

Democracy: The Videogame – Discussion Paper Draft

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[This discussion paper captures some of the background ideas to the presentation entitled “Democracy: The Videogame” in which I will demonstrate several examples of games for democratic participation, all of which illuminate the potential for using videogames and virtual worlds as training grounds for learning the practices of democracy, in particular citizen participation in policymaking. Virtual worlds are not simply a test-bed for experimenting with legal rules nor should they only be used as simulators of pre-defined experiences. Rather, the gamespace allows groups to set the rules according to which they will collaborate to solve social problems. As such, virtual worlds can teach democratic practice. “Democratic practices” are methods of self-governing in accord with the democratic values that legitimize them. Participants in virtual worlds are already engaged in activities of democratic life, including collaborative work and group problem solving. If the self-governing creativity of the gamespace can be harnessed to the principles of democracy, rather than just the arbitrary rules of the game’s creator, virtual worlds might turn out to improve participatory democratic culture on-line and off. By using the technology to cultivate democratic practice and communities of practice, virtual world “games” may represent the best laboratory for learning the practices of democracy and reinvigorating citizenship imbued with the playfulness of games. Government should invest in developing “Democracy: The Videogame” to this end.]

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Introduction

Baudrillard wrote that “behind the baroque of images hides the éminence grise of politics.”² This could not have been more apt than it is as a description of the lush, multimedia landscapes of virtual worlds. In the “real” world of earth people are dropping out of participation in civic life, yet “there” people are joining in record numbers. Many of the 20-30 million regular participants in virtual worlds spend more time in these virtual societies than they do on the job or engaged in their own communities.³ Here they do not vote,⁴ they do not bowl,⁵ they do not participate,⁶ and they do not follow politics.⁷ “There” people are gathering, not to shoot space invaders or munch blips on the screen, but to participate in building new social universes. They go to Britannia⁸ or Norrath⁹ or Second Life¹⁰ to engage in the complex social practices of creating characters, swapping stories, solving problems, paying taxes, enacting rules and breaking them. They do not simply play in these theatrical cartoonsapes they participate. They are engaging in activities we would be hard pressed not to label “political” in its broadest sense. Players are opting out of here to become citizens there.

As a result these are not just games. They are societies where a surprisingly large number of people are making a new form of citizenship their leisure activity.¹¹ They are participating in the social and political environment. They make choices and decisions, which impact their own lives and the world around them. They are experimenting with the creation of governments, laws and norms. The obvious question is why? Why opt out here and then opt in there? Why transform play into politics? While voter turnout

² Baudrillard, *Simulation and Simulacrum*.

³ Themis Report 2002

⁴ Pew Center

⁵ Bob Putnam

⁶ Only half have participated in a volunteer activity. Citizenship" taken from "Citizenship: A Challenge for All Generations A report from the National conference of State Legislatures, in partnership with the Center for Civic Education and the Center on Congress at Indiana University, is based on a national public opinion survey comparing the attitudes of 15-26 year-olds to those of older people toward citizenship and representative democracy...[10/07/03]Full report: <http://www.ncsl.org/public/trust/citizenship.pdf> (requires adobe acrobat).

⁷ Of those under 26 surveyed, 82% could identify the Simpsons' hometown but only 10% could identify the Speaker of the House. <http://www.ncsl.org/public/trust/citizenship.pdf>

⁸ Ultima

⁹ Everquest

¹⁰ Linden Lab/Second Life

¹¹ Thorsten Veblen. Marx.

rates are shrinking, why is Second Life or There growing by leaps and bounds?¹² What can we learn about what goes on there to help reinvigorate democracy here?¹³ How might we take advantage of what goes on there to build a more syncretic democratic culture that integrates civic life in the real and virtual worlds and strengthens democracy?

The responses are the central concern of this Article, the aim of which is to argue for the greater use of videogames by government and civic groups for participatory democratic purposes. In virtual worlds, in particular, avatars are engaging in processes of self-governance, uncoordinated by any central authority though structured by the larger rules and goals of the gamespace. They collaborate and solve problems together to achieve a purpose within the world, abiding by an ethic of decentralized and distributed collaboration, which is characteristic of both on-line culture¹⁴ and participatory democratic theory. In a participatory democracy, citizens collaborate and solve problems together as a way to govern themselves and they do so according to rules (or what we sometimes term principles) of democracy, namely inclusion, equality and fairness. Their behavior is bounded by these abiding principles that impart legitimacy to decisions taken by the group. This is what transforms a practice that is collaborative into one that is also democratic. Because the work of the group is done according to democratic principles, it becomes the legitimate representation of the public interest and becomes a type of collaboration that is specifically political. Though, pure self-governance may occur in various forms, such as in local organizations or among tight-knit interest groups, participatory democracy need not substitute for representative institutions. Doing the work of the polity fully still requires the kind of full-time attention to its coordination that people do not have (though we may learn from the way distributed work is done on the Internet how to do more with less). But participatory democracy ensures that citizens participate to the greatest extent possible in shaping those

¹² Voter participation has steadily declined since 1972 with significant rates of decline among young people. That drop is estimated to be about 15% or 1/3 of the total of youth participation ages 18-25. Center for Information and Research on Civic Learning and Engagement, http://www.civicyouth.org/research/products/fact_sheets_outside.htm

¹³ Games-to-Teach MIT - <http://cms.mit.edu/games/education/vision9.html>

¹⁴ Benkler, Coase's Penguin.

institutions and guarantees their legitimacy through popular, democratic consensus. This is the ideal toward which our constitutional democracy is striving.¹⁵

Hence, the short answer to the question of how virtual worlds may strengthen participatory democracy is that these spaces are not simply testbeds for experimentation with political and legal rules;¹⁶ they are *training camps* to realize participatory democracy by tying the practice of collaboration to the values of democracy through the structure of the game. “Democratic practices” are the methods for doing self-governance effectively and in accord with the values that legitimizes them. Participants in virtual worlds, to an extent, are already engaged in activities of democratic life, including collaborative work and group problem solving. Because virtual worlds are social environments where people come together to engage in these sorts of democratic activities, they are ideally-suited to nurturing democratic communities of practice – social groups committed to and interested in learning to do democracy better. If the self-governing creativity (most astutely observed in connection with Internet culture by Yochai Benkler) of the gamespace can be harnessed to the principles of democracy, rather than just the arbitrary rules of the game’s creator, virtual worlds might turn out to improve participatory democratic culture. By using the technology to cultivate democratic practice and communities of practice, virtual worlds “games” may represent the best laboratory for learning the practices of democracy and reinvigorating citizenship off-line imbued with the playfulness of games.

To this end, this Article will initially examine what it is about videogames and virtual worlds, in particular, that lends itself to transforming them into training camps for democracy (Part II). Part II will address the democratic aspects of virtual worlds, as they currently exist, exploring, initially, the range of features that makes them potentially democratic and then those that are specifically suited to participatory democratic practice. This will, by necessity, entail further discussion of the concept of democratic practice. Part III will offer a political economy of the gamespace and focus on particular types of games or virtual worlds that teach democratic practice. Part IV asks whether it is enough to identify and celebrate the democratic aspects of virtual worlds in the way that we have

¹⁵ Federalist Papers. Meiklejohn. Gastil. Bohman. Barber. Other literature on participatory democratic practices.

¹⁶ Bradley and Froomkin. Virtual Worlds Real Rules.

positively noted the enhancement of visual acuity that comes as a side effect of playing first person shooter games?¹⁷ Or do we need “Democracy: the Videogame?” and in what context? Terrorists are already using videogames to train and indoctrinate with great success.¹⁸ Why not contemplate letting citizens use games to practice at participating in democratic life? This section argues in favor of both approaches with government taking the lead on constructing videogames, not only as simulations of military boot camp but also as boot camp for learning citizenship, its challenges and rewards.

Part II: Games as Democratic Playspaces

Before delving into the question of whether and how to build a democratic videogame, first it is necessary to see why virtual worlds are both inherently political and potentially democratic. Next, we have to explore why, if they are democratic, they are suited to teaching democratic practice.

Democratic Qualities of MMPORGs

Games are susceptible of becoming the most democratic art form. It would not require a significant amount of retrofitting or “repurposing” to conceptualize a virtual world as a training ground for democratic practice.

This is the new frontier where competing visions of political culture can play themselves out. Many specific aspects of virtual world design suggest a connection to the exercise of democratic practice. Whereas each one of these aspects of virtual worlds games might be fruitfully mined individually for the way in which it contributes to democracy, this section looks at these features collectively in broad strokes as evidence of the suitability of gamespaces as training grounds for democracy.

First, these worlds represent social institutions with unique cultures that can be likened to real political systems. They offer a complete political entity with systems of decisionmaking and choice. Virtual worlds, unlike older videogames, mimic whole

¹⁷ New York Times Article. Buffalo Study.

¹⁸ Ha'aretz article on Hezbollah videogames.

cultures with their myriad institutions and social traits. The narrative genres of most virtual worlds games allude to types of political cultures that exhibit democratic qualities, be it medieval guilds or intergalactic collective security regimes. Virtual worlds reflect the complex interpersonal relations of the larger society. [examples]

Second, virtual worlds games allow players to create individuated characters with unique identities. By acting through avatars, players take on a role distinct yet emanating from their own identity. This allows players to create “public” characters who think and act as members of a game community, rather than merely private individuals. These characters in the theatre of the gamespace, by virtue of being physically disembodied from the creator, may act in anti-social and even pathological ways in which the “real” person never would, shooting, maiming and killing in a brutal fashion. But the existence of a unique avatar offers myriad democratic possibilities, too, and these are being brought out by virtual worlds in ways that we have not seen before with videogames like HitMan or Grand Theft Auto. That avatar, like the citizen, can choose to behave in public-spirited ways that the avatar’s creator never would. The avatar as a persona can be likened to the citizen – a legal and moral personage distinct from the private individual – who acts in the public interest and against short-term private interests in free-riding behavior. Also, the ability to play a role as an avatar opens up possibilities for the simulation of different stakeholders within the game of democracy. Finally, avatars can more accurately represent social diversity in any democratic game. Avatars can be imbued with disabilities, physical, social and economic and participants made to play “with a handicap” as a way to teach empathy and learn the impact of political choices on those of differing ability.¹⁹

Third, games are governed by internal rules – the electronic *Rechtsstaat*. By now, it is a commonplace to assert that values are embedded in software code,²⁰ which regulates behavior in accordance with these values.²¹ Games, in particular, constrain the behavior of avatars within a set of rules programmed by the game’s creators or which the creators allow to be set by the players. Once imposed from above by the designer, the players increasingly create these rules, which are enforced through player norms or via the rules of the game. The game may impose the payment of taxes, rules of behavior,

¹⁹ Discussion of the veil of ignorance?

²⁰ Lessig. Noveck, B.U. article.

²¹ R. Polk Wagner article on software.

including when it is permissible to attack other players, and sanctions for infractions against the rules. It is because of this self-governing feature that virtual worlds are especially susceptible to democratic purposes. They may allow for the rules of play to be democratic and, at the same time, to make one of those rule choices allowing players to choose their own rules. That is the essence of the democratic project.

Fourth, in massively multiplayer games, “thousands or tens of thousands of people play a game whose effect is to tell a story together, instead of going to the movies and receiving the story as a finished good.” The universe of the virtual world is partly the creation of the designer, who authors the play, and partly the collective construct of the players, who, like actors, breathe life into the “skin” supplied by the author and the director. They demand of players, not only that they be active, self-governing participants in the creation of their own community, but many of the games require collaborative decisionmaking in much the same way that, as citizens, our social problems are both defined and solved by groups, not alone. Players work together to solve a problem, achieve a goal, such as breaching a castle wall, or defeating a villain. *[examples]*

Fifth, virtual worlds have their origins, like democracy itself, in word-based, logocentric text-based environments. Like democracy, games are now adapting themselves to the challenges of a graphical medium and visual environment. In the gamespace, where monsters look real and people look stilted, game designers are trying to evolve to simulate more realistic and natural human interaction. Similarly, democratic organizers and activists are learning to adapt their skills and institutions to the new media. For both, learning to operate in a multimedia world is essential to legitimacy.

Sixth, game creation, like game play, is a team-based exercise in collective creativity. Teams build games. The game itself and its rules, similar to our political institutions, must be designed with the input of all relevant stakeholders.

[This section needs to be fleshed out further with reference to specific examples from different games for each of these propositions; more to come]

Why MMPORGs Teach Democratic Practice

Virtual worlds not only exhibit democratic qualities, they also are excellent environments for experimenting with democratic practices. This is, first, for the reason powerfully articulated by Michael Froomkin, who argues that gamespaces reduce the cost and potential harms to participants in the political process of trying out new legal rules in the virtual world before committing to their institutionalization on earth. But the link between virtual worlds and democratic practice goes beyond lowered transaction costs. Games operationalize democratic theory by embedding in the rules of the gamespace the constraints of democratic values. Also, they offer a training ground, not simply for democracy, as a general concept, but for the practice of participation by ordinary citizens and citizen groups.

Much of the “core mechanic” – the basic functional activity – within virtual worlds represents an embodiment of democratic theory. The design of virtual worlds reflects the broader balance between individualistic and communitarian ideals prevalent in American democratic thought and culture. In the gamespace players can make individual decisions and see the impact of those decisions reflected in the world as well as collaborate with other players to achieve the goals of the world. Game societies, like our own, are driven by the practice of both this kind of collaborative problem-solving and individual decisionmaking bounded by social constraints. In the complex, multimedia environments of virtual worlds characters collaborate in authoring a shared narrative of an alternate reality. At the same time, players are able to choose among competing narrative agendas and to make choices about which personal values to maximize. Even if these choices are only between operating in stealth or attack mode or deciding on the characteristics of an avatar, the new games also exhibit a strongly individualist tendency, according ever more autonomy to players even within the networked environment. The physics of these new games increasingly permit players, within the constraints of a specific virtual geography, culture and myth, both to determine their own experience and, to interact with others in collaborative experience of play. Whether individual or collaborative, players act as designers in these spaces and are genuinely able to exercise rights of self-governance. Living in a persistent virtual world requires interaction and collaboration with other participants.

Second, virtual worlds offer a training ground for learning to engage in democratic practice because games, unlike other media or methods, require modeling

complex social systems in a graphical environment that responds to human behavior and embedding that model in the structure of the game. Democratic practice, too, is characterized by a model of systematized procedures designed to embody democratic values, like inclusion, equality, and fairness. It is this “precession of the model,” to use Baudrillard’s phrase, that makes virtual worlds potentially democratic. The model precedes the space and determines its political culture by reinforcing the balance among player autonomy, player community and top-down control imposed by the designers. The model for the gamespace could easily enforce democratic practice, both by requiring decisionmaking according to democratic values and by creating incentives for engaging in democratic activities.

Democratic Practice

Not only do virtual worlds exhibit democratic traits and are susceptible to embedding the rules and values of democratic theory, they can be used to teach democratic practice. Teach, understood not in the sense of didactic indoctrination but in the pragmatic vein²² of illustrating to the public best practices for doing democracy. The goal of this Section is to flesh out the concept of democratic practice and identify better what we mean by this term. Democratic practice is a form of applied theory. That is to say, it reflects a set of social activities by which members of a democratic community govern informed by a commitment to those democratic values that legitimize their governance. More concretely, democratic practices can be understood as “doing democracy,” engaging in the actions of self-governance, which we sometimes refer to as political participation. The term democratic practice is *per se* important to the definition because these activities require trial and error to determine how to accomplish them within the constraints of a given political, social and cultural context.

Democratic practices are the methods for effectively making decisions within a community according to democratic principles. They depend both on: 1) a way of working and decisionmaking that is collaborative and group-oriented and 2) on a set of principles, such as inclusion, equality, fairness and autonomy, which must govern the interactions within the group for them to be legitimate. These principles are necessary to

²² Analogy to patent law.

justify decisionmaking in a democracy by basing it on the informed consent of the governed. But what this consent requires and exactly which values must be embedded in the process and to what extent may change over time and must be the subject of public decisionmaking by the group.

[will eventually decide if and how to flesh out this section – may expand on the democratic theory or may simply define democratic practice up front and skip to the games discussion, avoiding this exposition altogether. Another possibility is to offer up a taxonomy of democratic practices which will later track to the taxonomy of the gamespace???]

Democratic practices go beyond mere voting to encompass how groups resolve their problems in a democracy. To be legitimate members of the group must participate in identifying the problem, defining the interests at stake and allowing all interests to be heard in the discussion of possible solutions.²³ The ideal of democratic self-governance depends upon active citizens participating in this kind of social decisionmaking, whether directly or through representative institutions. But effective participation demands discipline on the part of the governing and the governed to abide by the democratic principles and to engage in information exchange that serves the goals of the problem solving process at each stage. For example, in crafting a regulation, an official has to take the time and the trouble to solicit information and opinions from all relevant parties in order to inform the rulemaking and in order to ensure that all ideas worth hearing, even from underrepresented groups, have been heard. At the same time, participants need to have the discipline not to rant and rave but to craft their inputs so they are relevant, useful and further the goals of drafting an informed regulation in the public interest. In the United States, citizens have the right to serve as and elect officials, to organize and vote directly on referenda and ballot measures, to comment on regulatory rulemakings and to organize public opinion and protest. They also participate in the political process by means of the legal system, filing suit to challenge legislation or corporate practice. All these activities require knowledge and training of how to do them.

²³ Seth Harris, Problem Solving.

Democratic practices include many familiar activities associated with political participation, namely learning how to:

Organize a group of neighbors around an issue?

Make a decision within a community?

Resolve a dispute within a community?

Participate in an administrative rulemaking by writing comments?

Do the work of a legislative body?

Perform a cost-benefit analysis between competing policy options?

Vote and cast an informed ballot?

Collaborate with ones peers to make an informed and legitimate decision?

[Need to emphasize that these activities require practice in order to be viable and effective]

Democratic practices are those learned activities of participatory democracy that must be tried, retried and attempted in order to make them viable. Social organizing, for example, demands a thoroughgoing understanding of the substantive issue at hand and an awareness of the constraints imposed by law, politics and money (or how to flout those constraints).

Part III: The Political Economy of Virtual Worlds

Mapping the Terrain

This Section will develop a taxonomy of virtual worlds according to those aspects of them which best teach democratic practice. Hence the taxonomy will not break games down into traditional categories like first-person shooter, adventure games or sports games. The aim is to develop a democratic typology of gamespaces, which distinguishes between those virtual worlds which successfully allow players to set their own rules (or at least do not prevent them from doing so) and those that constrain play to a set of pre-defined choices. The latter are not “bad” for democracy. They may have a

lot to teach us about what is most engaging within a game and how people will respond to choices as presented. But it is the former category in which we are most interested for it in those games that participants face the complex social choices of citizens, namely deciding on the structure according to which they will govern their own actions.

We want to distinguish between what I shall call information-games and participation-games. **Information games**, for purposes of this Essay, refer to those primarily simulation-games designed to convey information or opinions or to teach the informational prerequisites of a training exercise. Most so-called serious games are, in fact, simulations. Choices within the gamespace are canned and designed to demonstrate a certain reality. They include games like the September 12th game. These simulations set and define the rules and the choices within the space. Players are unable to contribute to setting the agenda or writing the rules. They pre-define the reality of the game. [Example: *September12th, Bureau of Reclamation "game"*]

Then there are **hybrid games** that lie between information and participation games and involve free choices with distinct outcomes. These are experiential training games, where the rules of play and interaction are defined but they teach the player to do something and to learn to make certain choices. They are heavily informational but they go beyond mere quizzing to simulate social choice. These are games like Legisim, which simulates the activities of the US Congress and allows students to play legislator or EpiSims, which model the spread of disease and how to combat it. [Example: *Hephaestus*]

Finally, there are **participation games**. These relies heavily on the visual presentation of information and allow for decisionmaking within the game but they go one step further by allowing players to set their own rules and to generate information back to the creators of the game. [Examples might include the *Urban Planning Game of Tampere Finland, Fix Your Commute or Nitrogenius or Daedalus' End.*²⁴]

Part IV: Participation Games: If Government Builds Them, Will They Come?

²⁴ Social Impact Games

[This section will make an argument in favor of collaboration between policymakers and technologists in the design of participation games and in favor of an explicit role for government in sponsoring this innovation. Also want to discuss the role of these innovative games in law school education.]

This section will be written post-conference with the benefit of the panel discussion. Questions to address include: What are the advantages and disadvantages to government building the game instead of industry? What should be the role of government in developing games of governance? What does the experience of Americas Army teach about using simulators and games in other branches of government? For whom should these games be built? Are they best suited to be training tools for young people or as “boot camp” for interest groups and professionals?]