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□ The St Louis Court Brief: Debating audience 'effects' in public

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Interest of the Amici Curiae

Amici are scholars in the fields of media, psychology, and culture. They view the relationship between entertainment and human behavior as multi-faceted and complex. They are concerned when, as in this case, a court relies on commonly held but mistaken beliefs about a proven causative link between violent entertainment and violent behavior to uphold a censorship law. They file this brief pursuant to F.R.A.P. 29, in an effort to assist the court in understanding the "media effects" debate [1].

Summary of the Argument

Both the St. Louis County Council, in passing Ordinance #20.193, and the district court, in upholding it, relied on the assumption that video games containing "graphic violence" cause violent behavior. The Council heard testimony from psychologist Craig Anderson that playing violent video games "for as short as 10 to 15 minutes" causes "aggressive behavior" and, more broadly, that "there is a causal connection between viewing violent movies and TV programs and violent acts." J.A. 3, 4. The trial court relied on these statements, adding that according to Anderson, video games are "addictive" and "provide a complete learning environment for aggression." J.A. 772-73.

Both the County Council and the court were mistaken. Most studies and experiments on video games containing violent content have not found adverse effects. Researchers who do report positive results have generally relied on small statistical differences and used dubious "proxies" for aggression, such as recognizing "aggressive words" on a computer screen. Indeed, research on media violence more generally has also failed to prove that it causes – or is even a "risk factor" for – actual violent behavior. As psychologist Guy Cumberbatch has noted:

The real puzzle is that anyone looking at the research evidence in this field could draw any conclusions about the pattern, let alone argue with such confidence and even passion that it demonstrates the harm of violence on television, in film and in video games. While tests of statistical significance are a vital tool of the social sciences, they seem to have been more often used in this field as instruments of torture on the data until it confesses something which could justify publication in a scientific journal. If one conclusion is possible, it is that the jury is not still out. It's never been in. Media violence has been subjected to lynch mob mentality with almost any evidence used to prove guilt [2].

This torturing of research data on media effects has been driven by a "causal hypothesis" held by some psychologists, that youngsters will imitate fantasy violence. There is some common-sense appeal to this hypothesis. But seemingly common-sense notions do not always turn out to be correct. And researchers' attempts to reduce the myriad effects of art and entertainment to numerical measurements and artificial laboratory experiments are not likely to yield useful insights about the way that viewers actually use popular culture. Likewise, in a field as complex as human aggression, it is questionable whether quantitative studies can ever provide an adequately nuanced description of the interacting influences that cause some people to become violent.

Violent crime rates across the United States have fallen significantly in the past decade, even while fantasy violence in entertainment has increased – and while video games, especially violent ones, have become a staggeringly popular form of entertainment. Youth violence in particular has seen dramatic reductions [3]. This does not mean that youth violence is not a serious problem – or for that matter, that media messages do not have powerful effects. But those effects are much more diverse and difficult to quantify than believers in the causal hypothesis generally acknowledge. And efforts to address real-world violence by censoring entertainment are profoundly misguided.

