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An Immersive Perspective On The Second Life Virtual World

By

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Introduction

In his recent best-seller “The Singularity is Near,” scientist and futurist Ray Kurzweil makes the following prediction about fully immersive virtual reality:

We will be able to quickly change our bodies into full-immersion visual-auditory virtual environments in the second decade of this century; in full-immersion virtual-reality environments incorporating all of the senses during the 2020s; and in real reality in the 2040s.¹

The 3-D Internet environment known as “Second Life” may be one of the most widely publicized, vigorously debated, and misunderstood technologies to emerge on the information technology scene in many years. Often referred to as a “game,” which it is not, SL is a virtual community in which real life participants from around the world participate continuously in a great social, economic, and cultural experiment.

An excellent description and history of SL appears in Wikipedia, which begins as of the date of this writing by saying:

Second Life (abbreviated as SL) is an Internet-based virtual world which came to international attention via mainstream news media in late 2006 and early 2007. Developed by Linden Lab, a downloadable client program enables its users, called "Residents", to interact with each other through motional avatars, providing an advanced level of a social network service combined with general aspects of a metaverse. Residents can explore, meet other Residents, socialize, participate in individual and group activities, create and trade items (virtual property) and services from one another.²

The users of SL, referred to as “residents,” are represented in the virtual world by three-dimensional, animated agents or “avatars” that can take more or less whatever form and appearance and manifest whatever personality a user desires. Residents can own property, create objects and animations, form relationships with one another, and engage in virtually any type of transaction or interaction imaginable. They can communicate with one another by typing local public “chat” messages, typing private, global instant

¹ Kurzweil, R., (2005). The Singularity is Near, p. 316. Penguin Books.

² http://en.wikipedia.org/wiki/Second_Life. Reference to things in Second Life and links cited in this paper were current as of the time of writing.

messages, and even by voice. Residents can navigate the landscape by walking, flying, or instantly teleporting from one location to another, among other means. Although principally a visual experience and somewhat “cartoonish,” the experience can be quite vivid and realistic, and the extent to which participants “cross the digital divide” can sometimes make it difficult to distinguish between what is virtual and what is real.

The Evolution of the Second Life Landscape

Linden Labs initially released SL as a barren landscape with a set of tools that residents could use to create and build all manner of objects and structures and a scripting language that residents could use to animate objects and avatars. Reportedly, everything that exists in the SL metaverse today (aside from the basic infrastructure and tools) was created by the residents.³ Exploring SL reveals that it now contains virtually every type of object and animation the explorer (or anyone else) can imagine. This includes buildings of every conceivable purpose, gardens and landscapes, underwater reefs, aircraft and land vehicles, plants, animals, clothing, weapons, audio and video devices, and other things.

The landscape itself is divided into parcels that can be owned or rented by residents and on which they can build whatever they desire for any personal or commercial purpose. There are homes, night clubs, resorts, airports, condominiums, office buildings, parks and casinos. The owners or lessees can permit public access to their land, or they can control access by permitting or banning specified individuals or groups or by charging an access fee.

The Economics of the Second Life Community

Second Life has its own currency, the Linden Dollar. Linden dollars may be purchased and sold for real money through a variety of exchanges at a rate that fluctuates according to market supply and demand. Residents can use Linden Dollars to purchase property, goods or services from one another, to make purchases through automated vendors in a variety of stores, and to gamble in casinos created by other SL residents.

³ “What is Second Life?”, <http://secondlife.com/whatis/>.

The prices of property, goods and services are similarly driven principally by market conditions.

The ability to create and own assets in SL has given rise to “in-world” businesses owned by residents, and the ability to market and sell goods and services in SL has prompted several real world companies to establish a presence there. These companies include such household names as Autodesk, Dell Computer, IBM, Cisco Systems, Circuit City, Charles Rutenberg Realty, American Home Mortgage, Reuters Group, Toyota, Reebok. These sites within SL may offer products or services for sale, provide meeting places for company employees, or serve up a link to the company’s commercial web site. There has been much speculation and debate about the commercial viability of a SL presence for a real world company, and it remains to be seen how this sort of enterprise will evolve.

While some residents claim to have amassed considerable amounts of money through their SL activities, it is striking how many of them devote scores of hours each month to commercial activities that generate income in the range of \$200 - \$300 per month. On the other hand, one parcel of Second Life real estate reportedly sold on eBay recently for the “buy it now” price of US \$50,000.⁴ In fact, most of the SL “stores” are devoid of customers most of the time. Still, the amount of time and money invested by individual and corporate entrepreneurs suggests a high level of faith in the potential for the virtual world to become an important center of commerce, just as happened with the Internet during the last five years of the 20th century. Since early 2006, this has been the subject of numerous magazine articles, Internet postings, and television news programs discussing the opportunities and the myths of virtual world capitalism.⁵

⁴ “Amsterdam Sold for US\$50,000,” Reuters (March 27, 2007), <http://secondlife.reuters.com/stories/2007/03/27/amsterdam-sold-for-us50000/>.

⁵ See, e.g., “Making Real Money in Virtual Worlds,” Forbes.com (August 7, 2006), http://www.forbes.com/careers/2006/08/07/virtual-world-jobs_cx_de_0807virtualjobs.html, “My Virtual Life,” BusinessWeek Online (May 1, 2006), http://www.businessweek.com/magazine/content/06_18/b3982001.htm; “Making a Living in Second Life,” Wired (August 2, 2006), <http://www.wired.com/gaming/virtualworlds/news/2006/02/70153>; “Second Life: It’s Not a Game,” CNN Money.com (January 23, 2007), http://money.cnn.com/2007/01/22/magazines/fortune/whatsnext_secondlife.fortune/index.htm; “Starting a Second Life Business,” MSNBC (February 22, 2007), <http://www.msnbc.msn.com/id/17280460/>; “Coldwell Banker’s Second Life,” Fortune (March 23, 2007), http://money.cnn.com/2007/03/22/technology/fastforward_secondlife.fortune/index.htm.

The Social and Cultural Evolution of Second Life

The social and cultural components of SL are rich, varied, and still evolving. Perhaps because of the anonymity SL affords its residents, most of them tend to be even more socially active than they are in real life. Many of the residents spend most of their time in various social venues such as dance clubs, where they meet and socialize with others people from many different countries and sometimes experiment in types of behavior that exceed their real world experience. People form every imaginable type of relationship including friendships, sexual relationships, and “partnerships.” Some residents get married and even have children in SL. Some of those partnered in SL are partnered with the same people in real life, and some are partnered with others. The emotional component of SL relationships can become quite intense, resulting in a phenomenon sometimes referred to as “SL drama” when those relationships become troubled or come to an end.

The cultural diversity of Second Life is striking. In some ways it reflects the real world cultures of the residents, and in other ways it is quite unique. In fact, as in the real world, there is no uniform culture in SL. It is an aggregation of people from different national, economic, social, religious, political, geographic, ethnic, and cultural backgrounds, all playing together in the same sandbox with unlimited resources and possibilities. Many of the old timers – the pioneers – are creators, builders and artists who contribute greatly to the rich fabric of Second Life and who are more than willing to share their contributions and knowledge with newcomers who are just beginning to climb the steep learning curve of life in this virtual world. There is a culture of entrepreneurs working as everything from sex escorts to night club and shop owners to real estate speculators, all scrambling and competing with one another. There is a culture of humanists who are sincerely committed to SL as the next step in the evolution of humankind. There is a culture of scam artists, a culture of “griefers,” and cultures of predators of every description. There is the culture of those who come to SL principally for virtual sex, with all of the various subcultures that comprises, as has been the case on the Internet since long before there was a World Wide Web. There is even a culture of

“furries” – people whose avatars take the form of furry animals and who share behaviors common to their own community. And then of course there is the culture of those who are just “passing through,” living and playing in the virtual world without contributing or taking much.

Second Life is becoming a venue for education – education in the arts of the virtual world, and also a place for real world institutions to promote themselves and offer classes. There is a cornucopia of virtual colleges and universities devoted to matters ranging from SL escort services to SL building and scripting skills. Real world universities with a presence in SL include Brown University, Loyalist College, McMaster University, Nova Southeastern University, Ohio University, Kent State University, Texas State University, The University of North Carolina, University College - Dublin, The University of Illinois, The University of South Denmark, and Trinity College, in addition to student and faculty groups from many other real world institutions.

Religion has also found its way into Second Life. There are churches, synagogues and mosques, as well as atheist centers. In SL, you will find every conceivable philosophy and an opportunity to explore it with other people from many different walks of life.

The Hazy Line Between Real Life and Second Life

We are seeing an increasing number of situations in which the lines between “RL” and “SL” are being crossed in important ways. This includes commercial, social and governmental activities. For example:

- Citizens within the virtual world of Second Life will be able to teleport to an in-world pizza restaurant and order their favorite pizza from their favorite national or local pizza chain. But the magic doesn’t stop there with the use of Dynamedia is releasing VirtuReal a revolutionary way for Second Life Citizens to use their Linden Dollars to purchase real world goods. They will be able to purchase real world pizza with their in world Linden Dollars. That’s right virtual world currencies used to purchase real world food.⁶
- Opening the morning of April 20th, 2007 is a memorial for the students and staff involved in the April 16th shooting at Virginia Tech. The SIMetery was

⁶ “Pizza Enters the Virtual World of Second Life,” FastPitch (April 21, 2007), <http://www.fastpitchnetworking.com/pressrelease.cfm?PRID=8734>.

created by Second Life citizen VooDoo Zheng, who in march of this year suffered the great loss of friend and partner Kimby Janus to a car accident, along with her 2 children. With her services and burial on the other side of the world, VooDoo had no where to leave flowers, no grave to visit and no one to talk to. To begin the healing process Memorial Park was created for Kimby and her children and soon opened it up to the public.⁷

- The Homeland Security Department is considering setting up an outpost in Second Life Federal agencies that have set up islands on Second Life include the Centers for Disease Control and Prevention, the National Oceanic and Atmospheric Administration and Congress.⁸
- New businesses have been created specifically to help other businesses design, implement and integrate their operations into virtual worlds.⁹

Legal Issues Raised by the Virtual World

Over the past year or so, much attention has been paid to legal issues in the SL environment. Some articles and news reports focus on traditional types of legal conflict that arise out of various types of SL transactions and conduct.¹⁰ Others suggest that the virtual world raises novel legal issues.¹¹ In fact, while SL may be a new context for legal issues involving Internet transactions, interactions and activities, most of the legal issues it raises are the same ones we have been addressing since the mid-1990s, when the Internet first evolved into a popular public venue.

⁷ “Virginia Tech Memorial Opening in Second Life Today,” PRLog.org (April 20, 2007), <http://www.prlog.org/10014311-virginia-tech-memorial-opening-in-second-life-today.html>.

⁸ “DHS Ponders Foray into Second Life,” GCN Home (March 19, 2007), http://www.gcn.com/print/26_06/43315-1.html.

⁹ *See, e.g.*, The Wishfarmers, LLC, <http://wishfarmers.com/>; QTLabs, Inc., <http://qtlabs.net/>.

¹⁰ *See, e.g.*, “Second Life Land Deal Goes Sour,” Wired (May 18, 2006), <http://www.wired.com/gaming/virtualworlds/news/2006/05/70909>.

¹¹ *See, e.g.*, “The legal rights to your 'Second Life' avatar,” CNET News.com (January 5, 2007), http://news.com.com/The+legal+rights+to+your+Second+Life+avatar/2100-1047_3-6147700.html; IP: “Intellectual Property: Knowledge, Culture and Economy,” IP: KCE (October 24, 2006), <http://www.ip.qut.edu.au/node/32>; “‘Inline’ intellectual property raises legal issues,” Wisconsin Technology Network (February 15, 2007), <http://wistechnology.com/article.php?id=3703>.

There are, of course, the intellectual property, commercial, privacy, liability, jurisdictional, and regulatory issues that confront any business with an internet presence. In this respect, SL and its proprietor Linden Labs are situated similarly to other Internet service providers, portals, and vendors. The few areas in which truly novel questions have been raised include the investigation by a U.S. congressional committee of imposing a federal tax on assets owned in the virtual world (specifically virtual real estate),¹² the legality of “virtual” gambling (in fact it is real gambling in virtual space),¹³ and whether existing child pornography laws apply to simulated sexual activity that appears to involve children but in which adults play the roles of children.¹⁴

The same is largely true concerning legal issues that are personal to the residents themselves. They face many of the same privacy issues, tort issues, contract issues, intellectual property issues, and jurisdiction issues that have affected Internet users for the past ten years. Aside from the terms of the SL user agreement and six general “Community Standards,” the violation of which can result in suspension or expulsion from the virtual world following Linden’s investigation of a complaint by a resident,¹⁵ there is no “law of second life” and no binding means of “in-world” adjudication of disputes.

The Presence of Lawyers and Law Firms in Second Life

Like the real world corporations mentioned above, lawyers and law firms are also experimenting with establishing a presence in SL, some offering legal services and others using SL as a venue to promote their real world services and activities. A search conducted at the time of this writing revealed the following examples:

¹² See “Second Life and the Virtual Property Tax,” Info Tech & Telecom News (April 1, 2007), <http://www.heartland.org/Article.cfm?artId=20790>.

¹³ See “FBI Checks Gambling in Second Life,” Reuters (April 4, 2007), <http://www.msnbc.msn.com/id/17950149/>; “The Unlawful Internet Gambling Enforcement Act of 2006 and Second Life,” <http://secondlife.com/knowledgebase/article.php?id=291>; “Legal analysis of gambling in Second Life,” <http://secondlife.reuters.com/stories/2007/04/12/legal-analysis-of-gambling-in-second-life/>.

¹⁴ See, e.g., “Dutch demand ban of virtual child porn in Second Life,” The Register (February 21, 2007), http://www.theregister.co.uk/2007/02/21/dutch_demand_ban_on_virtual_child_porn/.

¹⁵ <http://secondlife.com/corporate/cs.php>.

- The Alonzo Law firm, whose motto is "a lawyer with his suitcase can steal more than a hundred men with gun" and the principal of which claims to be a member of the SL Bar Association and admitted to the SL District Court.
 - A Washington, D.C. law firm whose SL office offers a link to its real world website.
 - A group calling itself "InternetLitigators," whose virtual office contains an object that offers a link to a web page that promotes the services of a California law firm and offers "memberships" that entitle the purchaser to 5 hours of lawyer time, among other things.
 - The in-world promotion of a "Special Briefing" on virtual worlds to be hosted in London by a prominent London law firm.
 - A supposed lawyer who identifies himself as "Monday Beam, Attorney at Law and futurist" and who posts this "Consultation Policy" notice at his virtual law office:
- CONSULTATION POLICY**

Currently Monday Beam, ESQ. is offering in-world consultations at an initial rate of \$1000L. All consultations are handled on a first come, first served basis. Walk-ins are welcome. In the event the attorney is not present, please feel free to send your legal question via IM along with your payment, and your question will be promptly answered.

Mr. Beam is a licensed attorney practicing in the United States and is duly licensed to practice Federally as well. Please feel free to view Mr. Beam's profile for further information. ☺
- Law Office in French Business, which offers the following description: I'm a RL Lawyer. You can contact me by IM for all questions about french [*sic*] business contracts, french [*sic*] commercial companies, transfer of companies, commercial lease. Also for all formalities of registration and modifications near the commercial courts. My RL rates are \$350/hr. Bou You [*sic*] can expose your problem free.
 - The SL Law Office announcing its Grand Opening Special: Free Consultation.
 - At least a half dozen other offerings of various types, mostly purporting to provide the types of legal services that might be of interest to SL residents and entrepreneurs.

Lest one think that the legal presence in SL lacks serious credentials, note that Harvard Law School also has an established "in world" presence. According to the presumably legitimate posting:

Harvard Law School is holding a trial on Berkman Island on April 22nd from 1-3pm PDT. The case is a blogger who has been asked to turn over his sources to the federal government. Professor Charles Nesson will be the judge. Harvard Law students will be the lawyers. We want YOU to

be a juror. Please IM Rebecca Berkman if you are interested in participating.

Conclusion

Where is all of this leading? Second Life certainly has its skeptics and detractors.¹⁶ However, few of us who remember the Atari video game “Pong” would have imagined that it would someday evolve into massively multi-player, 3-dimensional, strikingly realistic games like those played through the Xbox 360, the Sony PlayStation 3, or in online environments like World of WarCraft. Similarly, there is every reason to believe that as technology continues to evolve and become more accessible, virtual worlds like Second Life will become sufficiently realistic to be essentially indistinguishable from real life experience in many ways.

In the words of Zarta Vargas, one of the intellectual and cultural leaders of the SL community:

Ohhh, sl is without a doubt, imho, the beginning of humanity's future -- that which will be the norm in years to come, and I'm really not sure it will take 15 years. Anyone who does not see it as that simply doesn't see it for what it is. Yes, there is sex in sl, but there is the same in rl. SL is **not** a **game** like WOW; it is a virtual world where people -- real people -- create and develop the world..... the rules, the norms, the places and environments. SL is very much an extension -- an expression -- of **current** thoughts around the globe. That's part of what makes it so great -- it's not dominated by the ancient delusions or misconceptions about humanity. It's **very** real, in many ways, but one has to have an open and progressive mind to see it -- to understand it. Those in SL are living and creating the future of humanity. It's a wonderful world -- virtual, yes, but I'll mention that much of humanity's communication and interaction has become virtual. SL just gives us a much better place to communicate and interact with people -- around the globe. IMHO, one cannot compare to SL to WOW or any mmorpg... because SL is **not** a game... it is the beginning of humanity's future! That's my 10 cents worth. ;]¹⁷

¹⁶ Dvorak, “Unreal Life? Get a Life,” PC Magazine (November 29, 2006), <http://www.pcmag.com/article2/0,1759,2064211,00.asp>.

¹⁷ http://www.informationweek.com/blog/main/archives/2007/04/why_were_devoti.html.