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Abstract

'Jihad Jack' Thomas was arrested in Pakistan in January 2003 under suspicion of being an al-Qaeda supporter or operative. Thomas's guilt or innocence has been disputed ever since as police, politicians, the courts, the media and the public have grappled with who Jack Thomas is, what he believes and what he has or has not done in the name of those beliefs.

Stories of Jack: Myth, media and the law

Marcus O'Donnell

'Jihad Jack' Thomas was arrested in Pakistan in January 2003 under suspicion of being an al-Qaeda supporter or operative. Thomas's guilt or innocence has been disputed ever since as police, politicians, the courts, the media and the public have grappled with who Jack Thomas is, what he believes and what he has or has not done in the name of those beliefs.

Thomas was detained and interrogated in Pakistan until June when he was allowed to return to Australia a 'free' man. Although Australian police interviewed him on his return he was not charged with any offences until 18 months later. In February 2006 he was convicted of receiving money from a terrorist organisation and falsifying his passport but his conviction was quashed on appeal five months later because evidence had been obtained under duress. He was put under a controversial 'control order' almost immediately and in December of the same year the Victorian Court of Appeal ordered a retrial based on statements Thomas had made voluntarily during a media interview with the ABC's *Four Corners*. In June 2008 an application by Thomas to have the re-trial order rescinded was rejected by the Court of Appeal. At the time of writing the case is still pending.

Both journalism and law seek objective answers to critical questions thrown up by cases such as Jack Thomas, but as Richard Posner (1990: 7) has pointed out such apparently objective investigations promise more than they deliver. The answers that emerge are the products of what he calls 'conversational objectivity': answers negotiated through narrative, through the public telling of stories that construct available facts to reveal a near-cohesive sequence of time-based events freeze-framed in language. Law and journalism take place in the borderlands between events and their conversational artefacts and it is in that liminal space that I seek to situate this analysis of the Jihad Jack story.

Michael Schudson argues that journalists employ two methods to handle this 'anarchy of events' that confronts them on a daily basis.

The first is procedural: ‘journalists organize their work lives to manage events ... maintaining contact with the organizations that most reliably produce useable items of news and cultivating relations with those sources that are closest to and most knowledgeable about the regular newsmakers’ (2007: 254). The second way is through the deployment of recognised cultural resources: ‘the treasurehouse of tropes, narrative forms, resonant mythic forms and frames of their culture. They assimilate the new, apparently novel, unique, unprecedented event to the familiar old ways of understanding the world’ (2007: 254).

In this analysis of newspaper coverage of Thomas I will make reference to both the procedural and cultural work of journalism but my main focus is on the narrative patterns that emerge as the story unfolds.

Methodology and scope

The analysis is primarily based on 696 articles that report on Jack Thomas in major Australian metropolitan daily newspapers between January 2003 and December 2006. However this study does not attempt a complete content analysis of this corpus. The study aims to do two things. Firstly I will situate the emergence of the figure of Jihad Jack at the nexus of interlocking narratives of law and the war on terror. Secondly I will look at a series of what I call ‘multimodal mythic clusters’ that emerge in the texts. In this second part of the paper I am particularly interested in the figure of the ‘sleeper’ which became one of the key ways of describing Jack Thomas during the trial. This figure of the sleeper is linked to an ongoing set of figures in popular culture and to traditional mythic motifs such as the trickster.

Journalism studies have taken a wide variety of approaches to the analysis of journalistic texts. Zelizer (2004: 114) has recently categorised these approaches under three broad headings. The first approach concentrates on the ‘informal attributes’ of language: content analysis where reoccurring phrases and patterns are noted is typical of this approach. Secondly, the ‘formalist’ method includes studies influenced by sociolinguistics and discourse analysis where grammar

and syntax are analysed in some detail to determine lexical meanings. Finally Zelizer defines a 'pragmatic' approach that is 'focused on the act of telling a story and its narrative formula and storytelling conventions, on rhetoric, and on the use of news as a framing device. Typical approaches here included the various modes of narrative analysis, rhetorical analysis, and framing studies' (2004: 114).

My analysis has most in common with the third approach and its concern with the emergence of broad narrative themes and journalism's function as social storytelling. However, some of the insights of discourse analysis (Fairclough 2003) and sociolinguistics have also been used to help identify the wider socio-cultural narratives of terrorism and risk.

Methodologically this study follows the approach outlined by Hall (1975) and used recently by a number of studies concerned with the mythic structures of news (Acosta-Alzuru & Lester-Roushanzamir 2000, Feldstein & Acosta-Alzuru 2003, Parameswaran 2006). This method begins with an initial impressionistic overview of the corpus described by Hall as a 'long preliminary soak' (1975: 15) in the texts, and then moves to a close reading of selected texts and the identification of textual patterns and narrative strategies.

Within the journalism studies literature the terms narrative, story, myth and discourse are used in a diverse and often confusing range of ways. In this study, following common usage, which describes newspaper articles as 'news stories', I use 'story' to designate the specific content of articles. Thornborrow and Fitzgerald (2004) have recently defined stories in this context as including a person and/or place, a related action and a reason for their interaction. They argue that even the tightly written paragraphs of news articles can be regarded as self-contained micro-stories. Equally a larger or continuing story may be told across a number of articles over time. I use narrative as an overarching collective term to describe the patterns and the structural devices that govern storytelling. I explain my use of myth in more detail below but, put briefly, I use it to describe a particular narrative structure that allows a group of stories to be recognised as symbolically

significant. Finally I use the term discourse to describe the embodiment of broader socio-cultural structures and practices in texts. Thus, for example, the reports of Jack Thomas's capture in Afghanistan are stories that tell of a set of related facts: an Australian apprehended and imprisoned by Pakistani authorities. But over time these simple stories start to adhere to a mythic pattern in that they resonate with a larger narrative of the local boy who goes on an adventure and is forced to confront danger that impedes his return journey. But this is not the common hero's journey myth (Campbell 1993) because it is embroiled in a broader discourse that designates Thomas's adventure as part of the war on terror.

The mythical inflection

Both law and journalism uphold objectivity as a key professional principle and claim to perform quite specific, apparently truth-seeking functions in the drama of public life. As I have already noted, journalism engages in a complex set of procedural routines to satisfy its claims to objectivity. This process has been called a 'strategic ritual' (Tuchman 1972) in which journalists use procedures such as balanced quoting of official sources and designation of news from news analysis to inoculate themselves against charges of bias. Scholars of both law and journalism have noted (Barkin 1985, Brooks 2005) that the critical role of narrative, rhetoric and storytelling in their disciplines has been repressed by this prevailing professional discourse of objectivity. However, the very structures and professional routines of journalism and law are 'shot through with narrative' (Brooks 2005: 415).

James Carey (1989) has argued that there are in fact two quite distinct ways of looking at journalism: as information and as ritual. The information function supplies facts while the ritual function forms bonds. While reporting the facts of a case informs the public about the process of law, the ritual function of journalism allows for a sense of public participation in the process of justice. It is here that the narrative aspects of law and journalism become critical. In a classic treatment of news as narrative Bird and Dardenne (1988: 71) wrote: 'news stories,

like myths, do not “tell it like it is” but rather, “tell it like it means”. Thus news is a particular kind of mythological narrative with its own symbolic codes that are recognized by its audience’.

I have written a number of pieces (O'Donnell 2003, 2004a, 2004b) that use theories of myth to analyse the narratives of journalism and law. Recently I have proposed (O'Donnell 2008) the idea of ‘multimodal mythic clusters’ as a heuristic device that better addresses the reality of contemporary media systems. In the age of hypertext, 24-hour news, YouTube and video replay, the mythic inflection of any character is constantly being reinvented through the processing of a set of interactive clues that relate news events to a range of popular culture artefacts.

To put this in simple terms: the myth of Jihad Jack plays itself out in the same multimedia space as, for example, the myth of the Australian former Guantanamo inmate David Hicks, and both these stories play against broader more general mythic archetypes of *the* terrorist familiar from news, novels, film and TV. Since the events of September 2001 the archetype of the terrorist interacts with other cultural figures such as the oriental other and the Muslim extremist (Said 1978, Winch 2005), and symbolically all these images and events are set against the impact of the falling towers of September 11. Jack has become part of what Rothe and Muzzatti (2004) call the ‘terrorvision’ created on September 11 and continually evoked by the media ever since.

Media anthropologist Mihai Coman (2005) similarly argues for a ‘processual’ approach to myth in news media over one that designates the mythical purely through a mix and match system of contemporary and ‘archaic’ character types.

Mythologisation is more than a simple mechanical copying of epic-symbolic schemata. It is the never-ending process of collage, using all the units of the cultural heritage. This collage generates successive sets of stories open to interpretations, negotiations and modifications within the frame of social dialogue (Coman 2005: 54).

This understanding of the mythical allows us to move beyond the essentialist tendencies of many studies of myth in media and law that

seek to merely identify analogous relationships between traditional mythic heroes and contemporary figures without also accounting for the differences that emerge in this dialogue.

Understood in this way, these mythic structures can be seen to be fulfilling a set of broadly cultural and sometimes specifically ideological roles. I will argue that the mythical construction of Jihad Jack is at times part of a particular type of media discourse scholars have called a 'moral panic' (Cohen 2002, Rothe & Muzzatti 2004). In the moral panic discourse deviancy is amplified and particular individuals or groups are designated as 'folk devils' to account for the threat posed and are then used as leverage in an orchestrated call for control. As McRobbie and Thornton (1995: 562) have pointed out, this has the effect of 'orchestrating consent by actively intervening in the space of public opinion and social consciousness through the use of highly emotive and rhetorical language which has the effect of requiring that "something be done about it"'. They also note that, where this produces legislative action, this reinforces the public's confidence in the political leadership.

However, McRobbie and Thornton also point out that, in an increasingly complex multimedia world, the designation of unambivalent folk devils is difficult because folk devils can also marshal media resources to fight back. This process is made more complex by an environment where the notion of risk is broadly dispersed. Liotta (2005) notes that we now live in an environment where paradigms of national security are drawn in response to 'creeping vulnerabilities' as well as specific 'threats'. Ulrich Beck has characterised this as the 'terroristic world risk society' (Beck in Mythen & Walklate 2006). In the age of the war on terror Barkun argues 'there are no longer clear distinctions between war and peace, war and crime, war and disaster. Rather myriad forms of "low intensity" conflict inhabit a transnational zone of ambiguous events' (Barkun 2002: 31).

Ungar (2001) says that from this 'risk society' perspective folk devils can no longer be taken as givens because in a society that is coping with a dispersed sense of risk there is also greater diffusion of

blame. The creation of folk devils ‘is best seen as a *foraging* process, an essayed induction that must take hold’ (Ungar 2001: 281) and that sometimes fails.

I will argue that this is what occurred in the media construction of Jack Thomas: although the conditions are set to turn him into a folk devil, and this occurs to some extent, he emerges as a broader, more ambivalent mythic figure.

Covering Jack

The first stories about Thomas appeared in the Australian press in March 2002 when he was named ‘the third Australian man security agents wish to speak to about suspected al-Qaeda links’ (*Daily Telegraph* 8 March 2002: 9). Sporadic reports appeared throughout 2002 but the intensive media coverage began on 14 January 2003 when his arrest by Pakistani authorities was reported widely. In these reports Thomas was identified as the ‘fourth Australian’ al-Qaeda ‘suspect’ (alongside Mamdouh Habib, David Hicks and Jack Roche) to have been taken into custody.

The pattern of coverage matches the highs and lows of Thomas’s engagement with the legal system. Apart from two notable breaks, which represent a hiatus in the official case against him, Thomas has been a constant presence in Australian media since his capture was first reported. Although the coverage of Thomas can be grouped chronologically around major events, my analysis revealed there are also three sets of interlocking narratives produced in different journalistic storytelling genres that emerge in this coverage. They are represented in Table 1.

Story	Genre	Narrative frame
Stories of Jack	Investigation	A character
Stories of law	Court report	A case
Stories of war	Opinion	A moral panic

Table 1: Three stories of the Jihad Jack newspaper coverage

These different narrative strands are intertwined in complex ways throughout the coverage and, although there are examples of individual reports that rely primarily on one of these story frameworks, much of the reportage navigates all three frames.

The stories of Jack are an investigation into the character of Jack Thomas. They seek to illuminate his actions, motivations, psychology and formative history. But the story of Jack is also a story of his encounter with the law. Traditional court reports narrate the evolution of the different stages of the case against him, but right from the beginning Jack Thomas also represents a series of broader legal quandaries: What are the legal parameters of the case against him? Under whose jurisdiction? What evidence is admissible? And, finally, what new legal strategies are needed to control characters like Jack? Both the stories of Jack and the stories of law are told within the context of the stories of war — both Jack's jihad and the evolving war on terror.

The story of law and the story of war relate key events and issues but, following journalism's tendency to personalise news events (Zelizer 1990), they are also embodied in key characters. Just as his family will play a critical mediating role in the story of Jack, a range of ancillary players are crucial to the story of law. Solicitor Rob Stary, who was engaged by Thomas's family while Jack was still imprisoned in Pakistan, becomes a key spokesperson for the voiceless, imprisoned Thomas, but also becomes one of the personifications of law. In this latter role he is pitted against largely anonymous Pakistani authorities and the Australian Attorney-General Daryl Williams. Williams (and later his successor Phillip Ruddock) becomes the personification of law as process while Stary and other legal colleagues become the voice of law as justice. Stary and the other key members of the Thomas legal team also become the subject of detailed profile pieces (for example, *The Age* 12 November 2005: 5). In one of these Stary sums up the legal philosophy that drives him:

If you can stand between the individual and the state you play an important role as their advocate ... you can help ensure that they have some sort of justice in their lives (*The Age* 12 November 2005: 5).

This posture of the oppositional hero marks out a clear rhetorical space in the public debate for thinking about the way that the law is being used and abused not just in the Thomas case but in the wider debate about the law and the war on terror.

The suburban boy in the heart of darkness

Each of the three interlocking narrative strands that I have identified is discernable from the beginning of the coverage. The initial stories mark the emergence of Jack as both an Australian story and one that takes place in the murky badlands of international terrorism. The story of Jack is situated both in his suburban Australian home and in his international adventure. The story of law is presented as one about jurisdiction and the legal boundaries policing international terrorism between Pakistan, Australia and the United States. Although these physical geographies are constantly referred to in the course of the stories, these places are dependent on a type of geography of the mind for their representational impact. Zulaika and Douglas have described this as terrorism's 'heart of darkness':

In the end, terrorism becomes that heart of darkness in which, by virtue of the referential circularity between threat and reaction, a concrete act echoes in the collective imagination, actors discover their true significance in media reports and audiences recreate the thing itself — usually set in a distant, dehumanised world that has lost all touch with reason and morality (Zulaika & Douglas 1996: 25).

The designation of this other world is integrally linked to the construction of folk devils in the moral panic discourse. Rothe and Muzzatti (2004) argue that the current moral panic over terrorism began to be constructed by the media from the very moment planes hit the Twin Towers on the morning of 11 September 2001. It was on this day that 'the media began the first stages of a moral panic by defining the evil' (Rothe & Muzzatti 2004: 333). They continue:

The U.S. populace was presented with a barrage of newspaper headlines that escalated the shock of the attacks. The media are the vehicle of moral condemnation, and propagate a brutal fascination with the terrorist act. ... The media had become terrorvision; a choreography of violence, fear, revulsion and hatred. The attachment of 'unambiguously unfavourable symbols' (Cohen 1972: 41) had begun; the hijackers (and by extension ... those who allegedly supported, harboured, or defended them) were the embodiment of evil (Rothe & Muzzatti 2004: 333).

All those who become associated with this terrorist act are in some sense for ever located in this zone of 'terrorvision', which is an imagined zone that is very easily evoked in media stories. This can be seen clearly in the opening paragraphs of *The Daily Telegraph's* initial report of Jack Thomas's arrest:

A FOURTH Australian al-Qaeda suspect has been arrested, after being seized by police in Pakistan, it was revealed yesterday.

Taxi driver Jack Thomas — a 29-year-old Melbourne man who had converted to Islam — was caught on January 4.

He has been accused of training with Osama bin Laden's al-Qaeda network in 2001 — the year the fanatical group launched its September 11 attacks on America.

Pakistani police claim he was taught the tactics of terror in Afghanistan, where bin Laden's network propped up the fanatical Taliban regime.

Thomas is the fourth Australian accused of working with the terror network (*Daily Telegraph* 14 January 2003: 1).

Thomas is located in the murky liminal zone between Australia and the other world of terrorism and this allows his Australian identity to be claimed as well as expunged simultaneously. Although, following the story of law, he is correctly identified as a 'suspect' who is 'accused' by police 'claims', at another level his guilt by association with 'unambiguously unfavourable symbols' is assumed. He is 'seized' by Pakistani police and associated not just with abstract 'tactics of terror' but with Osama bin Laden, September 11 and two 'fanatical'

groups: al-Qaeda and the Taliban. We are reminded three times in three successive paragraphs that all of these elements are part of the same terror 'network'.

Not only is Jack seized/caught between Australia and this zone of international terrorism, this 'fourth man' is also represented as in some way caught between the everyday (Taxi driver / Melbourne man) and the exotic (convert to Islam / taught the tactics of terror). This is a motif that is repeated in a number of the stories of Jack: 'The jail cell where he is being held in the port city of Karachi is a world away from the leafy and private streets of Williamstown, where he grew up' (*Hobart Mercury* 15 January 2003: 6). The portrait of Jack as a once familiar 'boy-next-door' who morphs into a strange and dangerous figure is also emphasised:

Neighbours told yesterday of watching Mr Thomas change from their friendly, ginger-haired boy-next-door into a bearded, kaftan-wearing stranger who would pray up to five times a day.

'He grew his beard and started walking around the street in his long top and funny hat,' one neighbour said.

She said the family used to help organise the annual street parties at Christmas but began to keep to themselves after their son's dramatic switch to the Islamic faith (*Hobart Mercury* 15 January 2003: 6).

The motifs established in these early stories of Jack are reused and developed throughout the coverage. Notably the motifs of quest, pilgrimage and adventure are developed (for example, 'Passion of a pilgrim' *Herald-Sun* 15 February 2005: 24), as are concurrent portraits of the warrior and the naïve idealist ('Islam's warrior' *The Age* 27 February 2006: 11, 'Little fish made a big mistake: Naive Thomas led to al-Qaida' *Herald-Sun* 27 February 2006: 10).

This pattern in the character stories — from the everyday to the exotic — is one that can be observed not only in the stories of Jack; it is also one that is repeated in the media stories of other Western Islamic converts accused of terrorist links, such as Australian David Hicks and American John Walker Lindh. In news narratives about

all three characters, themes of restless pilgrimage or spiritual odyssey mix with questions of duplicity, betrayal and naivety. For example, an early *New York Times* story on John Walker Lindh is headlined 'A U.S. Convert's Path From Suburbia to a Gory Jail for Taliban' (4 December 2001: 1). Another in the *Washington Post* is headed 'John Walker's Restless Quest Is Strange Odyssey' (14 January 2002: A01). The notion of journey is also clearly present in the early treatment of Hicks with the *Courier-Mail* running with 'The journey that began with a single vow' (13 December 2001: 2) and the *Adelaide Advertiser* headlining its story 'Capture in Afghanistan: How Adelaide schoolboy David Hicks became Mohammed and joined bin Laden' (13 December 2001: 1). The continuing saga of all three figures promises an initiation into the shadowy networks of international terrorism and counter-terrorism. This is particularly evident in one of the early *Sydney Morning Herald* Hicks stories which is headed 'Australian Journey To The Heart Of Darkness' (13 December 2001: 1).

From the general tenor of these early stories of Jihad Jack and from their use of specific motifs of journey, conversion and change, the groundwork is being laid for a powerful mythic story. There are also obvious indications that this mythic figure will be linked to an ongoing narrative about law and the war on terror and that these narratives present a heightened story of risk and panic.

Clusters of meaning

A central claim in the case against Jack Thomas was that he was being set up by al-Qaeda to return to Australia as a 'sleeping agent'. This claim is first made explicit in a 2003 *Age* story (8 December 2003: 1) and is repeated numerous times in articles published in the aftermath of his arrest in November 2004. 'Jihad Jack to be "Osama's sleeper"' was the headline of a story in *The Australian* (25 November 2004: 3). *The Daily Telegraph* went with 'No bail for sleeper — Jihad Jack told to "lie low, then contact al-Qaeda"' (25 November 2004: 25), while *The Courier-Mail* had 'Terror "sleeper" agent plan outlined to court' (25 November 2004: 4).

The sleeper allegation was a key to the prosecution's legal strategy in building a picture of Jack Thomas as an ongoing threat with mysterious links to a secret and powerful group:

The court was told Thomas was to act as a 'sleeper' by returning to Melbourne and resuming a normal life until it was time to conduct surveillance on behalf of bin Laden. Mr Maidment said there were allegedly other sleepers in Australia who had been given tasks by bin Laden and there was a risk those people would use their resources and expertise to try and contact Thomas or help him flee if freed on bail (*Courier-Mail* 25 October 2004: 4).

Regina Bendix notes that in the months following September 11 the sleeper motif 'appeared briefly in English but was particularly evident in the German mass media discourse, its use meant to invoke a link to secret agency and the broader evil lurking amongst us' (2003: 33). Although this idea of the sleeper cell has been popular in both media and political discourse, Mueller (2006) says a 2005 secret FBI report 'wistfully noted that although the bureau had managed to arrest a few bad guys here and there after more than three years of intense and well-funded hunting, it had been unable to identify a single true al Qaeda sleeper cell anywhere in the country'.

It has none the less remained a constant in the reporting of terrorism reappearing at key intervals: in the reporting of Jemaah Islamiah in the wake of the Bali bombing (2002–03), in the US case of the 'Lackawanna six' (2002), in the case of Willie Brigitte (2003) and in the reporting of the July 2005 London bombings. Most recently it has been a key motif in the reporting of the London 'Doctors' Plot' (July 2007).

Part of the reason for its persistence as a motif is its broad symbolic range and its deep entrenchment in popular culture. Bendix notes that in common usage sleep can vary in meaning from 'sleep like a baby' through to the 'eternal sleep' of death. She also points to a legendary tradition in a number of cultures where a righteous leader is said to be asleep in a mountain awaiting a resurrection that will usher in a new age. She even surmises that the 'magical disappearance of Osama

bin Laden' in the hills of Afghanistan 'holds the potential of sleeper-legendry to come' (Bendix 2003: 35).

A month after September 11, in his regular column on language for *The New York Times*, William Safire (2001) — who himself had previously published a novel entitled *Sleeper Spy* — covered the move of 'sleeper' from 'spookspeak jargon into the general language'. He notes the Cold War history of the term and its gradual use by terrorism experts — specifically Bin Laden experts — in the post-Cold War period (Bendix 2003: 33).

The sleeper agent is a common motif in popular culture, regularly appearing in espionage novels, film and television. Perhaps the most famous example is John Frankenheimer's 1962 film *The Manchurian Candidate*, in which a former Korean POW is brainwashed by communist scientists and programmed to return to mainstream American life as a sleeper to be awakened as a political assassin when needed. It is telling that this film was remade by Jonathan Demme in 2004 and the communist conspiracy is replaced by one led by Manchurian Global, a multinational company with a vast political reach.

The sleeper agent has also been a key element of popular TV series that dramatise the terrorist threat. A Muslim sleeper cell is central to the fourth season of the hit Fox series *24* (2005) and Showtime have produced two seasons of *Sleeper Cell* (2005/2006), in which an African-American Muslim FBI agent goes undercover to infiltrate a sleeper cell planning attacks in America. Both the new *Manuchurian Candidate* and these TV series were screening in Australia during key moments of the Thomas coverage, with the sleeper cell season of *24* being broadcast in the six months leading up to the trial.

A number of studies have shown how popular television and film culture products such as these both feed into and reflect prevailing cultural notions of risk, fear and the war on terror (Hark 2004, Erikson 2007, O'Donnell 2008). These shows are characterised by a heightened sense of paranoia and a constant questioning of who can and cannot be trusted. Part of the way these films and television shows work

dramatically is as thrillers where mysterious networks gradually unfold to reveal previously unseen connections and frightening networks of power. They are 'evocative of a zeitgeist in which spectral Al-Qaeda sleeper cells, can attack without warning and shatter normalcy' (Erickson 2007: 206). It is in the context of this cluster of ideas, recent events, mythic histories and popular culture products that the notion of the 'sleeper' is mobilised during the trial of Jack Thomas.

The idea of the sleeper is also closely linked to another motif in the story of Jack: the convert. The sleeper's secret identity and the convert's new identity both testify to other loyalties and a sense of difference. This play with identity and process of transformation links both of these motifs to the mythical figure of the trickster that is found in diverse national mythologies and popular cultures. The Shakespearean fool, Native American coyote tales, Chinese monkey tales and the adventures of the Greek god Hermes are all examples of the trickster. The American con-man (Lenz 1985), the screwball comedy of Lucile Ball (Landay 1998) and cartoon figures of breakfast cereal advertising (Green 2007) are examples of the trickster's appearance in contemporary popular culture. The sleeper/trickster can also be seen to share certain characteristics and functions of the 'folk devil' at the heart of moral panics (Cohen 2002).

Summarising recent trickster scholarship, Thomas Green (2007) argues that the 'breaking of taboo' constitutes the major mythic function of trickster characters and that disguise and mistaken identities are also key motifs. In all this the trickster figure is a profoundly ambiguous 'culture hero'. Green continues:

Tricksters are often depicted as participating in some kind of trick, theft, or sacrifice that results in the gift of useful technology or plant to humanity ... this sacrificial function is not necessarily altruistic, but rather may grow out of the trickster's rebellious functions: the theft violates taboos, defies authority, and deflects punishment for that defiance away from humanity (Green 2007: 57–58).

In my analysis of the trickster motif in the John Marsden defamation trial I note that an Australian version of the trickster is the larrikin

(O'Donnell 2003: 295). The larrikin emerges strongly at various points in the evolution of the story of Jack, most notably in his ABC interview with Sally Neighbour (2006). In this interview Thomas comes across as the Aussie (terrorist) from central casting. Describing paintballing exploits in the Blue Mountains with alleged JI leaders, he says 'It was boys in the woods' and, on training at al-Qaeda boot camp, 'It was where men were men'. His praise of David Hicks is pure pub-speak: 'He's a top bloke. He's a really good bloke. He's a real you know, blue-singlet wearing Aussie'. Most notably he describes the adoption of his Muslim name 'Jihad': 'So I chose the name Jihad, an Aussie battler or struggler. From there we got from the media the lovely headlines'. When Neighbour asks him 'What sort of a kid do you think you were?' he replies with a mischievous choice of words:

JACK THOMAS: A terror.

SALLY NEIGHBOUR: A terror? In what way?

JACK THOMAS: Well, I used to come home from head to foot with mud and you know, just running amuck really.

While an analysis of each of these motifs — sleeper, convert, trickster, larrikin — can provide an insight into the portrayal of Jack Thomas, it is as a mobile mythic cluster that these motifs prove most useful. Figure 1 shows diagrammatically what this constellation and its associated ideas might look like.

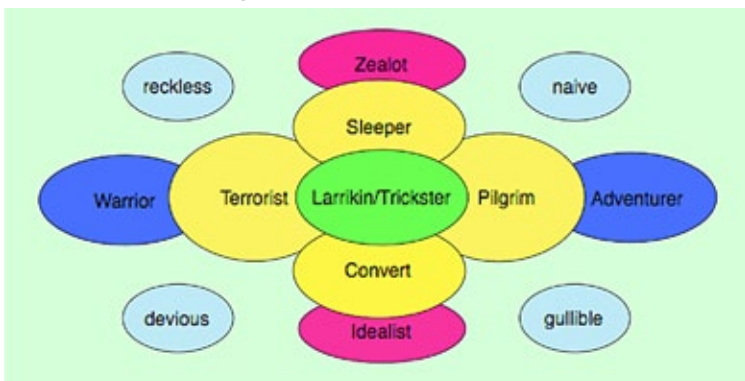


Figure 1 Jack Thomas: multimodal mythic cluster.

The cluster can be seen to operate along vertical and horizontal axes, both of which represent a particular spectrum of behaviour. On the one hand we have the movement between the idealist and the zealot, and on the other we have the movement between the adventurer and the warrior. The larrikin/trickster figure at the intersection of these axes represents the transformative nature of the character. The sleeper and convert motifs sit above and below with the convert representing the idealist tendency and the sleeper moving toward the zealous. Similarly the terrorist and pilgrim motifs sit on either side representing the warrior/adventurer tendencies. The other elements — character traits that are mobilised to reinforce different parts of the cluster — float around these central motifs.

The interaction of the motifs in this cluster can be seen clearly in a long feature published in *The Age* (27 February 2006: 11) and *The Sydney Morning Herald* (27 February 2006: 10) after Thomas's initial conviction. Although the articles are essentially the same, the headings and the intros chosen by the two publications show the mobility of the motifs in this story. *The Age's* intro emphasises the everyday-to-the-exotic theme ('How a "whitebread" boy from Williamstown wound up accused of links to al-Qaeda') while the *Sydney Morning Herald* intro slants towards a picture of idealism and pilgrimage ('He set out on a quest to find the ideal Islamic state, but instead Joseph Thomas became shocked and disillusioned in Taliban territory'). Thomas, his mother and the author all address Thomas's idealism and his passionate search: 'He has always been trying to find himself and find where he fits', his mother says, and Thomas himself adds: 'I was searching for the eternal buzz'. The author rehearses the stories of Thomas's difference and various transformations: ballet at 13, a punk band a few years later, a tour of Aboriginal communities and various encounters with Buddhism and the occult. Then '[t]he zeal of the new convert took him to the Middle East'. Thomas asserts that he went to Afghanistan in April 2001 because he believed the Taliban were creating an 'Islamic utopia' and needed help to unite the country against the hold-out Northern Alliance. Yes he was prepared to fight, but he went 'as a religious' believing 'there was a huge possibility of peace, which is

what all religion calls for'. Thomas addresses the sleeper allegation head on; he paints himself as an idealist but clearly dissociates himself from violent zealots:

I might be naïve and I might be an idealist, but I am not a dickhead who will help to hurt innocent people, which those people have shown is their tactic. I was not prepared to give any assistance of the sort Khaled bin Attash [the al-Qaeda leader who tried to induce Thomas to become a sleeper agent] was on about. I am a fifth-generation Australian — 105 years, Irish-Australian. The offer to come home and be a sleeper agent where my family live is totally ridiculous (*Sydney Morning Herald* 27 February 2006: 10).

The motif of naiveté is pronounced throughout the story and acts as a mediator between the idealism of the searcher and the zeal of someone who went to fight for or at least explore the possibility of the Taliban Islamic utopia. The article concludes: 'Had the legal system allowed an alternative plea to "not guilty", his might have been, as his lawyer suggested, "naive, gullible and foolish".'

But at other times these motifs work much more harshly to isolate Thomas as a figure of permanent suspicion. This is nowhere more evident than in an *Australian* editorial about the controversial control order:

Certainly Mr Thomas enjoys the presumption of innocence, but the Australian people deserve peace of mind. As much as it horrifies a civil libertarian lobby that believes John Howard is a greater threat to our way of life than bin Laden, Sheik Hassan Nasrallah, Abu Bakar Bashir or any number of other Islamic radicals who would do the West harm, different standards apply in such cases. Philip Ruddock and the AFP have a duty of care to use laws passed by parliament to protect Australians. That Mr Thomas has close ties to Bashir through their respective wives is further justification for vigilance. Converts to Islam are often the most susceptible to radical preachers. The Prime Minister's Muslim advisory board has said as much, even developing a plan to mentor converts. It is therefore appropriate that Mr Thomas be subjected to the closest possible monitoring (*The Australian* 30 August 2006: 15).

This editorial not only demonises Thomas because of his apparent associations but also dismisses all his supporters in the civil libertarian lobby with its extravagant rhetorical claim that they believe 'John Howard is a greater threat to our way of life than bin Laden'. Although Australians' peace of mind and Thomas's presumption of innocence are set up as equal values in the opening sentence, it soon becomes clear where the scales tip. The rhetoric in this editorial sets up Howard, Ruddock and even the Prime Minister's Muslim advisory board as the bearers of normalcy and places all converts as others permanently under the ban of suspicion. Here the mobility of convert as a motif is clearly used to associate Thomas with the zealous warriors rather than the idealistic pilgrims.

Who is my neighbour?

The central question unearthed by the sleeper motif is 'Who is my neighbour?' Regina Bendix (2003) notes that a recurring motif in the contemporary terrorist sleeper media stories is the refrain from neighbours and friends: 'We had no idea ... He seemed like a normal ...'. She notes that the 'assumption of peacefulness and normalcy' is a central way that heterogeneous societies attempt to negotiate the ambiguities of public and private space. She writes:

Thus the values of shared humanity underlying cultural difference at the very least provide an ideal informing life within the same social space. Infractions of such values correspondingly lead to a sense of disappointment, self doubt and fear echoed in such statements. The unwritten but presumed to be shared social or even familial contract is broken (Bendix 2003: 37).

The interesting thing about the story of Jack is that he never completely loses his 'neighbourliness'. Despite attempts to portray him as part of a dangerous and mysterious world of international terror, the trickster keeps morphing back into the taxi-driver from Melbourne.

Narratives of the Thomas family and their ongoing support function as powerful ciphers of inclusion that operate against the narratives of exclusion being marshalled against him. This is particularly evident

in the *Four Corners* interview (Neighbour 2006) which is a real family ensemble piece. Father Ian, mother Patsy and brother Les attempt to replace a picture of Jack as an Islamic radical with one of Jack as a young rebel. Ian Thomas talking of his son's brief music career says:

Honestly, Jack always had a sense of fairness and a sense, a sense of injustice. He had a great social conscience, he still does today, and that was the injustices, any injustices, that Jack could see in the world, that's what he was writing and singing about. He got very angry about all these things and that was his outlet (Neighbour 2006).

The family work hard in this interview to compensate for what they perceive to be the omissions in the story of Jack as it has been told so far. To some extent Jack also works to rehabilitate his image but at other points he is defiant. Early on in the interview Sally Neighbour asks Jack the central question: 'Why should Australians believe that you had no intention of having any further contact with these people, of having any involvement in terrorism?' Thomas replies:

Well I'm not going to convince anyone. I don't believe in killing innocent people and I don't really care what people think. People who know me know that. I can't make people believe, as far as I'm concerned words don't mean anything, it's just your actions that count. So, believe it or not (Neighbour 2006).

The camera then cuts immediately to mother Patsy and her family photographs:

Jack was born in 1973, two years later, and there he is, cute little funny looking little fella. There's Jack in the backyard with his blackboard, he loved his blackboard always writing on the blackboard. Now his daughter loves the blackboard (Neighbour 2006).

So what are we to believe: this mother's image of her cute 'funny looking fella' at play or those who would paint him as a danger to all children just like that? The question is unresolved; the case against Jack, despite its many permutations, is also unresolved.

Conclusion

In this paper I have identified three interrelated narrative strands in the media stories of Jack Thomas. At one level these stories relate the facts of the case against Thomas and the events leading up to and following on from his capture in Afghanistan. In this sense they tell 'the news' as it is popularly conceived. But far from being a simple series of objective reports, when traced over time these stories weave a powerful mythic story that intersects with wider narratives of law and the war on terror.

The media stories of Jack of his encounter with the law and his participation in the war on terror have often conspired to paint him as a fearsome folk devil. Rothe and Muzzatti (2004) argue that 11 September 2001 initiated a new media environment they dub 'terrorvision' in which the demonisation of figures like Jack becomes not only possible but likely. Jack is not the first Australian to be embroiled in this discourse but he is the first Australian to be tried and convicted under new anti-terrorism legislation. He is, as one headline reminds us, a 'first scalp' (*Hobart Mercury* 27 February 2006: 9).

He is therefore a particularly significant figure in the emerging Australian discourse about law and the war on terror. This and the various legal permutations of the Jack Thomas story are enough to set him up as a highly contested figure. But the media's tendency to personalise issues allows a series of stories about Jack and those around him — primarily his family and his legal team — to float a counter-narrative to the folk devil / terrorist, from which he emerges as far more ambiguous. This ambiguity matches the dispersed sense of risk evoked by terrorism that Barkun has characterised as a 'transnational zone of ambiguous events' (2002: 31).

I have argued that a complex multimodal mythic cluster emerges in which Jack as a trickster figure is constantly morphing from threat to fool, from idealist to zealot, from warrior to adventurer. This does not mean that at certain times his identity is not fixed by a particularly strong rhetoric of suspicion and condemnation, but his ability to reappear in another context at a later stage is indicative of the unstable

and highly contested state of the current Australian discourse on law and the war on terror.

This analysis confirms journalism as a crucial mode of cultural storytelling rather than as a conveyer of simple unbiased information and points to the importance of the popular representations of law in the ongoing communal negotiations around justice and risk in a time of increased uncertainty.

References

- Acosta-Alzuru C and Lester-Roushanzamir E P 2000 'All you will see is the one you once knew: Portrayals from the Falklands/Malvinas War in U.S. and Latin American newspapers' *Journalism and Communication Monographs* 1/4: 301–346
- Amsterdam A G and Hertz R 1992 'An Analysis of Closing Arguments to a Jury' *New York Law School Law Review* 37: 55–122.
- Barkun M 2002 'Defending against the apocalypse: the limits of homeland security' *Policy Options* September: 27–32
- Bendix R 2003 'Sleepers' Secrets, Actors' Revelations' *Ethnologia Europaea* 33/2: 33–42
- Campbell J 1993 *The hero with a thousand faces* Fontana London
- Carey J W 1989 *Communication as culture: essays on media and society* Unwin Hyman Boston
- Cohen S 2002 *Folk devils and moral panics* Routledge New York (first published 1972)
- Coman M 2005 'Cultural Anthropology and Mass Media: a processual approach' in Rothenbuhler E and Coman M eds 2005: 46–55
- Debelle P, Metherell M and Johnson L 2001 'Australian Journey To The Heart of Darkness' *Sydney Morning Herald* 13 December: 1
- Dixon W W ed 2004 *Film and television after 9/11* Southern Illinois University Press Carbondale
- Duffy M 2001 'The journey that began with a single vow' *Courier-Mail* 13 December: 2
- Dunn M 2002 'The third man just a student of Islam' *Daily Telegraph* 8 March: 9

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- 2005 'Passion of a pilgrim' *Herald-Sun* 15 February: 24
- Dunn M, Heggen B and Goodfellow N 2001 'Capture in Afghanistan: How Adelaide schoolboy David Hicks became Mohammed and joined bin Laden' *Adelaide Advertiser* 13 December: 1
- Entman R 2003 *Projections of Power: Framing News, Public Opinion, and U.S. Foreign Policy* University of Chicago Press Chicago
- Erickson C 2007 'Counter-Terror Culture: Ambiguity, Subversion, or Legitimization?' *Security Dialogue* 38/2: 197–214
- Feldstein F P and Acosta-Alzuru C 2003 'Argentinean Jews as Scapegoat: A Textual Analysis of the Bombing of AMIA' *Journal of Communication Inquiry* 27/2: 152–170
- Green T 2007 'Tricksters and the Marketing of Breakfast Cereals' *Journal of Popular Culture* 40/1: 49–68
- Hall S 1975 'Introduction' in Smith 1975: 11–24
- Hark I R 2004 "'Today is the longest day of my life": 24 as mirror narrative of 9/11' in Dixon 2004: 121–141
- Hunt E 2004a 'Terror "sleeper" agent plan outlined to court' *Courier-Mail* 25 November: 4
- 2004b 'No bail for sleeper — Jihad Jack told to "lie low, then contact al-Qaeda"' *Daily Telegraph* 25 November: 25
- Hyde L 1998 *Trickster makes this world: mischief, myth and art* North Point Press New York
- Jenkins M 2006 'Terror law claims its first scalp' *Hobart Mercury* 27 February: 9
- Kizilos K 2005 'Seeking justice for those on the margins' *The Age* 12 November: 5
- Landay L 1998 *Madcaps, screwballs, and con women: the female trickster in American culture* University of Pennsylvania Press Philadelphia
- Lapthorne K 2006 'Little fish made a big mistake: Naive Thomas led to al-Qaida' *Herald-Sun* 27 February: 10
- Lenz W E 1985 *Fast talk & flush times: the confidence man as a literary convention* University of Missouri Press Columbia
- Lévi-Strauss C 1966 *The Savage Mind* University of Chicago Press Chicago
- Liotta P H 2005 'Creeping Vulnerabilities and the Reordering of Security' *Security Dialogue* 36/1: 49–70

- Lule J 2001 *Daily News, Eternal Stories: The mythological role of journalism* Guilford Press New York.
- Madden J 2004 'Jihad Jack to be "Osama's sleeper"' *The Australian* 25 November: 3
- McPhedran I 'Taxi Driver Terrorist — Australian al-Qaeda recruit captured' *Daily Telegraph* 14 January: 1
- McRobbie A and Thornton S L 1995 'Rethinking "Moral Panic" for Multi-Mediated Social Worlds' *British Journal of Sociology* 46/4: 559–574
- Meyer P N 2002 'Making The Narrative Move: Observations Based Upon Reading Gerry Spence's Closing Argument In The Estate Of Karen Silkwood V. Kerr-Mcgee, Inc.' *Clinical Law Review* 9: 229–291
- Munro I 2006 'Islam's warrior' *The Age* 27 February: 11
- 2006 'A passage from Pakistan' *Sydney Morning Herald* 27 February: 10
- Mythen G and Walklate S 2006 'Communicating the terrorist risk: Harnessing a culture of fear' *Crime Media Culture* 2/2: 123–142
- Mueller J 2006 'Is There Still a Terrorist Threat?: The Myth of the Omnipresent Enemy' *Foreign Affairs* September/October 2006 <<http://www.foreignaffairs.org/20060901facomment85501-p0/john-mueller/is-there-still-a-terrorist-threat-the-myth-of-the-omnipresent-enemy.html>> accessed 23 December 2007
- Neighbour S 2006 'The Convert' *Four Corners* ABC Television 27 February 2006 transcript <<http://www.abc.net.au/4corners/content/2006/s1579056.htm>> accessed 22 June 2007
- Nieves E 2001 'A U.S. Convert's Path From Suburbia to a Gory Jail for Taliban' *New York Times* 4 December: 1
- O'Donnell M 2003 'Preposterous Trickster: myth, news, the law and John Marsden' *Media Arts Law Review* 4
- 2004a 'Going to the chapel: same sex marriage and competing narratives of intimate citizenship' *Pacific Journalism Review* 10/1
- 2004b "'Bring it on": the apocalypse of George W. Bush' *Media International Australia Incorporating Culture and Policy* 113
- 2008 'Jack Bauer: The Smart Warrior's Faustian Gift' *Media International Australia Incorporating Culture and Policy* 128

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- Parameswaran R 2006 'Military Metaphors, Masculine Modes, and Critical Commentary: Deconstructing Journalists' Inner Tales of September 11' *Journal of Communication Inquiry* 30/1: 42–64
- Posner R A 1990 *The problems of jurisprudence* Harvard University Press Cambridge MA
- Potter H 2003 'News and its communicative quality: the inverted pyramid — when and why did it appear?' *Journalism Studies* 4/4: 501–511
- Protyniak N, Harvey M and de Krester L 2003 'How "Jihad Jack" turned to terror' *Hobart Mercury* 15 January: 6
- Rothe D and Muzzatti S L 2004 'Enemies Everywhere: Terrorism, Moral Panic, and US Civil Society' *Critical Criminology* 12/3: 327–350
- Rothenbuhler E and Coman M eds 2005 *Media anthropology* Sage Thousand Oaks California
- Safire W 2001 'The Way We Live Now: 11-11-01: On Language' *New York Times Magazine* 11 November
- Said E W 1978 *Orientalism* Pantheon Books New York
- Sanchez R 2002 'John Walker's Restless Quest Is Strange Odyssey' *Washington Post* 14 January: A01
- Schudson M 2007 'The Anarchy of Events and the Anxiety of Story Telling' *Political Communication* 24/3: 253–257
- Silvester J 2003 "'Jihad Jack" Terrorism Case Collapses' *The Age* 8 December: 1
- Smith A C H ed 1975 *Paper voices: The popular press and social change 1935–1965* Chatto and Windus London
- Smith J R 1997 *Writing tricksters: mythic gambols in American ethnic literature* University of California Press Berkeley
- The Australian* 2006 'Terror suspects must be watched' (editorial) 30 August: 15
- Thornborrow J and Fitzgerald R 2004 'Storying the News through Category, Action, and Reason' *Communication Review* 7/4: 345–352
- Tuchman G 1972 'Objectivity as Strategic Ritual: An Examination of Newsmen's Notions of Objectivity' *American Journal of Sociology* 77/4: 660–679
- Ungar S 2001 'Moral panic versus the risk society: the implications of the changing sites of social anxiety' *British Journal of Sociology* 52/2: 271–291

- Winch S P 2005 'Constructing an "Evil Genius": news uses of mythic archetypes to make sense of bin Laden' *Journalism Studies* 6/3: 285–299
- Zelizer B 1990 'Achieving journalistic authority through narrative' *Critical Studies in Mass Communication* December: 366–376
- 2004 *Taking Journalism Seriously* Sage New York
- Zulaika J and Douglass W A 1996 *Terror and taboo: the follies, fables, and faces of terrorism* Routledge New York

