



The horror of corporate harms: purdue pharma and the opioid epidemic

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Abstract

There has been a great deal written about Purdue and the opioid epidemic in multiple disciplines, including dismay about the failure of the criminal legal system to adequately conceptualize and respond to Purdue's responsibility for causing the epidemic. Rather than lingering on the failure of the criminal legal system, we read Purdue's responsibility as and through horror. The harms caused by Purdue do not fit into criminal legal categories as they are currently written and, instead, are more analogous to harms portrayed in the horror genre. Moreover, Purdue could achieve these harms only through the failure and betrayal of people and institutions of authority, a classic trope of the horror genre. We develop a concept of routine horror to explore the ways in which corporate harms are inflicted through everyday practices and products, enabled by routine systems of regulations and laws. On this account, the routines enable the harms and are harmful in and of themselves, leaving us with no one to trust and no place to turn. In the absence of effective law, we remain stuck in a horror story.

Keywords White collar crime · OxyContin · Routine horror · Corporate irresponsibility · Schema incongruence

Introduction

There is long-standing awareness of the failure of the criminal legal system to respond to harms caused by corporations and large organisations (Barak, 2017; Braithwaite, 1989; Buell, 2018; Glasbeek, 2018). A variety of explanations for this failure have

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been proffered by different disciplines. A dominant explanation by criminal legal scholars is that corporations are able to evade criminal legal frameworks because the criminal legal system is constructed around an archetypal legal subject – the responsible human being (Naffine, 2004). This has led to what the corporate criminal law theorist Celia Wells has labelled an ‘individualistic bias’ in the criminal legal system (Wells, 1993). Criminal law scholarship reflects and reinforces this individualistic bias, with the bulk of research focused on individual perpetrators, rather than organisations. Where corporations are considered in criminal law scholarship, the focus is primarily on the problem of how to attribute subjective culpability to corporations – that is how do we prove what a corporation knew or intended – in ways that are analogous to individual, human culpability (Lim, 2013; Wheelwright, 2006). Likewise, despite Sutherland calling for criminological attention to white-collar crime more than 80 years ago (Sutherland, 1940), on balance, the bulk of criminology remains focused on individual perpetrators (McGurrin et al., 2013), reflecting and reinforcing the individualistic bias of the criminal law. Those criminologists who do focus on corporate wrongdoing have highlighted the outsized power of corporations to influence criminal legal definitions, investigation, and procedures in their favour (Barak, 2017; Bittle & Snider, 2015; Tombs & Whyte, 2015), and/or the symbiotic relationship of corporations and the state (Bernat & Whyte, 2019; Crofts & van Rijswijk, 2023; Griffin & Lee Miller, 2011; R. C. Kramer & Michalowski, 2012).

Regardless of the merit of these various explanations, the fact remains that the criminal legal system has failed to adequately conceptualise and respond to corporate harms. Purdue Pharma is an exemplar of the gap between corporate harms and criminal responsibility.¹ The opioid crisis in the United States has been characterized as one of the most devastating public health crises in recent history. A lot has been written on the opioid crisis, not only in scholarly circles but by investigative journalists and in popular culture.² In this literature, scholars and journalists have focused on culpability. They have highlighted the many harms caused by Purdue; they have also framed regulators, lawmakers and public servants as bystanders or accomplices (Case & Deaton, 2021; Darian-Smith, 2021). Instead of focusing on the inadequacy of frameworks for culpability, in this article, we turn to the failure of law to adequately capture corporate *harm*. We believe that our legal frameworks (as they are currently constructed), as well as our political and critical responses to date, are inadequate to the tasks of representing, conceptualising, and responding to the scale and nefarious nature of the harms Purdue has caused.

We argue that there has been a failure of the legal imaginary to properly capture corporate harms and that corporate harms can be read as and through horror as a way to frame both the scale and nature of harm that otherwise exceeds our existing, inadequate frameworks. We build upon Crofts’ framework proposed in *The Horror of Corporate Harms*, that ‘the nature of corporate harms – both the harms in and of

¹ Purdue Pharma was named Purdue Frederick Company from 1892 to 2019. Henceforth, we will refer to the company as Purdue in text.

² Hulu’s *Dopesick* (Strong et al., 2021), which was based on Macy (2018), dramatizes Purdue Pharma’s role in the US opioid crisis. See also, Dumit (2012), Meier (2020), and Radden Keefe (2021). Meier’s painstaking and impeccable research into Purdue Pharma has now been dramatized in a Netflix series, *Painkiller* (Fitzerman-Blue et al., 2023) Netflix Original Productions, Netflix.

themselves *and* the criminal law's (lack of) response – can be (re)conceptualised by drawing upon both the emotion and genre of horror' (Crofts, 2022c, p. 24, emphasis in original). Crofts relies upon emotion studies that argue horror is a response to harm so extreme or abnormal that it is schema incongruent, that is, it cannot be easily assimilated into one's understanding of the world (Taylor & Uchida, 2022). Crofts argues that under currently existing categories of criminal law, corporate harms are schema incongruent, and this fact in itself is horrific, as criminal law claims for itself public harms and thus should adjudicate harms of this quality and of this scale. In this article, we show that the harms caused by Purdue are analogous to harms portrayed in the horror genre that arouse the horror response, which has the advantage of making the harms by Purdue more tangible, visceral and comprehensible. We explore the classic tropes of horror, particularly those concerned with the undermining of people and institutions of authority. Through this, we develop a concept of routine horror. We use the word routine to emphasise the way that many corporate harms are inflicted through everyday, banal practices and products. The word routine also highlights the ways that routines – regulations, laws and procedure – were used and manipulated by Purdue to inflict the harms. The term routine horror illuminates the ways in which the routines, themselves, are part of the horror, as these processes involve the betrayal of public trust through the failure of actors and authorities that should have acted as protectors, thereby leaving us with no one to trust and no place to turn.

Through this approach, we ask different questions and hopefully generate different answers from the existing legal frameworks that have clearly failed to prevent, reduce, and conceptualise the harms caused by corporations. The shortcomings of the criminal legal system have long been recognised and academic proposals from last century remain salient in their analysis of the absence of meaningful reform (Braithwaite & Fisse, 1993). This analysis has encompassed the pharmaceutical industry (Braithwaite, 1984; Dukes et al., 2014; Vande Walle & Ponsaers, 2006), but despite works such as Braithwaite's painstaking analysis of "pharma-crimes" and recommendations for reform in *Corporate Crime in the Pharmaceutical Industry* forty years ago, pharma-crimes have exponentially increased. The harms caused by Purdue pharma show that we need to approach the problem of corporate crime differently, using an alternative framework of responsibility and harm. There are advantages of using the horror genre as this alternative lens of critique. Law's failure to capture corporate harm is partly a failure of imagination. The horror genre is a genre of suffering and evil, exploring the limit-points of harm—the genre thereby provides an extensive vocabulary of harm not currently available to law. We draw from the genre to frame harms that exceed our current, inadequate frameworks, to bring out the full extent of their scale and nefariousness. As a starting point, the horror framework may shock us out of our social and legal apathy - our continuing acceptance of corporate harms. Do we wish to be stuck like characters in denial in a franchise horror movie? To be clear, bad things happen to characters in denial in horror films. Or can and should we rewrite criminal law, introduce new and effective categories and frameworks, so that corporate harms are no longer schema incongruent?

In section one, we provide our theoretical framework for the turn to horror. In section two, we explore the ways in which Purdue's harms are schema incongruent for criminal law, but fit well into the harms portrayed in the horror genre. In section

three, we argue that part of the horror of corporate harms is the ordinary, everyday ways in which they are inflicted, rendering everyday activities insidious. We explore the notion of routine horror to better capture a key theme of horror – the undermining of our assumptions about, and ideals of, safety. We conclude by arguing that the laws, routines and processes that enable massive corporate harms, such as the opioid epidemic, remain prevalent today and in the absence of effective legal reform, we will remain stuck in a horror story.

Theoretical framework

Our argument that corporate harms do not fit neatly into pre-existing categories of criminal law is consistent with long-standing concerns by scholars. For example, in the 1990s, criminologists developed the idea of ‘social harms’ or ‘analogous social injuries’ to explore the many harms that are not captured by law (Hillyard et al., 2004; Hillyard & Tombs, 2007; Michalowski & Annorbah, 2024; Michalowski & Kramer, 1987), may not be recognised as criminal or illegal by even the victims themselves (Croall, 2007), and to interrogate the processes that result in the criminalization of some harms while other equally or more destructive social injuries are left outside the reach of law. One reason for this misrecognition is the individualistic bias of the criminal legal system, which conceptualises violence and harm based on an archetypal assault between strangers which, in turn, effects social recognition of these harms. Here, there is proximity in time, place, and consequence. In contrast, corporate harms may have complex causal chains that separate causes and consequences over long periods of time and place. Different solutions have been proffered to capture the ways in which large organisations cause types of harms in ways that are unrecognised or mislabelled by the criminal legal system. One concept that has been particularly effective is “slow violence”, defined as ‘a violence occur[ing] gradually and out of sight, a violence of delayed destruction... dispersed across time and space, an attritional violence that is typically not viewed as violence at all’ (Nixon, 2011, p. 2). This has been developed to frame gender, race and class based violence and harms (Ward, 2015) such as police violence (R. Kramer & Remster, 2022) and climate change (Ahmann, 2018). Tombs and Canning have used the notion of social harms such as deaths caused by large organisations to make an argument for social change and social justice (Canning & Tombs, 2021; Tombs, 2018). These developments focus on making structural harms and social impacts clearer to counteract the misrecognition and failure to prevent and/or respond appropriately to these harms. Miranda Fricker makes a broader theoretical argument about experiences or harms that are schema incongruent with her concept of hermeneutical injustice – which occurs when subjects are incapable of understanding and communicating some important aspect of their social experience due to a gap in collective interpretive resources (Fricker, 2007). Fricker uses the example of sexual harassment, which prior to the development of the concept meant that victims of could not make their own experiences understood, even to themselves, until new concept of sexual harassment was created. This idea of hermeneutical injustice highlights the ways in which harms are individualised even whilst groups are systematically disadvantaged, with Fricker

commenting ‘hermeneutical lacunas are like holes in the ozone – it’s the people who live under them that get burned’ (Fricker, 2007, p. 161).

Our arguments about the schema incongruence of corporate harms are consistent with Fricker’s broader notion of hermeneutical injustice, which we extend by reading schema incongruence as and through horror. We are not alone in turning to horror. There is a rich criminological literature on horror (Skott et al., 2021; Sothcott, 2016), including the sub-field of ghost criminology (Fiddler, 2013, 2019; Fiddler et al., 2024). Criminal law and criminology scholars have also meditated on monsters (Crofts, 2018b, 2022b; Jarvis, 2007; Linnemann & Medley, 2018; MacDonald, 2012; Peters, 2017), and Nayar’s reading of the leaking of chemical gas by Union Carbide at Bhopal as a gothic horror story is both gorgeous and insightful (Nayar, 2017). The criminologist Travis Linnemann is particularly influential in his analysis of policing through the lens of horror, including his award-winning book *The Horror of Police* (Linnemann, 2014, 2019, 2022). We apply a methodology similar to Linnemann, comparing real life examples of (the horrors of) police to those imagined in fiction.

Linnemann is influenced by the philosopher Eugene Thacker’s, *The Horror of Philosophy*, especially his idea that horror offers a furtive, fragile glimpse into some kind of ‘beyond’, that is, into the unthinkable (Thacker, 2011). Linnemann applies this to policing, analysing the unthinkable of police as monsters and, even more unthinkable, a world without police. This idea of horror as providing a glimpse into the unthinkable is also consistent with horror theorists who have characterised the horror genre as dwelling on taboo (Carroll, 1987). Thacker’s query about what is unthinkable can usefully be applied to corporations and to capitalism, more generally (Vint, 2013; Žižek, 2011). In the mainstream legal and social imaginary, it does seem unthinkable that corporations could or should be regarded and regulated (including by police) as criminal legal subjects, as we are so inured to their privileged legal position. This immunity also applies in the horror imaginary: although evil corporations are a staple figure of horror fiction (Crofts, 2024), meaningful, lawful justice for these corporations seems unthinkable in the horror genre (Crofts, 2022a). This is because the horror genre, itself, is big business, a product of corporations, so any critique of corporations is tempered by economic dependence (Nowell, 2014). Like Linnemann, we shift back and forth between real life and fictional examples to show commonalities between corporate harms and those portrayed in the horror genre. Our approach differs from Linnemann’s in that we are telling a legal story about how and why corporate harms are produced through law as horrific. We focus on how corporate harms are schema incongruent for criminal law categories as they are currently written and that this fact in itself is horrific.

Until recently, horror theorists, film directors and affect theorists asserted that horror was an intense combination of the emotions of fear and disgust (Carroll, 1987). Recently, however, emotion theorists Taylor and Uchida have argued that while closely related to disgust and fear, horror is a separate and unique emotion that is a specific response to schema incongruence (Taylor & Uchida, 2022). They differentiate horror from fear and disgust by explaining that:

Whereas fear and disgust are common emotions and the default categories used to describe many aversive experiences, the invocation of “horror” when

describing one's emotional response implies the event had certain rare qualities (e.g., severe harm, abnormality) that is experienced as psychologically different from normal fear or disgust (Taylor & Uchida, 2022, p. 357).

On this account, fear is a response to recognisable threats. If we see a snake or a spider our fight or flight response kicks in. In contrast, if we see a person eating another person, even a horror film fan would be horrified, and not know what to do. Taylor and Uchida also distinguish between horror and moral disgust, focusing on moral disgust as an other-condemning moral emotion. Disgust is aroused in response to the violation of known moral and social rules and norms, and Taylor and Uchida argue that this violation is easily recognised. They argue that unlike moral disgust, horror does not require someone to blame – only schema incongruence. This aspect of horror is significant because frequently corporate harms are framed as disasters, accidents or tragedies – with no responsible agent assigned (Macfarlane Horn, 2023).

The argument that corporate harms are horrific is two pronged (Crofts, 2022c; Crofts & van Rijswijk, [Forthcoming](#)). First, the harms caused by corporations and the ways that they are caused, are horrific, in and of themselves, and have many commonalities with the harms and causes that are depicted in the horror genre. The definition of the horror genre is not settled. The horror theorist Barbara Creed's definition relied upon where videos were categorised in the old video stores (Creed, 1993): but given the demise of video stores this approach is no longer available to us, unless we rely on categories based on the marketing choices of streaming behemoths. A simple, albeit circular, definition of the horror genre is that it aims to arouse the affect of horror: but as noted above, this then lends itself to debates about the affect itself. Regardless of difficulties of having a crystal clear definition, consumers, fans, and those who abhor horror, know it when they see it (Church, 2023). A consistent technique in the genre is to (seek to) arouse horror through the depiction of (threats of) excessive and/or imaginative harms. Corporations, including Purdue, cause a proliferation of harms across time and space that are as imaginative as harms portrayed in the horror genre. Second, and relatedly, given that the criminal legal system claims for its jurisdiction the worst public harms (Feinberg, 1984; Mill, 1859), its failure to recognise and respond to corporate harms is horrific. Harms caused by corporations are widespread and massive, meeting the criteria of a *public* harm or wrong.³ Although at least as serious as harms that are recognised by the legal system, corporate harms tend to be obfuscated, referred to in euphemistic terms so that they are misrecognised or mislabelled. For example, in the recent inquiry into the more than 450 deaths at Gosport Hospital in the UK in the 1990s, the Report consistently used the phrase 'shortening of life' rather than killing or homicide (Gosport, 2018). Likewise, instead of being charged with drug dealing (which has draconian penalties resulting in high prison sentences) and thousands of manslaughter offences, Purdue was charged and pled guilty to misleading regulators, twice. Criminal law theorists have expressed concern

³ There is of course a vast critique of failures of the criminal legal system to respond to harms and the public private/private dichotomy (Ciepley, 2013; Thornton, 1991). We are focusing on claims of jurisdiction by the criminal legal system, which are powerful norms of validity, even whilst we accept the factual failure of the legal system to meet these norms (Habermas, 1996).

about the watering down of the expressive power of criminal law with the over-criminalization of trivial, regulatory offences committed by corporations (Ashworth, 2008). But what is particularly horrific is that the harms caused by corporations do not fit existing criminal legal categories because they are ‘too big, too much, and too nasty’ (Crofts, 2022c, p. 27). That is, far from over-criminalisation, there is an under-criminalisation of corporate harms. The criminal legal system claims the worst harms for itself, and the failure of criminal law to respond to corporate harms means we are left in a horror story. The harms are objectively horrifying *and* it is horrific that instead of regarding and regulating them as criminal, they are accepted as a cost of doing business.

Our argument is applicable to a broad range of corporate harms, including, thalidomide (Parle & Wimmelbucker, 2019), tobacco (Gifford, 2010), lead paint (Gifford, 2010), asbestos (Furuya et al., 2018; Tweedale, 2000), and ecocide (Whyte, 2020). Without urgent intervention, 1.2 million people in the U.S. and Canada will die from opioid overdoses by the end of the decade, in addition to the more than 600,000 who have died since 1999, according to a February report from the Stanford-Lancet Commission on the North American Opioid Crisis (Humphreys et al., 2022). Central to this crisis is the role of Purdue, the manufacturer of OxyContin, a prescription opioid that has wreaked havoc on communities across the nation. There has been a great deal written about Purdue and the opioid epidemic in multiple disciplines, including concern about the failure of the criminal legal system to adequately conceptualise and respond to Purdue’s responsibility for causing the epidemic (Delfino, 2022; Griffin & Lee Miller, 2011; Jones, 2021; van Zee, 2009). Rather than expressing dismay about the failure of the criminal legal system, we propose that law’s failure is in part a failure of imagination: a failure in law’s language and frameworks to capture the scale and nefariousness of corporate harm. This failure of imagination, we argue, can be remedied by drawing on the language, frameworks and tropes of horror, a genre that uniquely explores suffering at its limit-points and which can thereby be drawn from to provide new frameworks that more adequately capture the nature of corporate harms. Accordingly, we read Purdue’s responsibility as and through horror. This approach forms part of the tradition of cultural legal studies, which we use to expand the legal (and social) imagination to explore and cement the corporation as a criminal legal subject. Likewise, there is a substantial literature in cultural criminology, which examines the convergence of cultural and criminal processes in social life, considering how crime and crime control are constructed, enforced and resisted (Brisman, 2016; Ferrell et al., 2015; Hayward & Presdee, 2010). In the cultural legal studies approach, law is perceived to be not only shaped by its institutional framework, but as both a producer and object of culture (Mezey, 2003, p. 3; Rosen, 2006), where “culture” is broadly defined as any set of shared, signifying practices by which meaning is produced performed, contested, or transformed (Mezey, 2001, p. 43). On this definition, law is engaged in the practice of making, reproducing and contesting meaning. Law can be seen as one institutional cultural actor with diverse actors such as legislators, judges, lawyers, and citizens, that order and reorder meanings (Mezey, 2001, p. 45). Law’s organisation of meaning is particularly influential because it is backed by the legitimate force of the state; van Rijswijk argues that law is a genre of “aggressive realism” (van Rijswijk, 2019). Law functions in and through representa-

tional forms, leading Giddens and colleagues to argue ‘The distinction between the literary and the legal, cinema and the law, the aesthetic and the rational, is obsolete: law functions in and through multifarious cultural texts and inscriptions; it cannot be separate or separated from them’ (Giddens et al., 2024). The law and culture framework is helpful in provoking us, as legal and criminological thinkers, to move beyond existing legal frameworks where those have demonstrably failed. The failure of the legal imagination is epitomised in our limits in even imagining the possibility of applying criminal law to corporations (Crofts, 2022a; Thacker, 2011). An effect of the legal and also the current mainstream cultural imaginary is to accept and promote status quo understandings of crime and how we should react to it, as matters of common sense (Whyte, 2016). The contingency of these constructions are difficult to notice, let alone unpick.

The opioid epidemic and Purdue’s role in it have captured the public’s imagination, and there have been a number of social-justice focused books and series, told in a range of genres. *Dopesick* (Strong et al., 2021) is a fictionalised drama based on the investigative non-fiction book of the same name. *Painkiller* (Fitzerman-Blue et al., 2023) is another dramatized series that stays close to the historical facts of Purdue and OxyContin but also includes pop culture highlights including dance interludes. The documentary, *All the Beauty and the Bloodshed* (Poitras, 2022), captures the artistic protests of photographer and ex-addict Nan Goldin, who formed the activist organization PAIN (Prescription Addiction Intervention Now). Each of these representations offers a different angle on Purdue’s harms and culpability but it is our view that the most recent series—*The Fall of the House of Usher* (Macy et al., 2023), is most effective at showing the harms of OxyContin as well as Purdue’s role in causing these harms.⁴ The gothic horror series has a critic rating of 90% on the site Rotten Tomatoes and is a gorgeous, sumptuous portrayal of wealth, greed and downfall. The Ushers are a thinly disguised version of the Sacklers, whose intergenerational wealth has been exponentially accelerated by the production of a new, slow-release opioid product called Ligodone (the fictionalised OxyContin). Drawing loosely on Edgar Allan Poe’s short story, as well as making reference to a number of his other texts, *The House of Usher* is uniquely effective because it tells the story of corporate harm in the horror genre. In doing so, it brings out what is merely immanent in both corporate and legal discourses—it brings into proximity the harms that are often so distanced geographically and temporally from corporate actions and choices; and it goes beyond the seeming neutrality of medical and legal discourse, beyond sparse corporate spreadsheets and cost/benefit analyses, to bring the horror of physical pain into the foreground. In *The House of Usher*, corporate harms are made visceral to viewers in ways that are specifically available to the horror genre. As viewers, we experience the noises, smells, and sights of suffering and death, up close and personal. We view extreme body horror as consequences of the corporation’s actions: dangerous chemicals hidden in rooftop vats to avoid the environmental regulators rain down on innocent partygoers, hideously burning their bodies; a chimpanzee tested on illegally, escapes and tears off the face of one of the Usher children; an unethical developer of

⁴ *The Fall of the House of Usher* was directed by Mike Flanagan, produced by Intrepid Studios and released by Netflix in 2023. Henceforth, we will refer to the series as *The House of Usher* in text.

medical devices murders her girlfriend and then implants the device in her dead body. These scenes are horrific: there is no public relations veneer to paper over the nature of what is happening.

Through a reading of genre (horror) and criminal legal doctrine and categories, we argue that the excessive, difficult to contain, but simultaneously quotidian harms caused by corporations are horrific. Part of the horror of corporate harms is that these excessive harms are rendered acceptable by criminal and corporate law, despite the fact that they are objectively horrific. This harm has a moral component: it is venal, and it arouses a feeling of disgust in the witness – an affect that is closely connected to horror. In our exploration of the horror of corporate harms, we develop a taxonomy and show the ways in which they are inflicted and why. Read with and against the horror genre, we show how corporate harms proliferate, and the ways in which they contaminate and are contaminating. We show the ways that, in their excess, they far outstrip the individualistic bias of existing criminal law categories. Our analysis also emphasizes that the horror of harms is not only about *what* is done to the victim, but a product of *how* the harms are inflicted. One advantage of the turn to horror is that it highlights the clear nexus between corporation and devastation that our existing legal and cultural frameworks find difficult to see and demands that we change them.

Types of harm

As a site of excess, the horror genre is a productive supplement to the narrowness and restrictiveness of law, which derives its intelligibility as much from what it fails to register as what it does register (Dimock, 1996). Our framework of horrific harms is designed to make corporate harms more visible, to foreground the pervasive and multifaceted nature of harms, and to guide improvements to frameworks of accountability for these harms. Here we explore the ways in which the harm of mass addiction and resulting consequences caused by Purdue and its product OxyContin are so egregious and nasty that they exceed existing categories of law and fit more neatly into the horror genre.

The horror of excess

One way in which the horror genre arouses horror is through excess. It is not enough, in the classic sub-genre of slasher horror films, for people to die. Instead, they are killed in excessive ways, with acts of gratuitous, repetitive and unnecessary violence (Dika, 1990). Victims are not just stabbed, they are stabbed multiple times (for example, in the famous shower scene in *Psycho* (Hitchcock, 1960) and throughout the *Halloween* (Carpenter & Hill, 1978–present) franchise). In more recent slashers, such as in the *Scream* (Williamson, 1996–present) franchise, it is not enough for just one person to die—rather, there is a pile-on of multiple deaths, with the number of victims increasing for each sequel in the franchise. Some of the horror genre de-individualizes harm even further, representing harms (or the threat of harms) to entire communities, if not the world (e.g. Forster, 2013). In one of the final scenes of *The House of Usher*, the corporate patriarch is faced with his “legacy,” as hundreds of thousands of bod-

ies rain down from the sky, past the wide, glass windows of the executive suite, and crash onto the ground below forming a tower of corpses. These victims are unknown, unnamed and uncared for – by the Ushers or by the audience. They are simply bodies falling from the sky, caught only intermittently in flashes of lightning.

Corporate harms are likewise excessive. The opioid epidemic is so disproportionate that in 2017, the US Government officially determined that it was a public health emergency.⁵ The impact in the US summarised by Jones using CDC sources:

In 2017, there were more than 191 million opioid prescriptions. One in four patients that receive pro-longed opioid treatment will struggle with addiction. Two out of three drug overdose deaths involve an opioid. Since the late 1990s, pharmaceutical companies have continuously downplayed the addictive nature of opioids. Out of 700,000 overdose deaths, roughly 68% are due to overdoses involving opioids. Approximately 130 individuals die each day from opioids. From 2015 to 2018, the opioid epidemic has cost the United States approximately \$631 billion in association with addiction. Of the \$631 billion, roughly \$205 billion is spent on healthcare, \$253 billion on premature deaths, \$49 billion associated with crime, \$39 billion associated with childcare, and approximately \$96 billion arises from a loss in productivity (Jones, 2021, p. 33).

This summary captures the way in which the opioid epidemic is so excessive that it is schema incongruent. Although there is an attempt to numerate harms, the phrasing is that of estimation and approximation: in this paragraph, there are six uses of modifiers such as ‘roughly’ and ‘approximately’. The harms are too much to count accurately and our usual systems of calculation do not work. In horror films, for example, it becomes difficult to calculate the effects of a zombie apocalypse because the usual systems and government bureaucracies have collapsed as they have succumbed to the apocalypse. Likewise, the excessive harms of the opioid crisis are incalculable and incommensurable, not because the government has collapsed, but because existing legal and governmental systems were never designed to calculate or manage harms of such magnitude, although all too common, these types of corporate harms are schema incongruent and thus horrific. Moreover, this sheer excess of harms is schema incongruent for criminal law as the structures and categories of criminal law are constructed around archetypal legal subjects – the responsible individual human being (Naffine, 2004). Our investigative and enforcement practices are geared primarily to unitary, individual wrongs. Harking back to Linnemann’s (2022) interrogation of what is unthinkable in relation to policing, Linnemann does not consider how the bulk of policing focuses on individual wrongdoers, and not corporations. Criminal offences focus on unitary harms with individual indictments for each offence. There are, of course, exceptions where there are multiple victims of individual perpetrators, but to put it plainly, corporations can cause harms on an industrial scale that radically exceed what even the most nefarious individual can achieve on their own (Peters, 2023). The sheer proliferation and excess of harms is schema incongruent for exist-

⁵Office of the Secretary, Department of Health and Human Services, Determination. 10/26/2017. <https://www.hhs.gov/sites/default/files/opioid%20PHE%20Declaration-no-sig.pdf>.

ing criminal legal categories and this means that Purdue has not been held properly responsible for the number of harms that they have caused under criminal law.

Part of the horror of this excess is also how the depiction of these harms impacts us, the spectators. When there are too many injured, we lose our capacity to empathise or care—it is just too much—which, in turn, impacts the political will to change models of culpability for corporate harms (Brisman, 2022). In the horror genre, this excess of (the threat of) harm is dealt with by focusing on a particular set of characters. For example, in Forster (2013), the main emotional connection of the audience is with Brad Pitt's family against the background suffering of millions of people, whose collective fates are represented but not felt. As with most zombie films, other characters are secondary, many of them unnamed and without speaking parts: these characters are basically there to be infected and to portray the vastness of the threat. There is limited emotional resonance for the audience when non-speaking characters are infected. The excess of corporate harms likewise impacts our capacity to care for victims. In the face of a multitude of victims, we have difficulties connecting emotionally – a problem that extends to many corporate harms. We lose the human face and impact of the harms. Moreover, those who live in areas that are destroyed by the opioid epidemic have little to no resources with which to empathize, as they too are suffering amongst many and are usually part of vulnerable populations to begin with. In *The House of Usher*, we do not see the victims of the opioid epidemic: they are off screen and part of the assumed backdrop. The exclusion of the victims of the epidemic from screen (except for Roderick Usher's wife, Juno), reflects and reinforces the depersonalization of the sheer excess of harms. Instead, the main characters are the spoiled and entitled members of the Usher family, to whom extreme and painful punishments are delivered. It is here that the excess of harm to arouse horror is delivered. The death of the first Usher son, Prospero, is accomplished alongside the deaths of hundreds of party goers who are gruesomely burned under acid. There are so many of them, and the way that they died is so horrible, that they are unrecognisable. We do not know who they were or see their aggrieved loved ones. There is an excess to how many die and how they are killed, and this contaminates us, the audience, as it is difficult to care enough for the unnamed, unknown masses.

Fates worse than death

Horror is a particularly effective framework to capture corporate harms because horror is a genre that pays significant attention to the nuance and types of harms that can be inflicted. Unlike other genres, including legal genres, horror has an extensive vocabulary for harms that are nasty, insidious and imaginative. While the slasher film tends to depict violent, excessive deaths (e.g., Carpenter & Hill, 1978–present; Craven, 1984–present; Williamson, 1996–present), much of the horror genre meditates on fates worse than death to arouse horror. Horror has explored nasty and imaginative harms that do not require blood and gore: insidious dread can be as effective, if not more so. Vampires and zombies are frequently described as *suffering* a form of living death (Agamben, 1986; Zizek, 1992).

An example of a harm that can be seen as worse than death is the removal of victims from their lives and what they care about. This can be accomplished in a

straightforward manner, such as being buried alive, a Victorian fear that formed the basis of Poe's original tale of the *Fall of the House of Usher* (Behlmer, 2003). In the series, *The House of Usher*, there are multiple examples of people being buried alive, graphically shown when the origin story of the peak Sackler family figures, Madeline and Roderick Usher, is revealed: as part of their ascent to the top, the siblings drug their boss, and then bury him while still alive in the basement of the Fortunato building by bricking up a wall. The name Fortunato comes from Edgar Allan Poe's *The Cask of Amontillado*, a short story about a man taking fatal revenge on his friend, Fortunato, who he believes has insulted him (Poe, 2022). In Poe's story, Fortunato is entombed alive in the family vaults and left undisturbed for decades. In *The House of Usher*, it is now the building which is called Fortunato, and it entombs the boss in a jester's outfit, with his bell quietly ringing behind the wall. It is a sound of the Sackler siblings' guilt that resounds throughout their lives.

In *Blink* (Moffat & MacDonald, 2007), an episode in the television series *Doctor Who*, the removal of the victim from their lives is accomplished in a supernatural way. The Weeping Angels take their victims from the time in which they live to another, unfamiliar time with one touch. Even though they do not kill, viewers voted the Weeping Angels as the scariest monsters in the Doctor Who series, above the infamous Daleks with the catchcry 'exterminate'.⁶ This is because the Weeping Angels threaten to destroy personhood: they rob a person of who they are by taking them away from everything and everyone that they care about (Crofts, 2018a). This leads the Doctor to state that they are 'the only psychopaths in the universe to kill you nicely'. The Weeping Angels live off the energy of the un-lived hopes and dreams of their victims. This kind of nasty and imaginative type of harm is relied upon in the horror genre to arouse horror.

The harms from the opioid epidemic are comparable to the nasty and imaginative sorts of harm imagined in horror stories. OxyContin has caused widespread addiction, ruining countless lives, families, and communities, resulting in the mass prosecutions and imprisonment of unfortunate addicts. It has caused innumerable overdoses and suicides. The harm caused is comparable to that caused by the Weeping Angels: OxyContin takes people away from what they previously cared about, from their families, from their jobs, and from themselves, in order to feed their addiction. It is similar to how zombies are portrayed – an argument made by Linnemann in relation to 'meth zombies' (Linnemann, 2014, 2016). Once addicted to OxyContin, people are robbed of their agency, through no fault of their own, and their *raison d'être* is to consume the drug that they crave, radically reducing what made them who they were and their significant connection with their past. It is a form of living death that is perhaps more horrific, because unlike zombies, deficit users of opioids remain sentient and are (to some extent) aware of what they are losing and/or have lost.

One of the techniques within the horror genre to arouse feelings of fear, disgust and horror is to dwell on how harms impact our relationships with our loved ones. Not only do zombies no longer care about the things that they used to care about but

⁶ Eg, in a 2012 poll conducted by Radio Times, more than 10,000 respondents voted the Weeping Angels the scariest Doctor Who monster: Paul Jones, 'Doctor Who: Weeping Angels beat The Daleks to be voted fans' favourite ever monsters', Radio Times (10 June 2012).

they become a threat to their family. In contrast, the uninfected survivors remember and still love them. Survivors are forced to make impossible and heartbreaking choices about how to respond to their infected loved ones. Again through no fault of their own, they are caught in a moral grey zone (Card, 2002; Levi, 1989), where there is no good, right choice to make. Do they destroy the infected loved one (Snyder, 2004; Darabont et al., 2010–2022)? Failing to do so is portrayed as high risk, and can result in the character being bitten or losing more of the people they love (Crofts, 2021). At the same time, the effect of destroying family members who are infected, even in self-defence, is soul-destroying. Likewise, loved ones of deficit users of opioids can be confronted with soul destroying choices: do they evict the loved one or continue to have them in the home (Wright, 2004; del Toro et al., 2014–2017)? This is not to suggest that drug users are, themselves, zombies or monsters, but to instead emphasise that addiction can cause monstrous harm, contaminating entire communities and removing or distancing people from who and what they care about, compromising people's health as well as their moral integrity.

The harms caused by Purdue are not completely foreign to existing criminal legal categories. There is a long history of criminalization of drugs based on (amongst other issues) concerns about the harms of addiction (Manderson, 1993). There has, of course, been a great deal of academic concern expressed about how the criminalization of drugs has tended to disproportionately impact individual users and low-level dealers, rather than higher level dealers. The criminalization of drugs was and is accomplished on the basis of harmful consequences (Duster, 1970; Fletcher, 1978; Manderson, 1993). Although the addiction caused by Purdue and Oxycontin is a harm that is cognizable to criminal law, it is not categorised or responded to in an equivalent way. This is because, unlike street drug dealers, Purdue was a powerful corporation acting under a veil of corporate legality. Purdue acted unethically and as badly as any individual drug pusher on the street, peddling addiction as part of its business model, just on a much larger scale. Unlike street dealers, it also had the capacity to shape definitions of which drugs are il/licit. While individual users and those dealing opioids can and have been prosecuted for illegal drug dealing, Purdue has not. In *The House of Usher*, the prosecutor labels the Ushers a 'crime family'. This mirrors popular sentiment, which focuses on the Sackler family, and the way that they have not only escaped criminal charges but have successfully squirreled away their ill-gotten gains. This focus on the family is appropriate, but it also does not adequately capture the corporate responsibility of Purdue. The harms wilfully caused by Purdue exceed criminal law – in part because of its individualistic bias, manifested in assumptions about harms in terms of size, type and proximity in time and space *and* who or what can be a criminal legal subject. They also exceed criminal law because of the power of corporations to shape laws and their interpretations. The types of harms caused by Purdue do not fit even though they are sufficiently harmful that the norms of justice demand they should fit. The harm of addiction is horrific in and of itself – *and* it is horrific in that it is schema incongruent for criminal law.

Routine horror: How harms are inflicted

Exacerbating the horror of causing widespread addiction and untold deaths is *how* the harms have been inflicted. Here, we develop the idea of routine horror as a way to explore corporate and legal imbrication in everyday harms. We focus first on OxyContin as particularly horrific in the way that it caused harm – using the word *routine* to emphasise the way that many corporate harms are inflicted as a part of banal, everyday activities. We then demonstrate that these harms could have been accomplished only through the widespread failure of authority – a trope of the horror genre. There is inherent horror in the betrayal of these institutions that are meant to oversee and protect the public from harmful (medical) products—the regulators, doctors, researchers and the law. These sustained betrayals undermine our sense of security in our institutions and in our systems of order. These failures produce a form of routine horror, whereby corporate harms become acceptable, banal, part of the everyday, facilitated by regulators, laws and government.

The horror of insidious, everyday harms

A common theme of the horror genre is dwelling on *how* harms are inflicted. Harms may be inflicted by everyday things, bringing horror into the everyday and changing how we look at everyday things and activities. This trope renders the mundane precarious: for example, in the slasher genre, lethal weapons may be associated with the everyday acts of gardening (chain saws) or cooking (knives), or danger lies in activities that are part of the everyday, such as sleeping, (Craven, 1984–present), breathing, (Hunt, 2005), or drinking water (Roth, 2002). This is a form of everyday horror. It is nasty because it renders the prosaic and everyday unsafe and makes the conditions of life terrifying and impossible in themselves. Part of the horror is that we do not realise until too late the danger and the harms or that we cannot stop ourselves when we become aware of the danger. A great part of the horror of OxyContin lies in its everyday, routine aspect, a feature of many corporate harms because of our dependence upon the products and services that corporations produce to sustain our everyday lives. OxyContin was prescribed for pain management, addressing a prosaic need for people to continue with everyday tasks after injury or disease. By the time people became aware of the true nature of OxyContin, it was too late: they were addicted and it became hard, if not impossible to stop.

The routine nature by which harms are inflicted can also have the effect of rendering us, and our nearest and dearest, complicit. Examples of complicity in the horror genre proliferate, such as a parent buying a haunted doll and bringing it into the home (Leonetti, 2014) or parents drugging their child to make them sleep in *Nightmare on Elm Street* (Craven, 1984–present), unintentionally causing their death, as Freddie Kruger comes in their dreams. People willingly took OxyContin, potentially encouraged by their loved ones and doctors. Not only that, many may have actively demanded it from their doctor, due to aggressive and misleading advertising by Purdue directly to consumers, relying on testimonies from real patients who themselves did not understand the nature of the drug they were taking. Purdue disseminated brochures, crafted websites, and concocted promotional materials full of inaccuracies

and distortions concerning OxyContin. These materials portrayed the drug as a panacea for pain, a utopian elixir with minimal attendant risks. In these advertisements, crucial information concerning the drug's addictive potential was omitted. People took their family members in pain to doctors they trusted, and the patient received prescriptions for oxycontin, thinking that they were helping. There is such horror in these failures of authority figures—in doctors, parents, children and siblings thinking that they were supporting their loved ones, when in fact their actions were harmful. There is a horror for these people in having to live with an awareness that they were instrumental in the harms inflicted upon people they love or care about, even if this was unintentional.

The quotidian, everyday nature of harm is a feature of corporate harms because we are so dependent on corporations for our everyday needs. For example, we have seen the horror of harms caused by everyday products such as asbestos, lead paint, and tobacco. There is such horror in using something that is completely normal, prosaic, banal and routine. There is horror also in have exercised choice as to which product we use or purchase, which later transpires to cause untold harms. But realistically, we *must* use products produced by corporations to function in our daily lives—and we rely on authority to protect us against untold harms.

Failure of authority

A common trope in the horror genre is the failure of authority. This is done partly to underline the exceptional nature of the threat: the usual techniques and responses just do not work. It is also done to build an increasing sense of horror, where protagonists have nowhere to turn and/or advice is actively harmful. The excessive and horrific harms caused by Purdue could have been accomplished only through the broader failure of authority. This betrayal destabilizes existing structures for how we get around in the world and who we can trust, as well as the key institutions upon which we rely—the medical profession, the corporate structure, and the law itself. These harms play on our anxieties and worst nightmares through the transgression of our sense of the world as a place of safety, regulated by a functional law and by institutions in which we trust. Purdue is particularly horrific in this area, as it systematically and intentionally relied upon and undermined systems of authority and subverted them for their own purpose. The idea of schema incongruence relates to a broader theme of horror – transgression. The figure of the monster is the epitome of transgression, e.g., zombies are neither and both living and/nor dead. Transgressive people, ideas or things are contaminated and contaminating: if you are bitten by a zombie, you become a zombie (Douglas, 1966). Purdue was both contaminated and contaminating, corrupting individuals and systems, including government and research, as well as medical, pharmaceutical, regulatory, and legal systems. It does not matter whether these failings were intentional and nefarious, or a result of ignorance. What matters is the failure which we experience as a form of destabilizing, nasty betrayal. The failure of these systems is horrific, as it undermines the civic norms upon which we rely. There are all too many systemic failures around Purdue and OxyContin, but we focus on failures of authority around the falsity of the claim that OxyContin was not addictive if used properly.

Both the public and academics rely on peer-reviewed research as a trustworthy source of knowledge; research underpins medical practice and public health policy. While mad scientists are a feature of horror (Frayling, 2005; Tudor, 1989) from the early example of Dr Frankenstein onwards (Shelley, 1818), we expect that the majority of researchers act ethically, and that checks and balances, such as peer review, ensure proper conduct. When researchers act improperly, our collective reliance on science is undermined – a problem associated with corporate/government influence that is only getting worse (Morreim, 2021). This has a destabilizing effect on the research community and, in the case of medicine, the medical practices upon which they rely. If we cannot rely on science, what can we rely on?

In its production and distribution of Oxycontin, Purdue relied upon this trust in research, regulators and the medical profession and then abused it. Purdue produced a new kind of slow-release form of Oxycodone, named OxyContin, in 1995, claiming that it was unlikely to result in adverse health effects, including addiction, injury or death if used properly (Radden Keefe, 2021). Evidence that this pill was in fact a less-harmful form of opioid was non-existent and based merely on a short letter published in a medical journal, not on peer-reviewed evidence. This ‘evidence’ should never have been sufficient to justify claim. The company cited dubious studies, often funded by themselves, to provide a veneer of credibility to their claims. Purdue continued its aggressive marketing strategies even as evidence mounted that OxyContin was contributing to a rising tide of addiction and overdose deaths. When evidence contrary to its claims emerged, Purdue hardened its stance. Although assertions of its safety were quickly disproven by evidence of the widespread harm it was causing, Purdue concealed this harm (of which it was aware) from regulators, doctors and patients alike (Meier, 2020). The company even ventured into the realm of data manipulation, adroitly selecting and presenting information to bolster its assertions. Ultimately, this demonstrated a failure of methods of science, which were so easily overcome by corporate misconduct (Morreim, 2021).

A trope in horror genre is where victims are not believed and may even be blamed and arrested (see, e.g., Craven, 1984–present). Here, routine responses are harmful in and of themselves. Purdue falsely blamed users for inappropriate use of the drug – a claim that had no basis in evidence. The company argued that it could not be held responsible for these injuries and deaths, instead stating that addicts themselves were to blame for the ‘misuse’, ‘abuse’, or ‘overuse’ of the drug. Purdue created the concept of “pseudo-addiction” and recommended an increase in dosage in response, which had the effect of increasing its market and profit margins even further. This undermining of reality is a common feature in the horror genre, for example, where the question raised in some supernatural horror stories is whether a character is mentally ill or possessed (Friedkin, 1973). As public scrutiny increased, Purdue responded not by changing its practices, but by developing tamper-resistant versions of OxyContin. This move was ostensibly to deter misuse but also served as an opportunity to extend its patent life, thus further safeguarding its profits (Macy, 2018). There is a tendency to individualise experiences and, in turn, blame users for their addiction- a form of hermeneutic injustice, where victims are gaslit and blamed for their own demise.

This systemic manipulation of medical research could be successful and accomplished only through the failure of regulators. Regulators and governmental agencies

are frequently agents of horror. In *Poltergeist* (Hooper, 1982), regulators failed to check that the developers moved the bodies along with the gravestones (which led to a portal to the underworld opening up). The monstrous shark in *Jaws* (Spielberg, 1975) is only able to cause so much harm because the mayor and local government fail to close the beach, more concerned with tourist revenue than with human lives. In *Silent Hill* (Gans, 2006), the failed oversight of coal mining operations causes a fire that engulfs the town, leading to its eternal haunting, and in the *Resident Evil* film franchise (Anderson et al., 2002–2021), ineffective governance allows the catastrophic failure of a bioengineering company. The harms these failures create are horrific and build on classic definitions of horror as a combination of fear and disgust (Carroll, 1987). We feel fear because the institutions upon which we should be able to rely upon are fallible, and we feel disgust at their abject failure to protect us and particularly where their motive is venal—deciding that money is more important than human suffering.

The regulator also failed to prevent harm caused by the deceptive marketing of Oxycontin. Under the Food, Drug and Cosmetics Act and its regulations, the US Food and Drug Administration (the FDA) is responsible for overseeing and approving both the advertising and promotion of drugs, to ensure that any claims made are accurate and supported by evidence. One of the FDA's most problematic steps was to approve the original label for OxyContin, which stated that addiction was “very rare” if the drug was used legitimately in the management of pain, despite the lack of evidence supporting this assertion. Purdue had submitted only limited, short-term studies to support its claim and the FDA should have demanded better evidence for such an extreme assertion whose falsity would clearly have terrible consequences for patients (van Zee, 2009, p224). Another failure lay in the FDA's post-market surveillance, as once it became clear that OxyContin was leading to problems with addiction and overdose deaths, the FDA did not act quickly enough in requiring the revision of OxyContin's label, and nor did it push for further studies (Meier, 2020). Despite Purdue's first guilty pleas to criminal charges back in 2007, the FDA did not take significant steps to re-evaluate OxyContin's approval or its labelling. In 2012, the Senate Finance Committee also raised concerns about the FDA's close relationship with pharmaceutical companies, including Purdue; like the police chief in *Jaws* (Spielberg, 1975) and the mayor in *Under Paris* (Gens, 2024), the regulatory body was not providing proper oversight and protecting citizens as required by the authority with which it is given (US Senate Finance Committee, 2012). As a community, we rely on the government to tell us what is safe and unsafe, and we rely particularly on regulators. Here, Purdue undermined our dwindling faith in the capacity of the government to protect us, thus discrediting the basis for our social contract.

Medical professionals hold an interesting place in horror – with much fiction either portraying doctors as failing due to the limits of medicine (e.g., Friedkin, 1973 and many zombie films) or being part of the horror themselves (e.g., Polanski, 1968). The medical profession was persuaded to (over) prescribe OxyContin for pain management based on the regulator's approval of OxyContin, the falsified scientific research, and Purdue's unprecedented marketing campaign that claimed both safety and efficacy (Meier, 2020). The company went as far as hiring doctors, nicknamed “key opinion leaders”, to endorse the drug, producing the appearance of medical

consensus. Purdue executed a calculated campaign characterized by gross incentives offered to physicians and healthcare professionals who favoured OxyContin in their prescriptions; the dose-related size of the incentives created a direct financial impetus for prescribers to not only choose OxyContin, but to prescribe higher doses of the drug over alternatives (van Zee, 2009). Purdue dispatched a tenacious sales force to maintain a relentless presence in healthcare providers' offices. Purdue's sales representatives were financially incentivized to push the drug to healthcare providers, even when those providers served populations at high risk for addiction. During these encounters, sales representatives would deftly weave a false narrative of the drug's safety and efficacy, further solidifying their hold over prescribers. There is nastiness in the contamination of doctors in this way, as the medical profession is considered uniquely trustworthy by members of the public. Doctors may have been persuaded by medical research and/or the marketing. Whatever the reasons, it was a betrayal by the medical profession as people placed their trust in them.

Central to the failure of authority is betrayal, an undermining of safety and order, and of the systems upon which we rely as a society to function. Betrayal is a nasty extra as it offends our trust and makes us question not only authorities broadly, but also our own judgment for trusting in the first place. Even more horrific is that the reasons why these harms occurred remain inscribed in law. Although the harms are schema incongruent for existing criminal law categories because of their sheer scale, they are far from being exceptional or anomalous. These kinds of corporate wrongs are an example of routine horror, whereby harms become banal and routine, an acceptable cost of doing business. A large part of the routine nature of the horror lies in the fact that current laws designed to redress corporate harms themselves offer no resolution, and instead frequently become part of the victim's suffering – extending the criminological recognition of the process as punishment (Feeley, 1979). The insidious, Kafkaesque process of laws that compel the involvement of victims but offer no relief is harmful in and of itself. Our systems do not work.

Criminal charges do not (as yet) adequately capture the harms or culpability of Purdue: the harms remain schema incongruent for the criminal legal system. Most of the criminal charges arising from the opioid epidemic have been low level and individualised, against individual users, dealers of illegal opioids, with some prosecutions of pharmacists and doctors. Prosecutions of Purdue have been few and far between, with the company pleading guilty to falsely promoting OxyContin as less addictive than other opioids in 2007 (United States v. Purdue Frederick Co., Inc, 495 F. Supp. 2d 569 (W.D. Va. 2007); and then guilty to fraud in 2020 (US Department of Justice 2020). The three executives involved in the lawsuit agreed to pay more than \$34 million in individual fines after pleading guilty as individuals to misbranding—though they were not implicated on the felony charges. None of the executives faced jailtime. One of the prosecutors has since said more serious charges for executives “would [have sent] a message that drug industry officials faced being held to ‘a higher standard,’” though executives never saw those charges. A great deal of academic attention has pondered which charges could best be laid against Purdue – with recognition that available offences such as nuisance and racketeering do not adequately capture the nature and effect of Purdue's (and other pharmaceutical companies') wrongdoing (Delfino, 2022; Jones, 2021; Lelling, 2018; Mooney, 2019;

Rios, 2019). Criminal law is expressive: it communicates that behaviour is wrong and sufficiently blameworthy to justify criminal sanctions (Chia & Paterson, 2024; Feinberg, 1965; Gilchrist, 2012). The failure to criminalise Purdue for its responsibility for the opioid epidemic is a message that corporations can continue to risk these sorts of harms and calculate them as a cost of doing business.

Numerous states filed civil lawsuits against Purdue, alleging deceptive marketing practices, consumer protection law violations, and public nuisance claims.⁷ Purdue sought refuge in bankruptcy in 2019, with the aim of avoiding full accountability through settlements that required them to pay fines, which, although hefty in appearance, were minuscule compared to the profits they had earned. Bankruptcy proceedings are still pending because judges of the Supreme Court are conflicted as to whether to accept the plan because it releases members of the Sacklar family from civil liability for opioid-related claims. The problem that arises is that this settlement is unlikely to serve as a sufficient deterrent to prevent similar behaviour by other companies in the industry: causing nasty harm remains very profitable. In the wake of the bankruptcy proceedings, Purdue emerged with a new identity as “Knoa Therapeutics” – just like a horror monster emerging for a sequel. This act of corporate phoenixing undermines the legal principles of accountability and redress. We need, at the very least, legal reforms and regulatory mechanisms that can effectively address corporate phoenixing and ensure that companies remain accountable for their actions (Davis, 2021; Feldman & Stack, 2020). In addition, the legal protection afforded by the corporate veil has meant that the individuals behind Purdue, the Sackler family, have kept the bulk of the fortune they amassed through OxyContin. In 2015, Forbes estimated the Sackler family wealth at \$14 billion, shared among 20 family members.⁸ While they put the company Purdue into bankruptcy as part of the settlement, an audit by the *The New York Times* shows the profits the Sacklers took first - more than \$12 billion (Mann, 2019). These figures fall far short of the more than \$1 trillion the opioid crisis costs the U.S. every year, according to the Centers for Disease and Control (Mann & Bebinger, 2022).

Purdue’s motive in mislabelling and marketing Oxycontin, expanding its market base and knowingly entrenching addiction, was the pursuit of profit – a purpose that remains entrenched in legal constructions of the bulk of corporations (Bakan, 2004; Friedman, 1970). With OxyContin, Purdue sought to create a unique product that could generate substantial revenue: executives Robert Keiko, Richard Sackler, Paul Goldenheim and Michael Friedman mapped out their plan for revamping an oxycodone pill product that Purdue already produced. The key difference—allowing it to be patented while the existing product expired—centred on a time-release mechanism that meant the pill could be “supercharged” with high doses of narcotic as it would slowly enter the patient’s system (McGreal & Woren, 2018). In 1996, in its first year on the market, OxyContin accounted for \$48 million in sales for Purdue. By 2000,

⁷ These lawsuits sought financial compensation for the costs incurred by states in dealing with the opioid epidemic. Many of these state lawsuits were consolidated into a multidistrict litigation (MDL) in the U.S. District Court for the Northern District of Ohio. The MDL allowed for coordinated pretrial proceedings and negotiations.

⁸ <https://ethicsunwrapped.utexas.edu/video/oxycontin-the-opioid-epidemic>.

OxyContin generated \$1.1 billion in sales (van Zee, 2009). In that same time period, prescription rates increased twenty times over. OxyContin sales increased by 41% from 2000 to 2001 alone (Inciardi & Goode, 2003) and in 2010, profits from OxyContin rose to \$3.1 billion. For Trabsky and Flore (Trabsky & Flore, 2024, p. 1): “the commercial practices of developing, manufacturing and marketing drugs are always already entangled in an economisation of life and death.” Corporate models normalise an engagement in cost-benefit analyses that allow individuals to die in the pursuit of profit (Chia & Paterson, 2024; Trabsky & Flore, 2024, p. 2). It is morally disgusting and horrific to harm so many people, and to do so for money is gruesome. The tainting effects of the pursuit of profit is portrayed in *The House of Usher*, where the family members are willing to destroy each other and themselves to keep profits and secrets of the company safe, and it later transpires the patriarch willingly sacrificed his offspring for success. And yet, the pursuit of profit is recognisable to us all as a part of the everyday, routine, acceptable purpose of corporations. It is a completely comprehensible, banal motive – and this is routine horror.

Conclusion

The misuse of legal and regulatory processes is thematized in *The Fall of the House of Usher*: the company has its own fixer, Arthur Pym, known as the “Pym reaper.” Culpability is never in question in the series. As well as being upfront about the addictive qualities of their drug, and about their ability to evade legal culpability for its problems, Purdue cynically tries to improve its image through (hilariously derailed) public relations campaigns. And yet, the harms start to come to the fore: one of the adult children is a drug dealer who pushes drugs, goes too far on a bender, and leaps to his death. The new wife of the patriarch, Juno, is tightly held as a prize because she survives on the highest known dosage of Ligatone. And yet, as viewers, we are meant to judge the corporation and the family harshly. Everyone in the family is dead by the end of the series, mostly through hideously painful deaths, revealing that the story is not only horrific but also a revenge fantasy, indicating that perhaps society has passed a threshold and is now eager for law to provide proper justice for corporate harms. The series is fascinating because the spectacle of horror arises around individuals rather than the corporation. We never see “the Board”, although they are a threat to the primacy of the Usher family. While the harms to the family are supernatural, the harms caused by the corporation are not fictionalised, but are all too real and routine. We are supposed to know that the law will never hold the company responsible: the Raven/demon figure herself, declares that she does not have to intervene diabolically to protect the company, as the law will protect them without intervention: “Corporate justice in this world is a punchline.” In contrast to the restriction of law, the horror genre is a site of struggle ‘for recognition of all that our civilization represses or oppresses; its re-emergence is dramatized, as in our nightmares’ (Wood, 1986, p. 75). The nightmare horror here is the absence of any change to the conditions that enabled the harms caused by Purdue or deliver any justice.

There is a failure of the legal imagination regarding corporate responsibility. Our intervention aims to provide frameworks and language that are not currently avail-

able to express the scope and intensity of corporate wrongdoing (through the tropes and narratives of horror) as a means to provoke urgent action on the part of legislators, scholars and commentators. The genre of horror offers insights into how to deal with these types of harms. It portrays routine horror – how despite the schema incongruence of these harms for criminal law, they are all too common and ordinary, produced through everyday products and practices. Moreover, these harms are caused through everyday routines and practices by authorities that we rely upon to keep us safe. Horror demands a response. The question is whether we are paralysed in fear (Cavarero, 2010), or motivated by disgust or transgression to resolve the offence (Douglas, 1966). Transgressive creatures like monsters justify and require extreme responses. After all, one cannot simply kill a zombie, we must remove and destroy its head (Cole, 2006). Turning to horror suggests, at minimum, that we need to move past apathy and seek some resolution – bad things happen to characters in denial. Alternatively, we may seek to move out of horror, by adapting the criminal justice system to capture this type of crime. Corporations can be punished as criminal legal subjects. We need to change our criminal law categories so corporate harms are no longer schema incongruent.

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References

- Agamben, G. (1986). *Homo Sacer: Sovereign Power and Bare Life*. Crossing Aesthetics. D. Heller-Roazen.
- Ahmann, C. (2018). It's exhausting to create an event out of nothing: Slow violence and the manipulation of time. *Cultural Anthropology*, 33(1), 142–171.
- Anderson, P., Witt, A., Mulcahy, R., & Roberts, J. (Directors). (2002–2021). *Resident Evil* [Film franchise]. Screen Gems; Constantin Films.
- Ashworth, A. (2008). Conceptions of Over-criminalisation. *Ohio State Journal of Criminal Law*, 5(2), 407–425.
- Bakan, J. (2004). *The Corporation: The pathological pursuit of profit and power*. Simon and Schuster.
- Barak, G. (2017). *Unchecked corporate power: Why the crimes of multinational corporations are routinized away and what we can do about it*. Routledge.
- Behlmer, G. (2003). Grave doubts: Victorian medicine, moral panic, and the signs of death. *The Journal of British Studies*, 42(2), 206–235.
- Bernat, I., & Whyte, D. (2019). State-corporate crimes. In M. Rorie, & C. Wellford (Eds.), *The handbook of White-Collar Crime* (pp. 127–138). Wiley and Sons.
- Bittle, S., & Snider, L. (2015). Law, Regulation, and Safety Crime: Exploring the boundaries of criminalizing powerful corporate actors. *Canadian Journal of Law and Society*, 30(3), 445.
- Braithwaite, J. (1984). *Corporate crime in the Pharmaceutical Industry*. Routledge Kegan Paul. <http://johnbraithwaite.com/wp-content/uploads/2016/06/Corporate-Crime-in-the-Pharmac.pdf>.
- Braithwaite, J. (1989). *Crime, shame and reintegration*. Cambridge University Press.
- Braithwaite, J., & Fisse, B. (1993). *Corporations, crime and accountability*. Cambridge University Press.
- Brisman, A. (2016). On narrative and Green Cultural Criminology. *International Journal for Crime Justice and Social Democracy*, 6(2), 64–77.
- Brisman, A. (2022). Immunity to environmental crime, harm and violence: An ongoing pandemic and a possible narrative vaccine. *International Journal of Offender Therapy and Comparative Criminology*, 66(4), 451–469.
- Buell, S. W. (2018). The responsibility gap in corporate crime. *Criminal Law and Philosophy*, 12(3), 471–491. <https://doi.org/10.1007/s11572-017-9434-9>.
- Canning, V., & Tombs, S. (2021). *From Social Harm to Zemiology: A critical introduction*. Routledge. <https://doi.org/10.4324/9780429430497>.
- Card, C. (2002). *The atrocity paradigm: A theory of evil*. Oxford University Press.
- Carpenter, J., & Hill, D. (Creators). (1978–present). *Halloween* [Film franchise]. Compass International Pictures; Trancas International Films (Owners).
- Carroll, N. (1987). The nature of horror. *The Journal of Aesthetics and Art Criticism*, 46(1), 51–59.
- Case, A., & Deaton, A. (2021). *Deaths of despair and the future of capitalism*. Princeton University Press.
- Cavarero, A. (2010). *Horrorism: Naming contemporary violence*. Columbia University.
- Chia, H., & Paterson, J. (2024). The corporate evil of unsafe products: Strict liability, negligence and the expressive force of the law. In P. Crofts (Ed.), *Evil corporations* (pp. 91–108). Routledge.
- Church, D. (2023). *Post-horror: Art, Genre and Cultural Elevation*. Edinburgh University.
- Ciepley, D. A. (2013). *Beyond Public and Private: Toward a Political Theory of the Corporation* (SSRN Scholarly Paper ID 2484826). Social Science Research Network. <https://papers.ssrn.com/abstract=2484826>.
- Cole, P. (2006). *The myth of evil*. Edinburgh University Press Ltd.
- Craven, W. (Creator). (1984–present). *A Nightmare on Elm Street* [Film franchise]. Warner Bros. Pictures.
- Creed, B. (1993). *The monstrous feminine: Film, Feminism, Psychoanalysis*. Routledge.

- Croall, H. (2007). Victims of white collar crime and corporate crime. In P. Davies, P. Francis, & C. Greer (Eds.), *Victims, crime and society* (pp. 78–108). Sage.
- Crofts, P. (2018a). Don't Blink: Monstrous justice and the Weeping angels of Doctor who. In W. MacNeil, T. Peters, & K. Crawley (Eds.), *Envisioning Justice* (pp. 46–67). Routledge.
- Crofts, P. (2018b). Monsters and Horror in the Royal Commission into institutional responses to child sexual abuse. *Law and Literature*, 30(1), 123–148.
- Crofts, P. (2021). Killing to survive: *The walking Dead*, Police slayings and medieval malice. *Law Culture and the Humanities*, 17(2), 200–223. <https://doi.org/10.1177/1743872117692298>.
- Crofts, P. (2022a). Aliens: Legal conceptions of the corporate invasion. *Law and Literature*, 34(3), 387–415. <https://doi.org/10.1080/1535685X.2020.1862521>.
- Crofts, P. (2022b). The corporate monster metaphor. *Law Text Culture*, 26(1), 73–96.
- Crofts, P. (2022c). The horror of corporate harms. *Australian Journal of Corporate Law*, 38, 23–45.
- Crofts, P. (2024). Evil corporations in horror. In P. Crofts (Ed.), *Evil corporations: Law, culpability and regulation* (pp. 125–140). Routledge.
- Crofts, P., & van Rijswijk, H. (2023). A case study of state-corporate crime: Crown resorts. *Current Issues in Criminal Justice*, 35(1), 139–161.
- Crofts, P., & van Rijswijk, H. (Forthcoming). *Corporate Harms: A horror story*. Routledge.
- Darabont, F., Hurd, G., Alpert, D., Kirkman, R., Eglee, C., Mazzara, G., Gimple, S., Nicotero, G., Luse, T., Huth, D., Kang, A. & Incapera, J. (Executive Producers). (2010–2022). *The Walking Dead* [TV series]. Idiot Box Productions; Circle of Confusion; Skybound Entertainment; Valhalla Entertainment; AMC Studios.
- Darian-Smith, E. (2021). Dying for the economy: Disposable people and economies of Death in the Global North. *State Crime*, 10, 61.
- Davis, C. S. (2021). The Purdue Pharma opioid Settlement—Accountability, or just the cost of doing business? *New England Journal of Medicine*, 384(2), 97–99.
- Delfino, R. A. (2022). A new prescription for the opioid epidemic: 360-Degree accountability for Pharmaceutical companies and their executives. *Hastings Law Journal*, 73(2), 301–370.
- del Toro, G., Cuse, C., Hogan, C., Ungar, G., Dale, J., Weddle, D., Thompson, B. & Corrado, R. (Executive Producers). (2014–2017). *The Strain* [TV series]. Double Dare You; Carlton Cuse Productions; Cuse Productions; FX Productions.
- Dika, V. (1990). *Games of terror: Halloween, Friday the 13th, and the films of the stalker cycle*. Dickinson University.
- Dimock, W. C. (1996). *Residues of Justice: Literature, Law and Philosophy*. University of California Press.
- Douglas, M. (1966). *Purity and Danger: An analysis of the concepts of Pollution and Taboo*. Routledge and Kegan Paul.
- Dukes, G., Braithwaite, J., & Moloney, J. P. (2014). *Pharmaceuticals, corporate crime and public health*. Edward Elgar.
- Dumit, J. (2012). *Drugs for life: How pharmaceutical companies define our health*. Duke University Press.
- Duster, T. (1970). *The Legislation of Morality*.
- Feeley, M. (1979). *The process is the punishment: Handling cases in a lower court*. Russell Sage Foundation.
- Feinberg, J. (1965). The expressive function of punishment. *Monist*, 49(3), 397–423.
- Feinberg, J. (1984). *Harm to others*. Oxford University Press.
- Feldman, L., & Stack, M. (2020). The Purdue Pharma bankruptcy and the public health crisis. *American Journal of Public Health*, 110, 1299–1301.
- Ferrell, J., Hayward, K., & Young, J. (2015). *Cultural Criminology*. North Eastern University.
- Fiddler, M. (2013). Playing Funny games in the Law House on the Left: The uncanny and the home invasion genre. *Crime Media Culture*, 9(3), 281–299. <https://doi.org/10.1177/1741659013511833>.
- Fiddler, M. (2019). Ghosts of other stories: A synthesis of hauntology, crime and space. *Crime Media Culture*, 15(3), 463–477.
- Fiddler, M., Linnenmann, T., & Kindynis, T. (2024). Ghost criminology: A framework for the discipline's spectral turn. *British Journal of Criminology*, 64(1), 1–16. <https://doi.org/10.1093/bjc/azad022>.
- Fitzerman-Blue, M., Harpster, N., Newman, E., & Gibney, A. (Executive Producers). (2023). *Painkiller* [TV Series]. Blue Harp; Film 44; Grand Electric; Jigsaw Productions.
- Fletcher, G. (1978). *Rethinking Criminal Law*. Little Brown.
- Forster, M. (Director). (2013). *World War Z* [Film]. Paramount Pictures.
- Frayling, C. (2005). *Mad, Bad and Dangerous? The Scientist and the Cinema*.

- Fricker, M. (2007). *Epistemic injustice: Power and the Ethics of Knowing*. Oxford University Press.
- Friedkin, W. (Director). (1973). *The Exorcist* [Film]. Hoya Productions.
- Friedman, M. (1970, September 13). The social responsibility of business is to increase its profits. *New York Times Magazine*. <https://www.nytimes.com/1970/09/13/archives/a-friedman-doctrine-the-social-responsibility-of-business-is-to.html>.
- Furuya, S., Chimed-Cohir, O., Takahashi, K., & David, A. (2018). Global asbestos disaster. *International Journal of Environmental Research and Public Health*, 15(1000), 1–15. <https://www.mdpi.com/1660-4601/15/5/1000>.
- Gans, C. (Director). (2006). *Silent Hill* [Film]. Silent Hill DCP Inc; Davis Films; Konami.
- Gens, X. (Director). (2024). *Under Paris* [Film]. Let Me Be.
- Giddens, T., Crawley, K., & Peters, T. (2024). Cultural Legal studies: Methodologies of reflexive attunement. In K. Crawley, T. Giddens, & T. Peters (Eds.), *The Routledge Handbook of Cultural Legal studies* (pp. 1–32). Routledge.
- Gifford, D. G. (2010). *Suing the Tobacco and lead Pigment industries: Government Litigation as Public Health Prescription*. University of Michigan Press. <http://ebookcentral.proquest.com/lib/uts/detail.action?docID=3414840>.
- Gilchrist, G. (2012). The expressive cost of corporate immunity. *Hastings Law Journal*, 64(1), 1–56.
- Glasbeek, H. J. (2018). *Capitalism: A crime story*. Between the Lines.
- Gosport, I., & Panel (2018). *Gosport War Memorial Hospital: The Report of the Gosport Independent Panel*. House of Commons. <https://www.gosportpanel.independent.gov.uk/panel-report/>.
- Griffin, H., & Lee Miller, B. (2011). OxyContin and a regulation deficiency of the pharmaceutical industry: Rethinking state-corporate crime. *Critical Criminology*, 19(3), 213–226.
- Habermas, J. (1996). *Between facts and norms: Contribution to a discourse theory of Law and Democracy*. Polity.
- Hayward, K., & Presdee, M. (Eds.). (2010). *Framing crime: Cultural Criminology and the image*. Routledge.
- Hillyard, P., & Tombs, S. (2007). From ‘crime’ to social harm? *Crime Law and Social Change*, 48(1–2), 9–25. <https://doi.org/10.1007/s10611-007-9079-z>.
- Hillyard, P., Pantazis, C., Tombs, S., & Gordon, D. (2004). *Beyond criminology: Taking harm seriously*. Pluto. <http://ebookcentral.proquest.com/lib/uts/detail.action?docID=3386534>.
- Hitchcock, A. (Director). (1960). *Psycho* [Film]. Shamley Productions.
- Hooper, T. (Director). (1982). *Poltergeist* [Film]. Metro-Goldwyn-Mayer; SLM Production Group; Mist Entertainment; Amblin Productions.
- Humphreys, K., & Shover, C. (2022). Responding to the opioid crisis in North America and beyond: Recommendations of the Stanford-Lancet Commission. *The Lancet*, 399(10324), 555–604.
- Hunt, B. (Director). (2005). *The Cave* [Film]. Lakeshore Entertainment; Cinerenta.
- Inciardi, J.A., & Goode, J.L. (2003). OxyContin: Miracle medicine or problem drug. In J. A. Inciardi & K. McElrath (Eds.), *The American drug scene* (4th edn., pp. 163–173). Roxbury.
- Jarvis, B. (2007). Monsters Inc.: Serial killers and consumer culture. *Crime Media Culture*, 3(3), 326–344.
- Jones, K. S. (2021). The Opioid Epidemic: Product Liability or One Hell of a Nuisance? Symposium: The Opioid Crisis: An Epidemic Explained. *Mississippi College Law Review*, 39(1), 32–79.
- Kramer, R. C., & Michalowski, R. J. (2012). Is Global Warming a State-Corporate Crime? In R. White (Ed.), *Climate Change from a Criminological Perspective* (pp. 71–88). Springer New York. https://doi.org/10.1007/978-1-4614-3640-9_5.
- Kramer, R., & Remster, B. (2022). The slow violence of contemporary policing. *Annual Review of Criminology*, 5, 43–66.
- Lelling, A. E. (2018). Corporate accountability for the opioid epidemic. *Department of Justice Journal of Federal Law and Practice*, 66(5), 159–176.
- Leonetti, J. (Director). (2014). *Annabelle* [Film]. New Line Cinema; RatPac-Dune Entertainment; Atomic Monster; The Safran Company.
- Levi, P. (1989). *The Drowned and the Saved* (R. Rosenthal, Trans.). Vintage.
- Lim, E. (2013). A critique of corporate attribution: Directing mind and will and corporate objectives. *Journal of Business Law*, 3, 333–353.
- Linnemann, T. (2014). The walking dead and killing state: Zombification and the normalization of police violence. *Theoretical Criminology*, 18(4), 506–527.
- Linnemann, T. (2016). *Meth Wars: Police, Media, Power*. New York University.
- Linnemann, T. (2019). Bad cops and true detectives: The horror of police and the unthinkable world. *Theoretical Criminology*, 23(3), 355–374.

- Linnemann, T. (2022). *The horror of police*. University of Minnesota Press.
- Linnemann, T., & Medley, C. (2018). Fear the monster: Racialized violence, sovereign power and the thin blue line. In M. Lee, & G. Mythen (Eds.), *The Routledge International Handbook on fear of crime* (pp. 65–81). Routledge.
- MacDonald, D. (2012). Ungovernable monsters: Law, Paedophilia, Crisis. *Griffith Law Review*, 21(3), 585–608.
- Macfarlane Horn, J. (2023). Accident, scandal, disaster: The media framing of corporate crime. *Crime Law and Social Change*. <https://doi.org/10.1007/s10611-023-10111-z>. <https://doi-org.ezproxy.lib.uts.edu.au/>.
- Macy, B. (2018). *Dopesick: Dealers, doctors, and the drug company that addicted America*. Head of Zeus.
- Macy, T., Flanagan, M., Fimognari, M., and Grinwis, E. (Executive Producers). (2023). *The Fall of the House of Usher* [TV series]. Interpid Pictures.
- Manderson, D. (1993). *From Mr Sin to Mr Big*. Melbourne University.
- Mann, B. (2019, December 17). Amid opioid crisis, Sackler family pocketed billions, court audit shows. *NPR*. <https://www.npr.org/2019/12/17/788760829/amid-opioid-crisis-sackler-family-pocketed-billions-court-audit-shows>.
- Mann, B., & Bebinger, M. (2022, March 3). Purdue Pharma, Sacklers reach \$6 billion deal with state attorneys general. *NPR Health Edition*. <https://www.npr.org/2022/03/03/1084163626/purdue-sacklers-oxycotin-settlement>.
- McGreal, G., & Woren, D. (2018). *American overdose: The opioid tragedy in three acts*. Hachette.
- McGurrian, D., Jarrell, M., Jahn, A., & Cochrane, B. (2013). White collar crime representation in the criminological literature revisited, 2001–2010. *Western Criminology Review*, 14(2), 3–29.
- Meier, B. (2020). *Pain Killer: An empire of deceit and the origins of America's opioid epidemic*. Hodder and Stoughton Ltd.
- Mezey, N. (2001). Law as culture. *Yale Journal of Law and Humanities*, 13(1), 35.
- Mezey, N. (2003). Law as culture. In A. Sarat, & J. Simon (Eds.), *Cultural Analysis, Cultural studies, and the Law: Moving beyond legal realism* (pp. 37–73). Duke University Press.
- Michalowski, R., & Annorbah, R. (2024). Toward a Human Rights Criminology of Public Health. In L. Weber & M. Marmo (Eds.), *A Research Agenda for a Human Rights Centred Criminology*. Palgrave. file:///C:/Users/950579/Downloads/978-3-031-46289-4_14.pdf.
- Michalowski, R., & Kramer, R. (1987). The space between laws: The problem of corporate crime in a transnational context. *Social Problems*, 34(1), 34–53.
- Mill, J. S. (1859). *On Liberty*. Penguin.
- Moffat, S. (Writer), & Macdonald, H. (Director). (2007). Blink (Series 3, Episode 10) [TV series episode]. In R. Davies, & J. Gardiner (Executive Producers), *Doctor Who*. BBC.
- Mooney, D. P. (2019). State v. Thomas: An improper extension of Involuntary Manslaughter to combat the opioid epidemic note. *Maryland Law Review*, 79(3), 771–797.
- Morreim, E. H. (2021). Corporations, High-Stakes Biomedical Research, and Research Misconduct: Yes they can (and sometimes do). *Journal of Law and the Biosciences*, 8(1), 1–38.
- Naffine, N. (2004). Our legal lives as men, women and persons. *Legal Studies*, 24(4), 621–642.
- Nayar, P. (2017). *Bhopal's ecological gothic*. Lexington. <https://ebookcentral.proquest.com/lib/uts/reader.action?docID=5115424&ppg=1>
- Nixon, R. (2011). *Slow violence and the environmentalism of the poor*. Harvard.
- Nowell, R. (2014). *Merchants of Menace: The business of horror cinema*. Bloomsbury. <https://ebookcentral.proquest.com/lib/uts/detail.action?pq-origsite=primo&docID=1649332>
- Parle, J., & Wimmelbucker, L. (2019). These are medicines that ‘make’ monsters: Thalidomide in Southern Africa, 1958–1962. *Social History of Medicine*, 33(3), 898–923.
- Peters, T. (2017). I, Corpenstein: Mythic, metaphorical and visual imaginings of the corporate form in comics and film. *International Journal for the Semiotics of Law*, 30(3), 427–454. <https://doi.org/10.1007/s11196-017-9520-2>.
- Peters, T. (2023). You are bad Guy, but this does not mean you’re bad guy: The office of the villain in despicable me, Megamind and Wreck-It Ralph. *Saeculum*, 73(1), 165–190.
- Poe, E. A. (2022). *The Cask of Amontillado* (16th Edn.). Ryerson University.
- Poitras, L. (Director). (2022). *All the Beauty and the Bloodshed* [Film]. Praxis Films; Participant; HBO Documentary Films.
- Polanski, R. (Director). (1968). *Rosemary's Baby* [Film]. William Castle Enterprises.
- Radden Keefe, P. (2021). *Empire of Pain: The secret history of the Sackler Dynasty*. Pan Macmillan.
- Rios, K. S. (2019). Combatting the opioid epidemic in Texas by Holding Big Pharma Manufacturers Liable Comment. *St Mary's Law Journal*, 50(4), 1353–1388.

- Rosen, L. (2006). *Law as Culture: An invitation*. Princeton University Press.
- Roth, E. (Director). (2002). *Cabin Fever* [Film]. Deer Path Films; Down Home Entertainment; Tonic Films.
- Shelley, M. S. (1818). *Frankenstein: Or, the Modern Prometheus*.
- Skott, S., Nyhlen, S., & Giritli-Nygren, K. (2021). In the Shadow of the monster: Gothic narratives of violence prevention. *Critical Criminology*, 29(2), 385–400.
- Snyder, Z. (Director). (2004). *Dawn of the Dead* [Film]. Universal Pictures; Strike Entertainment; New Amsterdam Entertainment.
- Sothcott, K. (2016). Late modern ambiguity and gothic narratives of Justice. *Critical Criminology*, 24(3), 431–444.
- Spielberg, S. (Director). (1975). *Jaws* [Film]. Zanuck Brown Company; Universal Pictures.
- Strong, R., Goldwyn, J., Littlefield, W., Rosenfelt, K., Levinson, B., Macy, B., & Keaton, M. (Executive Producers). (2021). *Dopesick* [TV series]. Danny Strong Productions; Goldwyn Productions; The Littlefield Company; 20th Century Television.
- Sutherland, E. (1940). White-Collar criminality. *American Sociological Association*, 5(1), 1–12. <https://doi.org/10.2307/2083937>.
- Taylor, P. M., & Uchida, Y. (2022). Horror, fear, and moral disgust are differentially elicited by different types of harm. *Emotion*, 22(2), 346–361. <https://doi.org/10.1037/emo0001061>.
- Thacker, E. (2011). *In the dust of this planet: Horror of philosophy* (Vol. 1). Zero Books.
- Thornton, M. (1991). The public/private dichotomy: Gendered and discriminatory. *Journal of Law and Society*, 18(4), 448.
- Tombs, S. (2018). For pragmatism and politics: Crime, social harm, and zemiology. In A. Boukli, & J. Kotze (Eds.), *Zemiology: Reconnecting crime with social harm* (pp. 11–31). Palgrave MacMillan.
- Tombs, S., & Whyte, D. (2015). *The Corporate Criminal: Why corporations must be abolished*. Taylor and Francis.
- Trabsky, M., & Flore, J. (2024). Prescription medicines and economies of death. In P. Crofts (Ed.), *Evil corporations: Law, culpability and regulation* (pp. 78–90). Routledge.
- Tudor, A. (1989). Monsters and mad scientists. *Genre*, 1, 1931–1960.
- Tweedale, G. (2000). *Magic Mineral to Killer Dust: Turner and Newall and the asbestos hazard*. OUP.
- US Senate Finance Committee. (2012). *Letter to John H. Stewart president and chief executive officer, purdue pharma L.P. from Charles E. Grassley and Max Baucus of the US Finance Committee*. Purdue.
- van Rijswijk, H. (2019). Feminist genres of violence and law's aggressive realism. In A. Philippopoulos-Mihalopoulos (Ed.), *Routledge Handbook of Law and Theory* (pp. 329–346). Routledge.
- van Zee, A. (2009). The promotion and marketing of OxyContin: Commercial triumph, public health tragedy. *American Journal of Public Health*, 99, 221–227.
- Vande Walle, G., & Ponsaers, P. (2006). Formal and informal pharmaceutical economies in Third World countries: Synergetic, symbiotic or parasitical? *Crime Law and Social Change*, 45(4), 361–372.
- Vint, S. (2013). Abject posthumanism: Neoliberalism, biopolitics and zombies. In M. Levina & D.-M. T. Bui (Eds.), *Monster Culture in the 21st Century* (pp. 133–146). Bloomsbury.
- Ward, G. (2015). The slow violence of state organized race crime. *Theoretical Criminology*, 19(3), 299–314. <https://doi.org/10.1177/1362480614550119>.
- Wells, C. (1993). *Corporations and criminal responsibility*. Oxford University Press.
- Wheelwright, K. (2006). Goodbye directing mind and will, hello management failure: A brief critique of some new models of corporate criminal liability. *Australian Journal of Corporate Law*, 19, 287.
- Whyte, D. (2016). It's common sense, stupid! Corporate crime and techniques of neutralization in the automobile industry. *Crime Law and Social Change*, 66(2), 165–181. <https://doi.org/10.1007/s10611-016-9616-8>.
- Whyte, D. (2020). *Ecocide: Kill the corporation before it kills us*. Manchester University.
- Williamson, K. (Creator). (1996–present). *Scream* [Film franchise]. Dimension Films; Paramount Pictures; Spyglass Media Group (Owners).
- Wood, R. (1986). *Hollywood from Vietnam to Reagan*. Columbia University.
- Wright, E. (Director). (2004). *Shaun of the Dead* [Film]. Studio Canal; Universal Pictures; WT Productions; Big Talk Productions.
- Zizek, S. (1992). *Looking awry: An introduction to Jacques Lacan through Popular Culture*. Massachusetts Institute of Technology.
- Žižek, S. (2011). *Living in the End of Times*. Verso.