

GTA3 and the Politics of Interactive Aesthetics

Dr. Mark Finn reviews the decision of the Office of Film and Literature Classification to refuse classification of Grand Theft Auto 3

The combination of computer technology with audio and visual media in computer games represents the essence of convergent entertainment. The games incorporate various facets of other forms of entertainment through a level of interactivity that makes them qualitatively different to any other form of media.

The interactivity of games and difference from traditional media is attractive to the consumers. Policy makers, on the other hand, seem to be struggling with how to effectively classify something which looks similar to other forms of content, but which engages the consumer in a totally different manner. The issues facing policy makers were demonstrated in 2001 when the Australian Office of Film and Literature Classification (OFLC) issued a "Refused Classification" notice for the Playstation 2 game Grand Theft Auto 3 (GTA 3).

THE GAME

GTA 3, the third instalment in a series of titles developed by Rockstar Games, has a gangland theme. The players control various characters as they traverse complex cityscapes engaging in various forms of criminal activity and complete violent missions to progress through the game.

GTA 3 also permits a significant degree of interactivity between the players character and non-players. All vehicles in GTA 3 (including police vehicles) can be commandeered by the player's character, and used in the commission of various crimes. Specific crimes require the possession of particular vehicles, so much of the game takes the form of a series of

crimes interspersed with car-jackings.

The violence of the car-jacking will depend upon the weapons and firepower with which the player is equipped. The player can kill occupants of cars and any non-player as well as any of the law enforcement units which appear in the game, ranging from local police forces through to SWAT teams, FBI agents and the military.

The graphical presentation of GTA 3 allows the player to explore the three-dimensional game world. Lighting effects used throughout the game enhance the realism as does the fact that the game operates an accelerated day/night cycle in which one second of game time equals one minute of real time.

The three dimensional world allows for a detailed depiction of violent acts and interaction, including blood splatters. Some characters will attack the player at random while other non-players even attack each other. Whereas other games give the impression that the game world unfolds only as the player explores it, GTA 3 implies that its fictional universe will continue to function regardless of what the player does or does not do; pedestrians will continue to go about their business, drivers will continue to obey traffic signals and, just occasionally, innocent people will become the victims of crime.

The point of the game is to achieve criminal goals by utilising often deadly force. The player is rewarded financially for successfully committing crimes, and this money can then be used to purchase more weapons from gun stores located throughout the game world. Money can also be obtained

by killing various non-player characters, with the amount received varying according to the type of character killed. It is this particular reward system that has attracted by far the most criticism, and it was, at least partially, the facet of the game which prompted the Australian OFLC to issue a Refused Classification notice for the game in its original form.

THE OFLC

The OFLC is the primary classification body in Australia and is responsible for the regulation of much of the published content Australian citizens see, hear and read. Operating under the *Classification Act (CACT)* and administering the *National Classification Code*, the Board is required to adjudicate on several thousand pieces of content every year, primarily in the form of books, magazines, films, videos, DVDs, music CDs and computer and video games. Section 11 of the *Classification Act* provides that Classification Board must assess the material to be classified in terms of:

- the standards of morality, decency and propriety generally accepted by reasonable adults; and
- the literary, artistic or educational merit (if any) of the publication, film or computer game; and
- the general character of the publication, film or computer game, including whether it is of a medical, legal or scientific character; and
- the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

THE ASSESSMENT PROCESS

All bodies wishing to publish or distribute material in Australia must apply in writing to the OFLC for assessment by the Board, with the procedure for assessing computer games outlined under Section 17 of the Act. According to this Section, applications for assessment must be accompanied by a copy of the game (Section 17.1.cb), with any potentially contentious material being highlighted by a statement outlining the particulars of the material and a separate recording of that material (Section 17.2).

As is the case with all software titles released in Australia, the game carried an official OFLC rating, stating that the game had been classified as “MA 15+” and that it contained “high-level animated violence”. However, while the rating carried the official OFLC stamp, it was in fact the result of an internal classification, done by staff at the game’s distributors, Take2 Interactive (Ellingford, 2003). Given current staffing levels, it would have been physically impossible for the OFLC to classify all the content submitted to it in time to meet commercial deadlines. To circumvent this problem, most Australian game companies employed their own OFLC-trained reviewers to classify games according to official guidelines, allowing distributors to release the title while still awaiting “official” OFLC clearance. This process is actually described in the Act itself under Section 18.3, which states that:

If the applicant is of the opinion that the game would, if classified, be classified G, G(8+), or M (15+), the applicant may also submit with the application:

(a) an assessment of the computer game, signed by or on behalf of the applicant and prepared by a person authorized by the Director for this purpose, including:

(i) a recommended classification for the game; and

(ii) consumer advice appropriate to the game; and

(b) a copy of any advertisement that is proposed to be used to advertise the game.

In most cases, this “gentleman’s agreement” benefited both parties, and had been operating successfully until the controversy over GTA3 brought the agreement to an end (Ellingford, 2003). In the case of GTA3, the OFLC took exception with the classification made by Take2 Interactive’s in-house reviewers. Whereas Take2’s reviewers had classified the game as MA15+, the OFLC argued that the game clearly exceeded the limitations of this rating. In a telephone conversation between the OFLC and the Managing Director of Take2, James Ellingford, the OFLC argued that the game permitted characters to engage in what it termed “sexualised violence”, and as such was not suitable for teenage gamers (Ellingford, 2003). The primary concern here was the ability of players to hire prostitutes within the game world and then, if they chose to, kill them, although such acts were not part of the game’s mission-based structure.

THE RESPONSE

Take2 Interactive responded immediately under the provisions of Section 43 of the Act, notifying the OFLC of its intent to appeal the decision. At a classification review board meeting held on 11 December 2001, some 35 days after the OFLC had ordered that all copies of GTA3 be removed from the shelves, Take2 Interactive presented its case for why the ban should be lifted, citing 35 separate points in its defence (Ellingford, 2003). The two main lines of Take2’s defence were:

- That the OFLC decision had not been based on official classification code it was supposed to administer. While the code used to classify the game stated that ‘any depiction of sexual violence

or sexual activity involving non-consent of any kind’ would be refused classification, at no point did it refer to a notion of “sexualised violence”. Furthermore, Take2 argued that while the term “sexual violence” has a specific and recognised meaning in peer-reviewed psychological literature, “sexualised violence” has no such status. (Ellingford, 2003); and

- That while the game was inherently based upon the committal of violent acts, there was no direct connection between the ability to hire a prostitute in the game and any violence which was then done to them. According to Take2, the fact that no violence can be perpetrated while the prostitute is in the car with the protagonist undermines the notion of “sexualised violence” in that there is a clear point of disconnection between the depiction of sexual activity (as indicated by the car’s rocking motion) and any violence that follows (Ellingford, 2003).

In response to Take2’s contention that the classification code contained no direct reference to “sexualised violence”, the Classification Review Board sought the advice of a senior government solicitor, Mr. Marcus Bezzi. However, rather than address the term in question directly, Bezzi instead focused on the need for the OFLC to remain consistent in its judgments. As the Classification Review Board’s own documentation notes:

It was Mr. Bezzi’s view that it would be desirable for the Review Board to be consistent in its deliberations, and if the Review Board found the (sic) a glossary of terms such as those listed in the film and videotape guidelines useful then such consistency could be achieved. The Review Board found such advice to be of assistance (Classification Review Board, 2001).

This represents the Review Board's only discussion of the status of the term within the classification code, and as such it is difficult to read this part of the decision as anything but sidestepping around the issue. While the Classification Review Board noted that the representatives of Take2 Interactive "devoted much of their time and expertise to definitions of sexual violence" (Classification Review Board, 2001), it seems that the Review Board was unable to respond to this issue directly, even with the assistance of the Australian Government Solicitor.

The Review Board's response to Take2's arguments about the reading of the prostitute scene was somewhat more expansive, although they did not offer any direct response to the applicant's position. Instead, they provided a more detailed overview of the section of gameplay in question:

In one scene, of which the Review Board took particular note, the gamer stops to pick up a sex worker... She agrees to get in the car and the gamer drives onto a grassed, treed area. The car begins rocking and exhaust fumes are emitted in increasing amounts. The Review Board took this imagery to be a suggestion of sexual activity.

After the sex worker leaves the car the gamer first drives off, then changes his mind and pursues her through the trees. A circle of white (which Ms. Baird for the applicant stated was a spotlight from a helicopter) appears on the ground. The sex worker is run over by the car and she is spread-eagled in the circle of light/white.

The sex worker then recovers and starts walking away. The gamer then leaves the car and accosts her by beating her repeatedly until she is prone on the ground and surrounded by red fluid. The gamer then takes the sex worker's money. This scene, from when she leaves the car until when the

gamer returns to the car after assaulting her for the second time, takes over two minutes (Classification Review Board, 2001).

While not referring directly to "sexualised violence", the Review Board made it clear that it is this connection between violence and sexual activity that represents the most contentious aspect of the game. According to the Board "*this juxtaposition gave the attack greater impact than if the two images had been widely separated by other game play*" (Classification Review Board, 2001). For this reason, the Review Board noted a number of things:

- that the OFLC was justified in its original decision to issue a "refused classification" notice for the game, as the level of violence depicted in the game "was unsuitable for a minor to see or play" (Classification Review Board, 2001);
- that had the OFLC had the opportunity to classify the game using a Restricted (18+) rating there may have been no need for it to be refused classification (Classification Review Board, 2001). However, under the Australian classification regime the highest level of restriction is MA 15+, which meant that any content which might be harmful to minors must, by definition, be refused classification.

With the rejection of the appeal, those responsible for the game's production and distribution were faced with two options

- leave the game as it was and accept that it would not be available in Australia; or,
- modify it so that the offending material was removed.

Rather than suffer extensive losses from the lucrative Australian market, Rockstar Games decided to take the expensive and unprecedented step of

modifying the game's original code for the game, so that the version sold in Australia would be substantially different to that sold elsewhere. Specifically, the code was altered to prevent players from hiring prostitutes, thereby circumventing any possibility of the "sexualised violence" the OFLC was concerned about. With the offending content neutralised in this manner, the OFLC issued a MA 15+ rating for the game, allowing it to be once again offered for sale from February 15, 2002 (Monnox, 2002), more than two months after its original release.

ANALYSIS OF THE DECISION

The banning and then modifying of GTA 3 in Australia raises a host of questions about the place of computer and video games in society. In particular, the decision begs the question why the classification system for games in Australia has a highest rating of MA (15+), whereas all other forms of content are capable of receiving a R (18+) rating. It is possible to argue that there is an implicit assumption that games are designed primarily for minors, an assumption which is clearly not supported by the evidence. A recent survey by the online research company Ipsos-NPD found that in America 36 percent of players are 18 to 35, while 19 percent are over 36 (Interactive Digital Software Association, 2002). Moreover, figures also indicate that people who began playing games in their youth are continuing to play as they grow older. According to Jupiter Research, the median age of gamers is now 23, and as the gaming population continues to age, they are seeking increasingly mature content.

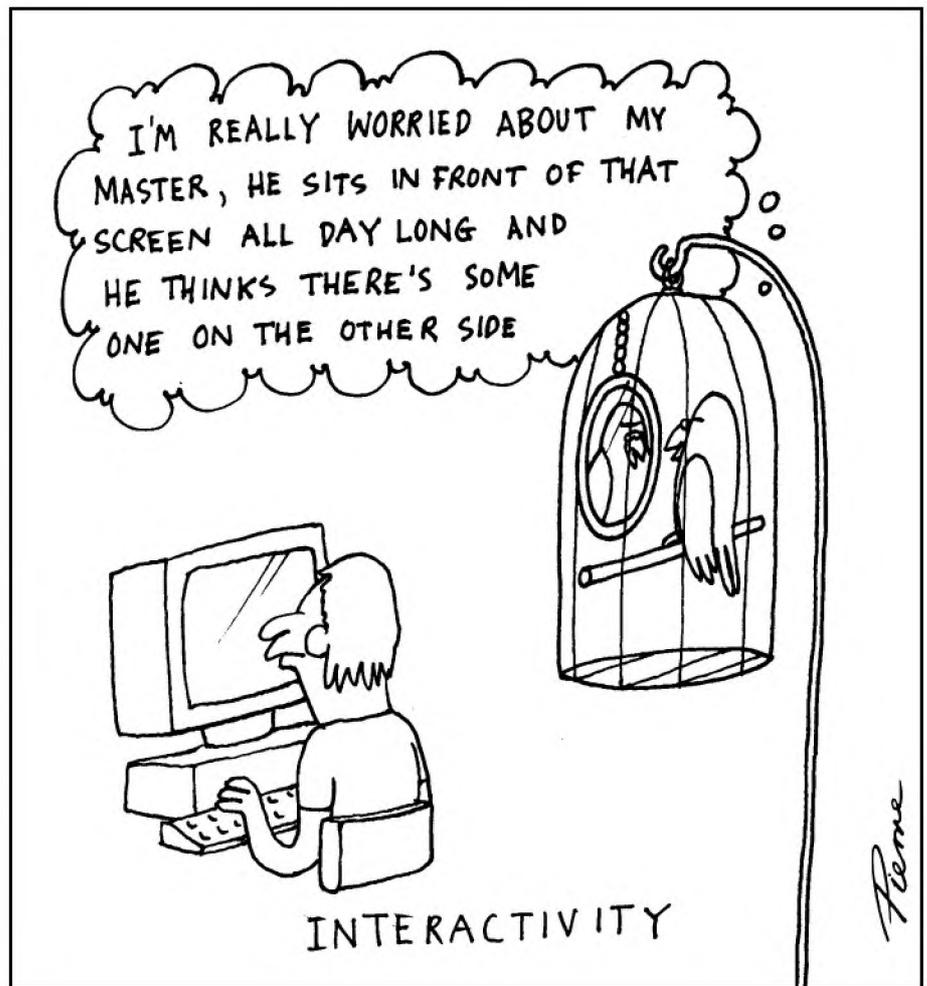
This indicates that current Australian policy is not in line with the realities of the video game market, a fact that has the potential to disadvantage consumers and the emerging domestic game development industry. Not surprisingly, there has been a

concerted effort on the part of both parties to persuade the government to revise its policies, resulting in an unusually large number of submissions to the OFLC's 2001 review of Australian classification regulations. Of the 372 submissions received by the OFLC, more than 90 were in relation to the possibility of an R (18+) category for games, including an online petition signed by 637 individuals (Brand, 2002: 36-30).

Despite this, the OFLC decided against introducing an R rating for games, choosing instead to maintain its existing classification regime in this area. Indeed it is possible to argue that in the wake of the GTA 3 decision the classification guidelines have actually been made even more stringent, with the notion of "sexualised violence" (which represented such a key issue in the GTA 3 debate) now written into the official guidelines (OFLC 2003).

While the battle to revise Australian game classification rules is likely to continue, it is possible to argue that the GTA 3 decision raises some deeper issues regarding the way in which all policy makers engage with game content. At its most basic level, the decision to refuse classification for GTA 3 was based on primarily aesthetic criteria, as are all decisions about the cultural merits of any form of content. However the fact that the relevant OFLC guidelines were based on guidelines developed for other media means that possibly inappropriate aesthetic criteria have been applied. Indeed, the Review Board's frequent use of terms such as "scene" indicate that they were utilising an aesthetic framework more suited to films and television programs than to the fluid, interactive text of a computer game.

Computer games are not like books, films, videos or television programs; they are premised upon a level of interactivity that makes them qualitatively different to these established media. While one could



perhaps argue that games are not especially revolutionary when compared with a reader's flights of imagination when reading a good novel, such claims are usually made by those with little or no real experience with the game form. Like novels and other forms of established media, games do rely to some degree on the player's imagination to actualise the gameplay. But, unlike these other forms, games give players an unprecedented ability to change the way events unfold. No matter how many times a reader "imagines" the events of *The Godfather*, Luca Brasi will always die by strangulation towards the end of the novel. The same simply cannot be said of most games and of games like GTA 3 in particular. The importance of interactivity is in fact recognised by the Classification Review Board itself which noted that games "because of their 'interactive nature' may have greater impacts and therefore greater potential for harm or detriment, on

young minds than film or videotape" (Classification Review Board, 2001). However, for the Classification Review Board "interactivity" seems to be roughly interpreted to mean "effects", an interpretation which fails to recognise the complexity of the relationship between player and game text.

The relationship between games and their players has received tremendous attention from the academic community over the past fifteen years, with scholars from a wide range of disciplines engaging with the topic. For example, many authors such as Silverman (2002), Parsons et. al. (2002) and Gal and Pfeffer (2003) utilise decision theory to explore many aspects of the game phenomenon, with particular attention being paid to the development of artificial intelligence in game environments. Similarly, researchers in the broad disciplines of information science and information economics

have also begun to examine a range of game-related concepts, with writers such as Kirriemuir (2000) and Chen (2000) representative of the former approach, while Wildman (1998) and Waterman (2003) offer good examples of the later. Even political science, which at first glance may not seem immediately applicable to the study of video games has made important contributions, with writers such as Deibert (2002) focusing on the broader ideological implications of games on society.

Not surprisingly, psychology represents one of the more prolific areas of research, with the question of effects representing an especially fertile area. In this respect, the work of writers like Ballard and Lineberger (1999), Colwell and Payne (2000), Slater (2003) and in particular, Anderson (1986, 1997, 2000, 2003) have continued a long tradition which uses a combination of laboratory and real-world studies to propose a direct causal relationship between violent games and violent behaviour and/or attitudes. While this body of literature is gaining increasing credibility (especially in the eyes of United States regulatory bodies), there still remains much contention about the validity of these claims, especially in terms of the laboratory-based studies. For example, Gauntlett (1999) argues that even the most “real-world” studies are heavily mediated by the presence of the researcher, and by the methodological techniques he or she applies. Sefton-Green (1998) takes the issue further by questioning the ideological motivation behind most effects studies. According to Sefton-Green, “*research from the effects tradition either sets out to create anxiety or to explain and allay such concern in the context of moral panics*” (Sefton-Green 1998: 14).

While acknowledging the importance of these debates, it is not the aim of this article to use them to contextualize the OFLC decision on GTA 3, and indeed to do so

adequately would require a far longer discussion than is possible here. Instead, the present paper aims to approach the subject from the perspective of what could be broadly termed “interactive aesthetics”, a notion which both draws on and informs (either explicitly or implicitly) many of the approaches outlined above. Much of the work in this area has focused on the ways in which games differ from traditional media, and in particular on the way in which narrative functions in the game world. As Juul explains, narrative as it is traditionally known cannot simultaneously exist with interactivity, in that narrative usually requires a compression of time, whereas interactivity can only take place in a real-time scenario (Juul, 1999). To illustrate this point, Juul uses the example of the 1983 Atari game Star Wars, arguing that if the computer is a narrative medium, then stories from other media should be directly translatable to the game format. However, in Juul’s view, only the title and the language create a correlation between film and game, and the events of the game do not directly correspond with the events in the film indicating that there are clear differences between the two (Juul, 1999).

The question of the narrativity of GTA 3 is of great relevance here, for it would appear that at least part of the controversy surrounding the game rests upon a particular view of this concept. At one level, one could perhaps identify an overarching narrative structure within the game text, in that players can progress through the game world by fulfilling missions in a set order. These missions are usually preceded by a short pre-rendered sequence (“cut-scene”) that gives the player information about what they have to do in the upcoming mission, as well as about related events in the game world. Based on these sequences alone, the “story” of GTA 3 follows the rise of an unnamed character

through the underworld, focusing on a series of alliances he forms with various underworld figures. However, this narrative aspect is only of secondary importance in GTA 3, with the free-roaming interactivity engendered by the game’s engine representing the primary drawcard.

CONCLUSION: POLICY AT AN IMPASSE?

As a body charged primarily with making decisions regarding the suitability of texts for public distribution, it is clear that, at least as far as games are concerned, the OFLC is basing its decisions upon aesthetic criteria which are at best questionable, or at worst seriously misleading. As it currently stands, computer games are primarily judged against the same basic criteria as films and videos, despite that fact that, as has been discussed in this paper, they operate in a very different fashion. Even when this difference is recognised, it is done with recourse to a model of media effects long abandoned in relation to other media. Rather than being seen as the most revolutionary aspect of the game form, “interactivity” is seen as its most dangerous characteristic.

The issue here is not the suitability of GTA 3 for children or the appropriateness of the OFLCs decision to refuse classification. Rather, what is at issue here is the very process by which all games are classified, a process which largely ignores the specificity of the gaming experience. Indicative of this is the fact that when classifying games the OFLC do not actually view the game as an interactive medium; rather they view a pre-recorded videotape of gameplay as supplied by the game’s distributor. Not only does this leave the classification process open to abuse (by distributors supplying relatively “tame” excerpts of potentially controversial games), it also negates the possibilities of choice interactivity allows. In this respect,

it is perhaps not surprising that the OFLC and the Classification Review Board used the aesthetics of film and video in making their decisions; for them the experience of the game was in every respect the same as viewing one of these non-interactive media.

The problem faced by the OFLC however, is not simply a practical one of having access to appropriate technology. It is one of familiarity with the relatively new medium of games, for as the review documents clearly demonstrate, the people who govern the classification process in this country are not familiar with the increasingly sophisticated modes of engagement games offer. This has already been recognised by consumers, and has led to one attempt by a gamer to join the OFLC Review Board (Higgins and Wyld, 2002). While this attempt was unsuccessful, it does serve to demonstrate a growing dissatisfaction with the way games are classified in this country. This, of course is likely to change over time, as OFLC members are gradually replaced by individuals for whom games are not so alien a form. The OFLC is also very mindful of the dilemma it faces with respect to this particular form of entertainment, as evidenced by the fact that a significant portion of the Office's recent conference on the regulation of content in a convergent market was dedicated to games. However, until these issues are addressed, the OFLC, a body dedicated to "informing your choices", is likely to continue experiencing problems when dealing with the form of media that offers more choice to the consumer than any other.

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