

## Severe Pain or Suffering: Videogames, Morality and Torture

by Peter Rauch

In “Simulation versus Narrative,” Gonzalo Frasca posits the possibility of meaningful argument in simulation games. Drawing on the topic of a worker's strike, famously explored in literature and film in Emile Zola's *Germinal* and Ken Loach's *Bread and Roses*, Frasca describes a hypothetical real-time strategy game called *Strikeman*. What *Strikeman* offers that is unique to the videogame form is a story comprised of not only the author's singular vision, but also the activity of the player, the effect of random and pseudo-random events, and the specific limits and probabilities encoded into the simulation by the author. The form of the story would constantly change, but because simulations are inherently iterative, the internal logic of the world becoming apparent to the player only through repeated play, patterns would emerge over time. In these patterns, Frasca argues, is the author's thesis: a viewpoint being argued about the events being simulated. Behind the viewpoint in question are the author's implicit beliefs about the subject at hand, the worldview on which the argument rests.

James Paul Gee argues that videogames' ability to model worldviews, or “cultural models,” allows players to articulate and challenge their own unexamined assumptions about the world. In “Cultural Models: Do You Want to Be the Blue Sonic or the Dark Sonic?,” Gee examines a variety of war-themed games, from the superheroic *Return to Castle Wolfenstein* to the darkly realistic *Operation Flashpoint* to the explicitly political *Under Ash*. *Under Ash*, an action game in which the player takes on the role of a Palestinian fighting against Israeli soldiers and settlers, hints at an unrealized potential of

the videogame medium: the ability to argue for the validity of a moral viewpoint.

A vital distinction must be made between morals and ethics. Many dictionaries consider them to be synonymous, but in common usage, at least in American English, the two words can have a variety of subtly different meanings. My definitions are provisional, and while they bear some similarities to existing popular definitions, they are specifically tailored to be applied to the interpretation of videogames. I am *not* suggesting that “real-world” morals and ethics function the way I describe here, but only that they do so in the context of the videogame medium.

I define ethics as a discourse concerning what is correct and what is incorrect. What is ethical is dependent on a specific activity, determined entirely by an explicit, constructed system of rules, and cannot be questioned by the participants. I define morals as a discourse concerning what is right and what is wrong. Morality, unlike ethics, is not tied to a specific activity, but can be applied over multiple activities, and possibly all experience. Moral rules enjoy considerably more variance than ethical rules: because they are wider in scope, they are more nuanced, and subject to interpretation.

Ethical frameworks, while they might attempt to model moral behavior—as in the examples of ethical codes for doctors or lawyers—need not have any connection to morality at all. In chess, the rule that a rook may not move diagonally is an ethical rule, not a moral one. It has no relevance to the world outside chess. This rule is also not subject to interpretation or argument. It is simply, factually, true. A player that moves a rook diagonally is not playing chess. The same cannot be said of moral rules like “love your neighbor as yourself,” the variant of the “Golden Rule” espoused by Jesus, or “act

only in accordance with that maxim through which you can at the same time will that it become a universal law,” a formulation of Kant's categorical imperative. These rules concern the very act of being human, but one does not cease to be human if he or she rejects or violates them. They are much less specific than the rule concerning the rook's movement, and open to many more interpretations.

Morals and ethics exist independently of each other, and while they must each be internally consistent, it is possible for the two to explicitly contradict one another. Law is an ethical system that is constantly revised to prevent such conflicts. Torture, for example, is illegal under international law. Assuming one accepts the existence of international law, the legality of torture is not open to debate. The morality of torture, however, is fundamentally unconnected to its legality. Torture is not less moral now than it was before the Geneva Convention. Conversely, it would not become more moral if the U.N. were to repudiate the Geneva Convention tomorrow.

Any game that has a “win condition” has an ethical framework. This applies to all games, not just videogames. First and foremost, these games are possessed of an overriding ethical imperative: win. If the game has a win condition, a player who does not try to win is not playing the game. As Johan Huizinga notes in *Homo Ludens*, a player who does not try to win faces greater censure from society than a player who cheats in order to win (11). It can be inferred from Huizinga's argument that this is because a player who cheats breaks only those rules concerning the *means* of play, leaving the basis game structure intact, whereas the player who intentionally loses the game violates the more fundamental *goals* of play. The goal constitutes what players

must do, while the rules offer only clarification on how the goal is to be accomplished—what actions are correct, and what actions are incorrect. A strategy or technique that helps a player win, while not explicitly violating any of the rules, is always ethical, in terms of the game in question. The ethical framework comprises both goal and means, and although the former is more fundamental to the game than the latter, they are both necessary for a game to function. The game's ethics, which determine how it should be played, are inextricably bound in the game's rules, which determine how it can be played.

In addition to the ethical frameworks inherent in any games, videogames can potentially add an unprecedented level of narrativity. This narrativity is achieved by mapping recognizable symbols onto the rule system. This mapping process allows for the suspension of disbelief necessary to involve the player emotionally in the gameworld.

The interaction of these symbols gives videogames the potential for rich narratives. However, if the narrative is not sufficiently integrated with the rule system, it will appear arbitrary, and fundamentally disconnected to the experience of play. This disconnect between narrative and rule systems is one of the central problems for the potential of videogames as a storytelling medium, forcing a distinction between authorial narrative (the story written by the designers) and emergent narrative (the story enacted by the players). However, even in the most non-linear games with the greatest potential for emergent narrative, the rule system and choice of symbols are selected by the designers, and as such the players' freedom of interpretation is inherently limited. In videogames, the author might be dead, as was famously suggested by Roland Barthes, but she is still the author, and she must not be confused with the reader. To make the transition from

ethical imperatives to moral arguments, the designers must fully embrace authorial status.

Morality can easily be attributed to texts in traditional narrative forms such as literature and film, but in videogames, a narrative thesis unconnected to the game rules created a disjointed experience. Without a connection to the ethics, the gameplay and the narrative will operate independently of one another, as is often the case in games that rely extensively on cut-scenes. Moral imperatives can exist in a game only when the ethics can be interpreted and applied to the world in which the game is played, and this can only be achieved by connecting internal ethics to the external world through narrative. Most, if not all, of the game rules must be connected to recognizable symbols, and those symbols must have referents in reality.

Rules and a win condition are all that is necessary for an ethical framework, because ethics point inward to a specific activity. Conversely, because morality must gesture outward to the world at large, it cannot consist only of abstract symbols. For a game to have a moral argument, it must have an ethical framework, a narrative that can be connected in some way to what we speciously refer to as “real life,” and a careful integration of the two. Specifically, the moral argument of the narrative must be connected to the win condition. It might be necessary, in making distinctions between what is right and what is expedient, to develop some new ideas as to what constitutes “winning.” This will require a somewhat nuanced perspective on the avatar.

The avatar, in most games, is more than an extension of the player into the gameworld. Rather, the avatar is simultaneously an extension of the player and a different character that is not the player. I refer to this different character as the

protagonist. Since the protagonist has only diegetic information, his or her motivation for interaction in the world must be entirely diegetic. The player, who has access to the game's non-diegetic information, will have additional goals, often involving tasks with no narrative meaning such as scoring points or unlocking content. Narratives, even videogame narratives, have a logic of their own, and even when the narrative fails to emotionally invest the player in the story, it can usually be assumed that the protagonist is quite involved. The narrative, even when viewed by players as epiphenomenal, is the entirety of the protagonist's reality.

Four recent, commercial games have directly dealt with the issue of torture: *The Punisher*, *State of Emergency 2*, *The Godfather* and *Reservoir Dogs*. This list is not exhaustive, but these titles demonstrate some of the ways torture has been approached in existing games. Of these four titles, *The Punisher* is the most explicit, and is the central subject of my investigation. As such it receives the most attention, but all four offer useful insight on the subject.

*The Punisher*, it must be noted, is not merely a game, but part of a multimedia franchise. Originating as a villain in an issue of *Spider-Man*, the character known as Frank Castle—alias The Punisher—has been a persistent figure in the Marvel Comics universe for thirty years. Volition's videogame adaptation of *The Punisher* was released in 2004 to coincide with the theatrical release of the film of the same name. Both the film and game adaptations drew heavily on the work of Garth Ennis, who had recently revitalized interest in the character among comic readers. Ennis' particular take on The Punisher is substantially more complex than the simple-minded vigilante previous writers

had crafted, and the *Punisher* videogame is so thoroughly steeped in the work of Ennis that it cannot be read in isolation from that work. Panels from Ennis' books provide a substantial part of the game's reward system, and serve as indexes, pointing to the larger narrative of which the game is a part. That narrative guides the game mechanics, and the game's ethical framework compels the player to kill in a variety of ways, none of which should be unfamiliar, symbolically or mechanically, to any action game enthusiast. What is comparatively new is *The Punisher's* treatment of torture.

*The Punisher's* so-called “torture engine” is a mini-game of sorts. Frank puts his victims in a dangerous, frightening and/or painful situation that is not immediately lethal, and he must keep them sufficiently intimidated without killing them. The controls vary with every method of torture, but all rely on subtle manipulation of an analogue stick. At first glance, torture appears to function as an interrogation technique. Certain characters possess special information that can only be extracted through torture. However, this information is never essential to Frank's mission, but only supplementary: a skilled player can easily get by without it. Moreover, very few characters have *any* useful information to be extracted, yet nearly all can be tortured. In spite of torture's lack of value for interrogatory purposes, it is nevertheless a crucial play mechanic, and players cannot easily avoid engaging in it.

*The Punisher* is not an open-ended play-space like *Second Life*, and players are not expected to do things merely because they can. Rather, the game's ethics encourage torture by connecting it to two incentives: the acquisition of points, and the unlocking of hidden content. Points feed directly back into the gameplay experience, as players

exchange them for skill and weapon upgrades. Scripted, location-sensitive tortures provide the largest point bonuses, but any enemy character within grabbing distance can be exploited for this purpose, and an execution is never as profitable, in terms of points, as an execution preceded by torture. In addition to the points, torture will randomly cause Frank to have flashbacks. These flashbacks are presented to the player as a panel of comic art from Ennis' *Punisher* stories accompanied by an appropriate voice sample; for example, an image of Frank holding a dead family member juxtaposed with a terrified criminal screaming "I have a family!" These flashbacks, once unlocked in the main game, can be viewed from the title menu, and contribute to overall completion of the game, much like the side-quests in the recent *Grand Theft Auto* games. For the player, the reward for the (frequently challenging) act of torture is non-diegetic. Points have no meaning at the narrative level, and it's unclear why Frank would want to suffer flashbacks to painful moments in his life. Thus, in terms of the game's internal world, it would be tempting to refer back to George Orwell's *1984*: "The purpose of torture is torture." More accurately, though, the purpose of torture, in *The Punisher*, is a "bonus round" of sorts, a chance to allow the player to demonstrate skill in exchange for points. If torture is a "mini-game," it is easy enough to "fail" by accidentally killing the victim. The player loses points for killing a victim in the course of torture, even though he or she would *gain* points for killing the same person in a more conventional fashion. The game takes no notice whether or not the victim has given Frank whatever information they have. The rules are simply that killing is rewarded, torture is rewarded, but accidental killing *during* torture is punished. These are the ethics of torture in *The Punisher*, and



they make sense at a purely mechanical level. At a narrative level, they are internally inconsistent, and thus the narrative and ethics cannot be integrated into morality.

*State of Emergency 2* is the little-known sequel to the controversial *State of Emergency*, which places players in violent street combat against a fascistic corporate dictatorship. The original game incorporates contemporary political debates about globalization into its narrative, but squanders its potential for legitimate discourse through simple-minded play mechanics.

The sequel adopts a more linear, story-based approach to revolution that includes a mini-game in which players interrogate suspects. The interrogator is “Spanky,” a former gang member and Hispanic stereotype, and the interrogation consists of repeatedly punching a captive. In terms of play mechanics, interrogation is a timing game, in which players must hold the proper button and release it at the proper time—release the button too early and Spanky will not punch hard enough to cause sufficient pain, release the button too late and Spanky will punch too hard and kill the captive. In contrast to the calculated brutality of the torture seen in *The Punisher*, the *State of Emergency* torture scenes are somewhat cartoonish. The famously graphic violence of the original *State of Emergency*, which allows players to blast non-player characters (NPCs) apart with explosives and then use the charred body parts as weapons, has been toned down considerably in the sequel, and one wonders why torture was included at all if gratuitous violence were a concern. As it stands, the torture scenes are among the *least* violent and disturbing action scenes in the game.

*The Godfather* is the high-profile videogame adaptation of the world described in

the Mario Puzo novel and Francis Ford Coppola films. Though not explicitly mirroring the plot of the novel or films—the protagonist is a new character not found in either—the ubiquity of *The Godfather* in popular culture makes it unlikely that players will come to the game unfamiliar with the Corleone dynasty. As with *The Punisher*, the game narrative must be read in context of the larger text of which it is a part.

Intimidation is a major factor in the gameplay of *The Godfather*. The most common use of intimidation is against shopkeepers, to encourage them to hand over protection money. Unlike the previous examples, the player need not resort to physical pain for this purpose, although the game allows a great deal of realistic physical violence. If a shopkeeper is being particularly stubborn in his refusal to pay, smashing his cash register might be more effective than choking him or shooting him in the kneecap. Consistent with the gangster ethics detailed in the novel and films, the game engine generally rewards players for finding ways to intimidate without resorting to direct bodily harm.

Finally, *Reservoir Dogs* is the videogame adaptation of the 1994 Quentin Tarantino film of the same name. Similar to *The Godfather*, torture is used not for interrogation, but rather for intimidation. Though the game gives players the option of blasting their way through all obstacles, earning a “Psychopath” rating in the process, the more cerebral “Professional” track requires a more measured use of violence, both threatened and enacted. Taking human shields, and therefore threatening hostages with lethal violence, is sufficient to disarm security guards, but will result in a standoff with actual police. Police will also drop their weapons, however, if the player pistol-whips the

hostage in front of them—but even this is ineffective against large numbers of police. When surrounded, players who have charged up the avatar's “adrenaline” can perform a “signature” move, beating the hostage into unconsciousness and likely disfiguring him or her in the process.

These “signature” moves are unique to each character, from Mr. Blue's cigar to Mr. Blonde's trademark straight razor, though the most brutal violence happens off-screen. A “signature” move will make every cop in the vicinity lay down their weapons in surrender. The game's ethics, in this case, cannot possibly be developed into a moral argument, simply because they *make no sense whatsoever at the narrative level*. Beating and disfiguring a civilian should, logically, make the character more likely to be shot by police, not less. In addition, unconscious hostages drop to the ground and cannot be picked up. Thus, by performing a “signature” move, the protagonist reveals to the police that he is violent, unpredictable and dangerous, while simultaneously releasing his human shield. The torture techniques described by Mr. White in the film, or enacted by Mr. Blonde, would have made some degree of sense in terms of the narrative, but the torture found in the game, while superficially similar, does not.

In all these games, some common elements exist. First, the games' ethics, which compel the player to torture, are not explicitly out of sync with the protagonists' motivations. From the protagonists' perspective, torture is justified by the moral “gray area” of the situations in which they find themselves, be it organized crime, insurrection, or simple mass murder. We are given no reason to believe that the protagonists themselves believe torture to be immoral, at least under the given circumstances. It is

worth noting that three of the games I've discussed, *The Punisher*, *The Godfather* and *Reservoir Dogs*, are adaptations of existing works, and each inherits a nuanced morality of violence from the worlds' origins in film, novels and comic books. The player is not called upon to accept or reject the protagonist's actions as moral, and the circumstances in which the protagonists find themselves are defined as extraordinary and largely unrelated to “real life.”

Second, the morality of torturing an innocent is never addressed. The Punisher cannot torture an innocent person who was simply in the wrong place at the wrong time, because these people do not exist in the game. In *The Godfather* and *Reservoir Dogs*, the player is an anti-hero at best, but there are no judgments on when it is *moral* to torture, just when it is ethical in terms of gameplay.

Third, when torture is applied for the purpose of interrogation, it is universally effective. The tortured party will invariably “crack,” given the right circumstances. When they do, they will invariably give the protagonist correct information.

Fourth, the actions of the player have no long-term effect on the overall “war effort.” It is hard to imagine how it could, given the genres in which it takes place. The mafia and the fascist thugs of the games in question are not in a position to become *more* brutal due to the avatar's actions.

Fifth, the experience of having intentionally inflicted pain on a defenseless human being has no long-term effect on the mental health of the protagonist. Again, this is to be expected, since the modeling of avatar's mental states is still very rare in videogames.<sup>1</sup>

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<sup>1</sup> *The Sims* makes some progress towards this goal, as do certain titles in the “survival horror” genre such as *Eternal Darkness*, *The Suffering* and the *Silent Hill*.

These games clearly demonstrate that videogame designers have developed the conceptual tools necessary to model the act of torture, but not its consequences. By carefully integrating the rule system and narrative, and by explicitly addressing those elements found lacking in the games I've described, it is possible to design videogames that make coherent moral arguments about, and more specifically against, torture in a way that would not be possible in any other medium. I here propose a model for such a game.

The best genre for such a game would be a single-player strategy game that alternates between macro-management and micro-management, similar to Microprose's *X-COM: UFO Defense*. Time will need to be somewhat fluid in the game, which would suggest a turn-based approach, but there's no reason parts of the game couldn't be designed for real-time strategy. The player commands a military unit in occupied territory, under constant threat of attack from local guerrilla forces. To prepare for or prevent these attacks, the player must gather information, make arrests, interrogate suspects, and use the new information to coordinate attacks or make more arrests. Like *X-COM*, gameplay will be cyclical in nature, and will end when either the guerrillas successfully wipe out the player's unit, or when public support for the guerrillas wanes and order is restored. These are only end conditions, however—it might be necessary, depending on the argument the designers seek to make, for true, non-diegetic victory to be independent of military success. Most importantly, the morality espoused in the narrative must be consistent with the ethics of gameplay.

As the game begins, players are given some initial intelligence from a variety of

sources concerning planned attacks, and suggesting suspects. Players must then travel to a given location and attempt to arrest a suspect, using a minimum of force. After all, killing a suspect before he can make himself useful is a failure at both military and moral levels. Assuming the suspect can be arrested and returned to base successfully, the interrogation phase begins.

The interrogation process is the most significant portion of the game. Consequently, the game rules must acknowledge the issues ignored by the games I've discussed. The rule system, after all, will determine the ethics of gameplay, compelling gamers to play in a certain way, and the narrative cannot be allowed to disconnect from these ethics. Thus, characters must express differing opinions on the morality of torture in general. Establishing the opinions of NPCs can be handled in a number of ways, and designers need not resort to overlong cutscenes, but they will need, at the very least, well-written dialogue that is both semi-random and likely to be encountered by players. In addition, the game must include the possibility of bad intelligence, and it must be possible, even likely, for players to make false arrests. Whether or not the suspects actually know anything, many will lie and give false information as the torture becomes increasingly brutal; conversely, some will protest their innocence through any level of torture, and some will simply say nothing.

Players will be allowed to detain suspects for as long as they choose, torture them in any way provided by the game designers, and execute them at will. All of these actions must directly affect the rest of the game. The guerrillas might gain popular support, and become more numerous and better armed, depending on who the player

arrests, how the suspects are treated, and whether they are released, detained indefinitely, or executed. In addition, as a result of the player's actions, suspects could become increasingly less likely to allow themselves to be arrested, opting instead to shoot it out with the player's troops or blow themselves up to evade capture.

In addition to the effects of the player's torture on the effectiveness of the mission, there must also be consequences to the torturer. This can best be accomplished by having a single interrogation specialist character with greater narrative depth than most other characters: in the context of the interrogation sequences, the specialist is the protagonist. While much of the game's dialogue can be semi-random, the interrogation specialist must have more tightly scripted dialogue, and more of it. If the game is to have a narrator of any kind, the interrogation specialist is the logical choice. As torture becomes more frequent and more brutal, the specialist will become increasingly unhinged. Torture will become more difficult to accomplish, as the protagonist increasingly “ignores” the player's controller input, increasing the number of so-called “accidents.” As the protagonist moves from torture as a means to an end to torture as an end unto itself, he will become less effective at extracting information. The less brutal methods of interrogation will cease to be available to players. Eventually, it will become impossible for players to do anything with suspects *except* brutally torture and kill them, and doing so will only hasten the victory of the guerrillas.

These are the basics of the game, the elements common to any meaningful argument against torture. From there, three specific arguments can be made. The specific mechanics of the game, such as the probabilities of arresting an innocent person

or extracting false confessions, will be dependent on the designers' intended argument. The first is a rather Machiavellian claim that torture is an effective tool for a counter-insurgency, but must be used sparingly, so the benefits of useful information outweigh the costs of increased enemy resistance and deaths of innocent victims. This argument defines what is good as what wins the war, and treats torture as an evil to be engaged in only for a greater good. For this argument, torture must make the game easier to complete; refraining from torture as much as possible must bring a greater difficulty and a greater reward. Nonetheless, the only win condition is military victory, and no moral rule is more important than that.

The second argument is that torture is simply counter-productive. For this argument, the variables must be set so the costs of torture are overwhelmingly larger than any possible benefits. Consequently, it must be impossible to complete the mission using torture as a strategy, and victory must be easiest when the player repudiates torture entirely. Again, this argument ties morality with military victory, and the most moral solution is also the most practical. This argument could also be made satirically by separating the win condition from military victory, and rewarding the player in non-diegetic ways for continuing to torture even as it dehumanizes the protagonist, kills innocent people, and allows the guerrillas to take over the country. The world will be decisively worse than when the player began the game, the mission will have failed miserably, but the player will be assured, through a high score, that they've done the right thing. The sheer absurdity of such a game would be a powerful argument against torture.

The third argument differs from the first two by designing the game's ethics to



serve an anti-torture morality completely divorced from military victory. The mission may succeed or fail, but such success is not taken into consideration in terms of the player's reward. Rather, the game must encourage players to torture by offering powerful short-term benefits, and reward them for resisting the temptation, both with non-diegetic rewards such as points and unlocked content, and a well-constructed narrative that makes it clear that, win or lose, soldiers who refrain from crimes against humanity can at least look themselves in the mirror with their sanity intact.

I have here laid out one possible vision of what morally meaningful videogames might look like. The potential of videogames to make moral arguments is both exciting and disconcerting, as there is no shortage of governments or corporations that would enthusiastically embrace a new channel for propaganda. I have described games that argue against the moral legitimacy of torture, but there is no reason why these principles could not be used to design a game that argued the moral *necessity* of torture. The time and resources involved in videogame production ensure that it will be easier for some groups than others to make or finance this kind of game. If morally meaningful videogames are to be a reality, lack of equal access to the technology presents an alarming problem. However, the solution to this problem already exists. Thanks to open-source coding and off-the-shelf design tools, amateur-designed games are gaining prominence. Any group that seeks to use videogames as propaganda must accept the possibility that amateurs could mod the game and dramatically change its message. As always, the solution to speech is speech.

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