the attack on American citizens intended to increase the public fear of mutants and justify the need for the program to function. Despite such extreme cases of human rights violations and crimes against humanity under the guise of ensuring national security, the finale of the *Weapon X* story in the comic books released in 2003 was even more unceremonious and controversial in its depiction of the actions of the American state.

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[7] It was revealed in the story about Afro-American soldier called Isaiah Bradley and was presented in *Truth: Red, White & Black Vol. 1 #1-7,* Marvel Comics, 2003.

Comics published in 2003

In the course of the analysis, 17 comic books published in 2003 were discovered where the plots concerned the dilemma discussed. The overwhelming majority of them, as many as 15, can be viewed and interpreted as a strong criticism of comics artists against putting national security issues ahead of respect for citizens' rights. The finale of the story about the government program *Weapon X* took place in 10 issues of the series *Weapon X Vol. 2 #5-14*, as well as in *Soldier X Vol. 1 #12, X-Treme X-Men Vol. 1 #24*, and *#33*. In these books, agents involved in the military project illegally arrested mutant American citizens and placed them in internment camps. Scenes where an innocent family is kidnapped from their own home and placed in isolation can be a shock for the readers. Following the kidnapping, they are segregated and labelled with tattoos. Both men, women, and children were detained under the same cruel conditions. One of the groups was directed to the building they never reappeared from, so potentially killings or even ethnic cleansing are also suggested.

Weapon X Vol. 2 #5 (2003)

These events evoke obvious associations with the Nazi crimes against humanity and the tragedy of the Holocaust.[8] With this in mind, it is worth highlighting that the comics were released at a time when the American public was constantly informed about further controversial reports related to the treatment of terrorist suspects held at the Guantanamo base (McCoy et al. 188-217). Such fictional plots where the US government was presented in an extremely negative context can doubtlessly be interpreted as the artists' opposition to human rights violations by

[8] The aforementioned story may also refer to the period of the history of the United States when, in the name of security, state authorities established internment camps for Japanese citizens, as well as for Japanese Americans, legalized by the Supreme Court ruling in the case of Korematsu v. United States 323 U.S. 214 (1944).

President Bush's administration and a vote of no confidence in his concept of the 'war on terror.' This is how it was also interpreted by readers, as one of them stated in the online review 'Relaunching the Weapon X program as a mutant chop-shop and concentration camp, this book takes a hard look at what government policies without restraint can create' ('Reviews of Weapon X, Volume 1: The Draft').

Another example from this group of comics criticizing the US government actions comes from *Mystique Vol. 1 #2*, where the title terrorist heroine is captured by DHS agents who torture her and then attempt to execute her without a court sentence. The last one is an issue of *Captain America Vol. 4 #21,* which begins a longer story arc that continues in books released the following year and will be discussed collectively in the next section.

Two comics' issues from a group with the opposite interpretive spectrum are the already discussed *Mekanix Vol. 1 #5* and *Peter Parker: Spider-Man Vol. 2 #53*. The latter features a scene depicting a TV show with a debate on the superhero issue. The invited expert expressed the opinion that the heroes are responsible for numerous damages and their unsanctioned activities violate the norms of *due process of law* and other. The presenter argued with him, noting that the superheroes are the only ones who can defeat the supervillains. The expert's arguments seemed reasonable and valid, but soon he started accusing the heroes of racism since most of them were white men. This radical view was used by the presenter to ridicule the guest and discredit his entire message and earlier arguments.

So again, comic book artists present the analyzed dilemma in the context of security provided by vigilantism in opposition to respect for *due process of law*. The same theme has already appeared in the two previously discussed stories from the *Daredevil Vol. 2*.

Comics published in 2004

In the last year included in the analysis, 25 comics were counted as presenting the issue of restricting civil liberties by the anti-terrorist activities of the American authorities. Among them, only one book, *Secret War Vol. 1 #1*, can be interpreted as supporting the view of the priority of national security. One of the scenes presented agents of a government agency during interrogation. They tortured one of the supervillains and, thanks to his forced testimony, they discovered a potential terrorist threat to the country. Thus, the morally reprehensible behavior of the federal services that violates human rights is shown as effective in confronting national risks.

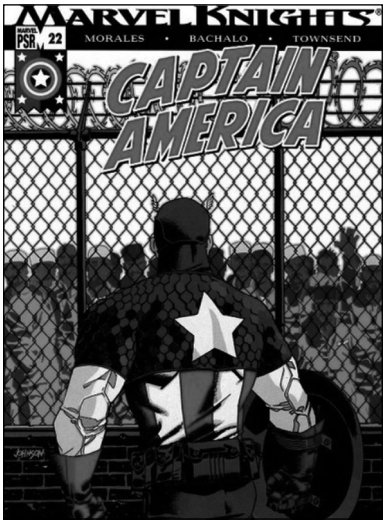
In the previous years, two stories from the *Daredevil Vol. 2* presented the issue of the superhero's activities in a positive context, which made it possible to interpret them as supporting the superiority of safety over compliance with *due process of law*. However, in the story arc called *The King of Hell's Kitchen* from *Daredevil Vol. 2 #56–60*, the image of the main character changed. Here, the hero proclaimed himself as the king of the underworld after defeating Kingpin, one of the bosses of organized crime in New York. From this point on, his goal became to ensure the safety of citizens in his district by any means necessary. Due to the hero's brutality, the FBI, which previously considered him an ally, started an investigation and decided to arrest him. Daredevil's controversial methods even aroused objections and concerns from his friends, wife, and other superheroes. In the story's finale, the superhero

realized his mistakes, gave up his new approach, and handed one of the Yakuza members over to the police to ensure that *due process of law* was properly followed.

This plot development suggests that the creators of the series have revised their views. Previously, they presented the protagonist in a positive light, justifying the violation of the *due process of law* and arguing that he ensure the safety of the city's inhabitants. In this story, by radicalizing his activities, they showed him in a negative context, as a man morally broken and fallen whose actions not only violated the law but also did not increase security in the city.

Next two examples from 2004 that showed the issues of violating the rights of individuals in the name of ensuring national security were presented in the context of the war against terrorism and were directly referring to the *Patriot Act* and the situation at the Guantanamo base in Cuba.

In the story called *Homeland* from *Captain America Vol. 4 #21-25*, the main character was asked by the American authorities to take part in a court tribunal over an American citizen, Shrin Ebadi, who was accused of terrorism and held in Cuba. Military authorities admitted that there were cases of mistreatment of detained Middle Easterners after 9/11 and that the public did not trust the government, nor the *Patriot Act*. The confirmation of this opinion appeared in the next scene that took place in one of the typical American eateries. During the breakfast, Captain America was listening to the radio news, where lawyers and the Nobel Peace Prize winner were protesting over Ebadi's arrest and the removal of his American citizenship. During the meal, one of the heroes' friends strongly criticized the authorities for the decision to withdraw the accused's citizenship before the trial and the formal proving of his guilt.



Captain America Vol. 4 #22 (2004)

As the plot unfolds, the hero traveled to Guantanamo and discovered instances of psychological and physical abuse of prisoners held in the base. Outraged by such practices, he came into open conflict with the military managing the facility. In the

finale of the story, Captain America managed to prove Ebadi's innocence and effect his release. An extremely intriguing subject is raised in the conversation between these two, when the former prisoner admitted that, like most American Muslims, he always voted for Republicans. Ebadi also emphasized that he considered himself an American and would fight to restore his citizenship. The ironic remark about the political preferences of the man accused of terrorism seems to be an additional indication of the intention to strengthen the criticism of President Bush's administration.

The second story from *Captain America and the Falcon Vol. 1 #1-7* and *#9* features a very similar theme of false accusations of terrorism. At the beginning of the book, Falcon broke into the Guantanamo base and freed a woman accused of terrorism. This made him a traitor pursued by the authorities. However, it soon became obvious that the freed woman was not a terrorist, but an American journalist who had evidence of illegal military activities. The navy, to prevent disclosure of their crimes, decided to accuse her of terrorism and lock her up at the Guantanamo base without formal prosecution.

With a mission to capture the superheroes and cover up the whole affair, a secret agent called Anti-Cap was send. He resembled Captain America by wearing an almost identical costume, but in different color shades. It turned out that Anit-Cap was a navy sailor and was subjected to similar experiments as the title hero. Mark D. White aptly points out that the confrontation between Captain America and his Navy counterpart is a clash of two different visions for the United States. The main hero symbolizes freedom, while the other represents security (White 116-117). Anti-Cap emphasizes this dichotomy himself when he says, ***Security*** *first, Captain.* ***Stridently*** *and preemptively…* ***You*** *are a product of America's* ***hope****.* ***I*** *am the sum of America's* ***fear****.*

It is important to point out that the opponent was portrayed as an unscrupulous villain who does not refrain from killing, and with time also proves to have mental problems. In the course of the plot, it is revealed that he suffered trauma at a young age when the girl he was in love with was killed in a terrorist attack in Oklahoma. The authors refer to the turbulent American past, by recalling formerterrorist threats, this time resulting from internal factors, and thus, showing the far-reaching effects of terrorism, which creates a self-sustaining mechanism of violence and hatred.

The analyzed conflict of values is manifested in this story as a physical clash between a virtuous hero and his immoral adversary. This is also how the readers themselves interpret these scenes. In his review, Shannon Appelcline perfectly summarizes the hidden message and political overtone of the book:

> 'What I find most amazing about this comic overall is how modern it feels. It's a post-9/11 comic, and even though it's just a few years past that date, Priest [the author] had already sussed out the growing gestalt of the America mindset: security over privacy, distrust over faith, injustice over lawfulness. This comic could have been written yesterday. It's still very relevant today.' (Appelcline)

Nickie D. Phillips and Staci Strobl, researchers who analyze Captain America, also agree with this point of view and interpretation: 'While historically Captain America exemplifies American values and national pride, more recently, at times, he has served as a counter-hegemonic response to a government that infringes on personal liberties in the age of the war on terror' (Phillips and Strobl 120).

Both of these Captain America comic's stories are critical to the idea of the war on terror and condemn the practices of the US government in the Guantanamo base. This military base was depicted in comic books as a facility where human rights are violated and where innocent people are held with no chance of a fair trial. In both comics, there were even US citizens wrongly accused of terrorism kept in the base. These plot elements further reinforce the criticism of a government that denies basic constitutional rights.[9]

Through such extreme examples of breaking the law, comic book artists try to strengthen their disapproval of the administration of President Bush and its activities at the US Guantanamo base. At that time, the issue of violating the rights of the accused of terrorism became one of the most important topics of social debate due to the Rasul v. Bush trial at the Supreme Court. It was precisely to determine the formal legal status of prisoners held at the US Guantanamo military base (McCoy et al. 188-217). Therefore, both series can also be interpreted as the authors' strong support for the priority of respect for human rights and the preservation of civil liberties over the need to ensure security.

Quantitative Research Results

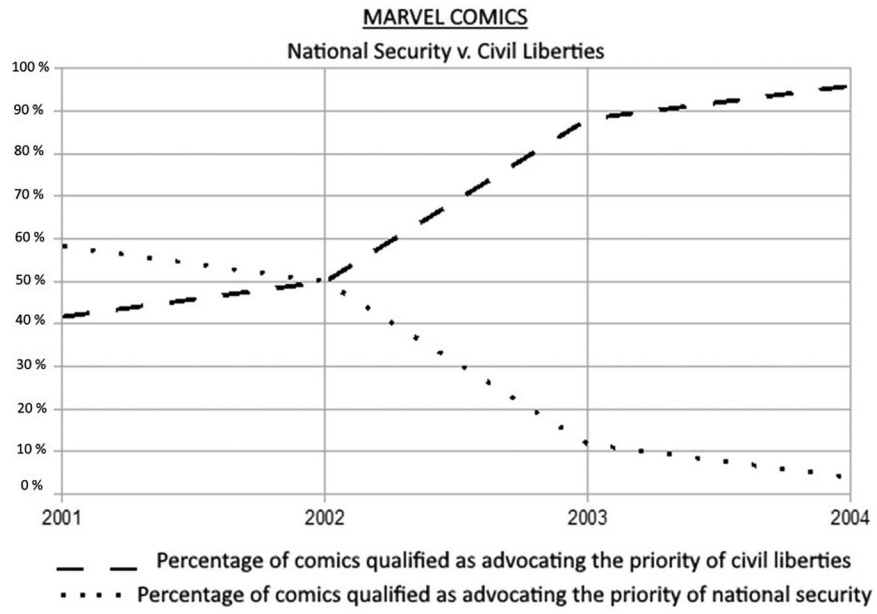
Until 2001, the American public was not as concerned and firmly involved in the debate on restricting civil liberties for national security purposes as it was in the years following the 9/11 attacks. In the comics published before the September of 2001, other various important social issues were raised, such as racism and discrimination against ethnic and sexual minorities, violence in schools and the use of weapons in attacks by students, the problem of crime and drug addiction, violation of human rights by corporations or fear of advanced technology that would be used against humanity.

However, as Brannon and Costello aptly point out, this changed after the attacks. 'In recent years, treatments of political questions in comics have often been inspired by the attacks on the World Trade Center and the Pentagon on September 11, 2001, and the subsequent wars in Afghanistan and Iraq, as well as by domestic debates over civil rights' (Costello and Brannon 475). In the case of Marvel Comics, within the selected period of analysis, 88 issues have been identified as pertinent in the context of the discussed socio-political dilemma. A noticeable majority of comics can be interpreted as an expression of the position in favor of the priority of the respect for civil rights: **69.3%** (61 single issues) compared to **30.7%** (27 single issues) that indicated a higher importance of national security.

The most intriguing is the division of the ascribed categories in respect of the time of publication of the comics. From September 2001 till the end of the year, 12 comic books have been created in which the plots can be interpreted in the context of the

[9] This concerns in particular a number of procedural rights, such as the right have the Assistance of Counsel for his defense; the right not to be deprived of life, liberty, or property, without due process of law; the right to a speedy and public trial; the right to be confronted with the witnesses against him; all which are derived from the 5th and 6th Amendments of the US Constitution.

analyzed dilemma. Seven of them were assigned to the 'national security' category, and 5 to the second classification called 'civil liberties.' In 2002, there were as many as 34 relevant comics, and the division was perfectly equal: 17 issues in each group.



Thus, of all 27 comics that were qualified as advocating the national security priority, the overwhelming majority (24 issues) was published by the end of 2002. It is important to point out this relationship because the period from the September attacks to the end of 2002 is also the time when the events of 9/11 had an overwhelming impact on the society, its mood, and political attitude. The fear of terrorism, which was consistently remaining high, was reflected in public support for the actions of the president's administration in the 'war on terrorism' (Bowman and Rugg 54).

Subsequently in 2003, when the American media together with the public opinion was engaged in the debate about the legitimacy and potential consequences of the intervention in Iraq, the comic books were dominated by plots depicting human rights abuses. Out of 17 comics that referred to the socio-political dilemma discussed, as many as 15 can be interpreted as advocating the priority of civil rights, even at the cost of increasing the threat to the nation. In the following year, out of 25 comic books qualified, only 1 seems to favor the higher importance of national security.

Summary of the Research Results

The period selected for the analysis is predominated by comic-book plots that can be interpreted as negating the need to ensure security for citizens at the expense of losing constitutional liberties. In other words, civil rights are a more important value

than national security according to comic creators. These data also reflect a shift in social attitude towards the dilemma analyzed. Public opinion polls immediately after the attacks indicated that **61%** of respondents believed that some civil liberties should be sacrificed to guarantee higher security (as many as **75%** in a different poll). This percentage decreased to **33%** in 2009 (52% in a different poll) (Bowman and Rugg 190). The flip in comics proportions is reflecting the changing nation's approach to this socio-political issue and may also indicate a reorientation of the optics of comic books artists. The creators themselves, being part of the American society, changed their views, and seeing a similar shift in social and political perspective, reflected it in their works.

The results of the analysis, especially of the series *Daredevil Vol. 2* and the attitude of the title character, also lead to the same conclusions regarding the revision of the views of the authors during this period. The comic book plots from 2001 and 2002 can be interpreted as supporting the priority of security issues, while the story from 2004 seems to suggest that the artists emphasized the priority of civil liberties. The first two stories presented the issue of Daredevil's activities in a positive context, which allows for decoding them as the support for the superiority of the need to fight crime over the observance of *due process of law*. In the third comic book story, however, the superhero is shown as a character who has had a nervous breakdown and begins to make morally questionable decisions. In the finale of this story, Daredevil realizes his mistakes, stops using new methods, and even makes efforts to ensure proper compliance of the *due process of law*.

Within the comic books that could be viewed as statements for the supremacy of civil liberties, there is also a clear criticism of President Bush's administration policies, his concept of 'war on terror', and even accusations of human rights violations. The two stories with Captain America, in particular, are the clearest examples of an almost direct expression of the political critique. Both introduced, in the context of the war on terror, the issue of violating the rights of individuals in the name of ensuring the public security. The comics directly referred to the *Patriot Act* and the situation in the Guantanamo base in Cuba, as well as containing the theme of abusing the new law. It was even shown that new regulations were used to make a false accusation of terrorism against innocent US citizens in order to cover up the corruption and crimes committed by the US military.

The exceptional judgment of the actions of the American government was, however, presented in the comics about the military program *Weapon X*. Due to the cases of individual mutants becoming terrorists, the entire community began to be treated as a threat to national security. The fictional administration of president Bush decided to start a policy called 'war on mutants.' The US government-sanctioned *Weapon X* program has involved committing numerous crimes, acts of terrorism, and even crimes against humanity in the form of concentration camps for mutant American citizens.

The implication of these comics is undimmed disapproval of the illegal and immoral actions of the state, which are legitimized with the arguments of a threat to national security. They are also an expression of the highest condemnation for the distortion of power in the name of safety. Additionally, the issue of identifying all mutants with terrorists and restricting their rights can be interpreted as a metaphorical reflection of discrimination against American Muslims after the events of 9/11.

Finally, it is worth mentioning that the debate of prioritizing security issues over ensuring the observance of civil liberties continued in the following years, which, however, goes beyond the scope of the analysis of this article. Without an in-depth and comprehensive research, it is impossible to say whether comic book authors' tendency to criticize state anti-terrorist activities that violate the rights of individuals has persisted. However, it is justifiable to bring up the most famous Marvel Comics crossover-events called *Civil War* (2006-2007) and the accompanying numerous miniseries or special issues that are interpreted as a direct reference to the *Patriot Act* and the issues of surveillance of American citizens by state structures. The division of Americans because of differences in the political assessment of these events was shown as the split in the superhero community that led to their physical confrontation.

In these comics, President Bush's administration was enforcing a new law in the form of the Superhuman Registration Act, which mandated all superheroes to disclose their identities and forcibly became federal agents acting on the orders of the government. This caused civil disobedience among some heroes. The rebels were led by Captain America himself, who believed that the American authorities violated the constitution and the rights of citizens. His opponent was Iron Man, who at that time also served as Secretary of Defense in President Bush's administration.

Although both sides presented rational arguments, the sympathy of most readers was expressed towards the attitude of Steve Rogers, and against Tony Stark. In addition, subsequent books have shown the negative consequences of introducing the new law that had the effect of terrorists and supervillains gaining access to sensitive data.

As Max Erdemandi rightly points out: 'Both the real-time events surrounding 9/11 and the fictional events in Marvel's Civil War situate the dilemma the nation faces within the debate over the role of freedom and security' (Erdemandi 223). A similar interpretation is made by Roz Kaveney, who additionally emphasizes the political significance of the comic book story and the criticism of Bush's presidency made by the artist: '*Civil War,* by contrast, is a detailed, nuanced and complex take on the assault on civil liberties under the presidency of George W. Bush and the War on Terror' (Kaveney 185).

Research Conclusions

In the period selected for the analysis (2001-2004), comic book creators from Marvel Comics criticized the policies pursued by President Bush's administration, as well as manifesting strong disapproval of the *war on terror* or for the new laws as the *Patriot Act*.

The analysis showed a significant prevalence of the comics whose interpretation allowed to classify them as supporting the priority of respecting human rights and the preservation of civil liberties over the need to ensure security (**69.3%**).

The proportions of the comic books in successive years reflect the shifting of social attitudes in respect of the dilemma analyzed and may also indicate a reorientation of the artists' optics towards this socio-political issue. In **2001**, the prevailing plots could be interpreted as indicating the priority of national security (**58.3%**). As early as **2002**, the proportions got perfectly equal (**50%** each). Furthermore, in **2003**

(**88.2%**) and **2004** (**96%**), comics which can be interpreted as strongly in favor of the superiority of civil liberties have been in an overwhelming majority.

Table: National Security or Civil Liberties in Marvel Comics

By Year	2001 (from September)	2002	2003	2004	Jointly
Number of comics analyzed in the year	160	458	434	560	1612
The total number of comics qualified for the analysis	12	34	17	25	88
Number of comics categorized as pro-civil liberties	5	17	15	24	61
Percentage of comics classified as pro-civil liberties	41,70%	50,00%	88,20%	96,00%	69,30%
Number of comics categorized as pro-national security	7	17	2	1	27
Percentage of comics classified as pro-national security	58,30%	50,00%	11,80%	4,00%	30,70%

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Avengers Vol. 3. By Kurt Busiek, illustrated by Kieron Dwyer, Rick Remender, Patrick Zircher, Scott Koblish, Tom Smith, Richard Starkings, and Albert Deschesne, No. #48 and #55, Marvel Comics, 2002.

Black Panther Vol. 3. By Christopher Priest, illustrated by Sal Velluto, Bob Almond, Jennifer Schellinger and Paul Tutrone, No. #48-49, Marvel Comics, 2002.

Brotherhood Vol 1. By Writer X (not-confirmed pseudonym of Howard Mackie), illustrated by Essad Ribic, Kent Williams, Jon Babcock, Brian Haberlin, Klaus Janson John Sanisci, Igor Kordey, Jeromy Cox and Avalon Studios, No. #1-3, Marvel Comics, 2001.

Captain America and the Falcon Vol. 1. By Christopher Priest, illustrated by Bart Sears, Joe Bennett, Jack Jadson, Transparency Digital, Rob Hunter, Michael Atiyeh, and Dave Sharpe, No. #1-7 and #9, Marvel Comics, 2004 and 2005.

Captain America Vol. 4. By Robert Morales, illustrated by Chris Bachalo, Tim Townsend, Aaron Sowd, Wayne Faucher, Al Vey, Randy Gentile, and Randy Gentile, No. #21-25, Marvel Comics, 2004.

Chamber Vol. 1. By Brian K. Vaughan, illustrated by Lee Ferguson, Norm Rapmund, Jose Villarrubia, and Dave Sharpe, No. #1-4, Marvel Comics, 2002-2003.

Daredevil Vol. 2. By Bob Gale, illustrated by Phil Winslade, James Hodgkins, Chris Chuckry, Oscar Gongorra, David Ross and Mark Pennington, No. #20-25, Marvel Comics, 2001.

Daredevil Vol. 2. By Brian Michael Bendis, illustrated by Alex Maleev, Matt Hollingsworth, Richard Starking, and Cory Petit, No. #32-37 and #56-60, Marvel Comics, 2002 and 2004.

Deadline Vol. 1. By Bill Rosemann, illustrated by Guy Davis, Dave Stewart and Dave Sharpe, No. #1-4, Marvel Comics, 2002.

Fantastic Four Vol. 3. By Carlos Pacheco, Rafael Marin, Karl Kesel, illustrated by Mark Bagley, Karl Kesel, Al Vey, Scott Koblish, Liquid!, Richard Starkings, Albert Deschesne and Saida Temofonte, No. #51-54, Marvel Comics, 2002.

The Hood Vol. 1. By Brian K. Vaughan, illustrated by Kyle Hotz, Eric Powell, Brian Haberlin and Randy Gentile, No. #3, Marvel Comics, 2002.

Howard the Duck Vol. 3. By Steve Gerber, illustrated by Phil Winslade, Chris Chuckry, Richard Starkings and Comicraft, No. #2, Marvel Comics, 2002.

Mekanix Vol. 1. By Chris Claremont, illustrated by Juan Bobillo, Marcelo Sosa, Edgar Tadeo and Tom Orzechowski, No. #3 and #5, Marvel Comics, 2002 and 2003.

Mystique Vol. 1. By Brian K. Vaughan, illustrated by Jorge Lucas, Daniel Perez Sanchez and Randy Gentile, No. #2, Marvel Comics, 2003.

New X-men Vol. 1. By Grant Morrison, illustrated by Igor Kordey, Dave McCaig, Richard Starkings, and Saida Temofonte, No. #129-130, Marvel Comics, 2002.

Peter Parker: Spider-Man Vol. 1. By Zeb Wells, illustrated by Michael O'Hare, Wayne Faucher, Studio F, and Randy Gentile, No. #53, Marvel Comics, 2003.

Secret War Vol. 1. By Brian Michael Bendis, illustrated Gabriele Dell'Otto and Cory Petit, No. #1, Marvel Comics, 2004.

Soldier X Vol. 1. By Karl Bollers, illustrated Scot Eaton, Lary Stucker, and Dan Brown, No. #12, Marvel Comics, 2003.

Weapon X Vol. 2. By Frank Tieri, illustrated Georges Jeanty, Keron Grant, Pop Mhan, Norm Rapmund, Dexter Vines, Barry Kitson, Sean Parsons, Rich Perrotta, Dean White, Scott Elmer, Robin Riggs, John Paul Leon, Tommy Lee Edwards, Melissa Edwards, Pond Scum, Rich Perrotta, Chris Eliopoulos, Tom Chu, Dave Sharpe, and Paul Tutrone, No. 2 #½–1 and #5-14, Marvel Comics, 2002 and 2003.

Weapon X: The Draft – Kane. By R.A. Jones, illustrated Pablo Raimondi, Hi-Fi Design and Paul Tutrone, Marvel Comics, 2002.

Weapon X: The Draft – Marrow. By Christina Z, illustrated Brandon Badeaux, David Newbold, Tom Chu and Paul Tutrone, Marvel Comics, 2002.

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Weapon X: The Draft – Wild Child. By Matt Nixon, illustrated Ethan Van Sciver, Norm Rapmund, Hi-Fi Design and Paul Tutrone, Marvel Comics, 2002.

Wolverine Vol. 2. By Frank Tieri, illustrated Sean Chen, Norm Rapmund, Saida Temofonte, and Raymund Lee, No. #173-175, Marvel Comics, 2002.

X-Treme X-Men Vol. 1. By Chris Claremont, illustrated by Salvador Larroca, Igor Kordey, Scott Hanna, Liquid!, Randy Gentile and Tom Orzechowski, No. #24 and 33, Marvel Comics, 2003.