

## ABSTRACT

### VIOLENT DELIGHTS: TOWARDS A CULTURAL HISTORY OF MEDIA VIOLENCE DEBATES

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Efforts to censor or restrict violent images are actions by which a culture imagines itself through its relationship to aggression and violence. Throughout the twentieth century critics and audiences of violent content in film, television, theatre, and video games have renegotiated their relationship to the images and the degree to which those images affect a national identity. Through an examination of five moments in North American history when controls were publicly discussed or imposed, an analysis of the scientific rhetoric used to support these discussions, and an examination of the possible hegemonic benefits of censorship, this thesis examines attempts to proscribe visual content using Allen Freedman's "scopic regime" as a theoretical framework.

VIOLENT DELIGHTS: A CULTURAL HISTORY OF MEDIA VIOLENCE DEBATES

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Thesis submitted to the Faculty of the Graduate School of the  
University of Maryland, College Park in partial fulfillment  
Of the requirements for the degree of  
Master of Arts  
2004

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2004

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For Dr. Roger Hall,  
who gave me the first meaningful criticism of my scholarship and choreography.

## Introduction

In 1993, the United States Congressional Committee on the Judiciary announced that one of the greatest threats to American security was fifteen year old boys.<sup>1</sup> According to the Committee, boys were being brainwashed by an insidious network of coordinated media institutions, and trained to become an army of killers. Piped directly into the suburban home, often without parents even knowing, destructive messages and instructions were corrupting the hearts and minds of America's future, and the ensuing chaos could only be prevented by swift Governmental action. The threat was the arcade game *Mortal Kombat* and there was neither ensuing chaos nor swift governmental action, but there were and continue to be dire predictions about the effect of violent entertainment on American male youth.

These public debates and legislative controls to suppress violent visual content are actions by which cultures imagine themselves in terms of their relationship to aggression and violence. Censorship measures are tools by which cultures can articulate or redefine their standards. Violent media which trigger these debates and legislation, like *Mortal Kombat*, represent fissures between a culture's idea of itself and its actual interests, moral standards, and behavior. That fissure often occurs along age lines, with an older generation attempting to influence the attitudes and behaviors of a younger generation through the restriction of violent images.

Debates about violent entertainment have argued that it is the violent image itself that causes aggressive behavior. If violent content is causing fifteen year olds to kill each other, then the full pressures of all of the social institutions should be brought to bear to

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<sup>1</sup> Joint Hearings before the Subcommittee on Juvenile Justice, Serial No. J-103-37, testimony by Sen. Joseph Lieberman, Eugene F. Provenzo, Marilyn Droz.

address the problem. However, in most of the cases examine here, media content was used as a scapegoat for deeper social problems.

Not all violent images are always appropriate for all audiences, but there is nothing good or bad about images themselves. As the Hays Production Code (1930) states:

It has often been argued that art itself is unmoral, neither good nor bad. This is true of the THING which is music, painting, poetry, etc. But the THING is the PRODUCT of some person's mind, and the intention of that mind was either good or bad morally when it produced the thing. Besides, the thing has its EFFECT upon those who come into contact with it. In both these ways, that is, as a product of a mind and the cause of definite effects, it has a deep moral significance and unmistakable moral quality.<sup>2</sup>

That moral significance is assigned and evaluated by both observers and censors, often in very different ways.. The artistic context of a violent image and the social context of the viewer affect the understanding of the depicted act: a gunshot wound functions differently in a soap opera than a film like *Black Hawk Down* or a video game like *Doom* , and a seven year old child, a surgeon, and a police officer will react to the images differently.

Decisions to render any image as obscene or appropriate are cultural choices. A sense of social identity is created, defined, and supported by what images are permissible. Although this thesis will primarily focus on images meant for entertainment, the same is true of depictions of actual violence and its effects: restrictions have been placed on pictures of the coffins of U.S. servicemen, the newspaper accounts of the burned bodies

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<sup>2</sup> Quoted in Stephen Prince, *Classical Film Violence: Designing and Regulating Brutality in Hollywood Cinema, 1930-1968*, (New Brunswick: Rutgers University Press, 2003), 297.

of American contractors in Fallujah, and photographs of torture in the U.S. Army prison at Abu-Gharib.<sup>3</sup> All three are actual, factual events, and were rendered inappropriate.

Censorship creates the problem it attempts to solve. If there is nothing inherently moral or immoral about a particular image then any assigned moral value is unstable – it can be defined differently for different populations at different times. The act of censoring violent images *makes* them bad, rather than describes a natural bad-ness. The emergence of new media throughout the twentieth century, particularly film, television, and electronic games, confronted lawmakers and parents with new challenges, forcing constant redefinitions of the boundaries of acceptable content. I will focus on five specific moments when controls were publicly discussed and legally imposed:

- Sims Act, 1912 and the Supreme Court case *Mutual v. Ohio*, 1915
- Hays Motion Picture Production Code, 1930
- National Commission on the Causes and Prevention of Violence, 1968 and the Surgeon General’s follow-up Report, 1971
- Joint Hearings on Video Game Ratings, 1993
- Reports of the Senate Judiciary Committee and the Surgeon General’s Office, 1999

Each of the five moments led to an evolution or elaboration of an apparatus of control, the redefinition and reinforcement of institutional authority over visual subjects.

Of these five, only the Hays Production Code was actually successful at controlling content for all general audiences. The other four legislative efforts only suggested restrictions on certain subjects for certain audiences, but those films, shows,

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<sup>3</sup> Nicholas Berg, “New Technology Loosens Controls Over Images of War,” in *The New York Times*, May 14, 2004, A.12.



and games were already in circulation. Partially this is because the Hays Code controlled films at their source, the production studios. Each of the other efforts was designed to control audiences by dividing them: television developed subscription cable to carry its explicit content, and video games are regulated by an age-based rating system that categorizes but does not censor. I will examine these efforts to dictate who can see what images, and the conditions that cause social bodies or individuals to decide they need to control visual content.

Because I see the hand of hegemony in the media violence debates, and the emphasis has been on seeing violence, as opposed to reading about it or listening to it, I will employ Allen Feldman's notion of a *scopic regime* as a theoretical lens. Feldman defines the scopic regime as "the agendas and techniques of political visualization: the regimens that prescribe modes of seeing and visual objects, and which proscribe or render untenable other modes and objects of perception."<sup>4</sup> A scopic regime is any body that regulates visual content in order to define and reinforce cultural standards or to regulate and police behavior. Using Feldman's idea I hope to show the continuity of the apparatus of control, even as new media challenged the methods of regulation, and the creation of an authorized canon of visual subjects.

The 1999 Judiciary hearings defined "media violence" as a pervasive problem that could not be addressed by regulating television, music, films, the internet, and video games individually. This paper will continue this trend and bring together theories of violence from different media to compare them, and begin to examine the individual debates as representing a social, artistic, and political movement rather than as unique

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<sup>4</sup> Allen Feldman, "Violence and Vision: The Prosthetics and Aesthetics of Terror," in *Violence and Subjectivity*, ed. Veena Das, et al. (Berkeley: University of California Press, 2000), 49

instances. While there are a number of articles and books that isolate examples of censorship and explore their political overtones, which I will use throughout this paper, no one has yet put multimedia violence debates into a broad, unified historical perspective, and traced the evolution of control through the emergence of mass electronic media. This paper cannot possibly be that work, but I hope to show that it can be done and is worth consideration.

The history of social concern about violence as entertainment is too long for this single paper. The vast scope of material considered potentially dangerous is likewise daunting, even if limited to just visual media. I will focus on the twentieth-century concern about the depiction of violence in performance-based media in the United States.<sup>5</sup> My use of the term “images” throughout this paper refers to dynamic images of movement: television, theatre, film, and video games.

It is also necessary to separate violent entertainment from the spectacle of real violence. I will not consider the work of artists who use actual physical pain or violence in their art, or the spectacle of violence that pervades contact sports and televised news programs, but will focus on fictional and simulated violence. The exception to this will be films of boxer Jack Johnson, which were instrumental in the creation of national censorship boards, and therefore relevant to my discussion.

This thesis is divided into three sections: first, a history of legislative actions against violent entertainment; second, an analysis of the scientific studies of media violence and aggression, and their relationship to legislative action; and finally an examination of the relationship between media violence and real-world violence.

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<sup>5</sup> Allowing that the term “performative” can be attached to other visual forms that have been criticized for violent content, including comic books, graphic novels, and pulp men’s magazines and fiction, I will restrict my consideration to media of motion: television, motion pictures, theatre, and video games.

## Chapter 1

### The Sims Act and *Mutual v. Ohio*

The origins of the legal control of violent media in the United States were the 1912 Sims Act in Congress and the 1915 Supreme Court case *Mutual Film Corporation v. Industrial Commission of Ohio*. Both were concerned with the transportation of films across state lines, and the two actions together created a legal definition for an emerging art form that implied the power of local and national governments to control its content.

Cinema emerged as a new entertainment in the 1890s, first in the form of nickelodeons and soon after as an urban public event. In 1907 Chicago passed an ordinance requiring all movie houses to be licensed, and in 1908 the mayor of New York went a step further and attempted to shut down all movie houses.<sup>6</sup> The new medium was being closely observed by political, religious, and social organizations. University of Houston communications professor Garth Jowett proposes three reasons why it deserved the attention:

First...once the medium gained in popularity and began to attract the patronage of the middle classes, it became more symbolic of the loss of control over the socialization of the child being experienced by the Protestant hegemony.

...

Second, the movie houses were highly visible and permanent targets, easily identified, and unlike many other social ills, subject to direct pressure from authorities in the form of legislation and licensing, even though it took several years for specific legislation to be passed that dealt adequately with problems such as lighting, ventilation, fire regulations, and sanitary conditions.

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Third, there was a great deal of suspicion concerning the ethnic origins of some of the filmmakers, especially after the first decade of the industry.<sup>7</sup>

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<sup>6</sup> Garth Jowett, "A Capacity for Evil": The 1915 Supreme Court *Mutual* Decision," in *Controlling Hollywood* ed. Matthew Bernstein (New Brunswick: Rutgers University Press, 1999), 21-23.

<sup>7</sup> Jowett, 20. Throughout his chapter on the ways government regulations rendered film into a business rather than an art form, Bernstein reinforces the definition he is trying to critique by repeatedly referring to the film "industry."

Such concern was important because the format and content of cinema were still being established. Audiences in metropolitan cities in the first decade of the twentieth century were seeing a mix of recorded vaudeville routines, documentary news shorts, and the emergence of narrative film, all distributed widely and rapidly.

The Mutual Film Company was a clearinghouse for newsreels and documentary shorts. With a home base in Detroit, Michigan, Mutual rented films to movie houses throughout the country. The Industrial Commission of Ohio declared that it had the right to examine and potentially censor any film entering the state, and charge a fee for the service. Mutual sued Ohio, arguing three points: that censorship “imposes an unlawful burden on interstate commerce; it violates the freedom of speech and publication granted by 11, article 1, of the Constitution of the state of Ohio; and it attempts to delegate legislative power to censors and to other boards...”<sup>8</sup> Because the legal definition of film itself was being negotiated, the case moved through the judicial system to the United States Supreme Court, where contesting definitions of “film” offered by the producers and the regulators were presented.

Mutual argued that films were records, and invoked the right to freedom of expression by likening the medium to the documentary press.

[Films] depict dramatizations of standard novels, exhibiting many subjects of scientific interest, the properties of matter, the growth of the various forms of animal and plant life, and explorations and travels; also events of historical and current interest - the same events which are described in words and by photographs in newspapers, weekly periodicals, magazines, and other publications, of which photographs are promptly secured a few days after the events which they depict happen...nothing is depicted of a harmful or immoral character.<sup>9</sup>

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<sup>8</sup> 236 U.S. 230, 5.

<sup>9</sup> *ibid*

The Court interpreted the First Amendment to refer only to Congressional action, and allowed the possibility of states to individually limit the press and speech. Ohio's censorship policy stated that "only such films as are, in the judgment and discretion of the board of censors, of a moral, educational, or amusing and harmless character shall be passed and approved by such board."<sup>10</sup> If Mutual was only producing moral films, Justice Joseph McKenna argued in the Court's majority decision, there was no conflict with speech protection clauses found in either the state or national Constitutions.

The problem was that Mutual was not distributing harmless films. The films that figured in *Mutual v. Ohio* were newsreels of the black boxer Jack Johnson defeating a series of Great White Hopes: Tommy Burns in 1908, Stanley Ketchel in 1909, Jim Jeffries in 1910 and Jim Flynn in 1912. Johnson's victories over all of his opponents led to an escalating concern on the part of church groups and local governments about how and where the visual records of these events would be exhibited.

Race relations, focused by the metaphor of the boxing ring, were at the heart of both the white and black publics' reactions to the films. Johnson's initial victory over Burns was not as important as his retention of the championship title: once was a fluke, but twice was a challenge, and three successful defenses of the title "confronted white viewers with an historically unprecedented image of black power."<sup>11</sup> Film audiences grew with each new fight/film, and as the fights took on increased cultural capital, Johnson was able to manipulate his image through the films.<sup>12</sup> Posing for the camera,

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<sup>10</sup> 236 U.S. 230, 5.

<sup>11</sup> Dan Streible, "Race and the Reception of Jack Johnson Fight Films," in *The Birth of Whiteness: Race and the Emergence of U.S. Cinema*, ed. Daniel Bernardi. (New Brunswick: Rutgers University Press, 1996), 177.

<sup>12</sup> Streible, 179.

often mid-fight, Johnson's smile became a symbol of black superiority.<sup>13</sup> It was not the violent act, two men boxing, which prompted restriction. What troubled men like Representative Thetus Sims was the context of the act – a black man easily defeating a white man in a real, public physical competition.

Following Johnson's defeat of Burns and Ketchel, Jim Jeffries was goaded out of retirement to challenge Johnson "for the sole purpose of proving that a white man is better than a Negro."<sup>14</sup> Press build up for the fight was extraordinary, billed on both sides as a confrontation between black racial pride and white racial beliefs. The *San Francisco Examiner* reported that President Taft had arranged for telegraph reports and that his son was "betting all his money on the pride of the white race."<sup>15</sup> Some black scholars have seen the Johnson-Jeffries fight as the most important event since Emancipation.<sup>16</sup> The fight was held on July 4, and Johnson played with the symbolism by appearing with an American flag draped from his shorts.<sup>17</sup> He triumphed after fifteen rounds of toying with the substantially outclassed Jeffries.

Most likely assuming that Jeffries would win, there had been few efforts to stop the fight itself, and if the *Examiner* can be trusted there was interest in the outcome all the way to the White House. The Taft administration turned a deaf ear to efforts by

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<sup>13</sup> The white-toothed smile, an identifying mark of the stereotyped "Negro," was a physical location of tension for critics of Johnson. Jack London's article in the *New York Times*, December 28, 1908 about the fights, calls on Jeffries to "emerge from his alfalfa farm and remove that smile from Johnson's face." London assumed that Johnson was performing, fully aware and in control of the racial expectations he was challenging. Returning to the smile, London wrote that Johnson "cuffed and smiled and cuffed, and in the clinches whirled his opponent around so as to be able to assume beatific and angelic facial expressions for the cinematograph machine."

<sup>14</sup> Lee Grieveson, *Policing Cinema: Movies and Censorship in Early Twentieth Century America*, (Berkeley: University of California Press, 2004), 126.

<sup>15</sup> Cited in Streible, 181.

<sup>16</sup> Cited in Streible, 181, quoting Ashe. In his three-volume survey of African-American athletes, Arthur Ashe states that because of the stakes and the outcome of the Reno fight, Johnson was "the most significant black athlete in history."

<sup>17</sup> Arthur R. Ashe, Jr, *A Hard Road to Glory: A History of the African-American Athlete 1619-1918, Vol I*, (New York, Amistad, 1993), 37

Presbyterian and Ministerial Union leaders to ban the fight, but religious pressure did get the fight moved from its original venue in San Francisco to Reno.<sup>18</sup> Following the announcement of Johnson's victory, racial violence erupted across the country: more than a dozen African-Americans were killed and hundred were wounded.<sup>19</sup> Although there had been almost nothing done to stop the fight itself, and neither local nor federal governments suppressed the reporting of the outcome in the printed press, there were extensive measures to prevent the distribution of the images of Johnson knocking Jeffries down.

Local jurisdictions restricted showings of the Johnson-Jeffries film, but by the time Johnson fought Jim Flynn in 1912 national control measures were deemed necessary. Bills were introduced in both House and Senate in May and June 1912 to preemptively restrict the distribution of the Johnson fight films, and special effort was made to distinguish the films from other "immoral" images in order to ensure that images of Johnson's fights could be controlled by state governments directly.<sup>20</sup> The successful bill, authored by Representative Sims, was devised "to prevent the shipping through the mails and in interstate commerce of moving picture films of prizefight films."<sup>21</sup> The Sims Act did not "go so far as to prevent newspaper accounts and reports of these contests": only the films were at stake.<sup>22</sup> The objection from white audiences and critics like Jack London was not to the fights occurring, but to the films of the fights being seen, especially by black audiences. This anxiety only existed because of the outcome of the

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<sup>18</sup> Ashe, 36. The religious efforts to ban the fights are mentioned in Grieverson, 181.

<sup>19</sup> *New York Times* July 5, 1910, p 4. Ashe puts the fatalities at 13, while Grieverson claims five more.

<sup>20</sup> Congressional Record (June 15, 1912), 8236.

<sup>21</sup> Congressional Record (July 19, 1912), 9305.

<sup>22</sup> Congressional Record (July 19, 1912), 9304.

fighters: if Johnson lost, and the expectation of his inferiority had been fulfilled, there would have been no efforts to suppress the contest.

Both the Sims Act and *Mutual v. Ohio* were proposed in order to control the images and the audience for these specific films. Representative Seaborn Roddenberry of Georgia reaffirmed the intent of Tennessean Sims:

I call the attention of the House to the fact that the recent prize fight which was had in New Mexico presented, perhaps, the grossest instance of base fraud and bogus effort at a fair fight between a Caucasian brute and an African biped beast that has ever taken place. It was repulsive. This bill is designed to prevent the display to morbid-minded adults and susceptible youth all over the country of representations of such disgusting exhibition...No man descended from old Saxon stock can look upon that kind of a contest without abhorrence and disgust.<sup>23</sup>

Even though the bills and court cases addressed the fight films so specifically, the legal framework for broad censorious control was established. Once this national precedent had been set for the censoring of a specific film, genre, or subject to protect “susceptible youth,” the legal tools were in place to control any film at the local and state level.

Justice McKenna agreed that “there are some things which should not have pictorial representation in public places and to all audiences.”<sup>24</sup> In order to control the fight films, and to restrict the application of First Amendment protections to them, both the Sims Act and *Mutual v. Ohio* considered films to be physical objects, and as such controllable like all other commercial goods.

It cannot be put out of view that the exhibition of moving pictures is a business, pure and simple, originated and conducted for profit, like other spectacles, not to be regarded, nor intended to be regarded by the Ohio Constitution, we think, as part of the press of the country, or as organs of public opinion. They are mere representations of events, of ideas and sentiments published and known; vivid,

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<sup>23</sup> Congressional Record (July 19, 1912), 9305.

<sup>24</sup> *Mutual v. Ohio*, 7.



useful, and entertaining, no doubt, but, as we have said, capable of evil, having power for it, the greater because of their attractiveness and manner of exhibition.<sup>25</sup>

The classification of films as commerce, which could be constitutionally regulated, and not art which carried constitutional protections, was a tactic to control the depiction of actions that could be read as threats to social norms.<sup>26</sup> Johnson's victory ran against racial assumptions, social standards, and government policy. Film censorship was born legally specifically "to erase potentially positive and strong images of blacks from the public mind."<sup>27</sup> Much of that control was channeled through the image of the vulnerable child who might be corrupted by seeing such images. A white child might question the supposed superiority of his race, and the black child might question his social standing or see violence as a tool for changing it.

In their articles on the fight films, both Lee Grieveson and Dan Streible cite an editorial cartoon that appeared in the *Jackson Clarion-Ledger* depicting "a pair of boys, one black, one white, gazing at a poster for the [Johnson-Jeffries] fight film" outside a cinema.<sup>28</sup> The caption for the picture reads "Educational?" The cartoon at once brought together the idea of impressionable children, racial tension, and the unacceptable concept that children might learn that a black man had surpassed a white in a physical contest. The cartoon, published eight days after the fight, gives no indication who won the fight. A July 9 cartoon from the *New York Tribune* that actually did suggest Johnson's victory depicted two oversized hands labeled Public Opinion and Christian Endeavor hiding the

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<sup>25</sup> *Mutual v. Ohio*, 8. McKenna's and Sims both defined films as commercial goods, but presupposed that such goods required governmental regulation, and that the free marketplace could not effectively control the content of films. As Bernstein and Jowett observe, this definition makes film the only art form to have been created with legislative prior restraint built into its aesthetic.

<sup>26</sup> Grieveson, 135.

<sup>27</sup> James Snead, *White Screens, Black Images: Hollywood from the dark Side* (New York: Routledge, 1994), 147.

<sup>28</sup> Streible, 185. The cartoon is reprinted in Streible, 185 and Grieveson, 123.

fighters from a young audience. The caption reads “Save the children!”<sup>29</sup> It is significant that both of these images were published after the fight and the race riots, and imply that the problem was not the fight as an event but the films.

### **The Hays Motion Picture Production Code**

Once the legal structure for the control of films based on their “capacity for evil” was in place following *Mutual v. Ohio*, a body to administer that control was necessary. Matthew Bernstein writes that there have traditionally been two methods of censorship: external censorship boards and voluntary self-imposed codes.<sup>30</sup> The problem with dividing censorship this way is that the self-regulatory boards would not exist without the threat of external censorship. They have been created, as in the cases of the Motion Picture Producers and Distributors of America (1922), its later incarnation as the Motion Picture Association of America (1945), and the Entertainment Software Ratings Board (1993), to prevent intervention by government censorship boards. Thus they are implicitly founded on the values and needs of external authoritarian bodies.

While the Sims Act and *Mutual v. Ohio* had lasting effects on the structure of what an audience could see, they were not the first efforts to censor violence. Rather, they were the first efforts to regulate film violence on a national level. As noted above, Chicago and New York tried to restrict the public display of films, and local boards of censorship existed before 1910. The first court case involving film censorship in the nation, *Block v. the City of Chicago* (1908), concerned two films singled out for their violence: *The James Boys of Missouri* and *Night Riders*. The films had been denied a

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<sup>29</sup> Reprinted in Grieveson, 128.

<sup>30</sup> Bernstein, 1-2.

license in Chicago for their violence, so Jake Block and other nickelodeon operators filed suit against the city's censorship board. Their argument was that the James Brothers' stories were being presented in other visual media elsewhere in the city, and that the films were being singled out unfairly, and by being denied a license to show the films the nickelodeons were being unfairly regulated.<sup>31</sup>

The Illinois Supreme Court sided with Chicago, and Chief Justice Cartwright laid out two reasons why a government body needed the power to control cinema: films were available to "those classes whose age, education and situation in life specially entitle them to protection," and that depictions of crime were "immoral and their exhibition would necessarily be attended with evil effects upon youthful spectators."<sup>32</sup> By establishing the rights of individual jurisdictions to set up independent censorship boards, combined with the process of censorship soon to be created by the Sims Act and *Mutual v. Ohio*, studios had an economic incentive to create their own self-regulatory body. Without knowing whether a particular city would license or reject a film, studios were being asked to take financial risks on every picture. Furthermore, if different boards required different edits to a film, the studio was required to undertake the expensive process of producing different versions of its films for different venues.<sup>33</sup> If there was a guarantee on the production side that the films would be approved for all markets, using a set of standards pre-approved and generally subscribed to, then the threat of local censorship boards could be eliminated.

Because New York was the center of film production, its market was the usual testing ground for censorship, and the New York Board of Review expanded into the

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<sup>31</sup> Prince, 13.

<sup>32</sup> Cited in Prince, 14.

<sup>33</sup> Prince, 19.

National Board of Censorship in March, 1909. The Motion Picture Patents Company, which represented the major film producers, began submitting films through the National Board in June. Although the board claimed to be reviewing three-quarters of all films distributed, regional censorship boards still existed in Pennsylvania, Maryland, New York, Ohio, Kansas, and Virginia.<sup>34</sup>

In 1922 the film studios formed their own organization, the Motion Picture Producers and Distributors of America, and appointed former Postmaster General Will Hays to run the organization and oversee the standards of the studios. The Sims Act had been primarily concerned with the transportation of fight films through the mail, and the Post Office was the front line of obscenity regulation, so it is not an accident that a Postmaster was appointed to clean up film. It took Hays eight years to refine the policies that would become the Production Code, co-authored with the St. Louis University theatre professor Father Daniel Lord and lay Catholic Martin Quigley, but in 1930 it became the self-imposed law of cinematic production, and all films for public distribution went through Hays' office.<sup>35</sup>

The Hays Code, as it came to be called, says much about exactly what government bodies wanted to suppress, since the Code could not be less stringent than the local boards it was designed to replace. The Code was the most successful measure for the control of violent content because it stated a clear policy for what audiences could and should see. Scripts had to be submitted to the Hays office and approved before production could begin, and finished films were vetted for violations. Violence against agents of the state, especially the police and lawyers, was explicitly forbidden. It was the

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<sup>34</sup> Prince, 18-19.

<sup>35</sup> Jerold Simmons, "A damned nuisance: the production code and the profanity amendment of 1954," *Journal of Popular Film and Television*, Vol. 25, No. 2 Summer 1997, 76.

context of a violent act that mattered: machine guns could not be shown if gangsters were using them, but were permissible if federal agents shot criminals. The Special Regulations on Crime in Motion Pictures, amended to the Code in 1938, specifically dictated that

6. There must be no display, at any time, of machine guns, sub-machine guns or other weapons generally classified as illegal weapons in the hands of gangsters, or other criminals...
7. The flaunting of weapons by gangsters, or other criminals, will not be allowed.  
...
10. There must be no scenes, at any time, showing law-enforcement officers dying at the hands of criminals. This includes private detectives and guards for banks, motor trucks, etc.<sup>36</sup>

The New York board required scenes of police officers being attacked by criminals to be removed, but not the reverse.<sup>37</sup> Criminals were not allowed to be shown actually breaking the law when it meant upsetting the power dynamic between the law and law-breakers. Audiences should not see anything that violated the social hierarchies of power.

If the logic behind restricting violent material is that audiences might become desensitized to it, or see it as natural or positive, the implication of the Hays Code is that violence is an appropriate, positive action when agents of the law inflict it. Violence is declared socially permissible if police officers are the aggressors: they are allowed to wield sub-machine guns and kill criminals because the Production Code does not forbid them. While the Code does not offer a wholesale endorsement of institutional aggression, it does imply that the state use of violence is proper. Under no circumstances should criminals disrupt social hierarchies, but they are criminals because they disturb social order. This is an echo of the logic behind banning the fight films: if Jeffries, the representative of white social dominance, had defeated Johnson, there would have been

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<sup>36</sup> Cited in Prince, 302.

<sup>37</sup> Prince, 25.

no problem. But Johnson's victory rendered itself obscene because it challenged social power hierarchies.

In addition to dictating that films could not depict police officers as victims, the Production Code also put forward the idea of observational operant conditioning: not only were children seeing immoral acts, they were learning methods that they could potentially repeat. The Code states:

1. Murder
  - a. The technique or murder must not be presented in a way that will inspire imitation.
  - b. Brutal killings are not to be presented in detail.
  - c. Revenge in modern times shall not be justified.
2. Methods of Crime should not be explicitly presented
  - a. Theft, robbery, safe-cracking, and dynamiting of trains, mines, buildings, etc., should not be detailed in method.
  - b. Arson must be subject to the same safeguards.<sup>38</sup>

This idea of audiences being subconsciously trained by media pushed restrictive measures into new territory: evidence of moral corruption in the individual could be provided using scientific rather than religious arguments.<sup>39</sup> This shift from a moral to a scientific rationale for controlling violent images would define approaches to television violence.

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<sup>38</sup> Cited in Prince, 294.

<sup>39</sup> Several scholars comment on the influence Protestant, and later Catholic attitudes had on the early creation of censorship. As the power of religious bodies to directly influence government policy diminished, particularly regarding popular culture, we see a transfer of that authority to science in censorship tools. See Prince, 20-23; Streible, 181; Jowett, 16-21; and Grieveson, 127-129.

## National Commission on the Causes and Prevention of Violence

In the 1950s television began to threaten film's audiences.<sup>40</sup> As a result, cinema pushed in new directions with increasingly explicit sexual and violent content. Driven by market forces, film began to reject and challenge the restrictions of the production code.

The legal structures that had enabled the Production Code were partially dismantled in 1952 with the Supreme Court Case *Joseph Burstyn, Inc. v. Wilson, Commissioner of Education of New York, et al.* Burstyn was distributing the film *The Miracle* (1948), which included a scene in which a girl tending goats takes a passing man to be St. Joseph come to bear her to heaven. The stranger plies her with wine, and “apparently ravishes her.”<sup>41</sup> The film was attacked by religious leaders as sacrilegious, and the New York Board of Regents, acting as head of the educational system, reviewed the film and banned it. Burstyn appealed the ruling to the Supreme Court.

Between *Mutual v. Ohio* and the 1952 case, the Court had expanded protections of media content and, through a series of independent rulings, found that “First Amendment guarantees against abridgement by the federal government [are] within the liberty safeguarded by the Due Process Clause of the Fourteenth Amendment from invasion by state action.”<sup>42</sup> The major argument of *Mutual* was gone, and *Burstyn* was the first case to re-challenge film censorship. The latter case attacked the “film as business” premise of *Mutual* directly:

It is urged that motion pictures do not fall within the First Amendment's aegis because their production, distribution, and exhibition is a large-scale business conducted for private profit. We cannot agree. That books, newspapers, and magazines are published and sold for profit does not prevent them from being a form of expression whose liberty is safeguarded by the First Amendment. We fail

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<sup>40</sup> Simmons, 78.

<sup>41</sup> *Burstyn v. Wilson*, 8.

<sup>42</sup> *Burstyn v. Wilson*, 4.

to see why operation for profit should have any direct effect in the case of motion pictures.<sup>43</sup>

Although the *Burstyn* case does not deal with violence, and the protection of children never enters into the Court's decision, it did dismantle the major tool of regulation.<sup>44</sup>

With a Supreme Court case upholding the Constitutional protection of film as a medium, thereby eliminating the major legal rationale for censorship, and the pressure from television to present something different, movie studios had the freedom and incentive to produce increasingly violent films. Without external support, and challenged from within the studios, the Production Code began to unravel, although it was still officially in place until 1968, by which time too many challenges had been mounted to its authority for it to survive.<sup>45</sup>

In 1969 the film industry rejected content-based restrictions on imagery in favor of a new strategy for control. A new organization, the Motion Picture Association of America, proposed an age-based system of ratings to sort content. It is significant for this discussion that the replacement for the Production Code was based on age: protecting children was the stated purpose of the rating system that is still in use today. Such a system was not enough, because while it sorted content it could not control it. An entirely new way of classifying media violence, as a social health issue rather than a moral concern, offered new ways to control content.

In the introductory remarks of the Broadcast Decency Enforcement Act of 2004 the political stance of this new search was described: "The urban riots of the 1960s again

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<sup>43</sup> *Burstyn v. Wilson*, 4.

<sup>44</sup> While modern audiences will read the ravishing of the goatherd as an act of violence, the Hays Code divides sexual behavior from violent behavior, and categorizes rape with seduction and not with Crimes Against the Law. *Burstyn* does not deal with violence as the Hays Code defined it.

<sup>45</sup> Prince, 196-204.



raised concern about the link between television violence and violent behavior.”<sup>46</sup>

Classifying civil rights and anti-war demonstrations as responses to television violence seems a particularly disingenuous suggestion, and it seems that links between violent entertainment and the social use of force were suggested rather than established.

Against the backdrop of political assassinations, the violence surrounding the Civil Rights movement, and the escalation of American involvement in Vietnam, President Lyndon Johnson called for a “penetrating search...into our national life, our past as well as our present, our traditions as well as our institutions, our children, our customs and our laws” in order to explain a perceived escalation in social violence.<sup>47</sup> He formed a National Commission on the Causes and Prevention of Violence, appropriately enough, the day President Kennedy died.<sup>48</sup> The Commission, chaired by Dr. Milton Eisenhower, established a Task Force on the Media.

Although tasked with providing a report by June 1968, the Commission issued a series of staff reports that did not provide the conclusions that some officials were looking for.<sup>49</sup> The chairman of the Senate Subcommittee on Communications, John Pastore, had been interested in media violence since the early 1960s. When he saw that the Eisenhower Commission would not provide the wholesale condemnation of media producers, Pastore took the radical step of asking the Surgeon General to prepare a report to “establish scientifically insofar as possible what harmful effects, if any,” violent entertainment had on children.<sup>50</sup> As he framed it, “what is at stake is no less than our

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<sup>46</sup> Senate Report 108-253, 1.

<sup>47</sup> Cited in Douglass Cater and Stephen Strickland, *TV Violence and the Child: The Evolution and Fate of the Surgeon General's Report*, (New York: Russell Sage Foundation, 1975), 12.

<sup>48</sup> Cynthia Cooper, *Violence on Television: Congressional Inquiry, Public Criticism and Industry Response, A Policy Analysis*, (Lanham: University Press of America, Inc., 1996), 50

<sup>49</sup> Cater, 13-15.

<sup>50</sup> *Television and Growing Up: The Impact of Televised Violence*, 1.

most valuable and trusted resource – the minds and hearts of our young people.”<sup>51</sup>

President Nixon endorsed the approach Pastore was taking in a March 24, 1969 letter:

Dear Senator:

I want you to know that I join you in supporting the proposed one-year study [by the Surgeon General] of the possible relationship between scenes of sex and violence on television and antisocial behavior among young people...I share your deep concern and strongly applaud your vigorous criticism of what you regard as a misuse of this great medium.<sup>52</sup>

Pastore’s request to the Surgeon General was a complete redefinition in the way critics could approach violent media. By suggesting that media violence could be a public health risk, films and television could be discussed and legislated in a new way that sidestepped the issues of free speech entirely. The idea of using the Surgeon General’s office this way may have been inspired by the success of anti-tobacco legislation that had been passed in 1967 after the Surgeon General issued the first studies about secondhand smoke, redefining smoking from a personal habit to a public health concern.

The Surgeon General’s office did investigate the issue, finally releasing their report in 1972. The report had many of the problems with statistical analysis that I will explore in the second part of this study: questions were narrowly defined and presupposed its conclusions.<sup>53</sup>

It is sometimes asked if watching violent fair on television can cause a young person to act aggressively. The answer is that, of course, under some circumstances it can. We did not need massive research to know that at least an occasional unstable individual might get sufficiently worked up by some show to act in an impulsive way.<sup>54</sup>

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<sup>51</sup> Robert Baker and Sandra J. Ball, *Mass Media and Violence*, a staff report to the National Commission on the Causes and Prevention of Violence, Vol. 9. (Washington, D.C.: Government Printing Office, 1969), 383.

<sup>52</sup> Quoted in Cater, 20.

<sup>53</sup> *Television and Growing Up*, 4.

<sup>54</sup> *ibid*

This is one of the first instances of a government agency allowing for the unique, “unstable” individual into the discourse of violent television. Before this report, which was commissioned and concerned itself with medical evidence, children were corrupted by television – they did not come to television already damaged.

Although the 1972 study has been cited as a support of the morally corrosive effect of violence, the report does not fully support this position. Rather, it questions available data and calls for an examination of what amounts to a scopic regime:

[H]ow much contribution to the violence of our society is made by extensive violent television viewing by our youth? The evidence (or more accurately, the difficulty of finding evidence) suggests that the effect is small compared with many other possible causes, such as parental attitudes or knowledge of and experience with the real violence of our society.

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In our judgment, the key question that we should be asked is thus a complicated one concerning alternatives. The proper question is, “What kinds of changes, if any, in television content and practices could have a significant net effect in reducing the propensity to undesirable aggression among the audience, and what other effects, desirable and undesirable, would each such change have?”<sup>55</sup>

The significance of this Report is that it frames medical questions as governmental policy issues, which is exactly the tactic needed to regulate media now that regulatory boards were only describing, not dictating, content.

### **Joint Hearings on Video Game Ratings**

The Surgeon General issued his report in 1972, the same year that the first video game emerged. Tested in Andy Capp’s Tavern in Sunnyvale, California, *Pong* quickly proved that video arcade games were economically viable, could generate crowds of viewers in addition to players, and encouraged repeat playing in the pursuit of high scores

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<sup>55</sup> *Television and Growing Up*, 4 5.

or technical mastery.<sup>56</sup> By giving players the power to control characters, video games offered an entirely new problem for critics and defenders of media violence. Not only were young, primarily male players watching violence, they were controlling it, and being rewarded within the world of the game and social environment of the arcade for that behavior.

This social behavior inherent in video games is an overlooked aspect of their function. Social interaction has an enormous effect on the understanding and perception of violence, and alters the way players interact with the participatory aspects of games.

Video games...are often designed to be played one-on-one, which means that there are at least two people in the same room doing the same thing. If you arrange a homemade tournament in, for example, hockey, which is a very popular kind of video game, as many people as desired can participate. Today, video games are being converted to PC-format, but this social way of playing is the *nature* of video games.<sup>57</sup>

Video games are a fundamentally different form of entertainment than theatre, movies, and television because they require active interaction. If media had been classified as commerce that was subject to trade regulation, or art protected by the First Amendment, the basic form of video games makes them difficult to categorize this way. They are repetitive goal-oriented amusements that are *played*, like other games, but they function more like an interactive story with plots and characters. When playing a video game that uses violence as its primary interface between the player and story, as opposed to a sport or puzzle game, the audience for video games participates by determining, to a limited extent, what the game's story and violent visual content will be. At the same

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<sup>56</sup> Steven L. Kent, *The Ultimate History of Video Games*, (New York: Three Rivers Press, 2001), 43-45.

<sup>57</sup> Jan Christofferson, "The Monster Massacre or What is a Violent Electronic game?" in *Children in the New Media Landscape: Games, Pornography, Perceptions*, ed. Cecilia von Feilitzen and Ulla Carlsson, the UNESCO International Clearinghouse on Children and Violence on the Screen (Dordico: Goteborg University, 2000), 27.

time, players have been traditionally restricted by the programmed, predetermined sequence to games' stories: if you defeat this character or achieve this goal, your character will move on to another opponent or another goal, and the player cannot do anything except the task at hand. For fighting games, this means that all a player can ever do is fight.

In 1993 two revolutionary games were released that escalated the scope of electronic violence and brought Congressional attention to video games: Acclaim Games developed *Mortal Kombat* for arcade and game consoles, and id Software released *Doom* for the home computer.<sup>58</sup> Both games were designed for social play: Acclaim's game is a two-player system and id Software's was one of the first network-compatible computer games. *Mortal Kombat* was developed to compete with Capcom's successful *Street Fighter II*, a proscenium-framed arcade game in which players controlled cartoon-rendered martial artists

*Street Fighter II* reinvigorated the fighting genre of arcade games by refining existing elements: a range of different characters with different fighting styles that players could choose, and secret attacks that gave players who knew them arcade prestige. The sole objective for players of fighting games was to defeat one's computer or human opponent in combat. *Mortal Kombat* used the same basic formula, but used digitally-rendered lifelike human characters instead of Capcom's cartoons, and added blood and lethal techniques to a player's range.<sup>59</sup> *Doom* was a first-person perspective game in which the player manipulated the keyboard and mouse to control a small arsenal

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<sup>58</sup> Kent, 458-466.

<sup>59</sup> Acclaim also made a revolutionary step in their digitizing process, bringing in stunt performers and martial artists to render the characters' movements instead of animating cartoon sprites. See the testimony of Eugene F. Provenzo, Jr in "Rating Video Games," 18.

of weapons (fist, pistol, shotgun, grenades, and large handheld fantasy weapons of mass destruction). Points were awarded within scenarios for the completion of objectives and the killing of demonic enemies.

Both games offered violence on a scale never seen before. *Mortal Kombat* added graphic “Fatality” techniques to kill opponents at the end of a match, and these “ranged from [the character] Kano wrenching his opponents’ hearts out of their chests to [the character] Scorpion pulling out their spines and skulls.”<sup>60</sup> *Doom* mixed Satanic imagery with graphic but cartoony injuries, and unlike competing home PC games the first few levels of the game were distributed for free as Shareware.<sup>61</sup> The real revolution of both games was the technology that made them both so detailed. *Doom* players could move through a realistic three-dimensional world at high speed, and *Mortal Kombat*’s characters were realistic enough to read their lifelike facial expressions.

The secret techniques, including the Fatalities, are an important component of the social function of video games. By generating enough victories to leave a high score saved on the game and publicly displayed, players could create a reputation. Because the techniques were secret, other players would gather around arcade games to watch good players, simultaneously observing the player and the show on the video screen. The Fatality techniques had to be acquired by practice or observation, and imply an interaction with the social dynamics of arcades and with forbidden visual material accessed through skill. *Doom* included a “God Mode” that allowed players to cruise through levels without injury. It was also one of the first networked games, allowing

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<sup>60</sup> Kent, 464.

<sup>61</sup> According to the game’s designer, John Romero, demand for the shareware version of *Doom* crashed the computer system of the University of Wisconsin twice. Quoted in Kent, 459.

multiple players to play the same scenario with each other on different computers, in different locations.

Acclaim released their game in September 1993, and id Software followed a month later. By December a joint hearing in Congress had been scheduled to address the “problem” of video game violence and to call attention to the marketing of violent content to minors during the Christmas shopping season.<sup>62</sup> A panel of experts on education and child psychology squared off against a disparate panel of economic adversaries representing software manufacturers Nintendo, Sega, the Software Publishers Association, the Video Software Dealers Association, and the Amusement and Music Operators Association. Lieberman and Kohl had created a public forum to debate video game content that pitted the two largest game manufacturers against each other sixteen days before Christmas, creating an incentive for the manufacturers to attack each other’s games and push for regulation.

Again, the emphasis was placed on policing material available to youth, images were declared proper and improper, the economic aspect of a medium, and the threat of Congressional action was used to induce self-regulation.

Our Nation’s children should not be told that to be a winner, you need to be a killer, or that make-believe violence yields real-life success. That subtle but menacing message pollutes our society. If the video game industry cannot effectively police itself – and so far, despite today’s announcement [of the creation of a voluntary ratings board], it has not proven that it can – then parents throughout the country will insist that Congress take action because while parents can rely on the dictates of the marketplace, obviously our children cannot.<sup>63</sup>

Objections were raised to this argument by witnesses from game manufacturers Sega America and Nintendo and from the Software Publishers Association, who argued that

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<sup>62</sup> “Rating Video Games,” 1.

<sup>63</sup> “Rating Video Games,” 8.

the average age of video game players was above in the mid-twenties; that games already carried some rating; and that because games were too expensive for children to afford, the parents purchasing the games already had the responsibility and power to police their children's activities.<sup>64</sup>

The implication is that the children in question are male. As Senator Lieberman explained,

It has been my experience with my kids and with other kids that is true that the – I am curious as to whether any of you know whether this is true that boys tend to play these games much more than girls; young boys tend to play much more than girls. Therefore, when I see the obvious sexual aggression against the woman in *Night Trap* which kids have access to, I worry that...we are running the risk of increasing the probability that these boys who are playing these games are going to be more sexually aggressive and abusive as a result of the experiences they have had with these games.<sup>65</sup>

Against the game manufacturers' arguments was the Committee's position, articulated by Senator Byron L. Dorgan:

I know there will be people who will call us the thought police trying to suggest what people can see or do. That is not my intention. However, we in the Congress have some basic responsibility in this country to protect children. Those of us who have children understand that they deserve protection. Certain things are appropriate for them and certain things are not appropriate ...<sup>66</sup>

While Dorgan's argument for protecting children and society is laudable, it does not match the content of the games that had prompted the discussion. The scene in *Night Trap* that Lieberman was referring to, and that Dorgan wanted to protect children from, was "a scene in which a girl in a rather modest teddy is caught by the vampires and

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<sup>64</sup> See the testimony of William White and Ilene Rosenthal, "Rating Video Games" 44 and 50. Steven Kent does question the accuracy of the ages stated by representatives from both Nintendo and Sega America, since during the hearing it was in the companies' best interest to portray video game players as older than they really were. See Kent, 474-478.

<sup>65</sup> "Rating Video Games," 28.

<sup>66</sup> "Rating Video Games," 9.



killed. The scene was meant to show players that they had lost.”<sup>67</sup> The players were not the sexually aggressive agents: it was their responsibility to protect the woman from sexual violence. While this does imply a specific gender role for male players, that role is not obviously sexually aggressive.

The morning of the first round of hearings, the video game manufacturers who had been called to testify announced the creation of what would become the Electronic Software Ratings Board (ESRB), a self-regulatory body to monitor and rate video game content. A minor, voluntary system had existed before, but ratings were different from company to company. Senators Lieberman and Kohl used the economic pressure of the holiday shopping and the threat of government legislation to force the video game industry into imposing content regulations on itself. The hearings in 1999 would address the failure of these rating systems to change either game content or players’ access to that content.

### **Judiciary and Surgeon General’s Report**

Within a week of the April 20, 1999 shootings at Columbine High School, four members of Congress, including presidential hopefuls Joseph Lieberman and John McCain, called on the White House to convene a summit on media violence. Dylan Klebold and Eric Harris had made school video projects in which they referred to the video game *Doom*, and violent entertainment was quickly seized on as a prime inspiration for the assault.<sup>68</sup> Within five months the Senate Judiciary and Commerce Committees held three hearings, and the Judicial Committee published a report that outlined the threat

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<sup>67</sup> Kent, 473.

<sup>68</sup> Judiciary, 6.

fantasy violence posed to the nation's physical safety and mental health. The hearings represent the largest and most thorough public debate of the century about violent entertainment and the relationship between creative arts and violent behavior. The final Judicial Committee report also brought together all of the arguments of the scopic regime: art as commerce, dictated self-regulation, medical classifications, and participatory training.

The Introduction to the Judiciary Report offers media violence as a key explanation for a whole range of social ills:

Americans have felt a growing and nagging uneasiness over the past several years. Yes, we have come to enjoy unparalleled material prosperity, personal freedom, and opportunity. And, yes, we live longer, healthier lives. Yet, for all these achievements, we also sense that our nation suffers from an insidious decay. Americans would hardly be surprised to learn that we lead the industrialized world in rates of murder, violent crime, juvenile crime, imprisonment, divorce, single-parent households, numbers of teen suicide, cocaine consumption, per capita consumption of all drugs, and pornography production. The horrifying spate of school shootings during the past two years has transformed that uneasiness into an almost desperate alarm. Behind the facade of our material comfort, we find a national tragedy: America's children are killing and harming each other. As Colorado Governor Bill Owens lamented in the wake of the Columbine High School massacre, a "virus" is loose within our culture, and that virus is attacking America's youth, our nation's most vulnerable and precious treasure.

...

A growing body of research concludes that media violence constitutes one significant part of the answer.

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Plainly, any solution to the juvenile violence problem that fails to address media violence is doomed to failure.<sup>69</sup>

The passage invokes a problem - the "insidious decay;" identifies the victims - "America's youth;" frames that problem in a medical context - "the 'virus';" enumerates the symptoms - "murder...pornography production;" and then suggests media violence as the culprit.

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<sup>69</sup> Judiciary, 3.

The significance of the 1999 Reports is that they were prompted by the Columbine shootings, an act of violence that could be directly connected to violent media. Klebold and Harris had made references to *Doom* in school projects, and had rewritten the game to create a playing field that resembled their high school. There is, however, no evidence that the game inspired the assault, only that it was one of a series – written class assignments, counseling sessions in response to threatening behavior, and online diaries expressing their interest in weapons and social frustration – indications that Klebold and Harris had strong antisocial attitudes. Their interest in *Doom* seems not to be causal, but an outlet for activities and attitudes that were already destructive.

Although the 1999 Judicial and Commerce hearings represent a synthesis of all previous strategies of scopio regimentation, even with a direct connection to violent media the hearings produced no new innovations. I propose that the challenge facing the scopio hegemony was that the only successful censorship effort, the Hays Production Code, had imposed a regulatory body between the producers and the consumers. Technological advances in the last decade of the twentieth century, notably the internet and digital filming technology, decentralized the production of media. Anyone with a computer can now produce and distribute violent media, and there is no practical way to control the consumption of violent content when there is no single or organized production source. This problem may represent the end of regulatory efforts, or it will have to be solved by the next generation of censorship tools.

## Chapter 2

### Scientific Evidence

A thorough assessment of the scientific studies that examined violent entertainment's effect on behavior has already been accomplished by Jonathan Freedman. Freedman's book, *Media Violence and Its Effect on Aggression* strongly critiques the methodology of those studies. My purpose is not to repeat Freeman's work, but to examine how and why the evidence was collected, and how it has been presented to the general public.

In spite of nearly a century of research into the effects of violent entertainment on American audiences, no one has ever definitively established a causal link between watching violence and being violent.<sup>70</sup> The best any study has been able to show is summed up in the Stanford study of television in 1961:

For *some* children, under *some* conditions, *some* television is harmful. For *other* children under the same conditions, or for the same children under *other* conditions, it may be beneficial. For *most* children, under *most* conditions, *most* television is probably neither particularly harmful nor particularly beneficial.<sup>71</sup>

This is not to suggest that a link does not exist; only that it has not been shown to be causal. Furthermore, it has not been established whether it is television itself, or violent content, that causes antisocial behavior.<sup>72</sup> As numerous scholars have observed, positive correspondence between violent media and violent behavior is probably due to a

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<sup>70</sup> Jonathan Freedman, *Media Violence and Its Effect on Aggression: Assessing the Scientific Evidence*, (Toronto: University of Toronto Press, 2002), 194-210.

<sup>71</sup> Schramm, 6.

<sup>72</sup> Gerard Jones, *Killing Monsters: Why Children Need Fantasy, Super Heroes, and Make Believe Violence* (New York: Basic Books, 2002), 23-24. Jones cites Thomas N. Robinson, Marta Wilde, Lisa Novracruz, K. Farish Haydel, and Ann Varady, "Effects of Reducing Children's Television and Video Game Use on Aggressive Behavior," *The Journal of Pediatric and Adolescent Medicine*, Vol. 155, Jan 2001, 21-22.

predisposition in aggressive individuals towards aggressive displays.<sup>73</sup>

There is disagreement within the scientific community between the studies and their public presentation. A positive correspondence between exposure and behavior is referred to as causal, even if the actual studies did not test for or demonstrate that connection. Psychologist Christopher J. Ferguson also proposes three reasons why a positive statistical correlation in studies does not demonstrate a causal connection.

- Humans are by nature a violent species and may demand violence in their entertainment. Violent media, then, are not a necessary precursor to violent behavior.
- Unlike lung cancer, which is rare outside of individuals not exposed to cigarette smoke or other inhaled carcinogens, violent behavior is common in the absence of violent media, whereas many who are exposed to violent media demonstrate no violent behavior. Violent media, then, are not sufficient to cause violent behavior.
- The effect sizes of media violence research are small. They account for only a small fraction of the variance in violent behavior.<sup>74</sup>

The most obvious flaw in the anti-violence arsenal is Ferguson's second point: millions of people see the exact same material and only a tiny fraction of that audience actually displays any aggressive behavior. Crime rates among the juveniles, the population supposedly at risk, are falling.

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<sup>73</sup> Surgeon General, 90; Jonathan Kellerman, *Savage Spawn: Reflections on Violent Children* (New York: Ballantine, 1999), 71-79.

<sup>74</sup> Christopher J. Ferguson, "Media Violence: Miscast Causality," in *American Psychologist*, Vol 57, June/July 2002, 446. The comparison of violent media to cigarette research, which recurs throughout media literature, stems from Senator Pastore's 1968 campaign, which used the model of successful legislation of the tobacco industry following secondhand smoke studies that redefined smoking as a public health issue.

From 1993 to 1998, the rates of murders committed by youth aged 12 to 17 fell by 56 percent, and the teen murder victimization rate fell by nearly as much (48 percent). Both those rates are...barely higher than the late-'70s rates for Boomer teens. The teen murder-rate reductions in large urban states has been staggering: down 54 percent in California, down 55 percent in Texas, down 66 percent in Massachusetts, down 78 percent in New York. In a dramatic reversal from the Gen-X youth era, when the murder arrest rate doubled while the rate for older adults fell, the Millennial murder rate is falling considerably faster than the rates for older generations.<sup>75</sup>

The most recent data from the Department of Justice, summarized in their report “Juvenile Arrests 2002” corroborates these statements. The report also states that arrests for Suspicion increased a staggering 49% between 2001 and 2002, after declines of 43% from 1993-2002, suggesting that the perception of juveniles as dangerous has recently increased while their actual criminal activity has decreased.<sup>76</sup>

The general rise in twentieth century crime statistics may also be misleading, since between 1917 and 1975 (when many crime statistics began to be tracked) there were four major international wars in which the United States participated, which not only drew a substantial percentage of the total male population but also may have recruited from the pool of aggressive personalities.

In spite of the lack of a causal connection between violent stimuli to aggressive behavior, there has been an increased effort to use scientific studies to craft public opinion and to support legislation restricting that content. There is a disconnection between the actual behavior of citizens and the perception of what that behavior should

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<sup>75</sup> Neil Howe and William Strauss, *Millennials Rising: The Next Great Generation* (New York: Vintage Books, 2000), 207. Dave Grossman argues in *Stop Teaching Our Kids to Kill* against the use of murder rate statistics, since medical technology allows for a higher survival rate (Grossman, 14-15), but he also argues that violent offenders are increasingly deadly (Grossman, 75-77).

<sup>76</sup> Howard N. Snyder, “Juvenile Arrests 2002,” Office of Juvenile Justice and Delinquency Prevention: Juvenile Justice Bulletin, September 2004. The only other arrest rates to increase were prostitution (up 27% between 1993-2002), murder (up 2% between 2001-2002 in spite of a 64% decrease between 1993-2002), and sex offenses besides forcible rape and prostitution (down 9% overall between 1993-2002, but up 1% between 2001-2002). While arrest rates are not as useful as conviction rates in tracking actual criminal behavior, they do track the perception of criminal behavior.

be. Critics of violent entertainment continue to assert that “the debate is over.”<sup>77</sup> The first step in this process has been to inflate the importance and substance of the extant studies. The “Joint Statement on the Impact of Entertainment Violence on Children,” endorsed by representatives from the American Academy of Pediatrics, American Academy of Child & Adolescent Psychiatry, American Psychological Association, American Medical Association, American Academy of Family Physicians, and American Psychiatric Association, stated:

At this time, well over 1000 studies – including reports from the Surgeon General’s office, the National Institute of Mental Health, and numerous studies conducted by leading figures within our medical and public health organizations – our own members – point overwhelmingly to a causal connection between media violence and aggressive behavior in some children.<sup>78</sup>

A year after signing that declaration, a policy statement by the American Association of Pediatrics announced that “[m]ore than 3500 research studies have examined the association between media violence and violent behavior; all but 18 have shown a positive relationship.”<sup>79</sup> They repeated this new number in testimony before Congress.<sup>80</sup> The source of their number was not a longitudinal study by an independent or governmental medical agency; according to their footnotes, it was Dave Grossman’s book *Stop Teaching Our Kids to Kill*. A former Army officer and the author of two books, *On Killing* and *Stop Teaching Our Kids to Kill*, Grossman has been a heavily cited opponent of violent entertainment.

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<sup>77</sup> Dave Grossman and Gloria DeGaetano, *Stop Teaching Our Kids to Kill: A Call to Action Against TV, Movie & Video Game Violence* (New York: Crown Publishers, 1999), 23, and *Psychiatric Effects of Media Violence*, American Psychiatric Association.

<sup>78</sup> *Joint Statement on the Impact of Entertainment Violence on Children*, July 26, 2000.

<sup>79</sup> AAP Committee on Public Education Policy Statement, November 2001, 2.

<sup>80</sup> *Testimony of the American Academy of Pediatrics on Media Violence*, September 13, 2000.

All three of the numbers, the Joint Statement's 1000, AAP's 3500, and Grossman's 2500, are misleading. In their 1987 survey of available studies, Paik and Comstock only uncovered 217 studies.<sup>81</sup> A meta-analysis to assess the actual results of research covered only twenty-three studies, and the 1972 Surgeon General's Report found only 50 studies to work with.<sup>82</sup> The massive bibliography of 2886 citations compiled by John P. Murray in 1980 includes summaries of findings, books that cite studies, articles that cite studies, but the same relatively small pool of actual studies.<sup>83</sup> There have been more studies of the effects of silicone breast implants than there have been of the effects of violent entertainment on audiences.<sup>84</sup> If these larger numbers have been calculated using bibliographic lists like Murray's, they do not reflect the number of actual scientific studies, as they claim to do. There is no obvious source for the claim that thousands of studies have been conducted.

The issue is not one of the studies' validity, but their use in influencing or supporting social policy. The volume of studies has been used to lend scientific validity to social agendas since the dissolution of the Hays Production Code in 1968, which was founded on arguments of morality. Science has replaced morality as the justification for restricting violent images. The inflated numbers of studies do not appear in publications circulated within the comparatively private world of research scientists. Only when a document will enter the public sphere, like the Joint Statement or Congressional testimony, do these larger numbers appear. These numbers have been inflated to

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<sup>81</sup> Hae-Jung Paik and George Comstock, *Television and Children: A Review of Recent Research*, (Syracuse University: ERIC Clearinghouse on Information Resources, 1987). Also Government Document ED 1.310/2:292466.

<sup>82</sup> *Television and Growing Up*, 6.

<sup>83</sup> John P. Murray, *Television & Youth: 25 Years of Research & Controversy* (Boys Town: Boys Town Press, 1980). Also Government Document Ed-201-302.

<sup>84</sup> Freedman, 17.



convince the public of the dangers of media violence, a conclusion which is either contradicted or not warranted by the very studies that have been cited.<sup>85</sup> The researchers who prepared the AAP's statement did not go to politically neutral, scientific sources to support their position, they went to sources and studies that, like Bandura and Grossman, are flawed or biased models.

Another basic problem is the abuse of research: the application of conclusions drawn from one medium to another. The Eisenhower Commission reviewed ~~tw~~dozen available empirical studies on media violence, but "the cited studies had involved films as research tools...none apparently had employed actual television sequences or programs."<sup>86</sup>

Stage combat teachers J.D. Martinez and James D. Strider use arguments about film and television to explain how violence functions in live theatre, assuming that violence functions the same way in both art forms. Martinez, former president of the Society of American Fight Directors and the author of several books on stage combat, challenges the distinction between "essential" and "gratuitous" violence. Although his subject is theatrical violence, he refers to statements and studies by the American Psychological Association, American Medical Association, American Academy of Pediatrics, and the American Academy of Child Psychology - not one of which makes any statement about theatre or the aesthetics of live performance.<sup>87</sup> Strider goes even further in his confusion of evidence.

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<sup>85</sup> Freedman, 201.

<sup>86</sup> Cater, 30.

<sup>87</sup> Martinez in *Theatre Symposium* 7, 78. The author goes so far as to paraphrase the 1999 Judicial Report, using the phrase "the debate is over," which appears in Grossman, 23 and the 1993 APA Position Paper. Referring to the same medical organizations, Jonathan Freedman observes that "it is almost certain that not one of these organizations conducted a thorough review of the research," *Media Violence and Its Effect on Aggression*, 9.

In the Fall 1993 issue of *The Fight Master*, one of the Society of American Fight Directors' fight masters, Richard Raether, asserts that "Realistic stage violence does not inspire real-life imitation because [real violence] [sic] is accompanied by real consequences." Raether's belief is a common but serious misapprehension. Cognitive psychologist Richard Jackson Harris tells us of a thirteen year old boy who, in 1984, killed himself with a handgun playing Russian roulette with a friend. The boys had recently seen the Oscar-winning movie *The Deer Hunter* and were re-enacting the scenes in which American POWs were forced by Vietnamese captors to play the fatal game.<sup>88</sup>

In the embedded quote, Raether singles out the effect of violence in live theatre, and Strider immediately applies evidence from a different art form to chastise Raether, assuming that audiences for film and theatre are socially identical and respond in identical ways. This misappropriation of data from one art form and applying it to another speaks to the eagerness of both artists and critics to group media together and subject them to the same definitions. Martinez's call for "socially responsible" stage fight direction implies that the audiences for theatre are the same audiences Congressional hearings consider, that theatre has an obligation to be morally instructive in its presentation of violence, and that theatre artists should voluntarily apply proscriptive definitions of social conduct and visual spectacle.<sup>89</sup>

Another flaw inherent to all scientific studies of the effect of violent media on children is that the thesis cannot ethically be proven. If a researcher intends to show that watching violent television shows will damage children or generate antisocial behavior, there is a built-in limit to the level of violence that they can be shown before causing that damage. As a result, all of the studies have built models that imperfectly approximate audience behavior. Children in the oft-cited Bandura study watched a film of an adult

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<sup>88</sup> Strider, 3.

<sup>89</sup> Martinez, 83-84 and Strider, 18-19.

punching an inflatable clown.<sup>90</sup> They did not watch the movies that had prompted the investigation in the first place: *Straw Dogs*, *Bonnie and Clyde*, or *The Killers*.

Aggressive behavior in some cases was defined by the child subject's willingness to say "yes" when asked if an adult should pop a balloon.<sup>91</sup>

This ethical dilemma in experimentation is not a minor problem of scientific method; it is a logical flaw that complicates the connection between policy and science. Government committees have argued that children might be damaged by seeing specific violent images: fistfights in television's *The Untouchables*, the beheadings of *Mortal Kombat*, or a student shooting up his school in *The Basketball Diaries*.<sup>92</sup> Experiments commissioned to support this claim have not recreated the problem, but have substituted violent actions - the abstract image of an adult attacking an inflatable toy clown - for dramatic violence embedded within a story with character relationships and dramaturgical causes and effect.

One of the other fundamental problems of studies lies in this relationship between violence and context. In Liebert and Baron, one hundred and thirty-six children between the ages of five and nine were shown six and a half minutes of television.<sup>93</sup> The control group saw two and half minutes of commercials, intercut with "competitions in races,

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<sup>90</sup> The Bobo the Clown Experiment is cited in the 1993 APA Position Paper, the 2001 AAP Policy Statement, Freedman, Jones, Cater, Anderson/Dell. Flaws of the Bandura study are mentioned in Murray, 30; Jones, 38; and Joseph Klapper, "The Impact of Viewing 'Aggression': Studies and Problem of Extrapolation," in *Violence and the Mass Media*, Otto N. Larsen, ed. (New York: Harper & Row, 1968), 135. Of particular note is Klapper's observation that Bobo the Clown, with its heavy rounded base, was a toy designed to be punched repeatedly.

<sup>91</sup> Cited by Klapper, 133.

<sup>92</sup> *The Basketball Diaries* became the subject of discussion after the Columbine shootings because the film includes a dream sequence of a student assaulting his school.

<sup>93</sup> Robert M. Liebert and Robert Baron. "Short Term Effects of Televised Aggression on Children's Behavior," presented at symposium "The early Window: The Role of Television in Childhood," American Psychological Association (Washington, D.C., September 1971). Also Government Document ED-054-626.

hurdles, and high jumps.”<sup>94</sup> The other group was shown the same commercials, this time intercut with three and a half minutes of violent footage from *The Untouchables*, featuring “a chase, two fist fights, two shootings, and a knifing.”<sup>95</sup> Afterwards

[A]ll children were given a series of 20 opportunities to either help or hurt a peer who was ostensibly playing in another room...Despite the brevity of the aggressive sequences, the absence of a strong prior instigation to aggression, and the clear availability of an alternative helping response, children who were exposed to *The Untouchables* sequence made hurting responses of significantly longer duration than those exposed to the highly active but nonaggressive control program.<sup>96</sup>

The study does not test the children’s response to an episode of *The Untouchables*, but rather their response to abstract, non-contextual violent images in an unfamiliar environment. Had the children seen the entire television episode, in which the fist fights, shootings, and knifings were presumably explained, they may have had different reactions. Had the actions occurred in an identifiable context, the violence may have aligned with socially acceptable uses of force. The tests that link violent content to aggressive behavior do so with an assumption that aggression is always a negative, inappropriate response.

Ultimately the experiments discussed here serve as another form of the scopic regime: scientists with clip boards dictate the images that children can see, provide them with the opportunity to respond in a predicted way, and then use this abnormal behavior within an abnormal situation to define normal behavior. As Gerard Jones observes,

A child choosing to watch *Dragon Ball Z* because he knows it will make him happy is having a fundamentally different experience from a child who doesn’t even like *Dragon Ball Z* being told, “You have to watch this now” – and his reaction will be just as different. This may explain the famous Coates-Pusser-Goodman study, which found that preschoolers were three times more aggressive

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<sup>94</sup> Cater, 36.

<sup>95</sup> Cater, 35.

<sup>96</sup> Liebert, 9.

after watching a video than before – even though the video was *Mister Rogers' Neighborhood*. This led some analysts to conclude that television viewing itself, regardless of content, inspires violent behavior. It more likely means that being made by a strange adult to watch television makes a child anxious or angry.<sup>97</sup>

Although some critics like Martinez argue that the context of violence is irrelevant, it has been a basic principle of censorship codes. Hays' Production Code dictated that crimes against the law could not be presented “in such a way as to throw sympathy with the crime as against the law,” that unpleasant subjects “should always be subject to the dictates of good taste and a regard for the sensibilities of the audience,” and that hangings, brutality, brandings, and surgeries could be depicted “within the careful limits of good taste.”<sup>98</sup> The Johnson-Jeffries fight could have been distributed – if Jeffries had won.<sup>99</sup> Graphic video game violence was permissible unless realistic, digitized human images were depicted.<sup>100</sup>

Particularly in the case of the Production Code, context was a way to reinforce politically approved standards of social behavior, and to restrict political critique. The very first area that the Production Code treats is “Crimes Against the Law,” and the Code, put in place because courts were upholding states' censorship rights, explicitly dictates that “[t]he courts of the land should not be presented as unjust.”<sup>101</sup> Some topics

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<sup>97</sup> Jones, 35. The study cited is in *Child Development* 47 (1976). *Dragon Ball Z* follows six martial artists as they protect the Earth from two evil warlords. The story has been played out through video games, comic books, and a very popular animated television show. “The Dragon Ball brand has generated over USD 3 billion in worldwide licensed merchandise - a number that few animated series can compete with. It is among the top-rated series on Cartoon Network and was the number-one rated show among all U.S. cable TV programs for 'tweens 9-14, boys 9-14 and men 12-24 during 2002 season's launch line-up. For the second consecutive year, “Dragon Ball” was the most searched-for term on the Internet according to Lycos.” Source: <http://www.megagames.com/news/html/console/dragonballzsequelannounced.shtml>, accessed October 29, 2004.

<sup>98</sup> Quoted in Prince, 294-295.

<sup>99</sup> Streible, 182.

<sup>100</sup> Kent, 470. The Judiciary Report concludes with recommendations to parents to help children understand violent material. A series of suggested questions ask children and parents to specifically analyze the context of violence.

<sup>101</sup> Cited in Prince, 299.

could not be seen at all: “[b]ecause of its evil consequences, the drug traffic should not be presented in any form. The existence of the trade should not be brought to the attention of audiences.”<sup>102</sup> For Hays, there was no possible dramaturgical circumstance in which drugs could be shown, not even the punishment of offenders or the possible tragic effects of narcotics.

Cater and Strickland make an unusual comment about a possible bias of these studies: “The decade 1958 to 1968 – beginning with the United States’ response to *Sputnik* and ending when the cost of the Vietnam War began to block increases in the federal government’s domestic budget - was one of steady growth for biomedical and social science funds.”<sup>103</sup> Although the authors move on quickly, there is an interesting suggestion that government funding for social science research was beginning to level off or diminish just as Senator Pastore was looking for new data to be generated. In an environment of shrinking financial resources, researchers may have been inclined to propose models that would supply exactly what the Committees were looking for, “whether *and* to what extent television helped nurture the seeds of violence in American society.”<sup>104</sup>

To hear Sen. Joseph Lieberman describe *Mortal Kombat* it was easy to forget that video games were originally designed to be played in social setting with peers: arcades, and later homes. He neglected to mention, and Congressional hearings tended to ignore, that the game could be and was played without any of the spine-ripping, decapitations, or heart extractions. The bulk of scientific evidence, Congressional investigation, and moral

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<sup>102</sup> *ibid*

<sup>103</sup> Cater, 26.

<sup>104</sup> Cater, 16, italics mine. I do not mean to suggest that the research done was definitely flawed, only that the comment about Government funding offers the possibility of bias. If true, it is interesting that the funding of an actual war indirectly supported the public belief that television was responsible for real-world violence.

proclamation never take into account the fact that these games - and violent movies, plays, and television shows – can be enjoyed by audiences that have some agency over how the material affects them. Why they are fun is a cultural question, not a medical one, and the evidence shows that the overwhelming majority of video game, theatre, television, and film audiences enjoy violent entertainment with no ill effects.

## Chapter 3

### Uses of Censorship

On November 9, 2004, the United States military launched Operation Phantom Fury to take the city of Fallujah, Iraq. *The Washington Post* covered the attack, with a photograph above the fold depicting Iraqi insurgents shooting at American soldiers. Below the fold the *Post* ran a story on the release of the video game *Halo 2*, with a photograph of the computer-animated Marine character that players control.<sup>105</sup>

The game grossed \$125 million in its first day, earning more money in a single day period than any film has. The game was written and directed by Joe Staten, who designed a system of religious beliefs for the game's alien villains.<sup>106</sup> The juxtaposition of the game's release, important enough to be on the front page of a national newspaper, and the real invasion by Marines of a country largely defined by its faith speaks to the intersection between violent media and the real activities it serves as a metaphor for.

The presupposition of a scopic regime is that authoritarian bodies need to control the framing of violence and the perception of aggression, but why do they need to? A pamphlet issued by the National Board of Review of Motion Pictures in 1921 stated that

There is no popular demand for state censorship. The average American family attend [sic] the show once a week and enjoy it. Censorship agitation is artificially stirred up by well-meaning but insufficiently informed reformers, who wish to impose their own standards of taste upon everyone else. It is encouraged by certain political elements who covet the patronage and the power over channels of public information which it would give them.<sup>107</sup>

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<sup>105</sup> Jackie Spinner and Karl Vick, "U.S. and Iraqi Troops Push into Fallujah," and Jose Antonio Vargas, "Halo 2 Ready to Run Rings Around Video Game Industry," in *The Washington Post*, November 9, 2004, A-1.

<sup>106</sup> Geoff Keighley, "Hooray for 'Halo'-wood," in *Entertainment Weekly*, reprint of published article accessed online November 23, 2004. <http://www.ew.com/>.

<sup>107</sup> Quoted in Lamar Beman, *Selected Articles on Censorship of the Theatre and Moving Pictures* (New York: W.W. Wilson Company, 1931), 211.



By examining the ways in which governmental mechanisms of control have intersected with the media violence debates, I hope to explore the fundamental question of Feldman's scopic regime: who benefits from such a regime, and why is it imposed?

For this chapter the scope must expand to take in real violence. All of the examples so far, with the exception of the Johnson-Jeffries fight, have been of fictional aggression or violence that refers to and imitates real-world actions. These actions are either culturally permissible or forbidden depending on whether they simultaneously benefit levels in the hierarchy of the individual, a group, and the nation-state.<sup>108</sup> A specific criminal act may benefit the individual, but it destabilizes the social group, and must be suppressed by the nation-state through laws and police. An action that benefits the group at the expense of the individual, such as lynching as a form of racial repression, is permissible because the (white) group is more powerful than the (black) individual. As the Johnson fights suggest, the renegotiation of racial hierarchy in the early twentieth century was seen by white audiences as a threat to both population groups and the nation. International military action, which may benefit the goals of the state at the expense of the goals of the individual or of groups, is always permissible.

Violence and aggression are tools for state-level organizations, if directed through the proper channels. American University Professor of Justice Robert Johnson defines the purposes and mechanisms of what he calls "institutional violence":

Violence is a product of institutional arrangements and is in some sense useful to these institutions...In its most blatant form, institutional violence involves the intentional use of overt violence by agents of institutions in pursuit of institutional goals...So far as is practical and necessary, the links among situations, dispositions and perceptions – especially exonerating perceptions – are

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<sup>108</sup> I am using Alain Joxe's model of social hierarchy and control practice, *Violence and its Causes*, 13. I have eliminated the level of institution as roughly analogous to group in my use of the model.

prearranged by the institution and rehearsed by its personnel to promote predictable and guilt-free uses of violence.<sup>109</sup>

Guilt-free uses of violence can occur if the enemy of the state coincides with the enemy of the individual or group, and thus governments have created methods of regulating violent content which restrict the quality of victims an audience can see. In the case of the Production Code, enemies of the state/group (criminals) could be killed on-screen, but allies of the group/state (police officers) could not.

The state-level organizations that are defined by the use of violence are the police and military. While concern about the targets of violence centered on officers of the law in early cinema and television, the focus has shifted to the relationship between violent entertainment and the military. A brief passage in Evan Wright's book *Generation Kill*, "many [soldiers are] on more intimate terms with the culture of video games, reality TV shows and Internet porn than they with their own families," found its way into reviews of the book by the *Financial Times*, *USA Today*, *The New Statesman*, *Arena Magazine*, and *Publishers Weekly*, even though it is almost the only reference to violent media in a book about actual soldiers on modern combat. Reviewers focused on that quote because of the associations between violent media and real world military training.

One of the central figures of the more recent media violence debates has been Dave Grossman. A former Army officer, Grossman holds a Masters of Education in Counseling Psychology and serves on the faculty of several universities.<sup>110</sup> Straddling the military, academics, and medicine Grossman repeatedly uses his military title to identify himself, implying that his opinion bears more weight because of his association

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<sup>109</sup> Robert Johnson, "Institutions and the Promotion of Violence," in *Violent Transactions: The Limits of Personality*, Anne Campbell and John J. Gibbs, ed. (New York: Basil Blackwell, 1986), 181.

<sup>110</sup> Grossman's biography appears on his Institute of Killology webpage: [http://www.killology.com/personal\\_bio.htm](http://www.killology.com/personal_bio.htm), accessed October 10, 2004.

to the armed forces. Although he only taught at the service academy for two years as an assistant professor, and taught at Arkansas State University for twice that time, Grossman refers to himself as “a West Point psychology professor,” privileging his associations with the military over his position and training as a psychologist or academic.<sup>111</sup>

Grossman has been a source of expert testimony in media violence debates, and the use of his military title in these forums manipulates his attachment to the military to reinforce his position. By choosing to focus on Grossman’s military credentials, between the military’s possible interest in controlling the public’s exposure to and interaction with violent images. I do not mean to suggest that Grossman’s opinion is authoritative, but he has presented himself and been perceived as a representative of the military.<sup>112</sup>

A popular topic in popular media and scientific research was the suggested link between the Columbine shootings, the video game *Doom*, and military training.<sup>113</sup> One of the innovations of *Doom* was that id Software released the source code for the game into the public domain, allowing players to modify the game and to create their own scenarios.

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<sup>111</sup> *ibid*

<sup>112</sup> Joshua Goldstein’s exhaustive study *War and Gender* uses Grossman as his sole source for the section about video games, gender, and violence.

<sup>113</sup> Riddell; Grossman, 77; Anderson and Dill, 2-2; Pooley, 32. One of the curious facts about the Anderson/Dell study is that they use the quote “playing out their game in God mode,” and cite Pooley’s May 10, 1999 *Time* article as the source. Pooley attributes the quote to an unnamed researcher at the Simon Wiesenthal Center. This is an instance of a scientific journal using media reporting of casual political internet research as an argument to support a scientific model. The Anderson/Dell study observes that “research to date on video game effects is sparse and weak in a number of ways. Indeed, one reviewer...has espoused the belief that ‘video game playing may be a useful means of coping with pent-up and aggressive energies’.” Their position is that research that concludes the opposite of their assumption is automatically weak research.

Klebold and Harris apparently did modify the game, creating a version with two shooters, unlimited ammunition, and a ground plan of Columbine High School.<sup>114</sup> On the basis of this fact, Dave Grossman asserts that *Doom* “is still a good enough combat simulator that the Marine Corps uses a modified version of it (called *Marine Doom*) to teach recruits how to kill.”<sup>115</sup> The idea that video games were actually teaching children the methods of execution has been a major plank in Grossman’s platform, and has been echoed in his testimony for the 1993 Video Game debates and the 1999 Judicial Report.<sup>116</sup>

Grossman is misstating the facts. The first problem with his argument is that while the Marine Corps did use *Doom* to train recruits, it had to modify the game to make it useful.<sup>117</sup> Thus the game as released to the public was an insufficient combat simulator. More importantly, the Marine Corps version of the game was adapted to teach teamwork skills, not killing. While it is true that the ultimate goal of the game is to kill the enemy, the actual skills that *Marine Doom* teaches are those of teamwork and battlefield decision-making. Grossman does concede that the Marine Corps used *Doom* “as a tactical training device, as opposed to teaching motor skills,” but this caveat comes twelve pages into his argument that video games like *Doom* actually teach the motor skills required to accurately and lethally operate firearms.<sup>118</sup> Successful play of *Marine Doom* does not require the accurate or lethal operation of a firearm. Lieutenant Scott Barnett, who helped adapt the software, explained that “*Marine Doom*...is not just a

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<sup>114</sup> Anderson and Dell, 2.

<sup>115</sup> Grossman, 77.

<sup>116</sup> Judicial, 6.

<sup>117</sup> Rob Riddell, “Doom Goes to War,” in *Wired Magazine*, April 1997, online archives accessed October 31, 2004. [http://www.wired.com/wired/archives/5.04/ff\\_doom\\_pr.html](http://www.wired.com/wired/archives/5.04/ff_doom_pr.html).

<sup>118</sup> Grossman, 77.

twitch game. The way to get through a *Marine Doom* scenario and survive is through teamwork,” repetitive decision making and not repetitive firing.<sup>119</sup>

The scenarios of *Marine Doom* are designed to force marines to make decisions in a combat situation, not to kill. The pedagogic goals of *Doom* are the same as those fostered by another computer-based teaching tool, the Combat Decision Range (CDR), which projects computerized film clips of combat situations and requires participants to make decisions. The scenarios for both the CDR and *Doom* are outlined by Gen. Charles C. Krulak in his article “Cultivating Intuitive Decisionmaking,” which is a required article in the Corps’ Tactical Decision Making course:

The CDR puts the squad leader square in the middle of the three block war and requires him to make decisions across the spectrum of conflict, from humanitarian relief to mid-intensity firefight, with the media watching. During a single 30 to 45 minute CDR training scenario, a Marine squad leader must make 15 to 30 urgent, life or death decisions while land navigating and communicating both up and down the chain of command.<sup>120</sup>

Citing Grossman, the 1999 Judicial Report and the medical associations’ Position Statements have mischaracterized the relationship of video games to actual military training. The key programming component of *Doom* that set it apart from other potential training aids was its network capability, multiple players within the same virtual world, and its ability to recreate combat scenarios in order to teach leadership skills. By and large the military’s games are designed to teach teamwork in the digital public sphere, and not clinical methods of execution.

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<sup>119</sup> Riddell, op cit.

<sup>120</sup> Krulak, 126.

## Conclusion

The dangerous child never grows up. The dangerous generation is always on the horizon, ever youthful. Adults, steeped in violent media for a century, should be regulated far more than children because conceivably they are more desensitized and far more prone to violent behavior. Except for institutional bias towards the “childish” populations - blacks and immigrants - through the 1920s, every censorship code has generally protected the rights of adults to see violent material, and restricted that material in the name of sheltering children.<sup>121</sup>

I do not mean to suggest in this paper that media have no effect on children, or that there are no ill effects of violent images. But when we see a David Koresh, a Ted Kaczynski, or a Timothy McVeigh we do not search for the answers in movies, television, or video games. Those adults like John Hinckley who actually seem to be inspired by violent films are described as aberrations.<sup>122</sup> Part of the problem is our inability to perceive children as anything but blank slates. Jonathan Kellerman argues that some children are simply, chemically, psychologically predisposed to violence. Jon Rappaport wrote an online article suggesting that Luvox, the anti-depressant that Eric Harris was taking and which kept him out of the Marines, has a four percent chance of side effects ranging from mania to psychosis, and may have been the reason for his violent behavior.<sup>123</sup> Neither of these two options, the naturally or medically dangerous child, has received the national attention of *Doom*. The lack of evidence to support the

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<sup>121</sup> One noted exception to this is Sen. Lieberman’s suggestion that some video game content was inappropriate even for adults. *Joint Hearings before the Subcommittee on Juvenile Justice*, p.59.

<sup>122</sup> Valerie P. Hans and Dan Slater, “John Hinckley, Jr. and the Insanity Defense: The Public’s Verdict,” in *The Public Opinion Quarterly*, Vol. 47, No. 2 (Summer, 1983), 202.

<sup>123</sup> Jon Rappaport, “School Violence: The Psychiatric Drugs Connection,” National Foundation for Gifted and Creative Children online article, accessed February 5, 2001. <http://www.nfgcc.org/schoolviolence.htm>.

connection between violent media and violent behavior, the small percentage of the population who actually act aggressively, and the overwhelming number of people who watch violent acts without any measurable side effect all suggest that there is no problem to be solved. Perhaps when we discuss art, “violent” really can be a morally neutral adjective.

Perhaps the most perfect example of the scopoc regime has been the visual coverage of the second Gulf War in Iraq. Although they depict events that actually occurred, and not the fantastic possibilities of video games and film special effects, images of burned American soldiers and tortured Iraqi prisoners have been suppressed. Part of the reason behind their suppression is that they metaphorically present an aggressive American identity that does not correspond to the popularly imagined cultural identity. “American’s” do not act that way, even in a forum in which force is wholly sanctioned. Senator John Warner stated in a Senate hearing on the prisoner abuse scandal at Abu-Ghraib that

the replaying of these images day after day throughout the Middle East and indeed the world has the potential to undermine the substantial gains -- emphasize the substantial gains -- toward the goal of peace and freedom in various operation areas of the world, most particularly Iraq, and the substantial sacrifice by our forces, those of our allies, in the war on terror.<sup>124</sup>

In the hearing, witnesses did not refer to the abuses; rather they repeatedly referred to the photographs of abuse. General George Myers discussed “the story of the photographs,” not the story of the abuse; Secretary of Defense Donald Rumsfeld explained that “[t]he photographic depictions of the U.S. military personnel that the public has seen have

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<sup>124</sup> Comments of Senator John Warner before the Senate and House Armed Services Committee, May 7, 2004.

offended and outraged everyone in the Department of Defense.”<sup>125</sup> The entire hearing of May 7, 2004 revolved around whether and when military commanders knew about *photographs*, not the activities that they depicted.

During the 1993 video game debates, expert witness Marilyn Droz attacked the video game manufacturers for their perceived irresponsibility:

It certainly isn't their role to teach [children] to kill, maim and destroy – to be insensitive to the deadly consequences of violence. If the Pentagon were to have developed this such as *Mortal Kombat* and then tried to place it in the homes of children, I don't have to tell you what the American people would say.<sup>126</sup>

As it turned out, the Pentagon did oversee its own game. Released by the U.S. Army a year after September 11, *America's Army* takes its players through military basic training and then unleashes them into a virtual world to fight virtual military battles. Distributed for free over the internet and by direct mail, the game is rated T – suitable for players 13 and above – by the Electronic Software Rating Board that the 1993 debates had prompted into existence. The webpage for the game allows players to play over a network with up to thirty-one other “recruits.” The webpage also includes a link to the U.S. Army's recruitment center.

The game includes everything that Lieberman and Kohl warned against in the 1993 hearings: graphic violence, a sophisticated upgrade of the *Doom* first-person shooter, an educational simulator of army tactics, the realistic depiction of humans from *Mortal Kombat*, and “cheat codes” that function within the game's structure in exactly the same way as *Mortal Kombat's* Fatality techniques. This game is designed to be distributed to the children who have been protected from such material by almost a

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<sup>125</sup> Testimony of Secretary of Defense Donald Rumsfeld, Testimony of General Richard B. Myers before the Senate and House Armed Services Committee, May 7, 2004.

<sup>126</sup> Rating Video Games, 24.



century of debate and legislation. What distinguishes it is the way it frames violence: if a player's enemies correspond with the state's enemies, violence is permissible and encouraged. *America's Army* provides an authorized channel for aggression in which the images of violence are created by the body that has the most interest in regulating and harvesting that aggression.

The fifteen year old Michael Robinson posted this response to *America's Army* in an online chat board:

I doubt the next time some teenager snaps and shoots someone that when lawyers go into the courtrooms, and politicians meet in session, that any of them will bring a copy of *America's Army*. They'll mention young minds being exposed to realistic violence, how irresponsible game developers, parents and the media are, and how "games like this should be put to an end." They'll waste all the time and tax dollars in the world, but they won't scrutinize their own people.<sup>127</sup>

Perhaps critics have underestimated the ability of children to understand how they are being manipulated, the language of repression, and their relationship to violent media and its power. As the title screen to the arcade release of *Mortal Kombat* stated, quoting the Anglican bishop Jeremy Taylor, "There is no knowledge that is not power."

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<sup>127</sup> Posted on GamersMark Network – "The US Military's Murder Simulator," June 6, 2002. <http://www.gamersmark.com/editorials/view/85>, accessed October 28, 2004.

## BIBLIOGRAPHY

- Anderson, Aaron. "Reading the fights: Gestures toward a semiotics of staged violence" (Ph.D. diss., Northwestern University, 2002)
- Anderson, Craig A. and Karen E. Dill. "Video Games and Aggressive Thoughts, Feelings, and Behavior in the Laboratory and in Life," *Journal of Personality and Social Psychology*, Vol. 78, No. 4 (April 2000)
- Applebome, Peter. "Panel Sees No Short Cut to a Less Violent Media," *The New York Times*, July 2, 1999
- Ashe, Arthur R. *A Hard Road to Glory: A History of the African American Athlete, 1619-1918*. New York: Amistad Press, 1993
- Baker, Robert K. and Sandra J. Ball. *Mass Media and Violence*, a staff report to the National Commission on the Causes and Prevention of Violence, Vol. 9. Washington: Government Printing Office, 1969.
- Bandura, Albert. *Aggression: A Social Learning Analysis*. Englewood Cliffs: Prentice Hall, 1973
- \_\_\_\_\_, *Social Learning Theory*. Englewood Cliffs: Prentice Hall, Inc., 1977
- Barker, Martin. *Comics, Ideology, Power and the Critics*. Manchester: Manchester University Press, 1989
- \_\_\_\_\_, ed. *Video Nasties: Freedom and Censorship in the Media*. London: Pluto Press, 1984
- Barlow, Geoffrey and Alison Hill, ed. *Video Violence and Children*, London: Hodder and Stoughton, 1985
- Bazalgette, Cary and David Buckingham, ed. *In Front of the Children: Screen Entertainment and Young Audiences*. London: British Film Institute, 1995
- Beman, Lamar T. *Selected Articles on Censorship of the Theatre and Moving Pictures*. New York: H.W. Wilson Company, 1931
- Bernardi, Daniel, ed. *The Birth of Whiteness: Race and the Emergence of U.S. Cinema*. New Brunswick: Rutgers University Press, 1996
- Bernsteain, Matthew, ed. *Controlling Hollywood: Censorship and Regulation in the Studio Era*. New Brunswick: Rutgers University Press, 1999

- Butler, Judith. *Precarious Life: The Powers of Mourning and Violence*. New York: Verso, 2004
- Cater, Douglass and Stephen Strickland. *TV Violence and the Child: The Evolution and Fate of the Surgeon General's Report*. New York: Russell Sage Foundation, 1975
- Cerulo, Karen A. *Deciphering Violence: The Cognitive Structure of Right and Wrong*. New York: Routledge, 1998
- Chapin, John and Grace Coleman. "Unrealistic Optimism and School Violence Prevention Programs," *North American Journal of Psychology*, Vol. 5 Issue 2, 2003
- Charters, W. W. *Motion Pictures and Youth: A Summary*. New York: Macmillan Company, 1933
- Cooper, Cynthia A. *Violence on Television: Congressional Inquiry, Public Criticism and Industrial Response*. Lanham: University Press of America, 1996
- Das, Veena, Arthur Kleinman, Mamphela Ramphele and Pamela Reynolds, ed. *Violence and Subjectivity*. Berkeley: University of California press, 1997.
- Doerken, Maurine. *Classroom Combat" Teaching and Television*. Englewood cliffs: Educational technology Publications, 1983
- Dyson, Rose A. *Mind Abuse: Media Violence in an Information Age*. New York: Black Rose Books, 2000
- Feierabend, Ivo K., ed. *Anger, Violence, and Politics: Theories and Research*. Eaglewood Cliffs: Prentice Hall, Inc, 1972
- Feilitzen, Cecilia von and Ulla Carlsson. *Children in the New Media Landscape: Games, Pornography, Perceptions*, "The UNESCO International Clearinghouse on Children and Violence on the Screen. Goteborg: Nordicom – Goteborg University, 2000
- Ferguson, Christopher J. "Media Violence: Miscast Causality," *American Psychologist*, Vol. 57 (6-7), June/July 2002
- Firmstone, Julie. *Discerning Eyes: Viewers on Violence*. Luton: University of Luton Press, 2002
- Freedman, Jonathan. *Media Violence and Its Effect on Aggression: Assessing the Scientific Evidence*, (Toronto: University of Toronto Press, 2002)
- Garbarino, James. "Violent Children: Where Do We Point the Finger of Blame?,"

*Archive of Pediatric and Adolescent Medicine*, Vol. 166, Jan 2001

- Gibson, Margaret. "Death Scenes: Ethics of the Face and Cinematic Deaths," *Mortality*, Vol.6, No.3, 2001
- Goldstein, Amy. "Violent Acts Are Model for Copycats; Phenomenon Extends Far Beyond Schools," *The Washington Post*, May 21, 1999
- Goldstein, Jeffrey, ed. *Why We Watch: The Attractions of Violent Entertainment*. Oxford: Oxford University press, 1998
- Goldstein, Joshua S. *War and Gender: How Gender Shapes the War System and Vice Versa*. Cambridge: Cambridge University Press, 2001
- Grieverson, Lee. *Policing Cinema: Movies and Censorship in Early-Twentieth-Century America*. Berkeley: University of California Press, 2004
- Grossman, Lt. Col. Dave and Gloria DeGaetano. *Stop Teaching Our Kids to Kill: A Call to Action Against TV, Movie & Video Game Violence*. New York: Crown Publishing, 1999.
- Hams, Valerie P. and Dan Slater. "John Hinckley, Jr. and the Insanity Defense: The Public Verdict," *The Public Opinion Quarterly*, Vol. 47, No.2 (Summer, 1983)
- Hamilton, James. *Channeling Violence*. Princeton: Princeton University Press, 1998.
- \_\_\_\_\_,ed. *Television Violence and Public Policy*. Ann Arbor: University of Michigan Press, 1998.
- Hill, Annette. *Shocking Entertainment: Viewer Response to Violent Movies*. Luton: University of Luton Press, 1997
- Holiday, Perry W. and George D. Stoddard. *Getting Ideas from the Movies*. New York: Macmillan Company, 1933
- Hughes, Jan N. and Jan E. Hasbrouck. "Television Violence: Implications for Violence Prevention," *School Psychology Review*, Vol. 25, Issue 2, 1996
- Janofsky, Michael. "Columbine Panel Blames Lack of Action for Deaths," *New York Times*, May 18, 2001
- Kellerman, Jonathan. *Savage Spawn: Reflections on Violent Children*. New York: Ballantine Publishing, 1999
- Kent, Steven L. *The Ultimate History of Video Games*. New York, Three Rivers Press, 2001.

- Larsen, Otto N. *Violence and the Mass Media*. New York: Harper & Row, 1968
- Liebert, Robert M. and Robert Baron. "Short Term Effects of Televised Aggression on Children's Behavior," presented at symposium "The early Window: The Role of Television in Childhood," American Psychological Association (Washington, D.C., September 1971). Also Government Document ED-054-626
- Murray, John P. *Television & Youth: 25 Years of Research & Controversy*. Boys Town: Boys Town Press, 1980. Also Government Document Ed-201-302
- Palmer, Edward L. and Brian M. Young, ed. *The Faces of Televisual Media: Teaching, Violence, Selling to Children*. Mahwah: Lawrence Erlbaum Associates, 2003
- Pooley, Eric. "Portrait of a Deadly Bond," *Time Magazine*, Vol. 153, Issue 18 (May 10, 1999)
- Potter, W. James. *On Media Violence*. London: Sage Publications, Inc, 1999
- Riddell, Rob. "Doom Goes to War," *Wired Magazine*, Issue 5.04 (April 1997)
- Robbins, Paul R. *Anger, Aggression and Violence: An Interdisciplinary Approach*. Jefferson: McFarland & Company, Inc., 2000
- Robinson, Thomas N., et al. "Effects of Reducing Children's Television and Video Game Use on Aggressive Behavior: A Randomized Controlled Trial," *Archive of Pediatric and Adolescent Medicine*, Vol. 155, January 2001
- Saunders, Kevin W. *Violence as Obscenity: Limiting the Media's First Amendment Protection*. Durham: Duke University Press, 1996
- Schechner, Richard. "America's Leading Actor at Work," *The Drama Review* Vol. 30, No.4 (Winter 1986)
- Simmons, Jerold. "A Damned Nuisance: The Production Code and the Profanity Amendment of 1954," *Journal of Popular Film and Television*, Vol. 24 Issue 2 (Summer, 1997)
- Slocum, J. David, ed. *Violence and American Cinema*. New York: Routledge, 2001.
- Snead, James. *White Screens, Black Images: Hollywood from the Dark Side*. New York: Routledge, 1994
- Sontag, Susan. *Regarding the Pain of Others*. New York: Picador, 2003
- Sova, Dawn B. *Banned Plays: Censorship Histories of 125 Stage Dramas*. New York:

Checkmark Books, 2004

Springer, Claudia. *Electronic Eros: Bodies and Desire in the Postindustrial Age*. Austin: University of Texas Press, 1996

Stolberg, Sheryl Gay. "Science Looks at Littleton, and Shrugs," *The New York Times*, May 8, 1999

Strider, James D, Jr. *Techniques and Training for Staged Fights*. Studies in Theatre Arts Vol. 6. Lewiston: Edwin Mellen Press, 1999

Sumner, Colin, ed. *Violence, Culture and Censure*. London: Taylor & Francis Ltd., 1997

Tepperman, Jean. "Toxic Lesson: What Do Children Learn from Media Violence?," *Children's Advocate*, January-February 1997.

Von Drehle, David. "To Killers, Model School Was Cruel," *The Washington Post*, April 25, 1999

#### GOVERNMENT DOCUMENTS

"Columbine High School Shootings," The Jefferson County Sheriff's Office Report. April 20, 1999 (CD-ROM: Alpine Media Duplication, 2004)

Joint Hearings before the Subcommittee on Juvenile Justice of the Committee on the Judiciary, *Video Games: A Parent's Guide to Games*. (Washington D.C., Government Printing Office, 1995)

Senate Committee on Commerce, Science and Transportation, *Broadcast Decency Enforcement Act of 2004*, Report, 2004 (Washington, DC: United States Government Printing Office, 2004)

Senate Committee on the Judiciary, *Comic Books and Juvenile Delinquency*, Interim Report, 1955 (Washington, DC: United States Government Printing Office, 1955)

Senate Committee on the Judiciary, *Children, Violence, and the Media: A Report for Parents and Policy Makers*. (Washington, DC: United States Government Printing Office, 1999)

Testimony of the American Academy of Pediatrics on Media Violence before the U.S. Senate Commerce Committee, presented by Donald E. Cook, M.D., FAAP, September 13, 2000

Testimony of Secretary of Defense Donald F. Rumsfeld and General. George Myers before the Senate and House Armed Services Committee, May 7, 2004

U.S. Surgeon General. *Television and Growing Up: The Impact of Televised Violence* (Washington DC: National Institute of Mental health, 1972)

U.S. Surgeon General. *Youth Violence: A Report of the Surgeon General* (Washington, DC: National Mental Health Information Center, 2001)

Mutual Film Corporation v. Industrial Commission of Ohio, 236 U.S. 230 (1915)

Joseph Burstyn, Inc. v. Wilson, 343 U.S. 495.

James V. Meow Media, Inc, 300 F.3d 683 (2002)

Sanders v. Acclaim Entertainment, Inc. 188 F.Supp.2d 1264 (2002)