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Against “Dark Game Design Patterns”

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INTRODUCTION

In game studies, the discussion around ethics and digital game design has predominantly revolved around how in-game representations and player choices might afford ethical experiences that stoke reflection or even transform moral beliefs and attitudes (Schrier & Gibson, 2010, 2011; Zagal, 2012). Work in this vein studies whether digital games can be designed to e.g. promote particular values (Flanagan & Nissenbaum, 2014), empathy (Farber & Schrier, 2017), moral reasoning and reflection (Murphy & Zagal, 2011), or ethical agency (Sicart 2009, 2013). This arguable ‘core’ discourse has been surrounded by further debates around potential adverse effects of violent game content and stereotypical, prejudiced or lacking representation in games; industry issues around copyright, equality, inclusion, labor rights, or censorship; and analyses of social norms surrounding ‘proper’, ‘dark’, or ‘transgressive’ game content, play, and gaming practices (see Zagal, 2012, for a survey).

In recent years, a new ethical debate emerged centering on freemium/microtransaction monetization models pioneered by online and mobile games, but increasingly adopted by ‘traditional’ AAA publishers (Neely, 2019). This debate chiefly concerns to what extent monetary considerations are ‘allowed’ to directly impact game design and player experience, and whether players are making free, informed purchasing and play decisions, or are compelled, deceived, or even ‘addicted’ to play and pay (Deterding et al., 2018). In comparison with prior discourses, this debate notably focuses *individual game design features* (like loot boxes) in their ethicality and immediate effects.

One of the arguably earliest and most influential approaches in this study of the ethicality of individual design choices is that of *dark game design patterns* introduced by Zagal, Björk, and Lewis (2013). Cited 73 times in the past six years alone (Google Scholar, 2019), this text builds on the formal analysis of games (Björk, & Holopainen, 2005) and the concept of dark patterns in web design (Gray et al., 2018) to develop a notion of individual game design features that are *inherently* “questionable and perhaps

even unethical” (Zagal, Björk, & Lewis, 2013). The text defines such “dark game design patterns” as “used intentionally by a game creator to cause negative experiences for players which are against their best interests and likely to happen without their consent.” The text substantiates this definition with exemplary analyses of a number of temporal, monetary, and social dark patterns like grinding, appointment play, pay to skip, or social pyramid schemes.

In this presentation, we will provide a critical review of this text and argue why dark game design patterns are not a productive starting point for the ethical analysis of game design. First, we will demonstrate how the concept of dark game design patterns is *ontologically incoherent*: it makes *subjective states* of designers and players a necessary condition for ‘darkness,’ and yet substantially identifies recurring *material object features* of games as ‘dark’ *per se*. This incoherence is reflected in the text’s performative self-contradiction, as it continuously stresses the subjectivity and context dependency of ‘darkness,’ yet repeatedly declares concrete game patterns as inherently ‘dark.’ This self-contradiction could have been avoided if the text had chosen an explicitly empirical conceptualization of ‘dark patterns’ as the emic accounts of what particular player and developer communities consider questionable. Yet as we will demonstrate, despite frequent appeals to popular consensus or majority views, the paper does not provide any empirical grounding for just these appeals.

Second, we will demonstrate that the definition of dark patterns and the connected ethical analyses don’t specify what ethical framework(s) they are grounded in. The text appeals to intent, consent, and “the interaction with a system as a contract” (Zagal, Björk, & Lewis, 2013), which hints at a broadly deontological or contractualist ethics. But since we never learn explicitly from which specific ethical framework the text argues, its claims cannot be (easily) analyzed as to whether they are congruent with and logically derived from said framework. This lacking explication also makes it harder for untrained readers to see alternative ethical issues or vantage points on game design which the text elides, such as consequence, excellence, or care, as articulated in e.g. consequentialism, virtue ethics, or a feminist ethics of care.

Closely connected and third, we will show that the particular design patterns the text identifies as ‘dark’ reveal a bias against a particular historical formation of digital games, namely then-ascendant freemium casual and social network games. And since the text’s ethical evaluations are neither logically derived from an explicit framework nor backed by empirics on players’ and designers’ actual moral evaluations, the designation of a particular pattern as ‘dark’ effectively bottoms out in the authors’ personal intuitions and preferences. Instead of reflecting their own historical particularity and contingency, the authors thus normatively universalize what are arguably their personal “implicit game aesthetics” (Bateman, 2015) and “game design values” (Kultima & Sandovar, 2016). In that, they unwittingly contribute to the discursive policing of 1990s-2000s AAA console and PC games as the only “real games” (Consalvo & Paul, 2019) in town, thereby othering games, designers, and players that deviate from this historical formation. This is exacerbated by the fact that the text suggests that some or even most design patterns not identified as ‘dark’ are “value-neutral” (Zagal, Björk, & Lewis, 2013).

We will close with highlighting latent strengths of “Dark Patterns in the Design of Games” (Zagal, Björk, & Lewis, 2013): as unproductive as the concept of dark game design patterns itself is, its analyses and sensitizing questions articulate particular *values* (like transparency) and *player experiences* (like regret) that indeed form fruitful analytic or empirical starting points for tracing when and why particular game design decisions can become ethically questionable.

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