“There is [a worldwide] audience of approximately 600 million gamers who may be virtually violating International Humanitarian Law,” read the Daily Bulletin of the 31st International Conference of the Red Cross and Red Crescent in Geneva in late November.

The conference had held a small side-event where the role of videogames in IHL was discussed – informally, and without any resolutions – with an eye to promoting the use of battlefield laws within videogames to better reflect reality.

Whether by design or not, this kind of statement usually gets attention from the media, and within a short amount of time, mainstream publications were reporting that the Red Cross were considering the possibility that 600 million gamers could be war criminals.

As a result, late last week, the Red Cross released a statement clarifying and downplaying their interest in the issue, reminding anyone who had seriously thought otherwise, that “violations of the laws of war can only be committed in real-life situations”.

Clearly, this was, for the most part, a non-issue. No-one could have at any stage believed the Red Cross was genuinely considering branding the world’s gamers as war criminals. More likely, what was (and possibly still is) being considered was Red Cross guidelines for the implementation of battlefield laws by videogame designers.

Ethics

This prompts a more substantial question: should videogame designers be ethically or legally obliged to include battlefield laws in military games?

The first answer that many would instinctively turn to is that videogames are, like films and books, fictional works of entertainment culture, and therefore able to be as realistic or fictitious as their creators desire.

While various regimes of censorship dictate the boundaries of taste in entertainment media, they do not hold sway over questions of realism.

However, some still hold videogames to be in a different behavioural category than other media. From this viewpoint it is argued that, in videogames, the player acts, while in cinema, the viewer is acted upon. So the representation of a war criminal in a film (The Last King of Scotland, say) is different from allowing the player to take on the role of one in a videogame (in Call of Duty: Modern Warfare 2, for instance).

This perspective is clearly alluded to by the Red Cross in their initial bulletin: "Exactly how video games influence individuals is a hotly debated topic."

The problem with this argument is that it tends to discount the possibility for an individual to receive and understand a videogame within their own context. There is little difficulty in imagining a pacifist who also enjoys first-person shooters, for example, as our cultural choices do not necessarily reflect our moral identity.

By the same token, it does not follow that a gamer would respect battlefield laws in reality, simply because her favourite videogame had implemented them.

Yet there is a greater debate that underpins these ideas, one that has been polarising within the academic study of videogames for some time. It has long been suggested that games (of all sorts, both physical and digital) take
place within an artificial conceptual construct, separated to some extent from reality.

**Magic circle**

When we play a game, according to theorists Eric Zimmerman and Katie Salen, we enter what they call a “magic circle” – a conceptual space where certain objects or actions have altered weight and meaning.

When we step onto a golf course, we are no longer simply taking a very long walk accompanied by a small ball and a stick. We are accepting a challenge and taking on the particular task of the game of golf.

This notion points to games as somehow being constructed and “outside” everyday life. This is reflected throughout popular culture, from the mythical stories of soccer matches between English and German troops in the trenches of World War I to the many English game-related sayings: “It’s just a game,” “the games people play,” and so forth.

Yet this is clearly incorrect. As videogames are proving time and again, games are not just products of culture – they inform it. We may find ourselves in some kind of conceptual construct while playing a game, but no more so than when watching a film, or reading a book.

This entire debate – that videogames should or should not respect the laws of the battlefield – reflects that games are social artefacts that reflect and reflect on culture.

Perhaps, then, more military-themed videogames should engage with issues such as battlefield laws and morality. Not as an enforced requirement, and not as some kind of awareness-raising exercise on behalf of the Red Cross, but as an acknowledgement they take place in a complex, problematic and contradictory real world.

A reality as complicated as this one can only lead to better videogames.