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## **Legal institutions and virtual worlds**

### **SUMMARY**

Representatives of the humanities have managed to develop a rich literature on the specificity and culture of virtual worlds communities. Their users sometimes create complex social structures, the functioning of which goes beyond the framework provided by the software provided by the creators. According to the hypothesis, communities of appropriately designed digital environments are able to create normative systems that resemble law in many respects. This hypothesis was verified by analysing the rule systems created by users of virtual worlds from the perspective of selected positivist concepts and determining the degree of their similarity to legal systems. The consequence of confirming the hypothesis was to provide an answer to the question of how the similarity of the studied normative systems to law could contribute to the development of legal science.

Chapter I provides an introduction to the work. It contains an explanation of the purpose of the research and the reason for undertaking it. It contains a detailed presentation of the research hypothesis, including an enumeration of the features that the studied normative systems share with the law, as well as the differences occurring between the two institutional normative orders. This chapter also presents the methodology adopted in the study. The primary research method is a conceptual analysis rooted in the current of legal positivism, in an attempt to relate the conceptual grid developed in this field to the context of virtual worlds. The auxiliary method was ethnography, used primarily in terms of several months of participant observation, which allowed for a detailed understanding of the rules guiding the selected EVE Online communities.


Chapter II was devoted to the characteristics of the virtual world that forms the empirical basis of the research conducted, namely EVE Online. The understanding of the term 'virtual world' is first presented. In the terms of the thesis, it is a digital environment that allows a significant number of users to interact simultaneously at the same time. This environment is designed to reflect certain physical conditions, i.e. it is a two- or three-dimensional space, intended to mimic a separately functioning reality. Users interact with the virtual world and other users through avatars, which are their virtual representation. Avatars serve to 'embody' users in the virtual world, so that their ability to influence the digital environment is largely limited to the place in the virtual space in which they are located. This impression of separateness is heightened by some of the mechanics of virtual worlds, which limit users' freedom, for example by requiring them to acquire the right items to produce a virtual item. Another important feature of virtual worlds is that they allow users to creatively develop the content within them. Among other virtual worlds, EVE Online is distinguished by the considerable freedom given to its users, who are gathered on a single server that has been in continuous operation for 20 years, making it possible to observe the continuity of a diverse virtual community, within which numerous minor cultures have developed.

Chapter III focuses on defining the theoretical basis for describing the complex system of rules found in EVE Online. It outlines the development of positivist thought, starting with the foundations laid down by Herbert Hart, the development of the concept driven by the discussion with Ronald Dworkin, and ending with attempts to formulate positivist metatheories. Playing an important role in the description are the concepts of Neil MacCormick, for whom it proved impossible to reconcile

positivism with the unquestionable influences of morality on legal practice, and Jaap Hage, who, building on John Searle's institutional theory, proposes a novel account of rules as constraints on possible worlds. The essential contribution of this theory to the dissertation is the description of the rule systems contained in the virtual world code (base rules) constructed on the basis of this theory and how they are shaped by the developer and users. The theory of Scott Shapiro, who proposed a theory of interpretation embedded in the tradition of exclusivist positivism, is also helpfully introduced. These considerations precede the introduction of the concept of legal pluralism and the presentation of the results of some of the research carried out in this strand, which show that the state legal system does not necessarily play a dominant role in the lives of members of a given community, and that even in countries where the law has an unquestionable dominant position, other normative systems can support the goals set by the law.

Chapter IV of the thesis presents an overview of the different levels of rules that shape the normative environment of the virtual world user. First, the Chapter describes the limits of the users' use of the software as defined in the licence agreement, and how, in the light of this, the platform owner perceives his role in relation to the users, who declares that he is merely a 'caretaker', taking care of the smooth operation of the system, while he has a decidedly dominant position in relation to the users. The final section of the chapter presents the normative systems created by the users of virtual worlds themselves and the role they play both in the gameplay and in the active management of the virtual world. Digital communities, by introducing the rule systems they design, increase the popularity of the virtual world, creating a value-differentiated environment that can potentially attract more users. These rules also have a purely utilitarian role, allowing them to gain an advantage over rival organisations.

The final chapter of the dissertation summarises the research findings. It first presents the arguments supporting the initial research hypothesis. The normative orders of virtual worlds are able to resemble law in many respects, measuring themselves against complex problems arising from the need to coordinate the actions of thousands of individuals. Two conclusions relevant to legal theory can be drawn from this conclusion. Firstly, users play an important role in content moderation and the solutions they introduce contribute to a secure digital space. Secondly, they constitute collections of valuable information from the point of view of the social perception of the behaviour taking place in this atypical environment. As such, they can be a valuable source of information for the interpreter.

  
18.10.2023r.