

## **What are the legal implications of misogyny in video games?**

Misogyny in video games has a real world negative impact on women with very few legal consequences. Three separate areas will be examined to develop this thesis - the depiction of women in video games, the careers of women working in the industry and the treatment of female professional gamers. Although the virtual world may seem to operate within a "magic circle" where online actions have no real world repercussions, it is clear this theory is a fallacy. Moreover, the inaction of industry leaders following Gamergate suggests that the misogynistic culture is not limited to gameplay.

### **The depiction of women in video games**

According to the Entertainment Software Association, consumers spent \$21.53 billion on video gaming in 2013 and 48% of gamers are women<sup>1</sup>. Despite this, the depiction of women in games remains stereotypical and sexist. There are two main issues with the sexualised depiction of women in video games. The first problem is that only showing a sexualised aspect of women dehumanises and devalues them. The second is that research has shown that gamers who play with sexualised avatars report decreased respect for women and are more tolerant of sexual harassment and violence. Although this has moral implications, it may also have economic drawbacks for the industry as women vote with their wallets and refuse to buy certain types of game.

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<sup>1</sup> Entertainment Software Association, *Facts about the Computer Game and Software Industry*, online: The ESA <[http://www.theesa.com/wp-content/uploads/2014/10/ESA\\_EF\\_2014.pdf](http://www.theesa.com/wp-content/uploads/2014/10/ESA_EF_2014.pdf)>

There are very few legal implications that follow from designing sexualised avatars. Despite the fact there are real life problems associated with sexualising women in video games there are no laws to prevent video games from continuing to depict women in this way. Of course, if a lot of violence or nudity is shown in the game it can attract a higher rating or in extreme cases be refused a rating. This is a minimal barrier – incredibly horrific scenes are regularly shown in games and are completely legal.<sup>2</sup> Whilst governments should not restrict creativity or freedom of speech and ban all sexualisation or violence, they are underestimating the effect the sexualised depictions of women can have on gamers. This paper argues that when considering ratings for games greater weight must be placed on the real life effects of the games.

Most video games depict women as second-class citizens cast in stereotypical roles such as a damsel in distress or a sexual object.<sup>3</sup> Women generally have exaggerated sexual characteristics and are dressed provocatively.<sup>4</sup> They are not depicted as heroes and are rarely playable characters: they are objects for male characters to act upon, either as rewards or obstacles<sup>5</sup>. In 2007, teenagers were asked to describe male and female video game characters. Male characters were strong, violent and boastful whereas females had large breasts, were promiscuous and wore revealing clothes.<sup>6</sup> Even when a woman is the protagonist she is generally sexualised - the most obvious example being Lara Croft.<sup>7</sup> The

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<sup>2</sup> Evan Narcisse, *The Problem With 'The Casual Cruelty' Against Women In Video Games*, online: Kotaku <<http://kotaku.com/the-problem-with-the-casual-cruelty-against-women-in-vi-1626659439>>

<sup>3</sup> Jesse Fox, Wai Yen Tang, "Sexism in online video games: The role of conformity to masculine norms and social dominance orientation" (2013) 33:1, *Computers in Human Behaviour*, 314 **at 318**

<sup>4</sup> Karen E. Dill, Brian P. Brown, Michael A. Collins, "Effects of exposure to sex-stereotyped video game characters on tolerance of sexual harassment" (2008) 44:1, *Journal of Experimental Social Psychology*, 1402

<sup>5</sup> Jesse Fox, Jeremy N. Bailenson, Liz Tricase, "The embodiment of sexualized virtual selves: The Proteus effect and experiences of self-objectification via avatars" (2013) 29:1, *Computers in Human Behavior*, 930 **at 931**

<sup>6</sup> K.E. Dill, K.P. Thill, "Video game characters and the socialization of gender roles: Young people's perceptions mirror sexist media depictions." (2007) 57, *Sex Roles*, 51–865.

<sup>7</sup> M. Mikula, "Gender and video games: The political valency of Lara Croft." (2003) 17:1, *Journal of Media & Cultural Studies*, 79–87.

most concerning part of this is that studies have shown gamers with sexualised avatars are far more accepting of rape myths.<sup>8</sup> Women playing sexualised avatars with faces resembling themselves were the most accepting of everyone in the study. Studies have found when women are dressed in a sexually explicit manner rather than a conservative manner in videogames, the gamers express more rape myth acceptance and greater acceptance of sexism<sup>9</sup>. Women who play games as a sexualised character can feel less self-efficacy.<sup>10</sup> Objectifying people has been proven to dehumanise them by according them lower moral status and pain attribution in other studies<sup>11</sup>, because when gamers play video games they take on a uniquely active role, it has been proven that gamers identify more strongly with the character they play, the “Proteus effect”. Therefore, when women play as sexualised women (particularly if the avatar looks like the player) they have been proven to express more rape myth acceptance than control groups.<sup>12</sup> The most worrying aspect of the studies were that most of the participants only played for 30 minutes or less and in this short amount of time were already expressing more misogynistic viewpoints. Therefore, males who were exposed to stereotypical portrayals of women have been shown to be more tolerant of instances of real life sexual harassment. Significantly, individuals who have had long term exposure to violent video games had the least progressive sexual harassment

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8 Cynthia McKelvey, *Sexualized avatars affect the real world, Stanford researchers find*, online: Stanford News <<http://news.stanford.edu/news/2013/october/virtual-female-avatars-100913.html>>

<sup>9</sup> Jesse Fox, Jeremy N Bailson, “Virtual virgins and vamps: The Effects of Exposure to Female Characters’ Sexualised Appearance and Gaze in an Immersive Virtual Environment” (2009) 61 *Sex Roles* 147

<sup>10</sup> Elizabeth Behm-Morawitz, Dana Mastro, “The Effects of the Sexualization of Female Video Game Characters on Gender Stereotyping and Female Self-Concept” (2009) 61 *Sex Roles* 808

<sup>11</sup> Steve Loughnan, Nick Haslam, Tess Murnane, Jeroen Vaes, Catherine Reynolds, Caterina Suitner, “Objectification leads to depersonalisation: The denial of mind and moral concern to objectified others” (2010) 40 *European Journal of Social Psychology* 709

<sup>12</sup> See reference 5

judgements and the greatest rape supportive attitudes.<sup>13</sup> The study questioned the real life consequences of this finding because men are more likely to play violent video games than women and are more often in positions of power.

In Anita Sarkeesian's web series "Feminist Frequency" she identifies a number of harmful tropes that are common among video games including damsels in distress and women as background decoration. What is particularly clear from her videos is that whenever a game includes poor treatment of female characters the male characters are not given the same treatment. For example, violence against women is often used as a spice to flavour the game world by making it seem both sexy and gritty, yet violence against men is almost never depicted as sexy and male gigolos are mocked rather than desired.<sup>14</sup> While a female character may be portrayed as exotic even in death, the corresponding male will not be draped suggestively wearing only lingerie.<sup>15</sup> The casual inclusion of violence against women is particularly unsavoury for two reasons. Firstly, using degraded female sexualised bodies as a marketing tool treats women in a way that completely undervalues their intelligence and contribution to the game world and real world. Secondly, domestic violence in the real world has historically been underreported and there is often lack of protection for victims. Studies have shown that when women see females demeaned in the media they are more accepting of dating violence<sup>16</sup> and long term exposure to violent video games increases tolerance to sexual harassment and rape supportive attitudes.<sup>17</sup> By including such scenes in

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<sup>13</sup> See reference 4

<sup>14</sup> Anita Sarkeesian, *Women as background decoration: Part 1 – Tropes v Women in Video Games*, online: Youtube < <https://www.youtube.com/watch?v=4ZPSrwedvsg>>

<sup>15</sup> Anita Sarkeesian, *Women as background decoration: Part 2 – Tropes v Women in Video Games*, online: Youtube < [https://www.youtube.com/watch?v=5i\\_RPr9DwMA](https://www.youtube.com/watch?v=5i_RPr9DwMA)>

<sup>16</sup> K.Lanis, C. Covell, "Images of women in advertisements: Effects on attitudes related to sexual aggression." (1995) 32 *Sex Roles* 639

<sup>17</sup> See reference 4 at **1405**

their games, violence against women is normalised and not given the proper treatment such a serious topic deserves.

Even when the gamers do not believe viewing stereotypical images negatively influences their attitudes<sup>18</sup>, the current research suggests that even mild exposure can influence both sexes negatively. Although gaming may seem to exist in a “magic circle” where real life and the virtual world do not intersect, the research indicates that video games have a profound impact on how people view women. Research has shown that when people are objectified they are depersonalised, which leads to distorted perceptions of their mental competence and pain tolerance.<sup>19</sup> As a gamer is actively involved in this depersonalisation in a video game, the real life effects can be profound – with participants in studies becoming more accepting of sexual harassment<sup>20</sup> and view even non-sexualised women as less competent and intelligent.<sup>21</sup> Results showed short-term exposure to stereotypical media content had negative effects for sexual harassment judgments but not for rape myth acceptance. A significant interaction indicated that men exposed to stereotypical content made judgments that were more tolerant of real-life instances of sexual harassment compared to controls. Long-term exposure to video game violence was correlated with greater tolerance of sexual harassment and greater rape myth acceptance.<sup>22</sup> There is a clear correlation to real life

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18 A. Brenick, A. Henning, M. Killen, A. O’Connor, M. Collins, “Social reasoning about stereotypic images in video games: Unfair, legitimate, or “just entertainment”?” (2007) 38 *Youth and Society* 395

19 See reference 11

20 See reference 4

<sup>21</sup> Nathan Heflick, *The Sexual Objectification Spillover Effect: Sexual Images of Women Impact Perceptions of Other Women.*, online: Psychology Today < <http://www.psychologytoday.com/blog/the-big-questions/201106/the-sexual-objectification-spillover-effect>>

<sup>22</sup> See reference 4

consequences following the objectification of women in video games, rendering the concept of a “magic circle” fallacy.

In addition, if the industry took more than a tokenistic approach to depicting women in varied roles the characters they could code would undoubtedly enrich the games. There are only a handful of women that are non-sexualised heroes and these are lauded by the industry to prove it is not sexist.<sup>23</sup> Games having no female playable characters are the norm.<sup>24</sup> The industry has consistently said that there is a lack of interest in making women the main character and having sexual avatars adds realism to the game. However, the number of sexualised women far outweighs the sexualised men and there has been increasing criticism of the lack of female heroes in games. Women are very rarely portrayed as the protagonist in video games. Particularly in traditional console games, the titles that have a female protagonist are exceptions. Even if there is an option to play a female protagonist (for example, FemShep in the Mass Effect series), the default character is male<sup>25</sup>. The promotional artwork for the first two titles revolved around a male lead<sup>26</sup> and only 18%<sup>27</sup> of players chose to play Jane Shepard, despite Jennifer Hale's voicework being highly praised. This has been explained as male gamers being unable to connect with female

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<sup>23</sup> C.A. Pinkham, *Every misogynistic argument you've ever heard about video games*, online: Jezebel <<http://groupthink.jezebel.com/every-misogynistic-argument-youve-ever-heard-about-vid-756662565> >

<sup>24</sup> Katherine Cross, Carolyn Petit, Anita Sarkeesian, *GaymerX2: Internetting while female*, online: Youtube <<https://www.youtube.com/watch?v=e0qxtKz2vZw>>

<sup>25</sup> Taylor Morgan, *How the greatest female game character reveals the problems in female representation*, online: Feminspire <<http://feminspire.com/how-the-greatest-female-game-character-reveals-the-problems-in-female-representation/>>

<sup>26</sup> Note, for Mass Effect 3 both BroShep and FemShep were given equal representation. Brenna Hillier, *FemShep to appear in Mass Effect 3 marketing*, online: VG24/7 <<http://www.vg247.com/2011/06/16/femshep-to-appear-in-mass-effect-3-marketing/>>

<sup>27</sup> Brenna Hillier, *Loving FemShep: BioWare's first lady finally steps forward*, online: VG24/7 <<http://www.vg247.com/2011/07/19/loving-femshep-biowares-first-lady-finally-steps-forward/>>

characters; an argument that does not hold weight when you consider female gamers are currently able to play games with male protagonists. That said, Mass Effect has made great strides by even having the option to play as a female character and creating unique storylines and romance options for her<sup>28</sup>. Games with female protagonists have been critically acclaimed and particularly praised for having a woman as the lead character: a clear example is Portal. As the game is from a first person perspective, the player can only see the hands of the character. Therefore, the gamer only realises the character is a woman when they catch a glimpse of their reflection halfway through the game. Nor is this the sole exceptional facet of Portal; the game is a first person shooter, a genre that is almost exclusively dominated by male lead characters. Although parallels have been drawn between Chell's gun shooting portals rather than bullets (which allow the gamer to be "reborn" into a new dimension rather than destroying life), the key point is that a non-traditional character was the protagonist in a game that was a commercial and critical success.<sup>29</sup> What is even more intriguing is that Chell does not possess the exaggerated sexual characteristics of most women in video games. Unfortunately these games are the exception rather than the rule; indeed, Portal has been described as a subversively feminist game for this reason.

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<sup>28</sup> Hilary Goldstein, *Mass Effect: Creating Commander Shepard*, online: IGN  
<<http://ca.ign.com/articles/2007/08/28/mass-effect-creating-commander-shepard>>

<sup>29</sup> Colin Moriarty, *Portal 2 sells over four million copies worldwide*, online: IGN  
<<http://www.ign.com/articles/2012/05/08/portal-2-sells-over-four-million-copies-worldwide>>

A consistent argument against having women as main characters in games is that the games will not sell. However, developers are marketing games with female protagonists with a far smaller budget, therefore creating a self-fulfilling prophecy.<sup>30</sup> EEDAR's research shows that of 669 games only 24 had female-only heroes. In addition, exclusively male hero games sold about 75% better than games with female heroes. Rosenberg, an executive producer of Lara Croft, said "When people play Lara, they don't really project themselves into the character.... They're more like 'I want to protect her.'" His justification for creating a game with a female lead was that because she was sexualised she was vulnerable, therefore male gamers did not have to identify with her; they only needed to want to protect her. This argument does not stand up when you consider gamers identify with non-human characters in other games.<sup>31</sup>

Unfortunately, it is indie game developers rather than the industry powerhouses who are leading the revolution in this area, the largest titles continue to stereotype women. For example, Assassin's Creed only has a male playable character and women are either damsels in distress that the gamer has to save or prostitutes. Although some titles now include an alternate playable female protagonist the marketing still centres around the male hero. Additionally, female-fronted games receive approximately 40% less marketing funding in comparison with games with male protagonists<sup>32</sup>. In games produced by independent games developers, these inequalities do not exist. Moreover, it is usual for

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<sup>30</sup> Carolyn Petit, *Fear of a Woman Warrior*, online: Gamespot <<http://www.gamespot.com/articles/fear-of-a-woman-warrior/1100-6404142/>>

<sup>31</sup> Carol Pinchefskey, *A Feminist Reviews Tomb Raider's Lara Croft*, online: Forbes <<http://www.forbes.com/sites/carolpinchefskey/2013/03/12/a-feminist-reviews-tomb-raiders-lara-croft/>>

<sup>32</sup> Mashoka Maimona, *Strong-female protagonist game jam kicks off in Vancouver to fight industry sexism*, online: Financial Post <[http://business.financialpost.com/2013/07/12/strong-female-protagonist-game-jam-kicks-off-in-vancouver-to-fight-industry-sexism/?\\_\\_lsa=f13a-7493](http://business.financialpost.com/2013/07/12/strong-female-protagonist-game-jam-kicks-off-in-vancouver-to-fight-industry-sexism/?__lsa=f13a-7493)>



games to be beta tested only by men: the developers of the Game of the Year “The Last of Us” had to ask for women to be included as a control group.<sup>33</sup>

Even when women are included in the trailer for a game, their depiction is often misogynistic and degrading. The most recent example is the Hitman: Absolution trailer which shows the male protagonist graphically killing rubber-clad nuns. The heart of the issue is not merely that developers are producing these trailers and games, it is that they fundamentally misunderstand that there is anything wrong with depicting women in this manner. Luke Valentine, producer at IO Interactive that created the Hitman game, defended the trailer saying it “show[ed] powerful women”.<sup>34</sup> As IGN’s Keza MacDonald retorted, “This trailer panders to violence-worship and misogynistic desires that have nothing to do with the game”. As the industry and regulators continue to undervalue the serious effects the depiction of women in video games has on the real world, it seems the tokenistic efforts made by the industry will not improve.

### **Women working in the gaming industry**

There are very few women working in the gaming industry - only 21% of developers are women according to the International Game Developers Association. Barriers to entry are already high – only 10% of people working in the technology industry are women.<sup>35</sup> Popular media portrayals are not helping the industry’s reputation. A current example is the latest

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<sup>33</sup> Luke Karmali, *The Last of Us developer had to request female testers*, online: IGN <<http://www.ign.com/articles/2013/04/09/the-last-of-us-developer-had-to-request-female-testers>>

<sup>34</sup> Mike Lowe, *Hitman Absolution: Trailer causes outrage*, online: Pocket-Lint <<http://www.pocket-lint.com/news/115688-hitman-absolution-trailer-causes-outrage-io-games-producer-talks-violence-and-content>>

<sup>35</sup> Drew Harwell, *More women play video games than boys, and other surprising facts lost in the mess of Gamergate*, online: The Washington Post <<http://www.washingtonpost.com/blogs/the-switch/wp/2014/10/17/more-women-play-video-games-than-boys-and-other-surprising-facts-lost-in-the-mess-of-gamergate/>>

Barbie book, entitled “I can be a computer scientist”. Although a promising title, the book involves Barbie incompetently downloading a virus, wearing a pink heart shaped flash drive as a necklace and ultimately relying on two men to fix her computer worries.<sup>36</sup> Although a Barbie book may not deter many women from entering the industry, Kimberly Voll’s account of her experiences as a Computer Scientist undergraduate may.<sup>37</sup> She writes she was always in the minority and felt unequal to her male counterparts. Research has shown that if masculine stereotypes are promoted in a computer science classroom, women experience lower levels of belonging and anticipated interest in the subject.<sup>38</sup> The statistics emphasise this: only 18% of computer science graduates were women in 2010 compared to 30% twenty years before.<sup>39</sup> Women are not trickling up naturally into this industry and therefore their voices are not being heard.

Once they are in the industry they can face internal and external misogyny. This has led to 56% of women in the technology industry leaving midcareer, double the amount of men that leave.<sup>40</sup> The most commonly cited reasons for leaving are a hostile macho culture and extreme work pressures.<sup>41</sup> There are some worrying flags that indicate the industry’s

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<sup>36</sup> Aja Romano, *Barbie book about programming tells girls they need boys to code for them*, online: The Daily Dot <<http://www.dailydot.com/geek/barbie-engineer-book-girls-game-developers/>>

<sup>37</sup> Kimberly Voll, *On being a girl in computer science – a confession*, online: Tumblr <<http://zanytomato.tumblr.com/post/44978912674/on-being-a-girl-in-computer-science-a>>

<sup>38</sup> See reference 3

<sup>39</sup> Richard Burnett, *More women get jobs in video-game industry, but gender gap persists*, online: The Orland Sentinel <<http://www.orlandosentinel.com/business/os-video-game-gender-gap-20140823-story.html>>

<sup>40</sup> Sylvia Ann Hewlett, Carolyn Buck Luce, Lisa J. Servon, Laura Sherbin, Peggy Shiller, Eytan Sosnovich, Karen Sumberg, “The Athena Factor: Reversing the brain drain in science, engineering and technology” (2008) 58:2 Harvard Business Review report at 59

<sup>41</sup> Ibid at 61

attitudes: professional trade conventions with transphobic and misogynistic owners<sup>42</sup> or featuring scantily clad dancing girls.<sup>43</sup> Internal misogyny includes industries ignoring women's innovative ideas, as well as failing to support employees if they are attacked on the internet. External misogyny generally comes from anonymous commentators on the internet who not only criticise, but threaten violence and release personal information of women working in the industry. The key example of this is Gamergate although women working in the games industry had been attacked long before this. Kate Edwards, the executive director of the International Game Developers Association, said that some women have told her they are thinking about leaving the profession and discouraging their daughters from entering it due to the misogynistic attitude of the industry and Gamergate.<sup>44</sup> The internal and external misogyny that these women are subjected to has led to talented women and men leaving the industry due to the harassment, and will act as yet another barrier to young women wanting to enter the profession.

Gamergate is a symptom of the industry rather than a unique event. For years, anonymous trolls have harassed women. They have subjected to violent threats, doxing and have been pitifully supported by the industry. For example, Jennifer Hepler was a writer for BioWare who gave a series of interviews. These interviews (which no longer exist) were taken out of context and misrepresented, with the result that a false image emerged that Hepler wanted

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<sup>42</sup> Elizabeth Sampat, *Quit Fucking Going To PAX Already, What is Wrong With You*, online: elizabethsapat.com <<http://elizabethsapat.com/quit-fucking-going-to-pax-already-what-is-wrong-with-you/>>

<sup>43</sup> Rob Fahey, *Dancing Girls and Industry Evolution*, online: gamesindustry.biz <[http://www.gamesindustry.biz/articles/2013-04-05-dancing-girls-and-industry-evolution?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=european-daily](http://www.gamesindustry.biz/articles/2013-04-05-dancing-girls-and-industry-evolution?utm_source=newsletter&utm_medium=email&utm_campaign=european-daily)>

<sup>44</sup> Hayley Tsukayama, *The game industry's top trade group just spoke out against Gamergate*, online: The Washington Post <<http://www.washingtonpost.com/blogs/the-switch/wp/2014/10/15/the-game-industrys-top-trade-group-just-spoke-out-against-gamergate/>>

parts of gameplay to be skippable. Even if she had said this, as a writer she had no control over the gameplay mechanics. The outpouring of vitriol, notably calling her a “cancer”, was a completely unacceptable targeting of a woman whose only crime was to work in a misogynistic industry. However, what was perhaps even worse was Bioware’s response: they made a tokenistic statement and donated \$1000 to Bullying Canada.<sup>45</sup> Bioware missed an important opportunity to support Hepler and become an industry leader in combating misogyny in the profession. Instead, Hepler resigned. Hepler’s case has been replicated in the subsequent years. Carolyn Petit, former writer for Gamespot, wrote a five star review of Grand Theft Auto V. Included in her praise for the game was one paragraph that commented on the treatment of women in the game. The online community responded with a petition for her to be sacked.<sup>46</sup> These cases are only a small selection of some of the best publicised cases but the picture is clear – the situation is not improving.

The powerful industry leaders are not doing enough to prevent harassment, which has led to some women taking action themselves. Zoe Quinn, the indie game developer who was the catalyst for Gamergate, has publically criticised the industry’s response to GamerGate as ineffectual and nominal and Anita Sarkeesian has spoken on many panels about the harassment she has faced. Brianna Wu, a software engineer, is offering a \$11,000 reward for any information that leads to the charging and conviction of those responsible for sending her death threats. This money was raised without support from the industry. Wu

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<sup>45</sup> Chris Priestly, *Our statement supporting a valued employee*, online: BioWare <<http://forum.bioware.com/topic/259859-our-statement-supporting-a-valued-employee/>>

<sup>46</sup> Ben Parfitt, *Gamers petition for sacking of GameSpot writer who criticised GTAV for misogyny*, online: MCV <<http://www.mcvuk.com/news/read/gamers-petition-for-sacking-of-gamespot-writer-who-criticised-gtav-for-misogyny/0121238>>

has also set up a legal defence fund to pay for lawyers to fight defamatory online comments about women working in the gaming industry.<sup>47</sup> Unfortunately, all of these actions are limited by resources – the weakest people in the industry are being forced to defend themselves.<sup>48</sup> Silicone sisters, a Vancouver based game developer, was created in order to develop games for women in a woman friendly zone. Firstly, the fact that such a company had to be set up is a worrying indictment of the industry as a whole. Secondly, although a supportive environment for women is clearly important, this company is necessarily limited as it is a small indie developer.

Despite the clearly prevalent culture, the New York Times reported that EA, Activision and Blizzard refused to comment on Gamergate.<sup>49</sup> Ubisoft merely said “harassment, bullying and threats are wrong and have to stop”.<sup>50</sup> Quinn, who knows far better than most the damage the culture can cause, called on the entire industry to strongly condemn misogyny “and not in this milquetoast 'harassment is bad you guys' way - because they don't think that what they're doing is harassment.”<sup>51</sup> Although the ESA’s statement is good<sup>52</sup>, companies who support it are doing the minimal amount acceptable to protect their employees. The companies are also protecting themselves from employment lawsuits; by supporting the

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<sup>47</sup> Rachel Weber, *Wu offers \$11K for harassment conviction*, online: gamesindustry.biz <<http://www.gamesindustry.biz/articles/2014-11-03-wu-offers-usd11k-for-harassment-conviction>>

<sup>48</sup> Matthew Handrahan, *Zoe Quinn calls for big companies to speak out against Gamergate*, online: gamesindustry.biz <<http://www.gamesindustry.biz/articles/2014-10-30-zoe-quinn-calls-for-big-companies-to-speak-out-on-gamergate>>

<sup>49</sup> Nick Wingfield, *Feminist Critics of Video Games Facing Threats in 'GamerGate' Campaign*, online: New York Times <[http://www.nytimes.com/2014/10/16/technology/gamergate-women-video-game-threats-anita-sarkeesian.html?ref=todayspaper&\\_r=1](http://www.nytimes.com/2014/10/16/technology/gamergate-women-video-game-threats-anita-sarkeesian.html?ref=todayspaper&_r=1)>

<sup>50</sup> JP Mangalindan, *Video game publishers mostly silent on Gamergate*, online: Fortune <<http://fortune.com/2014/10/25/video-game-publishers-mostly-silent-on-gamergate/>>

<sup>51</sup> See reference 48

<sup>52</sup> Archie Thomas, *ESA to Gamergate: Threats must end*, online: Gadget Helpline <<http://www.gadgethelpline.com/esa-gamergate-threats/>>

ESA they are superficially not creating an unsafe work environment. The main issue is not that the individual companies are misogynistic – all the major developers have policies against workplace harassment. However, by merely supporting the ESA and refusing to take positive action, the industry is refusing to answer the far more difficult question of how to change its pervasively misogynistic culture. In response to Gamergate, firms like Microsoft and Sony chose to stand by the ESA's broad statement against harassment.<sup>53</sup> Of course, supporting the ESA's statement is a positive step. However, their choice to take this nominal generalist approach condemning bullying rather than releasing a personal statement against Gamergate shows the industry is not tackling its issues head on. Edwards suggested that major players in the industry should speak out in solidarity with women who have been harassed.

### **Professional gamers**

Although an estimated 52% of gamers are women, there are very few female professional gamers.<sup>54</sup> A popular female gamer "Milktea" reported that as a Super Smash Brothers competition she was the only woman among thirty men, and noted this was not an unusual statistic.<sup>55</sup> Men account for 70% of players and audience of professional gaming.<sup>56</sup> The highest paid female professional gamer, Katherine "Mystik" Gunn is only 146<sup>th</sup> in the world

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<sup>53</sup> John McDermott, *GamerGate presents brands with tough choices*, online: digiday <<http://digiday.com/brands/gamergate-experiences-mixed-success/>>

<sup>54</sup> Meg Jayanth, *52% of gamers are women – but the industry doesn't know it*, online: *The Guardian* <<http://www.theguardian.com/commentisfree/2014/sep/18/52-percent-people-playing-games-women-industry-doesnt-know>>

<sup>55</sup> Lilian Chen, *What it's like to be a woman in competitive gaming? A female gamer explains.*, online: Ted <<http://ideas.ted.com/2014/09/18/whats-it-like-to-be-a-woman-in-competitive-gaming-a-female-gamer-explains/>>

<sup>56</sup> Stephanie Llamas, Sam Barbarie, *eSports: Digital Games Market Trends Brief 2014*, online: Superdataresearch <<http://www.superdataresearch.com/blog/esports-brief/>>

for winnings from gaming.<sup>57</sup> It has been reported that marketing companies are now specifically targeting affluent young men to enter eSports competitions, with women left to make money from game streaming sites.

In addition, the women who become professional gamers are sexually harassed in a way that their male counterparts do not suffer. Although gamers expect a certain amount of 'trash talk', the insults against women are specifically threatening sexual violence in comparison to men<sup>58</sup>. Gamers with a female voice have reported up to three times more sexual harassment than an equivalent male player. A website "Fat, Ugly or Slutty" has archived comments and voice recordings threatening sexual violence against women. Many of these voices are deep, proving that the misogynists are not merely adolescent boys but are adult men. This negative environment has the effect of alienating women gamers. For example, women will select masculine sounding names, choosing to play male characters and will not switch on the microphone to avoid online abuse. Research has shown that women in misogynistic environments report negative psychological effects, even if they themselves do not experience harassment.<sup>59</sup> Therefore, gaming communities that allow sexist behaviour to continue may be losing both actively and passively targeted female participants. The harassment is not limited to the virtual world; when the women are physically at a gaming competition, they can also be subjected to sexual harassment, with one woman asked to "take off her shirt" whilst she was interrogated on camera about her

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<sup>57</sup> Unknown, *Katherine "Mystik" Gunn*, online: [esportsearnings.com](http://www.esportsearnings.com/players/6914-mystik-katherine-gunn)  
<<http://www.esportsearnings.com/players/6914-mystik-katherine-gunn>>

<sup>58</sup> See reference 3

<sup>59</sup> K. Miner-Rubino, L.M. Cortina, "Beyond targets: Consequences of vicarious exposure to misogyny at work." (2007) 92 *Journal of Applied Psychology* 1254

bra size. The man later said that sexual harassment was part of the “fighting game community”, which led the female gamer to forfeit the game.<sup>60</sup>

Forums are doing very little to prevent these threats. For Twitter to investigate a threat it has to be a direct and specific. Therefore, rape threats will not be investigated unless “a woman can prove beyond a shadow of a doubt that the attack will occur”.<sup>61</sup> Opponents of censorship believe that if trash talking is banned it will amount to an infringement of freedom of speech. However, freedom of speech is limited – slander and libel are illegal and do not constitute a fundamental freedom. John Stuart Mill, who argued strongly for freedom of opinion in *On Liberty*, presumed that both parties were temporally and geographically located close enough to each other that they could effectively defend themselves. Due to the fact online harassment is mostly anonymous and slanderous, it is highly questionable that gaming trash talk would be exempted under a freedom of speech argument.<sup>62</sup>

### **Speaking out and solutions**

The legal implications of misogyny in videogames are basically non-existent. Freedom of expression protects online misogynistic commenters and allows sexualised violence against women to become the norm in certain genres of game. However, misogyny in videogames is not the true issue. The sexualised depiction of women in games is the glamorous side of the argument. The true problem lies with misogyny in the video game industry, which is a far more difficult problem to solve. As long as game companies minimally adhere to broad anti-

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<sup>60</sup> Amy O’Leary, *In virtual play, sex harassment is all too real*, online: The New York Times <<http://www.nytimes.com/2012/08/02/us/sexual-harassment-in-online-gaming-stirs-anger.html>>

<sup>61</sup> Laura Hudson, *Curbing Online Abuse Isn’t Impossible. Here’s Where We Start*, online: Wired <<http://www.wired.com/2014/05/fighting-online-harassment/>>

<sup>62</sup> Jeniffer Jenson, Suzanne de Castell, “Tipping points: Marginality, Misogyny and Videogames.” (2013) 29:2 *Journal of Curriculum Theorizing* 72 **at 77**



harassment policies employment law protects the industry. Added to this, a lack of women in the industry means there is a small support group for those who are subjected to misogyny. What is certain is that the industry must do far more in the future to protect its workers. Companies must recognise that sexism is pervasive in the industry and take positive rather than protective steps. If misogynists target their female employees, companies must have policies in place to support those women and punish the perpetrators. In the games, companies should market female protagonists the same as their male counterparts, there should be more games non-sexualised playable female characters and some of the more harmful tropes must be retired. eSports should not be segregated by gender. Of course, this will not happen in all games. The most worrying part of these solutions is that even if the bare minimum of these guidelines were adhered to, this would still be a huge improvement on the current situation. Hopefully, these solutions would improve some of the problems highlighted in this paper. In 2014, it is disappointing that women are still treated so poorly by one of the largest industries in the world.

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