Mika (Je Hoon) Lee
GEOG 007.12
Professor Lopez
March 11, 2017

Grand Theft Controversy: An Analysis of Regulatory Frameworks for Take-Two Interactive Software, Inc.’s Grand Theft Auto Series in Australia

Keywords: Grand Theft Auto  Take-Two Interactive Software, Inc.  globalization  neoliberalism  video games  violence  censorship  Australia  regulatory frameworks

Introduction

In July 2016, four youth barged into Richa Walia’s house in Melbourne, threatened her parents with baseball bats and metal poles, and stole Walia’s cars (Cleary 2016). During the same month, two teenagers with sledgehammers raided a jewelry store located in one of the most urban areas in Melbourne (Flower 2017). The thieves responsible for the two armed robberies were members of the Apex gang, a Melbourne-based street gang. Comprising of young men of diverse backgrounds, Apex gang members have organized an increasing number of crimes over the past couple of years in Melbourne (Mills and Houston 2016), which has contributed to an unprecedented rise in theft and burglary incidents in Victoria, the state that the city of Melbourne is in. According to the Crime Statistics Agency, an Australian government agency that records and analyzes criminal offences, Victoria witnessed a 17.5% increase in thefts and a 13.7% rise in burglaries from September of 2015 to September of 2016 (“Recorded Offences | Crime Statistics Agency Victoria” 2017). This unwelcome trend has jeopardized Melbourne’s reputation as one of the world’s most liveable cities. In 2016, Melbourne placed first in the Economic
Intelligence Unit’s Global Liveability Ranking, a survey of 140 cities’ security infrastructure, education system, health care and other factors (“The World’s Most Liveable Cities” 2016). 2016 marked the sixth consecutive year that Melbourne topped the list. However, Melbourne residents like Shamim Ahmed, a parent-of-three whose house was robbed twice in 24 hours by two young thieves from the Apex gang, said that a spate of criminal activities has started to threaten his family’s safety in the city (Margan 2017).

What motivates Apex gang members, according to Australian police officials, is the video game series *Grand Theft Auto*. Victoria Police Assistant Commissioner Bob Hill said that the thrill-seeking Apex gang members dare each other to commit dangerous crimes that are often found in *GTA* (Mills and Houston 2016). Chief Commissioner of Victoria Police Graham Ashton also called youth involved in gang-related activities members of the *Grand Theft Auto* generation (“Boy, 16, Arrested over Violent Carjacking in Melbourne” 2016).

The increasing number of violent incidents inspired by *GTA* have not gone unnoticed in the Australian society. Many retail chains in Australia removed the game from their stores in response to online protests organized by Australian citizens. The Australian government also enforced strict regulatory frameworks to minimize *GTA*’s reach to Australian youth. The outcomes of these actions have been mixed. Stringent governmental regulation of *GTA* prompted Take-Two Interactive Software, Inc., the publisher and distributor of the video game, to censor inappropriate content. However, Take-Two Interactive was less responsive to regulatory frameworks implemented by Australian citizens and businesses. In this paper, I argue that it is the responsibility of the Australian people and government to mobilize against *GTA*’s offensive content. Australian citizens can raise awareness of inappropriate video game scenes
through popular media, and convince their government to enforce legal frameworks. Take-Two will then be more likely to make necessary edits to its controversial GTA series.

To make this claim, I first introduce GTA and violent incidents around the world that were influenced by the game series. Second, I define key concepts such as globalization, neoliberalism and regulatory frameworks, which are central to my argument, and comment on how they are applicable to Australia. I then offer an overview of psychological studies that examine the relationship between games and real-life violence, as well as of the debate over video game companies’ freedom to develop violent game content. The two overviews allow me to better position my paper among works of other scholars. Then, I give a brief background of Take-Two Interactive to provide corporate context to video game violence. Afterwards, I examine the regulatory frameworks that Australia’s businesses and government implemented for the GTA series, and briefly discuss a possible link between the Australia – United States FTA and the Australian government’s censorship of GTA. I finally conclude with a discussion about the successes and the limits of Take-Two’s response to the regulations, as well as its broader implications.

**GTA’s Successes and Failures**

**GTA** gamers play the role of a male criminal in either first-person or third-person mode. This criminal can accrue points and progress through the storyline by completing various missions that often include obtaining weapons, hijacking cars and killing other characters. From 1997 to 2013, Take-Two released more than 15 games as part of the GTA series, most of which feature a distinct character set and take place in different American or European cities (“Find a
The GTA series is also arguably one of the most popular action-adventure video game series in the world. According to the GTA Online Census published on the website of Rockstar Games, Take-Two Interactive’s subsidiary, more than 33 million players across 224 states have played GTA Online since its release in 2013 (“GTA Online Census: The Story So Far - Rockstar Games” 2017). Furthermore, Take-Two Interactive’s most recent GTA game, GTA V (2013), broke six world records including best-selling video game in 24 hours, fastest entertainment property to gross US$1 billion and highest revenue generated by an entertainment product in 24 hours (Lynch 2013).

However, not everyone has reaped the benefits of the game’s popularity. GTA has been widely criticized for motivating its gamers to commit crimes in real-life. In Thailand, an 18-year-old student inspired by GTA robbed and killed a taxi driver. In response, the Thai government completely banned the video game series (“Thailand Bans Grand Theft Auto after Copycat Murder - Telegraph” 2008). Meanwhile in the United Kingdom, a GTA gamer sent death threats to his brother because his brother killed his character in the online version of the game (Parry 2015). GTA-inspired murders also took place in the United States. In 2014, 14-year-old Eldon Samuel killed his father and brother in Idaho. Samuel later admitted to the police that he idolized a GTA V character called “Trevor,” who Samuel said frequently shot other people in the game (Cousins 2014).

**Video Games Without Borders**

GTA-inspired violence has been a worldwide issue because the GTA series is an internationally popular video game. The expansion of GTA and other digital games illustrates a
process called globalization. In this paper, I borrow Matthew Sparke’s definition of globalization, which he describes as “the processes of economic, political, and social integration that have collectively created ties that make a difference to lives around the planet” (Sparke 2012, 3). In other words, Sparke (2012) says that globalization refers to worldwide interconnections so influential that the happenings in different areas of the world impact each other.

One factor that has allowed digital play to propagate beyond its national origin is the increasing versatility of video games. Modern games are readily available in different modes such as personal computers, mobile phones and tablets. In 2009, Finnish video game developer Rovio Entertainment released the mobile game Angry Birds and as of May 2016, the game was downloaded more than 3 billion times (Ewing 2016). Angry Birds’ global reach was possible because it was released in mobile application stores that people around the world had access to. Meanwhile, Japanese electronics and video games company Nintendo, which is most popular for developing the iconic Super Mario Bros series, has sold almost 1 billion games for Nintendo DS and for Wii, which are two popular video game consoles that Nintendo also created. As of 2017, Nintendo has sold more than 250 million units of these two consoles (“IR Information : Sales Data - Hardware and Software Sales Units” 2017). The successes of Rovio Entertainment and Nintendo demonstrate that firms from various areas of the world like Finland and Japan can produce digital content that significantly influences the lives of people across the globe.

Take-Two Interactive and its GTA series are also prominent examples of the ongoing globalization of digital games. For GTA V, Take-Two Interactive had a marketing and developing budget of US$ 266 million (Wolf and Iwatani 2015), an amount that would not have been realistic had Take-Two Interactive not anticipated its consumers to buy their product from places
all around the world. *GTA V* ended up grossing US$ 1 billion (Wolf and Iwatani 2015) three days after its release. Furthermore, although Take-Two Interactive is an American video games company, it has established local subsidiaries in twenty-four countries in five different continents to facilitate its foreign operations (“Take-Two Interactive Software, Inc. 2016 10-K Annual Report” 2016). Take-Two Interactive’s expanding international operations attests to another trend: company ownership and locations are also extending beyond national borders. The *GTA* series’ worldwide influence particularly exemplifies globalization because in Australia, it has integrated economic, social and political forces, which are three key elements of Sparke’s definition of globalization. The video game series’ controversial depictions of violence and of women have created a social issue, prompting businesses and the government to implement regulations. If *GTA*’s content did not “make a difference to lives” (Sparke 2012, 3) in Australia, Australian citizens would not have reacted so strongly against it, and there would not have been any economic or political regulation for *GTA* as well.

On a worldwide level, statistics show that there is no indication of a serious halt in the globalization of digital games. In 2014, there were over 1.7 billion gamers worldwide (“Number of Video Gamers Worldwide by Region 2014 | Statistic” 2017), which suggests that nearly one-seventh of the world population has played video games. With countries’ rising access to the Internet and the mobile market, this number could further increase in the next couple of years. Other studies also indicate the financial growth of the gaming industry. According to Newzoo, a provider of gaming market intelligence, the global games market generated a revenue of US$ 99.6 billion in 2016, up from US$ 91.8 billion in 2015 (“The Global Games Market 2016 | Per Region & Segment” 2017). With the gaming industry’s constant expansion in Africa, Asia-Pacific,
North America and Latin America, the total games market revenue is expected to rise to US$ 118.6 billion in 2019 (“The Global Games Market 2016 | Per Region & Segment” 2017).

The Absence and Presence of Regulatory Frameworks in Australia

Despite the growth of digital play, Australian businesses and the Australian government have both implemented regulatory frameworks for video games. Before defining the term, “regulatory frameworks,” I find it appropriate to bring neoliberalism into the conversation first. David Harvey (2007) defines neoliberalism as a political and economic theory that calls for a society with strong property rights, free market and free trade through minimum state interventions. He also states that corporations and government officials have advocated for neoliberalism in the name of greater individual freedom. According to Harvey (2007), advocates of neoliberalism often associate the theory with globalization, as they argue that the implementation of neoliberal policies is necessary to bring about globalization. Major developments in the economic and political spheres in the 1970s allowed neoliberal practices to proliferate since then. The global energy crisis that lasted throughout the 1970s exposed the flaws of Keynesian policies, which emphasized the importance of government intervention in the economy, and consequently led to the emergence of neoliberalism (Springer, Birch, and MacLeavy 2016). Economic elites who wanted to re-establish their power and wealth also played a fundamental role in the political ascendancy of neoliberalism (Harvey 2007).

In the 21st century, trade agreements such as the Trans-Pacific Partnership enshrine neoliberal policies and ideology. Representatives from twelve nations bordering the Pacific Ocean, including Australia, negotiated the deal from 2010 to 2015 to loosen state regulation by
removing trade barriers and lowering tariffs (Granville 2017; Stiglitz 2014). The TPP was on the verge of becoming one of the largest global trade agreement, as it would have governed nearly 40 percent of the world economy (Stamoulis 2013). However, the United States formally withdrew from the TPP following Donald Trump’s inauguration in January 2017, threatening the deal’s ratification (Granville 2017). There have been mixed views about the TPP’s potential influence on the Australian economy. According to Australia’s Department of Foreign Affairs and Trade, the TPP could bolster Australia’s economy because it would expand and deepen the country’s international trade relationships (“TPP Outcomes at a Glance” 2016). On the other hand, according to the World Bank, the TPP could increase Australia’s GDP by just 0.7 percent by 2030 (World Bank 2016).

Regulatory frameworks counter neoliberalism. Regulation refers to “rules issued for the purpose of controlling the manner in which private and public enterprises control their operations“ (Majone 2002). I borrow the Organization for Economic Co-operation and Development’s definition of a regulatory policy. The OECD, which Australia is a member of, is an international council that strives to implement policies that promote economic and social well-being (“What We Do and How - OECD” 2017). The purpose of a regulatory policy is to “ensure that regulations are in the public interest” and that “regulations and regulatory frameworks are justified, of good quality and fit for purpose.” Furthermore, a regulatory policy is integral to developing the relationship between the “state, citizens and businesses” (OECD 2011). Thus, regulatory frameworks, which stem from regulatory policies, could be implemented by both governments and businesses as long as they attempt to control the behavior of private and public enterprises (Majone 2002).
It is key to recognize the contrast between regulatory frameworks and neoliberalism because the Australian government is on both ends of the spectrum. The Australian government has ten FTAs in force and it is currently participating in six additional FTA negotiations (“Free Trade Agreements (FTAs) - Department of Agriculture and Water Resources” 2017). According to Australia’s Department of Foreign Affairs and Trade (2017), FTAs can loosen behind-the-border regulations that hinder trade and investment. The Australian government, although an active participant in the TPP and multiple FTAs, ironically enforces stringent regulatory policies on digital content. Relative to other Western or developed countries such as the United States, Australia’s censorship of video games is stricter. Conway and deWinter (2015) argue that these disparate policies arise from the history of Australia. Because the first Anglo settlers in Australia were convicts, many Australian myths about violence and settlement center around characters with undesirable social features such as Ned Kelly, an Australian bushranger. On the other hand, the first Anglo settlers in the United States were not convicts. Instead, they were people who fled from religious persecution in the United Kingdom. This aspect of American history has led to the American society’s frequent, heroic portrayal of pioneers. The pioneers’ resort to violence is considered an integral part of America’s fight for independence, so the United States tends to be more tolerant of fantastical violence compared to Australia. Cetti (2014) also links Australia’s strict censorship to its history, as he claims that “decency and decorum were inherent prescriptions for law and order in a land of convicted criminals” (2014, 8). As a result, stringent regulation was necessary from the beginning.

Australia’s Classification Board
A central enforcer of governmental regulatory frameworks for video games in Australia is the Classification Board. The CB, a statutory agency, is responsible for classifying and censoring video game content. It was established by the Australian government under the Classification Act 1995, and by law, any video game distributed or sold in Australia needs to be classified by the CB before its sale. The CB is also required to release to the public the details of its classification decisions (Chandler and Deming 2011; “Classification Board | Australian Classification” 2017). Prior to 2013, the CB categorized video games into four different categories: “General (G),” “Parental Guidance (PG),” “Mature (M)” and “Mature Accompanied (MA 15+).” Video games that were classified into the G, PG and M categories did not face any legal restriction, while anyone under the age of 15 could not legally purchase or play a MA 15+ game. Games considered too offensive or inappropriate to receive a MA 15+ rating were denied classification (“Guidelines | Australian Classification” 2017; “MA15+ | Australian Classification” 2017).

In January 2013, the CB introduced a “Restricted (R 18+)” classification for computer games. However, every single GTA game in the series except GTA V was published before 2013, so most GTA games were either classified as MA 15+ or rejected classification by the CB (“R 18+ Classification for Computer Games Starts 1 January 2013 | Australian Classification” 2013). The explanation of the Australian video game classification system is useful during my further analysis of the CB’s classification of the GTA series later in the paper.

The Relationship Between Action-Adventure Games and Real-Life Violence

The impact of video games on gamers’ real-life violence has been the subject of many psychological studies. Politicians and researchers who argued that there was a relation between
violent video games and gamers’ offline behavior recommended that stronger regulatory frameworks be implemented. Pulasthi Gunawardhana (2015) claims that video games specifically harm the teenage brain. One of the core psychological effects video games have on teenagers is called, ‘simulating’—many teenage gamers will try to incorporate certain game experiences in their offline behavior. He calls upon parents to actively prevent teenage addiction to digital games by deciding the kinds of games they purchase for their children and the amount of time their children play those games (Gunawardhana 2015). Some authors focus on the misogynistic depiction of women in digital play. An increasing number of video games containing sexualized images of women have objectified women. Laws must limit people’s exposure to violent video game, but gaming corporations’ lobbying efforts have essentially blocked such legislation (Dill et al. 2005). Other studies have found a direct correlation between the objectification and victimization of women. Surveying 160 college students in their research, Starke and Buzawa (2009) conclude that there is a positive link between greater exposure to video game violence and increased rape myth acceptance. Rape myth acceptance refers to common misconceptions of rape that justify rape by blaming its victims instead of its perpetuators (Iconis 2011). In other words, people that play violent video games are more likely to believe that rape is acceptable. To counter the dangerous correlation between the objectification of women in video games and potential rape incidents offline, welfare agencies need to critically assess and shift statewide policies (Stark and Buzawa 2009).

On the other hand, other researchers (Markey, Markey, and French 2014) note that there is insufficient evidence to conclude that there is a consistent relation between in-game and real-life violence. Using statistics about video game sales, aggravated assaults cases and
homicide incidents in the United States, they argue that video games contribute to a decrease in the overall crime rate. In their research, Markey, Markey and French (2014) also claim that arguments for tighter game control appears unfounded. Kutner and Olson (2008) conducted a two-year, US$ 1.5 million research study to examine the relationship between violent games and offline violence. The project was funded by the U.S. Department of Justice. The authors state that there are some correlations between violent gameplay and childhood issues, but most children and teenagers who play violent games do not display aggressive behaviors in real-life. However, Kutner and Olson (2008) encouraged parents to take common-sense steps such as encouraging their children to participate in healthier extracurricular activities such as sports.

While the relationship between violence in games and violence in real-life is important in my paper, it is not the main topic of discussion. By drawing on the works of the authors in this section as well as crimes inspired by GTA, I understand that GTA’s influence on its gamers has been much debated. This contention provides a critical background to my detailed analysis of regulatory frameworks of GTA and of Take-Two Interactive’s response to public and governmental concerns in Australia. After all, such regulatory frameworks would not be in place had GTA not been a controversial game in the first place.

Censorship and Free Speech in the Context of GTA

GTA-inspired violence has resulted in not only multiple psychological studies, but also legal actions against Take-Two Interactive. One of the most prominent activists involved in lawsuits against the corporation is John Thompson. The former attorney is an outspoken critic of violent video games, and he has specifically criticized GTA, claiming that it immerses its gamers
“in a lonely world of violence, cheap sex and pixelated nihilism” (Thompson 2005, 188). In 2005, Thompson (2005) filed a lawsuit against Take-Two Interactive in Alabama for designing GTA, arguing that it inspired teenager Devin Moore to kill three men. He had also sued Take-Two Interactive in 2003 in Miami for similar reasons, but its subsidiary Rockstar Games asked the federal judge to dismiss Thompson’s lawsuit. According to Rockstar Games, the company was free to create any content for GTA under the First Amendment’s free speech clause in the U.S. Constitution (Calvert 2003). After a lengthy legal dispute, Thompson and Take-Two Interactive reached a settlement in 2007. Under the agreement, Thompson was banned from threatening and directly taking legal action against the company. In return, Take-Two agreed to drop its lawsuit against Thompson (Sinclair 2007). Take-Two Interactive had previously sued Thompson to prevent him from repeatedly filing lawsuits against the company (Stuart 2007).

Despite their settlement, their legal dispute raised questions about the extent to which video game companies could develop violent content under the protection of the free speech clause in the First Amendment. During his criticism of GTA, Thompson (2005) acknowledged that gamers have the “legal right” to play the game, and that he did not wish to take this freedom away (2005, 190). However, Thompson (2005) still emphasized that it was important for teenage gamers to make responsible choices. First Amendment lawyer Paul Smith said that it was unfair to blame video game companies for gamers’ criminal behaviors. Smith described modern criticism of video game developers a “hysterical attack” and compared it to the attack on comic book publishers for juvenile delinquency in the 1950s, claiming that it will lead to “a huge swath of censorship that will be imposed on media”(Leung 2005).
United States courts have generally ruled against video game victims and activists, and supported the conception that video games, albeit violent, are protected by the First Amendment. In 2011, the Supreme Court nullified California’s ban on the sale of violent video games to minors. Justice Antonin Scalia, who was among the majority, said video games are not distinct from literature and film in that they communicate social messages. As a result, video games, like books and movies, should be protected by the First Amendment. Justice Samuel Alito was also among the majority, but he conceded in the opinion piece that he wrote for the court that the experience of playing a violent video game might differ from that of reading a book. Alito added that as a result, the influence of video games could also be dissimilar to the effects of books on minors, and that “the Court acts prematurely in dismissing this possibility out of hand” (“‘No Shortage of Gore’: The Constitution, Free Speech, and Technology” 2011).

Australian courts have not dealt with major cases involving violent video games, but the free speech argument is very applicable in the country. According to the Australian Law Reform Commission, a federal agency that recommends law reform, freedom of speech is a fundamental aspect of Australia’s constitution (“Freedom of Speech” 2017). However, other laws such as the Criminal Laws, which ban certain forms of expression that urge violence, contradict Australia’s free speech law and create room for potential legal conflicts in the future (“Laws that interfere with freedom of speech” 2017).

**Take-Two Interactive Software Inc.**

Founded in 1993, Take-Two Interactive is an American publisher and distributor of video games. The company is publicly traded on the New York Stock Exchange as TTWO (“Take-Two
Interactive Software - Investor Relations” 2017). It develops its content through its two main labels, Rockstar Games, which produces the GTA series. In addition to GTA, Take-Two has also distributed NBA 2K, Mafia, Civilization and BioShock, all of which sold more than a million units. Although the corporation is headquartered in New York City, its internal development studios are also located in Canada, China, the Czech Republic and the United Kingdom. It is key to note that Take-Two Interactive mostly produces software content. The nature of their business makes their relationship with hardware platform and console companies integral. For the fiscal year that ended March 31, 2016, sale of digital content through Sony’s PS4, PS3, and Microsoft’s Xbox One and Xbox 360, all of which are game consoles, comprised 82.6 percent of Take-Two’s net revenue (“Take-Two Interactive Software, Inc. 2016 10-K Annual Report” 2016).

Over the past couple of years, Take-Two Interactive’s financial gains have rapidly increased. In 2016, Take-Two’s net revenue was approximately $1.4 billion, a 30 percent increase from 2015 and a 362 percent rise compared to its 1999 revenue (“Take-Two Interactive Software, Inc. 2016 10-K Annual Report” 2016; “Take Two Interactive Software - 2003 Annual Report” 2003). Despite the company’s financial success, its stocks are highly volatile. Take-Two (2016) said that its financial performance is highly dependent on the success of its GTA series. For Take-Two Interactive to consistently generate high profits, it will need to develop and distribute other popular video game content. Because Take-Two Interactive works closely with third-party software developers to produce its games, its product development costs can be substantial. Furthermore, there could also be unanticipated delays in the release schedule of its games. These factors, in addition to its dependency on the GTA series, contribute to the regular fluctuation of Take-Two’s stock prices (see Appendix A).
Take-Two Interactive has used multiple strategies to expand its operations beyond U.S. borders. The company has not always been a trans-national company. In 2003, the corporation earned less than $0.3 million through operations outside the United States. That year, international sales accounted just 27.9 percent of its net revenue. (“Take Two Interactive Software - 2003 Annual Report” 2003). When the company released GTA V in 2013, it made the game available in twelve different languages including Russian, German and Italian (“Grand Theft Auto V: Supported Languages” 2017). In addition, Take-Two Interactive has incorporated its subsidiaries in 24 counties across 5 continents over the past decade with the aim of easily accessing foreign gaming markets. The 24 countries have one of the largest internet user populations, as shown in the cartogram that takes the number of internet users as its variable (see Appendix B). This is important because Take-Two Interactive has been attempting to reach gamers around the world through the Internet. In 2013, GTA’s release of GTA Online, an Internet version of the GTA series, constituted the largest portion of Take-Two Interactive’s digital revenue (“Take-Two Interactive Software, Inc. 2016 10-K Annual Report” 2016).

These strategies have largely been successful, as Take-Two Interactive’s presence in the global gaming market has become progressively stronger (see Appendix C). In 2016, 47.4 percent of Take-Two’s net revenue, which is equivalent to $670 million, was earned outside the United States. This number was 42.5 percent and 53.5 percent in 2015 and in 2014 respectively. The company (2016) also stated that it is soon hoping to expand its online business operations in China and in South Korea by strengthening its current relationships and creating new partnerships with local licensors in those two countries. International sales have grown so much
that the company stated in its 2016 10-K report that its financial performance is vulnerable to foreign exchange rates, and worldwide political and economic developments.

**Australia’s Regulatory Frameworks for GTA and Take-Two Interactive’s Response**

Despite Take-Two Interactive’s expansion, its GTA series have been subject to strict governmental and business regulatory frameworks in Australia. On the online petition website change.org, three survivors of sexual assault in Australia called for the withdrawal of *GTA V* from Target (Saar 2014). They commented on the game’s misogynic portrayal of women—arguing that it incentivizes gamers to sexually abuse and murder women for entertainment (Nicole, Claire, and Kat 2017). This petition had a tremendous influence. More than 48,550 people signed this petition, leading to Target and Kmart stores in Australia removing the game from their shelves. Both Target and Kmart are major department stores in Australia. According to the conglomerate company Wesfarmers, which both owns Target Australia and Kmart Australia, the two subsidiaries together operate more than five hundred stores in Australia (“Department Stores” 2017). A rival petition soon appeared on change.org, prompting a heated discussion about freedom of speech and whether businesses could enforce stringent regulatory for the controversial game. Herbert, the author of the rival petition, claims that as someone who has devoted more than 200 hours to playing *GTA V*, the game has never encouraged him to commit violent acts in real-life (Herbert 2017). He urged Target and Kmart to continue selling *GTA V*. Almost 30,000 change.org users signed Herbert’s online petition.

In response to the removal of its game from major Australian retail stores, CEO of Take-Two Strauss Zelnick said in an interview with video games reviews website IGN said that he was
disappointed with Target Australia’s decision (Copeland 2014). Zelnick (2014) added that the game contains mature content that is also found in other popular video games and that he stands behind the game. Take-Two was unwilling to edit its game despite its offensive portrayal of women.

However, there have been instances in the past when Take-Two was forced to respond more actively to public concerns by censoring GTA’s inappropriate content. Most of these cases involved the CB’s implementation of legal frameworks for GTA. In 2011, the CB refused to classify GTA III, effectively banning the sale and distribution of the game in the country. In the CB’s public report, it stated that the game has “more than high-level animated violence” and that “the fact that sex workers as targets provide multiple benefits is a most unfortunate piece of coding on behalf of the game’s creators” (“Review Board Decisions - 2001 | Australian Classification” 2001, 10). In response, Take-Two Interactive was forced to make appropriate changes if it wanted GTA to be legally distributed in Australia. The company later released an edited version of the game, which censored the controversial prostitution feature. This modified version of the game received the MA +15 classification from the CB (Tran 11), the highest classification a video game could receive in Australia at that time. In the United States, the regulatory organization Entertainment Software Rating Board classified the uncensored version of GTA III as a “Mature (M)” video game, which meant that it was not suitable for people under the age of 17 (“Rating Search: Grand Theft Auto” 2017). However, it is important to note that while the MA 15+ rating was the highest level of classification a game could receive in Australia at that time, the ESRB’s M rating was not its harshest classification. The ESRB could have given
GTA III a “Adults only (A)” rating, which would have meant that the content was only suitable for adults (“Rating Categories and Content Descriptors” 2017).

Since 2005, the CB has never refused classification for any game in the GTA series, despite the ongoing controversy about the game’s depiction of violence and of women. There are two reasons that might explain this new trend. Take-Two Interactive started pre-censoring GTA’s content before submitting it to the CB for classification, which means that governmental regulatory frameworks have been effective. For instance, in 2008, Take-Two published an edited version of GTA IV only in Australia. Compared to the unedited version which was sold all around the world, characters were killed less gruesomely and there were fewer character interactions with prostitutes. The edited GTA IV was later classified by the CB as a MA +15 interactive content.

Another factor that could have contributed to the change is the Australia – United States FTA, which was signed by both countries in 2005. The FTA emphasizes the importance of deregulating electronic commerce (Malone 2016). Article 16.4, “Non-Discriminatory Treatment of Digital Products,” specifies that neither Australia nor the U.S. could treat digital products from outside its territory more unfavorably. Article 16.6, titled “Online Consumer Protection,” aims to protect citizens of both nations from “fraudulent and deceptive commercial practices” (“Chapter Sixteen - Electronic Commerce” 2017). However, the FTA does not raise the issue of protecting its consumers from inappropriate content, not practices. I recognize that there is insufficient evidence for me to conclude that the FTA has discouraged the CB from banning Take-Two Interactive’s most popular game, and the actions of the CB need to be more closely monitored in the future.
Conclusion

The exponential development of technology as well as wider implementation of neoliberal policies are likely to increase worldwide access to digital content. Take-Two Interactive will look to take advantage of this phenomenon and further globalize its video games, including its controversial GTA series. I acknowledge that Take-Two Interactive has the right to exercise freedom of speech and expression, and develop whatever games that it believes will be profitable. However, globalization of GTA means Take-Two Interactive has a wider, diverse group of consumers, so the corporation needs to consider varying cultures when developing its content.

The actions of the Australian public, businesses and government reflect how people have effectively mobilized to create a necessary regulatory framework for controversial game series like GTA. While Take-Two Interactive’s response to Australian stores’ removal of GTA V was relatively passive, its pre-censoring of other versions of the game series demonstrates that Take-Two Interactive can make appropriate edits when facing a legal obstacle. Whether the Australia – U.S. FTA has pressured CB to become more lenient towards rating GTA is not clear. If this is the case, the Australian government needs to ensure that neoliberal practices like international trade agreements do not interfere with its responsibility to protect its citizens from harmful content.

I am not, however, urging a complete ban on all GTA series, as some Middle Eastern countries like Saudi Arabia have done (Sinclair 2007). The scale of regulatory frameworks for violent video games is something that the people belonging to each nation, culture or religion
should decide. Through popular media such as the Internet, citizens can raise awareness of problematic scenes or depictions in video games. It is then the duty of companies like retail stores to react to the protests and more importantly, the government to create legal frameworks to limit the spread of inappropriate content.
Appendix A

Take-Two Interactive’s Stock Chart Since 1997

Stock Price

Appendix B

Countries Where Take-Two Interactive’s Subsidiaries Are Incorporated In (Colored in Red)
Cartogram Measurable Variable: *Number of Internet Users*
Appendix C

Percentage of Take-Two Interactive’s Net Revenue Earned Outside the United States

%


Year

23.6 47.4
References


Cetti, Robert. 2014. *Offensive to a Reasonable Adult: Film Censorship and Classification in Australia*. Adelaide, Australia: Robert Cettl.


