Chapter 3.7
Privacy Regulation in the Metaverse[1]

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ABSTRACT

Second Life can be seen as a social microcosmos in which fairly normal people lead a social life and where social needs develop. Privacy is one of those needs. It is a need that is seemingly at odds with the key characteristics of Second Life: social interaction, transparency and openness. This chapter sketches the state of privacy in Second Life and how privacy is regulated in and around Second Life. It argues that the current governance model in Second Life is inadequate to provide proper privacy protection. The chapter concludes by briefly discussing current developments towards self governance that may improve the situation. The chapter aims to show that virtual worlds, such as Second Life, are interesting environments to study social phenomena and their governance.

Privacy is like oxygen, we really appreciate it only when it is gone.
—*Charles Sykes (1999)*

INTRODUCTION

In 1992, Neil Stephenson published the sci-fi novel Snow Crash. In this novel, Stephenson sketches the US in a distant bleak future where government has been almost completely replaced by private organisations and entrepreneurs who run sovereign suburban enclaves, called 'Burbclaves'. The book's fame, however, mainly derives from one of its key features, 'The Metaverse', a computer generated 3D environment in which the book's protagonist spends considerable time. In the Metaverse, players move around as Avatars. The basis of the Metaverse is 'the Street' which is '… subject to development. Developers can build their

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own small streets feeding off the main one. They can build buildings, parks, signs, as well as things that do not exist in Reality, such as vast hovering overhead light shows, special neighbourhoods where the rules of three dimensional spacetime are ignored, and free combat zones where people can go to hunt and kill each other.' (Stephenson, 1992, p.23).

The Metaverse clearly was the inspiration for what is now known as Second Life (SL), an online game offered by Linden Lab.[2] Snow Crash also contributes to Second Life on another level. The burbclaves described in the novel may turn out to be the governance model to which Second Life is moving. Second Life is therefore turning Stephenson's thought experiments[3] into reality in more than one sense.

Second Life has evolved into one of the popular online Multi User Virtual Environments (MUVEs) with at present some 14 million Residents.[4] Unlike the related Massively Multiplayer Online Role Playing Games (MMORPGs), Second Life lacks a content-driven plot; the users define what SL is used for.

Perhaps because SL lacks a plot and instead provides a powerful platform for social interaction, the idea has been coined that SL can be regarded as a social microcosmos which would potentially make it a unique research platform for the social sciences and clinical therapy (Yee et al., 2007).

One of the interesting phenomena to study is that of privacy. Privacy is a basic human and social need (e.g., Westin, 1967). It is a multidimensional concept, with physical (e.g., bodily integrity), spatial (e.g., home as a private sphere), relational (e.g., private conversations), and informational dimensions. Since the rise of ICTs, informational privacy has gained importance. Informational privacy is often associated with the notion of informational control: 'being in a position to determine for [oneself], when, how, and to what extent information about [oneself] is communicated to others' (Westin, 1967 p. 7). Informational control allows individuals to define social contexts in which they present different aspects of themselves. For instance, your boss (generally) does not enter your bedroom, and your grocer does not (need to) know where you work. Audience segregation is considered to be an essential aspect of identity (cf, Goffman, 1959) and necessary to create and maintain social relationships (Rachels, 1975).

Privacy is a value worth protecting in itself, but is also instrumental to other values, such as personal autonomy, emotional release, and self-evaluation. It also plays an important role in society at large. Free speech, which is essential for public debate, is served by anonymous speech, for instance. Privacy therefore is not only an individual value, but also a social one. Privacy is, or should be, built into systems and organisational practices and procedures (e.g., Regan, 1995).

The meaning of privacy and the way people and society value privacy changes over time. ICT developments have an eroding effect on informational privacy because ICTs create data traces that can easily be stored, combined and exchanged (Koops & Leenes, 2005). This has led some to conclude that we no longer have any privacy (e.g., Froomkin, 2000; Sykes, 1999). The middle ground is that even in social networks privacy is considered important, even though users don't act according to their concerns (e.g., Acquisti and Gross, 2006).

Second Life offers its users an almost unlimited means to expose themselves. This provides an interesting test bed to explore privacy and the changes over time in its valuation. Questions that can be raised include the following: SL residents have a certain amount of informational control, but how much control do they have? How is this control affected by other players and the environment's architecture? How is privacy regulated in this environment? Is this adequate, given individual and societal concerns? The malleability of the technology and rules/regulations even allow SL to function as a test bed to explore the effects of certain privacy regimes on the users attitudes and