

Has Bartel resolved the gamer's dilemma?

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Abstract In this paper we consider whether Christopher Bartel has resolved the gamer's dilemma. The gamer's dilemma highlights a discrepancy in our moral judgements about the permissibility of performing certain actions in computer games. Many gamers have the intuition that virtual murder is permissible in computer games, whereas virtual paedophilia is not. Yet finding a relevant moral distinction to ground such intuitions can be difficult. Bartel suggests a relevant moral distinction may turn on the notion that virtual paedophilia harms women in a way that virtual murder does not. We argue that this distinction is only in a position to provide a partial solution to the dilemma.

Keywords Computer games · Ethics · Virtual murder · Virtual paedophilia · Pornography

Introduction

In this paper we examine Christopher Bartel's work¹ on a problem posed by Morgan Luck called the gamer's dilemma.² The gamer's dilemma highlights a discrepancy in our moral judgements about the permissibility of certain actions in computer games. Currently, many popular computer games allow players to commit acts of virtual murder. (Virtual murder involves a player directing a character in computer game to kill

another in circumstances where, were the character's actions to occur in the real world, we would consider it murder.) Many gamers consider playing such games to be permissible, as nobody is actually murdered. However, such a stance seems to also permit the playing of games that entail virtual paedophilia. (Virtual paedophilia involves a player directing an adult character in a computer game to interact with a child character in such a way that were the adult character's actions to occur in the real world, we would consider it akin to child molestation, or child rape, etc.) Without a relevant moral distinction between virtual murder and virtual paedophilia, it seems we must either permit, or prohibit, both actions. This is the gamer's dilemma.

In his paper, 'Resolving the gamer's dilemma', Bartel attempts to establish a relevant moral distinction between virtual murder and virtual paedophilia. This distinction hinges on the notion that virtual paedophilia is harmful to women in a way virtual murder is not. This distinction, Bartel claims, is in a position to justify the gamer's intuition that playing games involving virtual murder is permissible, whereas playing games involving virtual paedophilia is not.

In this paper we will we examine whether Bartel successfully draws a relevant moral distinction between virtual murder and virtual paedophilia, and then comment on whether this distinction alone is able to justify permitting virtual murder, whilst prohibiting virtual paedophilia.

Bartel's main argument

Bartel argues that virtual paedophilia is an instance of virtual child pornography, whereas virtual murder is not.³

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¹ Bartel (2012).

² Luck (2009).

³ Bartel (2012, p. 11–12).

Following Neil Levy,⁴ Bartel then claims that virtual child pornography is morally objectionable as it sexualises inequality.⁵ He then supports an empirical claim that anything that sexualises inequality is harmful to women, as it reinforces false stereotypes that work against the interests of women. It is on this basis that Bartel asserts that virtual paedophilia harms women.⁶ Virtual murder, on the other hand, does not harm women (at least not in this manner), and is therefore not objectionable on these same grounds.

If Bartel is right, virtual paedophilia would be morally objectionable in a way that virtual murder is not. It is for this reason that Bartel takes there to be a relevant moral distinction between gamers committing acts of virtual murder, and those committing acts of virtual paedophilia. Bartel's argument can be formulated as follows.

1. If an action is wrong for some reason, and another action is not wrong for this same reason, then there is a relevant moral distinction between the actions.
2. Virtual paedophilia is wrong because it sexualises inequality.
3. Virtual murder does not sexualise inequality (so if virtual murder is wrong it is not because of this).

Therefore,

4. There is a relevant moral distinction between virtual paedophilia and virtual murder.

In examining Bartel's argument, we wish to focus our discussion on premise 2.

Regarding premise 2: virtual paedophilia is wrong because it sexualises inequality

Bartel claims that virtual paedophilia is wrong because it sexualises inequality; as instances of virtual paedophilia are instances of child pornography, and child pornography (virtual or otherwise), as argued by Levy,⁷ sexualises inequality. This argument, in support of premise 2, can be formulated as follows:

5. Virtual paedophilia is an instance of child pornography.
6. Child pornography is wrong because it sexualises inequality.

Therefore,

⁴ Levy (2002).

⁵ Bartel (2012, p. 15).

⁶ Some might find this link between virtual paedophilia and harm to women to be too tangential—that there should be something more directly wrong with virtual paedophilia. Stephanie Patridge (2013) pursues this line in her paper on the topic.

⁷ Levy (2002, p. 322).

2. Virtual paedophilia is wrong because it sexualises inequality.

Let us begin with an examination of premise 5 of this sub-argument.

Regarding premise 5: virtual paedophilia is an instance of child pornography

Is virtual paedophilia necessarily an instance of child pornography? While it can be difficult to say exactly what should count as pornography, Bartel provides us with reason to think that virtual paedophilia is pornographic. Depicted sexual acts, Bartel claims, can be considered pornographic if they are treated pornographically. Again, it might be difficult to explain exactly what it is to 'treat something pornographically', but Bartel suggests that taking enjoyment in the depiction of sexual acts should count as treating such depictions pornographically.

...taking enjoyment in the depiction of sexual acts involving children for its own sake intuitively sounds like it should count as treating such depictions pornographically. Thus, it is reasonable to believe that virtual paedophilia is child pornography.⁸

Given this account, we can formulate Bartel's argument for 5 as follows,

7. If something involves the depiction of sexual acts involving children, and people take enjoyment in these depictions, then it is an instance of child pornography.⁹
8. Virtual paedophilia involves the depiction of sexual acts involving children.
9. People who commit acts of virtual paedophilia take enjoyment in the depictions of sexual acts involving children.

Therefore,

5. Virtual paedophilia is an instance of child pornography.

⁸ Bartel (2012, pp. 14–15).

⁹ Please note, as one reviewer has pointed out, that premise 7 might have been intended by Bartel to be less bold. Instead 7 might have been intended to be read as follows:

7*: If something involves the depiction of sexual acts involving children, and people take enjoyment in these depictions, then there is prima facie evidence to believe that it is an instance of child pornography.

However, note that if such a change is made to premise 7, a corresponding change must be made to 5, then to 2, and ultimately to 4:

4*: There is prima facie evidence to believe that there is a relevant moral distinction between virtual paedophilia and virtual murder.

We proceed on the basis that Bartel is attempting to do more than provide prima facie evidence for this distinction. However, the arguments presented here may, to some extent, be adjusted in line with 7*, to suit this interpretation.

However, it is not so clear that premises 8 and 9 of the above argument are true. Let us examine each premise in turn.

Regarding premise 8: virtual paedophilia involves the depiction of sexual acts involving children

Bartel states that virtual paedophilia “necessarily involves the depiction of sexual acts involving children”.¹⁰ But this need not be the case. Suppose a computer game were created in which acts of virtual paedophilia were not depicted on screen, but nevertheless the game suggested (in such a way as to leave little doubt) that such an act had occurred. For example, suppose a game allows players to approach virtual children, and after progressing through various bits of suggestive dialogue, they have the chance to initiate an instance of child molestation, upon which the game screen would fade to black and the game would recommence in such a way as to make it clear that the act had occurred. Such a game might count as one in which players commit the act of virtual paedophilia, despite the fact the act itself is never depicted.

If this is right then premise 8 is false. The depiction of sexual acts only covers one of the ways in which acts of virtual paedophilia might be incorporated into a computer game. In which case, there is reason to doubt premise 6, and in turn premise 2 of Bartel's main argument.

We take it that many gamers would want to prohibit games that allowed players to commit non-depicted acts of virtual paedophilia, despite the fact they may feel comfortable allowing games to contain non-depicted (or even depicted) acts of virtual murder. However, this will not be because virtual paedophilia in such games involves child pornography; or at least Bartel hasn't yet given us reason to think such instances constitute virtual child pornography.¹¹ It seems then that there exists a deeper reason for why many people intuit that committing an act of virtual paedophilia is wrong, regardless of whether or not it is also depicted. In other words, there is something else going on that Bartel's proposed distinction does not capture.

It should be noted that Bartel is aware this objection, but dismisses it, stating that,

...if a video game does not depict the sexual act at all—that is, if the act occurs ‘off camera’—then such cases would be disanalogous to the acts of virtual

murder that Luck is concerned with; so these cases can be set aside.¹²

This is because Bartel takes “the cases of virtual murder that Luck is concerned with—cases like Grand Theft Auto...[to be games where] the murders are graphically depicted.”¹³ However, Luck does not limit the dilemma to cases where virtual murder is graphically depicted.

Luck does state that he is focusing “on those computer games, such as Grand Theft Auto, where clear instances of virtual murder are apparent.”¹⁴ However, a “clear instance” is simply an instance where it is apparent that the act of virtual murder has occurred. To make this point Luck contrasts a clear instance of virtual murder within Grand Theft Auto (where players direct their character to run a car over innocent pedestrians) to unclear cases within games such as Pac-Man (where players direct their character to eat ghosts that are able to regenerate apparently unharmed). Clearness in this context picks out our ability to say that the act of virtual murder has occurred; it does not pick out the depiction of such acts. (For example, Pac-Man's actions are depicted, but still unclear.) So, given our interpretation of Luck's notion of “clearness”, cases where players direct their characters to initiate the act of paedophilia within a game, but where the act itself occurs “off-camera”, still qualify as clear instances of virtual paedophilia.

It should be noted that this criticism does not rule out the possibility of Bartel's distinction offering a resolution to a narrower version of the gamer's dilemma: a version that limits the games to those that depict virtual paedophilia and virtual murder. However, the dilemma proper is not limited to such cases.

Regarding premise 9: People who commit acts of virtual paedophilia take enjoyment in the depictions of those acts

Premise 9 states that people who commit acts of virtual paedophilia take enjoyment in the depictions of those acts. Whilst this empirical claim might be true in the majority of cases, it is not clear that it is always so. For example, imagine a game in which the player *must* commit acts of virtual paedophilia (or at least *should* for strategic reasons) in order to reach some in-game goal. Luck gives the following example of such a game.

...imagine 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

¹⁰ Bartel (2012, p. 14).

¹¹ Please note that a potentially promising direction for Bartel to take, in light of this counter-example, is to expand his account of pornography so it does not require pornographic acts to be depicted. One reviewer has suggests Rea's (2001) account of pornography could be used to this end.

¹² Bartel (2012, p. 15).

¹³ Ibid, p. 13.

¹⁴ Luck (2009, p. 32).

seduce and sleep with a Beefeater's daughter, who just so happens to be 15.¹⁵

In such a game the player would be motivated to commit such an act, not because they necessarily enjoy the virtual act itself, but because they wish to achieve the in-game goal. In such a game, it seems less clear that the act of virtual paedophilia is being enjoyed for its own sake, and therefore it is less clear that the act is being treated pornographically; or at least Bartel hasn't yet given us reason to think this constitutes virtual child pornography.

It should be again noted that Bartel is aware of this objection, but dismisses it reconfirming that,

...if gamers commit voluntary acts of virtual paedophilia, then presumably they do so because there is something about it that they like intrinsically.¹⁶

Bartel presumes this because he takes Luck to do so also. As Bartel states,

Luck makes the point that gamers *often* commit voluntary acts of virtual murder presumably because there is something about it that they like intrinsically.¹⁷ [*Emphasis added*]

The keyword here is "often". Although Luck suggests it would be naive to think that the trend towards more graphic depictions of murder wasn't an indication of the enjoyment many (or indeed most) gamers take when committing acts of virtual murder, Luck is not wedded to the notion that it *must* be the case that all gamer's who commit acts of virtual murder enjoy it.

Likewise, Luck is not wedded to the notion that all gamers who commit acts of virtual paedophilia must take sexual enjoyment in the depictions of those acts. In fact he explicitly rejects this notion when he states that,

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 game¹⁸

This being the case, there is reason to question the truth of premise 9. If premise 9 is false and people who commit acts of virtual paedophilia do not necessarily take sexual enjoyment in the depictions of those acts, there is less reason to accept premise 5. Of course there may be other reasons to consider virtual paedophilia to be an instance of virtual child pornography, however these have not been supplied by Bartel.

Again this does not rule out the possibility that Bartel's distinction might offer a resolution to a narrower version of gamer's dilemma. That is, between those instances where gamers enjoy committing the act of virtual murder and those where gamers similarly enjoy committing the act of virtual paedophilia. However, the dilemma proper is not limited to such cases.

Finding a relevant moral distinction between virtual murder and virtual paedophilia vs. resolving the gamer's dilemma

So far we have presented some concerns with premise 2 of Bartel's main argument. Suppose, however, that these worries are addressed, and/or an alternative argument for premise 2 can be supplied. The question to focus on now is, 'Does Bartel's distinction between virtual murder and virtual paedophilia resolve the gamer's dilemma?'

Before we answer this question it is worth considering the aim of Bartel's paper. Here are two possible aims:

- (a) to provide a relevant moral distinction between virtual murder and virtual paedophilia;
- (b) to resolve the dilemma by arguing that this distinction allows us to permit virtual murder and prohibit virtual paedophilia.

There is some reason to think Bartel has aim (b) in mind. For example, in addition to the title of his paper, "Resolving the gamer's dilemma", he also states that "there is a relevant moral distinction to draw between virtual murder and virtual paedophilia that is able to justify the former but not the latter",¹⁹ and that if his arguments stand "then we can take the gamer's dilemma to have been resolved."²⁰ However, there is also reason to think Bartel has aim (a) in mind. That is, he is only attempting to provide a relevant distinction (and not resolve the dilemma). For example, he states:

The central purpose of my essay is to point out an avenue that the gamer could explore in order to defend the claim that virtual murder is morally permissible while virtual paedophilia is not. Whether my claim—that virtual paedophilia is morally impermissible because it is child pornography—is able to resolve the dilemma will depend on the resolution of many wider issues, which I cannot hope to fully examine here²¹

¹⁵ Luck (2009, p. 34).

¹⁶ Bartel (2012, p. 14).

¹⁷ Ibid, p. 14.

¹⁸ Luck (2009, p. 34).

¹⁹ Bartel (2012, p. 11).

²⁰ Bartel (2012, p. 16).

²¹ Bartel (2012, p. 12).

We will proceed on the assumption that Bartel's aim is the more modest of the two—to provide a relevant moral distinction, and leave it to others to determine if this distinction might help resolve the dilemma. What follows is a general note regarding what might be required in determining if this distinction resolves the dilemma.

Consider the following argument that takes the same form of Bartel's main argument.

1. If an action is wrong for some reason, and another action is not wrong for this same reason, then there is a relevant moral distinction between the actions.
13. Actual murder is wrong because it involves the intentional killing of a person for no good reason.
14. Actual paedophilia does not involve the intentional killing of a person for no good reason (so if actual paedophilia is wrong, it is not for this reason).

Therefore,

15. There is a relevant moral distinction between actual murder and actual paedophilia.

Does the conclusion of this argument allow us to contend that it is prohibited for someone to commit an act of actual murder, but it is permissible for them to commit an act of actual paedophilia? Surely not. For although the reason given for the wrongness of murder does not apply to paedophilia, this by itself is not enough to suggest the latter be prohibited whilst the former permitted. What we need is a further argument.

If virtual paedophilia is wrong because enjoying the depiction of sexual acts involving children is harmful, then an analogous possibility that needs exploring now is whether virtual murder is wrong because enjoying the depiction of murder is also harmful. And if we have no strong reason to think that one is more significantly harmful than the other, then the dilemma seems to persist.

Bartel draws our attention to the fact that taking enjoyment in the depiction of murder should not count as an instance of pornographic use, and that it does not clearly lead to the eroticization of inequality. However, he explicitly leaves open the possibility that, if “taking pleasure in the depiction of violence is morally impermissible, then it would likely be for some other reason”.²² It is this possible other reason that seems salient here. In order for others to pursue this particular resolution to the dilemma, one needs to suggest that the degree to which it is harmful for gamers to enjoy depicted instances of virtual paedophilia is significantly more than the degree to which

enjoying depicted virtual murder is. Pointing out that enjoying depicted virtual paedophilia might harm some people in a way that virtual murder does not is only the first step.

Conclusion

Bartel's paper highlights an important distinction: a distinction between narrow and broad versions of the dilemma. Narrow versions of the gamer's dilemma limit it in certain respects. For example, one might (as Bartel does) limit the scope of the dilemma to games where virtual acts are depicted on-screen, or where players take enjoyment in such acts. The broader version of the dilemma does not entail such limitations.

We have argued that the version of the gamer's dilemma introduced by Luck is much broader than the version Bartel focuses on. In addition, before Bartel's distinction can be used to resolve the narrow version of the dilemma a further argument is required. We need some reason to think²³ that the harm caused by gamers taking enjoyment in the depiction of virtual paedophilia is significantly greater than the harm caused by gamers taking enjoyment of the depiction of virtual murder. However, given the prevalence of arguments linking violence to computer games,²⁴ establishing this may be no easy task.

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²² Bartel (2012 p. 16).

²³ Even if this reason is ultimately just an appeal to intuition.

²⁴ Ferguson et al. (2008), Weigman and Schie (1998), Williams and Skoric (2005).

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