

THE CENSORSHIP OF GERMAN VIDEO GAMES:  
the effects of national sensitivity to violence  
on entertainment content

by

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A THESIS

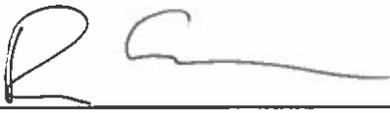
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## **An Abstract of the Thesis of**

**Hannah Mueller for the degree of Bachelor of Fine Arts  
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the effects of national sensitivity to violence on entertainment content**

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Rick Silva

Germany is one of the strictest censors of violence among the world's video game consumers. Due to its history and a cohesive national opinion, the legislature limits content severely, much more severely than the surrounding European nations. This results in international developers choosing not to market to Germany, creating censored titles specifically for the German market, or finding themselves on a list of banned titles illegal to buy or sell.

However, with the proliferation of online shopping and availability of international products, the banning of violent content from German video gamers is somewhat ineffective. The anti-violence measures tailored to video games become demonstrative, essentially a stance of the German government to not endorse graphic gore in gaming without taking preventative action that may violate personal rights.

My thesis provides a survey of the German video game community as well as an examination of games imported to and exported from Germany in order to demonstrate the current state of the industry and to illustrate how national sensitivity to violence effects entertainment content.

I am a digital art student with anti-censorship sensibilities and a passion for video games without restrictions; this is a bias that must be acknowledged. I have undertaken this research from the point of view as a visual artist who views video games as an art form of equivocal importance to more traditional fine art. In my experience the topic of German game censorship is predominantly discussed in scathing video game forum discussions with little factual reinforcement. My goal is to expand the discussion into an analytical, academic survey. While researching I lived in Tübingen, Germany for four months collecting interviews and immersing myself in the language and culture.

This thesis includes a study of legal legislature, systematic censorship, and the German market through the lenses of interviews, impartial research, and case studies of specific game titles. The question will be answered: why Germany's censorship of violent content in video games exists. Conjecture will then be taken about the effectiveness of the German system. I am not qualified to suggest an alternative video game rating system, but I can provide an assessment of the German system's history, structure, and methodology to reach a conclusion about its effectiveness.

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## Introduction

Since its occupation in 1945 (the west by Britain, the United States and France, the east by the Soviet Union) media deemed unacceptable has been censored. By 1946 the United States Army controlled the German media in order to democratize Germany, inhibit critique of the Allied occupying forces, and confiscate or liquefy all National Socialist materials. Post-war censorship included book burnings similar to those perpetrated by the Nazi party as well as limitations on creative media, such as the blocking of literary publications.<sup>1</sup>

*Das Grundgesetz* (ground law, or constitution) came into effect on May 23, 1949; the Allied occupation officially ended with the national sovereignty of Western Germany (Federal Republic of Germany). Eastern Germany was established the following October (German Democratic Republic).<sup>2</sup> Article 5 of *Grundgesetz* established freedom of expression in the following language:

- (1) Every person shall have the right freely to express and disseminate his opinions in speech, writing, and pictures and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship.
- (2) These rights shall find their limits in the provisions of general laws, in provisions for the protection of young persons, and in the right to personal honor.
- (3) Art and scholarship, research, and teaching shall be free. The freedom of teaching shall not release any person from allegiance to the constitution.<sup>3</sup>

These statutes remain the parameters of the freedom of expression in modern Germany. In this thesis I will access how violent content in the interactive medium of

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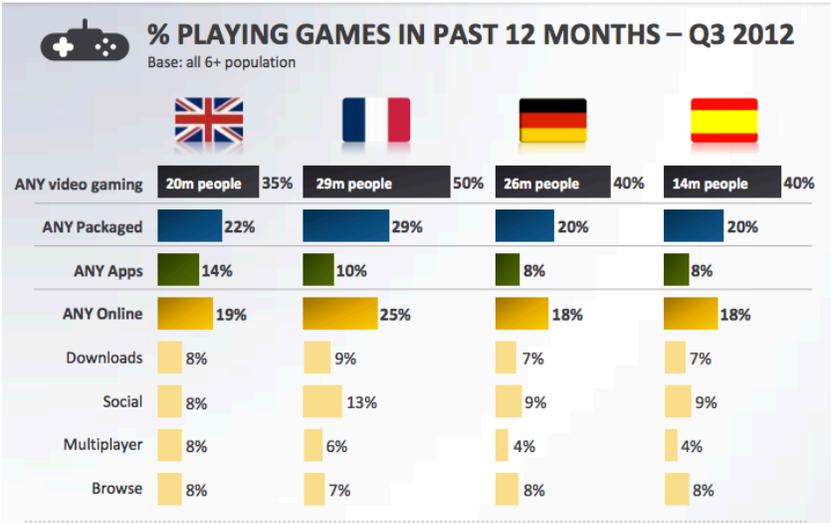
<sup>1</sup> "Germany: Read No Evil"

<sup>2</sup> "Allied Occupation of Germany"

<sup>3</sup> "Article 5, Basic Law for the Federal Republic of Germany"

video games is censored due to the second statute, and why the third statute does not apply to video games in Germany.

Germany is known internationally as a nation with extremely strict video game censorship (certainly the strictest in Europe). Germany has its own age rating system separate from the rest of continental Europe’s because what is acceptable content to the rest of continental Europe is more extreme to the German censor. In spite of this, Germany is one of the largest video game markets in Europe. The Interactive Software Federation of Europe commissioned a consumer study of video games run by Ipsos MediaCT, the report of which was published in November 2012. The data was gathered from the general online population ages 16-64, a survey pool made up of 42% gamers. 58% of online respondents responded “Never” for their frequency of gaming, the top reason being “not interested”.



GameTrack data that indicates Germany’s significant video game audience

Part of ISFE and Ipsos MediaCT’s GameTrack tracking survey.

This thesis will investigate the grounds the strict censorship is based upon through analysis of the rating system, specific censored and banned titles, and German law and public reception of violent content.

Germany's intolerance for violent entertainment content transcends the expected difficulty with war violence and is the result of multiple factors. Germany's history, however, is a key factor in explaining the national sensitivity to violence. Psychoanalyst Carl Jung first suggested the phenomenon of *Kollektivschuld* (collective guilt) in 1945.<sup>4</sup> Germany as a whole felt a collective guilt for the crimes against humanity inflicted by the Nazi party's Third Reich in the Second World War. Seventy years and three generations later, the guilt remains.

In his essay "Collective Guilt, National Identity, and Political Processes in Contemporary Germany", Lars Rensmann discusses Germany's "strong desire to improve and repair the negative image of Germans in foreign countries."<sup>5</sup> He theorizes that in order to distance itself from its martial past, Germany has forged a new national identity: one that is nonviolent. In foreign relations Germany has been characterized by military inaction and pacifism. As the largest (and only growing) economy of the European Union, Germany effectively runs the E.U. politically and economically. However, Germany is ranked 39<sup>th</sup> in military personnel worldwide with 105,000 soldiers.<sup>6</sup> German gun control is among the strictest in the world.<sup>7</sup> *Das Waffengesetz* (Weapons Law) strictly regulates licenses that are only given to those deemed mentally

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<sup>4</sup> Jung, Carl G. "Nach Der Katastrophe." (After the Catastrophe)

<sup>5</sup> Branscombe, Nyla R., and Bertjan Doosje. *Collective Guilt: International Perspectives*.

<sup>6</sup> <http://www.globalsecurity.org/military/world/armies.htm>

<sup>7</sup> Library of Congress <http://www.loc.gov/law/help/firearms-control/germany.php#Current>

stable, with a clean record, and having necessity for the weapon (licenses are nearly all given to hunters and police), as well as routine storage checks by local firearm control. Additionally weapons such as brass knuckles and switchblades are banned entirely.<sup>8</sup> Over time weapons law has only become stricter since *Waffengesetz*'s installation in 1972 and subsequent amendments in 2002, 2008, and 2009.<sup>9</sup>

Since the Second World War Germany has evolved greatly as a nation to overcome its martial history. Germany remains politically adverse to political military intervention and has intensive restrictions on weapons. Furthermore, its aversion to violence includes portrayals in media; namely, video games.

Video games are a multi-billion dollar industry, outperforming Hollywood movies in revenue in-take for over five years now.<sup>10</sup> Censorship cuts up a game, editing its content to a lesser quality state, rarely ever being a subtle omission or adjustment. As the case studies section will show, the censorship nearly always diminishes the quality of the game. Additionally, to limit the content permitted in games is to limit their financial success (troublesome for developers) and ability to reach the gaming community in a quality state (troublesome for players). As a limitation on creative media, censorship raises a great deal of debate politically and online among consumers. This thesis will survey how censorship effects games (mostly AAA titles, or highest level budget/production games, which are the most effected), how the legal censorship system functions, and to what extent it effects video games as a media in Germany.

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<sup>8</sup>“Waffenrecht”

<sup>9</sup> Note the correlation of these dates to the Erfurt, Emsdetten, and Winnenden shootings discussed later in this research.

<sup>10</sup> Chatfield, Tom. “Videogames now outperform Hollywood movies”

## *German Law and the Portrayal of Violence*

### ***Bundesministerium für Familie, Senioren, Frauen, und Jugend (BMFSFJ)***

#### **(Federal Ministry of Family Affairs, Senior Citizens, Women, and Youth)**

The *Bundesministerium für Familie, Senioren, Frauen, und Jugend* is one of legislative bodies represented on *die Bundesregierung*, or the German Cabinet, which is the chief executive governing body of Germany<sup>11</sup>. The *BMFSFJ* is the over-arching ministry under which all censoring legislatures proceed. It was established in 1953 as *die Bundesministerium für Familienfragen* (Federal Ministry for Family Affairs). It underwent many name changes, coming to its current title in 1994. As a cabinet-level ministry, it has an immediate and executive role in the German government. The ministry negotiates in the United Nations, the Council of Europe, and the European Union for the protection of the family unit, resistance against discrimination (against the elderly, specifically), youth programs, community building, and many other priorities categorized in the four segments: family, seniors, women, and youth.

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<sup>11</sup> The fourteen ministries represented on the cabinet are the Bundesministerium für Wirtschaft und Energie (Federal Ministry for Economy and Energy), Auswärtiges Amt (Foreign Office), Bundesministerium des Innern (Federal Ministry of the Interior), Bundesministerium der Justiz und für Verbraucherschutz (Federal Ministry of Justice and for Consumer Protection), Bundesministerium der Finanzen (Federal Ministry of Finance), Bundesministerium für Arbeits und Soziales (Federal Ministry for Labor and Social Affairs), Bundesministerium für Ernährung und Landwirtschaft (Federal Ministry for Food and Agriculture), Bundesministerium der Verteidigung (Federal Ministry of Defense), BMFSFJ, Bundesministerium für Gesundheit (Federal Ministry for Health), Bundesministerium für Verkehr, Bau und Stadtentwicklung (Federal Ministry of Transport and Digital Infrastructure), Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit (Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety), Bundesministerium für Bildung und Forschung (Federal Ministry of Education and Research), and Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (Federal Ministry for Economic Cooperation and Development).

The distance between the ministry that has control of it and the implementation of censorship itself seems very far. Under their *Aufgaben* (Tasks) page<sup>12</sup>, the only relevant phrases to video game censorship are that the *BMFSFJ* “stands for the protection of children and young people on the Internet” and “supports projects for tolerance and democracy in the prevention against extremist tendencies in children and adolescents; is responsible for the “Child and Youth Welfare Act” (SGB VIII) and the Youth Protection Act.” *Jugendschutzgesetz* is the most relevant issue of the *BMFSFJ* to video game censorship.

### ***Jugendschutzgesetz (JuSchG) (Youth Protection Act)***

The *Gesetz zum Schutze der Jugend in der Öffentlichkeit* (the Law for the Protection of Young People in Public)/*JÖSchG* was adopted in 1951 and went into effect in 1952. It was revised over the years, but the major revision and renaming of it passed in June 2002 immediately after the Erfurt school shooting (the murder-suicide of an expelled student, who killed sixteen people).<sup>13</sup> *JuSchG* was passed in conjunction with *Jugendmedienschutz-Staatsvertrag/JMStV*, which covers broadcasting and film/television, issued in September of the same year. *JuSchG* covers public spaces and any material that can be disseminated. In German it is called *Trägermedium*, carrier medium, and could mean paper, photographs, or any digital content, which includes video games.

The *JuSchG*'s jurisdiction over media replaced the 1953 *Gesetz über die Verbreitung jugendgefährdender Schriften* (Law over the distribution of obscene

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<sup>12</sup> “Aufgaben.” (Tasks)

<sup>13</sup> The shooting also led to the code phrase “Mrs. Koma (backwards amok) is coming”, broadcast over the public address system to warn of a shooting. The phrase was used at the Winnenden school shooting.

materials). In addition to adding computer media to the *BPjM*'s jurisdiction, the law made German-specific ratings obligatory for any video game marketed in Germany, assuring the board authority.

***Bundesprüfstelle für Jugendgefährdende Medien (BPjM)***

**(Federal Department for Media Harmful to Young Persons)**

The *BPjM* is the federal department underneath the *BMSFSFJ*, which is derived from the Weimar Republic era censorship of written material laws, such as the *Gesetz zur Bewahrung der Jugend vor Schund- und Schmutzschriften* (Preservation Law of Minors Against Trashy and Dirty Writings) applied in early 1927.

The *Liste jugendgefährdender Medien* (List of Media Harmful to Young People) is found in §18 of the *JuSchG*. It states that media that endangers the development of children or adolescents or their education to become a responsible and socially competent person is put on a list of media harmful to young people. The paragraph goes on to specify that this may include immoral, brutalizing, or inciting to acts of violence, crime, or racial hatred. §14 about labeling films and games specifies the pre-existing law that game programs likely to affect the development of children and adolescents or their education will not be released for their age group. The section specifies the state's authority to classify media by age designation.

Therefore, it is the *BPjM* itself that has the authority to ban a video game, not the rating board. In addition to the *JuSchG*'s specific instructions, the *BPjM* follows the *Strafgesetzbuch* (Criminal Code) of Germany. §131, dissemination of depictions of violence, specifies what aspects of media can be considered criminal in Germany. The direct quotation taken from the English translation of the legislature is as follows:

“Cruel or otherwise inhuman acts of violence against humans or humanoid beings in a manner expressing glorification or which downplays such acts of violence or which represents the cruel or inhuman aspects of event in a manner which violates human dignity.”<sup>14</sup>

Specifically, whoever displays these things to the public, supplies them to someone under 18, or means to reproduce the media is liable to imprisonment of up to a year or a fine. Including a section criminalizing certain forms of media establishes a strictness that is not limited to a small ministry with the small focus of video games.

Germany is a federal parliamentary republic. Its legislature is made up of two bodies – the *Bundesrat*, 69 officials delegated by their state government, and the *Bundestag*, 631 elected officials. Elections are every four years, and Germany is not bipartisan; there are currently five parties represented in the *Bundestag*. The representational voting system allows German voters to elect specific officials as well as voting for the relative strengths of political parties. *Das Strafgesetzbuch* can be amended, such as the amended empowerment of public prosecutors in 2002 to prosecute crimes against humanity, war crimes, and genocide).<sup>15</sup>

Theoretically via this system public opinion is reflected in the actions of the federal government. Therefore, criminalizing depictions of violence in the criminal code of the nation is a federal expression of a national sentiment of anti-violence.

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<sup>14</sup> The language of the passage refers to “written material”, however §11(3) specifies that “audiovisual media, data storage media, illustrations and other depictions” are equivalent

<sup>15</sup> “Völkerstrafgesetzbuch” <<http://www.gesetze-im-internet.de/vstgb/index.html>>

# The German Video Game Industry

## Systematic Censorship

### *Outside of Germany*

#### Australia:

Australia is often considered the strictest country in entertainment content restriction in the western world. In video games specifically, Australia was limited by a rating system that only went up to MA15+ (consumers under fifteen years old must be accompanied by an adult while playing or purchasing) until January 1, 2013. Film has had a rating system since 1995 up to R18+, more like other rating systems in other parts of the world. This unbalanced system is the result of the Office of Film and Literature Classification decisions, which are often conflicting and muddled with uncertainty. Like Germany some titles have their content altered to suit the rating board's framework, such as the removal of exotic dancers in *Duke Nukem* to avoid sexual content deemed inappropriate by the OFLC. This sort of content has never been a concern in European rating decisions, indicating a difference in what the two regions consider inappropriate.

Even after the addition of R18+,<sup>16</sup> games continued to be denied classification much like the German rated 18 counterpart. *Saints Row IV*<sup>17</sup> and *State of Decay*<sup>18</sup> were refused classification in late June 2013, deemed too extreme for the newly implemented R18+ rating. *Saints Row IV* struggled with the German system as well due to its content

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<sup>16</sup> Australian Capital Territory. Media Releases.

<sup>17</sup> Australian Government. Classification Review Board.

<sup>18</sup> *State of Decay*'s banning in Australia is attributed to its drug content, which the USK did not take significant enough issue with to refuse classification. It is USK 18.

with sexual violence, resulting in a heavily edited version<sup>19</sup>. Cut versions of the game as well as a means of getting the uncut version of the games via online distribution reached Australia and Germany shortly thereafter.<sup>20</sup>

Australia also struggles with unequally classified ratings. Activision's 2007 *Soldier of Fortune: Payback*<sup>21</sup> was initially refused a classification rating, despite the fact that two previous *Soldier of Fortune* games were passed as MA15+ in 2000 and 2002. Rockstar Games continuously struggles with titles being banned, being allowed, and being taken off the shelves again. *Manhunt* and *Grand Theft Auto* titles have all had this problem with fluctuating availability. As in Germany, violence is a point of major issue in the rating classification system, but the Australian market's main source of critique in the gaming community is not only how strict the OFLC is, but how inconsistent. Developers have no guarantee of how to edit their content to pass classification.

China:

Censorship of video games in China is distinct from that of Germany or Australia. Games are banned in the People's Republic of China for blackening the name of the nation.<sup>22</sup> China is the largest PC gaming market in the world,<sup>23</sup> partially due to the free-to-play availability of games, which is often attributed to extensive piracy. The

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<sup>19</sup> User: DarkChojin. "Freigabe Für Deutsche Version Von Saints Row IV Abgelehnt." (Release for German version of Saints Row IV rejected)

<sup>20</sup> The uncut *Saints Row IV* was eventually allowed in Germany with a USK 18 rating (Urban, Maurice. "Saints Row 4: Erscheint in Deutschland Ungeschnitten." (Saints Row 4: Distributed in Germany Uncut)). *Saints Row: The Third* availability in Germany remains only a cut version or importing the PEGI version.

<sup>21</sup> For descriptions of the titles discussed, see "Media Appendix" section.

<sup>22</sup> *Battlefield 4*, *Command & Conquer Generals*, and *I.G.I.-2: Covert Strike* are banned for smearing China's national image. Additionally, *Football Manager 2005* (later released after edits) and *Hearts of Iron* were both banned for portraying Tibet as an independent state.

<sup>23</sup> De Bie, Ruben, and Alvis Chen. *China Top Sector Games*.

Game Publishers Association Publications Committee reported in 2013 that the Chinese games market reached \$13.8 billion. Ali213.net hosted ten million free downloads of *Grand Theft Auto V*, at which point *GTA V* had sold about thirty-five million legal copies worldwide.

United Arab Emirates:

The National Media Council (NMC) is responsible for the control, and therefore censorship, of the entire entertainment industry. With significant Internet limitations and a very conservative state, the U.A.E. has the longest list of banned titles in the world. However, selling the game is the only illegal action; owning a banned title is not illegal. Therefore, the U.A.E. is a flourishing grey market by which imported banned titles can still be sold.

The NMC does not state why titles are banned explicitly in their releases. However, many titles are banned in the U.A.E. that are not banned in Europe or other parts of Asia, and this seems to be because of a sensitivity to sexuality and nudity that most regions do not enforce. *Catherine*, a Japanese puzzle game entirely steeped in sexuality, is banned in the U.A.E.. *Fallout: New Vegas* is banned in the U.A.E., a game that is not more violent than other titles deemed legal. The game has sexual themes and gambling, though, and that is likely the reason for the ban. *Mass Effect* games are banned in the U.A.E.<sup>24</sup> – a game with heavy sexual content including homosexual relationships, which conflicts with the strictly conservative U.A.E. government.

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<sup>24</sup> Uchil, Hitesh. "Mass Effect 2 and Dragon Age: Origins Now Banned in the U.A.E."

Video game consumers statistically do not prioritize many regions and nations, such as the U.A.E., that have a combination of heavy censorship and a small, marginalized gaming community. If a country's gaming community does not generate significant revenue, then that country is not a market priority for a game developer/distributor. Therefore, small or otherwise unreachable nations (North Korea, being an example later used in this thesis in the *Crysis* discussion) are not important to the market.

Germany is a massive video game market. Newzoo calculates the German market as the highest payer/player ration at 70% of gamers paying for games. They also estimate that there are 39.8 million German gamers, who generated \$3.7 billion in 2013 alone, a 5% growth from the previous year.<sup>25</sup>

*Die Unterhaltungssoftware Selbstkontrolle (USK)* (Entertainment Software Self-Regulation Body)

In 2003, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (*BMFSFJ*) passed the Youth Protection Act (*JuSchG*). §14 established a rating system, which is regulated by *die Unterhaltungssoftware Selbstkontrolle*. *USK* ratings were split into four categories with a fifth (*USK 16*) added in 2009.

Germany is the only nation in continental Europe to have its own rating system for video games. The rest of the continent that acknowledges any video game rating acknowledges PEGI (Pan European Game Information) ratings, discussed in the next section. The *USK* symbols are distinct from any other rating system; their colors,

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<sup>25</sup> Warman, Peter. "Europe's Largest Games Market Germany Grows 5% to \$3.7bn in 2013." *Newzoo*, 10 Jan. 2014. <<http://www.newzoo.com/insights/europes-largest-games-market-germany-grows-5-3-7bn-2013/>>.

numbers, shape, and definitions are unlike any other game content classification structure.



*Unterhaltungssoftware Selbstkontrolle ratings*

*USK 0* (white) = all ages/family-friendly

*USK 6* (yellow) = essentially all ages

*USK 12* (green) = competitive games without violence

*USK 16* (blue) = may contain some violence (added in 2009)

*USK 18* (red) = violent, adults only<sup>26</sup>

In order to receive a *USK* rating, a developer must submit a game to the ratings board, as with any other international market. Developers must be aware, however, that the *USK* is notoriously strict – far stricter than other rating boards of equal import. Whereas M (mature) games in the United States have a limited stigma and require a 17+ buying age, the *USK 18* rating in Germany is better equated to the AO (adults only) rating rarely used in the United States. Most retailers refuse to stock AO games in the States, and a similar phenomenon happens in Germany with *USK 18*, which is viewed as objectionable and offensive. *USK 18* games are often called *Killerspiele*, killer games, and those who play them are held in poor regard. This divide in opinion is further discussed in later sections of this thesis.

<sup>26</sup> <http://www.USK.de/en/classification/age-rating-symbols/>

A frequent phenomenon that is detrimental to developers is the tendency of games to fall between the *USK* 16 and *USK* 18 ratings. It is similar to the evolution of the PG13 film rating in the United States, when many titles fell between a younger age bar and an adult-age requirement. Statistically, the *USK* seems to have a “when in doubt, rate it 18” policy that has led to many titles never making it to the German market. For example, Microsoft chose not to market *Gears of War* to Germany in 2006 because of the *USK*’s refusal to give a 16 rating without significant censorship beyond the pre-existing “gore-off” function of the game. Rather than allowing the game to be passed on to end up on a list of banned titles, Microsoft chose not to market it at all.

In order to market a game internationally, developers have to consider translation in a country-specific title regardless of content. Censorship becomes a part of that process when a developer intends to market a game in a culture sensitive to specific content, such as Germany. There are EU-specific titles, which aren’t necessarily less violent, but rather cater to the large number of languages needed for the region. Germany-specific games, however, are often edited.

### **Importation and the Circumvention of Censorship**

Despite the federal efforts of the German government, video game titles that do not conform to the *USK* rating system are still plentiful. There are two main explanations for the easy access German gamers have to non-*USK* titles: the less strict Pan European Game Information (PEGI) and Internet purchases.

Although the PEGI system is not formally recognized in Germany, the surrounding nations of France, Austria, Denmark, Italy, Luxembourg, the Netherlands, and Switzerland all support PEGI and are recognized on the rating council. PEGI titles

are readily available in the European Union, and to an *USK*-enforced Germany. This is problematic for the censorship system because PEGI ratings are not as strict, namely in the violence category. There are instances when the PEGI gives a game a lower age limit than the United States, which may be due to a higher tolerance of sexual content.



PEGI 3 = all ages/family-friendly

PEGI 7 = all ages, but with possibly frightening scenes or sounds

PEGI 12 = may contain fantasy violence, mild language and nudity

PEGI 16 = may contain realistic violence, sexual and criminal activity

PEGI 18 = contains “gross violence”, that is “depictions of violence that would make the viewer feel a sense of revulsion.”<sup>27</sup>

In the United States, extreme ratings can be classified due to high levels of violence, but obscene language and sexual content are more quickly given an M/AO rating in the U.S. The PEGI and the American ESRB rate violence with similar strictness, but PEGI games may contain more sexual content at a lower age rating.

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<sup>27</sup> <http://www.pegi.info/en/index/id/33/>

Entertainment Software Rating Board (United States) ratings



ESRB E = for everyone. Suitable for all ages

ESRB 10+ = suitable for ages 10 and up. May contain more mild violence, mild language, and/or minimal suggestive themes

ESRB T = teen, ages 13 and up. May contain violence, suggestive themes, crude humor, minimal blood, simulated gambling, and/or infrequent use of strong language.

ESRB M = for ages 17 and up. May contain intense violence, blood and gore, sexual content, and/or strong language

ESRB AO = only for ages 18 and up. May include prolonged scenes of intense violence, graphic sexual content and/or gambling with real currency<sup>28</sup>

PEGI games are the most conveniently purchased titles in Germany. According to Ipsos MediaCT's research for ISFE, 34% of survey respondents (a total of 3,867 individuals) are aware of PEGI age rating symbols. When buying games online, the PEGI rating is supplied. Often in store purchases have both the *USK* and PEGI labels.

Circumventing *USK* censorship is an easy task for German gamers because of the accessible PEGI titles, which are uncensored and have a German language option for other German-speaking nations (Austrian German, for example, is perfectly understandable to Germans). Amazon.de and ebay.de have an enormous market, though somewhat 'grey', of individual uncensored titles for sale. Though these titles can be legally confiscated, it is relatively unenforced.

<sup>28</sup> [http://www.esrb.org/ratings/ratings\\_guide.jsp/](http://www.esrb.org/ratings/ratings_guide.jsp/)

Steam, the video game distribution platform Valve developed,<sup>29</sup> effectively holds the monopoly of digital video game distribution. Steam availability is a necessity for personal computer gaming, and a vital platform for developers<sup>30</sup>. Valve is a corporation that is accommodating with the *USK* and *BPjM*, and therefore titles that are cut in the German version immediately adapt when the language setting is set to German. In some cases, avoiding censorship is as simple as changing a Steam account to a different language than German. In other cases this does not allow gamers to circumvent the censor. However, the Steam community is overwhelmingly anti-censorship and develops patches to revert the game to its original uncut state. These patches function as installed updates, and they are easily found in the Steam community forums. Another method is to have someone in the community ‘gift’ the game to a German user. The version of the game gifted will be the version local to the user giving the game, even if the giftee is German.

Steam is, however, not a guarantee. Valve’s region locking often inhibits German gamers attempting to play uncut games. Many use virtual private networks (VPN). It is a more complex method of avoiding region locks, and it is used in many contexts related to entertainment and the Internet beyond video games.

Ultimately, these methods are not always necessary. *USK* 18 games are not readily available on the shelves so that they are not in view of those under eighteen. *USK* 18 games are bought at the register, and even games considered banned can be found at various stores. Uncut games find their way into stores because of the lack of enforcement.

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<sup>29</sup> Available on Windows in 2003, Mac in 2010, mobile in 2012, and Linux in 2013

<sup>30</sup> Smith, M.S. "Steam: A Monopoly In the Making."

What is enforced is where the games are in the store; they cannot under any circumstance be advertised or in view of anyone under eighteen years old.

## **The Index and Why It Exists**

### *The Divide in German Media*

Film does not have the same restrictions as video games in Germany. The German government has funded film projects with Nazism at their core, from the academy award nominated *Downfall (Der Untergang)*, 2004) to the non-biographical, German-American *Inglourious Basterds* (2009). Though the use of Nazi imagery in advertisement is illegal (and therefore censored in the German website and press materials), the film itself as “a work of art” is not censored. This categorization of media creates a divide between film and video games that does not exist in other nations.

The case of *Inglourious Basterds* is intriguing because it was jointly made with American producers, director, writer, and actors. Quentin Tarantino’s film received €6.8 million (nearly \$8.5 million) from the German Film Fund, Media-Board of Berlin-Brandenburg, and Middle German Film Fund combined, whereas the more historical (though still fanciful) *Valkyrie* received €4.8 million (nearly \$6 million). This is due to the heavier level of German involvement, as a large amount of *Inglourious Basterds* was shot out of Babelsberg Studio near Berlin<sup>31</sup>.

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<sup>31</sup> Studio Babelsberg. Public Relations. Premiere of Studio Babelsberg Production “Inglourious Basterds” in Berlin.

The “what if” scenario of a 1944 assassination of Adolf Hitler shows that the German media is not afraid to confront depictions of the Third Reich in the correct context. Nazi imagery is not banned in film so long as it is in a historical context and the film does not make light of the horrors of World War II. However, all images related to the Third Reich are strictly outlawed in video games. What the German government refuses to do is include Nazi imagery in anything that could be considered a “toy” directed at children – marketed on television, online, or in store in any entertainment context seen by all ages.

“Gaming” to a German carries a different implication than it may to an Englishman, American, or other European. Tabletop gaming has been an important feature of family-time activities in Germany since the 1970s. *Spiel des Jahres* (Game of the Year) awards began in 1979.<sup>32</sup> Many immensely successful games have made it to the international market from German origins. *Die Siedler von Catan/The Settlers of Catan*, designed by Klaus Teuber in 1995, sold four hundred thousand copies in its first year of release.<sup>33</sup> To date it has been translated into thirty languages and sold fifteen million copies. *Carcassonne*, designed by Klaus-Jürgen Wrede in 2000, and *Puerto Rico*, designed by Andreas Seyfarth in 2002, have also been enormous commercial successes on the international market.

Note that the “German-style board game” is a category within tabletop design that is not limited to German companies. That said, Germany consistently publishes and buys the most board games per capita in the world. German games are characterized by an emphasis on strategy rather than chance and – in relevance to this thesis – family

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<sup>32</sup> "Häufig Gestellte Fragen (Frequently Asked Questions)."

<sup>33</sup> Curry, Andrew. "Monopoly Killer: Perfect German Board Game Redefines Genre."

appropriate content. This definition of “gaming” is deeply engrained into German society and is a major reason why video games are considered toys in Germany and seem to struggle to be acknowledged as adult entertainment.

### *Beschlagnahmung (Ban) System*

Before discussing the circumstances of other banned titles, it is important to note that Germany does have an absolute law about swastikas. Games can be immediately banned in Germany if they include Nazi imagery in any context, whether historical or otherwise. Criminal Code §86a (under §86 *StGB* “Dissemination of Means of Propaganda of Unconstitutional Organizations”) outlaws the use of Nazi symbols in addition to other organizations deemed unconstitutional. Distributing, stocking, producing, importing, or exporting materials with these symbols can earn an occupant of Germany up to three years in prison. The exceptions to this punishment are items that “further civil enlightenment, to avert unconstitutional aims, to promote art or science, research or teaching” and “reporting about current historical events or similar purposes.” This exception includes film. It does not include video games.

The difficulty of the term “ban” is that the game itself is not illegal. It is the promotion of the game that is illegal. The German government permits ‘under the table’ purchasing of titles after release and after a youth organization has applied for this “ban” with the *BPjM*. In this way, banned games can be legally attained, but not published or advertised.

*Beschlagnahmung* is the result of an overall sensitivity, but violent video games are more strictly regulated with condemning attention from the government. Renewed attention has historically occurred after real world acts of violence.

Seventeen-year-old Tim Kretschmer, who had graduated in 2008, carried out the Winnenden school shooting in March 2009. His actions resulted in 15 deaths and 9 injuries at the school followed by 2 additional casualties in the subsequent pursuit and the gunman's suicide. In response, along with gun-control propositions (and even the proposition to ban games such as paintball), the Interior Ministers of all sixteen German states supported an act to ban the production and distribution of games in which "killing or other cruel acts of violence against human or human-like beings" took place.<sup>34</sup> Lower Saxony Interior Minister Uwe Schünemann called such games *Killerspiele* and, like many others have said before and after him, that the games lower the threshold for violence. He and his fellow ministers linked Kretschmer's time playing *Far Cry 2* the night before his killing spree to his murderous actions.

The Erfurt school shooting, as previously mentioned, had a direct role in the implementation of censorship, as it was the spark the Youth Protection Act came out of 2002. This came at a crucial time in video game development, as both technology and social acceptance of gaming were rapidly evolving. It was at this time that video games were evolving past the arcade and becoming accepted as mainstream entertainment. Video games, once part of the esoteric community of computer developers, were available to those without programming or hardware knowledge.

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<sup>34</sup> Erdmann, Lisa. "Reaktion auf Amoklauf: Innenminister fordern rasches Verbot von Gewaltspielen" (Reaction to rampage: Interior ministers calling for swift ban to violent games)

## Video Game Developers in Germany

### *Crytek Overview*

Cevat, Avni, and Faruk Yerli – brothers and Turkish immigrants, founded Crytek in Coburg, Germany in 1999. Cevat remains the CEO and President as well as the director and executive producer of every Crytek title.

Tech demos and game demos (called *X-Isle*) made up the early days of Crytek. *X-Isle* eventually became *Far Cry*. Crytek developed their game engine, CryEngine, in 2002 and announced it at the 2003 Game Developers Conference in San Jose, California.<sup>35</sup> In 2012 Crytek won a German Computer Games Award for *Crysis 2*. This created a stir, as the game is rated *USK 18* for violence. *Killerspiele* are rarely accepted, let alone awarded, by the German media. In 2009 after the proposal from Germany's sixteen states' Interior Ministers to make violent games illegal, Crytek announced its threat to leave Germany if the ban passed. Cevat Yerli made the statement to the German video game site PC Games<sup>36</sup>

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<sup>35</sup> Blevins, Tal. "GDC 2003: CryEngine Demo."

<sup>36</sup> Thöing, Sebastian. "Cevat Yerli über Die so Gennanten Killerspiele)." (Cevat Yerli on the So-called Killer Games



Crytek's Cevat Yerli statement regarding the *Killerspiele* ban proposal

“A ban on action games in Germany is concerning us because it is essentially like banning the German artists that create them. If the German creative community can't effectively participate in one of the most important cultural mediums of our future, we will be forced to relocate to other countries. The current political discussion will deprive German talent of its place on the global game development stage, and deprive German consumers of entertainment that is considered safe and fun around the world.”

The ban did not pass. It was enthusiastically opposed, from a protest in Karlsruhe of four hundred gamers to an e-petition filed with the official online forums of the *Bundestag* with almost seventy thousand signatures to halt the ban.<sup>37</sup> Only fifty thousand signatures would have forced a governmental review. International voices weighed in on the ban as well, including a call from Electronic Arts to abolish the *USK* and have only PEGI in Germany<sup>38</sup>. EA is one of the largest video game companies in the world and is the developer/distributor of games such as the *Madden*, *Battlefield*, *Sims*, *Medal of Honor*, *Command & Conquer*, *Dead Space*, *Mass Effect*, *Dragon Age*,

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<sup>37</sup> Aron, Jacob. "Online Petition Stalls Plan to Ban Violent Videogames in Germany."

<sup>38</sup> Stöcker, Christian. "Jugendschutz: Electronic Arts Fordert Ablösung Der Game-Selbstkontrolle" (Child Safety: Electronic Arts Calls for Replacement of the Game Self-Control)

and *Titanfall* series. EA Manager Gerhard Florin's comments may be due to EA's frequent partnerships with Crytek, including publishing the *Crysis* series.

Crytek has since grown exponentially and has studios in Kiev (Ukraine), Budapest (Hungary), Sofia (Bulgaria), Seoul (South Korea), Shanghai (China), Istanbul (Turkey), and Austin (United States) in addition to their main studio in Frankfurt, Germany.

### *Independent Developers*

Video games are not considered an art form in German media legislature, and by extension, to the majority of the public. The only statement to the contrary has come from the *Deutscher Kulturrat*, the German Cultural Council/Association founded in 1981 to liaise with the policies and administration of the federal government in matters of cultural policy. In 2007 managing director Olaf Zimmermann made a statement complying with the protection of minors, but also insisting that freedom of expression should be respected in the basic rights of adults. He ended his statement, "*Kunstfreiheit gilt auch für Computerspiele*" – artistic freedom applies to computer games<sup>39</sup>.

Though imported titles receive a great amount of attention, the German video game industry outside of Crytek remains small and limited in resources. The German government finances a great number of creative arts, however video games are rarely among them. Compared to the film industry, video game funding is very small.

I interviewed Alexander Zacherl, a developer in the German video game industry, about his opinions and experiences. He was not aware that video game

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<sup>39</sup> Zimmermann, Olaf. "Kunstfreiheit Gilt Auch Für Computerspiele." (Artistic freedom also applies for video games)

development was a career option until around 2008/2009. He studied media management expecting to pursue career at a public relations agency for games, but now works in the industry itself.

Zacherl is a businessman in game design. He currently works at the studio Fairytale Distillery developing *Das Tal*, a player versus player (PVP) sandbox (a free roaming game in which the player selects tasks for themselves) massive multiplayer online role-playing game (MMORPG) that has received government funding. In order to receive funding, Zacherl said that his pitch stressed “that the game is about freedom and decision making.” The alpha of *Das Tal* is soon to be released, and it even received a nomination for the “The Most Anticipated MMO of 2015” player’s choice award.

For *Das Tal*, the process of submitting for a *USK* rating began with an informal assessment to prove the game’s family friendly rating. The submission went to the consulting group, which performs preliminary research and provides a hypothetical rating. If the rating does not meet what the game developer was hoping for, changes can be made before the formal rating. When the game is complete, the *USK* gives its final rating that goes to market.

Although the *USK* is a threat to a developer like *Crytek*, which as a technology giant is very distinct from all other German developers, Zacherl and Fairytale Distillery have very little to worry about. “I honestly don’t care about the *USK* at all,” he told me. “I don’t even know what I’d have to do to get an 18 rating.” He went on to tell me about meeting the *USK* boss at an industry event and described him as “very accessible.”

A valuable asset to a German content creator is being efficient. In order to be successful, developers aim to make games more accessible to people with very little

time (an hour a day on average being a hypothetical maximum). Gamers who grow up with a lot of time, so called “core gamers”, do not have the time to maintain their hobby when the demands of career and family grow. For Fairytale Distillery, this population is the target audience – to reach enthusiastic gamers who can continue to enjoy video games without devoting a lot of time.

The independent developer – “indie” – community is fairly new in Germany. “We’ve started connecting with each other locally only a couple of years ago,” Zacherl told me about it. “We are mostly teams of former students who just started making games plus a couple more experienced programmers who wanted to strike out on their own.” Thus far, there have not been commercial successes in the indie scene, however the community continues to grow.

The online community Indie Arena is made up of independent game developers in Germany, Austria, and Switzerland. The group runs a forum, Steam community, booth events, blog, directory of studios and developers with contact information,<sup>40</sup> and calendar of various indie game community events. In addition to promoting connections between indie game developers in German-speaking countries, Indie Arena boosts the visibility of the games community members create at events and on Steam.<sup>41</sup>

Germany is not without representation in the larger gaming community. Gamescom Europe is a video games trade fair in Cologne that began in 2009. In 2014 three hundred thirty-five thousand people attended it. These events occur in conjunction with the Game Developers Conference Europe (GDC Europe<sup>42</sup>). Gamescom is,

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<sup>40</sup> Alexander Zacherl’s Indie Arena page can be found at <http://indiearena.de/developer.php?id=25>

<sup>41</sup> <http://store.steampowered.com/curator/4998464/>

<sup>42</sup> <http://www.gdceurope.com/>

however, an event for major companies (Activision, Blizzard, Bethesda, Crytek, Deep Silver, Disney, EA, Epic Games, Konami, Microsoft, Nintendo, Riot Games, Sega, Sony, Square Enix, Ubisoft, and Warner Bros. all exhibited). Events like Gamescom can be difficult for indie developers outside of the designated event of the Indie Games Summit. At GDC US and Europe, the indie exhibitors are at the Indie Megabooth<sup>43</sup> – made up of over seventy companies when at its full size at the largest conventions (like PAX East, where it began in 2012). Indie developers have a more successful booth experience when they work in teams.

There are, however, indie game specific video game events. A MAZE,<sup>44</sup> the international independent videogames festival, is holding their fourth annual event from April 22-25, 2015 in their base city of Berlin. A MAZE also organizes workshops, symposiums, developer meet and greets, machinima screenings, and other events in addition to the large festivals (which happen in Johannesburg and Berlin). The community and organization of A MAZE appears at various creative conventions throughout Europe as well, such as Republika in Croatia and Screenshake in Belgium.

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<sup>43</sup> <http://indiemegabooth.com/>

<sup>44</sup> <http://www.a-maze.net/>

## Case Studies

This section breaks down the content of specific game titles utilizing gameplay screenshots and supplementary explanations.

The banned titles *Wolfenstein: 3D* (banned for Nazi imagery and violence in the early 1990's) and *Dead Rising* series (banned for the glorification of violence and extreme levels of gore in the last ten years) are analyzed in order to understand the reasons for their banning. Screenshots of content are taken from the American version of the game.

Comparisons of international and German versions of Valve titles *Team Fortress 2*, *Portal*, and *Half-Life*, Stainless Games' *Carmageddon*, and Activision's *Call of Duty: Black Ops* will demonstrate visually how an outside studio edits content to suit the *USK* parameters. Screenshots of content will be placed side-by-side – note that in these comparisons, the U.S. title will always be on the left, German title always on the right.

These screenshots are from my own gameplay (and promotional materials in the case of *Team Fortress 2*) provide specific visual reference to the content of each title relevant to discussion.

### ***Wolfenstein: 3D***

The quintessential example of a game featuring a Nazi antagonist – and being banned for it – is *Wolfenstein: 3D*. Originally released in 1992, the game was inspired by *Castle Wolfenstein* (1981) and its sequel *Beyond Castle Wolfenstein* (1984). *Wolfenstein: 3D* is considered an immensely influential game in the international

community. It is credited for assisting in the popularization of PC gaming and progressing the first-person shooter interface. It has had three rebooted sequels: *Return to Castle Wolfenstein* (2001, Gray Matter Interactive), *Wolfenstein* (2009, Raven Software), and *Wolfenstein: The New Order* (2014, MachineGames). All 6 titles in their uncensored, original formats are banned in Germany. This case study uses images from the most influential and popular of the series, *3D*.

*Wolfenstein: 3D* is steeped in Nazi imagery, and circumstances do not meet the educational standards required by law to make it acceptable in any media format. It is the first person point-of-view escape from a mythical German castle with an archetypical name, battling soldiers and German Shepherds and, eventually, Adolf Hitler in a robotic mech suit. Points are collected by reclaiming treasure, which implies homage to the thefts of art and cultural artifacts committed by Nazi Germany during the Second World War.



Nazi imagery in *Wolfenstein: 3D*

Iconic flag and eagle (upper left), wreathed swastika (upper right), portrait of Adolf Hitler (lower left), eagle (lower right)

In addition to the nearly constant Nazi imagery in *Wolfenstein: 3D*, encountered enemies say German phrases when alerted or killed. A regular guard exclaims, “*Achtung*” (caution, or warning). A *Schutzstaffel/SS* soldier exclaims, “*Mein Leben!*” (my life) when killed and “*Schutzstaffel*” when alerted (“protection squadron”, in case the player has not recognized what division the enemy belongs to) when killed. The SS is infamously known for committing many of the crimes against humanity during the Second World War – namely, running the concentration camps. They announce themselves as SS and then whine, “My life!” when the player kills them. There is a revenge narrative in killing Nazis that does not exist in other enemies, which may be why Nazis are so often the popular antagonists in entertainment media.

*Wolfenstein* has many more enemies who exclaim German phrases when alerted or killed. Officers and bosses (Hans *Grosse* (Big/Tall), Otto *Giftmacher* (Gift maker), General *Fettgesicht* (Fat face)) exclaim assorted phrases: “*Spion!*” (spy), “*Nein, so was!*” (well, I never), “*Guten tag!*” (good day), “*Mutti*” (mommy), “*Mein Gott in Himmel*” (my god in heaven), “*Eine kleine Amerikaner*” (a little American), “*Donnerwetter*” (good heavens), “*Erlauben sie, bitte*” (allow me, please) and others.

The most crass exclamations are Hitler’s. When encountered, he yells, “Die, Allied *Schweinehund*” (pig dog); when shot he yells, “*Scheisse*” (shit). And when defeated, he says, “Eva, *auf wiedersehen*” (goodbye), referencing Eva Braun, longtime girlfriend of Adolf Hitler and wife in their last days in the bunker in Berlin before their suicides. The game makes a joke out of Adolf Hitler, flippantly making him into a ridiculous villain that can be beaten in a video game. It is unsurprising that the game’s Nazi imagery was not accepted as *Inglourious Basterds*, *Valkyrie*, or *Downfall*’s was; there is nothing remotely educational about *Wolfenstein*.

In addition to direct references to Nazi Germany, the game employs more universal German icons to create distinctly German demonized antagonists.



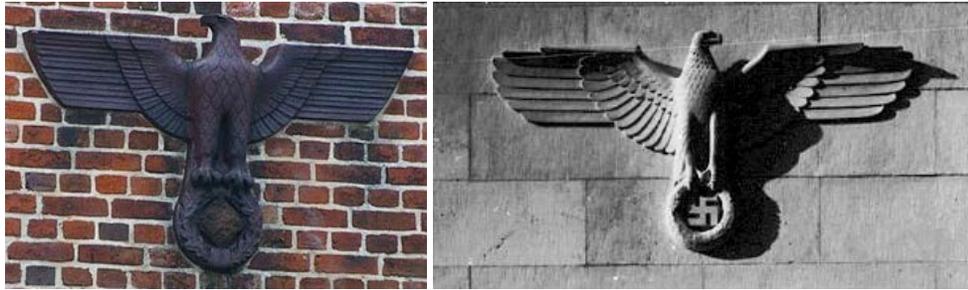
Evolution of the German eagle

(Left to right): Imperial coat of arms attributed to Henry VI (died 1197), Holy Roman Empire coat of arms 1540s, German Empire coat of arms (1888-1918), Weimar Republic (from the title page of *die Verfassung* (the constitution), 1919).

The German eagle is an icon that was exploited by the Third *Reich*, but has a much older history and continues to be used in the modern era. The double-headed eagle began in the Byzantine Empire (eastern division of the Roman empire c. 330-1204), and represented the Austrian and Russian empires in addition to the Holy Roman Empire. The *Reichsadler* (imperial eagle) was the symbol of the Holy Roman Empire (962-1806). Its first appearance was on the banners of Charlemagne (late eighth and early ninth centuries), and subsequently on various Holy Roman Emperors' coat of arms, and many cities throughout the medieval period.<sup>45</sup>

The eagle became an important symbol during the unification of German states into a nation, executed formerly by Otto von Bismarck in 1871 when he became the first chancellor of Germany. The Weimar Republic (1919-1933) used a simplified version, which eliminated the ornamental crown, wreath, Prussian coat of arms, and detail. In 1935, the eagle was restyled by the Nazi Party and legally appointed the *Hoheitszeichen* (national emblem).

<sup>45</sup> Cody, Jane Elizabeth. "A Lion with Eagle's Wings."



*Hoheitszeichen/Reichsadler* (left) and *Parteiadler* (right)

*Reichsadler* on lighthouse in Pelzerhaken, Neustadt-in-Holstein (1936) *Parteiadler* on Regensburger Street in Nürnberg (also 1936).

When the eagle looks over its right shoulder, it is the emblem of the German *Reich*. When it looks over its left shoulder, it is the *Parteiadler* (the party eagle). Every eagle in *Wolfenstein: 3D* looks over its left shoulder, meaning that they are all *Parteiadler* rather than *Reichsadler* and can only be Nazi.



*Parteiadler* in *Wolfenstein: 3D*

*Wolfenstein: 3D* has a high level of blood and gore, resulting from both killing enemies as well as torture victims in dungeons, piles of bones, and piles of bones with multi-hued red matter (implying remains more than blood). The corpses sometimes appear in a dungeon-like room, but often the heaps of human remains appear randomly in doorways, corners, or apparent dining/recreation rooms.



Gore in *Wolfenstein 3D*

Human bones in a dining area (left), torture chamber and dungeon (right), felled enemies (bottom)

### ***Team Fortress 2* – Valve**

Valve developed and published *TF2* in 2007. It began as a mod – a version of a game in which the code is altered for a different gameplay experience – for *Quake*, which was denied classification and put on the Index in 1996 until late 2011.<sup>46</sup> The ESRB rated it M for violence and gore; the PEGI rated it 16 for realistic looking violence. The version of *Team Fortress 2* that Valve submitted to the *USK* for classification was not the same as the version sent to the ESRB and PEGI. To avoid the *USK*'s refusal to rate their title, Valve chose to heavily censor it. The blood animation was changed to “oil”, that is, the red blood was turned black, and the realistic blood splatter edited out.

<sup>46</sup> Callahan, John. “Original Quake game no longer banned in Germany.”

The replacement of human blood with oil was first done in the German version of the infamous 1997 title *Carmageddon*. Rather than driving over people, the player runs over robots with black oil blood (in other regions such as the UK, zombies with green blood). With this change, *Carmageddon* received a rating of *USK 16*. Later titles featured aliens and dinosaurs to replace the pedestrians and zombies that appear in other regions' versions.



*Carmageddon* comparison of pedestrians (U.S.) and robots (Germany)

The “bonus for artistic impression” was changed to “*Sonderbonus für Stil*” (special bonus for style).

*Team Fortress 2* has a specific way of censoring flying body parts. Explosions produce scattered humorous objects, such as rubber ducks, toy teeth, fish bones, balloon dogs, hubcaps, bicycle wheels, alarm clocks, license plates, boots, hamburgers, springs, gears, screws, and cans of spinach, depending on the character in play, rather than scattered, bloody limbs.

In order to compare the uncensored U.S. title to the German censored title, consider the “Meet the Soldier” video, the most violent of the introductions to the nine playable characters in *TF2*.



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“Meet the Soldier” *TF2* promotional video title frames

Valve’s two versions of the video are identical in everything except for the gory content. The dialogue is directly translated into German. The gunfire and other weaponry are identical; the only change is the aftermath of violence.



“Meet the Soldier” *TF2* promotional video first enemy kill

The U.S. version includes dramatic blood spray and flying body parts. The German version substitutes fish bones, a rubber ducky, an alarm clock, and other items whilst otherwise using identical animation (including smoke).

From an animation perspective, the second enemy kill is distinct. The absence of some of the grass indicates that the animation has been altered late in production to suit

<sup>47</sup> From Valve’s official YouTube page: <http://youtu.be/h42d0WHRScK>

<sup>48</sup> From a German Steam community YouTube page: <http://youtu.be/a5XytkgNSA>. Steam is an online community for PC gaming created and run by Valve, makers of *TF2*, *Portal*, and *Half-Life*

the censored German version of the sequence. In order to remove the blood spray and insert the inanimate objects, some of the grass modeling is removed so that the layers of the frame are in the correct order.



“Meet the Soldier” *TF2* promotional video second enemy kill

The German version in this instance includes springs and pink balloon dogs<sup>49</sup>

The cigarette is not the “adult content” in this sequence, as it would be from an American perspective (where the ESRB gives any title with smoking an immediate T, at the very least). The bloodstains are removed in the background and Valve has turned the blood black to mimic oil, as they always do for German versions of their titles. Both *Portal* and *Half-Life* use the same censoring tactic.

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<sup>49</sup> For a more thorough break down of the inanimate objects used to replace gory content, see <http://www.schnittberichte.com/schnittbericht.php?ID=4539>, a post by user Motoko of the *Schnittberichte* (Section reports) community, which accesses censorship in media and posts reports.



“Meet the Soldier” *TF2* promotional video attack against the Spy

Valve released *Portal* and *Half-Life 2* in conjunction with *TF2*, and they were also censored. The blood was turned black/grey, the blood spray edited out, and in *Half-Life 2*, as in its previous game, some monsters were replaced with robots.

As *Half-Life* is a more violent game in which violence is at the center of the gameplay, it is not surprising that the German title is significantly censored. *Portal*, however, cannot be classified as one of the condemned *Killerspiele*. The game is a strategic puzzle game in which the player escapes a robotics facility; it is often considered a game for children. There is, however, a limited amount of violence – Chell, the first person point of view protagonist – can suffer fall damage and be shot by turrets. In these cases, there is a small amount of blood spray.

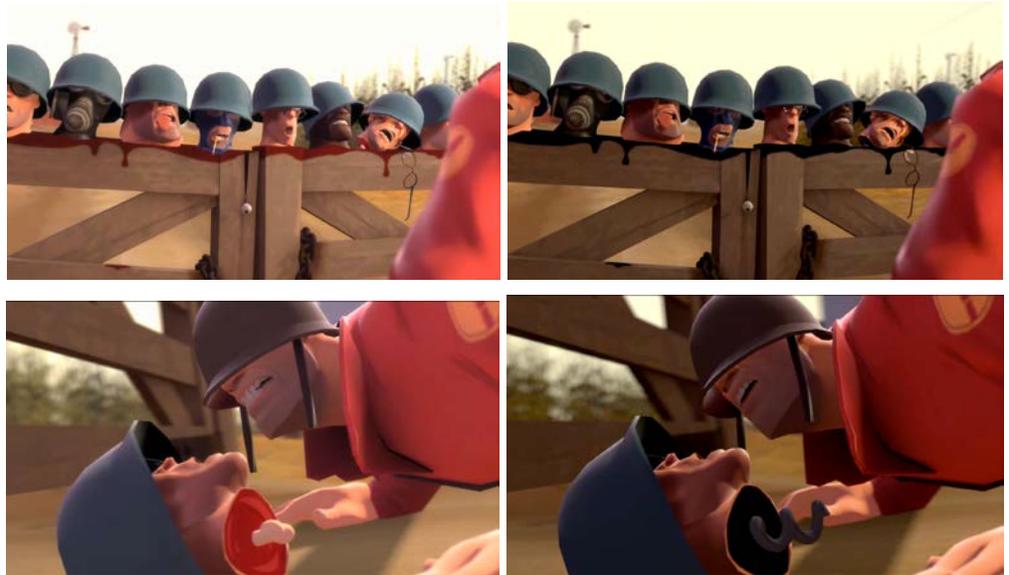
Players from any nation can censor their game by turning their Steam title options to the German setting. The German version minimizes turret violence and, as with all other Valve titles, turns the blood grey.



Blood spray in *Portal* from turret fire

This is the maximum amount of blood seen in the game at any one time.

In addition to the blood spray censorship in *Portal* and earlier depicted *TF2* features, a final point can be made about the “Meet the Soldier” video. In the German version Valve replaces the whimsical neck bone of the American version with a screw. This takes an already absurdist anatomy to an even more fictional place.



“Meet the Soldier” *TF2* promotional video decapitated head sequence

Using a screw to replace scattered bits of gore in German titles was a means of circumventing a ban first used in *Half-Life* in 1998. The barnacle creature drops screws rather than blood when shot in the German title.



Gore replaced with screws in *Half-Life*

When allies are injured in the German version of *Half-Life*, they sit down cross-legged and shake their heads. If an enemy kills them, they sit down, shake their heads, and fade away. In the uncensored version the character must destroy all corpses or risk them being taken over by creatures; all corpses fade away in the censored version. Many creatures in the censored version are replaced with robots.



*Half-Life* censorship of violence

### ***Call of Duty: Black Ops* – Activision**

*Black Ops* is the seventh game in the *Call of Duty* series and was released in 2010. Published by Activision, it was also the third title Treyarch developed. The game, like all other *CoD* titles, received the most extreme ratings internationally for violent content. The PEGI rated it 18+, the ESRB rated it M, and the *USK* rated an extremely censored version 18.

The censorship of *CoD* in Germany is a multifaceted undertaking. Even details as small as the Rolling Stones song “Sympathy of the Devil” were censored. The song was removed because one of its verses mentions *Blitzkrieg*, lightning war, or the tactic

by which Germany invaded Poland on September 1, 1939 – the inciting incident of the Second World War. The song includes provocative language for multiple cultures. The second verse mentions the sentencing of Jesus Christ to crucifixion by Roman prefect Pontius Pilate. The third verse references the execution of the imperial Russian Romanov family in 1918. The sixth verse mentions the assassinations of John and Robert Kennedy. All of these references are made in the first person, the identity of “the Devil” to which the song’s listener is meant to give “sympathy.” The reference that earned the song omission in Germany is in the fourth verse – “I rode a tank held a general’s rank when the *blitzkrieg* raged and the bodies stank.”

Furthermore, the narrative of the game was altered due to the removal of violent content. A torture scene at the beginning of the mission “Numbers” is removed. In the uncensored version the player breaks a window and puts glass in the captured Dr. Clarke’s mouth, then punches him until he spits it out and begins to talk. The German version cuts directly to when he, unbloodied, tells the player information.

Additionally, the level “Rebirth” is altered so that the cadavers on the lab autopsy tables have sewn lesions, but no exposed bone or organs (as if the autopsy has ended and they have been sewn up again). In the uncensored version, the cadavers are open. Unlike the Dr. Clarke torture sequence, this does not affect the narrative of the game.

Fight sequence animation is altered to be less realistic. Explosions do not cause limb loss. Blood spray is diminished. Realistic animation of gunshot wounds is removed. Enemies that catch on fire do not scorch and burn, but just fall to the ground. The uncensored game has an optional “graphic content filter”, in which language is cut

(the complete removal of the words “shit” and “fuck”) and blood spray and gore are completely removed.

The level *Kino der Toten* (Theater of the Dead), which appears in both the German and U.S. titles, is here used to illustrate the censored Nazi and uncensored pre-Third *Reich* German iconography. The level is a part of the multiplayer mode originally titled “Nazi Zombies”. In order to avoid the *USK* ban, Activision’s German version of *Black Ops* changed this name to “*Überlebenskampf*” (survival, literally translated “struggle over life”).

In *Kino der Toten* (both censored and uncensored) three posters appear that reference German-specific narratives. *Faust* is an iconic German legend, work of literature, and theater production. It is a story of attempting to cheat the devil, and surfaces in many other cultures via various adaptations and retellings. A popular medieval story, its most famous iteration by Wolfgang von Goethe was written in 1806. The story has connections to the *CoD* level *Ascension*, in which a revenge story results in a struggle and escape similar to *Faust*.

*Pygmalion* is an ancient Greek myth of a sculptor who carves the perfect woman from ivory. Aphrodite, the goddess of love, brings the sculpture to life. The poster does not reference the myth alone. It alludes to Fritz Lang’s renowned 1927 production *Metropolis*, the Modernist imagery of which is identical to that which appears on the poster. The radial pattern from a robotic female figure, futuristic cityscape, and Art Nouveau typeface all indicate a reference to *Metropolis*. The artificially created woman may also be a reference to the character Samantha in *CoD*, who is an experiment herself, and is also at the center of the revenge story with parallels to *Faust*.

The poster not shown in the below figure is *Die Bismarck*, referencing a battleship named after Chancellor Otto von Bismarck that sank in the North Atlantic. It bears little cultural significance. The only other possible connection with the battleship is in the level *Der Reise* (the trip), which has an advertisement for a ship to England.



Posters of famous German productions in *CoD* level *Kino der Toten*

*Faust* (left) and *Pygmalion* (right)

Of the seventeen original “Nazi Zombies” levels five feature full WWII uniforms on the zombies. However, the reproduction of the swastika is illegal in Germany according to *das Strafgesetzbuch* (Criminal Code) §86a. To be deemed acceptable by German censorship law, swastikas had to be removed in the environment and on the uniforms of the spawned Zombies themselves.



Censorship of swastikas in *CoD* level *Kino der Toten* – Banners

In the German title, swastikas are replaced with the alternative image of the eagle and cross. The image is still recognizable as connected to the Third *Reich*, but does not violate Germany’s law about the swastika image.



Censorship of swastikas in *CoD* level *Kino der Toten* – Arm bands

The iconic red armband appears in both the U.S. and the German titles. However the black swastika is removed, even while the white disk remains.

### ***Dead Rising* – Capcom**

Developed by Capcom (a Japan-based company), *Dead Rising* received 18+ from the PEGI and M from the ESRB for extreme violence in 2006. The *USK* denied the game a rating, at which point the *BPjM* banned it. In accordance with the German Criminal Code §131, the game was put on the Index because it “glorified violence”.

Both *Dead Rising 2* (2010) and *Dead Rising 3* (2013) went through the same process of being denied classification.

The pre-menu scene of *Dead Rising*, the first visual provided, is the stranding of a mother and daughter after crashing into a swerving semi-truck. Zombies surround their car and the scene cuts.



First *Dead Rising* scene, the stranding of a mother and daughter

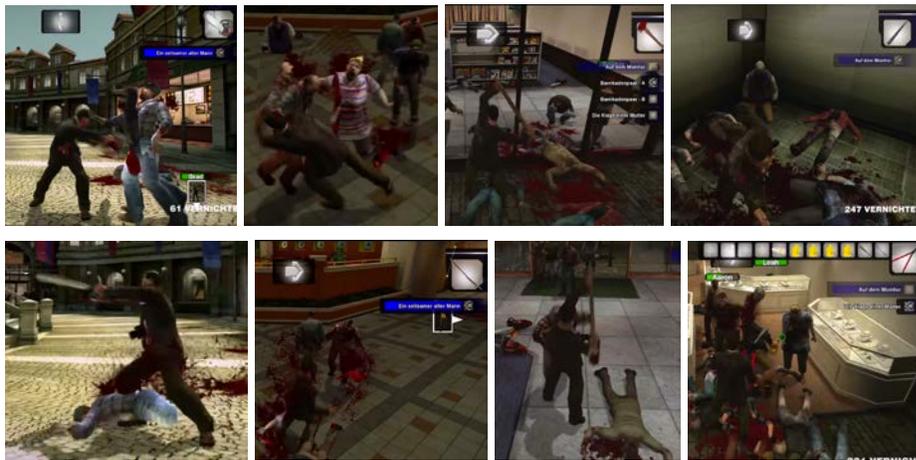
Though their fate is left ambiguous, the screams before the cut to black indicate their death. The game depicts the grisly demise of a child before the menu even comes.

A zombie survival game among a thousand others, *Dead Rising* sets itself apart in its sequels by including a weapon creation function. As the protagonist in *Dead Rising 2* the player can piece destructive devices together to create over-the-top weapons of jarring violence. Combo weapons include dynamite plus a bow and arrow (Blambow), kayak paddle plus chainsaw (Paddlesaw), and sledgehammer plus fire ax (Defiler). As the sequels progress, the games become more and more over the top and absurd, bridging the gap between a horror game and a comedy game. However, this may also be considered making light of violent acts, which may be another reason the USK has sought to ban every *Dead Rising* title by denying it a rating.



Extreme violence in *Dead Rising*

Sophia's death cut scene/throat ripped out (left) and Brian's massive blood spray (right)



*Dead Rising* weapons

Left to right: chainsaw, katana, sledgehammer, baseball bat (top) & shears (bottom)

*Dead Rising* was the first title on the Xbox 360 to face the ban. *Dead Rising 3* was not marketed to Germany, as the makers of the title were aware that it was, like its two predecessors (in 2006 and 2010), guaranteed to end up on the Index. An unnamed Microsoft representative told the gaming resource site Destructoid that, “*Dead Rising 3* will not be released in Germany... having been unable to attain an age-rating upon review by *BPjM*... we respect the views of the review panel and have withdrawn *Dead Rising 3* from Germany's Xbox One launch line-up.” Choosing not to market to Germany was a significant loss to Capcom and Microsoft because *Dead Rising 3* was an Xbox One launch title, and therefore valuable to the next generation of consoles.

The justification of banning the *Dead Rising* series is a more elusive, abstract idea, as these games do not include any references to WWII or Nazi imagery, which is the most common justification for banned titles. The trivialization of violence and disregard for human life is the central reason.<sup>50</sup>

*Dead Rising* is not the only zombie series to end up on the Index. The uncut version of *Left for Dead 2* was also denied classification and banned. Valve released a heavily censored version of the game after the ban. Valve attempted to port five *Counter-Strike: Source* weapons to incentivize German gamers to buy the censored version of the game.



*Left for Dead 2* German version weapons from *Counter-Strike: Source*  
Combat knife, H&K MP5, Krieg 552, Steyr Scout, Accuracy International AWSM.

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<sup>50</sup> Cullinane, James. "Dead Rising 3 banned in Germany."

Producers of video games are very aware of the German censors. In certain cases they make the decision not to market certain games to Germany when the content is so extreme that they can predict rejection. For example, Microsoft chose not to market *Gears of War* to Germany because of its gratuitously violent content. The game gained infamy for the ‘Lancer’ weapon, a machine gun with a chain saw bayonet attached with which the player can cleave an enemy in two to great gory effect. Additionally, the execution of a downed enemy allowed a curb stomp – complete with the popping sound of a crushed skull under the player’s boot. Even with the “gore-off” option, with which disemboweled torsos, severed heads, and bloody limbs disappear after a kill, *Gears of War* was clearly too violent for the German market. Nonetheless, *Gears of War* was and is an international commercial success. Two sequels, a prequel, and a successful line of books, toys, and comics followed the first game. There is a huge market for games with extreme, violent content internationally.

The international gaming community in general is very much aware of the strict German censorship laws. Forums often condemn the strict regulations, voicing opinions and insults directed at the German legislature. However, Germany remains one of the top gaming nations in Europe and home to an immensely successful producer of violent video games: Crytek, which is a paradox and an outlier in the industry.

## **Crytek Titles**

### *Far Cry*

Released in 2004, *Far Cry* was developed by Crytek and published by the France based Ubisoft.<sup>51</sup> It received an M rating from the ESRB (language and sexuality as well as violence) and a 16 from the PEGI. The *USK*, logically, gave it a rating of 18. Developed between 2001 and its 2004 release, *Far Cry* used the first iteration of Crytek's game engine: CryEngine. It was a break through in several categories, supporting real time per pixel shading for the first time in an engine on the market.

*Far Cry* itself is a first person shooter that takes place in the South Pacific. The player navigates an archipelago in the south Pacific as a former United States Army Special Forces operative – following the cliché of an angsty, grizzled protagonist named Jack who no longer has any particular affiliation to any nation. There are no enemies from a particular nation either, only mercenaries and mutated beasts. The player does encounter Japanese WWII-era bunkers and tunnels, and along with Special Forces there are CIA agents, Department of Defense orders, and nuclear weapons – all of which are based around American action-star stereotype characters.

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<sup>51</sup>Adams, David. "Ubisoft Swallows Far Cry."



Blood spray in *Far Cry*

Human enemies and encountered animals have the same blood spray when shot.

The most blood that ever appears on screen is from violence prior to the character's arrival in an environment. A massacre of scientists, as shown in the figure below, happens before the player arrives. Additionally the creatures, when shot, die with minimum blood spray and with no damage to their animation models. The game takes place in an open environment; if the player, who actively guides the game experience, chooses they can shoot any living thing in the game. The pink mist is universal, but *Far Cry* does allow the player to shoot and kill animals that only exist to enhance the environment to be more realistic. A player can, therefore, choose to engage in more violence or less within the game.



Results of violence the player did not witness in *Far Cry*

The main antagonists in *Far Cry* are Trigenes. At the beginning of the game the player only fights mutated primate Trigenes, as shown below.



Primate Trigen in *Far Cry*

Gorilla (left) and chimpanzee (right)

Later on, however, the plot reveals that Doctor Krieger – the mad scientist antagonist of the game with a last name meaning warrior in German – experimented on the mercenaries, at which point the enemies in the game become decidedly more human. This intensifies the monster violence because of the humanoid appearance of the enemy into a more objectionable human-killing-human sort of violence.



Human Trigen in *Far Cry*

Infrared especially emphasizes the humanoid appearance of Trigen (right)

Because of its content, Crytek has been the source of some scrutiny. They also had an unfortunate legal issue, and the subsequent enormous reaction by law enforcement has been linked with the stigma attached to Crytek's sort of games. A month before releasing *Far Cry*, the German police raided the original Crytek office in Coburg, Germany on illegal software accusations. The incident came as a result of an

ex-intern reporting to the Frankfurt police that Crytek was using unlicensed copies of Maya, the modeling software. The accusations turned out to be baseless<sup>52</sup>.

Tim Partlett, the writer of the *Crysis* games and long-time Crytek employee, posted on online forums his frustrations. The key example is his 2006 short essay “Beckstein<sup>53</sup> Blues”, which came in the wake of the Emsdetten shooting and the resulting video game condemning reaction by government and media. He emphatically points out the hypocrisy of not condemning second-hand smoke, a proven killer, but being so quick to ban violent video games. Partlett talks about the Erfurt shooting and that at the time “[Crytek was] already in development of the “murder stimulator” *Far Cry*.” He opens up about the 2004 state trooper raid on the Crytek offices, denouncing it as a “complete overreaction” and reporting that the Bavarian police had sent a small tech team “accompanied by over one hundred flak-jacketed riot police, all armed with Heckler and Koch sub-machine guns.” He addresses the Bavarian-born anti-video game movement, the *Killerspiele* title, and the prejudice he faces as a video game developer.

Ubisoft developed sequels of *Far Cry* and Crytek had no further role with it after turning over all rights to the series and game-specific engine in March 2006. The series now has four titles and is a success built upon Crytek’s early work. The CryEngine game engine evolved into CryENGINE 2, which powers *Crysis*. Tim Partlett went on from “Beckstein Blues” to write *Crysis*, the series that has become Crytek’s most iconic and central creation.

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<sup>52</sup> “Crytek Developer Offers Frightening Account of German Game Crackdown.”

<sup>53</sup> Dr. Günther Beckstein is the Bavarian Interior Minister who drafted a law so that “those who distribute, produce, obtain, or deliver computer games that allow the player to perform violent acts against human beings in a cruel way or a way violating human dignity as primary or secondary objectives will be punished with a fine or imprisonment of up to one year.”

## *Crysis*

Originally launched in 2007 (with sequels released in 2011 and 2013) and released by Electronic Arts (EA Games), *Crysis* received extreme ratings from the ESRB (M) and the USK (18), but a lower rating from the PEGI, who gave it a 16, much like *Far Cry*. This may be due to the larger concern for the language content, rather than gore. There is a remarkable amount of profanity in the game. Plugged In, a family-centric content review site, had this to say about *Crysis*'s language: "Military men screaming profanities over the com system becomes annoyingly redundant."<sup>54</sup>

Because of its incredibly complex graphics *Crysis* became a benchmark for personal computer gaming quality. The game soon earned a catchphrase: "Yeah, but can it play *Crysis*?" to judge the strength of a PC's capability. Many articles with the title had nothing to do with *Crysis* itself; the game's standards became synonymous with progress as well as with supposedly powerful computers grinding to a halt under the strain of a game technologically ahead of its time.<sup>55</sup>

A sophisticated first person shooter, *Crysis* emphasizes technology and weapons, mirroring the game's place as a major step in gameplay development. It expanded upon earlier developments at Crytek for *Far Cry*, with even the south Pacific island setting in common (*Far Cry* takes place in Micronesia, *Crysis* on an island in the Philippines). The main character Lieutenant Jake "Nomad" Dunn is a member of the U.S. Special Forces' Delta Force, a frequently glamorized military group regularly featured in action genre entertainment. The human antagonists are North Korean and

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<sup>54</sup> Hoose, Bob, and Trent Hoose. "Crysis Game Review" and Lilly, Paul. "You Built a New PC, But Can It Run Crysis 3?"

<sup>55</sup> Leather, Anthony. "Crysis - Did You Upgrade?"

politically villainized in an expectable way. North Korea is the last nation any video game developer would have to worry about marketing to as the population is prohibited from foreign video games entirely.<sup>56</sup>

*Crysis* has very little blood, especially considering the exceptionally violent content of the game. The only truly noticeable blood splatter in regular gameplay is the drops of blood that appear on the screen when enemies shoot the player. When killing enemies only a faint pink mist is visible.



*Crysis* blood spray from being shot (left) and blood spray from shooting (right)

*Crysis* does have a select few moments of more extreme violence, but they are all in cut scenes. One comes at the very beginning of the game following the opening HALO jump of the first level “Contact”.

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<sup>56</sup> Fisher, Max. "Does North Korea Have American Video Games, after All?"



First dead teammate and shock value in *Crysis*

After seeing blood pooling on the ground, the point of view character looks up to a close-up of the dead man hanging from his parachute lodged in the trees.

The player hears Codename Aztec on the radio, first to say that something hit him during the jump and that he's stuck in a tree. Afterwards he comes back on the radio screaming for help and in Spanish, "Madre Santisima" ("Holy Mother") and "No temeré mal" ("I will fear no evil"). After a short, confrontation with a group of North Korean soldiers, Aztec is found torn apart and dead in a tree, dripping onto the ground. The discovery is abrupt, intended as a jump scare, and the mangled body stays in sight for some time before his corpse is vaporized.

A second teammate, Jester, who found Aztec with the point of view character, is found mangled after being taken by an alien machine.



Second dead teammate and vaporization in *Crysis*

In the daylight the vaporization of the fallen comrade is more visible. The body is engulfed in flames, which is unusual as both *Team Fortress 2* and *Call of Duty* censor human beings on fire (both cases being the result of flamethrowers rather than the body disposal system in *Crysis*).

The only act of realistic violence with realistic blood and gore is an execution made in a cut scene. The North Korean General Kyong shoots a hostage from the archaeology team in the head from point-blank range only a few feet away from the point of view character.



The execution of a hostage in *Crysis* cut scene

A non-diegetic crescendo in the dramatic soundtrack surges at the moment the hostage is shot. The act of violence is meant to villainize General Kyong completely, as the fight scene – a sort of boss fight – against him comes soon afterward. In the scene following the animation sequence, the point of view character kills Kyong without any further blood, gore, or additional animations.

For the remainder of the game the enemies are alien, machines without blood or any human qualities whatsoever. In this way the violence steers away from the realistic depictions in the earlier part of the game, which are of much more concern to the

German censor. This is very much unlike *Far Cry*, in which all of the violence is directed at other human beings or animals acting on behalf of human beings.

Additionally unlike *Far Cry*, Crytek retained the production of the *Crysis* series after the first title. *Crysis 2*, a direct sequel to the first game produced by the same creative team, received the German Computer Games Award for Best German Game in 2012. The jury is half government representatives, with the other half made up of GAME *Bundesverband der deutschen Games-Branche* (the German Videogame Industry Association, founded in 2004) and the *Bundesverband Interaktive Unterhaltungssoftware* (Federal Association of Interactive Entertainment Software). Before *Crysis 2* won the award, the government faction of the jury made their dissatisfaction clear.<sup>57</sup> Wolfgang Börnsen, parliamentary speaker and media representative for the currently governing party *Christlich-demokratische* (Christian democrat) Union (CDU), made the following official statement: “We consider this nomination unacceptable... so-called killer games should not be honored, even when they are technically sophisticated.” He went on to call for a restructuring of the voting system, a “fundamental redesign” and judging not “after their commercial success, but primarily by content.”

Despite condemnation from the government, this award for *Crysis 2* can be argued as a turning point for USK 18 games in Germany as it was the first time that such a game was formally recognized and praised in its home nation.

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<sup>57</sup> Holowaty, Christoph. "CDU/CSU: Scharfe Kritik an Der Nominierung Von Crysis 2." (CDU/CSU: Sharp criticism of the nomination of Crysis 2)

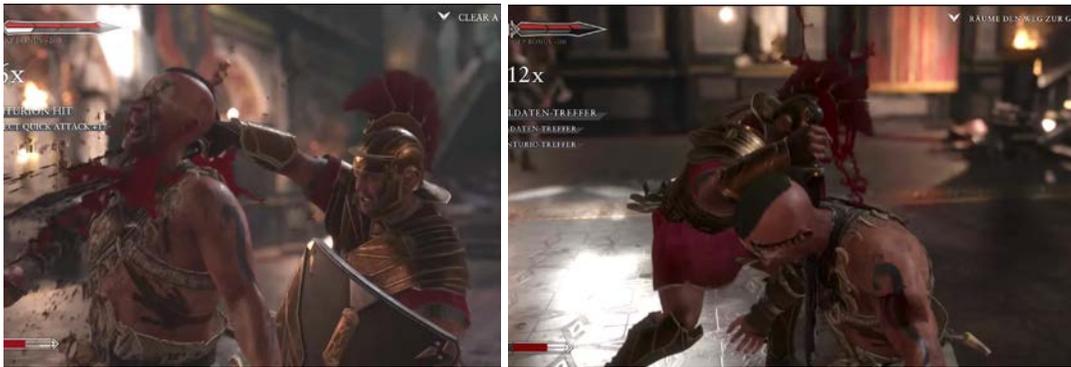
*Ryse: Son of Rome*

Despite multiple difficulties – such as the police raids, political condemnation, and giving up production of *Far Cry* – Crytek has a place in the next generation of gaming. With the new generation of consoles – Xbox One and Play Station 4 – being released, it was important for studios to take part in the new platforms. Crytek developed *Ryse: Son of Rome* with Microsoft as a launch title for the Xbox One in November of 2013 (and later released on the PC in October 2014). It received the most extreme rating internationally (PEGI 18, ESRB M, and USK 18) for violence and sexual content (which can be accounted for in a single scene).

*Ryse* follows the protagonist Marius Titus through his time in the Roman Legion during the reign of Emperor Nero (54-68 CE) and subsequent revenge story. The conflict is first between the Roman Legion and the Celtic ‘barbarians’, and takes place in Roman-controlled Britain. *Ryse* employs the Xbox One’s Kinect capabilities, using both motion and voice commands. The game successfully uses next generation gaming technology.

The climax of the game takes place in Rome itself, with the stock gladiatorial Coliseum setting inevitable in Roman historical fiction. Multiple deities also make occasional appearances (Greek goddess of revenge Nemesis, Roman god of the north wind Aquilo, and an unnamed goddess of the summer), adding a mythical element to the narrative. It can be theorized that fantasy components trivialize violence to European game rating councils. The stereotyped gladiatorial violence and supernatural forces may have contributed to the acceptance of *Ryse*’s violent content to so strict a council as the USK.

What is truly unprecedented about *Ryse* is that the blood spray in the ESRB M game and the USK 18 game is identical. While minimized in the German versions of foreign-produced games such as *Call of Duty*, the full blood animations are utilized in *Ryse: Son of Rome*. It is among the goriest games to be rated by the USK without difficulty, and certainly the bloodiest to come from a German-based company.



Blood spray in *Ryse: Son of Rome*

In addition to the blood spray, the German USK-rated title includes the dismemberment of body parts as a result of the sword strokes of the player. It should be noted that severed body parts were a major factor in the earlier discussed *Team Fortress 2* censorship.



Dismemberment of enemies in *Ryse: Son of Rome*

Though technically masterful and a success of a production, *Ryse* has been widely criticized for repetitive and tedious gameplay. *Ryse 2* has not taken further steps in production because Crytek and Microsoft could not come to an agreement over the rights to the franchise's intellectual property. Cevat Yerli, however, insists that the franchise has a future and that Crytek is waiting for the "right timing."<sup>58</sup> Crytek has had a difficult road, as any video game studio in Germany producing *Killerspiele* can be expected to have.

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<sup>58</sup> Yin-Poole, Wesley. "Crytek Boss Cevat Yerli on Unpaid Wages, *Ryse 2* and the Future."

## Conclusion

In a nation that considers video games a toy, the acceptance of violent content in video games – even those intended for an adult audience – is difficult legally and socially. Germany consistently expresses a higher sensitivity to violence within the video game medium than the rest of Europe, or rather, than most of the world. Germany's sensitivity to violence is found in legal literature, within Germany-specific censored games, and in the uniquely German system of censorship and media bans. By comparing the differences between German titles and their European/international equivalents, this research has provided a survey of the censorship that limits or alters video game art and narrative.

Germany's system of censorship – of barring extreme violence from the shelves or forcing developers to create less-violent versions – has been attributed to a federal and social sensitivity to violent content. This thesis finds that although in practice the censorship of content seems demonstrative (as game consumers can easily order uncensored titles online or buy in surrounding European nations), politicians continue to condemn violent gaming – *Killerspiele* – as a corruptor of the youth and instigator of real-world violence.

And yet, amidst the stigma of *Killerspiele*, the developer Crytek seems to get away with more violent content than international developers would dare submit to the *USK*. This is paradoxical and makes Crytek an outlier in the German video game community in philosophy as well as size and funding. An angle of future research could explore how the dismemberment, blood spray, and gore of a game developed in

Germany like *Ryse: Son of Rome* was accepted by the USK, but foreign developer Valve had to censor similar levels of violence five years earlier. It could be hypothesized that Germany is changing and becoming more accepting of violent content in response to critique. Perhaps the understanding that market limitations due to censorship are easily circumvented has made German censorship only an attempt at saving anti-violent face.

An additional angle for future research is the exploration of violence in video games effecting youth and glorifying violence. Many other nations including the United States would be an interesting site for research, where raging Internet debate takes the place of federal censorship and video games are considered more akin to film – a visual art – than to tabletop gaming – a toy. There is much more than can be said on the topic of violence in artificial reality bleeding into reality, however that research would have to be undertaken from within the social sciences rather than digital art.

This research has captured a very small window into the full story of video game censorship. The titles discussed are only a few examples significant to German video game development and reception. More extensive research could highlight every title altered or otherwise affected by the unique requirements of German video game consumption. Research could also be undertaken about games such as *Quake* and *Gears of War* – initially banned or otherwise unavailable – that are now in stores and how the initial rejection of these violent games was overcome.

Additionally the scope of this thesis is limited to select examples of video game violence, and cannot possibly claim to be a full expression of the opinion of the German public as a whole or of the video game community. This research cannot recommend an

alternative system to the *USK* aside from pointing out that censorship does little but inconvenience a resourceful consumer of video games and generate debate about the limitations of the freedom of expression. The current system alienates video games from art, not allowing the third statute of the freedom of expression article in German law (which protects art and educational materials from censorship). This is problematic not only for consumers of video games receiving the best product, but for artists who cannot produce work with violent content intended for adults (effectively placing limitations upon their creative output).

To echo Cevat Yerli's concern, I hope that German creativity is never stunted by censorship. In the future video games may be acknowledged as an art form, at which point Germany may change its artistic media parameters in the future and include video games in its uncensored category of film and literature. Until then, this research concludes that video games are not treated as an art form, but as a toy, and that Germany's national sensitivity to violence profoundly effects and limits video game entertainment content.

## Media Appendix

### Outside of Germany Discussed Titles: Australia

*Duke Nukem 3D*. 3D Realms, 1996. Personal computer<sup>59</sup>. First person shooter.

Originally refused classification in 1996 because of sexuality and violence. Censored version (with exotic dancers removed) released later. Uncensored version was eventually released rated MA15+.

*Grand Theft Auto Series*. Rockstar Games, 1997-2013. Playstation and Xbox. Action.

Only *GTA3* (2001) has been refused classification, but multiple titles have been edited to remove prostitution and sexual violence from the game. Currently *GTA3*, *GTA: Vice City* (2002), and *GTA4* (2007) are available uncensored MA15+. *GTA: San Andreas* is available censored MA15+.

*Manhunt*. Rockstar Games, 2003. Playstation 2. Survival horror.

Originally rated MA15+ in 2003, but the rating was appealed in 2004 and retracted because of torture sequences and the game's link to the controversial murder of Stefan Pakeerah (14) on July 28, 2004 by Warren Leblanc (17). The boys were alleged avid *Manhunt* fans and the case linked the game to the murder temporarily, resulting in international controversy<sup>60</sup>.

*Saints Row IV*. Volition, Deep Silver, 2013. Xbox 360. Action.

Originally refused classification in 2013 simultaneously with *State of Decay* shortly after the arrival of the R18+ rating; banned because of violent and sexual content. Edited version rated MA15+.

*State of Decay*. Undead Labs, Microsoft, 2013. Personal computer. Survival horror.

Originally refused classification in 2013 simultaneously with *Saints Row IV* shortly after the arrival of the R18+ rating; banned because of drug use and drug-related incentives. Edited version rated R18+.

*Soldier of Fortune: Payback*. Activision, 2007. Xbox 360. First person shooter.

Originally refused classification in 2007 for graphic violence (involving dismemberment). Edited version rated MA15+.

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<sup>59</sup> The platform/console on which I have played the title

<sup>60</sup> "Police Reject Game Link to Murder."

## Outside of Germany Discussed Titles: China

*Battlefield 4*. DICE, Electronic Arts, 2013. Xbox One. First person shooter.

Banned<sup>61</sup> near the end of 2013 after “China Rising” downloadable content was released, in which four maps on the Chinese mainland are featured and China’s national sovereignty is discredited (the main antagonist of *Battlefield 4* is General Chang, who nearly overthrows the Chinese government, which is depicted as simple and corrupt).

*Command & Conquer: Generals*. EA Games, 2003. Personal computer. Strategy.

The entire series is banned in mainland China for depicting the nation is liberal with nuclear weapons (again, smearing the national image). *Generals* was also put on the Index in Germany temporarily (before a terrorism-free version was released).<sup>62</sup>

*Football Manager 2005*. Sega, 2004. Personal computer. Sports game.

Banned in 2005 for depicting Tibet and Taiwan as sovereign nations.

*Hearts of Iron*. Paradox, Strategy First, 2002. Personal computer. Strategy.

Banned in 2004 for depicting Tibet, Sinkiang, and Manchuria as sovereign nations (also for depicting Taiwan as under Japanese control, which it was in the pre- thru immediately post-WWII era).<sup>63</sup>

*I.G.I.-2: Covert Strike*. Innerloop, Codemasters, 2003. Personal computer. First person shooter.

Banned in 2004 for “blackening the Chinese army’s image”.<sup>64</sup>

## Outside of Germany Discussed Titles: United Arab Emirates

*Catherine*. Atlus, 2011. PlayStation 3. Puzzle-platformer.

The U.A.E. does not release official reasons for bans. Speculatively, *Catherine* was banned for its extreme sexual content.

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<sup>61</sup> Burns “Battlefield 4 Banned in China.”

<sup>62</sup> User: da ola. “Command & Conquer.”

<sup>63</sup> “Swedish Video Game Banned for Harming China’s Sovereignty.”

<sup>64</sup> “Computer Game Cracked Down on for Discrediting China’s Image.”

*Fallout: New Vegas*. Obsidian, Bethesda, 2010. Xbox 360. Action role-playing game.

Speculatively banned for gambling and sexual content.

*Mass Effect*. Bioware, 2007. Xbox 360. Action role-playing game.

Speculatively banned for sexual content, specifically homosexual relationships.

### Film Titles

*Der Untergang (Downfall)*. Dir. Oliver Hirschbiegel. Momentum Pictures, 2004.

Oscar-nominated for Best Foreign Film and based on the memoirs of Traudl Junge, who worked as a secretary for Adolf Hitler. Created discussion and debate about portraying Hitler as a three dimensional human being, but is widely considered a quality and historically respectful film.

*Far Cry*. Dir. Uwe Boll. Boll Kino Beteiligungs GmbH & Co. KG, 2008.

Film based on Crytek's *Far Cry* (2004) game. Controversial director Uwe Boll has directed many movies adapted from video games (*House of the Dead*, *BloodRayne*, *Postal*, and others). The German director has a reputation for low budget, low quality work and is disliked nearly universally. Boll also directed the film *Auschwitz* (2011); many critics boycotted its Berlin premiere do to gruesome violent content with little other substantial content<sup>65</sup>

*Inglourious Basterds*. Dir. Quentin Tarantino. Universal, 2009.

“What-if” scenario alternate history American-German film that received government funding. Advertisement for the film was censored to not include swastikas.

*Metropolis*. Dir. Fritz Lang. Universum Film A.G., 1927.

Expressionist dystopian science fiction film regarded as a pioneer of its genre and a classic film masterpiece. It has highly recognizable imagery and is heavily referenced in later film works.

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<sup>65</sup> Hamm, Jon. ““Auschwitz”: Uwe Boll zeigt Skandalfilm.” (Uwe Ball shows scandal film).

#### Case Study Titles

*Call of Duty: Black Ops*. Activision, 2010. Personal computer. First person shooter.

*Crysis*. Crytek, Electronic Arts, 2007. Personal computer. First person shooter.

*Dead Rising*. Capcom, 2006. Xbox 360. Action horror.

*Far Cry*. Crytek, 2004. Personal computer. First person shooter.

*Ryse: Son of Rome*. Crytek, Microsoft. 2013. Xbox One. Action-adventure.

*Team Fortress 2*. Valve, 2007. Personal computer. Team-based first person shooter.

*Wolfenstein 3D*. id Software, 1992. Personal computer. First person shooter.

#### Case Study Supplemental Titles

*Carmageddon*. Stainless, Interplay/SCi, 1997. Personal computer. Vehicular combat.

*Gears of War*. Epic Games, 2006. Xbox 360. Third person shooter.

*Half-Life*. Valve, 1998. Personal computer. First person shooter.

*Portal*. Valve, 2007. Xbox 360. Puzzle-platformer.

*Quake*. GT Interactive.

*Saints Row IV*. Volition, Deep Silver. 2013. PS4. Action-adventure.

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