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Ethics of Game Design

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When it comes to the ethical choices that game developers make when they decide what to put into their creations, they face the same moral issues that artists in any other communications medium face. They must struggle with balancing their rights to free expression with the tastes of consumers and be concerned about the effects their content has on their audience. While it's easy for games to enlighten and enliven the human experience, they are still a form of media and expression, and thus possessed of the ability to influence those that play them.



In *Fable*, players choose for themselves what is right and what is wrong.

But because videogames are a newer medium, game designers are still struggling with what kind of ethics code they should adopt. Legally, games qualify as a form of expression that is protected under the First Amendment. In a recent court case in Washington, a judge tossed out a state law that restricted the sales of M-rated games to minors, particularly games that depicted violence against law-enforcement officers. The judge noted that games qualified as speech, but he also noted how ridiculous it would be to try to sort out whether violence against law enforcement occurs in games such as *Age of Empires*, in which Roman centurions might be interpreted as law enforcers.

Value judgments about which games are unethical depend on the eye of the beholder. And the gravity of the

debate depends on what games really are. If they are just a form of entertainment, then they need not pay more attention to ethics than movies do. If they are works of art, then they should be held to higher standards. In other words, it is the design goals themselves that put ethical limits on game designers.

"Discussing ethics and morals is a tricky subject, as the terms are very vague and slippery," says Jason Della Rocca, program director of the International Game Developers Association. "Each person's definition of what is ethical changes."

It's Just Commerce

Game designers can justify what they put into their games by falling back on the First Amendment or the idea that the only requirement for a game is fun. But that doesn't necessarily get designers off the hook.

"We as an industry do have a moral responsibility," says Peter Molyneux, CEO of Lionhead Studios and creator of hits from *Black and White* to *Fable*. "Anyone who does something for a mass market has a responsibility. You tread carefully on the lessons that you teach. That line that 'if a game is fun, it is okay' - that sounds trivial. If it is obvious this is an artificial world and you can't do these things in real life, then that is more acceptable. But if it parades itself as a real world, you have to be careful about that."

"If designers just create 'fun' games, but the buying trends are heading toward more realistic and violent games, then the designers that refuse to move along will likely be left behind," says Lorne Lanning, president of Oddworld Inhabitants in San Luis Obispo, Calif. "It's also true that it is easier to create viable game mechanics out of violence than from socially oriented ideas. Socially oriented ideas and cooperative play that doesn't end in violence are extremely challenging to achieve."

How well a game designer has abided by a code of ethics depends in part on what the game is trying to achieve. Is it just a fun game? Does it try to depict a historical event with accuracy? Does it purport to be a self-consistent fiction? Or does it try to reproduce reality of some kind?

"Some games are supposed to be fun," says John Whitmore, director of design at 2015 Studios in Tulsa, Okla., and co-creator of the Vietnam war game *Men of Valor*. "Some are trying to be more artistic. If you have the pretension of trying to be more artistic, you have to think about the ethical decisions that you make. It's hard to call a game like *Grand Theft Auto* high art. Some fantastic movies are racy. But porn doesn't quite make it to the Academy Awards."

Would-be censors have pilloried the game industry for many controversial games. Violence is always a flashpoint, and to a lesser extent sex and foul language are as well. From the original *Mortal Kombat* where you could rip out the spines of your hand-to-hand combat opponents, to this year's *Def Jam Fight For New York*, where 'F'-word spouting rappers can bloody each other with tire irons, it's easy to find controversial games. In *Grand Theft Auto: Vice City*, you can shoot cops and have sex with a prostitute and then kill her to get your money back.

Executives at Take-Two Interactive Software, publisher of *GTA: Vice City*, don't comment publicly on the ethics of the game. But privately they grouse that the content in the game is no worse than what you find in an R-rated movie or a rap music CD. It is the same kind of content you can find in an Emmy-winning episode of *The Sopranos*. They consider it hypocritical for politicians to single out the game industry for criticism. And they note that the game carries a "Mature" rating, meaning kids under 17 aren't supposed to play it and parents should police what their children play.

Antiviolence advocates say game designers should pay attention to the fact that their games, while rated M, often fall into the hands of kids and that studies show this exposure to violence has its effects (industry leaders dispute those studies). Doug Gentile, director of research for the National Center for Media and the Family and a psychology professor at Iowa State University, says game designers do have First Amendment rights to create what they want. But, he adds, "Designers often wash their hands of their responsibilities in seeing that the ratings are enforced. They leave it to publishers, who market the games to children." Gentile says games have a number of effects, some disputed, some clear, and developers should pay attention to them. He notes, for instance, that the research does not show that games have a cathartic effect on people, making them less inclined to violence.

Vince Desi, CEO of Running With Scissors, the developer that created the controversial games *Postal* and *Postal 2*, says, "Games are games and they should be fun to play." He adds, "If a person plays a game and understands it's a game, then that's all it is. We absolutely don't seek anything more or higher than a good time. There's a lot of hypocrisy in our industry. We like to say, 'violence belongs in games and not in the streets.'" He adds that for those who see games as interactive movies with a deep story, that statement doesn't hold.

Desi says his company takes pains not to advertise its games to minors. But antiviolence advocates argue that games are still a kids' medium. Even though the average player is age 29 and 90 percent of games are sold to adults (according to Entertainment Software Association statistics), David Walsh, director for the

National Institute on Media and the Family, notes that many mature games wind up in the hands of kids. He noted a survey of parents showed that less than five percent understood the content of *GTA3*. He finds such games all the more objectionable because they look more realistic than past games, allowing for more horrific depictions of violence. And he criticizes the game industry for advertising M-rated games in media that kids consume.

A Case Study: *Men of Valor*

Developers such as Whitmore acknowledge that it's likely M-rated games will wind up in the hands of minors. That, in turn, tied his development team's hands in how they designed *Men of Valor*. For his artistic goal, Whitmore set as his target the depiction of the emotional content of what it was like to be in battle during the Vietnam War. Looking at the historical record, the team concluded that profanity would make the battlefield come alive. It would help deliver a more intense and faithful re-enactment.

But the team also had to clear that decision with the publisher, which in turn, checked with the retailers. The decision passed muster. Whitmore said the team decided to censor itself from using racial slurs, saying they carried too much emotional weight for modern audiences. Instead of outright slurs, the team substituted profanity laden stereotypes and creative curses, which they considered to be less offensive than the hot-button words of racial prejudice.

Other issues came up. The depiction of drug use might have been justifiable as historically accurate but it wasn't central to recreating the sense of real combat, Whitmore said. The game has plenty of violence and blood. Players can bleed to death from wounds because that adds to the realism. If the battleground were littered with health packs, Whitmore said that would have been a "dishonor to the war." It would also have changed tactics, motivating players to charge head-on rather than seek other ways to win. On the other hand, if the game showed dismemberment, executions, and torture, then it would not have been "respectful of the audience" which includes veterans, he said.

The team had to consider that other games about Vietnam could change the climate for what audiences would tolerate. Looking at other Vietnam games, such as Eidos Interactive's *Shellshock: Nam '67*, the 2015 Studios team might have profited by putting prostitution into the game. Doing so would have put it on par with a movie like Stanley Kubrick's *Full Metal Jacket*, which was critically acclaimed. But Whitmore said that the team had to think about what the audience would tolerate and whether it would have truly enhanced the vision of a realistic depiction of combat. The team decided against it.

"Knowing that it falls into kids' hands, we won't make games where you are rewarded for being a villain and doing something reprehensible," Whitmore said. "I'm not saying other people shouldn't make that type of game. I play *GTA3* and it's a ball. I don't want to contribute to that. I think it coarsens culture."

Judging a Game by its Effects

But it isn't easy to judge the impact of a game on culture or audiences. Every game designer feels as if they have the right to make fun-oriented games where players can kill anything they want. But some designers worry that too many games are following the same formula as violence and sex-laden movies in Hollywood. If the collective weight of violent games begins to resemble Hollywood's content, then it becomes clearer to see the negative effects on culture.

Clearly, it's hard to predict what the effect of a game is on a player. Will Wright, creator of *The Sims* franchise at Electronic Arts' Maxis division, says he enjoys playing *GTA: Vice City*. He feels that violent games allow people to behave in ways that they wouldn't or couldn't behave in real life and explore that behavior. In that way, games are a therapeutic outlet that can clear negative emotions from a person. That's the whole thesis of *Killing Monsters: Why Children Need Fantasy, Super Heroes and Make-Believe Violence* (Basic Books, 2002), a book by Gerald Jones about videogame violence and how it can affect players positively.

Game designers draw their own conclusions in the debate about whether games contribute to a culture of violence. "I have a dim view of the use of graphic violence to increase sales of videogames," says Daniel James, CEO of San Francisco-based Three Rings, which maintains *Yohoho! Puzzle Pirates*, an online puzzle game. "Although I am not naive enough to think that violent games lead to violence, I think that exposure to such material is corrosive to mental health, and quite frankly rather dull." Meanwhile, Jay Wilbur, vice president of marketing at Epic Games in Raleigh, N.C., says the level of violence in a game should fit the context that the world of the game calls for. Anything more violent or sexual than what the context calls for is gratuitous. In some ways, that suggests the creators of games with horrific plot lines have the most artistic license.

Room for Serious Games with Serious Ethics?

Some developers see the current state of game ethics as crying out for change. Educational games might be considered higher ground than games whose sole purpose is fun. Ben Sawyer, who moderates the Serious

Games message group, says that the medium of games is powerful but under-exploited when it comes to exposing people to real-life training, simulation, and learning. "We need to grow the pie and create new forms of gaming that emphasize deeper ethical issues we can explore in interesting ways," Sawyer says.

The fact that most games are for-profit endeavors opens the door to accusers who say that games profit at the expense of others' misery. Kuma Reality Games has tried to use this medium to deliver news in a way that CNN or daily newspapers don't, says Keith Halper, CEO. The company has created an episodic, subscription-based game that uses current events as the basis for its first-person shooter combat. Since its modding tools allow it to come out with a new scenario within weeks, the company has begun adding current events such as the capture of Saddam Hussein and the resurgent story of John Kerry's Swift Boat mission. Players can put themselves in the roles of soldiers fighting the actual battles and see how the tactical situation unfolds in a way that reading a news bulletin cannot.

These events exploit the news, in the same way that CNN was said to exploit the 1991 bombing of Baghdad for its own financial benefit. But Halper says that games are a powerful and unique media in terms of their ability to help someone understand a tactical military situation.

"People can say we are taking advantage of a situation where Americans are in peril," says Halper. "That doesn't diminish the value of what we deliver, which is using the power of videogames to communicate important facts about the world. We deliver timely information in an informative and emotionally gripping way. The exploitation issue is best served by telling valuable stories."

For Halper, the sense of ethics kicks in when the designers must figure out how to balance the fun of the game with the accuracy of what happened. In the capture of Saddam scenario, they added a suicide charge of insurgents. While it didn't happen, Halper says the event illustrated one of the things that U.S. soldiers might have had to face as they closed in on Saddam. To make sure they get it right, Kuma War's designers have a military advisory board. And to deal with the criticism that they are only out for crass financial gain, they make donations to a veterans group.

Artistic Intent

Many critics want to know what a developer's intentions really are before they lambaste her or his ethics. Whether developers really put making money above other goals such as reproducing historical events accurately is rarely clear. But even when developers make their intentions obvious, they can still draw fire.



Is Kuma War's John Kerry Swift Boat mission exploitive or educational?

Consider the case of *America's Army*, the U.S. Army's first-person shooter game. The Army gives the game away for free so it can't be said to profit from misfortune. But its primary aim is recruiting young people into the military.

The developers deliberately restricted what players could do because they wanted to abide by the Army's values. You can't shoot civilians or your own troops without consequences. You don't get to play terrorists because that isn't the kind of person the Army wants to train. You learn that one bullet can kill you and that you aren't invulnerable.

However, those who believe that using a game to recruit soldiers for war is wrong argue that the game might mislead young people into giving up their lives. Lt. Col. Casey Wardynski believes that the game takes pains to be realistic. If you shoot your own side, you get to see the view from the federal prison in Leavenworth. In many missions, the goal is to complete a task, like escorting a convoy, with a minimum amount of casualties. While it doesn't show gore, it also doesn't glamorize or sanitize the Army life, he says. Rather, it shows what it is like so the Army doesn't have to spend time weeding out people who don't understand the Army. In that sense, he says, the game isn't a propaganda tool.

But Wardynski said the Army decided to stay away from staging current events in scenarios. The terrain of the games resembles Iraq and Afghanistan, but the game doesn't reproduce a real event the way Kuma War does. One of the concerns was: family members wouldn't necessarily want to see where their loved ones fell.

"There is a fine line and you don't want to step over it," Wardynski said. "We steer clear of glamorizing war or taking advantage of current events. People may have lost loved ones recently. And there is the privacy of the people involved. Another concern is national security, if you put too much detail into it."

Putting Choices in Players' Hands

The ethics of game design has entered a new era in which the developers offer the players ethical choices of their own. In games such as *Fable*, where you can become a hero or a villain one choice at a time, Molyneux puts the ethical choices in the hands of the player. You can slaughter an entire village, but the consequences come back to haunt you. Word will spread about your reputation and no one will trust you anymore. People will recoil in fear. Or, if you choose to be good, your good deeds can reap rewards from total strangers.

Molyneux likes this type of game because it teaches people how to make ethical choices and lets them learn something both about themselves and the consequences of their actions. But there are a raft of games in which playing the bad guy is given equal weight as being a hero. You can play the Dark Side in *Star Wars: Knights of the Old Republic*. You can play bad characters in the upcoming *City of Villains*.

But Molyneux says this doesn't allow him to dodge ethical choices. He had to restrict the kind of activities the players could engage in because he knew that even with the M rating, the game would be played widely. Hence, he took children out of the game so that villains couldn't slaughter kids at school.

Jack Emmert, lead designer at Cryptic Studios on *City of Heroes*, agrees that limits have to be put into open-ended games to prevent the players from descending into *Lord-of-the-Flies* behavior.

"If you take people, remove them from society, in a world where there are no laws, things will go haywire," Emmert says. "That's what an online game is like. There are no punishments in the online world."

Emmert's next project, *City of Villains*, lets players be bad guys. But even in that game, he decided he had to limit behavior, such as serial killing, in order to make the game socially acceptable.

It's only a matter of time until a developer produces a serial killer game, a mass genocide game, or the next *Postal*-esque homicide simulator. But whoever actually makes these games cannot claim ignorance as a defense of their product. The ground work has been laid for the ethics of this industry, and thanks to countless violent and objectionable games that have already been brought to market, the boundaries of good taste and ethical responsibility are now known. While defining the ethics of an individual game can be difficult at the extremities, these decisions become clearer.

Consciously choosing how your game will confront these difficult issues, no matter which side of the fence you're on, is a sign of just how mature our business has become.

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