

2009

Computer games – a beginning of a new era of European culture

*Dr. Malte Behrmann¹
Secretary General, European Games Developer Federation*

As digitalization is blurring the borders in the fields of culture, computer games have risen to the avant-garde of European art field. They are ambitiously uniting cartoons, photos, animation, graphic design, short movies, short stories and interactive art in one piece of work of art. The future of Europe is digital and computer games are leading the way to the digital era of the European culture.

Consequently computer games are emerging cultural assets; indeed games themselves are one of the oldest of our cultural traditions. They mould our consciousness – which is precisely their *raison d'être*. They change our mode of expression and way of thinking, and condition visualisation of the process of comprehension. Computer and video games are suitable vehicles for the conveyance and shaping of cultural values, attitudes to life and basic modes of behaviour.

Computer games are undoubtedly cultural products

The concept of culture is dynamic and cannot be nurtured in an ivory tower. One of the key posits on which the cultural legitimacy of computer games rests is the rapidly changing user behaviour of media consumers. This also brings with it change in the content of computer games and the way they are perceived. Various demographic strands have adopted a reserved attitude to this development which is actually unfolding. Their diffidence could be ascribed not only to the content (such as representations of violence) but could also be coloured by a hostility to technology based on a false conception of humanist ideals.

Computer games are audio-visual media. Thus the designing of computer games *per se* forms part of the culture industry. It is not necessary to prove cultural content in each single instance; however, it is necessary to prove the contrary in any specific case – that a computer game does not contain any cultural content. There is a presumption in favour of the cultural significance of computer games. They are themselves components of culture because they are intellectual products and in general serve to convey an aesthetic or communicative content. This is also due to the marked influence they exert on leisure time activities and their social significance.

¹ Although Dr Behrmann, takes the primary responsibility for this statement, also Jari-Pekka Kaleva made minor contributions to the manuscript

Thus the design and representation of a car or a landscape in a computer game can be of cultural import. What is decisive here is the overall view. In a film, too, cars or other mundane objects form part of the picture. What is important is whether other elements enable recognition of a cultural context (e.g. whether narrative elements are also present). Accordingly, simulations or author games in a historical context (e.g. a flight game involving the development of the first airplane by Lilienthal) also belong to the cultural heritage, and so on.

Computer games also influence society and convey social values. Millions of users of computer and video games spend part of their free time with computer games and their content. Thus culture also means responsibility. Computer games are played across all sections of society. Computer games are just as fascinating for a six year old girl or a 40 year old politician as they are for secretaries or 70 year old retirees. As the current discussion in Germany about the content of computer games (the debate about protection of youth) evidences, all sides accept that the influence exerted on society will be durable.

Slowly also policy makers are starting to acknowledge the cultural value of computer games. The law of copyright protects computer games not just as software but also in terms of film rights. This is now largely accepted by German legal writing on the subject². Current court rulings also consistently subscribe to this opinion.³ Recently the Supreme Court (OGH) in Vienna⁴ accorded film rights protection for a simple computer game⁵ according to Austrian law.

A lively democracy needs diversity. In terms of the commodities of the culture industry, economic issues are very difficult to separate from cultural ones. They exert a mutual influence on one another (as the technology domain is also subject to strong interaction). Thus it should be noted that what we are dealing with here is a special sector which, for certain reasons and at the cost of a great amount of effort, is maintained within the confines of a "diversified environment" (public funding of television, film and theatre). Thus when considering the creativity and originality of the product, it is vital to do so from the perspective of innovation in terms of the freshness of the principle underpinning the game, of the picture language and graphics as well as in terms of the innovativeness of the distribution concept, communication concept and so forth.

Rich German intertext of German games

As German computer games reflect culture in a manifold variety of ways, they offer an excellent example on how rich cultural heritage germinates virtual cultural artefacts.

For instance, there are a number of special construction strategy simulation games which are mainly targeted at a German audience and which are only played here. Special colours and shapes too, and special aspects of interface design are likewise

² Comp. Schricker/*Loewenheim* UrhG, 3. Aufl., Section 2 Rn. 183; *Katzenberger* GRUR Int. 1992, pp.513- 514; *Loewenheim/A. Nordemann*, Handbuch des Urheberrechts, Section 9 Rn. p. 161; *Dreyer/Kotthoff/Meckel/Dreyer*; *Heidelberger Kommentar zum Urheberrecht*, Section 2 Rn. p. 247.

³ Comp. BayObLG GRUR 1992, 508 – Verwertung von Computerspielen(Evaluation of Computer Games); OLG Hamburg GRUR 1990, pp.127-128 – Super Mario III; OLG Hamburg ZUM 1996, 687, 688 – Mitstörer; OLG Hamm ZUM 1992, p.99 f. – ComputerspieleOLG Cologne CR 1992, 150, 151; OLG Hamburg GRUR 1983, pp.436-437 –Pokemon.

⁴ OGH Wien – Ruling dated 06.07.2004 – Az : 4 Ob 133/04v; ZUM-RD 2005, 11, 13 (<http://www.ris.bka.gv.at/jus/>.)

⁵ The game involved the simple shooting down of various flying objects which the Supreme Court referred to as "flying objects". The player is awarded points for the number of objects shot down; playing time is limited.

targeted at us⁶. Games from Germany should convey our images and history and deal with themes relevant to our society.

Games based on special national brands, board games and figures can also be identified as coming from Germany. These are mainly games for the youth audience, examples of which are "Bibi Blocksberg", "Pumuckel", "Der Räuber Hotzenplotz", "Wendy", and "Playmobil". Neither is it possible to simply "unload" foreign games on such labels as the games have to be tailored to correspond to the label's authentic cultural characteristics.⁷

Another aspect of the national origins of computer games is related to genres. Thus certain kinds of computer game genres can be identified that are markedly much more successful in Germany than in other countries. For instance, business simulation games are typically German. Most German games have a simulation character. Their critics accuse them of having too complicated rules which impede easy entry. The following examples are of games with an inductive approach: "Siedler", "Anno", "Cultures", "Gilde", "Anstoss", "Vermeer", "Kicker Manager", "Port Royale", "Planer", "Kaiser", and "Wiggles".

German history is frequently reflected in puzzle games. These are poetical and philosophical games with a high degree of complexity and depth. Teaching games and games with historical relevance are also concerned with the conveyance of culture from "old" media and sagas.

The audio-visual can be conserved through archiving perishable media, but also through the realisation and new production of the cultural heritage (such as figures, sagas, scripts etc.) in other kinds of media. Only through on-going repetition and rendition in a contemporary guise can content remain fixed in the collective memory. Thus also the fairy tales of Hans Christian Andersen⁸ or the stories of Sherlock Holmes could be given new life as computer games.

Games are representations of culture

As computer games are inspired by the culture they are created in, they inevitably also represent it. Often they also offer new constructions of historical events and eras. If we, Europeans, do not create our own constructions of our history and representations of our modernity, someone else will do it.

In social simulations like The Sims complete life histories can be acted out. SIMS is rooted in a globalised cultural environment. A current version of the game "The Sims 3 World Adventure" is devoted to touristic adventures in Egypt, China and France. The picture clearly shows in which cultural context the game is located. It is a context in which values are very directly conveyed. Gameplay simulation of family, work, and

⁶ Something like a national culture can be delineated. For instance, German elements can be identified by a process of subtraction as developers are constrained by international publishers to remove German elements for products intended for the international marketplace. The culprits here are certain colour combinations, especially fawn and brown tones or too few saturated colours which are frequently identified as "German" – as are more complex gaming functions.

⁷ The widespread misunderstanding that computer games are primarily intended for young people also does a disservice. This misunderstanding is compounded by the fact that the semantic difference English makes between "games" and "toys" has no exact counterpart in German.

⁸ The fairy tale adventure of Hans Christian Anderson is a computer game that was developed as a homage to the lifework and life history of the world famous poet and writer. The action of the game is heavily influenced by the fairy tale world of Anderson. Players encounter a wide variety of his most famous fairy tale figures, and in the role of the young Hans Christian Anderson embark on an exciting and humorous adventure through the city of Copenhagen in its heyday around the year 1820.

social contacts is highly attractive – especially for a target audience of girls and women.

Other examples of cultural imports include games like “The Godfather II” set in a North American urban milieu where the gamer is a member of a gang faced with the task of building a modest career within the Mafia clan structure. The music, landscapes, characters and storyline are all clearly defined, and the game subscribes to the tradition of American Hollywood movies dealing with highly engaging issues in high quality films always shot against a local background. Computer games are thus suitable vehicles for promoting and dispensing knowledge about culture and history, because this is the substance of what they convey while also allowing gamers space enough to form their own understanding.

The background and environment of the creative developers of the games are not a parameter value in the narrow sense of the term but rather a conditioning factor for the cultural elements contained in the games. Those involved in the creative process are imbued with culture and history which offer them the themes for their work⁹.

Generally speaking, games treat matters which concern gamers and designers in their specific life environments. It is this direct relation to the everyday world coupled with the very nature of all games which is to enable (not only) serious interaction with certain mechanisms of the daily world that lies at the root of the power to fascinate that games possess. E.g. German game developers will always deal with other themes and issues than their confreres in Latin America, North America or Africa. Obviously there will always be a great number of similarities in terms of design and themes since in the age of the globalised flow of information themes and certain issues will also be internationalised. Yet for the foreseeable future they will continue to have a varying impact on any particular creative context.

The cultural heritage of Europe lives with its games

The way computer games represent culture varies from one cultural region to another. It should be remembered that thus also the way, how other cultures are presented in games depends from the origin of the game. The key criteria for differentiating between cultural contexts are:

- Language, and in particular the type of humour specific to a country
- Graphic design
- Music / sound
- Locality (architecture / landscapes etc.)
- Figures (clothing, body language, origins)
- Background stories
- Genres / aims of the game
- Environment (people, cars, houses, streets, architecture, plants etc.)
- Story / gameplay (as in the film industry computer games also have a fund of typical and easily recognisable stories and plots)
- Characters (the Simpsons, Shrek, Harry Potter, Bibi Blocksberg, Captain Bluebear).

⁹ This has been recognised since the times of what is known as the Reflection Theory of Knowledge (comp. Adorno, W. Benjamin, Lukács, H. Holz) and can now be taken as an experiential benchmark which is evidenced in a large body of traditional types of work. Heine’s relationship to Germany, for instance, is mirrored in his *Wintermärchen* while books about biographical traits in Goethe’s *Faust* fill whole libraries.

Therefore the origins of a game often convey the cultural context of its place of creation which can even be identified in the game. To give a few examples:

- German games are often set in Germany or Europe and themed on local issues: settlers – construction simulation games play out in a typical Central European context around the year 1500.
- American productions are often set in the USA or refer to a national cultural context (Hollywood code of aesthetics – see above).
- Japanese games often deal with national legends and culture – like “Shen Mue” which treats traditional Japanese culture and history in the context of modern Japan or “Zelda” which packs Asian legends and rituals in a brilliant comic game format.
- Productions from Russia like “Stalker” deal with national issues or catastrophes. “Stalker” is the title of a novel by the Russian author Strugatzki; the game is based on his idea of changes in the exclusion zone around Chernobyl.

Consequently at the same time production of content in Europe is protection of the cultural heritage. Game designers and graphic artists are children of their culture and life environment. They gain the inspiration for their works from the stuff of experience.

One example of this is given by a project currently being realised that deals with a German theme. The game entitled “Schwarzenberg”¹⁰ draws on the true history of the town of Schwarzenberg at the end of the Second World War, and the legend of the “Amber Room” (based on the novel by Stephan Heym). The game is integrated in a true historical background and story.

Schwarzenberg is a small town located deep in the Harz Mountains. For unknown reasons at the end of the Second World War, the area around Schwarzenberg was the only area in the whole of Germany not to be occupied. At first it seemed as though the area would become a rallying point for the last National Socialists – who brought their plunder and booty with them, including the legendary Amber Room. But then a group of courageous workers seized the reins of power and quickly established “The Free Republic of Schwarzenberg” – which lasted for 46 days.

The game is thus based on real events which are embedded in its story and plot. The town in which the gamers move is a complete virtual simulation of the real town. Here the computer game becomes a medium for the narration and dissemination of an episode from history. It is particularly intriguing to note that the developers of the game originally came from Schwarzenberg – their native town thus furnishes the pretext for the game.

¹⁰ <http://www.radonlabs.de/szb.html>