Motivation, Discrimination and Special Status: Luck's Further Attempts at Resolving the Dilemma

Abstract This chapter assesses Luck's remaining attempts at resolving the dilemma. It begins with an examination of player motivation, and dismisses the claim that those who engage in (hypothetical) virtual paedophilia necessarily do so because they enjoy the idea of actual paedophilia; offering alternative motivations as a rebuttal. It then challenges the claim that virtual paedophilia should be prohibited because it amounts to unfairly singling out a particular group for harm (i.e. children). While this argument has some merit, given that virtual child murder is permitted, it is not clear why virtual paedophilia should receive differential treatment. Finally, an argument appealing to the special status of children is rejected for similar reasons to those presented against the previous attempt at proffering a solution.

Keywords Prurient appeal · Simulating vice · Differing motivations · Random versus targeted murder · Incorrigible social meaning

In this chapter, I discuss Luck's three remaining attempts at resolving the gamer's dilemma, and the problems each faces. Like Luck, I too conclude that each is unconvincing.

3.1   Finding Pleasure in the *Idea* of Paedophilia

Luck's next attempt at resolving the gamer's dilemma focuses on player motivation, particularly with regard to enjoyment, but also examines the putative connection between motivation and harm; only, this time, self-harm rather than harm done to others. The initial argument Luck presents is based on an assumption – albeit one that he will eventually challenge – that someone who enjoys engaging in virtual paedophilia must do so because they find something pleasurable about the idea of actual paedophilia. *Mutatis mutandis*, this is not assumed to be the case with those who engage in virtual murder.

A similar argument is presented by Goldblatt (2012) when arguing the legal case against virtual child pornography.

> [A]s opposed to other forms of media that depict lawless action, but are distributed to the general public, virtual child pornography is a depiction and encouragement of lawless action that is presented to and sought out by a very narrow, specific audience that is likely to be stimulated to react to it. (p. 37)

Essentially, Goldblatt's argument rests on the idea (the assumption) that, mostly, it will be paedophiles who will engage with virtual paedophilia; they will make up the audience. As such, and this is Goldblatt's point, given the audience (who it is assumed already break the law) and given the content and its depiction of illegal activity, the producers of this material are in effect inciting their audience to *immanent lawless action*; something that would not be the case with a more general audience, and something that would not be the case, therefore, with enactments of virtual murder.

Contrary to the assumption Goldblatt's argument is built on, however, finding something pleasurable about the *idea* of paedophilia does not require that such a person has ever engaged in paedophilia, nor (*a priori*) does it necessitate, nor (*a posteriori*) does it make it significantly likely, that they will (recall discussion on this issue in Section 2.3).[1] Instead, the assumption is that one's motivation to engage in virtual paedophilia should be understood with reference to the pleasure the idea of actual paedophilia elicits. Arguably, this assumptions grounds the incredulity with which someone might ask (with reference to virtual paedophilia): why would anyone want to do *that*? In short, feeding the intuition that fuels the

incredulity is the lesser assumption (compared to that presented by Goldblatt) that anyone who enjoys engaging in virtual paedophilia must find the idea of actual paedophilia pleasurable. Should this (lesser) assumption find empirical support, alongside the contrary assumption regarding virtual murder (that this is not the case), then the distinction created could form the basis for selective *moral* prohibition and thus be a means of resolving the gamer's dilemma.

Even if we accept that an assumption of the lesser kind is being made, regarding the motivation for engaging in virtual paedophilia, what remains unclear – given this assumption – is how engaging in virtual paedophilia, specifically, is potentially harmful to oneself. To explain, if I already find the idea of actual paedophilia pleasurable, such that the enjoyment I get from engaging in virtual paedophilia stems from this pleasure, then, as things stand, it is unclear how virtual paedophilia could be said to be harming me above and beyond the harm an appeal to intuition (i.e. our assumption) would suggest I am already inflicting on myself by experiencing pleasure at the thought of actual paedophilia. In short, if one accepts the premise that deriving pleasure from the idea of paedophilia is harmful to oneself then what harm, *in addition to this*, would I be inflicting on myself by virtually enacting paedophilia? To address this question, Luck draws on the work of McCormick (2001) who, in turn, takes inspiration from Aristotle's virtue ethic.

3.1.1   Simulating Vice

According to Aristotle (1976), "Moral goodness... is the result of habit" (NE II I, 1103a12-14). We "become just by performing just acts, temperate by performing temperate ones, brave by performing brave ones" (1103b1-2). So, in understanding how to become a good person, we are directed to understand the relationship between our actions and our dispositions. It is through repeated performance of just or unjust acts that we likewise become disposed to be just or unjust people by indulging virtue or vice.

Applying Aristotle's virtue ethic to virtual paedophilia, a potential problem is revealed which McCormick tries to overcome. Aristotle holds that one becomes disposed to virtue or vice through repetition of virtue or vice. The more one repeats a virtuous act, the more one develops the habit of behaving in this virtuous way. *Mutatis mutandis*, the same can be said of vice. But it is yet to be established whether engaging in virtual paedophilia *is* immoral and therefore a vice. Arguably, virtual paedophilia is not a

vice – indeed, this is what we are trying to establish – and so, arguably, by enacting paedophilia one is not repeating and immoral act. Given this, it is unclear how repeating something that is arguably not immoral can lead one to be disposed to vice. As a way around this potential objection, McCormick (2001) argues that merely *simulating* vice contributes to the repetition that Aristotle refers to and therefore aids in the formation of a disposition towards the thing the enactment represents: in this case, paedophilia. By "participating in simulations of excessive, indulgent and wrongful acts…you do harm to yourself in that you erode your virtue" (McCormick 2001, p. 285; cited in Luck 2009, pp. 33–34).

There are a number of issues raised by the discussion so far:

1. The initial assumption that one must derive some form of pleasure from engaging in virtual paedophilia, because one finds the idea of actual paedophilia pleasurable, seems unnecessary to McCormick's claim that simulating vice leads to a corrosion of virtue. It would appear that such corrosion is the product of repetition irrespective of motive.

I concede that one would need to explain why an individual would continue to engage in simulated vice if they did not gain some form of enjoyment from it. But even *if* enjoyment is necessary, this does not entail that one's enjoyment must be derived from the pleasure one receives from the idea of paedophilia. Indeed, this point will be addressed below when considering one of Luck challenges. Nevertheless, it remains the case that one's motivation and any (alleged) corrosion through repetition are independent of each other, such that repetition of simulated vice is said to be sufficient for harm to occur, irrespective of motive.

2. Given #1, is someone who engages in virtual paedophilia because they derive pleasure from the idea of paedophilia *more* susceptible to harm, or to a greater degree of harm, than someone who engages in virtual paedophilia for reasons other than they enjoy the idea of actual paedophilia?

As we have seen, an implication of McCormick's position is that both of these hypothetical individuals are vulnerable to harm through a corrosion of virtue because they repeatedly engage in virtual paedophilia. Simulating vice, for McCormick, is sufficient for harm, irrespective of

motive. If, ultimately, both individuals are harmed (*qua* both undergo a corrosion of virtue) then, arguably, the difference between them in terms of their respective motivations is something of a moot point. Nevertheless, one might consider it reasonable to wonder what a further consequence of this corrosion of virtue might be, besides harm to oneself. What, for example, might the harm one has inflicted on oneself lead to?

Again, one might conjecture that it could lead to someone deriving pleasure from the idea of actual paedophilia when previously they had not. Should this be the case then this person would be in a similar position to the individual who derives pleasure from the idea of paedophilia and engages in virtual paedophilia because of this. As such, there seems to be no additional consequence for the individual who already derives pleasure from the idea of actual paedophilia. One might therefore speculate further and proffer that as a direct consequence of the harm inflicted on this individual through simulated vice, things might escalate to the point of seeking sexual contact with a minor. Perhaps, ultimately, this is the outcome that awaits both individuals as a consequence of the repetition of virtual paedophilia, irrespective of the original motivation for doing so. Here, the harm to oneself eventually finds expression as a desire to harm another – a minor – which one seeks to satisfy. Of course, what we have here is conjecture heaped upon conjecture; and necessarily so given #3.

3. McCormick's claim is essentially an empirical matter.

I am not aware of any research supporting the connection between virtual paedophilia and harm to oneself (*qua* corrosion of virtue), nor for the claim that harm would be done to others (see Section 2.4.2). Therefore, at present, McCormick's assertion remains unsubstantiated and is, at best, indicative of an intuitive fear. Of more concern to resolving the gamer's dilemma, however, is this:

4. The enactment of virtual murder appears to be vulnerable to the same arguments that have been presented against virtual paedophilia.

The basis for this attempt to resolve the gamer's dilemma is that the assumption regarding the connection between virtual paedophilia and actual paedophilia, *mutatis mutandis*, is not assumed to be the case with

regard to virtual murder and actual murder. Arguments that have been directed against virtual paedophilia were assumed not to be applicable to virtual murder. If this assumption is shown to be false then, irrespective of the quality of the arguments directed against virtual paedophilia, where these same arguments are in fact proven to be applicable to virtual murder, a means of differentiation has been lost. Consequently, the gamer's dilemma would remain unresolved and we would continue to lack the means of differentiating between virtual paedophilia and virtual murder on moral grounds.

Essentially, #4 is indicative of the approach undertaken by Luck when showing why this particular attempt at resolving the gamer's dilemma is unsuccessful. We will now look at Luck's objection in more detail.

3.2   Different Motivations: Enjoying the Competition Rather than the Kill

One needs to be cautious when scrutinizing a player's *willingness per se* to engage in the virtual act (Bartel 2015). Instead, the *reason* a person is willing to engage should be considered of greater moral interest than simply the fact that they do (or have) engaged, and should therefore be thought of as a more legitimate and hence productive aspect of one's moral appraisal. As such, following Luck, in this section I challenge the assumption that those who engage in virtual paedophilia must do so because they find the idea of actual paedophilia pleasurable. In Young (2013a), I present three motivations for engaging in a virtual act within a game. These motivations are not intended to be exhaustive, nor are they mutually exclusive; although it is my contention that each is sufficient. They are intended to help us understand what might motivate someone to enact a real-world taboo. The three motivations are as follows:

$M_{(strategic)}$: S engages in the virtual act because it benefits S's overall strategy, which is to win the game. As such, S does not desire to engage in the virtual act because of what it represents but, conversely, neither does S desire not to engage in it for this reason. Ultimately, winning the game is what S desires, and S construes the virtual act simply as a means of achieving this end.

$M_{(enjoyment)}$: S engages in the virtual act because S anticipates that it will be fun/thrilling. S anticipates that it will be fun/thrilling because the virtual act represents something that is taboo. In short, S desires to engage

in the virtual act because the symbolic violation of a real-world taboo, in virtue of it being an enactment of a taboo, is something S anticipates deriving enjoyment from.

$M_{(substitution)}$: S desires to engage in a particular real-world activity which happens to be taboo. This activity is represented by the virtual act. S therefore desires to engage in the virtual act not because it is taboo (as is the case in $M_{(enjoyment)}$) but because it represents the real-world activity S desires to engage in (which happens to be taboo). Enacting the real-world taboo affords S the opportunity to satisfy this desire, vicariously.

The player whose motivation is categorized as $M_{(strategic)}$ is effectively endorsing the amoralist position captured by the declaration, 'it's just a game'. As such, what is being enacted is beyond the realm of moral obligation.[2] There is certainly some truth to this assertion. After all, what is happening within a video game is literally nothing but the manipulation of pixels. As Klimmt et al. (2006) explain:

> Obviously, in violent video games no living creatures are harmed and no real objects are damaged. Dead bodies, blood, and injuries are nothing more than pixels. The non-reality status of video games can therefore be used to explain why moral concerns are not 'necessary', applicable, or rational in their context; there simply seems nothing to be 'real' in a game that moral concerns could arise from. (p. 313)

In the case of enacting virtual murder, there seems little intuitive appeal in the idea that those who engage in virtual murder do so because they derive some kind of pleasure from the idea of actual murder (and certainly there is no empirical support for this as a trend). In fact, empirically, there is support for the claim that those who engage in virtual murder or other violence do so for strategic reasons, as captured by $M_{(strategic)}$, out of a sense of competition (Adachi and Willoughby 2011; Griffiths et al. 2016). Glock and Kneer (2009), for example, when commenting on the findings of a study by Ladas (2003), note how gamers seemed "to focus on competition, success, thrill [indicative of $M_{(enjoyment)}$], and the virtual simulation of power and control rather than damaging other persons" (p. 153). Glock and Kneer consider this way of thinking about the game (notably, *not* in saliently aggressive terms) to be suggestive of the existence of *differentiated knowledge structures* in those with prolonged violent game exposure when compared to novice gamers. It may

be, they surmise, that novice players associate violent video games with aggression because of media coverage to that effect; however, through "repeated exposure to violent digital games, links to game-specific concepts are strengthened, thereby overrunning [media-related] associations to aggression" (p. 153).

To illustrate at least the possibility of equivalence in the case of virtual paedophilia, Luck creates a scenario based on a fictitious video game whereby, for strategic reasons – and therefore, for reasons in keeping with $M_{(strategic)}$ – one might decide to engage in an act of virtual paedophilia. In the words of Luck:

> [I]magine you are playing a computer game, the object of which is to steal the Crown Jewels from the Tower of London. One way to achieve this goal is to seduce and sleep with a Beefeater's daughter, who just so happens to be 15. A player who commits this act of virtual paedophilia may do so, not because he enjoys the notion of having sex with a child, but because he wishes to complete the game. (2009, p. 34)

If a player's motivation best fits the category $M_{(strategic)}$ then this undermines the assumption that, in the case of virtual paedophilia, to engage in such an act, one *must* find the idea of actual paedophilia pleasurably. Contrasting virtual murder with virtual paedophilia, in the context of $M_{(strategic)}$, we get:

(a) S engages in virtual murder as a means to an end; it helps him/her progress through the game.
(b) S engages in virtual paedophilia as a means to an end; it helps him/her progress through the game.

Statements (a) and (b) provide equivalent motivations for engaging in each respective activity: motivations compatible with $M_{(strategic)}$. Such an outcome challenges the legitimacy of the assumption presented at the start of this chapter regarding the motivation for engaging in virtual paedophilia. Suppose, however, that the gamer admits that the reason they engage in virtual paedophilia is because it is fun/thrilling. Still contrasting with virtual murder, the following possibilities present themselves:

(c) S engages in virtual murder because it is fun/thrilling, irrespective of whether it helps S progress through the game.

(d) S engages in virtual paedophilia because it is fun/thrilling, irrespective of whether it helps S progress through the game.

Is there a sense in which engaging in virtual paedophilia might be deemed pleasurable that does not bolster the assumption that this is because one must derive pleasure from the idea of actual paedophilia? Before answering this question directly, let us redirect the question towards virtual violence, including murder. If one wished to argue against the idea that enacting virtual murder because it is fun necessitates that one derives pleasure from the idea of actual murder then how might one do this? In other words, what would such an argument look like? Should such an argument be forthcoming, could the same argument be applied to understand better statement (d) and therefore counter the assumption that enjoying virtual paedophilia means one must enjoy the idea of actual paedophilia?

3.2.1   The Thrill of Virtual Violence

When considering the appeal of violent video games and why people are drawn to them, Nys (2010) has the following to say, "Knowing that it is wrong is part of the fun and games. The thrill of such virtual actions is precisely that they transgress ethical boundaries" (p. 81). In keeping with Nys' comments, it is not inconceivable that enacting virtual violence holds a certain allure for some people; it is gratifying and pleasurable, such that many "identify with bad characters and enjoy committing or observing simulated immoral action" (Schulzke 2011, p. 63; see also Konijn and Hoorn 2005).

In fact, Juul (2005) holds that video games "are playgrounds where players can experiment with doing things they . . . would not normally do" (p. 193) which, in the context we are discussing, may well involve virtual murder. Jansz (2005) likewise describes video games as "private laboratories" (p. 231) within which gamers can engage with different emotions and identities in relative safety – relative to the actual world, that is – and invest in their own form of psychological exploration (see also Konijn et al. 2011). Such exploration might result in the player being both disgusted and thrilled by the virtual violence they enact (Rubenking and Lang 2014); all of which adds to their enjoyment and motivation to continue.

In essence, under the guidance of $M_{(enjoyment)}$, where one's goal is simply to have fun, irrespective of whether what one holds as fun is

congruent with facilitating one's progression through the game, if 'fun' constitutes doing (a), (b), (c) then one ought to do (in a practical rather than moral sense) (a), (b), (c). In the case of $M_{(enjoyment)}$, and with reference to virtual murder (but not exclusively so), the activity has symbolic transcendence insofar as it represents in one space that which is taboo in another. Moreover, the symbolic connection which transcends these two spaces presupposes a different psychological connection to that evident in $M_{(strategic)}$. The action is psychologically meaningful not only in terms of understanding what it represents but also as a motivation to engage in the activity in the first place: because it is fun in virtue of what it represents, or at least that is what one anticipates. In the case of virtual murder, or indeed the enactment of any real-world taboo, "an inquiry into [its] appeal will reveal that [the] enjoyment *presupposes a moral awareness, and therefore that morality is included from the start*" (Nys 2010, p. 81; emphasis in original). In accordance with $M_{(enjoyment)}$, then, for some, simulating virtual violence is appealing precisely because it involves enacting taboos and therefore violating an offline moral code.

If one can engage in virtual murder in accordance with $M_{(enjoyment)}$ – whereby the object of one's desire and reason for enjoyment is the enactment of a transgression (a real-world taboo) – then one is left to ask why this motivation can be employed in the case of virtual murder but not in virtual paedophilia. In other words, if one is willing to accept that, in the case of virtual murder, one can enjoy enacting this transgression precisely because it represents a *transgression* – without deriving pleasure from the idea of engaging in the transgression for real, then how can any unwillingness to accept the same possibility (that is, the same reason for enjoyment) be justified in the case of virtual paedophilia?

One may wish to appeal to $M_{(substitution)}$ in the case of virtual paedophilia and declare that, in such an instance, the individual's real motivation must in fact be to satisfy vicariously their desire to engage in actual paedophilia. The problem with this approach, as I am sure the reader has anticipated, is: (A) *a priori*, why *must* this be the case for virtual paedophilia and not for virtual murder? And (B), *a posteriori*, is there any support for this motivational differentiation? We cannot rely on an appeal to intuition, as such an appeal is hardly infallible; rather, any examination of the grounds for differentiation must look beyond this. When we do look, at least in relation to motivation, we find that

one cannot differentiate between virtual murder and virtual paedophilia based on (A) and (B), and therefore #4 – which states: the enactment of virtual murder appears to be vulnerable to the same arguments that have been presented against virtual paedophilia – holds in the absence of a convincing rebuttal.

To qualify the position regarding (B), there is at present no empirical support for such a motivational difference because there is a paucity of research on this issue, thereby making any empirically based conclusion impossible to draw. Of course, if one wished to pursue empirical research in this area then one would need to provide some sort of rationale – especially given (A) – for why a difference in the motivation underlying each virtual act is something future research would be expected to discover.

3.3   Unfairly Singling Out a Group for Harm

The focus of Luck's next attempt at resolving the gamer's dilemma is the idea that virtual paedophilia, like the act it represents, involves unfairly targeting for harm a single group or category of individuals: in this case, children. This is contrasted with random virtual murder which does not involve unfairly singling out a specific group for harm.

Luck is quick to point out that it is not at all apparent that paedophilia is worse (in term of the harm inflicted) than murder, even the murder of a child. As he declares, "given that most parents hope to minimize the amount of harm that might befall their children, it is not clear that they would prefer their child to be murdered rather than molested" (2009, p. 34). Given this, if we wish to minimize representations of intentional harm, it is not immediately obvious why virtual murder, which may *include* the murder of a child, should currently be permitted (e.g. *Fallout 1 & 2, Dying Light* and *No More Room in Hell* (where the children are zombies), *Deus Ex* and *Deus Ex: Invisible War* in which you can kill children in a school) but not virtual paedophilia; unless one considers the intentional targeting of a specific group or category of individuals to be an additional harm that should not be permitted. This is the view expressed by Luck:

> . . . although computer games which entail virtual murder may be socially acceptable, it is doubtful that a game involving, for example, only murdering Jews or homosexuals, would be tolerated. It seems therefore, that unfairly singling out a group for harm is, in itself, additionally harmful.

> Subsequently, since virtual paedophilia not only represents a harmful act, but also singles out children as the recipients of this harm, it could be seen as more harmful than virtual murder (since virtual murder does not necessarily single out any particular group). (2009, p. 34)

I will address Luck's example of a video game involving the murder of a specific category of people in Sections 3.3.1 and 5.1.1. Before doing so, it is worth pointing out that there is a danger here of endorsing, or at least seeming to endorse, some form of harm calculus: the opposite, perhaps, of the hedonistic calculus suggested by Bentham (1830) as part of his utilitarian ethic. To illustrate, suppose one's initial view is that murder is more harmful than sexual assault. Here, A > B. In the case of *child* sexual assault, however (also known as molestation), let us say that one also believes that such an act necessitates the singling out (unfairly) of a specific group or category of individuals (children, in this case) for harm, thereby incurring an extra harm. With regard to molestation, then, one's belief concerning the amount of harm inflicted becomes: B (sexual assault) + C (the act of singling out, in this case, children) > A (murder).

In order to make sense of this move, we are left to ponder how much less harm is caused by sexual assault compared to murder, such that one would adopt the belief A > B in a manner inspired by some form of Bentham-style calculus. We would also be left to wonder how much more harm must be caused by the addition of what is, in effect, discrimination, in the context of molestation; at least if such a union is to amount to the accumulation of harm beyond that of murder, and therefore if one is to be justified in holding the view (B + C) > A.

Such an approach, which one might call *indeterminate calculus*, is unsatisfactory precisely because the putative values calculating harm are indeterminate. Nevertheless, the *abstract nature* of the calculus is able to account for Luck's intuition regarding the parents' preference for molestation over murder, at least where the murder of a child is *targeted*. In the case of paedophilia and targeted child murder, both of which involve the singling out of a particular group, paedophilia is known to us abstractly already as (B + C) and child murder becomes (A + C). In the case of the targeted murder of a child (effectively, A + C), where one endorses the view that A > B, then (A + C) > (B + C): a position in keeping with Luck's intuition regarding parental preference. Of course, where the child's murder is not targeted then we should conclude (B + C) > A. In other words, as a normative position, one would be forced to conclude that the

untargeted murder of a child is better than molestation because less harm is inflicted. This means that, morally, parents should prefer their child (or *a* child in the case of disinterested parties) to be molested rather than be the victim of a targeted murder, but prefer them to be the victim of an untargeted murder than molested, owing to alleged differences in harm inflicted. This is not a position I find coherent (both in regard to the parents' or the disinterested party's moral preference).

Moreover, it is legitimate to ask how *any* act of sexual assault can be seen as anything other than harmful. From the point of view of the victim, then, this means that the harm caused through an act of sexual assault cannot be tallied or in any useful way quantified so as to determine whether the act (of sexual assault) was more or less harmful depending on the context; depending, that is, on whether one targets an individual at random or directs one's interest exclusively towards members of a minority group. While I accept that this is a legitimate point to make, I still feel a case can be made for articulating the nature of additional harm beyond that incurred directly by the victim.

To do this, I will begin by considering the difference between random murder and targeted murder (i.e. at a particular minority group), by examining the suggestion made by Luck that a video game in which one can murder specific minority groups would not be tolerated. Now, it may be that Luck is correct when it comes to his description of social convention but, in terms of a normative position, what would justify the claim that one *ought* to be less tolerant of a video game in which one murdered members of a minority group compared to one in which random persons are targeted for violent assault, including murder? Conclusions drawn in the case of virtual murder will then be applied to virtual paedophilia.

3.3.1 *Random Versus Targeted Virtual Murder*

In Young (2013b), I present the following fictitious example of a video game:

> Suppose I . . . play a game in which I am able to target, harass and eventually kill individuals categorized in terms of their race/ethnicity, or even their gender, sexual preference, or religious beliefs: a game I will call R.A.C.I.S.T. (which stands for *Rage Against Community: Intercept, Segregate, Terminate*). (p. 76)

Let us contrast this fiction with another called *S.H.: Random Attack* (S.H. stands for *Sh#t Happens*). In *S.H.: Random Attack*, I am able to kill virtual characters at random – ordinary citizens from all walks of life; a fiction not dissimilar to any number of violent video games currently available, and therefore indicative of the current state of play (as noted in Section 1.1)

When playing *R.A.C.I.S.T.*, I select from the minority group menu *African-American*. After all, I have to select something in order to play the game. As part of the gameplay associated with the selection of this group, I am able to enslave my victims before hanging them from a tree whilst still in their leg irons and manacles, or chase them down with a pack of dogs before setting the dogs on the exhausted victim(s), and so on. In fact, the gameplays of both *S.H.: Random Attack* and *R.A.C.I.S.T.* make possible ever more elaborate, cruel and unusual ways to target, harass and eventually dispatch the respective virtual victims. The only difference of note between these two games is that the victims in *S.H.: Random Attack* are selected at random, whereas in *R.A.C.I.S.T.* they all belong to a targeted minority group. In essence, *R.A.C.I.S.T.* permits the enactment of two actions prohibited in the real world, murder and discrimination, unlike *S.H.: Random Attack* which 'permits' only murder. (To qualify this last remark, someone may play *S.H.: Random Attack* with the intention of targeting only a certain minority group, against the purpose of the gameplay. Such a possibility will be dealt with in Section 5.3.2.) The enactment of discrimination in the context of murder is therefore the key feature which differentiates these two video games. Let us consider each enactment in turn, based on what I will call random murder (RM) and targeted murder (TM).

There are two ways in which I would like to examine both of these forms of virtual murder: first, with regard to what the act *represents*; second, in terms of player *motivation*. Before proceeding, however, a note of clarification: RM_v refers to the *virtual* enactment of actual random murder (RM_a), whereas TM_v refers to the virtual enactment of actual targeted murder (TM_a).

Starting with player motivation:

(a) Does RM_v entail that the player is motivated to play the game because they delight in the idea of RM_a irrespective of what the gameplay promotes? No, it does not *entail* this.

As discussed in Section 3.2, the player may be motivated by $M_{(strategic)}$ or $M_{(enjoyment)}$. In terms of what the act represents:

(b) Does RM_v entail that the virtual content is promoting actual random murder (RM_a)? No, it does not *entail* this.

Given (a) and (b), let us consider targeted murder (TM_v) using African-Americans as the target group. Again, starting with player motivation:

(c) Does TM_v entail that the gamer is motivated to play the game because they delight in the idea of TM_a irrespective of what the gameplay promotes? No, it does not *entail* this; although, I accept that, in the case of TM_v, one may intuitively feel this to be so.

And, again, in terms of what the enactment represents:

(d) Does TM_v entail that the virtual content is promoting actual targeted murder (TM_a)? No, it does not *entail* this; although, again, I accept that, in the case of TM_v, one may intuitively feel this to be so, or more so than in the case of RM_v.

One might object, of course, to the reasoning shown above; declaring that it demonstrates only that in the case of virtual murder, irrespective of whether it is targeted or random, there is no *logical* connection between representing these acts and promoting what the enactment represents. Nor is there any logical connection between the enactment itself (and even enjoying the enactment) and being motivated to engage in this activity because one delights in the idea of carrying out murder for real. Declaring that one event does not necessarily follow from the other does little, therefore, to alleviate the intuition that Luck was alluding to when suggesting that a game like *R.A.C.I.S.T.* would be objected to much more vehemently than a game like *S.H.: Random Attack*.

One might also argue that, in targeting African-Americans (for example), the game designer/publishing company, even if not intentionally seeking to promote racial hatred, may well be misconstrued as doing this, and that such an accusation would not be an unreasonable one to make, even if not factually correct; or that the gamer is intentionally or

inadvertently supporting this view by playing the game, and in the latter case may even risk coming to delight in the idea of racial hatred through continued enactments (we touched on this last point in Section 3.1.1). Intuitively, one may feel that this is the case with targeted murder much more than in the example of random murder. Or one may simply view the targeting of minorities in this way as offensive and therefore in poor taste. To make the moral case more forceful, however, we need more than intuition; otherwise we are back where we started when discussing social convention in Section 2.1. A possible way forward is presented by Stephanie Patridge.

3.3.2   Incorrigible Social Meaning

Patridge (2011) argues that the meaning of representations, and whether these are or should be deemed offensive and, from this, morally reprehensible, is contingent on whether they have *incorrigible social meaning*. That is, on whether the content represents an association that has deep-rooted (actual) social meaning to members of a particular society, which may therefore be deemed offensive to certain members of that society, and even be morally and legally proscribed. She illustrates this with a fictitious example of a cartoon image of the US president Barack Obama eating a watermelon. The association of an African-American with a watermelon (and similar imagery), we are told, has "been used as a mechanism to insult and dehumanize African-Americans, and to bind racist Americans together through the practice of telling racially demeaning jokes" (Patridge 2011, p. 308; see also Brenick et al. 2007, for a discussion on perceived stereotypes in video games).

The representations and virtual enactments targeted by Patridge are those which were once held to be something of a social norm (e.g. institutionalized racism) within the USA (for example) but which are no longer viewed in the same way. What she seems less concerned with are actual morally/legally prohibited actions that have never been a social norm. This is alluded to by Patridge (2011) with reference to the game, *Mafia Wars*. Thus, she says, "The fact that we enjoy playing this game seems to say nothing at all by itself about our attitude towards organized crime" (p. 307). Organized crime, as far as I am aware, has never been established as an acceptable social norm in the USA. Therefore, what I take Patridge to be saying here is that if we enjoy playing a game that features organized crime, our enjoyment is not necessarily a sign of our

approval of organized crime. The same must be said of random murder, one presumes, owing to its lack of incorrigible social meaning.

To be fair, I do not take Patridge to be claiming that someone who plays a video game like *R.A.C.I.S.T.* is necessarily racist; rather, she is offering a reason why such a game would likely offend members of minority groups and even others, regardless of one's motivation for playing the game. She is therefore proffering a reason, *a priori*, why one *ought* not to play such a game.

In the case of random sexual assault (meaning not targeted at a specific age group or gender) and molestation (which is, by definition, specific to minors), the same lack of a logical connection evident in (a)–(d) when applied to targeted or random murder applies here, along with the same criticism that a lack of logical connection does not satisfy any moral intuition we may have regarding the inappropriateness of enacting paedophilia. In presenting her case for incorrigible social meaning, as a reason to avoid the virtual targeting of minority or specific groups, Patridge discusses the enactment of sexual assault (specifically rape) on women. She considers virtual rape to have incorrigible social meaning because of the "global history and current reality of women's oppression" (2011, p. 312). Therefore, anyone who knowingly ignores the incorrigible social meaning of certain video game content – such as the rape in games like *RapeLay* or *Custer's Revenge* – shows "an obvious vice of character" (2011, p. 310). Moreover:

> To insist that one's imagination is one's own private affair, detached from one's own actual commitments and similarly detached from the contextualized moral facts on the ground, amounts minimally, in this case, to a thumbing of one's nose at a requirement of solidarity with the victims of oppression. (2011)

We can see this as a response to the position adopted by Ryder in Section 2.4.2 in defence of one's freedom to imagine and fantasize (with the aim of creatively expressing oneself), and therefore against US child pornography law. For Patridge, minimally, a player who engages in virtual rape metaphorically thumbs his/her nose up at the requirement of solidarity with the victims of oppression; but more than this, there is the possibility that such a person exposes a *flaw* in their character. Through the idea of incorrigible social meaning, Patridge provides an argument against unfairly singling out for harm minority groups. Her argument is

compelling in the context of enactments of racial discrimination and the rape/sexual assault of women. What it does not seem able to challenge, however, is the acceptability of enacting the rape/sexual assault of, say, white, middle class, heterosexual men or, importantly, in the context of trying to resolve the gamer's dilemma, virtual paedophilia (however, see Section 5.1 for a continuation of Patridge's argument). The reason for this is that neither activity in the real world has ever been presented historically as a social norm, nor has there ever been a global history of oppression towards the male demographic just described or children. In short, neither enactment is of a real-world act that has incorrigible social meaning.

If the gamer's dilemma involved trying to differentiate, morally, between virtual rape and virtual murder or even between murder and targeted murder then maybe incorrigible social meaning would provide a way to differentiate between the two, at least in terms of accounting for our intuitions or the social convention that playing a rape game or a game like *R.A.C.I.S.T.* is morally wrong. It would seek to differentiate based on offence caused (or at least the likelihood of this), and Patridge's argument based on incorrigible social meaning articulates the reasons for the offence well. Of course, one might be more cautious about wanting to establish a normative position based on offence (or likelihood of offence) caused, however legitimate the reason for being offended might be.

In short, the argument for differentiation between murder and molestation, based on unfairly singling out a group for harm, does not work. In terms of increased harm, not only is this difficult to determine but, even when considered more abstractly, it leads to the incoherent conclusion that, morally, parents should prefer their child (or *a* child in the case of disinterested parties) to be molested rather than be the victim of a targeted murder, but prefer them to be the victim of an untargeted murder than be molested, owing to alleged differences in harm inflicted. And, finally, as we have just seen, incorrigible social meaning cannot explain why we should not enact paedophilia.

3.4   THE SPECIAL STATUS OF CHILDREN

As a means of overcoming problems identified with unfairly singling out a group for harm, Luck's next move is to consider children as a distinct category with a special status. After all, the argument goes, "children possess properties such as innocence, defencelessness, etc. . . .

which...make harming a child worse than harming an adult" (2009, p. 35). Transferring this idea to virtual enactments, one might argue that, owing to the special status of children, representations of molestation would cause more moral outrage than representations of adult murder. Therefore, as a means of curbing this moral outrage, one should differentiate between virtual murder and virtual paedophilia, prohibiting the latter even if we allow the former.

There are problems with this argument. As Luck points out, even allowing for the special status of children: "it does not follow that child molestation is more harmful than adult murder" (2009, p. 35). What index of harm should we use to establish this? (Recall, we have already encountered problems with the idea of a harm calculus.) Given this lack of clearly defined measurement, how might we justify the alleged difference in moral outrage between enactments of adult murder and molestation? Furthermore, and as touched on already: *prima facie*, child murder is more harmful than molestation (recall Luck's assumption regarding parental preference). Given this, and in accordance with the special status of children, enactments of child murder and molestation should be prohibited. Yet, as mentioned earlier, the current state of play in the UK and USA includes video games depicting child murder (e.g. *Fallout 1 & 2, Dying Light, No More Room in Hell, Deus Ex* and *Deus Ex: Invisible War*), although not exclusively so. It would seem that this discrepancy cannot be accounted for by the special status of children argument (although, it may be explained in a more practically sense by legislation regarding the legal status of virtual paedophilia). Therefore, once again, an attempt to resolve the gamer's dilemma has fallen short of its goal.

In the next chapter, I switch authors and consider an argument proposed by Christopher Bartel. Bartel (2012) presents three premises or propositions which ground his argument for differentiating between virtual paedophilia and virtual murder. He also argues for a moral difference based on indirect harm; interestingly, not to children but to women. It is towards an examination of this position that I now turn.

NOTES

1. Bader (2003) argues (from a psychoanalytic perspective) that sexual fantasies do not necessarily indicate a desire for the object of one's fantasy (in this case, sex with a child); they could be motivated by other factors such as a sense of helplessness or guilt, among others.

2. Saying this does not negate the possibility that one will play in a way that conforms to certain moral principles. Doing so, however, is ultimately for strategic rather than moral reasons (e.g. one may benefit from adopting a particular moral approach by not incurring certain penalties that may hinder one's progression).