

Fatality!: “Mortal Kombat” in Congress

Tutorial

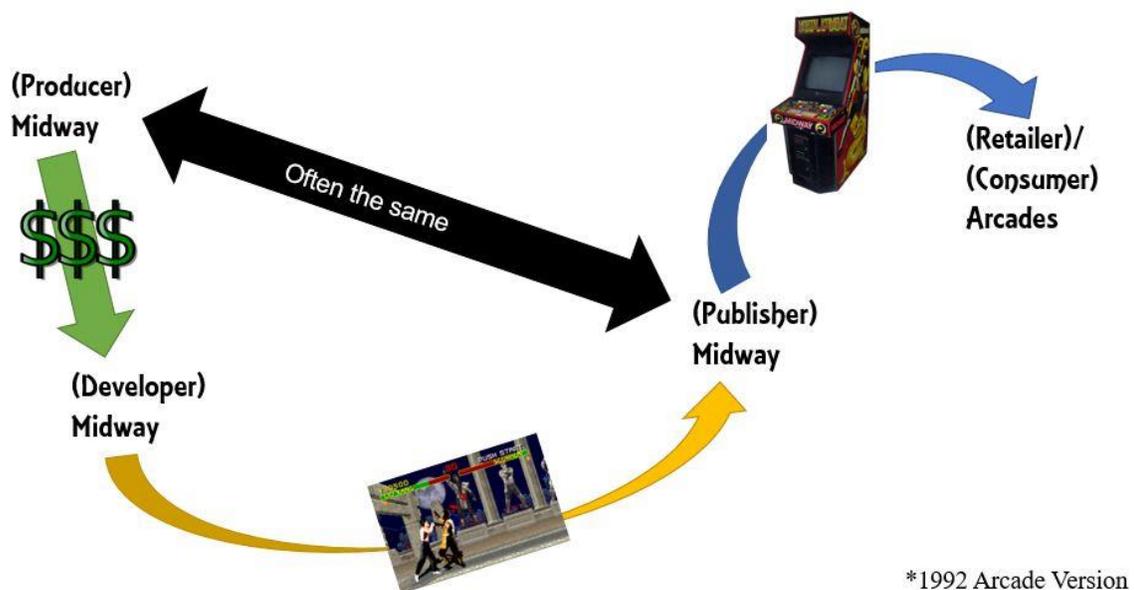
The video game industry saw a series of remarkable highs and devastating lows in the 1980s and ‘90s. Between technological revolutions and fluctuating popularity, video games took America by storm and, in turn, saw their fair share of stormy days. One such tempest came in the mid-1990s, with a Congressional hearing on violence in video games. As technology advanced in the ‘90s to allow more realistic graphics, concern began to rise about the effect on users. At the time, much of the industry’s revenue came from arcades: the home console market was just beginning. The majority of gamers who frequented arcades were children or teenagers, who spent their pocket money on games that adults began to worry were leaning more and more into violent territory.

Concerned parents and legislators saw these minors as easy targets for video game makers looking to cash in on violent trends in entertainment and decided something must be done. It was easy for them to point the finger at games like “Mortal Kombat,” a fighting game known for spurting blood and brutal ‘finishing’ moves. The game was popular upon its release to arcades in October 1992, though its popularity waned as concern about its gore grew in the mid-‘90s. But the panic of 1993 was not solely about “Mortal Kombat.” It was instead two smaller conflicts playing out on a larger stage: the struggle between the two main players, Nintendo and Sega, for control of the video game market, and the struggle for power between ‘adults,’ legislators and parents who set rules about and limited access to video games, and ‘kids,’ the consumers of video games.

Loading Screen

A note on terminology: the video game industry, henceforth referred to as ‘industry,’ is composed of developers and publishers. The initial idea for a game is created by an individual or individuals, either employees of a development studio or publisher, or people unaffiliated with either. A producer, which sometimes is the same company as the publisher, puts up the money for production of the game. That money goes to the development studio, which is responsible for the creation of the game. This includes everything from coding to level design, to scripting, to

creating the characters and art style.¹ This can be thought of as the hands-on, nitty-gritty step of game production. The mostly finished game is then passed to the publisher, which carries out the testing process and recommends finishing touches before the game’s release to ensure there are few or no bugs in the final product. After testing, the publisher handles the business side of production, namely, the marketing and consumer support after release. Importantly, while the publisher might provide the financial backing for advertising, the content of the ads themselves is controlled by the retailers or hired ad agencies. In the 1990s, games reached consumers through arcade cabinets, such as those found in bowling alleys or dedicated arcades, or through cartridges sold at retailers like Sears or Toys “R” Us, as the home console market expanded.



The development process for the arcade version of “Mortal Kombat” (Midway, 1992).

In the case of “Mortal Kombat,” it began as an arcade title, developed by John Tobias and Ed Boon of Midway Games in 1991 and released for the arcade in October 1992. This exemplifies a situation in which the publisher and developer are the same entity. The license, or, the use of the intellectual property, was then bought by Acclaim Entertainment, also serving as both developer and publisher, for porting to home consoles in 1993. The title was released to all major consoles at the time, including the Sega Genesis and the Super Nintendo Entertainment

¹Bethke, Erik. *Game Development and Production* (Plano, TX: Wordware Publishing, Inc., 2003), 63.

System. These rival consoles led the pack in what was known as the fourth console generation, characterized by multi-button controllers and large sprites that allowed for a greater array of colors and more realistic graphics.² CD-ROM support played a role in expanding storage for games, meaning they could include full-motion video, or FMV, to incorporate footage of real-life actors into the gameplay.

Level 1: 1993

At the conclusion of 1993, the tone of end-of-year articles in newspapers nationwide was grim. It had been a year of violence, they declared, and the clear victim had been America's children.³ Some outlets hesitated to provide a possible culprit, while others were far more eager to point the finger at media violence. They argued that consuming violent, bloody content through television and movies and the newest rising medium, video games, was corrupting the nation's youth.⁴ Reading only these bleak summaries of the year's tragedies casts 1993 in a dark light, as if every American's Christmas was devoid of any happy thought. If you were not a fan of video games, and were afraid of the seemingly out-of-control race to develop new technology, this may very well have been true. For the youth of America who enjoyed this new technology, though, Christmas 1993 was truly the most wonderful time of the year.

More storage space on CD-ROMs allowed for bigger and better cinematic games, the likes of which had never been seen. "Myst" (Broderbund, 1993) and "The 7th Guest" (Virgin Interactive Entertainment, 1993) served as so-called-"killer apps" to move CDs and CD-supporting hardware off shelves at a blistering pace. Both were critically acclaimed upon their releases, and Microsoft founder Bill Gates hailed the latter as "the new standard" for gaming.⁵ Genres expanded and shifted to meet changing demand of consumers; first-person shooters like "Doom" (id Software, 1993) and first-person simulation games grew in popularity. Puzzle and horror came onto the scene in full-force. Action role-playing games, RPGs, experienced the

²Ivory, James D. "A Brief History of Video Games" in *The Video Game Debate: Unravelling the Physical, Social, and Psychological Effects of Digital Games*, edited by Rachel Kowert and Thorsten Quandt (Abingdon, UK: Routledge, 2015), 4.

³Schwartz, Jerry. "For the world's children, it was the worst of times." *Indianapolis Star*, 26 Dec. 1993.

⁴Welkos, Robert W. "Tracking the Media-Violence Explosion: The Year in Review." *Los Angeles Times*, 26 Dec. 1993.

⁵Ichbiah, Daniel. *La saga des jeux vidéo* (Paris: Éditions Générales First-Pocket, 1997), 208.

beginning of a long-lasting heyday. Licensed content from the likes of popular sports teams and entertainment companies like Disney caused sales of titles and home consoles alike to skyrocket.

The spike in technological capabilities was fueled in part by the competition triggered by the entrance of smaller game studios into the industry, which had previously been dominated by a blue-overall-wearing plumber: Nintendo and their wildly-successful Mario series. Nintendo, which began in Japan in 1889 as a playing card company, shot onto the American video game scene in 1985 with its first console, the Nintendo Entertainment System, or NES.⁶ Nintendo's parent company had seen years of success in Japan, and saw opportunity in North America, which was ailing after a devastating crash in 1983. In that year, the bottom had fallen out of the video game market due to oversaturation, the rise of the personal computer, and a lack of faith in the long-term viability of the industry.⁷ Adults' fear about the influence of video games, just a taste of the panic to come, had steadily grown, but been largely assuaged by the industry's collapse.⁸ Aided by the success of its new Nintendo of America branch, known as NOA, Nintendo quickly shot to the top of the worldwide market, holding some 80% of market share in 1990.⁹ By 1993, though, things had shifted in a remarkable way. Nintendo found itself fighting for ground against a foe it had previously underestimated: a speedy blue hedgehog.

Sega of America, also hailing from a parent company in Japan, found limited success in 1992 with the Sega CD. It was their second console, the Genesis, which cemented Sega's place in the market. The Genesis was the first home console with the capability to rival Nintendo's newest offering, the Super Nintendo Entertainment System, or SNES. Originally released to little acclaim at the end of 1989, the Genesis made a name for itself by directly targeting Nintendo in nose-thumbing ad campaigns, using slogans like the now-infamous "Genesis does what Nintendon't"; slashing prices of its hardware; and bundling the console with risky new titles that offered excitement and opportunity that Nintendo would likely never consider.¹⁰ In just a few

⁶The NES was originally launched in Japan in 1983.

⁷Williams, Dmitri. "A Brief Social History of Game Play" in *Playing Video Games: Motives, Responses, and Consequences*, edited by Peter Vorderer and Jennings Bryant (Mahwah, NJ: Lawrence Erlbaum Associates, Inc., 2006), 202.

⁸These fears were echoed by then-Surgeon General C. Everett Coop, who spoke out against video games, saying they have no redeemable qualities: "Everything is eliminate, kill, destroy!" See: Gunter, Barrie. *Does Playing Video Games Make Players More Violent?* (London: Palgrave Macmillan, 2016), 16.

⁹Carlton, Jim. "Sega, Aided by Hedgehog, is Gaining on Nintendo." *Wall Street Journal*, 5 Nov. 1993.

¹⁰Harris, Blake J. *Console Wars: Sega, Nintendo, and the Battle That Defined a Generation* (New York: HarperCollins, 2014), 185.

short years, Sega asserted itself in the North American market, nabbing 45% of the market share and knocking NOA to 44%.¹¹ Sega managed this feat by offering a console that was able to take up the gauntlet thrown down by Nintendo, but, more importantly, by presenting themselves as an outsider. Sega was not only representing themselves. Instead, the company was a stand-in for all of the smaller outfits who had previously never seen any hope of competing with Nintendo. SOA was the underdog, and knew it. With characters like Sonic the Hedgehog, Sega presented a raunchy, edgy image to combat Nintendo's family-friendly, trustworthy reputation. America responded by enabling the massive shift in power, and creating a strong division in the market as well as in society at large: you were either a fan of Sega or Nintendo. There was no in between, as each company developed into more than mere video game producers.¹² They were cults of personality, and the console purchased reflected on the consumer and their values. The Console Wars were in full swing.

This conflict came to a head in the run-up to Christmas 1993, with the controversy over "Mortal Kombat." In the months leading up to the holiday season, one item in particular showed up on kids' wish lists: a fighting game from an unassuming studio, which had seen previously unimaginable success upon its release to arcades.¹³ There were two versions of the same game available to consumers. First, the version for the Sega Genesis, a mostly-faithful port from the arcade version. When a code was entered, this version came complete with gore and the infamous 'fatalities,' which allowed players to defeat their opponents in remarkably gruesome ways.¹⁴ The other version came for the SNES, and lacked in the blood and gore. Instead, the punches resulted in gray 'sweat' flying from the opponent, and there was a noticeable lack of the brutal fatalities.¹⁵ The Sega-Nintendo rivalry now had a crystal-clear battlefield: which game did kids want, the gory Genesis version or the clean SNES title? More importantly, which would parents be willing to buy?

¹¹Battelle, John and Bob Johnstone. "The Next Level: Sega's Plans for World Domination." *Wired.com*, 1 June 1993.

¹²Harris, *Console Wars: Sega, Nintendo, and the Battle That Defined a Generation*, 160.

¹³"This holiday season, hundreds of thousands of parents are facing a Mortal Kombat dilemma." *San Antonio Express-News*, 20 Dec. 1993.

¹⁴At the title screen, press A B A C A B B to unlock the gore.

¹⁵Macias, Patrick. "The Moral Dilemma of Mortal Kombat." *The Sun*, 19 Oct. 1993. See also: Carter, Chip and Jonathan. "Parents vs. kids: Kombat continues battle over gore." *Chicago Tribune*, 1 Oct. 1993.

In a massive marketing campaign, the biggest ever undertaken by Acclaim Entertainment, the title was released to the public for all major home consoles on ‘Mortal Monday,’ September 13, 1993. People of all ages flocked to stores to get their hands on the game. Newspaper reports describe a truly mixed bunch, as kids skipped school and businesswomen and men skipped work to fork out their hard-earned cash for the game.¹⁶ The Genesis version was marked at \$59.99 at Toys “R” Us, while the SNES version was marked at \$69.99.¹⁷ Whether or not the \$10 price discrepancy made much of a difference is unclear: as preorders began to flow in weeks in advance, the Genesis version was projected to far outsell Nintendo’s on the simple basis of public interest.¹⁸ Consumers of the games were the ones clamoring for more gore. Vocal opponents to violence in games either boycotted all titles or gravitated toward the non-violent games, of which there were plenty. According to Sega, fighting games only made up 13% of their sales.¹⁹ A study of titles released between 1992 and 1994 finds that, of 42 games released under the genre of ‘Action,’ encapsulating fighters, platformers, and shooters, only 13 were fighting games. While the majority of the total games released in that period were under the ‘Action’ category, the majority, 21, were platformers, the likes of “Kirby’s Dream Land” (Nintendo, 1992) and entries into Capcom’s Mega Man series.

Category	Number of Games
Fighter	13
Shooter	8
Platformer	21
Total ‘Action’ Games	42

Breakdown of ‘Action’ Games, 1992-94

Action (Fighter, Platformer, Shooter)	42
Adventure (Text Adventure, Interactive Movie)	8
Strategy (RTS, Turn-based)	7

¹⁶Gruson, Lindsey. “Video Violence: It’s Hot! It’s Mortal! It’s Kombat!” *New York Times*, 16 Sep. 1993.

¹⁷“Display Ad 272.” *Los Angeles Times*, 26 Aug. 1993.

¹⁸Bulkeley, William M. “Gory Video Game Racks Up Big Sales on its Opening Day.” *Wall Street Journal*, 14 Sep. 1993.

¹⁹*Video Game Violence*. Senate Governmental Affairs Committee. C-SPAN, Washington, D.C. 9 Dec. 1993.

Sports (Racing)	7
Action-adventure (Stealth, Survival Horror, Point-and-Click)	6
Role-playing (Action, Tactical)	6
Simulation	5
Puzzle	1
Total Games	82

Breakdown of total games, 1992-94

The year saw parallel fears from the public and the industry: many average Americans were concerned about an apparent increase in violence in society, seen in graphic cable news coverage of incidents like the deadly siege on the Branch Davidians compound in Waco, Texas, and the attempted bombing of the World Trade Center. Video game makers, on the other hand, feared a return of the devastating crash of 1983. It was this fear that helped technology advance, engineered by developers determined to prove video games were not just a passing fad. This led them to push boundaries, going farther than they had before in gore and the realism of game graphics. Some advocates said they went too far, and voiced fears that this realism, paired with heightened levels of interactivity in games full of violent content, would lead to an increase in violent tendencies of users. Some advocates, including groups such as Parents Choice and Action for Children’s Television, feared this ability to direct violent situations might teach children to use the same techniques in their own lives.²⁰

Interestingly, it was not only parents voicing these concerns. The “Family Ties” column in the *San Diego Union-Tribune* gathered an interesting pool of sources when the paper asked concerned kids to write in with their opinions in violence in video games, movies, television programs, and music lyrics. The authors ranged in age from middle school to high school, and were evenly split in their concern about violence. All noticed the presence of violence in the various forms of media they consumed, and some found it very concerning. Overwhelmingly, the students agreed the responsibility to educate children about the appropriateness of violence fell to the parents. “[P]arents must keep paying attention to what their kids are listening to and

²⁰Williams, Stephen. “Killer Video: Mortal Kombat is the game of the moment but look out? There’s a lot more digitized mayhem to come as technology turns up the heat on home video games.” *Newsday*, 30 Sep. 1993.

watching.” “Parents should sit down and discuss the violence and such encountered in the media with their children.” “...[T]he violence in the media makes [young children] think that hitting and beating people up is going to get them through life. Somebody better tell them it won’t.”²¹ It should be noted these letters to the editor are written by individuals who find the issues troubling enough to be motivated to reach out to papers and air their grievances; it cannot, therefore, be assumed that these represent the majority of the American views at the time. Take as an example that, while almost every student who wrote to the *Union-Tribune* acknowledged the presence of often gratuitous violence in media, only about half said they thought it was a problem. For as many angry anti-video game letters written to newspapers, one can find just as many teens and kids who are nonplussed by the violence. Shadowing a salesclerk in a video game store, John M. Glionna, writing for the *Los Angeles Times*, found a remarkable lack of interest in the anti-violence arguments. Two months after the fateful “Mortal Monday,” only one parent had returned the game with complaints about violence. “I mean, it’s just a game. It’s no big deal,” the clerk says. “You see this kind of violence in the movies all the time.”²² This echoes the message being spread by public relations representatives of the industry, who claim the majority of calls and letters they have received are not complaints, instead questions about how to activate the gore or achieve the difficult finishing moves. As Allyne Mills, spokesperson for Acclaim, puts it: “It’s just entertainment.”

Despite it being a vocal minority voicing these fears, the industry took action. Sega developed a ratings system for their own games, mirroring MPAA ratings: GA for content appropriate for all ages; MA-13 for 13 and older; MA-17 for games only appropriate for adults.²³ The company led calls for the development of a similar system to apply to all game titles. Nintendo, when approached with the criticism, stood by the same house standards set in place upon their entrance into the market. These standards prevented the company from green-lighting any game with excessive violence, nudity, or graphic killing.²⁴ In the 1993 release of “Mortal Kombat,” Nintendo refused to release the game on its systems until Acclaim censored the

²¹Sauer, Mark. “Young Voices against Violence –Brutality makes youths wonder what their own adult world will be like.” *San Diego Union-Tribune*, 23 Oct. 1993.

²²Glionna, John M. “The Thrill is Gore: Kids Love the Grisly Video Games Adults Hate.” *Los Angeles Times*, 18 Nov. 1993.

²³Burgess, John. “Video Game Industry Plans Ratings System: Move is Response to Congressional Pressure.” *Washington Post*, 8 Dec. 1993.

²⁴Hawkins, Robert J. “Parents: Care about what they’re playing.” *San Diego Union-Tribune*, 16 Sep. 1993.

content and removed some of the violence. Sega gave the game a rating of MA-13.²⁵ An example of the implementation of each company's standards –Nintendo's prior vetting and Sega's new ratings system– came in the form of "Night Trap," another harshly-criticized game, released in 1992. In it, the player is tasked with saving a house of sorority girls from a group of intruders. The game employs FMV, and it is this footage of real actors that garnered criticism for its inclusion of scantily-clad sorority sisters, which some accused of being too sexually explicit, and the violence of the endgame scenes, in which the women are captured in various violent scenes. The game was released on the Sega CD to much protest from anti-violence advocates who saw no redeemable value in the game to make up for the brutality and sexual content. Sega, in accordance with its later ratings system, retroactively granted "Night Trap" a rating of MA-17. Nintendo took a harsher stance. Company head Howard Lincoln gained favor with those anti-violence groups by making it clear "Night Trap" would never appear on Nintendo systems.²⁶ Both "Night Trap" and "Mortal Kombat" heavily featured in the event that brought the concern about video game violence to a head: the congressional hearing on video games.

Level 2: The Congressional Hearing

Some twenty minutes into an already tense congressional hearing, the silent apprehension in the Senate chambers is palpable. The eyes of senators, academics, and others in the room, as well as those watching at home, are fixed on the television in the corner as a woman crouches in front of the VCR, attempting to coax the screen to life. After a few moments, it buzzes awake. The woman clicks the volume up. 'FIGHT!' flashes across the screen above two figures, exchanging blows and warily dancing around one another. They stand in front of a flat backdrop, full of menacing 2D figures and ancient-looking columns. Kano, a sour-looking man with a shiny metal plate covering one side of his face, dishes a few devastating blows against his opponent, Sonya Blade. She regains her feet only to be knocked down once more by a barrage of knives thrown across the distance between the two fighters. Across the screen flashes 'FINISH HER!!' Kano lunges forward, reaches into Sonya's chest, and rips out her heart, holding it high

²⁵Associated Press. "Newest video game is heavy on the gore." *Chicago Tribune*, 14 Sep. 1993.

²⁶*Video Game Violence*, C-SPAN, 9 Dec. 1993. This statement remained true until this year (2018), when "Night Trap" appeared as a title for the new Nintendo Switch.

above his head with a shout of victory frozen on his lips. Blood spatters across the stage. “Kano wins,” shouts the announcer, “Flawless victory. Fatality.”

Another scene, this a matchup between two male fighters, Sub-Zero and Liu Kang. Their blows do not produce spurting red blood, instead sending jets of gray ‘sweat’ into the air. Some impacts cause nothing but grunts as the opponent is forced backwards. There is no ‘fatality,’ the scene instead ending with an abrupt cut to black. The clip is only a few seconds long, but the grimaces on the lawmakers’ faces make it clear that was all they needed to see to make their judgements about the nature of the game’s content. Though both scenes were taken from the same game, they differ in the consoles to which they were ported. The first was an example of “Mortal Kombat” on the Sega Genesis; the second showed how the game appeared on the SNES. Two Senate subcommittees, chaired by Sens. Herbert Kohl and Joe Lieberman, had been called to meet about violence in video games, its effect on children, and the responsibility of the industry to do something about it. Along with Sen. Byron Dorgan, the assembled lawmakers expressed their disgust at the content of games. They felt righteous anger against the makers of video games, but there was a clear divide in the room. This divide echoed that of popular culture, Nintendo versus Sega. Representatives from both companies were present at the hearing, and both were targets of lawmakers’ anger. Both were guilty, but, of the two, Sega was guiltier.

The December 9, 1993, hearing took the form of two panels. The first was made up of academics and advocates against violence in media, all of whom shared similar concerns. The new technology employed by video games combined realism and interactivity to make a dangerous “new type of television,” in the words of Professor Eugene Provenzo, an outspoken critic of video games in his own right.²⁷ The other three speakers echoed his worries: Parker Page, of the Children’s Television Resource and Education Center, called for more research to be done on the effect of violence in video games and a possible correlation with violent behavior in consumers. Other panelists targeted media in general, asserting it too often fell back on violence as a cheap and easy form of entertainment, and this had a desensitizing effect on users who grew used to seeing such things in every form of media they consumed. The points received nods from lawmakers, whose opening statements had been along the same lines. Industry-wide guidelines were needed, and more work should be done to find the correlation they were sure existed

²⁷*Video Game Violence*, C-SPAN, 9 Dec. 1993.

between media violence and violent behavior. An hour into the hearing the second panel was called, and it was clear they would face a tough room: representatives of the industry took the stand, including the likes of Nintendo head Howard Lincoln and Sega's Vice President of Marketing and Communication Bill White. Lincoln had been the respected head of NOA since the '80s, and helped guide the company through the crisis of that decade. He was almost as recognizable as their famous plumber. White, on the other hand, was a new arrival to Sega, having previously been a top marketing executive at Nintendo. Sega had made a name for itself with bold moves and risk-taking while other companies shied back. Though it was never said in so many words some likely saw White's shift from Nintendo, where he had worked for six years, to Sega, which was rapidly grabbing market share and took every opportunity to drag the name of Nintendo through the mud, as a stab in the back.²⁸ That much is clear in the tension between Lincoln and White, who were placed next to each other on the panel and hardly exchanged a glance, let alone a friendly word.

Lieberman and the other senators proposed federal action to control the content and advertising of video games. The exasperation legislators felt towards game companies that continued to make violent games despite parental complaints is made clear in each frustration-laced statement. The argument to them is clear: violent games cause more harm than good, and should be either stopped altogether or, at the very least, kept out of the hands of children. To their opponents, the industry representatives, that argument is clearly an attack on the First Amendment rights of the companies, as well as the rights of the consumers to choose what sort of content they consume. Both assumed they held the moral high ground. If any party entered the hearing with a hope of reaching some sort of common ground, that hope disappeared as the testimony entered its second hour and all but devolved into bickering between Sega and Nintendo.

Their main points were as follows: Nintendo claimed moral superiority due to their in-house standards which, as previously described, do not allow any games seen to contain excessive obscene content to appear on Nintendo systems. Sega contested by equally claiming high ground, as it had been they that had instituted a ratings system, and taken the first step

²⁸"Nintendo marketing executive joins Sega." *UPI*, 4 June 1993.

toward industry-wide ratings of games.²⁹ Nintendo was notably absent from the list of companies Sega partnered with in their proposed industry-wide ratings board.³⁰ Each point is equally effective in convincing those who already stand behind the company. The fierce rivalry between the two, however, takes away from the effectiveness in convincing those outside the industry, who distrust both companies on principle. Legislators did not buy either argument since the ratings did not expressly keep kids from buying the violent games; the industry replied by blaming the retailers, saying that, once the games were shipped, the matter was out of the hands of the publishers. Perhaps some were optimistic enough at the beginning of the hearing to think something other than a shouting match between rival companies would come of it. The only concrete thing to come from the hearing was the realization of the severity of Congress' threat. In the stern words of Sen. Kohl: "I hope you walk away with one thought today: that if you don't do something about it, we will." The industry was given one year to develop a solution.

Level 3: Aftermath

It was not really a choice. On one hand was the option to allow game content to be regulated at a federal level, by a government-organized committee of psychologists and others from outside the industry. On the other was the option of self-regulation. Despite fierce rivalries, the threat from the outside was far greater than petty squabbles over market share. Developers and publishers banded together to take Congress up on its threat, and created their own regulatory body. Thus, a year almost to the day after the fateful 'Mortal Monday' of 1993, the Entertainment Software Rating Board was formed under the authority of the Entertainment Software Association.³¹ Upon its inception, the ESRB rated games in two steps. First, the publisher completed a survey of the game's content and provided a recording of the most graphic parts of the game to the Board. Then, that recording and the game's content was rated by three independent auditors, who came up with ratings and content warnings. This autonomy was meant to prevent a company from controlling ratings on its own games, or from sabotaging the

²⁹Bowman, Nicholas D. "The Rise (and Refinement) of Moral Panic" in *The Video Game Debate: Unravelling the Physical, Social, and Psychological Effects of Digital Games*, edited by Rachel Kowert and Thorsten Quandt (Abingdon, UK: Routledge, 2015), 29.

³⁰Burgess, John. "Video Game Industry Plans Ratings System: Move is Response to Congressional Pressure," 8 Dec. 1993.

³¹September 16, 1994

rating of other companies' titles.³² While the ESRB is similar to the independent board suggested by Sega in '93, the main concern about the latter lay in Sega's power over the committee and the ratings it produced. Those concerns were specifically addressed and assuaged in the creation of the ESRB.³³

In many ways, the panic around video games is the textbook example of a moral panic. A moral panic is defined in the *British Journal of Psychiatry* by Malte Elson and Christopher J. Ferguson as a situation in which “a part of society considers certain behaviors or lifestyle choices of another part to be a significant threat to society as a whole.”³⁴ The issue is quickly split into an ‘us versus them’ debate, and the part of society which feels threatened, usually the minority of popular opinion, is the more vocal of the two. These panics are certainly nothing new; notable hysterias of the past include the Catholic Church's reaction to Galileo in the middle of the 17th century and the reaction of American authorities in the 1950s to the rising trend of comic books.³⁵ The concern about violence and sexual content in video games falls exactly along these lines, splitting the issue and seeing one side –in this case, parents and legislators or, as I have previously referred to them, the ‘adults’– viewing the behavior of the ‘kids’ as a danger to society. It mirrors the concerns about Hollywood and violent and sexual content in movies, another notable instance of media-related moral panic.

The mid-1920s were a time for daring filmmakers to push the limits of what they were able to get away with on the silver screen. Will H. Hays, head of the Motion Pictures Producers and Distributors Association, was known for his defense of movies as “harmless, apolitical entertainment”; as public pressure to do something about the perceived threat posed by the movie industry, Hays was forced into action.³⁶ In 1930, he introduced a production code written by

³²Smith, Stacy L. “Perps, Pimps, and Provocative Clothing: Examining Negative Content Patterns in Video Games” in *Playing Video Games: Motives, Responses, and Consequences*, edited by Peter Vorderer and Jennings Bryant (Mahwah, NJ: Lawrence Erlbaum Associates, Inc., 2006), 70.

³³This paper focuses on video games and ratings systems in America, but it is worth mentioning this is an issue worldwide. For example, the European Union and United Kingdom both enforce the Pegi system, or Pan-European Game Information, which, as of 2012, provides age-based ratings and content warnings similar to those provided by the ESRB. These are used in selling and marketing games for the European audience.

³⁴Elson, Malte, and Christopher J. Ferguson. “Editorial: Gun violence and media effects: challenges for social and public policy.” *The British Journal of Psychiatry* 203 (2013), 322.

³⁵Bowman, Nicholas D. “The Rise (and Refinement) of Moral Panic,” 27.

³⁶Koppes, Clayton. “Show Stoppers: Movie Censorship Considered as a Business Proposition.” *The Economic and Business History Society* 30 (2012), 67.

Daniel J. Lord.³⁷ This now-infamous Hays Code consisted of a list of ‘don’ts and be carefults’ for movie makers to follow. Facing difficulty due to the toils of the Great Depression on American box offices, some movies were able to slip through the cracks and further enrage the groups that campaigned against what they saw as obscenity. Most notable of these are films starring actresses such as Mae West and Greta Garbo between 1930 and ’34, with content that followed the mantra of ‘sex sells.’ The public demanded something more be done. A notable anti-obscenity advocacy group was the Payne Fund, headed by Frances Payne Bolton, which conducted some of the first psychological studies into the effect of media on consumers. These studies analyzed the content of movies and the possible impact on young viewers.³⁸ As interpreted in journalist Henry James Forman’s 1933 book, *Our Movie-Made Children*, the findings of Payne’s studies prove the “molding quality of the movies” has a marked effect on its young viewers. “Like an atmosphere,” he states, “a movie world surrounds our young, and a movie world, to a great extent, fills their heads.”³⁹ Forman argues the negative effects drilled into children’s head, such as stereotypes and violent behavior, outweigh the positive effects, which, he claims, are much more rarely found. Groups advocating for movie censorship used this as further evidence for their argument. Eventually, in response to the growing outcry, the Motion Picture Association of America voluntarily instituted a ratings system on movies released in America.⁴⁰ This system, ranging from G to X, is similar to the ratings in use today, though it has been adapted several times from the original 1968 version.

The MPAA ratings on film are remarkably similar to the ESRB guidelines on video games; indeed, the ESRB, like Sega before it, had taken some of the same age-based guidelines and content recommendations straight from the MPAA system. Additionally, both came about due to moral panic about media content and its effect on American citizens, specifically on the country’s youth. While there are occasional calls for new ratings to be instituted on movies, the MPAA system seems to have largely assuaged concerns about film content. The video game industry, however, faced a continued struggle over content even after the inception of the ESRB.

³⁷Koppes, Clayton. “Show Stoppers: Movie Censorship Considered as a Business Proposition,” 70. Lord was a Jesuit from St. Louis. Hays himself was Presbyterian elder, and much of their religious values of piety and modesty worked their way into the guiding of movie content.

³⁸Bowman, Nicholas D. “The Rise (and Refinement) of Moral Panic,” 29.

³⁹Forman, Henry James. *Our Movie-Made Children* (New York: MacMillan Company, 1933), 159-160.

⁴⁰Canby, Vincent. “For Better or Worse, Film Industry Begins Ratings.” *New York Times*, 1 Nov. 1968.

As a follow-up to the 1993 hearing, a press conference was held in 2001 to provide a report on the content of games. The findings were, in contrast to the grim righteous anger of legislators a few years prior, remarkably optimistic. The industry was hailed for its progress and cooperation with lawmakers. The heat instead turned to retailers, who were seen to serve as the last defense between children and violent video games; it was up to them, declared lawmakers, to make sure kids did not get their hands on these games.⁴¹ Mostly gone were arguments to change game content in the first place, the kind that filled the testimony in 1993. Just five years later, though, angry lawmakers once again brought video games to the congressional floor: this time, the spotlight shone on sex and obscenity in games, prompted by the ‘Hot Coffee’ mod for “Grand Theft Auto: San Andreas” (Rockstar Games, 2004). This was a bit of code left in the game by developers and discovered by players, who shared the secret via online forums. After installing a mod which activates the previously inaccessible content, players embark on an interactive mini-game which allows the main character, Carl “CJ” Johnson, to engage in player-guided sexual intercourse with a female character.⁴² Video games were the focus of public concern yet again. This time, though, it seemed focus had shifted from violence to sexual content.

The struggle was to find someone to blame, and the finger swung from the retailer to the developer to the publisher and back again. Throughout the years, video games are consistently seen as the villain in one form or another. Ryan Smith put it best in his article on modern moral panics around mobile games: “Moral panics never die, they just change mediums.”⁴³ His article detailed the most recent arm of this moral panic, which brought issues about “Pokémon Go” (Niantic, 2016). The mobile game used an augmented reality interface to project images of Pokémon over real life, allowing users to scan the area for the creatures, and battle and capture them for use in fights against other players. The worldwide frenzy around the game lasted a few months, during which times there were reports of users getting into all sorts of trouble by having their nose buried in their phone: from walking into traffic to discovering dead bodies.⁴⁴ The

⁴¹*Rating Video and Computer Games*. National Institute on Media and the Family. C-SPAN, Washington, D.C. 25 Jan. 2001.

⁴²Kerr, Aphra. “Spilling Hot Coffee?: Grand Theft Auto as contested cultural product.” In *A Strategy Guide for Studying the Grand Theft Auto Series*, edited by N. Garretts (Jefferson, NC: McFarland Press, 2006).

⁴³Smith, Ryan. “Apokélypse now? The Pokémon Go phenomenon has given rise to the latest moral panic.” *Chicago Reader*. 25 July 2016.

⁴⁴See: Reilly, Katie. “Pennsylvania Teenager Hit By Car While Playing *Pokémon Go*.” *Time*, 13 July 2016. Laskow, Sarah. “Why ‘Pokemon Go’ players are going to keep finding dead bodies.” *Business Insider*, 15 July 2016.

pendulum swings yet again. Realistically, this is not a debate about video games alone, it is a critical eye pointed at the effect of media at large. The issue of interactivity is, in the minds of those turning that eye on video games, a strike against them.⁴⁵

Through the years of shifting attention about different themes of content in media, there is an overarching theme that has remained consistent and can indeed be seen in the 1993 congressional hearings on video games: ‘kids’ versus ‘adults.’ The industry was seen as ‘kids’ who needed to be overseen and policed by the ‘adults,’ who attempted to set rules on everything from playtime in the home to content on a federal level. Sega especially fit this ‘kids’ mold, through their own doing in branding themselves as the rebel. The industry constantly pushed boundaries and rebelled against those who claimed their content was too graphic or their technological advances went too far. This is, and always has been, a generational issue. One generation is uncomfortable with a new trend in technology; the younger generation latches onto it, furthering the divide between the two. The new trend is demonized by the older, and blamed for the troubles of youth, from spreading disobedience to creating a generation driven to violent acts.

Many in the ‘90s saw a rise in violent crime perpetrated by teenagers and jumped to blame it on video games and violence in media.⁴⁶ There is, however, no conclusive correlation between violence in video games and violent behavior in youth consumers. This conclusion is drawn from three decades of psychological studies on the subject, which have been divided in their findings. While some studies have claimed a correlation between violent content and short-term aggressive behavior in youth, psychologists overwhelmingly claim not enough research has been done to conclusively prove a correlation. Currently, it is theorized the violence in video games may interact with certain biological and social factors which could, in some cases, prompt those already prone to aggressive behavior to react aggressively.⁴⁷ At this lack of conclusive evidence, legislators and anti-video game activists are too quick to jump to the conclusion that a

⁴⁵See: Schwartz, Amy E. “Kombat, Then and Now.” *Washington Post*, 29 Dec. 1993. Williams, Stephen. “Killer Video: Mortal Kombat is the game of the moment but look out?,” 30 Sep. 1993. Gunter, *Does Playing Video Games Make Players More Violent?*, 31.

⁴⁶Gellene, Denise. “Column One: A Push for PG-Rated Playthings.” *Los Angeles Times*, 2 July 1993.

⁴⁷ Coulson, Mark, and Christopher J. Ferguson. “The Influence of Digital Games on Aggression and Violent Crime” in *The Video Game Debate: Unravelling the Physical, Social, and Psychological Effects of Digital Games*, edited by Rachel Kowert and Thorsten Quandt (Abingdon, UK: Routledge, 2015), 67.

correlation exists. By the same measure, pro-video game activists and the industry are equally in error to jump to the conclusion that such a correlation does not exist. In any case, more evidence is needed to prove the accuracy of either belief. Regardless of the ultimate findings, it is likely both sides will continue to claim they are in the right. The moral panic will continue and shift its focus to different mediums, technology will continue to advance and push against the boundaries of what is socially acceptable, and the cycle will continue.

Game Over

The video game world of the 1990s was one chocked full of divisions: kids versus adults, legislators versus the industry, Nintendo versus Sega. These divisions are certainly not as pronounced today. Consoles are seen more as equal, though some social connotations linger around one's decision to purchase the newest PlayStation rather than its equally-new Xbox counterpart. The "Mortal Kombat" series itself provides an example with one of its newest titles, "Mortal Kombat X" (Warner Bros. Interactive Entertainment, 2015). Even though it can be considered far more graphic with its fatalities and occasionally nauseating gore, it did not prompt nearly as much social outcry and no legislative backlash.⁴⁸ This signals a larger social change as people seem to accept that games are, as so many pro-game activists asserted in the '90s, just games. Additionally, with the rise of mobile gaming, this form of entertainment is more accessible to a larger audience. No longer are games restricted to so-called- 'hardcore gamers.' Anyone with a smartphone can download an app and become a gamer at their convenience. There is still a social division between users of mobile and console games, but it is far less pronounced in comparison to the attack ads of the Sega versus Nintendo era. For the most part those who dislike it, as in the '90s, simply avoid it.

That being said, a vocal minority still protests games even in their mobile form. The moral panic around gaming has refocused itself again, this time settling on a lack of awareness of surroundings and technological dependency. These themes have always been present, but recently rose to the top of the public consciousness with mobile games like "Pokémon Go"

⁴⁸Some individual content creators were vocal about the gore of the title, though their protests did not amount to any notable social or political action. See: Petit, Carolyn. "In Violent Video Games, the Gameplay Sends its Own Message." *KQED.org*, 28 Feb. 2015. Smith, Ryan. "Has Mortal Kombat finally gone too far?" *Chicago Reader*, 9 Apr. 2015.

proving this issue is still a polarizing one.⁴⁹ ESRB ratings in the late-‘90s were mostly effective in quelling fears about violence in games. Further action in the early-‘00s did the same with concerns about sexual obscenity. There was no major change in the content of games, though, just in the marketing and selling of titles. These ESRB ratings now apply to mobile games available in app stores, and for all the “Pokémon Go”-centric panic of summer 2016, there has been no major legal action raised in recent years about the appropriateness of game content, mobile or otherwise. As previously stated, moral panics about media content will always continue. Their effectiveness in accomplishing any notable change in media content, however, is questionable.

⁴⁹Smith, Ryan. “Apokélypse now? The Pokémon Go phenomenon has given rise to the latest moral panic,” 25 July 2016.

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