Metaphysical Jurisdiction

James Grimmelmann
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Obligatory Throat-Clearing

- Thank you
- I’m sorry I’m a provincial American
One thinker’s journey

- I thought virtual worlds recreated a state of nature
- Boy, was I wrong!
- In fact, virtual worlds can be perfect tyrannies!
The big idea

Virtual worlds have a governance problem

It’s software’s fault

Software can’t fix it
Governance failures

- *The Sims Online* executes Peter Ludlow
- *Second Life* expropriates Marc Bragg’s land
- *EVE Online* picks winners
Why do virtual world companies turn bad?
The power “to say what the law is” requires:

- Consensus about underlying facts
- Consensus that the court has legitimate authority
Jurisdiction online

- Consensus about virtual “reality” comes from the server
- Consensus about operator authority does too
- A virtual “court” can redefine reality itself
- The guy with a finger on the power switch makes the rules
Some Objections Answered

❖ “It’s only a game!”
❖ So nu, games can’t be fair?
❖ Some virtual worlds aren’t games
❖ “No one is forcing you to play!”
❖ Sometimes, someone does force you to play
❖ Once you’ve joined, you’re in it for the long haul
Brief pause for breath
Some software “solutions”

- Virtual property / user-generated content
- Free/open-source software
- Peer-to-peer
Virtual property doesn’t work

- The more you have, the more you have to lose
UGC doesn’t work

- The more you have, the more you have to lose
Free software doesn’t work

- A modified client is a form of hallucination
- Good luck getting the company to let you mod the server
- Your own server is also a form of hallucination
Peer-to-peer doesn’t work-

- There are two possibilities:
  - Everyone agrees all the time = metaphysical jurisdiction
  - Players disagree = no shared virtual world
- Decentralization hides the authority, but it’s still there
- Federation creates a fragmented network of petty fiefdoms
Conversation . . .