



# RELIGIOUS RESIDUE AND AI: THE EIGHT RUGBY PLAYERS

*Posted on November 1, 2023 by Philippe-Joseph Salazar*



On the first Saturday-Sunday in October, tens of thousands of Argentines undertook a pilgrimage, known as a "*la Peregrinación*," to the [Marian Basilica of Lujan](#), under the theme "Holy Virgin, make us one." Sunday evening saw the first debate between five presidential candidates, three weeks before the general election of 22 October. All the parties preached unity, union, common strength, under a variety of slogans, as opportunistic as they come. Galloping inflation, obsidional crime, Rosario as the new Colombia of drugs, half the population in a state of poverty—while, on Saturday, a Kirchnerist oligarch, seen strutting around on a yacht with a callipygian "model" in Marbella, told his critics to go to hell by imitating, in Spanish, the vulgar American retort, "Get a life." Sure, but what kind of life?

One response to that question was the pilgrimage. Under the leadership of the young Archbishop of Buenos Aires, the "*Peregrinación*" was a response to the political class — to Peronists in power (Peronism like historical Gaullism is an emotional belief system, straddling a wide spectrum), to the legacy bourgeoisie of Buenos Aires, and to the Chavist socialists. The political class paid lip-service to or ignored the pilgrimage and its message of good will.

With one discordant voice: the man who upset the usual suspects' playbook, Javier Milei, portrayed by Western medias as "extreme right," is an anti-Statist economist and a formidable rhetor in the long tradition of Argentine politics —emblemized by Juan Perón's famous 1973 re-election address, "*Gobernar Es Persuadir*." So Milei went frontal : one of his teammates mooted to suspend relations with the Holy Sea, the utmost meddling, invisible "state" in their view. Anti-statism and anti-clericalism are indeed congruent – but don't tell that to Anglicans (conservatives or not) in the UK, cossetted protestant churches in Germany, or even French "liberals." Not to mention US conservatives.

To grasp further the multi-layered religious residue in Argentine public life: when Pope Francis was elected, labels bearing his effigy on the streetlamps of Buenos Aires rubbed shoulders with a massage parlour advertisement (and an unintended joke): "Two for the price of one."

That being said, how do you measure religious residue and mediatization of a public event, and the use of AI? Let's look at one case.

At the beginning of the year, in the middle of the southern hemisphere summer vacation, [a resounding trial](#) fascinated Latin America: that of the *ocho rugbiers*, eight young rugby players who, at the same time three years before, had murdered a young man, Fernando Báez Sosa, outside a nightclub in Villa

Gesell, a seaside resort south of Buenos Aires.

For weeks, the trial, held in Dolores, an old and dignified town on the pampas, was broadcast live on Argentine TV and followed daily from Peru to Mexico. A continental media phenomenon. A judicial phenomenon. A popular, if not populist, phenomenon. Ignored everywhere else, of course.

First mediatization : an extensive coverage by open access medias, such as *La Nacion+* , which not only had reporters on the spot all day long, but also organized panels of legal experts who explained each stage of the proceedings with verve but clarity. One reporter stood out: "[Carla](#)," who never lost track of events, maintained admirable calm and exemplary accuracy—she deserves an Oscar for court reporting.

Second mediatization: publicly available CCTV footage of the murder, bearing directly on the judicial process. People wondered: was it a *pelea*, a brawl involving the exchange of blows (the defense)? Or was it a *patada*, kicking and punching a victim (the public prosecutor and the family lawyer)? You only have to look at the numerous footage reels to see that it was not a brawl. In Argentina, surveillance cameras are ubiquitous, and there seems to be no law against making public what they record. Every morning, on the 7 a.m. news, you can watch burglaries, and even murder attempts, being committed.

From the very start of the investigation, anyone with access to YouTube or the Web could see what had happened. There was no blurring, in the style of false American prudishness (the "fig leaf" camera) or European-style hypocrisy ("some images may be harmful to sensitive viewers"). Living in society also means seeing what is going on. How can we witness this famous communal life if we cannot see what disrupts it? Even YouTube has not censored anything. From this point of view, Latin America is free.

So, the public had the obvious, right in front of them. The obvious — in the sense that to see is to be convinced of/by the obvious —was freely available, and in no way reserved for the courtroom. The [violent crudity](#) of the images was, and remains, public. As a rhetorician, I approve.

And then, a novelty: mediatization using AI. In order to tease out the (concealed) obvious of/from the images of the murder, the Báez Sosa family lawyer resorted to computer analysis: each of the eight assailants was represented digitally. The lawyer brought out this AI mapping at the end of the trial, in his recapitulation. The presiding judge immediately indicated that this could not, at this stage of the

trial, be a *prueba* but she accepted the argument (supported by a reminder of the procedural code) that it was just another visualization of the video which *per se* was a building block of the proof already argued. As a rhetorician in a law school, I approve.

This digital reconstruction of the video made it possible to follow exactly the movements and the gestures of each assailant. It stunned everyone (and again, all that was broadcast live). We see the victim raising his hand in a plea for mercy, which drew cries from the victim's mother. AI provided a disclosure of the video. This is where "mediatization" takes on a whole new meaning. It harks back to the rhetorical concept of *aletheia*, de-concealment, dis-closure, of the truth, that is the exhibition of what cannot be seen without being mediated, here by AI.

At this point in the trial, the public had indeed judged. Even though the lawyer's digital explanation (in the strict sense of unfolding) was not judicial evidence (at this concluding stage of the trial), it had now become more than a procedural support ; it is energetic evidence (in rhetoric, the Greek *energeia* translates into *evidentia* in Latin). That is how *aletheia* operates.

But what about the three judges (there is no jury)? Digitizing the video had the effect of transforming their naive viewing (however logical in terms of points of argument) into something else: a logic of the gaze.

Watching is necessarily naive: few people are taught to watch, just as they are taught to count or read. Because looking or watching is supposed to be natural. We hardly ever educate people (except specialists in classical painting, for example) in the logic of the gaze. Now, with digital reconstruction, the naive, emotionally-charged —in short, reactive— evidence produced by "watching a video" is replaced by a rational, cold, categorical evidence of a learned gaze. It is a cognitive effect, produced by digitization. The judges had watched. But AI taught them now how to watch. Now they really know : they have a concept of what happened, but was, on their part, a naive, natural act of perception.

Indeed, as we all know, there are two types of knowledge: instinctive knowledge (perception) and constructed knowledge (conception); perception is unstable, perverse, subjective knowledge. But when you glue a strong element of "design" (in this case, AI) onto perception, you have graduated from "percept" to concept.

Lawyer Fernando Burlando's persuasive strategy was subtle. He played on two rhetorical, audience-centered registers. On the one hand, he targeted the public who had watched the assassination videos, reinforcing their naive certainty ("wow, they're killing him") with a logic of movements and gestures ("wow, now I can see what's going on thanks to the digital markers"). On the other hand, he approached the judges, telling them, without actually saying it, "Of course you have seen the video and analyzed it, but all the same, between you and me, people of good character, you know the value of AI, and having now watched it accurately you have gone beyond a naive perception: you have been introduced to the logic of the gaze."

In short, he used the extreme media coverage of the case, the avalanche of videos, to supplement a video that is not a video at all, but the purified, perfect, irrefutable version of an exact medium subject to the logic of the gaze. That is *aletheia* at work.

To sum, so far: mediatizing an event always has a hint of cheating (you cut, paste, edit, have your own angle), and it is even the rule of visual media; otherwise, all agencies would produce the same images, identically; and that is not the case, of course. But transforming media coverage into a certified, accurate, scientific and intelligent mediatization, exhibiting, in this case, the logic of the gaze, is to move to another level.

So, it is understandable that the mother of the main culprit, Máximo Thomsen, accused the media of being responsible for her son's life sentence (he and four others, the remaining three received a 15-year sentence). But she got the wrong media. It is the use of AI mediatization that established the concealed obvious. Certainly, the accumulation of evidence (DNA, material objects, various videos, autopsy, eyewitnesses, WhatsApp messages) led to a conviction—but for what? For first or second degree murder, or manslaughter (as it was argued) or even non culpable homicide ? But it was the transformation of the video of the attack into an irrefutable object and subject to the logic of the gaze that won the judges over. Intelligent digitization was not proof, but was better than proof. It taught the judges how to watch.

And that is where the religious residue returns.

The "[Justicia por Fernando](#)" slogan that guided Fernando Báez Sosa's family is explicitly religious. His family is pious, and the reference on the networks to Fernando as an "angel" is not a figure of speech. "Justice" then became a rallying cry against all the injustices, judicial and social, poisoning Argentina

from below, at a time when the Kirchnerist government was leading the country to ruin. There was an outpouring of vigils, marches and interfaith services, which doubled up as "justice" hearings. The street became an *ekklesia*. The religious took over the judiciary, and the political as well (the country was experiencing several cases of infanticides, the atrocious result of poverty).

Yet, in the face of this vocal surge of the religious, the eight defendants remained impassively silent throughout the trial (except for one brief interjection), refusing to answer any questions, adopting a stiff stance, and staring fixedly. This was perceived as class contempt, and to a large extent it was: you do not talk to the poor. Their non-gestures, their non-spoken words projected the image of this contempt: "They refuse even to talk to us or look at us. In their eyes we don't exist. They are beyond justifying themselves."

But when the sentence was passed, the mask of contempt for justice fell off. But it fell into a religious evocation. When the young men understood what the convoluted pronouncement of the sentence meant, "*prison perpetua*," three of them reacted oddly, breaking their weeks long impavid posture: one wept, his head in his hands; another, lionized as a "heart-throb," fainted dramatically; a third, who had only been sentenced to fifteen years, raised his face to Heaven.

Suddenly the eight *rugbiers* proffered a religious tableau, worthy of the great altar paintings of Latin American Baroque churches, of three villains facing Judgment, and in various states of what classical painters called "passions," from despair to imploration and terror. This is the screenshot at the top of this article. So, by instinct and atavism, the condemned placed themselves in the same logic of the gaze and religious representation as the angelization of martyred Fernando. A surprising, Baroque indeed, Pietà tableau came up next: after recovering from his dizzy spell, the dejected accused had his torso and head across the knees of a companion who held him gently like a *Mater Dolorosa* would hold her Son at the Sixth Sorrow. Gestures like that are residues.

However, to understand the agency of such residues, you have to know how to look, to accept the logic of a particular gaze, Christian or more precisely, Catholic. In fact, Baroque iconicity operated as AI did: the tableau brought out what was concealed, the religious residue, which is now dis-closed and colours the entire event.

In conclusion, it would be good to reflect on the religious substrate on which AI operates, and its insidious and vulgar intrusion in the cultural residues of audiences who, through ignorance and

consumerism, see AI only as a practical tool. The inscription of AI in a particular cultural milieu, such as South American religiosity, provides food for thought. We must be wary of treating AI as independent of cultural contexts, residues as Pareto calls them. Its aura of neutral machine is a mercantile ploy. A vending machine knows nothing. Try to make a machine pray, or go on a pilgrimage.

---

French philosopher and essayist Philippe-Joseph Salazar writes on rhetoric as philosophy of power. Laureate of the Prix Bristol des Lumières in 2015 for his book on jihad (translated as, [\*Words are Weapons. Inside ISIS's Rhetoric of Terror\*](#), Yale UP). In 2022, the international community of rhetoricians honoured him with a Festschrift, [\*The Incomprehensible: The Critical Rhetoric of Philippe-Joseph Salazar\*](#). He holds a Distinguished Professorship in Rhetoric and Humane Letters in the Law Faculty of the University of Cape Town, South Africa.

---

[Featured](#): A screen capture (at 1:17) of the verdict.

---

