

Youth Culture Lesson
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Finding Teachable Moments in Culture
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Game Over

Are Violent Video Games Protected by First Amendment?

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What Happened:

Can the government regulate violent video games? The U.S. Supreme Court is trying to figure that out right now. At issue is a new law in California that would levy \$1,000 fines on stores that sell violent video games to folks under age 18.

Video games already have ratings on them, of course; but those ratings are implemented by the video game industry and don't have any legal standing. There are no legal grounds to stop a store from selling "Grand Theft Auto" to an 8-year-old—as long as the child has money.

A number of studies suggest that violent video games can spawn real-life violence, and California lawmakers want to put some real teeth into the ratings system. The catch: Games long have been thought free speech, protected by the first amendment.

While Justice Stephen Breyer suggested the government has every right to help protect children from games that include scenes of "gratuitous, painful, excruciating, torturing violence," Justice Antonin Scalia seemed to argue there was nothing in our tradition of free speech that would allow the government to ban depictions of violence in any arena.

"What Justice Scalia wants to know is what (primary Constitution author) James Madison thought about video games," said Justice Samuel Alito.

"No," Scalia said. "I want to know what James Madison thought about violence."

Talk About It:

It'll be a while before the Supreme Court makes its decision, but the core of whatever it decides may impact what we think of as free speech. Traditionally, the U.S. government has regulated a few forms of speech—yelling "fire" in a crowded theater, for instance, or restricting pornography to minors—but typically, the government keeps its hands off forms of speech that most of us would find offensive.

Do you think the government should make it illegal to sell certain violent video games? How would you define what would be too violent to sell to young children? Is there a difference between games such as “Modern Warfare,” in which wartime violence is depicted realistically, and “Halo,” in which the enemies are inhuman aliens? Would you draw distinctions between “Grand Theft Auto,” in which gamers sometimes rape or injure women and shoot cops, and “Star Wars: The Force Unleashed,” in which gamers bloodlessly “kill” stormtroopers?

Should there be limits on free speech? Would you make it illegal for someone to swear in public? To insult people? To say things with which you or others might disagree?

The question of whether stores can sell violent video games is one thing; whether we should play them is another. Researchers have found that youth who play violent video games are more apt to be violent in real life. While there’s no proof that violent video games cause this behavior, it’s possible that teens more prone to violence simply are more apt to play violent video games. Such stats are still troubling.

While no one is suggesting that playing even really violent games will inspire most gamers to pick up a weapon and start shooting, can games affect the way we think? Is it possible violent games might make us less compassionate? That sexualized video games could titillate us? Could they cause some people to react more violently?

What the Bible Says:

“Finally, brothers, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable—if anything is excellent or praiseworthy—think about such things” (Phil. 4:8).

“And we pray this in order that you may live a life worthy of the Lord and may please Him in every way: bearing fruit in every good work, growing in the knowledge of the Lord” (Col. 1:10).

“As for the deeds of men—by the word of your lips I have kept myself from the ways of the violent. My steps have held to your paths; my feet have not slipped” (Ps. 17:4-5).