The Justification of Torture-Horror

Retribution and Sadism in *Saw, Hostel,* and *The Devil’s Rejects*

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Among other vices, I cruelly hate cruelty, both by nature and by judgment, as the extreme of all vices. But this is to such a point of softness that I do not see a chicken’s neck wrung without distress, and I cannot bear to hear the scream of a hare in the teeth of my dogs, although the chase is a violent pleasure.

—Michel de Montaigne, “Of Cruelty”

Some of these movies are so viciously nihilistic that the only point seems to be to force you to suspend moral judgments altogether.

—David Edelstein, “Now Playing at Your Local Multiplex: Torture Porn”

When in a decisive 1988 presidential debate Bernard Shaw asked Michael Dukakis what he would do to someone who had raped and murdered his wife, the response was supposed to be obvious; but it was not so for Dukakis. He stated his opposition to the death penalty without a trace of vengeful passion.¹ *Last House on the Left* (1972), on the other hand, indulged in its answer to the same sort of question: the film ends with the parents torturing and slaying their child’s murderers. *Last House on the Left* became a classic model for some of the most popular horror films. Dukakis’s answer became a model in its own right—for what not to do. It is now widely accepted, even by Dukakis himself, that his loss was partly due to that answer. To avoid
Dukakis’s fate, presidential candidates must express hatred and even violent intentions toward the criminal when asked that sort of question. For instance, in a 2004 debate John Kerry answered: “My instinct is to want to strangle that person with my own hands... I understand the instincts, I really do.” Though such a response is immediately tempered with a statement of the politician’s real position, cruel and vengeful feelings toward the criminal are a must and are taken as a sign of empathy with the victim.

Cruelty is about as vivid an expression of immorality as there is, and yet cruelty is a perennial source of entertainment in our culture. We should resist the temptation to ascribe the popularity of films such as Saw (2004), Hostel (2005), and The Devil’s Rejects (2005) to some exceptional depravity of our own time. A sober appraisal must recognize that torture-horror is a manifestation of a recurring form of recreation whose milestones include gladiator battles, inquisitions, and public executions. To dismiss the current popularity of the torture subgenre as a passing cinematic fetish is to ignore the depth of the important, if disturbing, questions raised. Is torture ever morally permissible? Is the enjoyment of torture ever morally justified? In what follows, I will explain how these questions relate to torture-horror movies. Whether or not torture can ever be justified, rationales for it, such as retribution, are important elements of the genre. A careful analysis of such elements may shed light on some of the moral issues raised by torture-horror. At the very least such an analysis can provide a deeper critical appreciation of torture-horror itself.

**Elements of Torture-Horror**

In true torture-horror, torture is the source of horror and not merely an accident of plot or character. It must include depictions of noninterrogational tortures that are realistic, accusatory, and essential to the narrative. Not every film that includes explicit depictions of torture is a member of the torture-horror genre, for at least the reason that not all depictions of torture occur in horror films. For example, the fact that a central character is tortured in Syriana (2005) does not mean that it is a torture-horror film. Rather, the apparent intent of Syriana is to lead its audience through situations that include torture for the sake of a story about international politics. Horror is very different: generally speaking, the intent is to lead the audience through horrifying experiences for the sake of those experiences. The larger horror genre has other distinctive features, but it should suffice to say that whatever features are essential to horror are also features of the torture subgenre. If the general aim of a horror film is to develop a frightening scenario that is to be enjoyed for the fear it creates, then the general goal of a torture-horror film...
is to develop such a scenario with depictions of torture. For torture-horror, it is important that torture and the characters of the torturers and tortured drive the narrative as the primary source of fear.

The different ends to which torture might be a means correspond to distinguishable elements of torture-horror. Each purpose lays the groundwork for its particular answer to the justification questions: Is the torture justified? Is the audience's enjoyment of torture justified? These purposes include interrogation, punishment, deterrence, terrorism, and sadism. Torture is interrogational when its purpose, misguided or not, is to glean information by means of torture. Torture can also be used as a means of either punishment or deterrence. The purpose of terroristic torture is to subdue or otherwise manipulate a larger group by means of random torture of some of its members. The purpose of sadistic torture is to provide enjoyment to the torturer or a third party. Although a given act of cruelty often has more than one of these purposes, each can be distinguished and evaluated on its own merits.

Interrogational torture is prominent in many films, but not in torture-horror. The television series 24 includes, and in an important sense features, interrogational torture, but it is not torture-horror. Nonetheless, the series presents an answer to the justification question: extremely high stakes in the form of terrorist attacks are purported to justify the torture performed in interrogations. The recent fury of political debates over this answer gives the false impression that such scenarios are newly discovered possibilities, when in fact such high-stakes scenarios have for a long time figured in philosophers’ arguments. For instance, high stakes are the basis of many arguments against utilitarianism, a view that seems to allow for the justification of torture in some cases. Even Aristotle comments on torture as a form of interrogation, rejecting it as unreliable. I will leave these issues aside, since interrogational torture is not a distinctive feature of torture-horror. However, it is worth emphasizing an analogy between 24 and torture-horror. Both attempt to address the justification question through the intentions of the torturer. Although torture-horror must include noninterrogational torture, the intention of the torturer must be on display to or an issue for the audience. In torture-horror, the vengeful or sadistic purposes of the torture are a source of horror beyond the depiction of the torture itself, and it is through the torturer’s purpose that the justification questions are addressed.

Another theme of torture-horror is the transformations of torturers and victims. Victims or their survivors sometimes return for retribution (for example, the Collingwood parents in Last House on the Left and Paxton in Hostel) or acquire an appreciation of torture themselves (Amanda in Saw
or both (Sheriff Wydell in *The Devil’s Rejects*). Also, as in all of these films, the original torturers become the victims. In most torture-horror, one or more of the victims acquires at some point the intentions of a torturer. Such role reversals are one technique that encourages the audience to “be on the side of” the torturer. In this way the justification question is foisted on the audience.

Finally, there is an important realist element to torture-horror. Unlike other types of horror, torture-horror is never supernatural, magical, or religious—at least not primarily. Although reference is sometimes made to such common horror ingredients, for example, the sarcastically religious sacrifice in *House of 1000 Corpses* (2003), they are not real in the world of torture-horror. When the supernatural becomes a real part of a story that might be otherwise torture-horror, the story is transformed into something else, for example, *From Dusk Till Dawn* (1996) and *Videodrome* (1983). That torture-horror is naturalistic is integral to its other elements. Appreciation of the intentions and emotions of the victim and the torturer as well as recognition of their role reversal is facilitated by a realistic narrative undistracted by the wildly unfamiliar. The realism in torture-horror is thus relevant to justification as well. The less real the depictions of torture, the less real and the less pressing are the questions, asked of the audience, of whether the torture and its enjoyment are justified.

The distinctive features of torture-horror, besides those that are distinctive of horror generally, relate to the justification questions. These include focusing on realistic depictions of torture as the primary vehicle of fear, providing the torturer with a rationale, and the transformation of victims into torturers. Each can be found separately outside of the genre. Torture is by no means the exclusive province of horror. Role reversals can be found in almost any genre, as can realism. It is the particular combination of these elements that makes for torture-horror.

**Retribution**

A theory of retributive justice is defined by the claim that punishment is morally justified and made morally obligatory by the actions of the guilty. Immanuel Kant is perhaps the best defender of this view: “Juridical punishment can never be administered merely as a means for promoting another good either with regard to the criminal himself or to civil society, but must in all cases be imposed only because the individual on whom it is inflicted has committed a crime.” In a retributivist theory, the type of punishment that should be employed is also settled by the nature of the crime commit-
The most basic standard is the principle of equality, according to which “If you slander another, you slander yourself; if you steal from another, you steal from yourself; if you strike another, you strike yourself; if you kill another, you kill yourself.” Now, it is not difficult to see how this principle can lead to absurdities: a rape for a rape, a mutilation for a mutilation, and so on. A code that assigns particular punishments to particular crimes, lex talionis, is an attempt to mitigate such complications. The same absurdities and compromises are present in torture-horror, a great deal of which can be understood as an exploration of lex talionis.

Kant’s classical defense of equal-punishment retributivism is couched in terms of individual autonomy and responsibility. In Kant’s conception, my autonomy is disrespected when another reaps the rewards or penalties of my actions. For instance, if every time I place a losing bet you are there to pick up the debt, it is not my gambling but our gambling. Something of mine other than money has been lost. In order to be really free, I need the world to react to my action without someone else in between. The same is true of my immoral acts if they go unpunished. If I am treated as a patient rather than an agent in action, then my action is no longer fully my own. Without responsibility, my sense of ownership of my actions is undermined. In Kant’s view, my responsibility is to live by the rules I expect others to live by. By acting in a certain way toward others, I am accepting that others can act in that way toward me. If I murder and I am autonomous in this sense, then I should be treated as a murderer. In murdering I have chosen murder as the rule, and so I may be justly killed. The justification of punishment that is equal to its crime is a consequence of an immoral and autonomous act. By killing a murderer, we are doing no more than respecting his autonomy. According to this argument, the retributivist view of equal punishment is the only view that respects autonomy.

Such retributivism and its related conceptions of responsibility and autonomy are frequent themes of torture-horror. Last House on the Left, as I have already mentioned, is a classic example. When young Mari Collingwood and her friend go to a concert, they happen upon a band of criminals on the run and are tortured, raped, and murdered in the first part of the film. By coincidence, the criminals are invited into the home of Mari’s parents under the pretence of their being traveling salesmen with a broken-down car. Upon discovering that their houseguests are responsible for their daughter’s death, the parents seek retribution. The roles are reversed; Mari’s parents become the torturers. We are led by our empathy with Mari to our hatred of those who torture her, and so we find ourselves on the side of the parents.
The crimes against Mari serve as a retributivist justification for the cruel acts of her parents.

The retributivist element is developed in more elaborate ways in *Seven* (1995) and *Saw*. In both films the story centers on a torturer who devises ingenious punishments for various crimes. In *Seven* detectives Sommerset and Mills investigate a series of grisly murder scenes that are arranged to correspond to each of the seven deadly sins. A gluttonous man is force-fed until he literally explodes, a slothful man is bound to a bed for so long that he slowly wastes away, and so on. After turning himself in, the designer of these crimes announces that his purpose is to teach the world a lesson about human responsibility. This is also the purpose of the “Jigsaw Killer,” John Kramer, who, in the *Saw* series, devises numerous torture traps that usually drive their victims to kill others or themselves. Scratchy recordings of Jigsaw’s instructions to his victims explain the trap, how it can be escaped, and the lesson he intends to teach them. “Hello, Mark. If you’re so sick, then why do I have so many photos of you up and about? Let’s put your so-called illness to the test. Right now, there’s a slow-acting poison in your veins. The antidote is inside the safe, the combination to the safe is written on the wall. Hurry up and program it in but watch your step. By the way, that’s a flammable substance smeared on your body, so I would be careful with that candle, if I were you, or all the people you’ve burned with your act just might have their revenge.” It is hard to miss the retributivism in Jigsaw’s message to Mark. Mark does not die of the poison but, in a desperate attempt to avoid that fate, catches himself on fire and is burned to death. Mark’s demise is only a brief flashback, but it illustrates the essentials of the multiple Jigsaw traps that drive the plots of each film in the series. Unlike *Last House on the Left*, the crimes of the victims in the *Saw* films are complex and not always explicit. There is no clear equivalent to lying, as in the case of Mark, or voyeurism, as in the case of Adam. Jigsaw has to compose his own *lex talionis*. The complex traps reveal the flaws and strengths of the victims’ characters in ways that are intended to support Jigsaw’s purposes. It is for the audience to decide the extent to which Jigsaw’s tortures “fit” their victims, and this is undoubtedly a large part of the appeal.

What is common to *Saw*, *Seven*, and *Last House on the Left* is a theme of torture-horror generally: a narrative seeking for an appropriate code of punishment. Note that in this regard, the appeal of torture-horror is not unlike that offered by the carnival atmosphere of public executions, common until the last century. Now, before going any further, let me state clearly that I am not claiming that retribution is justification of torture in
any case. I claim only that torture-horror offers a modern presentation of the implications of retributivism and that alone may be sufficient to justify the enjoyment of torture-horror. Retributive justice in film is no more immoral than witnessing actual retributive actions: “When someone who delights in annoying and vexing peace loving folk receives at last a right good beating, it is certainly an ill, but everyone approves of it and considers it as good in itself even if nothing further results from it”

The appeal of retributivist torture-horror consists in a comprehension and evaluation of the torturer’s motives and methods.

Sadism

Role reversal is sometimes employed to illuminate retributive intentions: our empathy with the victims is transformed into a shared feeling of vengeance when they perform retributive acts of torture. As I argued above, the protagonists of Last House on the Left become the torturers, and the audience is led to share their feelings not only as victims but as torturers.

It is difficult to find an instance of torture-horror that is completely devoid of retributivism. Nonetheless, it would be both inaccurate and naive to claim that retributivism can explain the appeal of all torture-horror films, since many focus more intently on a different kind of torture: that which is purely sadistic. Moreover, even with torture that is depicted as retributive, there is often a suspicion that there is something else going on as well. It is relatively easy to see that the retributivist rationale does not apply to most of the torture depicted in The Texas Chainsaw Massacre (1974), Hostel, or The Devil’s Rejects.

Sometimes the motivation for cruelty is purely the pleasure and profit that torture brings to its practitioners. Pleasure and profit are the predominant motivations in Hostel: while touring Europe, a group of thrill-seeking young Americans is captured and sold to an industry that caters to thrill-seeking millionaires who pay to torture. Given that the torture is driven entirely by consumerism, justification questions go unanswered on retributivist grounds. So at first glance it may appear that enjoying Hostel is tantamount to partaking in the sadism. As it turns out, there is a last-minute retributivist aspect to Hostel: having escaped the torture factory, Paxton, one of the young tourists, corners and murders the Dutch businessman who, in one of the most intense torture scenes of the film, dismembered his friend. In this sense, Hostel provides a retributivist back door so that in the final scenes the audience is not left with the moral weight of pure sadism.
There is less room for retributivist justification in The Devil's Rejects. Although part of the story is driven by Sheriff Wydell’s quest for revenge for his brother’s murder, the most prominent torture scenes of the film have no such retributive purposes. The scenes just after the Firefly family’s initial escape from Wydell fill the first half of the film with seemingly pointless torture. Otis and Baby spend their time waiting for a rendezvous with Captain Spaulding by tormenting a hapless troupe of traveling musicians. Devoid of retributivism, these torture scenes display perhaps a deterrent, terroristic purpose, insofar as Otis and Baby need to control and ultimately employ their victims in uncovering a cache of weapons. Yet there is an undeniable emphasis placed on the sadistic joy of Otis and Baby as they torment their victims. By the second half of the film Otis and Baby are the heroes, reminiscing about their shared experiences as they plummet to their deaths while being chased by the police. The audience is left to accept their acts of torture as a kind of quirkiness to be appreciated for its uniqueness. Even in those scenes where retribution is the initial motivation, such as Sheriff Wydell’s murder of Mama Firefly and later his torturing of Spaulding and Otis, his pleasure, even sexual pleasure, is emphasized.
What is morally wrong with this type of sadistic torture can be explained by a number of different principles. It is interesting to note that Kant’s explanation of the wrongness of sadism is powered by the same arguments regarding autonomy that are invoked to explain the rightness of retributive punishment. Purely sadistic torture is by definition a violation of the victims’ autonomy since it is a use of people merely as a means to pleasure. Though there is something right about the Kantian explanation, it is a bit peculiar, insofar as one might think the more natural explanation is that sadistic torture is wrong due to the intense suffering that it causes its victim. The concept of autonomy would hardly seem to exhaust the wrongness. Another explanation can be given by the utilitarian principle that the rightness or wrongness of an act is determined by its consequences with respect to the happiness or interests of those affected. Sadistic torture is wrong because on balance there is more harm caused to the victim than there is pleasure generated for the torturer (or others). However, the problem with the utilitarian explanation is that it allows that sadistic torture could be justified if a sufficient amount of pleasure is generated, such as a case with one victim and a large number of sadists. An even better explanation involves a condemnation of the intentions of the torturer: sadistic torture is wrong both because it causes harm to its victim and because it is the expression of a misguided sensibility—one that delights in controlling others and making them suffer.

Given these arguments against sadistic torture, how can enjoyment of purely sadistic scenes in torture-horror be justified? One answer is that enjoyment, even that which is sadistic, is infectious. As an example, consider a torture-horror film that is totally devoid of the usual retributivist elements: *The Texas Chainsaw Massacre*. Explicit sadistic torture scenes include those that lead up to the grandfather’s feeble attempts to murder Sally. After seeing her brother murdered by Leatherface, Sally escapes, only to be recaptured by Cook. As they return in Cook’s truck to the house where Sally’s friends have already met their end, Cook strikes Sally with the end of a broomstick while she is bound and covered in the passenger seat. Though the physical assault is minor relative to those that occur in the rest of the film, this is one of the most horrifying scenes. The source of horror and enjoyment is the infectious glee expressed by Cook with each jab of the broom handle. He has successfully duped Sally into thinking he would help her and is now on his way home with his prize: his satisfaction is something that is meant to be shared or at least recognized by the audience. It is not as if the audience empathizes with Cook’s suffering; he is not suffering at all. It is Sally who is being tortured, but she is hidden in this scene and we hear only the faintest whimpers of pain. Rather, it is Cook’s delight that is on display and it is an
independent source of fear. That Cook’s acts of cruelty are so clearly wrong implicates those in the audience led to giggle along with him.

An analogous explication can be given for the sadistic scenes in *The Devil’s Rejects*. The persistent lightheartedness of Otis and Baby is always on display while they are taunting their victims. Their good cheer is made all the more contagious through their banter and joking with their victims and each other. Also, the classic rock and roll that plays as a soundtrack to their torture adventures works to further induce the audience to share their experiences. Here is the genius of sadistic torture-horror: it transforms the source of fear from a distant other to something familiar in ourselves. The terror of the victim is supplanted by the delight of the torturer, which is being consciously shared by the audience: *that* is the source of horror.

The appeal of sadistic torture-horror consists in careful manipulations of our moral sensibilities. The ability to share the suffering and joy of others naturally varies from person to person. Those that lack the ability completely are morally deficient, incapable of living a full life. Some sensitivity to the emotions of others is an obligatory characteristic of a morally good person. Yet, and this amounts to a serious theoretical difficulty much discussed in philosophy, according to rationalist theories such as Kant’s, such empathic sensibilities are irrelevant to moral evaluation. In contrast, sentimentalist theories hold that empathic abilities are crucial to morality: we should be emotionally repulsed at the suffering, as well as partake in the happiness, of others. Our moral status is at least partially based on our capacity to feel the pain or the joy of others.

There are really two opposites to empathy: not sharing the feelings of another and sharing the feelings with an opposite effect. The former is a lack of empathetic ability, and the latter is when that ability is misguided. As wrong as it is to have no empathic abilities, it is every bit as immoral to have misguided sensibilities, for example, feeling pleasure at the suffering of others. In this way, sentimentalism can explain why the sadistic characters are immoral: they have misguided sensibilities. Yet torture-horror does not require an immoral audience, even according to sentimentalism. Torture-horror requires an audience both capable of empathy with the victims and able to share something of the joy of the torturers, however unsavory. Someone without both of these emotional capabilities does not get torture-horror and is morally deficient for the same reason. In order to enjoy sadistic torture-horror, the audience must experience both of these conflicting sentiments. Being conflicted in that way is not the mark of immorality; on the contrary, it is a moral vindication of the audience.

Utilitarianism gives another, albeit weaker, answer to the question of
whether enjoyment of sadistic torture-horror can be justified. Utilitarianism holds that every interest, including the audience's, should be considered impartially. Now, this allows that sadistic torture will be justified just in cases where the harm caused is less than the resulting good, all things considered. Although it is not clear what numbers and intensities are involved in actual cases of sadism, in torture-horror, there is apparently no actual harm caused. Enjoyment of sadistic torture-horror is, then, clearly justifiable according to utilitarianism. However, as I have already mentioned, utilitarianism has the implausible consequence that real sadistic torture itself may be justified.

As important as it is to defend the enjoyment of torture-horror, it is at least as important to condemn actual acts of sadistic torture. So a sentimentalist answer to the justification question is more plausible. A fully empathetic person can share the suffering of the victim but can also share the joy of the torturer. Our ability to share the joy of others is not limited to their morally permissible actions. Although one believes that torture is wrong, that does not mean that one thereby ceases to be sensitive to the amusement of sadists. This sort of sentimentalist account does not require that the audience condone or otherwise justify the torture itself, but it does explain how a good person can justifiably enjoy torture-horror.

From retributivist elements of torture-horror to sadistic elements, it is significant how the genre entangles moral questions about torture with moral questions about its own audience. Retributivist elements play on our sense of justice and vengeance, whereas sadistic elements can implicate our empathetic sensibilities. Pure cruelty obviously has no rationalistic justification along the lines of interrogation or retribution, but it may trouble us nonetheless as something we would enjoy if we were in the torturer's shoes. The implication of the audience through the torturer's purposes and experiences is both essential to the genre and a primary source of its appeal.

Realism

The attention to realistic detail in torture-horror is at least one reason critics have pigeonholed the genre as possessing a preoccupation with the newest advances in special effects. So why is torture-horror so realistic? Part of the answer has to be that realism supports the other elements discussed so far. Fantastical turns reduce our ability to identify with the characters and the more visceral the violence, the more vivid are the impressions of empathy and cruelty. Being told about cruelty creates less of an impression than witnessing it. One sure way to induce sentiment is to make depictions of
suffering and joy as vivid as possible. The retributivist and sentimentalist elements in torture-horror are amplified by such realism.

Few torture-horrors have dealt recursively with the realist element, save one possible example: Videodrome. In an attempt to gratify his taste for greater realism in depictions of torture, an obscure network executive, Max Renn, is willing to exploit pirated snuff films, first with foreign victims, then with familiar ones, and eventually with himself. One of the themes of Videodrome is that by seeking more realistic depictions of torture, we identify more with the victims as well as the perpetrators of the torture. This summarizes one of the points of realism in torture-horror. One way to induce feelings of empathy is via self-identification with those whose feelings we empathize with. Realism, by definition, facilitates this identification and thus aids the implication and ultimately the fear and enjoyment of the audience.

Deriding our amusements is nearly as common as experiencing them. Boxing, sportfishing, and pornography are just some of the targets of moral denunciation. Among the arguments one finds against these forms of entertainment are those that would seem to apply to torture-horror. For instance, the enjoyment of pornography is wrong, according to Helen Longino, since pornography features and endorses actions that are degrading to women: “Pornography is not just the explicit representation or description of sexual behavior . . . it is material that explicitly represents or describes degrading and abusive sexual behavior so as to endorse and/or recommend the behavior as described.” She argues that pornography so defined should be restricted since its availability encourages harm to women: “As much as the materials themselves, the social tolerance of these degrading and distorted images of women in such quantities is harmful to us, since it indicates a general willingness to see women in ways incompatible with our fundamental human dignity and thus to justify treating us in those ways.” For this reason, “both the manufacture and distribution of pornography and the enjoyment of it are instances of sexist behavior” and should be controlled.

Is this kind of condemnation supported by the moral theories discussed so far? Because pornography endorses the use of women merely as means to sexual pleasure, it is clearly wrong on Kantian grounds. Moreover, pornography causes harm to women by promoting a general acceptance of violence toward them. If Longino is right, its enjoyment encourages harmful behavior. So it is wrong according to utilitarianism as well. But if these theories support the condemnation of pornography, is it then consistent to justify torture-horror on those same theories? That depends both on whether torture-horror is pornography, as some have claimed, and on whether the arguments for torture-horror and against pornography are all sound.
If we merely substitute the words “human being” for “women,” Longino’s argument against pornography applies easily to torture-horror: “As much as the materials themselves, the social tolerance of these degrading and distorted images of human beings in such quantities is harmful to us, since it indicates a general willingness to see human beings in ways incompatible with our fundamental human dignity and thus to justify treating us in those ways.” In fact, such comparisons have bestowed on torture-horror the derisive nickname “torture-porn.”\(^\text{14}\) The anti–torture-horror/pornography arguments, in order to be sound, must assume the truth of the following type of entailments: Degradation of women is wrong. Therefore, enjoyment of such degradation (for example, pornography) is wrong. Cruelty is wrong. Therefore, enjoying cruelty (for example, torture-horror) is wrong. But these entailments are not generally sound. To avoid begging the question, consider a case of dishonesty enjoyed by all. Assuming that lying is wrong in a given case does not show that enjoying lying, whether on your part or someone else’s, is wrong. Consider the amount of lies that it might require to arrange a surprise birthday party or the proliferation of lies in a typical comedy. Also, though some practical jokes are immoral, some are clearly morally permissible though they involve some lying. Whatever distinguishes morally permissible enjoyments from those that are wrong, it is not the moral status of the act that is enjoyed itself. This shows that anti-amusement arguments of this type are invalid. Thus Longino’s argument fails in a general way even if it is assumed that torture-horror is a form of pornography.

As for whether torture-horror is really pornography, it should not be assumed that torture-horror endorses torture in any sense other than as a source of horror. The attempt to implicate the audience through retributivist justifications or with identification with the torturer is not the same thing as endorsing the torture committed. I have conducted this discussion with the less tendentious term torture-horror rather than torture-porn because it is not clear that torture-horror meets the endorsement condition.

The question of whether it is morally permissible to enjoy pornography parallels the justification question for torture-horror. But as I hope to have made clear, there is as much a distinction between an act of torture and enjoying an act of torture as between other immoral acts and the enjoyment of such things. This is not to say that pornographers or the makers of torture-horror films do not also enjoy what they are doing, but that such enjoyment, also shared by others, can be separated from the act itself. Insofar as cruelty is endorsed by one’s enjoyment of torture-horror, such enjoyment is wrong. However, being disturbed, and enjoying being disturbed, by depictions of torture, or even the enjoyment of being confounded by the justification
question itself, is not to endorse the torture. That the question is open as to whether the torture might be justified may itself be a source of horror.

The enjoyment of torture-horror is not necessarily immoral. The prevailing theme of the torture-horror genre is the attempt to share the purposes, intentions, and feelings behind realistic torture. By putting the audience on the side of the torturer in some way or other, the audience is disturbed in a way that goes beyond the fear generated by bare depictions of torture.

Notes


1. The actual question was “You have two minutes to respond. Governor, if Kitty Dukakis were raped and murdered, would you favor an irrevocable death penalty for the killer?” Quoted from the transcript of the 1988 presidential debate provided by the Commission on Presidential Debates.

2. Quoted from the CNN transcript of the 2004 primary debate hosted by CNN and the Los Angeles Times.

3. Here I mean types distinguished not by technique but by intent. A similar distinction can be found in C. Tindale, “The Logic of Torture,” Social Theory and Practice 22, no. 3 (1996): 349–77. “While the nature of the torture may vary very little from one case to another, the justification used to defend it may differ. . . . We can identify three distinct types, each distinguished by the goals that motivate the torturer” (350).

4. “Examination by torture is one form of evidence, to which great weight is often attached because it is in a sense compulsory. Here again it is not hard to point out the available grounds for magnifying its value, if it happens to tell in our favor, and arguing that it is the only form of evidence that is infallible; or, on the other hand, for refuting it if it tells against us and for our opponent, when we may say what is true of torture of every kind alike, that people under its compulsion tell lies quite as often as they tell the truth, sometimes persistently refusing to tell the truth, sometimes recklessly making a false charge in order to be let off sooner. We ought to be able to quote cases, familiar to the judges, in which this sort of thing has actually happened. [We must say that evidence under torture is not trustworthy, the fact being that many men whether thick-witted, tough-skinned, or stout of heart endure their ordeal nobly, while cowards and timid men are full of boldness till they see the ordeal of these others: so that no trust can be placed in evidence under torture.]” Aristotle, Rhetoric, book 1, chapter 15, [1377a].


6. Ibid., 99.

7. Since it is not clearly horror, it is not clear whether Kubrick’s A Clockwork Or-
*ange* (1971) is a torture-horror, but it is clear that the “rehabilitation” of Alex, a sadistic torturer, destroys his sense of self in a way that echoes the Kantian view of autonomy and responsibility.


9. Montaigne’s expression of his natural disgust at cruelty in the first epigraph is a reference to his occasional preference for this type of sentimentalist virtue. See his “Of Cruelty,” 372–86.

10. It is far from uncontroversial to state that no actual harm is caused by violent films, for example, those in the torture-horror genre. H. Longino argues that even if no one is actually harmed in filming, depictions of violence may cause violent behavior in their audience and thus actual harm (“Pornography, Oppression, and Freedom: A Closer Look,” in *Social Ethics*, ed. T. Mappes and J. Zembaty [New York: McGraw-Hill, 1980], 234–41). I discuss Longino’s argument in more detail below.

11. Ironically, *Videodrome* is itself too unrealistic to be clearly in the genre of torture-horror. Before taking his own life, for instance, Max is transformed into a video machine.

