Massively Multiplayer Online Games Productive players and their disruptions to conventional media practices.

Alison Mary (Sal) Humphreys

BA (Communication Studies) (Hons)

Creative Industries Research and Applications Centre

Queensland University of Technology

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Summary

This thesis explores how massively multiplayer online games (MMOGs), as an exemplary new media form, disrupt practices associated with more conventional media. These intensely social games exploit the interactivity and networks afforded by new media technologies in ways that generate new challenges for the organisation, control and regulation of media. The involvement of players in constituting these games – through their production of game-play, derivative works and strong social networks that drive the profitability of the games – disrupts some of the key foundations that underlie other publication media.

MMOGs represent a new and hybrid form of media – part publication and part service. As such they sit within a number of sometimes contradictory organising and regulatory regimes. This thesis examines the negotiations and struggles for control between players, developers and publishers as issues of ownership, governance and access arise out of the new configurations.

Using an ethnographic approach to gather information and insights into the practices of players, developers and publishers, this project identifies the characteristics of the distributed production network in this experiential medium. It explores structural components of successful interactive applications and analyses how the advent of player agency and the shift in authorship has meant a shift in control of the text and the relations that surround it. The integration of social networks into the textual environment, and into the business model of the media publishers has meant commerce has become entwined with affect in a new way in this medium.

Publishers have moved into the role of both property managers, of the intellectual property associated with the game content, and community managers. Intellectual property management is usually associated with the reproduction and distribution of finished media products, and this sits uneasily with the performative and mutable form of this medium. Service

provision consists of maintaining the game world environment, community management, providing access for players to other players and to the content generated both by the developers and the other players.

Content in an MMOG is identified in this project as both the 'tangible' assets of code and artwork, rules and text, and the 'intangible' or immaterial assets of affective networks. Players are no longer just consumers of media, or even just active interpreters of media. They are co-producing the media as it is developed. This thesis frames that productiveness as unpaid labour, in an attempt to denaturalise the dominant discourse which casts players as consumers.

The regulation of this medium is contentious. Conventional forms of media regulation – such as copyright, or content regulation regimes are inadequate for regulating the hybrid service/publication medium. This thesis explores how the use of contracts as the mechanism which constitutes the formal relations between players, publishers and developers creates challenges to some of the regimes of juridical and political rights held by citizens more generally.

This thesis examines the productive practices of players and how the discourses of intellectual property and the discourses of the consumer are mobilised to erase the significance of those productive contributions. It also shows, using a Foucauldian analysis of the power negotiations, that players employ many counter-strategies to circumvent the more formal legal structures of the publishers. The dialogic relationship between players, developers and publishers is shown to mobilise various discursive constructions of the role of each. The outcome of these ongoing negotiations may well shape future interactive applications and the extent to which their innovative capacities will be available for all stakeholders to develop.

Keywords

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Statement of Original Authorship

The work contained in this thesis has not been previously submitted for a degree or diploma at any other higher education institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made.

Signature:_____

Date: _____

Previously Published Material

Material arising from the research for this project has been previously published by me, under the name Sal Humphreys, as the following papers:

Humphreys, S. (2003) "Online multi-user games: playing for real", *Australian Journal of Communication,* vol.30, no.1, pp.79-91.

Humphreys, S. (2005) "Productive Players: online computer games' challenge to conventional media forms", *Communication and Critical/Cultural Studies,* vol.2, no.1, pp.36-50.

Humphreys, S., Fitzgerald, B., Banks, J. and Suzor, N. (2005) "Fan based production for computer games: User led innovation, the 'drift of value' and the negotiation of intellectual property rights", *Media International Australia*, no.114, pp. 16-29.

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1 Press Start

Computer games are successful, engaging media applications. Millions of people play them on a regular basis. They are absorbing and entertaining. They are drivers of technological innovation. Their sales rival Hollywood box office turnovers. Computer games do something right – socially, technologically and economically.

This thesis takes that success as a starting point. My research is animated by a desire to understand what structural features computer games use to produce such successful outcomes and to analyse how they differ from more conventional media. It is my contention that computer games are a disruptive medium. The engagement of players as productive participants in the creation of game texts disrupts conventional industry production cycles. It disrupts conventional understandings of authorship, consumption and the role of the audience. These disruptions are not merely an interesting facet of the medium. They impact upon many institutional practices that constitute and shape media relations. Intellectual property and copyright, content regulation and governance, and the organisation of labour, are all areas challenged and reorganised by the disruptive characteristics of computer games.

I have used a massively multiplayer online game (MMOG) as my case study for this project for a number of reasons. These types of games harness two aspects of 'new media' that are *new* – they exploit the networking possibilities of the internet (to both technical and social ends) and they use to great advantage the cybernetic feedback loops made possible by interactive technologies. They combine the engagements and social connection of internet chat with the goals and rewards of single player games. I argue that the intensely social engagements generated in these games, and the content created inside and outside the games by players,

are sources of commercial value to publishers and indicate newly configured relations between the spheres of commerce, culture and media. I analyse the power relationships between players, developers and publishers as played out through various formal and informal mechanisms of governance, through legal mechanisms such as intellectual property law and contract law, and through practices relating to labour and creativity. My analysis examines the new articulations of social, economic and power relations generated by a medium where the 'consumer' is productive. In using the term 'productive' I mean more than the media studies 'active reader' who interprets and uses texts to generate social and cultural relations. I also mean more than the derivative texts produced in fan cultures. My use of 'productive' indicates that the 'audience' now creates a significant portion of the 'text' itself.

The configurative role of players makes any linear model of production in relation to an MMOG an inadequate one. An MMOG, unlike a more conventional medium such as a book, is not finished upon launch. It is in constant production after launch, with both players and development teams continuing to add content and create further complexity in the game. The model for production is recursive or networked, and the 'text' is never finished. Authorship is shared across a range of participants and this has significant implications for legal mechanisms such as copyright and intellectual property which are underpinned by an assumption of both a singular author and a finished text. Thus the concepts of ownership and property constituted through this body of law are disrupted.

I identify a further intersection between the commercial, cultural and legal spheres by examining the implications of players creating communities inside the proprietary world of a game. The social networks generated in the game are a direct source of profit to the publisher in this subscription based model. They create 'stickiness' for the game – players are reluctant to leave the game because their friendship networks reside there. Thus they continue to pay subscriptions for access to the game long after they have mastered the game and could have moved on to another. The game

communities are managed by the publisher, through a customer service team, and by using the legal mechanism of the End User Licence Agreement (EULA). This contract becomes the means for regulating access to the game. I question the levels of accountability the publishers are subject to in their community management practices and suggest that contract law plays a significant role in facilitating a shift in the relationship between citizen and consumer rights. I argue that if players' rights are to be constituted through contracts written by large corporations, there is a need for scrutiny of the contracts and a debate about whether citizen rights (to freedom of association, or free speech, for instance) should be maintained rather than contracted away.

Massively multiplayer online games are exemplary applications in a neo-liberal, knowledge-based economy. They utilise networks and relationships for economic gain, they are experiential commodities, and both paid and unpaid labour is deployed to generate them. Players are central to their success. The role of players is also central to the disruptions made to conventional media practices. Players are thus key to my research approach. To analyse the negotiations between players, developers and publishers I use a Foucauldian approach to power – where power is understood as productive, negotiated and multi-faceted. Foucault's dictum to study power 'at its capillaries' – in the details of everyday transactions – generates an approach where the practices of players must be made central to understanding how the system works. The ways in which institutional practices are adapted to the disruptions of computer games will be determined by the negotiations and power struggles of the stakeholders, including the players. The outcomes of such negotiations will in turn shape the directions in which future interactive media will develop.

1.1 Background

Computer games have been a marginalised area of study, devalued over their content, perhaps seen as crassly commercial rather than importantly successful. Much maligned in the mainstream media, subjected to 'moral

panics' rooted in effects-based discourses of media, violence and youth, there has been relatively little positive attention given to the undeniable success of computer games. Markets and turnovers rival Hollywood box office takings (Newman, 2004:3, Prensky, 2001). Sales figures of video and computer games in the US in 2003 were US$7 billion (Entertainment Software Association, 2004). Player populations are demanding and have pushed for innovations in graphics, connectivity protocols and the development of increasingly complex physics and graphics engines. These innovations of technology, interface, functionality, design, and graphics capacities spread beyond the gaming media to other applications in a 'trickle down' effect (Kline et al., 2003:173). If games are a remarkably successful set of applications in the realm of new media, then understanding how they work becomes a project with significant implications for a broad range of disciplines – for instance education, communication design, 'interactive television', information technology, and psychology.

 'New media' and 'interactivity' are terms that have been bandied around for more than a decade now, in the fields of media and communications studies. There's been a lot of disappointing 'new media art' – digital morphing imagery that may have been fascinating to make but often lacks much appeal to look at. There is a lot of 'repurposed' on-screen text that is now more accessible, but essentially no different from a printed text. There have been experiments with endless branching narratives that seemed to lack all the qualities of a good, tightly written and suspenseful story and instead caused us to meander our way to a bored standstill. Is this all new media has to offer us? Is this what all the fuss was about? To examine the potential of new media I would argue we need to turn our attention to the applications that really *are* interactive, and that really do exploit the 'newness' of the online medium. This is not about those 'writerly' applications (after Barthes, 1972) that so fascinate their authors, but which are so difficult for their audiences to penetrate. This is about the applications that absorb their audiences into the process of interaction in ways that grip and often entrance them.

From my research into online chat rooms (Humphreys, 1997), and also into interactivity, narratives and games, and from my experience working for a computer games developer, it became clear to me that the most successful and popular uses of 'new media' were those which exploited either or both of two factors: the connectivity and networking afforded by the infrastructure of the internet; and the feedback and cybernetic loops afforded by the technology. Internet chat and single player computer games are exemplars of this. They are both applications which go beyond the delivery of traditional 'closed' texts made by producers for consumption by audiences who cannot influence the outcomes of the story. They each involve the user in a dynamic and active way. Internet chat exploits the technical network to create new social networks and the feedback from both machine and other people is constant, engaging and immersive. Computer games employ feedback loops that keep the player engaged in an equally dynamic fashion. The multi-user online game combines both the social aspects and networking of chat rooms and the intense engagements of single player games into a hybrid application. Players connect with each other over the internet and play and talk with each other through the medium of the computer game.

Currently a relatively small part of the games market, the numbers of players of MMOGs is rising and with the introduction of console-based networked gaming we can expect their popularity to rise even more. In Asian markets some MMOGs boast subscriber numbers in the millions (*Lineage* claims 3 million subscribers in South Korea and a further million in Taiwan (Herz, 2002a)). Western markets are smaller – the largest MMOG to date being *EverQuest* with about 450 000 subscribers of mostly US and Canadian origin (Yee, 2001).

In a context of increasing connectivity to high bandwidth communications infrastructure, the provision of content is a driver of uptake for broadband. Content that exploits the capacities of interactivity and networking in particular could be a key to its success. Thus multi-user online games are of particular interest as an emergent form of new media to policy makers and

telecommunications industry developers as much as to players. If the successful aspects of MMOGs can be harnessed as a model for other applications, or to produce better quality games, we will need to understand how they are structured and how they disrupt conventional media practices. Aside from such instrumental considerations, the disruptions are of interest for what they tell us about the changing nature of the articulations between culture, media and commerce.

The burgeoning field of games studies has generated work from across a range of disciplines. My own approach is from the field of media studies. It has as its focus, the operations of media as industries, as cultural institutions, and as the object of policy regimes. It is a field which concerns itself with both the production of media, and the circulation of culture and meaning through media, including the activities of audiences. It is inflected with the concerns of the fields of communication studies and cultural studies. For instance my study is, in part, medium based, in the tradition of communications studies, particularly the Canadian school of Innis and McLuhan. I take the medium of multi-user online games as a form which facilitates particular networks of communication and relations of power. This is not in the technologically determinist sense that might suggest a teleological inevitability about these networks and relations of power. Rather it is in the sense that the form is enabling, but always subject to shaping through the negotiations (political, social and economic) between stakeholders[1]. I argue that the disruptions generated through interactivity (meaning in this case, non-trivial elements such as the exploitation of cybernetic feedback loops, networks, and the enabling of a *configurative* role for the player) are significant. They are enough to warrant understanding this medium as able to generate new cultural forms. For instance, the MMOG warrants serious consideration as a hybrid model of media which incorporates both publication and services industries in its makeup (in an as yet uneasy relationship, as I will discuss in Chapter Five).

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[1] This interpretation of 'medium theory' is supplemented with other perspectives (as recommended by Meyrowitz (1994:73)).

Other disciplinary approaches to the field of games – those of literature and screen studies, information technology and design, psychology and sociology for instance – often fail to account for the active role of the player in constituting the text and the experience. I would argue they therefore miss much of what is new and interesting about the medium. Any purely textual analysis of a game provides an inadequate understanding. These analyses of the graphical and technical features of a game fail to account for the ways in which players animate the game through their actions and often create content. Many psychology based studies of games use simplistic effects-based models of communication that again fail to account for player agency and context. Cultural studies approaches are much more attuned to the agency of the 'audience' but sometimes to the detriment of understanding the shaping influences of industry and institutional processes. Political economy provides insights into those influences, but with a tendency to fall into economic determinism. This study attempts to negotiate between these approaches in order to understand both the sociocultural and economic structures that are intertwined in this particular medium. It thus sits most comfortably under the rubric of media studies.

My study draws on aspects of these other disciplinary accounts of games, and seeks to understand the ways in which this kind of medium, with its potentials for recursivity, for interaction and fluidity, changes the ways in which media can be produced, managed, regulated, and used. But I want to do that with an eye for more than the dry practicalities of legal contracts, economic relations and industry regulations. I want to bring into our understanding of this medium the ways in which the social and emotional practices of people are enmeshed into that economic and legal framework. To start at the 'capillaries' and work up. I have used ethnography to generate a thick description of the activities of players – both in relation to the game itself, and in relation to each other and the developers and publishers. The empirical observations derived from the ethnography generated an exploration into a number of issues.

Hence while this is not a sociological or psychological study, it *does* involve looking at people and their practices around the game. But the epistemological framework is not one concerned with traditional sociological or psychological questions. It is not my intention to deal in this research with the 'effect' of the medium on peoples' lives, or to make judgements on whether it is 'good' or 'bad'. My understanding of audiences is that they will make many meanings and use media in many different ways depending upon their contexts and histories as well as the affordances of the particular media. Nor is my project solely drawing on a cultural studies framework, concerned with the empowerment or otherwise of the audience, although these cultural studies questions inform my framework. It works at the level of the economic and the social. It is a framework which seeks to view the whole environment of the game – developers, publishers, players, design, relationships, legalities and institutional practices, in order to see how it differs from conventional media and to understand the challenges these new practices present to existing institutional frameworks.

1.2 The research project

Initially my research project was informed by four interrelated goals:

1. To describe and analyse the structural shifts in game texts that differentiate them from conventional media texts.
2. To examine the practices of players in their configurative role in relation to the text.
3. To critically analyse the new relationships between players, developers and publishers
4. To theorise the implications for the broader field of 'new media' using computer games as an exemplar of a successful interactive online multi-user media application.

I narrowed the focus to massively multiplayer online games because these are the applications that most fully give rein to the potentials of games and networking. I chose the game *EverQuest* (published by Sony Online

Entertainment) to study as it is the most successful of the Western MMOGs. Because I regard players as central to understanding this medium my approach was to focus on their engagements – with the game, with the developers and publishers, and with each other.

I carried out an ethnographic study of the game, becoming a player from 2002 through to 2004. This forms the core of the research work. Playing the game required a substantial time commitment, and over the course of two and half years of playing, I was able to participate in a complex player culture. I learnt both from my own experiences and from the stories of other players. I was able to observe and reflect on many in-game activities, relational networks, cultural norms and tensions. I created a number of characters over this time, on a number of different servers. I joined guilds, I participated in social networks, went on raids for endless hours, and gained a reasonable mastery over several classes of characters. I kept 'log files'[2] of many game sessions, and made extensive field notes. The research presented in this thesis gains its strength from that experience of being a player – the insights gained could not have been generated solely through other methods, such as large scale surveys.

To supplement my observations, I interviewed a number of players and was able to observe some of them playing in their homes. This series of six in-depth interviews[3] served to provide me with supporting observations from the players themselves, and information about aspects of the game I was unable to experience, through lack of time, skill or social connection.

As part of this ethnographic work I also attended a Fan Faire in Chicago – a gathering of between 1500 and 2000 players for a weekend of socialising

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[2] A log file records the action and dialogue of a session of play into a data file. These files can be many thousands of pages long. For a sample, see Appendix 5.

[3] The interviews lasted between one and two hours. Questions were open ended and the interviews ranged over many aspects of the game and the player's experiences not only of negotiating the game, but negotiating their out-of-game contexts in relation to the game.

and playing together. This event was organised by Sony Online Entertainment (SOE) as part of its community building strategy. Fan Faires are held several times a year at various locations throughout the USA. I recorded sessions and brief *vox pop* interviews (of five to ten minutes duration) with over 20 players in the course of this event. The Fan Faire was an excellent opportunity to observe some of the most dedicated, or hardcore, players interacting with two different arms of the publishing organisation – the customer service team, who are best understood as the community managers; and the live development team, who are responsible for the ongoing development of features in the game. The interactions between the players and these two teams were indicative of the uncomfortable relationship developers and publishers have with their player bases. On the one hand players are seen as a source of expertise and innovation – on the other hand they are the source of the trouble in the game. They cheat, they push the boundaries, they misbehave, their active participation in the game (which is the driving force of the game) is unruly, complicated and challenging.

This observation was borne out at the Austin Game Developers' conference I attended as a further part of my ethnographic work. Here I was able to listen to and observe developers of MMOGs and gain a sense of how they understand players as both necessary, interesting and troublesome. This event helped to elaborate what is often only implied in-game. One can deduce particular developer attitudes from the ways the rule structure works in the game, or the way the customer service team operates. The developers' conference gave me the opportunity to observe some aspects of the culture of the developers, to listen to them speak about the processes of development, the reason for design decisions, and to articulate a number of attitudes toward both players and publishers. I spoke with many developers and recorded many hours of debate in the conference sessions. This added a great deal of texture to the data I had gathered in-game. My understanding of developers also draws on my own experience working as a writer for a games developer in the late 1990s.

Thus my ethnography consisted not just of an in-game participation and observation, but of work done with both players and developers and publishers outside the game environment. Further supplementary research was done using textual sources (websites, books and email lists).

One year into my study I carried out a small-scale internet-based survey to canvass general attitudes and practices of players in order to shape the direction of my own research and confirm my initial findings. I collected data from 77 respondents about a variety of topics, ranging from demographic information and playing habits, to attitudes towards relationships in the game and around the game, attitudes towards particular behaviours in the game, guilds, and the developer.[4] This was a useful guiding tool, but its function was not to gather large scale empirical data. Large scale surveys have been carried out by Kline et al (2002) and Castronova (2001). Given the limited resources of a PhD project, my focus remained on gathering data through ethnographic work.

Other research work has already been done on *EverQuest* which has provided useful empirical data and analysis on a number of aspects of the game (Yee, 2001, Tosca, 2002, Taylor, 2002, Taylor, 1999, Kline and Arlidge, 2002, Klastrup, 2002, Jakobsson and Taylor, 2003, Hayot and Wesp, 2004, Castronova, 2001, Castronova, 2003). This work will be covered in Chapter Two in more detail.

My research was thus informed by a number of strategies and sources, and the focus shaped by what I observed as the project proceeded. It became increasingly clear to me that the active role of players was a source of disruption to developers and publishers and pushed them to create new structures for both harnessing player creativity and managing the community. Active players force publishers and developers to confront a raft

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[4] The survey was at a dedicated website and I recruited from about 20 *EverQuest* guild bulletin boards. Respondents were all over the age of 18, and lived in Canada, USA and Australia. Survey questions can be found in Appendix 4.

of issues not faced by other media producers. Players are also involved in a tussle for control over the in-game interactions and content with many testing the boundaries of rules, negotiating community norms with each other and with the publisher, and pushing for additions to the feature set in the ongoing development of the game.

1.3 Key issues

In this thesis I firstly argue that players make significant contributions to the production of MMOGs through a variety of investments. They invest money through paying for software and then through ongoing monthly subscriptions to maintain access to the game world. They invest time – on *average* between 21 and 24 hours a week (Kline and Arlidge, 2002, Yee, 2001) but some players regularly spend 40 hours or more a week inside the game. They invest emotionally – social networks are key to sustaining game-play and players are intensely socially engaged in these games. 'Solo' play is rare and difficult. These investments produce communities. People can spend much of their social lives inside the game world. Players produce gameplay for each other, and innovative ideas adopted by developers. They also generate an enormous amount of material related to the game outside of the confines of the game world. There are thousands of websites associated with game-worlds, and many events that take place either on or off-line that are generated through in-game connections. Thus players invest and produce value in this medium. This makes them much more than just consumers or end-users.

Secondly, I argue that the investments of players and what they produce are directly economically profitable to publishers and developers. Publishers and developers harness the value of player activity and content creation and incorporate it into their business plans and their development cycles. Not just players' monetary investments but their time and their emotions are entwined into a business model that relies on player retention and ongoing subscriptions for its profitability. Content in this media application is not only what is developed and published by the paid workforce but game-play

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generated collectively by the players, the social networks they create, the guilds, the friendships and the extraordinary amount of text produced through playing. From the player's perspective, content is produced not only by the developer, but by fellow players as well. This player-generated content is structured into the business models for publishing MMOGs.

Thirdly, I argue that institutional organising and regulating mechanisms such as copyright law and intellectual property law more generally, don't articulate well with 'products' that are performative, collectively produced, social as well as 'textual' and never 'finished'. Copyright and intellectual property law rely on the ideal of the 'Romantic author' and the 'fixed expression' of an idea. Nonetheless this is a body of law often mobilised by the publishers in order to control the product and all that is produced inside it. I suggest that this discourse frames the medium as a publication and ignores the ways it functions as a service. The shift toward being a service reflects some broader trends in the 'new economy', where relational networks can be valued as much or more than assets or property (Rifkin, 2000).

Fourthly I argue that the inherent contradiction in the idea of the productive consumer can be overcome by using a framework that casts the players' activities as labour. Consumers are most often cast in a role in which they buy and consume finished products in the marketplace. Their agency is most often understood to lie in choosing between different products. Media consumers are also sometimes cast as active interpreters of finished media products. Game play and the configurative role of players in relation to the text suggest something more and gives rise to the somewhat problematic idea of the productive consumer.

Given that play and work are usually cast as binary oppositions, the notion of players' activities being characterised as work is a disruptive and yet useful mechanism for understanding what the new models generated by interactivity might imply. Players can be understood as an unpaid labour force. I argue that 'value chain' models generated around new media still place the user at the end of the chain, whereas they are more usefully

thought of as present at different points of production. If the players are regarded as unpaid labour helping to produce an ongoing media environment, then the temporality and linearity implied by models using value chains and 'end-users' can be overcome. How can a player be an '*end*-user' if their activity *precedes* aspects of production? The 'value network' is a more apt model than the value chain. Thinking of players as unpaid labour enables a shift in thinking about how this medium is structured. It also highlights issues which have traditionally been associated with creative and affective labour, and shows their re-emergence in this environment. Devaluing players' creative, affective, innovative work as both illegitimate (as compared with the paid workers' outputs) and a 'labour of love' ensures that no rights inhere in their work, and no obligations toward them are acknowledged.

Fifthly I argue that the contracts, the End User Licence Agreements (EULAs), which are used to regulate the relationship between players and publishers are in need of scrutiny. These contracts between the players and publishers are often one-sided and offer little protection to players. They vary to some extent between games, demonstrating that some of the more restrictive practices imposed by publishers are unnecessary (Humphreys, Fitzgerald, Banks and Suzor, 2005) and indeed, in time may be shown in the courts to be unconscionable. The EULAs are the key mechanism for determining access to the game. Little attention has been paid to the terms of these contracts and to the accountability of the publishers involved in generating and enforcing them. I argue that this becomes a more important issue than organising the rights associated with a conventional media product if we understand that the MMOG is no longer just a 'media text' but a community, where people are deeply emotionally invested. The publisher has moved into a role of community manager and the EULA is the mechanism that regulates the governance of, and access to, the community.

As people take to living significant parts of their social lives inside proprietary spaces such as these virtual worlds, the terms under which the communities are managed and the levels of accountability of the managers

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become more important. Who is the publisher accountable to for their decisions to ban players from their games, when the banning denies those players access to their community? The act of banning also denies access to accumulated wealth inside the game that may hold 'real world' value. The past few years has seen the creation of a secondary economy around many MMOGs and the virtual items from inside game worlds have become increasingly valuable in markets outside the game. This is new territory for publishers, developers, players and courts. The power negotiations played out now may have a significant impact on shaping future interactive media.

Finally I argue that the above contractual arrangements currently take place within a discourse of consumer rights. If we understand that these media 'products' embody communities, they take on, to some extent, the characteristics of a public sphere, or perhaps more accurately, a commons. If community life occurs within a proprietary 'closed' and branded environment, what forms of regulation should pertain to that community? We might look to debates about gated communities and the restrictions imposed upon (or acceded to by) residents in order to exclude particular types of people or behaviours from those communities. Regulation of the proprietary spaces of gated communities and the attendant issues of surveillance and privacy are still unresolved and the subject of legal debate. They will doubtless become a focus of debate within MMOGs and other social software or virtual world spaces.

There is an intersection here of the discourses of citizen rights and consumer rights. Citizen rights (in the juridical/political sense) are based on a series of rights, protections and obligations accorded collectively to everyone within a society. Consumer rights are derived from neo-liberal ideas of the self-interested consumer, empowered through making choices in the market and enacted on an individualised basis through contracts. The encounter between these two sets of ideas and practices is abrasive rather than smooth. Increasingly we see contracts overriding constitutional rights (for instance waiving fair use in copyright, or constraining free speech or freedom of association). We can see too, how the empowerment of

consumers is limited by large institutional structures (and media corporations) that determine the range of available choices in the market place.

1.4 Map of the thesis

In Chapter Two of this thesis I focus on the structural characteristics of computer games and establish the grounds for claiming they are disruptive. I analyse the central debate that has thus far occupied the field of games studies – the relationship between narrative and play as structuring frameworks for the medium. Scholars from fields such as literary studies and film studies have analysed games using the conventional tools of narrative analysis. Others have argued that narrative is no longer the appropriate lens through which to view the object of study. The 'ludologists' (from the term *ludus*, meaning play) argue that games are not structured around narrative but employ a different set of organising elements. Characterisation and plot no longer hold the text together or create the engagement with the audience. Instead, ludologists argue that the cybernetic feedback loops that computer games employ provide a constant stream of feedback to the player. The game sets goals for the player and the player's performance is assessed by the game and adjusts according to the performance. In this way the player is integral to the progress of the game. Narrative may play an instrumental role – giving background, setting, or an underlying logic to the setting, but in some games narrative is completely absent. *Tetris,* for instance, is a successful computer game with no narrative. The ludologists further argue that narrative is disrupted at a temporal level, as games are a present tense medium, whereas narrative is always a retelling of events that have already occurred.

To my mind the ludologists' arguments allow for the agency and configurative role of the player as central to the game experience. Narrative seems to most often fall apart in the face of an active and configurative player – the struggle over authorship and control of direction implied by games' structure lead to the disintegration of all the features of a good,

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tightly crafted narrative. Thus while games *might* have a story, they don't always, and it may not be the central organising structure. The effectiveness and success of a game more often relies on non-narrative structuring devices.

I also examine debates that surround the visual aesthetics of games and their relationship to other visually representational media. I critique the way that analytic frameworks from film and television studies are used to study games, when the visual representations in games are actively negotiated through navigation, rather than encountered as spectacle (although that can be part of the experience of course). I argue that the tools for analysing other, more conventional media, are only useful up to a point. The interactive medium of computer games builds on conventional practices and tropes from other media, and some insight can be gained through their use. However the agency of players and the difference in form instantiated through the use of cybernetic feedback loops require us to find better frameworks through which to understand games.

Having identified some of the areas where games differ from conventional media, I go on to argue that we need to examine the difference in the role of the 'audience' as it shifts into a configurative mode, and that this implies a need for the players' roles to be a part of any approach to the study of computer games. I argue that this, combined with an ethnographic approach which understands players in a historical setting and not just in relation to the text, generates the most comprehensive and appropriate approach to the study of games for this project.

As a further contextual feature of how computer games are organised I analyse the literature on the games industry and its relationship to players and their role in development processes. The literature indicates a much closer involvement between players and developers than most other media. Ongoing dialogue between them is regular and there are constant exchanges about content and direction for both launched and pre-launch

games. Thus players are often part of the development cycle from before the release of a game.

The discussion in Chapter Two establishes a framework for approaching games which insists on the inclusion of players as a central part of the research project. Identifying the points of difference from conventional media in the structural organisation of computer games as a medium not only suggests where tools for media analysis of more conventional media might be inadequate. It suggests where the interesting points *for* analysis might be. If the role of players is more active and configurative than for other media, then this also suggests that the role of players will disrupt some of the more conventional relationships generated by media.

In Chapter Three I take this framework for understanding games and from it develop my approach to the subject matter. I outline why I use a Foucauldian approach to the examination of the relations of power and institutional practices involved in computer games. This approach provides me with the means to identify how games work, how the players and developers and publishers relate to each other, and how the larger institutional mechanisms of power are present or changed by the everyday transactions of the stakeholders. Foucault provides a set of tools for such research (1980). One way in which I have used Foucault is in understanding power as operating through the circulations of discourses (discourse in this analysis being constituted in language, concepts and practices). The dominant discourses which shape the ways in which we understand and act toward MMOGs can be examined, both for the positive practices they invoke, and for what they erase, or subjugate.

From my ethnography and from literature published around this area, I identified two main dominant discourses as shaping both understanding and practices surrounding MMOGs. The first of these is that of the player as consumer, and the second is that of intellectual property. Although these are by no means the only discourses circulating around MMOGs, they are the two that strike me as the most interesting for the ways they structure

relations in and around the game. They also strike me as discourses which attempt to fit new practices (instituted by the new forms an MMOG implements) into old models.

The discourse of the empowered consumer can be shown to privilege a particular understanding – of the player as empowered agent in the free market – while erasing, or diverting attention from, the role of the player in producing as well as, consuming the text, and the power of the publisher to withhold access to the game. Thus the discourse of the consumer ignores the productive role of players and the constraints imposed by publishers.

Intellectual property is a dominant legal discursive practice which also shapes a particular understanding of MMOGs and erases certain key aspects. Intellectual property, and the concept of private property more generally, erase the performative, social, community and collective aspects of production that generate the MMOG.

Understanding players as productive runs counter to each of these discourses in some ways. Using discourses of labour to understand player productivity, serves to denaturalise the above, discursively constructed, understandings of players as consumers rather than producers. Foucault's work on disciplinary power and the regulation and administration of the self (Foucault, 1977) also offers a bridge to understanding how player activity fits so well within the rubric of labour in a networked economy. Hardt and Negri (2000), Terranova (2000), and others offer up analyses of the way labour is organised in the production networks of the 'new' economy. Hardt and Negri build on Foucault's ideas of biopower to explain aspects of immaterial labour that offer a useful framework for understanding player productivity.

Chapter Three thus outlines my use of Foucault's tools of discourse analysis and his understandings of the operations of power; and flags my intention to use labour as an oppositional or 'denaturalising' discourse through which to understand MMOGs. The point of understanding player activities as labour, in what some might find a counter-intuitive way (after all, they are playing,

not working), is to highlight the aspects of the MMOG that are erased by the more dominant discourses of intellectual property and empowered consumerism.

Having identified that the disruptions to conventional media practices indicate a shifting set of relations between economic, social and media spheres, in Chapter Three I critique some assumptions about the relationship between these spheres that arise in the work of authors such as Rifkin (2000), Florida (2002) and Dreyfus (2001). While the observations made by these authors are often astute and useful, they also often construct a framework in which there is a mutually exclusive relationship between culture and commerce. Commerce (and virtual environments) are understood to inject the taint of inauthenticity into culture.

The underlying assumptions of these authors and others writing about new media, new economy, and knowledge work need to be addressed. It is common to set up binary oppositions such as culture versus commerce, authentic versus inauthentic and real versus appropriated. These binaries work on assumptions that what is 'truly' cultural exists outside the 'taint' of commerce, is authentic (where 'commercially tainted' and/or 'virtual' material is inauthentic), and is the source of true creativity that the commercial sphere appropriates from. Instead I adopt the understanding developed through media and cultural studies that culture and commerce are inextricably entwined, that culture takes place on the grounds of commerce and *vice versa*, and that the variations are not drawn from an either/or framework, but from varying levels of intensity in the engagement between the two. Thus we can read the intensification of the reach of commerce into the personal sphere, without suggesting that this is generating 'unreal' or 'inauthentic' experiences.

Rather, the questions become focussed on how this new articulation is taking place – what the processes are and how the power relations are negotiated. Foucault's model of distributed and productive power facilitates this approach. In part I make my argument as a counter to the dominant

mainstream discourses mentioned earlier, which marginalise computer games as commercial, and virtual experiences and relationships as inauthentic. I want to set up a framework that recognises computer games as worthy of attention, culturally rich and interesting, and as 'authentic' as other cultural engagements.

In Chapters Two and Three I identify the points where games have structural differences from conventional media, and I outline a framework for research that situates players as central and identifies where the tensions and struggles caused by those differences might lie. These chapters lay the groundwork for my research and establish its position within a media studies field of inquiry. I move on in Chapter Four to describe and analyse the experience of playing *EverQuest*. Using ethnographic 'thick description' derived from playing the game, attending fan gatherings and developer conferences, interviews, and material gathered from websites, I begin the task of teasing apart what the involvement of players consists of, how the game structure works to shape the experiences of players, and how the relationships between stakeholders are negotiated.

I identify three themes around which the material is organised. These themes are ambiguity (derived from the disruptions identified earlier), networking and investment. Ambiguity exists when trying to define the borders to a number of areas which in other media are reasonably distinct and stable. These include the border between producer and consumer; developer and player; what is in the game world and what is outside it; what is 'real' and what is 'fantasy' or play; and what is work and what is leisure. Networks among players, and between players, developers and publishers, are traced and highlighted as key elements around which game play and the game's success are organised. Investments are made in a number of ways, by developers, publishers and players. Players invest money, time and affect or emotion in significant amounts. These three forms of investment integrate with each other such that they become inseparable. This generates interesting implications for the relationship between commerce

and culture, the legal world of property, the techniques of governance, and the emotional world of relationships and identity.

While Chapter Four focuses on player to player and player to game text or game environment interactions, Chapter Five shifts the focus to matters of governance and economics. Governance is explored in both its informal and formal guises. I use Foucault's distinctions between state and disciplinary power as a means of identifying different levels of negotiations around governance. Rules and the code in the game engine dictate to some extent how the space is organised and controlled. However the social and cultural mechanisms carry weight as well. Players regulate each others' behaviour through the establishment and policing of community norms, much as any offline community does. The customer service team employed by the publisher adds another level of governance as they police conflict and disruption within the game space. The legal mechanisms of the End User Licence Agreement (EULA) and copyright and intellectual property add a final weighty layer. In analysing these various layers it is clear that power is negotiated on both formal and informal levels, with the publishers exerting much of their power through structural and formal legal mechanisms, and players circumventing and counteracting those forces through informal strategies.

Chapter Five also analyses the economics associated with the game – not only the in-game economy but the secondary market that has grown up around MMOGs. Items are exchanged for real money in internet auction houses, characters are bought and sold for US dollars, and people are employed to play the game to build characters that can then be sold in the marketplace, all of which violate the terms of the EULA. These activities undermine the strategies of control implemented by the publisher through its formal legal mechanisms. The struggle for control of the space can thus be seen to occur through corporate strategies and player resistances to those strategies. Chapter Five concludes with an assessment of how the three themes of ambiguity, investment and networking have manifested throughout the preceding discussion as disruptive and abrasive elements

that represent the new articulations between cultural, commercial and media spheres. It also identifies the ways in which MMOGs are a hybrid form of publication and service. I examine how there are some inherent contradictions in the management of these two forms, as they require differing understandings of value and control.

The ethnography I have carried out does not follow the form of many cultural studies ethnographies, for instance of fan cultures (Hills, 2002), in that it does not seek to understand the meanings that are being made of the experience of playing. I have not examined *why* players play, or what effect that has on their lives. My ethnography is more concerned with detailing how the game is engaged with, how players interact with each other and developers and publishers. This study is not particularly concerned with emotional motivations and effects in the ways that some ethnographies are. It is more concerned with forms and structures of power relations, and the discourses that construct them.

In the final two chapters of this thesis I take two key areas raised by the work in Chapters Four and Five. I have pointed to the discursive constructions of the empowered consumer and intellectual property as particularly interesting for representing areas of contestation. In chapters Six and Seven I explore these in more detail, contextualising the discourses – understanding how they can be situated in a landscape of the creative knowledge economy, where neo-liberal strategies for flexible work conditions, and the harnessing of intellectual productivity function to meet an incessant demand for innovation.

In Chapter Six I argue that labour provides a means of theorising the production of the MMOG that breaks down the opposition between production and consumption. I explore theories of the 'labour of consumption' produced by Dallas Smythe (1981) in relation to television audiences and built upon by Miller et al (2001) in relation to film. Their ideas can be extended to encompass the work of interactive media users. I argue that we can understand labour as consisting of both paid and unpaid work,

with both technical and cultural elements. I outline the specific activities of *EverQuest* players, identified through the ethnographic work, that result in production and value, and embed them in the history of the conditions of creative labour and affective labour. I discuss the ways in which creative and affective labour have moved from the periphery to the core of business models used in a post-Fordist, network economy. The MMOG can be seen as an exemplar of this model, in its frequent use of low paid and unpaid labour, creative and affective labour, and social networks, to generate profit for the publisher. I show that the power relationships negotiated in this system are complex. The intersection between amateur and professional, and between art and commerce generates tensions that are easily exploited by the publisher, who ultimately wields the power of access. This exploration of the productiveness of players serves to denaturalise the discourse of the consumer – to point out the ways in which the term consumer denies the investment and productivity of players.

I carry this understanding of the productiveness of players and their configurative role in relation to the text forward into Chapter Seven. Here I explore the legal mechanisms used to organise control of this medium. Using commentary from the fields of both critical legal studies and media studies, I situate this discussion within the broader context of the role of intellectual property in a knowledge economy, where global trade negotiations and agreements have reflected a shift in understanding media products as trade items rather than cultural items. I examine the status of media texts in the light of digital technologies and the reorganisation of distribution and reproduction mechanisms which challenge many of the current business models of the publishing industry. I argue that MMOGs present further challenges to traditional models of publishing through their distributed and collective production (not just distribution) models. The tightening of intellectual property and copyright law is only one of a number of possible responses to the new affordances of digital networks. Open architectures and open source mechanisms lie at one end of the spectrum, closed and proprietary architectures at the other. *EverQuest* exists at the closed end of the spectrum, with publisher Sony Online Entertainment

(SOE) enforcing licences and contracts which claim control of all player generated content.

I examine the EULA in the light of both intellectual property and copyright mechanisms, and in its function as enforcement tool for community management. I analyse the powers SOE claims in its terms of service and find them weighted very much to the publisher's advantage. The accountability of the publisher for its actions towards players is almost non-existent, and players have no recourse to a mechanism to appeal decisions which may deny them access to the game.

I conclude Chapter Seven with a discussion of the discourses of citizenship and 'consumer rights' and how they can be seen to intersect in this environment. Players rights are often framed as consumer rights underpinned by a contractual relationship. In a consumer rights discourse, the consumer's main source of power is 'exit power' – the power to switch brands. Exit power is what is supposed to constrain the publisher in its behaviour towards the consumers – if they are too heavy handed or unfair in their treatment of players, the players will leave. However, as occupants of a very social world, the players are also constrained in their ability to exit. The 'switching costs' involved in leaving the world are high. A player is not only switching 'brands', they are leaving behind friends and social networks built up over often extensive periods of time. The productive practices of players – the contributions they make to an MMOG, mean the costs of exercising their 'exit power' are much higher than for switching brands of jeans or other consumer items.

This nexus of constraints is a pivotal point in power negotiations and struggles. It is one of the emerging areas to be explored as the idea of the citizen and the empowered consumer begin to merge. The sources of power and rights for each are different. As they intersect, which rights will remain and which will be contracted away? This is the key area where regulation policy will have to be rethought. Will governments intervene to ensure minimum standards in contracts that maintain some protections for citizens,

or will they adopt the free-market approach and leave it to the industry to determine?

In the concluding chapter I revisit some of the main themes of the project. I argue that the distributed production network highlights issues of authorship and the abrasive way a legal code based on individual authorship encounters collaborative and distributed authorship. The network of social relations generated by the game also raises important issues of governance and the regulation of communities by media publishers. While these issues are played out on the small stage of the MMOGs, they are indicative of some larger trends in the articulations between media, culture, and commerce and deserve our further attention. I revisit the idea that MMOGs are best cast as services rather than media properties. Their hybridity disrupts conventional media practices in a number of ways, creating new configurations of the relationship between producers, and between the spheres of commerce, media and culture.

2 Locating players on the games studies map

2.1 Introduction

What makes computer games work? Why is it that people can sit entranced for hours on end, completely absorbed, and apparently oblivious to their surroundings while they play? How do computer games command such intense engagement? In this chapter I will analyse the literature on computer games that works toward understanding the medium and its complexity. Games studies is a relatively young field and thus far very cross-disciplinary. Contributions to the field come from disciplines as diverse as law, communication design, psychology and computer science. My own media studies approach comes with a particular set of epistemological concerns which are often at odds with this diverse range of contributions. However many useful things can be gleaned from research that ranges across such boundaries and my analysis includes what I find helpful in constructing an understanding of the medium.

This chapter firstly analyses the debates and taxonomies that have emerged from studying formal structural qualities of games. My argument is that these studies point to the involvement of players in textual production. As such it is necessary to focus attention on the engagements of players if we are to have anything more than a superficial understanding of computer games. In the second part of the chapter I consider the research which focuses on players and their contexts of play, and what the implications of having active, configurative 'audiences' for media texts are – to illuminate our understanding of both the way the medium functions culturally, and within an industry production context. Players have a different relationship to the generation of culture in this medium, and they also have a different interaction with, or role to play within, the industry production cycle. In the final part of the chapter I look at the relationship of players to industry and the production cycle of games.

The function of this chapter is thus to establish the structural features of computer games and how those features, in reconfiguring relationships and the organisation of production, indicate the need for player-based research. It establishes that, in fact, a purely structuralist analysis of the text will miss many of the important characteristics of the MMOG. It is a medium that requires a post-structuralist approach – a consideration of contexts of both production and consumption (although even this latter term has become problematic in the face of the players' productive activities). This chapter provides a rationale for conducting ethnographic research into the medium, by demonstrating the complexity and hybridity of MMOGs as publications, services and communities. I suggest ethnography as the method which can best illuminate the complexity uncovered in this chapter.

2.2 Structure and Narratives

The area which has evoked most debate in the field of digital games studies is centred on narrative and whether narrative is an appropriate framework to apply to the analysis of games. Are games narratives? This debate within the field exemplifies the struggle to find an approach to games that is adequate to exploring the interactive features that make games different from conventional media texts. As with any new medium there is a temptation to see it in terms of older media and to apply models of analysis that are known and comfortable. The debate about narrative can be read as a struggle by some to define games as a separate and new field of study deserving of its own epistemological frames, while others argue for the interplay between media, seeking out the intertextualities and resonances of the old in the new.

The emergence of digital media has introduced the practice of interactivity into the media in ways that challenge more conventional media models. Early theorists of digital and interactive media focused on hypertext and the possibilities of branching narrative structures and labyrinthine narrative (typified in the work of Landow (1992)). Other theorists envisioned a trajectory for the evolution of narrative that led from linear narrative, through

interrupted and branching narratives to 'object oriented universes'[5] that had little or no narrative structure at all (Hilf, 1996).

Given the prevalence of narrative as the organising structure in most other media (Cameron, 1995, Ryan, 2001) and indeed for many aspects of our culture (Chambers, 1984, LeGuin, 1981), it made sense to begin an analysis of computer games using narrative. However this approach soon ran into trouble. Many games lack the features that make up a good narrative. Characterisation is virtually non-existent in most games, plot can be incoherent or absent, events disordered and lacking in logic, and closure elusive.

Cameron says of conventional narratives:

> The events unfold as a pattern which progressively resolves itself into an image, each event integrating those which precede it into progressively higher levels of narrative sense, until the final closure, the end of the narrative, when the global event, the meaning of the story is revealed at last, and is revealed to have been immanent in all the events all along. (Cameron,1995:7)

In the 1990s in particular there was a proliferation of 'interactive narratives' with branching structures or object oriented universes, which lacked any authorial control of pacing and revelation, of closure immanent in every event. Where is the narrative tension if you allow a user to find their own pathway through events in a story? A successful narrative, as he points out, 'needs a skilled storyteller to weave together a spell in the mind of the audience, suspend their disbelief and take them on a carefully planned emotional roller coaster through the story' (Cameron,1995:9). In fact both Cameron and Hilf attribute the lack of success of interactive CD ROMs, interactive movies and interactive stories to the fact that most people don't

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[5] An object oriented universe consists of a virtual environment in which there are objects which are programmed to behave in particular ways, and in which there are some rules and parameters, but there are no particular pathways through the environment. The user is not placed on any kind of narrative trajectory – linear, interrupted or branching. See Appendix 6 for diagrammatic representation of the structures identified by Hilf.

want to make up the story from fragments of text – that the pleasures to be had from a good story come from the careful crafting of events and characters by an author who is in control. While a truly comprehensive approach from narrative theory would take account of much more than the structures of the text (for instance it would take account of context, authorship, reception, historical period, social purpose and so on) and would encompass the many forms of narrative that don't embody closure, I want to stick with the above accounts and the ones that follow, because there is a usefulness to understanding structure before one sets out to examine context and cultural processes.

Ryan (2001) also points to the impossibility of a good narrative being constructed out of random wanderings by readers through a maze of text fragments, as posited by the hypertext and interactive story pundits. 'It is simply not possible to construct a coherent story out of every permutation of a set of textual fragments, because [in a narrative] fragments are implicitly ordered by relations of logical presupposition, material causality and temporal sequence' (Ryan, 2001).

But, unlike the 'interactive narrative' genre, computer games *are* successful interactive media, even though their narrative elements are often weak. The success of games cannot be explained by using narrative theories. A narratology frame would lead one to the conclusion that computer games are woeful: lacking in characterisation, tension, or decent plot and therefore bound to fail. But they don't.

What are the formal elements that can be identified in game structures that differentiate them from conventional narrative based media? Firstly I want to look at narrative devices that *are* present in at least some games before turning to some significant differences. Most games feature narrative introductions and back stories, although sometimes the story is only implied.

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There are an increasing number of games that use cut scenes[6] throughout the game as well, to advance a particular narrative logic within the game (Juul, 2001). Narrativity provides a setting for many games. 'Why would the task of the player be presented as fighting terrorists or saving the earth from invasion by evil creatures from outer space rather than as 'gathering points by hitting moving targets with a cursor controlled by a joystick'?' (Ryan, 2001). Although the story is not the main reason for the game, and does not drive its progress, it is an element of it. 'Narrativity performs an instrumental rather than a strictly aesthetic function: once the player is immersed in the game, the narrative theme may be backgrounded or temporarily forgotten' (Ryan, 2001:12).

There may be an ideal pathway through a game, which provides a narrative to it, but the player may not find it. Thus closure can be random and some games simply have no closure (Juul, 2001). Other devices with similarities or resonances with narratives are things such as: quest structures which echo many archetypal narratives; some games have protagonists; game sessions are experienced linearly, even though each session may lead a player to have a completely different experience. These then, are the features of games that can be likened to narratives. Game sessions are also retellable as narratives – thus a player can tell the story of the game afterwards.

This brings us to the notion of temporality. The main difference between narratives and games here, and one of the most crucial for this argument, is that narrative is always a *retelling* of events. In playing a game, a player is in a simulation, where time is the present, rather than the past – the actions of a game session occur in the present (Cameron, 1995). Story time becomes

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[6] A 'cut scene' in a computer game is where the game switches from play mode to a more cinematic mode. The player can no longer input into the game, and a piece of narrative is inserted by the developer. The player must sit through the cut scene in order to get to the next part of the game. Some enjoy this break and the visuals involved, others feel it destroys the immersion and find it frustrating to have the control of the action taken from them.

real time. In a conventional narrative it is possible to identify two or three different kinds of time. There is the time of the thing told (the *histoire* or story time). This is the series of events that are recounted, not necessarily in chronological order. There is the time of the telling of the thing (the *discourse* or narrative time) which makes distortions of time in the *histoire* strand of time possible through re-ordering events, skipping over slabs of time or lengthening some times and shortening others. There is also the reading or viewing time. In a game it is difficult to tell the difference between the story time, the narrative time and the viewing time. '… [T]he game constructs the story time as *synchronous* with narrative time and reading/viewing time: the story time is now. Now, not just in the sense that the viewer witnesses events now, but in the sense that events are *happening* now and what comes next is not yet determined' (Juul, 2001).

Games also establish a relationship between the player and the game that is different from the narrative text's construction of the relationship between reader and text. Because of the goal driven nature of games, the emotional engagement with the text comes, not from the engagement with characters and events such as occurs in conventional narratives, but because the player is an actor themselves. The engagement comes because the player is the performer, and the game evaluates the performance (Juul, 2001). Crucially the game can assess a player's performance and adapt according to that performance. This means the game can present greater challenges to the player as their skill improves (typically implemented through a levels-based structure). This adaptability, which is possible because of the cybernetic feedback loops, is often crucial to a game's success. It represents responsiveness to the player's actions or performance. Thus it is possible for games to be far more abstract than conventional media. There is no need for any anthropomorphic element in order for a game to succeed – one only has to look at the success of a game like *Tetris*[7] in engaging players and holding their attention for hours on end, despite a complete lack of narrative and a lack of characters of any sort.

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[7] A game where the player sorts and orders geometric blocks as they descend the screen.

The idea of the player as a performer being assessed by the game links closely with what Espen Aarseth calls the 'ergodic' nature of cybertexts :

> The concept of the cybertext focuses on the mechanical organization of the text, by positing the intricacies of the medium as an integral part of the literary exchange. However, it also centres attention on the consumer or user of the text, as a more integrated figure than even the reader-response theorists would claim. (Aarseth, 1997:4)

Thus he points to the cybernetic feedback loops of cybertexts as a key structural feature of those texts. The ergodic text is one which requires an input from the reader. The process of reading is one of interpretation, the process of engaging with cybertexts is one of intervention. 'In ergodic literature, non-trivial effort is required to allow the reader to traverse the text' (Aarseth 1997:1).

In raising these arguments I am pointing to the ways in which the structure of games implicates the player in the text. ' …[W]e cannot afford to ignore the effect of interactivity: the non-determined state of the story/game world and the active state of the player when playing a game has huge implications for how we perceive games' (Juul, 2001:12). How they *work* as texts is very different from the conventional text. Part of what is implied is an issue of control. In a conventional narrative, although the author is not in control of the many interpretations of the text that will occur, he or she is in control of the crafting, the structure, the order of events, the building of tension, the withholding and revelation of information and so on. Some of this control is ceded to the players in a game, who determine to a greater or lesser extent what will happen next. However a measure of control is gained by the developer through the structures of rules, the coding of object behaviours, and the parameters of the game world they create. Players will construct their own trajectories and game-play with more or less freedom depending on the tightness of the control imposed by the developer. But the power dynamic in the dialogue between player and developer is quite different to the negotiations between author and readers of a more conventional narrative text.

To summarise, computer games employ aspects of narrative, often in a somewhat instrumental way. However they can be seen to lack the elements of narrative that often make stories compelling and successful – characterisation, plot, and closure immanent in each element of the story. Games also bear a different relationship to time, being a present tense medium, rather than a past tense retelling medium. The elements that tend to drive a game can be identified in terms of goals, cybernetic feedback loops, performance and adaptiveness. All of these elements implicate players as part of the process, crucial to the actual production of the text, and hence a necessary part of any analysis.

2.3 Aesthetics and spatial politics

A similar debate to the one about narrative has taken place over visual aesthetics in new media. Works like that of Bolter and Grusin (1998) typify a particular attitude toward new media. Bolter and Grusin make many insightful points about the relationship of visual aspects of new media to traditional media. They trace the history of many of the techniques of representation used in digital environments to older media forms. Thus they manage to deflate some of the boosterism and hyperbole of the mid-nineties surrounding digital environments through situating much of what was being touted as 'fabulously new' as being a continuation of representational practices that are centuries old. However, they privilege the visual and spatial over all other aspects of media. The concepts of agency and/or navigation appear very little in their analysis, which makes it of limited use. Their eagerness to prove that there is nothing new in new media other than a reworking of old concepts, denies the configurative role of the 'reader'. Their analysis is useful in pointing to the continuing presence of existing visual media tropes, but is inadequate to the task of describing and analysing the dynamic nature of a computer game space as a whole. It is important to take account of the work of critical geographers like Massey (1994) and other cultural geographers who observe that space needs to be

treated as social and socially constructed. Flynn makes a more insightful analysis using this kind of framework:

> Put simply, games are not only watched but also moved in, between and around. If space is not only aesthetics, but also trajectories of navigation, then by definition the player is implicated as agent in the structure of the game. (Flynn, 2004:55)

Flynn uses the work of Lefebvre to advance the idea that there is a need to reconnect space 'to action, mobility and history' (Flynn, 2004:56). This understanding of the aesthetics and space of games as being always historically situated and socially constructed fits much more readily with the idea of players as configurative and the text of a game as fluid.

A further example of work which examines not only the representations and aesthetics of games, but the contexts and spaces in which they are played is a study of gender and games by Bryce and Rutter (2002). In their article *Killing like a girl: gendered gaming and girl gamers' visibility* they initially deal with some issues around gendered representation in games. They point out that, given player agency and ability to resist and make oppositional or even self-contradictory readings from texts, it is difficult to draw conclusions about what players do with the representations of gender within games. They then focus on the actual spaces in which gaming takes place.

> While lab based and textual research has assumed an individual asocial space for gaming, it is impossible to neglect the fact that much gaming is social and played with friends in the playground and arcades, or with family in front of the TV. (Bryce and Rutter, 2002:249)

Having established the social context for gaming they go on to suggest that:

> …in many gaming spaces it is the environments that are male-dominated and this gender asymmetry works towards excluding female gamers at a stage prior to the gendering of gaming texts. (Bryce and Rutter, 2002:249)

Research on gender in LAN[8] parties suggests that they are mostly male events with women present almost always as girlfriends or mothers of players rather than as players. Those women who are players are marginalised regardless of aptitude (Bryce and Rutter, 2002, Kennedy, 2004). There is growing evidence that women prefer to game in domestic settings with friends, family and partners. 'This suggests gaming may form part of joint leisure activities within existing social networks'. Online gaming '… offers the potential to extend social networks and allow public gaming in a domestic context' (Bryce and Rutter, 2002:250).

The framework that Bryce and Rutter use for their analysis is one which takes the practices of the players as central to understanding the meaning of the game's space. They see the use of any technology as always situated and specific, and thus the study of it must account for the particularities of context. They use a technique for the analysis of gender that takes account of the space as socially constructed and historical, and consisting of more than just the aesthetics of the text and its representation of space. In this type of approach we can see a conceptual leap from the Bolter and Grusin approach which relies purely on textual analysis for its insights into spatial representation. If a text is interactive, then textual analysis will only take you so far in understanding the spatial and visual aspects of it.

This is not to suggest that the textual structures associated with space are not important. Aarseth identifies the representation of space in games as important to understanding their success:

> …[W]hat distinguishes the cultural genre of computer games from others such as novels and movies, in addition to its rather obvious cybernetic differences, is its preoccupation with space. More than time (which in most games can be stopped), more than actions, events and goals (which are tediously similar from game to game), and unquestionably more than characterization (which is usually non-

[8] A LAN is a Local Area Network. LAN parties are where people link their computers together in a small network to play games.

existent) the games celebrate and explore spatial representation as its central motif and raison d'être. (Aarseth, 1998)

He identifies elements of representation and how they affect players' experiences of games. For instance he looks at the level of integration of the player into the world through devices like the use of first person or third person point of view (POV). He speculates that the latter gives a player a god-like omnipotent view of the game and the former a more immersive integration. The mixture of two dimensional and three dimensional representation becomes important in determining the ease of navigation. A three dimensional representation is almost always supplemented with two dimensional maps and other two dimensional interface elements for the purposes of allowing a player to both locate themselves in the game world and to move through the game world. The modes of access to new areas of the game world (pathways, doorways, levels, open territory etc) and the ability of the player to actually change the game-world are all important spatial aspects of the game Aarseth identifies as contributing to its success. According to Aarseth, the interface design is key to a computer game's success. 'Computer games are essentially concerned with spatial representation and negotiation, and therefore a classification of computer games can be based on how they represent – or, perhaps, *implement* – space' (Aarseth 1998).

One area that remains under-explored in Aarseth's work is his definition of space. He constructs the space of games as allegorical, as representative of other spaces. While this is almost certainly so, it fails to understand space as always a social and cultural construct (see for instance Massey, 1994). Gaming space takes a representational form on the screen, but that space is being acted upon and in by players. In other words game space is not *only* allegorical space but also 'real' space that is acted within by 'real' players. It is *both* representational and performative.

Aarseth is perhaps less concerned with the comparison with other media here, than with trying to establish the grounds for describing games, for creating taxonomies of games – which is in part the task of any academic

field in relation to its subject matter. The design of spaces creates particular 'affordances' for players, which shape their experiences, much as the design of rules and goals discussed in the section on narrative and ludology also structure affordances or constraints. Game spaces can invoke resonances of various artistic traditions, as rules and goals can evoke narrative resonances. Different aesthetic design can affect mood or emotional colour in a game (Jenkins and Squire, 2002).

Jenkins is also concerned with placing the games field in the context of other media, and returns to the comparative themes that occupied the narratology/ludology debate. In his paper on games as a 'lively art' (2005) he canvasses the concept used by the early twentieth century theorist Gilbert Seldes to describe the ways in which the pop culture forms of jazz, cinema and vaudeville were the new, dynamic arts that would gain legitimacy over time and which had qualities that conventional 'art' lacked. Jenkins initially compares games to 'electronic art' and finds the 'art' and the 'artists' to be 'sluggish and pretentious', whereas he encounters the game designers and games as fresh, innovative and engaging:

> Games… open up new aesthetic experiences and transform the computer screen into a realm of experimentation and innovation that is broadly accessible. And games have been embraced by a public that has otherwise been unimpressed by much of what passes for digital art. (Jenkins, 2005:313)

He puts this success down, in part, to 'the quality of the emotional experience they offer players.' He analyses some of the elements of good game play, alluding to features such as compelling situations, goals and tools to achieve goals, and to ways in which a bond between the user and the game interface can be achieved. Echoing Csikszentmihalyi's (1975) notion of 'flow' he notes that:

> The game designer's craft makes it possible for the player to feel as if they are in control of the situation at all time [sic], even though their game play and emotional experience is significantly sculpted by the designer. It is a tricky balancing act, making the player aware of the challenges they confront, and at the same time, insuring they have the resources necessary to overcoming those challenges. If game

play becomes transparently easy or impossibly hard, the players lose interest. (Jenkins, 2003:319-320)

Csikszentmihalyi's theory is that people reach a state of 'flow', in which they become so focused and engrossed in the task at hand that they become oblivious to their surroundings and other distractions. When the challenges the task presents match the skills they have to complete it, players achieve a state of flow. If the challenge is too steep or beyond their skills they become anxious. If the challenges are too easy, beneath their skill level, they become bored. Thus, as people's skills at a task increase, the challenge needs to be increased as well. This is one reason we can see computer games as particularly adept at putting people in a flow state (or in 'the zone' as some would say). The cybernetic feedback loops that allow the game program to constantly read and assess the performance of the player, also allow the game to present increasing degrees of difficulty as the player improves. This adaptive quality is probably one of the key aspects of interactivity that computer games exploit. More conventional media, repurposed for the internet, lack this adaptiveness. It cannot wholly explain the engagement of games, in that it is based on individual engagement, and doesn't encompass the communal and contextual aspects that often go hand in hand with game playing. It is a useful explanation for some aspects of play however.

Jenkins also contends that games are a kinetic medium, involving a visceral impact that has never been achieved by cinema. Jenkins' agenda can be seen to fit to some extent with that of Bolter and Grusin's ideas of remediation. Although he does identify features of games that differ from other media, he is also framing his judgement to some extent through the lens of cinema and arguing that aesthetics are where designers should be focusing their innovative attentions.

Newman (2002) would have us believe otherwise. In an argument that echoes the narratology/ludology debate somewhat in its rejection of the use of an old media frame for understanding a new medium, he contends that it

is not the visual aesthetics of a game that influence and engage players, but its game play interface and cybernetic feedback loops. Visual richness may be used for the marketing of the game. It may also lure the player into the game and help them survive the first session or two where game play is often frustrating as they embark on the usually steep learning curve required to get a grip on the interface and controls. Early computer and video games were often graphically awful or even text-based, and yet still engaging and considered to be 'good' games.

Newman, like Jenkins, identifies the computer and video games medium as a kinaesthetic one. But whereas Jenkins says that aesthetics can enhance this quality, Newman regards them as irrelevant. Newman makes two key points. The first is that games are highly segmented experiences, where each segment may involve a different intensity of engagement. Thus cut scenes and level loading screens punctuate more intense scenes where ergodic engagement in the cybernetic loop of the game is required. He also contextualises this involvement, pointing out that there are often secondary players – people either looking over the player's shoulder and engaging in dialogue about the action, or actually controlling various parts of the game (map reading, puzzle solving, spotting objects etc). The secondary player may be the audience for graphic richness as well as a kind of co-pilot. Thus engagement in the game is segmented, variable in intensity and often social, with the text being experienced differently depending on whether the person is playing or watching and/or 'co-piloting'.

His second point is about the type of engagement a game creates with a player. The relationship of the player to the game is not, he says, one of subject and object. 'Rather, the interface is a continuous feedback loop where the player must be seen as both implied by, and implicated in, the construction and composition of the experience' (Newman, 2002). In focusing on this process he provides a way of explaining why, despite the fact that much of the literature claims the first person point of view games are more immersive than the third person point of view games, players still *experience* intense engagement in either view. '[I]f we see first-hand

participation as being derived from an interface-level control loop we can disentangle viewpoint from reported feelings of immersion, engagement and *being-in-the-world*' (Newman, 2002). Thus he makes the assertion that '…the degree of participative involvement and engagement with any specific game is not contingent upon the mode of representation' (Newman, 2002).

Apart from disentangling engagement and immersion from representation styles, his argument has an interesting effect on the idea that players identify with their avatar characters in-game. He suggests that it is the functionality of characters, rather than what they look like, that will influence a player to choose one over another. Thus if a female character is seen to have more desirable functionality, a male player may choose to use her over a male character, whatever the transgendered implications might be. He therefore argues that players form a '... relationship with these characters that disregards representational traits in favour of the constitution of character as sets of capabilities, potentials and techniques offered to the player.' (Newman, 2002)

Newman's assertions may be a little extreme, in the sense that representational aesthetics could be seen to play a part in the enhancement, even the amplification suggested by Jenkins, of the game play and kinaesthetic sense of immersion and engagement. As noted in the quote from Ryan earlier, narrative back-storying is a part of the game even if not the main part. Aesthetics too, can be seen to be a part of the game, although not the key driver of engagement. But his suggested framework for analysis of games through the kinds of engagements elicited from players in the interface cybernetic loop and its varying intensities, and through analysing player relationships with their characters, not from the perspective of identification, but through the lens of functionality, leads to an interesting shift. Player relationships with characters are conceived as '…an experiential whole that synthesises action, location, scenario, and not merely … a bond between subject and object within a world' (Newman, 2002).

This analysis grapples with the notion that the player is no longer the audience, but is configurative, and implicated in the structure of the text. It takes as its focus the relational network between players and games rather than clearly demarcated audiences and texts. It also takes account of the context in which a game is played, and the social nature of many players' experiences. Thus Newman's model of analysis, in breaking with both narrative and aesthetic traditions, is able to deal more directly with the specific engagements of games. I would argue Newman's approach is more effective at achieving an understanding of how games work than analyses which attempt to describe games purely in terms of their narrative or representational/aesthetic characteristics. It is a useful tool for ethnographic study, in that it gives a framework for understanding the text in terms of player engagement and context.

2.4 Putting players into the analytic framework

Analysing games in such a way as to take account of player involvement becomes the challenge for the games studies field. In part this is about analysing the structural elements of games that afford ergodic or interactive opportunities, as demonstrated by Newman. In part it is also about looking at players themselves: how do they play, and in what contexts? This accords much more with how post-structuralist narrative theory insists on an account of the context of story-telling in any analysis of the meaning embodied by the text[9].

There is some work done on the area of 'player types', for instance by Bartle (1996), who creates a taxonomy of different playing styles and attributes different psychological types to each style of player. As an early MUD designer, Bartle was interested in creating this taxonomy for the purposes of managing player populations and designing games that supposedly catered

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[9] "… [T]he significance of the story is determined less by its actual content than by the point of its being told, that is, the relationships mediated by the act of narration." (Chambers 1984:3).

to the different personality types. He does concede that people can occupy more than one area or category of the typology. It is work that creates ideal types out of a mostly untheorised set of observations. However the psychology of player types is not the focus of this study.

If we give some credence to Newman's proposal of the interface feedback loop being the key source of immersion and engagement in games, then having a formal and consistent way for analysing the elements available in an interface is a good starting point for subsequent analysis of emergent properties and behaviours by players (Juul, 2002). Klastrup (2002) has suggested a tentative model for analysing structural interactive elements in games (and in particular in multi-user online games). She points out that the term interactivity has become almost devoid of meaning, as it has been appropriated to describe so many different forms, but '… we are much in need of a terminology with which to describe the relation between agents, and between these agents and the actions which characterise life in a virtual world' (Klastrup, 2002:332). She sets out to create an analytic framework that can adequately describe what goes on in a game in a formal and stylistic sense.

Klastrup has identified four basic kinds of agents found in virtual game worlds: players, non-player characters (NPCs), objects, and world rules. She defines interaction as both relational and actional, such that interaction is '…an event which establishes a relation between two autonomous agents and results in an altered state of either one or both agents' (Klastrup, 2002:334). She then identifies four main ways in which the four types of agents can interact in this sense. These are through manipulation, social interaction, information retrieval and navigation. From this we can create a four by four matrix of possible interactions. She goes further by identifying whether the interaction is either primarily spatial or temporal in nature.

Rather than trying to impose a narrative framework for understanding games, Klastrup suggests the usefulness of this grid lies in enabling an analysis of '… the interplay between action forms, agents and the way they

form the player's experience of the events taking place in the game world' (Klastrup, 2002:339). A limitation of Klastrup's model is that it doesn't account for the context of playing, only for the in-game action. It is a structuralist account that implies a player, rather than a framework that can encompass the player and the context of their activity. However, as a model of textual analysis that does take account of player agency, and pays attention to the complexity of the interactive features of the game 'text', it is an advance on narrative analysis *per se.*

Emergence is one of the more interesting qualities of some games. These games, often with only a small number of rules, facilitate a large number of possible playing strategies and outcomes and lead to unpredictable game-play. This is a product of the interplay between players and the rules, rather than an outcome predicted and sought by a designer (Juul, 2002). Thus some games can be thought of as 'progression' games in that they progress on a 'rail' that doesn't allow for much player creativity (and hence the control of the outcomes is held by the designers)[10].

'…[E]mergence structures allow for much variation and improvisation that was neither anticipated by the game designer, nor is easily derivable from the rules of the game'(Juul 2002:325)[11]. This is not to say that a player has complete control over the direction of game play, but instead to suggest that with some games, the property of emergence rather than progression exists.

> On a theoretical level, emergence … is where we find that it neither makes sense to describe games as open (the player free to do everything) or closed (choosing only a number of options set up by the designer). So emergence in games is the third way, somewhere between a designer completely specifying what *can* happen, and leaving everything to the user/player/reader. (Juul, 2002:328)

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[10] An example of a progression game would be a level based game where the player needs to complete a certain number or type of task/s before being able to move to the next part of the game. The interrupted narrative diagram shown in Appendix 6 also illustrates this.

[11] Most of the virtual online game worlds conform to this style, where game-play is suggested but by no means mandated and players create their own pathways and activities.

My point in analysing the work of Klastrup and Juul is to ascertain what frameworks for the analysis of players and their embedded positions in the network of relations in a game text have been proposed. Newman, Klastrup and Juul all insist in some way, on the importance of the player as part of the 'text' of the game, and begin the process of establishing how we might look at the player in the structure of games. Newman looks at levels of ergodic engagement offered by games, as well as ways in which interface design relates to, relies on, and constructs player experience. Klastrup offers a descriptive frame for types of interaction, and Juul more broadly suggests a frame that requires the player as part of its structure.

I would argue that using frameworks like these will lead to more nuanced and complex understandings of players and their configurative roles in games at the structural level. Other forms of analysis tend to tack the player on at the end of the analysis as an almost irrelevant part of the design and structure of the game, rather than as integral and configurative.

2.5 Players

Given the centrality of players to my project I want to turn now to the body of literature that looks at players of video and computer games. Players are conceptualised differently across disciplines. There are a number of different levels and angles from which to view the player. Psychosocial approaches conceptualise players as individuals negotiating and constituting a subjectivity and identity through their relationship to the technology of the game and through the activity of playing. Sociocultural approaches conceptualise players as part of a social context of 'consumption' – situated in a social network of family, romantic, friend and work relationships, and a material site – a bedroom, a family room, an arcade or a LAN party, etc. This approach is sometimes more narrowly defined as players situated in the social network created within a game (in the case of online multi-user games). A communications studies approach examines the processes of production and circulation of meaning and can focus on medium specific

aspects of these processes. A political economy approach situates the player as part of the development and 'industrial' processes of design and production and considers the politics involved in ownership and control. There is a resonance from each of these approaches in my own, but my emphasis lies more towards the communication studies and political economy approaches than the psychosocial disciplinary frameworks.

2.5.1 Moral panic and effects-based research

I don't wish to dwell greatly on this particular discourse on computer games. However I don't think that one can address computer games as a field of study without at least acknowledging that this discourse is strong within mainstream media representations of computer games. The 'effects-based' research which gives rise to the 'computer games cause violence' discourse is probably the most familiar to us from mainstream media. There are often reports on violence perpetrated by young people accompanied by some observation that they had been playing a video game with violent themes at some time in the previous day/week/month. It is beyond the scope of this review to thoroughly canvass the (mostly psychology) research on games' 'effects'. The model of communication behind such research, of behaviourist cause and effect, is a flawed one. It fails to account for cultural contexts and the ways in which media are actually implicated in the circulation of meanings in our cultures. The debate around 'effects-based' research is a long standing one which represents a debate between disciplines and methodologies.

There are two papers that come from within the psychology discipline itself, which critique the available effects-based research, not on the epistemological grounds just mentioned, but on the grounds that the research methodologies used within the research are flawed.

Freedman (2001) points out firstly that the body of research done on video games causing violence is very small. Among that which has been done no

causal relationship has been proved, even where the conclusions indicate a correlation between games and violence:

> The body of research is not only extremely limited in terms of the number of relevant studies, but also suffers from many methodological problems. Insufficient attention has been paid to choosing games that are as similar as possible [in comparative studies] except for the presence of violence; virtually no attention has been paid to eliminating or at least minimizing experimenter demand [where subjects are influenced by the experimenter into particular responses]; and the measures of aggression are either remote from aggression or of questionable value. (Freedman, 2001:8)

Goldstein (2001) also critiques the research from within the psychology framework and comes to similar conclusions. He suggests the results of research thus far are ambiguous and the experimental setups are inadequate. The research is deemed flawed by researchers within the discipline, even before one critiques the epistemologies that assume violence in games might be able to cause *measurable* effects, separable from factors such as an individual's prior experiences, cultural background, predispositions, beliefs, the context of 'consumption' and so on.

From outside the psychology discipline there have come a number of critiques of moral panic (for instance Jenkins (2002) and McRobbie (1991)). Thompson (2002) suggests the moral-panic discourse of the games and violence debate is a manifestation of Western society's insecurities about identity, youth (that youth are almost always feared and/or demonised by US culture, for instance) and the populations' relationship to media. He argues that:

> Eye-hand coordination is one thing, seething rage is quite another. The psychological roots of violence are so manifold that it seems almost surreal that games should have become the dominant player in the American debate over why people kill people. (Thompson, 2002:31)

He goes on to suggest that perhaps the thing most people learn from first-person shooter games in particular, is an inordinate respect for law

enforcement agencies and some very conservative values, particularly about people who commit crimes.

Moral panic and the representation of computer games can also be identified as an ideological phenomenon:

> The moral panic is a discrepancy, between the 'threat' posed to society, and the level of attention given to it (in popular media, most notably the televised news, and national newspapers). …it is crucially an ideological process – involving as it does this notion of a threat to the moral majority. The panic is then used to justify – or gain consent – to increased curbs and regulatory powers. (Southern, 2001)

2.5.2 'Effects'

But the question of the 'effects' of games is one of key interest to many people beyond those wishing to blame society's ills on the latest form of media. There are numerous educators interested in the proposition that this engaging medium might be harnessed for the purposes of education. How much can a game 'teach' someone something, be it poor behaviour or a complex physics concept? This raises a theoretical dilemma. If you want to argue that games *don't* cause violence – that there is a complex interaction between a player, the game and culture – then how can you argue a game *will* teach something useful? Will the skills learnt inside a game be transferable to an outside context?

> The challenges of using games in educational contexts highlight many of the problems with arguments made by game critics who posit that games with violent imagery are 'teaching' our kids to become aggressive or increasingly violent (See Grossman 2000; Provenzo 1991). This view places tremendous faith in games' ability to elicit specific behaviours and denies our agency as humans, our role in creating meaning, the importance of context, and the qualitative differences between playing a game and inflicting violence on another human being. Based on decades-old behaviorist models of learning, the view assumes that players are passive recipients of games' values or associations, rather than active constructors of meaning. (Squire, 2001)

He argues that games as educational tools need to be surrounded by other pedagogical strategies to contextualise and make explicit what a game might be teaching. While the area of educational games falls outside the

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scope of this study, the point that Squire makes, that games can affect
players but that the process of making meaning from a game is variable and
dependent on a number of factors is a key one.

> What's missing from the contemporary debate on gaming and culture
> is any naturalistic study of what game-playing experiences are like,
> how gaming fits into people's lives, and the kinds of practices people
> are engaged in while gaming. Few, if any researchers have studied
> how and why people play games, and what gaming environments are
> like. (Squire, 2001)

If, as I intend to do, one discards the effects-based research as
epistemologically and methodologically flawed, how can players be studied?
It is important to establish which aspects of the playing experience are
important and how they are conceptualised. The first part of this review
established that the player is structurally implicated in the gaming text,
situated in cybernetic feedback loops with the game interface, that make
their presence instrumental and essential. While the examination of
narrative and aesthetic elements of games goes some way to describing
games, they are only a part of the game. Players are another part, that as
yet have been studied very little. But it is not just the game/player
relationship and game event that should be studied. As described at the
start of this section, every player is situated within a social/political/cultural
context. How game-play is constituted by those factors in relation to the
more formalist or structural aspects of the game design, and how the game
spreads beyond the particular session of play need to be incorporated into
analyses. How do games affect peoples' lives, social and political
relationships and values? Using an ethnographic approach (or as Squire
might term it, a naturalistic approach), as my study does, will address some
of these contextualising factors, and allow for a description and analysis of
players' experiences that goes beyond the limits of the game-world text.
Although my focus is not on the sociological or psychological aspects of
players' experiences, it does focus on contextual aspects of production and
players' experiences of negotiating a variety of relationships both within and
around the game.

2.6 Online multi-user games

In this section I want to focus on existing research which studies online gaming and players. Multi-player online games are a growing sector of the market, as technology enables better connectivity. Broadband has the capacity to handle more data at greater speeds which is crucial for games that rely on fast-paced and synchronous action. While it may be the technology which is enabling, it is also the social aspects of such gaming which are important. People have taken to online gaming in their millions (especially in places like South Korea, where broadband penetration is high)[12], and playing computer games has become a very social activity. It is this development that I find fascinating and wish to explore as part of my study. Computer games aren't the domain of the geeky and isolated adolescent boy anymore. The advent of networked social gaming requires us to broaden still further our concept of what texts are, and what the medium enables or facilitates, and how players and developers exploit its possibilities.

The online multi-user game typifies a new kind of involvement of the player in the configuration of the text. Player 'investments' in the game occur at a number of different levels, and cannot be treated as peripheral. They are, instead, integral and essential to the success of the game. The online multi-user game combines both the social aspects of chat rooms and the intense ergodic engagements of single player games into a successful hybrid application.

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[12] In South Korea, the phenomenon of 'PC Baangs' (internet café-style game rooms) has become widespread. South Korea has one of the highest rates of broadband penetration in the world (over 70%) and apart from connecting domestic spaces this has enabled many PC Baangs to be set up. Here people, usually in their teens and twenties, play online games together. The main game played is the strategy game *Starcraft*, which is '… not just a game in South Korea, it is a national sport. … Five million people…play. And three cable stations broadcast competitive gaming full-time to a TV audience' Herz (2002a). South Korea currently has the largest online role playing game, *Lineage,* which has over three million subscribers. Players of *Lineage* often play together in PC Baangs, talking to each other across the room as they play together in the virtual space.

The research into on-line games falls into a number of types. There is empirical data available that attempts to quantify various aspects of player populations through surveys; ethnographic research; interview based research; and research that is based on textual analysis. Each offers particular insights. Some studies are specifically interested in exploring gender, some in exploring aspects of the social construction of community and culture in-game, some in the key elements that motivate different players to play, and some in the context of game playing and the issues of access that arise. Some of the key findings of these research projects, which provide useful background and empirical data for my own study of *EverQuest* are as follows.

The demographics of player populations are changing. Computer game players are getting older and there are more players in the over 20s category now than previously (Entertainment Software Association, 2004). This trend demonstrates that computer gaming is no longer the domain of adolescents. Trends around gender show an increase in female game players (39% according to the industry figures (Entertainment Software Association, 2004)), with online gaming figures in particular showing a marked increase, with women comprising over 50% (Taylor, 2003). In computer gaming in the US, women could comprise up to 43% (Bryce and Rutter, 2002:244).

A recent online survey by Kline and Arlidge (2002) provides a raft of statistics about a cohort of 569 online gamers (mostly dedicated gamers who spend a lot of time online, with one quarter spending over 25 hours a week). The study garnered information on the types of play that interest different players, and whether there are differences between genders. It also looked at game addiction. It had a particular focus on players of *EverQuest* and *Counterstrike*.

The results show, among other things, that '…the ability to make new friends and spend time with old friends is very important to online gamers,

while social transgressions such as cheating or betraying one's comrades are highly disliked. Cooperation generally ranks higher than competition…' (Kline and Arlidge, 2002). Nearly half the *EverQuest* players surveyed had made real-life (*ie* offline) friends through their play, and a quarter of the *Counterstrike* players had done so. Interestingly, on the subject of addiction, although 87% of those surveyed thought that gaming could be addictive, only 19% thought they themselves were addicted. Thus for the most part players saw it as a problem encountered by others. However, using markers for addiction such as disruption and conflict with social relationships offline, playing when they should be doing something else, and feeling in control of their gaming habits, it seemed that many more displayed signs of addiction than the 19% who self-identified as addicted.

In terms of gender, male and female participants played *EverQuest* in roughly equal numbers, but *Counterstrike* was not popular with female players. Gender differences across other genres were found in that male players liked sports games and racing simulations more, while female players liked puzzle and gambling games more. In terms of the kinds of game play valued within games, the genders didn't show much difference.

Other studies have been done which use the textual analysis of in-game conversation logs. Wright et al (2002) studied text logs from the first person shooter game *Counterstrike* and created a taxonomy of different types of player conversation. This sheds some light on the various ways players relate to each other in a multi-user online game and helps to form a base from which to work into more complex analyses. Tosca (2002) concludes from her study of *EverQuest* speech using pragmatic linguistic theory that '…linguistic communication in *EverQuest* is totally subordinate to game-play, and that *EverQuest* is a game and not a world…' (Tosca, 2002:352). She uses this conclusion to warn against using linguistics as a tool for analysing the game.

Taylor (2003) in her study of women and online gaming gives a more complex analysis of the experience of women playing computer games.

Using the question of where the pleasures of playing lie for women as her key focus, she identifies a number of different areas of play that provide a complex set of pleasures. Based on an ethnographic study of *EverQuest* with follow up interviews, she teases out a more nuanced understanding of the pleasures of engagement than those offered by the 'pink software' games for girls debates[13]. She identifies different aspects of social networking, community building, identity construction, exploration, and mastery of skills that become key sources of pleasure for women playing *EverQuest*.

In researching the relationship between games and urban space Wilson (2002) argues that the player is always embodied and situated in a social context and a network of relationships. The arcade space is often posited as a slightly demonised space for 'deviant' youth, giving rise to anxieties amongst the adult population. The performances and aspects of the spectacular involved in the game *Dance Dance Revolution* (where players dance over a platform according to preconfigured step routines) show that gaming space is embodied and socially constructed space (Wilson, 2002). Such research maps out some of the interplay between in-game and ex-game cultures and lives for gamers. The game is not necessarily determinate of player behaviour, but part of a network of relations that extend well beyond the game itself.

These studies move beyond the boundaries of the game world and tackle issues such as the embodiment of the player, the context for playing (both physical and socio/cultural) and the agency of the player in their configurative relationship to the game, and make most useful contributions

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[13] The 'pink software' debate (an example of which can be found in Cassell and Jenkins (1998)) centred on whether developing software that appealed to girls was based on outmoded and stereotypical assumptions about what girls liked, and tended to fix or reinforce those assumptions, or whether it encouraged girls to play computer games and feel comfortable around computers in ways which 'boys' games didn't.

to the study of computer games players. It is from this kernel of analysis that my own study will grow, building on the work mentioned here.

2.7 Players and Industry

Having established the very active and structurally configurative role of the player in the game environment through considering these works, it is useful to turn to the literature which attempts to synthesise these observations with the practices of industry. The key aspect I wish to draw out in this section is that the text of the game, particularly an MMOG, is never finished. Its production is ongoing, and the activities of players drive further production. Thus the production of the text can be seen as recursive, rather than linear. It is never fixed or finished in the way a book is when it is published (even though the interpretation of the book and its meanings may continue after its publication, the text itself is 'static'). This recursivity is a major disruption to conventional media practice.

The media consumer has a changing role in interactive media, where narratives are no longer authored by one single person, published and then consumed by another. Games like MMOGs and the *Sims* see the rise of '… a new consumer/producer hybrid, inviting the player to become co-author ...' (Pearce, 2002:21). Developer practices differ from other media producers:

> From a process point of view, game design is usually (though not always) a team sport, so to speak. At its very conception, each game usually begins with a level of social engagement, which sets the tone for collaboration with the audience. Although many game teams have a strong singular creative lead, there is less of an ethos of 'auteurship' than in other media. Therefore, social play 'begins at home', and translates into a social product. (Pearce, 2002:24)

Players are constantly trying to outwit and beat the game, and game designers are in turn then challenged to produce even 'smarter' games. Players and designers are always in dialogue and there is a competitive relationship established from the very inception of the game. '…[B]ecause of

the battle of wits between designers and players, game designers know more about their users than producers of any other entertainment medium, or, for that matter, any other computer medium.' (Pearce 2002:24) This relationship is intensified through the play testing process that precedes any game release.

Player ideas and input are sought and used by games companies, often while the game is still in development (Banks, 2002)[14]. Players become involved in the game design from the start (pre-launch) and developers actively seek out player input from an early stage. Developers are players (of other games), and the players and fans are part of the development process. The social relations derived from bulletin boards and websites about the game (as well as the websites associated with the subject material and their email lists) develop over time. There are changing patterns of relationships as the 'community' around a game forms. Banks characterises the process as collaborative. The development company actively recruits from the relevant fan sites and builds a community of involved fans from the start – seeking ideas, feedback on aspects of design and so on:

> … the audience is not a something, a pre-existing entity, out there in the social landscape waiting to be enticed, seduced and explained. It is something to be built, dynamically negotiated and coordinated. (Banks, 2002:191)

Because of the emergent nature of game texts, particularly online games, the 'development' of the game doesn't end with its release. Thus the ongoing development remains part of the business of many developers and publishers. These ongoing processes continue to harness player inputs on a number of levels. There's the area of social networking, where player

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[14] Banks' work describes the building of a community of players around a train simulation game. This community is passionate about trains, and the game allows them to build their own models to upload into the game, and to trade with each other. The game has generated player development teams all over the world, who work in conjunction with the company to produce content for the game.

communities are built inside the game over time and nurtured as a means of extending game-play. There is also the area of player created content – in the form of items or assets designed and built for the game by players, often using developer released tools. Expansion packs of additional material are also introduced by the developers based on ongoing feedback and consultation with the players. JC Herz notes that:

> In a virtual environment as complex as a massively multi-player online world, whose success depends entirely on player interaction, developers recognize the player base as a strategic asset. (Herz, 2002c:87)

She goes on to state that:

> The game belongs to the players, as much as the developers. So it is in the developers' interest to keep players in the loop, as the game takes shape, and to leverage their experience. This is not a marketing ploy…, although it does generate good will. It is part of the core design process. (Herz, 2002c:87)

The general trend is to regard the social relationships and networks engendered by an online game as core to its success rather than peripheral. Herz points to the developer Blizzard's strategy of maintaining a free server system for players to play their game (Battle.net) – there are no subscription fees to this network, but the creation of the network is seen as core.

> The 'soft stuff' is not discussed as non-profitable. … Blizzard's products are videogames. But the social dynamics of a networked player population are the backbone of its business. (Herz, 2002c:95)

She also notes that the social bonds and connections keep players playing long after they have mastered the game-play. Thus the life of a game can be extended by nurturing the social networks engendered by the game. Cutler notes that in online game this sets up the requirement that a developer takes on new roles:

> The deep immersion of users in the dynamic development of the game title means that the title originators have an on-going product development requirement of "customer care" and "creative moderation". (Cutler 2002:18)

Pearce also observes that:

> …participation is part of the production processes. Companies like EverQuest now view themselves in a service role. Therefore, they view the ongoing creative and game-play maintenance as a critical part of their business. …To keep the game fresh and exciting and to encourage repeat play, the game is adapted as it is played in direct response to player actions. … game designers must engage in an ongoing dialogue with players in order to constantly raise the bar on excitement and challenge. (Pearce, 2002:26)

In many games, players go on to create their own content after the release, often using development tools released by the game developer. Thus, according to Herz, 90% of the *Sims* content is player created. *Counterstrike* is a first person shooter game created entirely by players using the *Half-life* game engine. *Counterstrike* has gone on to be immensely successful as an online multi-player game, winning awards from industry and players.

The response of different companies to the emergence of player-created content has differed and suggests a number of different business models are in use. Some actively encourage modding[15] through the release of tools for players to make their own levels and skins. Some provide websites for the trading of such content between players. Others ban the trading of in-game assets and sue those found trading game material over the net. Some encourage mods and then claim IP over the player created content. Some don't claim the IP but don't allow commercialisation of the player created content. Some allow commercialisation (Humphreys et al, 2005). Thus while the *Sims* content is created largely by players, and games like *Diablo* have a feature called 'D-Bay' implemented to allow player trading of material, trading of *EverQuest* items outside the game has been banned by Sony Online Entertainment.

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[15] Modding in this thesis refers to the practice of players making modifications to game content – creating their own objects, skins, and levels etc. I do not use it in the sense that it is sometimes used to describe the chips that modify hardware consoles to play non-proprietary software.

The above authors' discussions about the increasingly active role of the player in the design of games don't often grapple with intellectual property and the economic relationship these processes imply. Banks is the small exception to this lack of engagement with these issues:

> … is it simply 'business as usual', with the activities of consumers being increasingly seduced and incorporated within the networks of corporate capital? (Banks, 2002:212)

The increasingly important role of players as developers is highlighted by Sawyer (2002), who draws connections between the increased availability of creative toolsets for games, the growth of mod (modification) communities and the open-ended architecture of many games.

> Although conventional wisdom pegs the community of modifiers for any specific game at 1% of its user base, this will expand in absolute numbers as more games offer modifying opportunities, and the international community of gamers grows. As the community takes hold and more toolsets improve, that percentage might increase. If there are an estimated 5-10 million hardcore gamers in the world, and 1-2% choose to become follow-on developers for top line products, there is a cadre of 50,000 - 200,000 viable developers who will develop follow-on content for products every year. Over the next 10 years, as products and practices embrace this path, that number could conceivably triple to 150,000 to 600,000 seasoned community developers. (Sawyer, 2002)

With such predictions not uncommon within industry circles, it becomes vital that we change our understanding of how players fit not only within the development cycle, but within the legal and regulatory structures and rights that accompany ongoing development.

I want to note here the body of work that has been done on fan cultures generated around other media. Jenkins (1992) made a seminal study of fan cultures in his work on 'Trekkies', and other studies have been done on the fan-cultures arising from TV programs such as *Dr Who*, the *X-Files*, *Buffy the Vampire Slayer*, and so on (see for instance Lewis, 1992 and Hills, 2002). It is clear that fan creators have existed around other media, and they have been shown to be productive and creative and to have had their work incorporated by the publishers of the series. I want to suggest firstly

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that this process is intensified in the game modding communities, where developers are often actively encouraging and building the fan base through release of development tools, and frequent incorporation of the material created by players. But secondly I want to suggest that quite apart from this identified hardcore group who actively create extra assets for the games, the thing that differentiates computer games from other media is that the very act of playing creates content. In the case of massively multiplayer online games, the very act of playing creates content that other players engage with. Thus the ergodic structure of games, combined with the socialness of MMOG environments, means that every player is a creator, and the publisher is harnessing that creativity in the service of other players and itself. This cannot be said of conventional media audiences. So while we can draw some parallels with fan cultures, there are also some distinctions and it is those I will concentrate on in my own study.

EverQuest is not a game that mods are created for. Sony has not released toolkits for modding, and there is no facility for uploading player-created content into the game as there is with some of the games described above. For this reason, I am not going to engage with the fan culture literature in any depth. Fan cultures represent the small percentage of audience members who actively seek to create communities around their interest in a particular text or series. MMOGs require *every* player to be engaged in community. MMOGs harness the activities of every player as they play. Thus while we can identify the hardcore, who go and make the websites that surround the game and produce much of the material that is useful to playing, we can also identify that every single member of the MMOG 'audience' is productive of material that can be used by other players and by the publisher. The social networks of the game are equally important to its success and are almost entirely built by and dependent upon players for their maintenance.

Economic and political implications arise from the new relationships emerging from game environments:

> The move to commercialized virtual environments is presenting some unique challenges to the negotiations users are making between their private lives and corporate interests. … spaces and experience come to be mediated primarily through commercialized systems of authorship and exchange. (Taylor, 2002:228)

Taylor looks at '… the thornier problems that arise when culture, communities and commerce intersect' (Taylor, 2002:228). These issues are framed by the broader trends toward the commodification of culture and the commercialisation of symbolic space. The extension of corporate 'rights' to the symbolic realm, and the enclosure of public space on the internet by corporations is reflected in the changing structure of the publishing industries. Just how far copyright law can be extended into these areas, and at what point the inputs and the productive role of the player are acknowledged in this process is not yet clear.

Games are spaces engaged in on a voluntary basis. This is one of the dictums of play identified by Huizinga in his study of play from the 1930s (Huizinga, 1955), which holds true of play in every context. No-one is forcing people to play games like *EverQuest*, or to accede to the End User Licence Agreement (EULA) – the contractual relationship that is entered into every time a player logs into a game, which imposes legal restraints and obligations upon them. However, as Taylor points out:

> … we increasingly live in a world in which opting out of technological systems is becoming more and more difficult… and yet participation within them pushes us to accept structures we might oppose. (Taylor, 2002:233)

As online games come to represent more of the entertainment market, and serve to fill the increased bandwidth capacity of broadband, and develop more of a profile in the world of 'cultural capital' these issues will become more pressing.

Not all corporations take the line that Sony Online Entertainment takes, and some interesting models are emerging which attempt to deal with intellectual

property rights of players in different ways. Auran, the developers of the train simulation game studied by Banks, have tried to wend their way through the difficulties of negotiating intellectual property licencing with player content creators (Banks, 2003). Contracts around intellectual property have been made to accommodate the various levels of ownership and licensing that exists in such a complex web of networked creations (Humphreys et al., 2005). Auran is a good example of a games developer that has sought to recognise third party creator content and facilitate its commercial as well as non-commercial release. Other developers have supported player content trading, if not to the same commercial extent that Auran has (Herz, 2002c).

While the issues about rights to player created content in the form of game 'assets' may appear to be different to those of rights to in-game assets accumulated by players over time (for which the code and art have been created by the development company), or to community interaction both in-game and ex-game, I would argue that all player creativity and investment, be it social or material, needs to be considered in these arguments. As pointed out earlier, the developers are reliant on player interaction and social activity for the success of their games. This makes the social investments of players another important aspect to the arguments about player created content and player rights.

The issues of copyright, intellectual property, enclosure of symbolic space, rights management systems and labour all require further investigation as the emergence of the new gaming environments continues. Digital games are the post-Fordist commodity exemplar in that they are '… an artefact within which converge a series of the most important production techniques, marketing strategies, and cultural practices of an era' (Kline et al., 2003:24). Kline et al examine the intersection of the 'circuits' of technology, culture and marketing in digital games. Their work is an excellent antidote for the utopian hyperbole of commentators who speak glowingly of consumer empowerment with no critique of marketplace practices:

> There is a slippery slope from their conceptions of a digitally empowered player to a doctrine of the sovereign consumer that blindly accepts whatever the market dispenses as right and good. This combination of technological determinism and market idolatry is the ideology we see coming together around the futurist celebrations of interactive gaming. (Kline et al., 2003:21)

Kline et al make the connections between industry practices, content, and technology in a study which covers much of the history of the interactive games industry, as well as the rise of informational technologies and the 'new economy'. They are astute in their analysis of the politics of distribution and publication and the trends toward a concentration of ownership by ever larger publication media corporations. They note the increasing difficulties faced by the small 'cottage industry' size developers and boutique developers[16]. They are aware too, of the role of players as participatory and productive. However players are not their focus, and their model of industry doesn't include them other than as the consumers at the end of the value chain, albeit active consumers. My own opinion is that we need to understand the players' role as more than peripheral and to look, as Kline et al do with other aspects of this medium, at the politics and power relations between the players, the publishers, the developers, the technology and the cultures they are part of. My own study focuses on players as stakeholders in the circuits discussed by Kline et al.

One final body of literature and discussion to engage with has emerged over the three year course of this study, from the fields of critical legal studies (for instance Balkin,2005, Hunter and Lastowka, 2003) and economics (Castronova 2001, 2003, Dibbell 2004). These works will be covered in greater detail in chapters Six and Seven for their contributions to the discussions of games and legal and economic discourses.

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[16] I have tried in this thesis to differentiate between developers and publishers, but in the case of *EverQuest* the developer *Verant* was bought by the publisher Sony Online Entertainment. Thus the developer and publisher are now the same organisation although different aspects of the ongoing management of the game are handled by different parts of the publishing organisation.

2.8 Conclusion

The literature in the games studies field covers a broad range of issues for such a new area of inquiry. My own objective is to deepen our understanding of the ways in which interactivity reconfigures the connections between different stakeholders brought together by the medium. Thus my project is to use the debates about structure and form, the observations about players and sociality, and the innovative production cycles and industry practices, to create an understanding of the complexity of the interactive medium and how power operates within it.

This chapter has traced the arguments about the structure and form of computer games to show how the narrative based analyses used for more conventional media fall short when applied to an interactive medium such as games. Interactivity implies an active and configurative player producing both progression and content. Narrative elements may play an instrumental part in the game experience, but the engagements with the text that a player makes are based more on the goals of the game and the cybernetic feedback loops which monitor and assess the players performance and adapt to it, than on conventional narrative devices like characterisation and narrative tension or plot. Games also implement a different relationship to aesthetics and representation, with navigation rather than spectacle often becoming a central feature of engagement.

I have argued that with the players' more central role in the production of the text, it becomes necessary to consider them in any analysis of computer games. The limitations of effects-based research indicate a need for more culturally and historically situated approaches such as those offered by ethnographic research. I have canvassed studies which indicate more complex understandings of how gender works through looking not just at the representations of gender in games, but at the gendered nature of the settings in which games are played, and the historical circumstances under which each of the genders approach technology. These studies give a more

nuanced and complex understanding of aspects of computer games through their insistence on a more complex model of communication than effects-based research. They situate players as active negotiators of texts.

MMOGs create further complexity through their intensely social nature. I have indicated how the players, whose input is necessary for the progression of the single player game, become essential in the multiplayer games as they engage not only with the text, but with each other. The raft of social, institutional and regulatory relationships generated by this medium are the subject of the rest of this thesis. The disruptions to conventions in all three areas are worthy of investigation, particularly as we create more and more virtual environments in which to carry out our cultural and commercial interactions. Who creates the value (both cultural and commercial) in these environments, who owns it, who controls it, and how it is regulated are all areas to consider.

The next chapter sets out how I have gone about addressing these issues – what methods I have employed and what theoretical assumptions I have worked with in my approach to MMOGs. I have suggested in this chapter that players need to be central to any investigation, and that it is not only players' engagements with the text, but with each other and with developers and publishers, that is important to trace.

3   Tools for navigation

Players are central to understanding interactive media, computer games
and MMOGs in particular, and therefore central to this study. Different
epistemological frameworks are possible within a player-centred approach.
This study explores the ways in which the structures of interactive online
multi-user games facilitate new communicative, emotional, social, economic,
and political relations in the media field. The methodologies employed have
been chosen for their capacity to explore the discourses which traverse and
shape this field. Locating intersections and articulating connections within
this network of relations adds to our understanding of the possibilities of this
emergent form of media. Given that these intersections and connections
occur through social practices, textual practices and industry and player
practices, the combination of ethnography, textual analysis, and interviewing
methods will enable an understanding that covers different trajectories. A
case study approach has been taken, using the MMOG *EverQuest* as the
focus. While other work on games has employed one or more of these
methods, this project seeks to analyse and map connections across
disciplinary fields in new and interdisciplinary ways.

My approach is a post-structuralist one which acknowledges the discursive
construction of knowledge and the partiality of all knowledge, and uses a
Foucauldian framework for understanding the operations and exercise of
power in this domain. The analysis will proceed on the basis that it can
illuminate power relations negotiated in the new domain. The methodology
is not separate from the subject area, but integral to it and generated by it.
The research questions revolve around the changing social, political and
economic relationships that are engendered by the shifting structures of
interactive texts like MMOGs.

Production/consumption models, also reflected through the
encoding/decoding structure of much media analysis (see Hall,1980), imply

a linear model of production, whereby the author creates a text which is 'fixed' through the act of publication and then consumed and interpreted by an audience. This model involves a feedback loop whereby every author is seen to be building on the work of other cultural texts, so it is not, strictly speaking, completely linear. However the roles of the author, the publisher and the consumer are seen as quite distinct in relation to each individual text. It is a model in which the there is a fixity in the boundaries of the text, even if not the meaning of the text. This model is inadequate to the task of MMOG analysis as it suggests discrete areas of production, text, and consumption. A straightforward and conventional textual analysis of a media text can not only reflect but construct an understanding of a medium as linear in its trajectory. An ethnographic approach is more consonant with a media product that is constantly changing and being constructed in emergent ways. Ethnography does not rely on the concept of encoding/decoding (and its implied linearity or temporal relationship) in order to proceed. Observation and involvement over a period of time enables the complexities of a network of production and engagement to be mapped. The understanding constructed through ethnography grapples with the non-linear structures of this medium.

The linear model is also one which implies a certain temporality. The production comes before the consumption, the text precedes the audience. The openness of the MMOG 'text' and the *ongoing* and recursive nature of the processes of production, and new relationships engendered, demand a methodology that can take account of this complexity. In the MMOG model, the text only partially precedes the consumption, the production not only precedes but follows the 'consumption' – the temporality of the process is complex. 'Consumers' are situated, not just at the end of the 'value chain' (be that an economic value chain or a 'value chain of meaning' as suggested by Hartley (2004)) but at the start and middle of it as well. Hence my choice of ethnography as a method is based on the idea that it can grapple better with the networked, social, recursively produced characteristics of the medium.

Initially this study was conceived as an inquiry into players and questions of subjectivity, identity formation, gender, relationships between players and their avatars, embodiment and virtuality, social formations and communities in game and surrounding the game, and the ways in which players' online and offline lives intersect. While these issues and processes still inform the study to some extent, the politics of power and production relations involved in MMOGs have become a more central focus. This shift could be characterised as one that moves from a focus on players' subjectivity, to a focus on the relationship between players, developers and publishers and the system that is generated by the computer game as an interactive medium. Studying players alone no longer seems enough, because, as I have shown in Chapter Two, the player is implicated not only as a consumer, but in the cycle of production of the text, and hence in relationship with the developer and publisher (be that a conscious or an unconscious relationship). As the players' role in the 'value chain' has become more productive, developers have become more interested in ways of harnessing, managing and facilitating that productivity (and implicitly, the research and development activities of players – their innovations).

This disruption to conventional production cycles in turn gives rise to a number of questions about how institutional discourses of a legal and economic nature are disrupted by the new systems. How is the law deployed, and what kinds of business models are used? Discursive practices associated with the law and commerce construct particular truths about an object. My study will explore not only these dominant discourses, but the subjugated knowledges and practices that these discourses erase or minimise. The impact of intellectual property law and contract law used by publishers, and the centrality of social networks and affect to the business model of publishers, presented themselves as particularly interesting areas for exploration as my ethnographic work proceeded. Player subjectivity is implicated in these processes – as both shaping and being shaped by these practices. Thus my initial interest in how player subjectivity is formed in relation to the game text has expanded to encompass this more extensive set of relations.

In critically analysing the approaches of conventional film studies Miller et al suggest:

> Perhaps the most significant innovation we need … comes from critical political economy and cultural studies. These areas have witnessed a radical historicisation of context, such that the analysis of textual properties and spectatorial processes must now be supplemented by an account of *occasionality* that details the conditions under which a text is made, circulated, received, interpreted and criticised. … to understand texts, we must consider all the shifts and shocks that characterise their existence as cultural commodities, their ongoing renewal as the temporary 'property' of varied, productive workers and publics and the abiding 'property' of business people. (Miller et al., 2001:13-14)

They nominate the issues of cultural labour, industry frameworks, audience experiences and cultural policy as integral to an adequate approach to film studies. A similar approach to the study of computer games is appropriate to this study, which will map the network of relations – social, cultural, economic, industrial and policy – within which an MMOG is enmeshed. It is a means of bridging the divide between political economy and cultural studies – to take the most useful aspects of each and see how they can inform a more complex understanding of a particular media application and its environment.

3.1 Why EverQuest?

I have chosen the game *EverQuest* for my case study for a number of reasons. *EverQuest* is representative of the turn computer gaming has taken in the past few years towards online connectivity. It has a large subscriber base (over 450 000 according to Yee (2001)) and as such represents one of the most successful online games in Western culture[17].

Of the possible online games available I chose *EverQuest* as one that is well known, and which other researchers are also gathering data about. This

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[17] *Lineage*, the South Korean online role playing game has many more subscribers – over 4 million if Taiwanese subscribers are counted. Herz (2002a)

includes empirical data on user demographics (Yee 2001), taxonomies of interaction forms in-game (Klastrup, 2002), speech communities analysis (Tosca, 2002), analysis of the game's economic systems(Castronova, 2001,2003) and ethnographic work to analyse aspects of gender, pleasure and the engagement of players (Taylor, 2002a, 2002b, 2003). These bodies of work are extremely useful in establishing the ground for my own analysis.

There are some limitations in using *EverQuest* as a case study. The game does not allow player created content to be imported into it as some games do (for instance the *Sims*), apart from user created UIs (user interfaces) which customise some aspects of the navigational tools and appearance. Thus unlike Auran's model for third party developers for the game *Trainz* described by Banks (Banks, 2002, Banks, 2003) and Humphreys et al (2005), or the player-created game *Counterstrike*, the relationship between developer, publisher and player does not extend to formal negotiations about intellectual property and copyright for player created assets. However there are still many other forms of productive player activity and many aspects of player/developer/publisher relationships that can be examined through *EverQuest*.

Choosing one game to study has limitations. Some games come and go quite quickly and thus the researcher risks choosing a game that may disappear before the research is complete. *EverQuest* was an obviously robust game that looked, in 2002, as if it would last the duration of this three year project. It has, although it seems to be finally losing some popularity after the release of *EverQuest 2*. The other reason for engaging only in one game was the sheer time commitment it takes to play. It was difficult to keep up my hours of playing in one game for the purposes of the ethnography. Playing two or more would have meant a much more superficial engagement.

I have established in Chapter Two many of the points of interest about computer games that are often erased by the dominant discourses which focus on issues of violence and moral panic. *EverQuest* is a role playing

game (RPG), not a First Person Shooter (FPS) game. This is not a limitation of the game, merely an aspect of it that needs to be noted. It has the advantage of providing a case study of a game which attracts a somewhat different type of player than the FPS genre and thus makes it easier for the study to step outside the mainstream media obsessions with, and moral panics about, violence and adolescent boys. The aim of this project is to create an agenda which looks beyond the moral panic discourses. Gender and the contexts in which games are played do of course arise in various ways. But through asking an alternative set of questions the project can make a constructive contribution to our understandings of emergent new media forms, rather than entering into the paralysing dialogue of morally driven and circular arguments.

3.2 Theoretical frameworks

This project approaches the game as a system where relationships are negotiated, power is distributed in uneven ways, and outcomes are perceived from widely differing standpoints[18]. Computer games come in a multitude of genres, are delivered through different platforms, and target widely varying 'audiences'. I decided therefore to take a qualitative case study approach in order to explore the complexity of one game in some depth, rather than attempt to gloss all games in a more superficial analysis.

My theoretical framework is based on the work of Foucault and uses the methodological 'toolkit' that he developed through his genealogies, archaeologies and analyses of power relations. Foucault provides many useful tools for investigation without being prescriptive about the contexts in which they can be used or the ends to which they are put. Additional

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[18] For instance a player may perceive the outcome in terms of 'fun' or 'mastery' or social engagement. The publisher may see outcomes in terms of profits, market share and so on. The developer may also be interested in the bottom line, but also artistic achievement, labour relations, and asset libraries. A player's child or parent may view the outcome in terms of time spent or not spent with them.

frameworks and theories came to inform my work as well. The longer I studied *EverQuest* and the more I became convinced that player productivity was a source of major disruption to conventional media practices, the more I needed to explore how to frame that productivity. I found that the idea of the 'empowered consumer' continually worked against understanding the players as productive. Linguistically and conceptually 'consumer' is strongly constructed as an opposition to 'producer'. It seemed to me that the persistence of the term consumer was constantly evacuating the productive role of the players. I decided that one approach to this could be to investigate the players' productiveness through casting it as labour. Hence, in Chapter Six I investigate various theories of labour, particularly concepts of unpaid labour and affective labour, in relation to the productiveness of player activities.

There are a number of ways in which this theoretical framework of labour represents continuities with a Foucauldian approach, and a number of ways in which it can be seen to diverge from it. But the discontinuities are, to my mind fruitful rather than undermining. Foucault was not being prescriptive when he suggested the methodological tools discussed below – they are a means for understanding *how* discourses circulate and power relations are negotiated. Casting player activities as labour risks becoming an ideological project. But it can also serve a number of useful purposes. As a counter-intuitive discourse, it serves to denaturalise what the dominant discourses seek to construct as truth. A labour framework can be used as a tool to deconstruct the interactions and practices of players, developers, publishers and the law into something other than a unidirectional process of consumption.

Work by Terranova (2000), Hardt and Negri (2000), and Ross (2000, 2003), explores the ways the 'new' or 'network economy' structures the activities of labour. As my own task was to explore the new configurations of relationships afforded by interactive media, this was a body of literature that had obvious overlap with my own interests. These theorists all explore at some point the role of affect in new economic practices and trouble the

relationship between leisure and work. Their commentary on the intensification of the relationship between commerce and culture, and between business and affect offers alternative ways of understanding productive activity in network economies. In using the term labour I define it as activity which produces value – both material and immaterial or cultural value. This value is not necessarily related to market exchange value and it can be economic despite its non-market status. This broad definition of work goes to the heart of what and who produces the MMOG and its value, looked at from a number of angles. It will be discussed in more detail in Chapter Six.

 Hardt and Negri explicitly acknowledge the ways in which some of their work on these particular aspects of the new economy are built from initial work done by Foucault on biopower, although they have their own critique of the limitations of Foucault's work (Hardt and Negri 2000:22-25). Doubtless Foucault would have had a critique of their own neo-Marxist framing of the subject. I think it is possible to take some of the astute observations of writers like Hardt and Negri about labour practices without having to adopt their entire (and somewhat totalising) project of encapsulating the meaning of globalisation into one ideological understanding.

Thus I use labour theories as a means of addressing and denaturalising the dominant discourse of the player as consumer. A second prevalent discourse became clear from the ethnographic study, that of the characterisation of all media products as intellectual property. This discourse of property serves to construct an understanding of interactive media that does not mesh at all well with the understandings I gained through my ethnography. In Chapter Seven I pursue the discursive constructions of this other dominant way of understanding an MMOG. Using the literature from critical legal studies, I deconstruct the ways the law mobilises particular understandings of the game and minimises others.

Thus chapters Six and Seven introduce different lenses through which to view aspects of the game. Foucault identifies power as operating through

the circulation of discourses and the processes whereby dominant discourses come to generate institutional practices that enshrine particular understandings and sets of practices. Having identified the discourses of the consumer and of intellectual property as dominant in the common sense understandings of MMOGs, I seek to identify how these discourses work, which kinds of truths they mobilise in the service of which stakeholders. Although it may be tempting to view the eclecticism of my use of various theories as contradictory or discontinuous, I use them in an instrumental way to create alternative understandings of these dominant discourses.

3.2.1 Foucault's tools

I want to gloss which of Foucault's 'tools' I intend to use – as explained in his *Two Lectures* (1980). This approach frames the building of theory as a process that can happen through the study of micro-processes at the local level, as a genealogy rather than a generally applicable global principle. '…[T]he attempt to think in terms of a totality has in fact proved a hindrance to research' (Foucault 1980:81). Research is best local in its criticism:

> I believe that what this essentially local character of criticism indicates in reality is an autonomous, non-centralised kind of theoretical production, one that is to say whose validity is not dependent on the approval of the established regimes of thought. (Foucault, 1980:81)

While there are limits to what can be generalised from a particular case, there is still much that we are learning about the articulations of the MMOG, that can only be elucidated through close and focused examination. My ethnographic case study provides insights into the ways that the system or environment of a MMOG works. Taken with other studies it will contribute to broader insights into the shifts in form and process that are emerging.

It should be clear, though, that this is not merely a descriptive process, but one involving critical analysis. This study seeks to not just describe processes but to examine and critique the unevenness of the power relations in the system. The process will seek to explore and articulate some

of the subjugated knowledges in this system and examine the micro-processes of the exercise of power.

In his *Two Lectures* (1980) Foucault outlines five methodological 'precautions' which I will explore here as a means of framing my own methodological approach. The first is that research should be

> … concerned with power at its extremities, in its ultimate destinations, with those points where it becomes capillary, that is, in its more regional and local forms and institutions. (Foucault, 1980:96)

Hence the ethnography which can grapple with player to player relations, player to text engagements, player to developer relations, player to publisher and developer to publisher relations, as well as structural features of the text. This study expands eventually to the institutional-level discursive practices of labour relations and the law, but it does so out of the observations built from the micro-level.

The second is to ask *how* power is exercised, rather than why. This is a concern for the ways power manifests and constructs knowledge, and for the real effects of discourses:

> … we should try to discover how it is that subjects are gradually, progressively, really and materially constituted through a multiplicity of organisms, forces, energies, materials, desires, thoughts etc. (Foucault, 1980:97)

As Barrett characterises it, Foucault:

> suggested … that the problem was to understand *how* power operated in specific methods and strategies, *how* major shifts such as the increased disciplining of individuals in modern western society had taken place, and *how* one could show the political and economic dimensions of changes in power. (Barrett, 1991:136)

Foucault's own example of this practice of examining *how* is exemplified in *Discipline and Punish* (1977), where he analyses the techniques of surveillance that came to replace the regimes of punishment in eighteenth century France. Building on the concept of the panopticon from Bentham, he delineates the ways in which techniques of surveillance were forged into disciplinary modalities of power. (Where Bentham's panopticon was

architectural machinery for surveillance, it's possible to think of the capacities of the new technologies as digital machinery for surveillance.) The multi-user game is a site where the training of players into specific norms of behaviour is reasonably explicit. Game rules, feedback and measurement devices of the game are constantly creating hierarchies of status and skill, training players into particular behaviours, then surveying, recording, and monitoring these behaviours. These processes resonate with those described by Foucault in *Discipline and Punish* (1977) in his descriptions of the training of soldiers and school children into particular practices (holding rifles, writing, etc) and the recording of information about each individual in their performance of those tasks, with that information then allowing comparison, calculation, the creation of hierarchies and permanent accounts of an individual's behaviour.

The specific techniques of training are undergirded by a pervasive panopticism, such that the exercise of power is found everywhere, and is productive in its effects. The 'permanent, exhaustive, omnipresent surveillance' transforms 'the whole social body into a field of perception' (Foucault, 1977:214) and extensive records are made which provide an account of each individual's behaviour. We can see how much of this surveillance function has been automated in the game engine in its capacity to record every keystroke of every player. Data-mining techniques then facilitate the creation of meaningful reports about players (rather than just streams of data). Discipline uses techniques that regiment multiplicity '… such as hierarchical surveillance, continuous registration, perpetual assessment and classification' (1977:220). The pervasiveness of the technologies of surveillance in digital environments has the effect of creating 'docile' and productive subjects in the population. Circumventing surveillance has become one of the aims of hackers who resist such techniques of power.

Foucault defines the disciplinary modality of power in these terms:

> 'Discipline' may be identified neither with an institution nor with an apparatus; it is a type of power, a modality for its exercise, comprising

> a whole set of instruments, techniques, procedures, levels of
> application, targets; it is a 'physics' or an 'anatomy' of power, a
> technology. (Foucault, 1977: 215)

It is not a modality that replaces other forms of power, rather it can amplify other forms. In the analysis of MMOGs that follows in this thesis, techniques of disciplinary power used in MMOGs will emerge, as well as how other forms of power (juridical, informal or social, and sovereign) interlink with that disciplinary power. Disciplinary power is exercised not just in order to control chaos, or rein in disorder, it is used to produce particular behaviours. It is an active training of subjects, rather than a negative or repressive force. The surveillance produces particular knowledges about populations that are used to govern those populations.

On another level the constitution of subjects within the game is generated through social practices of players towards each other, with behavioural norms policed more by players than the game or publishers. Gender norms, gifting practices, community norms around such values as loyalty, mateship, respect and cheating are all constituted and regulated by players themselves, and reflect their cultural positionings outside of the game world. At a different level again, the practices of players, publishers and developers are constituted by the institutional techniques associated with the law. Strategies and tactics used by the developers and publishers to invoke the law as an exercise of power towards the players – an effort to control – are met with strategies from players that circumvent, undermine, and upset the institutions of the law.

There are resonances here with De Certeau's observations in *The Practices of Everyday Life* (1984). Formal, regulated and planned regimes of control are undermined or ignored by people going about their lives in ways that are more convenient, habitual, and effective for them. This is not to say that in the context of games, the regimes of regulation sought through the disciplinary power exercised through code and social regulation don't work in relation to some players. Most players do indeed become both useful and docile in these relationships. However there are ruptures and these can be

attended to in order to understand the struggle for power that is part of this system.

Foucault's third precaution is to understand power as a process, not as a thing that can be possessed, commodified, or exchanged:

> Power is employed and exercised through a net-like organisation. And not only do individuals circulate between its threads; they are always in a position of simultaneously undergoing and exercising power. They are not only its inert and consenting target; they are always also the elements of its articulation. (Foucault, 1980:98)

To my mind this provides a useful way to conceive of the overlapping roles that people within the game system occupy – the developers are usually players themselves, the players are productive and active, and with the multiple personas occupied by players in the game, the number of different positions which they may occupy in relation to the exercise of power varies. The developers themselves occupy different positions of power in relation to players and to publishers (publishers by and large being multinational corporations, developers by and large being small in size and in some kind of contractual relationship with the publishers). In a project which seeks to analyse the complexity of a system which encompasses these multiple roles, Foucault's recognition of the possibility of occupying different positions of power and of viewing power not as a 'thing', but rather as a process, is useful. It allows for the agency of all participants in the circulation of power. Elsewhere he notes that '[t]o approach the theme of power by an analysis of "how" is … to give oneself as the object of analysis power relations and not power itself …' (Foucault, 1987:219).

His fourth precaution is to proceed with an:

> …*ascending* analysis of power, starting, that is, from its infinitesimal mechanisms, which each have their own history, their own trajectory, their own techniques and tactics, and then see how these mechanisms of power have been – and continue to be invested, colonised, utilised, involuted, transformed, displaced, extended etc., by ever more general mechanisms and by forms of global domination. (Foucault, 1980:99)

Here again, this proves to be an apt method with which to analyse this particular medium. The growth of player created content, for instance, has been one that was initiated by players, not developers. Starting at a very localised level, we can observe how devoted and passionate gamers reverse- engineered game code and built their own, sometimes better, games or objects to import into games. The developers have come to recognise and build on those practices – harnessing the innovative practices of the modding communities into their own production processes and business models to the extent that the practices have become quite 'global'. Such incorporation is not necessarily uncontested however, generating heated debate at times over ownership and attribution. To theorise the development of the value chain in the games industry from the top down, however, would be to create a discourse where these processes become 'subjugated knowledge' – knowledge that is marginalised and represents conflict and struggle to the detriment of the coherent 'functionalist and systematising theory' (1980:83) that may emerge as the official discourse. Starting at the micro-level allows us to see how particular practices (such as gamers creating content) became politically useful and generated economic profit, and were thus harnessed and applied more generally by developers (as described by Herz (2002b), Pearce (2002) and Banks (2002, 2003)). Foucault goes on to suggest:

> It is only if we grasp these techniques of power and demonstrate the economic advantages or political utility that derives from them in a given context for specific reasons, that we can understand how these mechanisms come to be effectively incorporated into the social whole. (Foucault, 1980:101)

Foucault's fifth and final methodological precaution is that this is not just a study of ideology. Although the mechanisms of power may be accompanied by ideological processes, what has taken place:

> … is both much more and much less than ideology. It is the production of effective instruments for the formation and accumulation of knowledge – methods of observation, techniques of registration, procedures for investigation and research, apparatuses of control. (Foucault,1980:102)

Foucault is concerned with creating an alternative framework of understanding the mechanisms of power and how 'truth' is produced than those offered through ideology. As Bennett frames it, Foucault is 'concerned with the mechanisms of government, with its routines and operations…' (Bennett, 2003:47) rather than with more typical concerns about 'the sources of state power, who possesses it, the role of ideology in the legitimation of power' (Bennett, 2003:47). Barrett sees this project as a direct response to Marxist conceptions of ideology, which Foucault refers to as 'the economics of untruth': his own project is one of 'the politics of truth' (Barrett 1991:vii). Thus a Marxist definition of ideology as 'mystification that serves class interests' is contrasted with an investigation of the relations between knowledge, discourse, truth and power (Barrett, 1991: vi).

Using Foucault's 'toolbox' allows for an examination of complex structures and forms at different levels. Ideology is not the object of the study, and ideological explanatory frameworks or prescriptions are not what the study seeks to produce. Rather, the methodology seeks to describe the discursive constructions and techniques at play which create knowledge and shape the 'truth' of what is being studied. The ways in which knowledge is deployed in the exercise of power by particular interests using techniques and strategies, routines and operations is more the focus. It looks at the politics of control, but not through an epistemology with ideological origins.

Foucault mostly used his methodology to create genealogies that could 'denaturalise' taken-for-granted or common-sense aspects of relations in current contexts through examining the historical creation of institutions. Obviously my study is not a project on the same scale as the study of state institutions like prisons and asylums. However, in the terms outlined above, his approach can usefully be employed for this project.

It is an approach which creates a pathway into understanding the processes involved in this social, productive, and commercial system of interactions and interrelationships. My study examines the practices and relationships between the various stakeholders and seeks to understand how the

relations of power are negotiated in this particular context. Some of what emerges may be more generalisable. Some of it will remain specific to game. My approach is animated in part by a desire to explore this particular intersection of commercial enterprise with culture.

3.2.2 Hybridity

I embarked upon the ethnography of *EverQuest*, which constitutes the main body of this thesis, using this approach derived from Foucault to guide the critical analysis. What emerged from the ethnography were some observations and issues that then called for further theoretical framing. Thus one of the key understandings arrived at in my ethnography is that the MMOG is a hybrid application – it is both publication and service. Structurally these two forms are built on different mechanisms. Publication is an industry built around the notion of property. Powerful discourses circulate that construct publications as property subject to ownership and theft. Service industries, on the other hand, are structured around process and relationships. They are not about the exchange of property. There is an exchange of money for service. As a hybrid application, the MMOG is constructed through both types of discourses. Industry and players shift between the key discursive constructions of property and service – strategically mobilising different aspects in different contexts. Critically, publications and services cast players in different roles – players as consumers bear a different relationship to a media product and a media service.

The two chapters following the ethnographic chapters explore further the implications of this hybridity. Thus Chapter Six explores how the discourse of the consumer (of the service and media product), which erases the productive activity of players, can be denaturalised and framed as labour. The labour theory framework is not incommensurate with Foucault's work. Although the theorists used (Terranova, Ross, Hardt and Negri in particular) tend towards an Italian neo-marxist stance and might be seen to be at odds with Foucault, in some ways their work builds on Foucault's. In their

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explorations of the forms and relations of networked capitalism they are concerned with mechanisms of disciplinarity, sovereignty and subjectivity. They note the intensification of the reach of disciplinary regimes into personal and cultural areas. They cast the new knowledge and information work done in a service-based economy as work which relies on the constitution of the subjectivities of workers in particular ways. Their theorisation of capital's incorporation of subjectivity as the constitution or terrain of work itself, holds interesting explanatory powers in the context of MMOGs.

Chapter Seven examines how the discourse of property around which the publication industry is centred, erases much of the social, collective, affective and productive investment of players. Chapter Seven thus draws from the field of critical legal studies to examine the current practices pertaining to intellectual property and copyright, ownership and theft in digital environments. It seeks to push those arguments beyond their current focus on the challenges of *distribution* and *reproduction* of texts in a digital environment. MMOGs suggests that *distributed production* in a digital environment is an even bigger challenge to the discursive constructions of IP and copyright.

The hybridity of the application – the publication/service characteristics inherent in it – is what gives rise to the term 'productive consumer' that I made problematic earlier in this chapter. Players are both consumers of the service and also co-creators of the product. It is this duality that is deconstructed throughout chapters Six and Seven. The oxymoronic nature of the term is reflected in the somewhat contradictory roles players are cast in by the discursive constructions explored in these chapters. Foucault suggested that in part, discursive analysis has as its project: '…how is it that one particular statement appeared rather than another' (Foucault 1972:27). In chapters Six and Seven I consider the context in which MMOGs have developed and the structuring discourses through which they have been understood. In doing this it becomes clear how power is being exercised through such discursive constructions. Thus the consideration of labour and

intellectual property and contract law is designed to cast light on the historical and specific conditions in which this form is emerging and being shaped by.

3.2.3 Virtual worlds, Commodification and culture

In the course of my reading I have noticed a set of assumptions which often informs debate about virtual worlds, experiential media, relationships, and commerce (particularly in the work, for instance, of Rifkin (2001), Florida (2002) and Dreyfus, (2001)) which I want to address here. These works (and some others which offer commentary on 'the knowledge economy', the 'new economy', the 'digital economy' or the 'digital class') often discursively construct digital worlds and/or the social relations in the 'network society' in particularly unhelpful ways. The discussion below touches on some areas which have large bodies of work associated with them – the relationship of commerce to culture for instance. It is not my intention to detour into long and detailed accounts of intricacies of those bodies of work. My intention is to flag the ways in which deployment of particular attitudes or assumptions can create effects I wish to avoid in my own work.

There are a number of binary oppositions set up in arguments about the 'commodification of culture' that strike me as unhelpful and unsustainable. In teasing out some distinctions below I want to suggest that the reach of capital into relationships and culture has intensified and has consequences which should be attended to. But I would also argue that some of the ways of framing this are not helpful in explaining the power relations involved. Binary oppositions operate to create hierarchies and also tend to close down debate rather than open it out. The oppositions used to describe recent developments and trends, virtual worlds, interactions within them, and issues relating to ownership and intellectual property in digital environments which I think are unhelpful could be listed something like this:

Culture	Commerce
Authentic	Inauthentic
Real	Appropriated

3.2.4 Culture vs Commerce

To oppose culture to commerce is to somehow imagine that culture exists outside of the field of commerce, outside the grounds of capitalism. This employs a nostalgic view of culture as separate and pure, and somewhat static. It reifies culture. Although this is not an assumption one is likely to encounter in the cultural studies field, it does seem to creep in a rather insidious way, into the discussions in legal and economic discourses, as will be shown below. Various authors pour scorn of commercialised cultural experiences as though they are not cultural, but merely appropriated, inauthentic, imitations of 'the real' thing. For instance, in a discussion of the relationship of commerce to culture, Rifkin states:

> Because the arts – and the artists – were appropriated for the marketplace, the culture was left without a strong voice to interpret, reproduce, and build on its own shared meanings. (Rifkin, 2000:144)

The assumption behind this statement is that, once there is a relationship to commerce, the art and the artists have ceased to be cultural, and culture is the weaker for their disappearance. It assumes that commercial art and commercial culture is not real, not cultural at all. That real culture is barely clinging on in the face of commerce. Rifkin's work is full of these kinds of assertions about the degraded and inauthentic nature of commercialised culture and cultural experiences.

Many aspects of culture and cultural production are reliant on the commercial sphere, and are constituted by the economic structures of our societies. They don't arise in some quarantine bubble of 'purity'. I am not suggesting that all cultural production is commercialised and always has been, but rather there is a continuum between commercialised and uncommercialised culture, not an opposition. Or, to suggest something less linear in construction, the two are mutually constitutive to varying degrees of intensity. The degree to which economic relations directly shape particular aspects of culture may vary but culture and commerce don't exist as separate and mutually exclusive spheres. The modes of incorporation or structuration are complex, variable, contradictory, and contested, and to

essentialise the elements into either culture or commerce is to miss this complexity. It is never my aim to argue that commerce should be evacuated from the cultural sphere. How the relationship between culture and commerce is regulated, and why, on the other hand, are very topical questions.

3.2.5 Authentic vs Inauthentic

> Members of the Creative Class prefer more active, authentic, and participatory experiences …[as opposed to the inauthentic experience of visiting Disneyland.] (Florida, 2002:167)

The second binary opposition, the authentic and the inauthentic, illustrated here in the work of Florida, is based to some extent on the first. One of the underlying assumptions existing in arguments which oppose culture to commerce is that the consumer of a commercialised experience is somehow passive in the process (unlike the participator in the non-commercial cultural experience). Thus visiting a theme park, or watching a television show is discursively constructed as passive consumption of an inauthentic commercialised experience, rather than active creation of an experience on the part of the customer. Cultural Studies as a discipline and audience reception studies have put the lie to the idea of the passive media consumer reasonably well. Livingstone (1996), Hobson (2003), and Modleski (1984), to take some examples, have done work on the audiences of soap operas and shown that in watching the soap opera audiences are actively interpreting, integrating, reforming and constituting meanings. In enacting our own social relationships we do something different from what we do when we engage with media representations of relationships, but there are resonances. They are different experiences, and create different outcomes, but neither is 'inauthentic' or 'false'.

Even a glance at a computer game player will tell you that this is also not a passive exercise in consuming a pre-packaged 'experience'. Players are active, co-creators of the text, even in a single-player game. Players of multi- player games online are involved in an intensely social experience. To cast these relationships as inauthentic is to miss the complexity and detail of

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the cultural experience the players are creating through their playing. It is to decide there is nothing worth examining. The assumption made by Rifkin that relationships within a commercial environment will be lacking in 'social trust and empathy' (Rifkin, 2000:247) betrays a lack of understanding about the nature of internet based relationships and social communities. Florida also makes the assumption that online interaction is somehow unreal and inauthentic:

> Members of the Creative Class are not looking for a life delivered through a modem. They want one that is heart-throbbingly real. (Florida, 2002:166)

The implication that virtual environments are not real, or indeed may even be construed as disembodied, serves to devalue not only the virtual environments but also the people who use them. That said, we should not assume that the relationships and communities that arise in commercial environments such as online games are unproblematically equivalent to those that occur in non-commercial spaces. Obviously the power dynamics in this environment are different, with stakeholders having very different interests and holding varying amounts of influence and regulatory power. But this does not make the commercial environment inauthentic, and invoking the discourse of inauthenticity can prevent an examination of the complexities of the relationships that *are* occurring.

3.2.6 The real vs the appropriated

The third opposition, between the real and the appropriated, is also an obfuscating one. It rests on the idea that 'real' culture has been appropriated by commerce and drained of true meaning in the name of making profit. There are two main underlying assumptions in this opposition. The first assumption is that culture, in its 'pure' and uncommercialised form (should such a thing exist), is not based on appropriation. Linguistics, semiotics, and postmodernism have all pointed to the ways in which the idea of an 'original' is spurious. Culture and the exchange of meanings through cultural production is always about the appropriation of existing symbols and the

dynamic shifts in meaning created by their re-presentation in new forms, new mediums, new contexts. Appropriation is a common cultural practice.

Currently we hear about the 'cool' scouts who spot the cool people and trends in sub-cultures and appropriate them for commercial purposes. The symbols and practices of the non-mainstream have become a focus for the construction of commercial 'cool' – a mainstreaming of the ideas from some alternative sub-cultures. It is a practice that also serves to make money from the 'styles' of the often racialised poor, who cannot hope to do that from their 'style' themselves. Is this appropriation from the symbolic terrain theft? And does that concept hold if we look at the ways in which fan cultures 'poach' commercialised symbols and 'repurpose' them to other ends? The *act of appropriation* is not always a one-way process of the dominant co-opting the marginal. It's a dynamic process that can occur in subversive and resistant ways, or in non-resistant ways. It exists as part of how we circulate meanings within culture. But it is not without power. It embodies and highlights structural power differences. Thus if a fan-culture poaches a text and re-works it, they can be sued by large corporations like Sony or MacDonalds, but the reverse is not likely to happen. However, my point here is that a symbol or cultural event is not made 'unreal' through appropriation, just as it is not made 'inauthentic'.

The second assumption the opposing of the real to the appropriated makes is that again, there is an outside of commerce from which symbols and cultural production can be appropriated.

> The new consumer-oriented marketplace drew the arts from the cultural realm, where they were the primary communicator of the shared values of the community, to the marketplace, where they were made the hostage of the advertising firms … (Rifkin, 2000:143)

Terranova presents us with an alternative way of framing the process:

> Rather than capital 'incorporating' from the outside the authentic fruits of the collective imagination, it seems more reasonable to think of cultural flows as originating within a field which is always and already capitalism. Incorporation is not about capital descending on authentic culture, but a more immanent process of channelling of collective

labor (even as cultural labor) into monetary flows and its structuration within capitalist business practices. (Terranova, 2000:36)

To view the process in this way gives us a way of accounting for the active participation and generation of cultural products within the commercialised environment. This process of active participation is not available in models which construct such spaces as inauthentic, unreal, or somehow outside of culture (which is constructed as real and unappropriated).

Power in Terranova's construction is not necessarily entirely a relation of domination (power over) by corporations – there is room for an exploration of the relations of power (after Foucault). If binary opposition frameworks are used, the outcome is often an understanding of power as a relation of domination, whereas the idea that culture could be framed *within* an apparatus of commerce or capitalism, allows us to move beyond the binary paradigm and examine the complexities of the relations embodied in the particular sites we wish to look at.

I address these issues in order to be clear about the assumptions I bring to my discussions of the interactions and relations of power associated with an MMOG. MMOGs are commercial, proprietary spaces, where issues of appropriation and ownership arise, and where social interactions and relationships are constructed within virtual spaces that have often been cast as 'unreal'. The above discussion informs my approach to virtual worlds as legitimate, cultural, 'real' spheres of interaction.

I have thus far in this chapter described my theoretical approaches to the study of the MMOG. These are accompanied of course, by particular methods of investigation which I will now turn to. These methods offer what I see as the best 'fit' with the theoretical approaches. They offer appropriate post-structural tools which allow for not only understanding the contextual aspects of the media cycle or environment, but also the partiality and contextual nature of the research itself.

3.3 Case Study and Ethnography

In considering case studies as a methodological form, a conventional approach is exemplified by Robert Stake (2000). According to Stake there are three kinds of case study: the intrinsic case study, where the case is examined for its own interest value; the instrumental case study, where the case is used to illustrate some point or theory larger than the case itself; and the collective case study, where a number of cases are used (Stake 2000). Using this taxonomy, my own study is a combination of the first and second types, but my own project rather than being merely illustrative or only of interest for its intrinsic qualities, seeks to critically analyse, and to build theory from the local level – linking the micro-level practices observable through ethnographic and text analysis to the discourses circulating more generally.

The choice of case study is an overarching tool of investigation which then requires particular methods of investigation to be selected to gather the information. In a qualitative study such as this one, a number of different methods are most appropriately applied. An ethnography of the game world is the first and obvious point of departure for the anthropological quest to describe the MMOG environment and the practices associated with it. Ethnography can facilitate the approach outlined above in the discussion of Foucault, of understanding the everyday practices of people and the micro-level negotiations of power that are played out in those everyday practices. Ethnographic work proceeds through participation and observation of a site or culture. This participation and observation generates or suggests categories that can be used for analysis. These categories emerge from the intersection of the researcher's positioning and agenda, and the material encountered through the research. As such, the knowledge gained through the research is always in part a construction of the researcher.

Thus my own ethnography differs from those described, for instance, in Matt Hills' book *Fan Cultures* (Hills, 2002). Hills' book is concerned in large measure with theorising the subjectivities of both the fans and the

academics who study fans (and who are sometimes fans themselves). His canvassing of ethnographies that have emerged from the field of cultural studies, show them (and him) to be concerned with the machinations of the construction of subjectivity and identity in relation to texts and sub-cultures. They are concerned with the specific meanings different fans make from texts and the impacts on their lives and relationships. This has not been my project. As a media studies project the structural relations and negotiations of power that shape those relations, the acquiescence or resistance to possibilities by players, publishers and developers and the emergent characteristics of the medium have been my focus. My ethnography is partial and the knowledge created from it is the result of this focus.

I have not, for instance, delved into questions of whether players experience empowerment through giving reign to a fantasy life inside the game. I haven't sought to discover whether the impact of constructing identities inside the game is a positive or negative thing for offline identities. In the course of playing with and meeting many players I have noticed interesting things in relation to questions such as these, but they are not a focus of the project and would require another theoretical framework to engage with in any meaningful way.

Ethnographic research has been deployed in various ways and to various ends in the past, with more recent general debates about ethnography focussing on issues of both representation and legitimation. Post-modern and post-structuralist theory brought into question the notion not only of singular and objective truth but also the role of the researcher in structuring and representing the outcomes of research. While ethnography enables insights the researcher would not be able to obtain without participation and experience within a culture, the situatedness and partiality of the researcher brings into question the legitimacy of the claims that might be made from such research. Rosaldo (1989) looks at the question of what it is possible to understand about a culture, given the limits of one's own understandings and experiences of the world:

> The ethnographer, as a positioned subject, grasps certain human phenomena better than others. He or she occupies a position or structural location and observes with a particular angle of vision. (Rosaldo, 1989:19)

Stacey raises issues about the power relationships between researcher and researched and highlights the fact that ethnographic research is an intervention, not merely an observation. Ethnographers form relationships with people, whose lives are affected by those relationships. As such the ethical behaviour of the researcher is shown to be extremely important and the issue of representation arises again. Whose voice is privileged and why, in an ethnographic account? What power relations are being reinforced by particular representations? (Stacey, 1988). The concept of intervention by the researcher in the process of researching also highlights the ways in which research does not merely represent some already existent reality, but actually *constructs* the reality it represents.

As Deacon *et al* (1999) point out, a self-reflexive practice and a commitment to transparency around the processes undertaken by a researcher work to give the reader a better chance of assessing the credibility of research according to their own lights (Deacon et al., 1999:131). It seems to me that if, in media studies, we are so concerned with understanding active interpreting audiences, we can certainly give credit to the audiences of our own writing for their interpretive abilities. Thus I don't wish to fall into an endless confessional spiral of self-reflexivity, whereby my own positioning becomes as much a focus of the work as my observations and analyses. I assume that with a reasonable amount of disclosure and reflexivity it will be apparent to my audience what my positioning consists of for the most part. I also assume that my audience will be eminently qualified to notice assumptions my work makes and frameworks it employs – that is partly what academic readers do, after all.

Addressing the partiality of the researcher and the necessary choices and elisions made through representation, Denzin and Lincoln (2000:17) refer to

the crisis of legitimation and ask, 'How are qualitative studies to be evaluated in the contemporary, post-structural moment?' It is my assumption that *all* knowledge is socially and discursively constructed. It is not a matter of worrying whether research captures some objective truth and represents it impartially. Rather, the legitimacy of the research will lie in using various methods (observation, interview, survey, document analysis) to cross-check as far as possible the interpretations and representations I make within the ethnographic part of this project. Of course my representation of the life inside of *EverQuest* will be partial, as will anyone else's. This is not a reason to doubt its veracity or its usefulness. Rather, it is a reason for me to conduct my research in a self-reflexive and transparent manner, in order for the reader to understand the position from which I make my observations.

To this end I have represented my experiences and observations in *EverQuest* in a more personalised 'voice', adding my responses or reactions to situations in an effort to allow the reader some insight into how my own identity and perceptions shape what I have observed. Who I am, my age, gender, politics, class, experience[19], role as researcher (not just player) and so on, determines to some extent what I can understand about the game and the relationships I witness inside and outside of it. The more the reader has a sense of this the more they may make their own judgements on my observations. The theoretical framework I have outlined in this chapter is also an indication of the framework and epistemological grounds on which I base my work inside the game.

The usefulness of my approach lies not in the capturing of some irrefutable truth about *EverQuest*, but in adding to the growing understandings about the ways in which social, economic, emotional and creative processes occur within this particular medium and the ways power is exercised through these processes.

> The concept of the aloof observer has been abandoned. More action, participatory, and activist oriented research is on the horizon. The

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[19] All of which I will cover in the ethnographic chapters to follow.

> search for grand narratives is being replaced by more local, small-scale theories fitted to specific problems and particular situations. (Denzin and Lincoln, 2000:17)

Thus the ethnographic component of this project seeks to describe the experience of playing the game and participating in player communities, to observe the habits of other players and elicit their understandings of what they are doing. I also observe developers and their practices. This part of the study is informed by my own positioning as someone who worked in the industry for a year in 1998. My experiences there inform to some extent my observations now.

From my observations, participation, and own agenda (outlined above) I generate a number of analytic categories through which to present my material. I identify three major themes that run through my analysis – those of ambiguity, investment and networks – and a series of categories. Thus my work draws on categories which focus on player-to-game interactions, player-to-player interactions, player-to-developer and player-to-publisher interactions. It identifies different categories of activity ranging from the social to the instrumental, the productive activities inside the game to those that surround the game. My analysis of these categories draws on my interest in the power relations being negotiated, and uses the Foucauldian construction of productive power to understand the material. It then moves on in chapters Six and Seven to look further into the issues that provoked the most interest from that analysis – those of property, productivity, consumerism and access.

The ethnography is supplemented with interviews and textual analysis of web sites and game 'logs'. The small internet-based survey of players I carried out after the first year of my study was used to identify areas of interest to players and to check that my own perceptions thus far were borne out by other players. I used the survey to shape the direction of the study to some extent, but it was not an attempt to gather data for statistical analysis.

My interviews consisted of open-ended questions and free ranging conversations with a number of players which again reflected my own agenda as much as theirs. I interviewed Marilyn, the leader of the guild I belong to in the game. She is a woman who lives south of Vancouver in Canada with her husband and two children. I visited her in her home over a two day period and met her husband and children and had extended conversations with them all outside the recorded interview. In ethnographic terms, Marilyn is my key informant. I interviewed Carmel, a woman who is part of the volunteer program of players who work inside the game as 'guides' and help with regulation and community management. Carmel is from the mid-west of the US and I met her at the Chicago Fan Faire. She works as a teacher of special needs children and is training to become a graphic artist. She has several children in their late teens. I interviewed Paul, a 'hardcore'[20] gamer who was at a game developer conference in Austin I attended. Paul is married with one child and another on the way, and had been off work for a couple of months due to health problems. He works as a software programmer although not in the games industry.

I interviewed a hardcore gamer, Phillipe, who is unemployed and ex-military. He lives in Montreal and plays *Star Wars Galaxies* now, but played *EverQuest* for three years before switching. I also interviewed Christie, his partner who has stayed with *EverQuest* for over four years. As it turned out, all five interviewees were parents and in their late twenties to early 40s. I would suggest this indicates that my selections reflect my own ability to make connections with people closer to my own age than younger people. According to Yee (Yee, 2001) the average age of *EverQuest* players is 25, although female players tend to be older than male players. I have changed the interviewees names (both offline names and online character names) to maintain their anonymity. As the main research work was carried out

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[20] Hardcore is a term used by gamers and developers alike, to describe those players who engage with games for extensive periods of time and who tend to be the ones who become involved in modding communities and elite guilds inside games.

through the ethnography, these interviews were supplementary, rather than the key tool for data gathering. They served to elaborate and confirm or add complexity to the conclusions I drew from the ethnography.

3.4 Conclusion

Chapters Two and Three have outlined the field of games studies, the features of computer games as interactive texts, and the areas for further study suggested by those features. Any new field of inquiry establishes itself through description and taxonomies, and through distinguishing itself from other fields. Games studies is in just such a stage, as Chapter Two highlighted in assessing debates on structure and the distinguishing features of computer games. My strategies for approaching computer games, and in particular MMOGs, have been generated from both my media and communication/cultural studies background, and the material on computer games and interactivity itself. The lack of research into the political economy of the games production cycle – the ways in which various stakeholders, including most importantly the players, interact and negotiate power relations – suggests one direction for this study. Although it remains firmly in the field of media studies, the questions raised by political economy have come to inform the framework. In the next two chapters I will present my ethnographic study of *EverQuest* and analyse the processes and relations that surround the game. This examination gives some indication of the complexity of this medium.

4 Play

In this chapter I want to describe what the game of *EverQuest* is like – for players, for developers, and to a certain extent, for me. No researcher can ever hope to capture what a culture is like in its entirety. My observations are firmly rooted in my own position as a researcher playing only partly for fun, and partly for work. At the time of the study I was 40-42 years old. For most of this time I was playing in Australia. I was half a world away, and many time zones away, from where the bulk of the players live. I lived in Montreal for five months of my study and this gave me better access to the popular playing times. I'm an Anglo-Australian middle class woman. My first real involvement with computer games was in 1981 when I spent many long hours down at my local hotel playing *Space Invaders*. This followed an illustrious career in front of pinball machines. I continued on to play *Galaxians* in the early eighties (the advent of colour! So exciting). After that I rather left games alone until the late 1990s when I became interested once again, but through an academic lens. My quirks, politics and values will emerge through the ethnographic descriptions to follow. I spent 1998 working for a games developer, so some of the production practices of developers are familiar to me, and some of the culture of development studios is also familiar. I like playing computer games, but I am not a dedicated hardcore gamer, which is one reason I left the development company. It is not possible or desirable to erase such positionings. In the descriptions that make up this chapter, I assume that the reader will, to some extent, be able to form their own assessment of how my positioning has shaped the data gathering and representation.

This chapter is designed to be richly descriptive – in the ethnographic sense of 'thick description'. I want to convey the sense of complexity, of fun, of engagement and investment that the game draws out of players. To my mind, there is not much sense in me taking the reader on a journey of

analysis, if I have not conveyed some idea of how the actual engagements work for various people, what the pulls or lures of the game might be.

4.1 Themes

Before I embark on the description of *EverQuest* I want to flag what I think are the themes that emerge from the material which I have identified as interesting and important to consider for their implications beyond the small world of this particular MMOG. They link to material in Chapter Two which outlines the ways in which online multi-user games disrupt the modes of conventional media. These themes are ambiguity, networking, and investment.

4.1.1 Ambiguity

The first of these themes is ambiguity. This interactive environment in which the text is constantly being reformed, added to, and changed, by both the players and the developers makes a number of distinctions that hold true in other media environments very unstable.

Users (audiences or readers for other media) have become both consumers and producers – not just producers of identity, or fan fiction, or derivative works, but of the text itself. The line between consumer and producer is no longer clear.

Developers are players (usually hard-core) – of their own game and other games.

Publishers have become both publishers of goods (delivered through both boxed products and online) and service providers, and each of these roles is positioned within a different set of institutional practices and frameworks.

The text has become performative – the fixing in print and image of what is in other contexts ephemeral and unrecorded. For instance a face to face

conversation between two people involves speaking and embodied or non-verbal communication. It is not usually captured in a representational medium. It can live on in the memories of those people, but it would be difficult for any corporation or other institution to say in a formal sense that they owned it. A conversation between two people in an MMOG is both communicative in a similar way but also mediated through representation that is captured in digital form. That digital capture – of every interaction, every banality, every formerly unrecorded aspect to a relationship – leads to the possibility of understanding a socially communicative act as something that could be thought of as property. I would argue that the text is not only representation, but, functionally, a performance of subjectivity. Its status is therefore unclear – is it a commoditisable product or a fleeting performance of personhood, or both?

The game has become permeable. It is not always clear where it starts and finishes. Play theory, particularly as defined by Huizinga (1955), an early twentieth century historian whose work on play has been influential in theorising video and computer games, insists that a game takes place within a 'magic circle' – a separate environment where the rules are differently defined to those of the 'real' world. What happens within the game world is separate from the rest of life. A game like *EverQuest* interrogates that boundary of the magic circle, with in-game relationships bleeding out of the game, with the ex-game world finding its way inside the game world, with the question of where the game and the 'real' world start and end not easily answered.

Other ambiguities exist around the concepts of work and leisure or pleasure. There is an intersection of commercial and social interests that make it difficult to define who is working for whom, and where the line between leisure and work is in this recursive system of production.

4.1.2 Networking

A second theme this chapter pursues is that of networking. Again in contrast to more conventional media, an interactive online game generates a different set of relationships. These are enabled by the technology, the affordances of the game, and by the people themselves in how they choose to exploit and develop those possibilities.

The technological networks require not only the sophisticated developments of the internet to allow for connectivity, but the further development of particular protocols that enable the client/server relationships of this game. At this level the network becomes proprietary, and interaction within it subject to the design and control of the developers and publishers.

The networks of relationships established through the game are not peripheral to the medium but are directly formative. There are new relationships between players and developers – very unlike those of, say a television audience to a producer[21]. There are also new networks of relationships between players – a much more dense and intricate network than those produced by more conventional media. The different networks produced within this game environment generate both commercial and legal outcomes that are worthy of our attention. The social outcomes are intertwined with both of these and hold a fascination of their own.

4.1.3 Investment

A third theme is that of investment. There are at least three areas of investment into the game – some are given more credence than others in economic, legal and media mainstream discourses. First and most

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[21] Perhaps with the exception of shows like *Big Brother* and the *Idol* series which do use feedback to some extent to drive the programs. The kind of dialogue between audience and producers is still one where the producers give particular options which the audience votes on. It can be seen as still very author-controlled in its directions – and thus lacks the emergent quality of an MMOG.

conventionally there is the financial investment – of the publishers, developers and players. Publishers and/or developers (depending on the model used, but most often publishers finance development) invest millions of dollars in the development of a game like *EverQuest*. MMOGs tend to be several years in pre-release development, and if successful will have a 'live' team to continue development after release.

Secondly there is the investment of time. This game is no casual 'pick it up once or twice and discard it' medium. The amount of development time and then the amount of player time invested in the game are significant. The amount of time a publisher is able to extract from the player directly feeds its profits. The player sees it as play, but the publisher sees it as working for its profit levels through the production of content and through the retention of players (and their time-based subscriptions).

Thirdly there is the emotional investment made by the players and relied upon by the developers. Emotional investments lead to the building of close social communities – an integral part of the functioning of the game environment. Affective labour has become central to the success of networked applications which rely heavily on relational connections.

These three forms of investment integrate with each other such that they become inextricably entwined. This generates interesting implications for the relationship between commerce and culture, the legal world of property and the techniques of governance, and the emotional world of relationships and identity.

4.2 Life in EverQuest

The first thing that happened when I bought my copy of *EverQuest* was that nothing happened. I couldn't play. Technically my computer was not configured properly. Once I had the correct specifications and my video card set up properly and my software modem configured correctly, I encountered problems with connectivity too numerous to mention. These were partly

generated by playing from behind a university firewall – designed to prevent students playing games such as this and taking up academic bandwidth no doubt! Although I eventually sorted out most of these technical hitches, some of which were *not* about the university protocols, they continued to dog me to some extent, throughout my playing time. It required some serious dedication to the task to persist and follow through each problem. I'm not sure I would have bothered had I been a recreational player rather than a researcher. This experience speaks of the need to have already achieved a level of technical literacy and competency before a player can begin to play. It also speaks to the need for broadband connectivity to achieve an optimum technical playing capacity.

4.2.1 Clueless newbies

EverQuest is a complex environment, difficult to encompass in a linear description. It is a three dimensional *persistent* world – meaning that it is 'always on', 24 hours a day, 7 days a week. It is there, even when you are not, and game-play continues with or without you. You can access the game and find people to play with and things to do at any time. There are 'peak' playing times which coincide with the evenings in the US and Canada, and less well populated times – coinciding with evenings in Australia. Each player creates a character (or a number of characters) that is represented with an avatar, and which becomes the player's representation within the game. Characters can be any one of a dozen or so 'races' – there are elves, half-elves, dwarves, ogres, humans (only one 'race' – 'white'), erudites, iksars (lizard people), gnomes, vah shirs (cat people), frogloks (yes, frog people), trolls and so on. Many of these 'races' draw on existent mythologies and genres or are derivative of other works (for instance Tolkien's halflings and orcs). Taylor (2002) points out that this appropriation on the part of the developers makes their claim of intellectual property in all aspects of the game somewhat spurious and highlights their contradictory policy of disallowing any appropriation of their own material for derivative works made by fans. I will return to these issues in Chapter Seven.

After choosing a race, the player chooses a profession or class for their character. These also vary across about a dozen categories. There are pure melée (fighting) classes like the warriors, pure caster classes (who use magic rather than physical fighting as their key skill), and there are hybrid classes that mix up the two types of skills in different combinations. Some caster classes like the clerics, are healers. Others, like the mages, cast battle spells that do direct damage to their opponents. It is a bewildering array for the brand new player to be confronted with. I spent over an hour looking at the different race/class combinations available, reading the small snippets of information in the player manual that came with the game, and felt none the wiser at the end. What should I choose? What were the relative advantages or disadvantages of each? How could I tell, never having played the game before? I had read the 100 + page manual from cover to cover and still felt clueless.

If I chose one of those tall willowy, nearly naked female characters, would I ever get to put more clothes on? What really is the difference between a wizard and a mage? Or a druid and a cleric? They seemed reasonably undifferentiated at the start. Eventually I settled on a female Halfling Paladin – a shortish race and a hybrid class, with big feet and extensive cleavage. (It became my most enduring goal in the first months to acquire armour that would cover said cleavage). I was duly born into the world of Norrath and my birthplace was the town of Rivervale. I spent my formative levels there and in the Misty Thicket – a low level and reasonably benign, grassy, lightly forested area inhabited by bats, rats, snakes and wasps, with a few camps of goblins and orcs. Here I learnt to whack bats with my short and not very powerful sword. Occasionally I would kill one, occasionally one would kill me. Killing these 'mobs' (the name that game-generated opponents are known by) is the key way to gaining 'exp' (experience) and progressing to the next level of the character. Each time you gain a level you receive enhanced capabilities – being able to use a new skill, access a new spell, fight with more strength and hit points, and so on.

Death in *EverQuest* is not permanent – more inconvenient than anything. As a new player the experience of dying is easier than later in the game. Until level 11, when you die, all that happens is you find yourself transported back to your 'bind spot' and having to resume playing from there. The place where your 'soul' is 'bound' is initially in the town you are born into. As you travel about the world however, you can have your soul bound in different places. This will be where you are returned to if you are killed. It is terribly inconvenient to be killed on a different side of the world than where you are 'bound' – it may require a long journey to return to the area you were killed in (known in the game as a 'corpse run' or CR). Thus it is wise to try to find the soul-binder in a region before starting to fight there.

Once you have reached level 11, each time you die you have to retrieve your corpse and the bind becomes more important. When you die before level 11 you don't have to return to your corpse. However after level 11 you would lose all your accumulated equipment and clothing if you failed to return to your corpse. You are reborn 'naked' (meaning with the bare minimum of clothing that you were born with) at your bind spot. You have to loot your corpse to regain your equipment. After level 11 you also lose some exp when you die – death has more consequences. There are several classes of character (paladins, clerics) that can 'resurrect' you – restoring you to your body and (depending on how high level a character they are) restoring some or all of your lost exp. Of course, whether you can convince someone to do this for you depends rather a lot on either their beneficence or on knowing them as friends. Being constantly asked to stop what they are doing in order to resurrect someone apparently loses its appeal quite quickly.

I learnt to loot the corpses of the mobs I killed (when you kill a mob, it usually 'drops' an item or some money, which becomes yours if you loot the corpse). I would then sell what I looted to the merchants in Rivervale (the merchants are computer generated characters known as NPCs – non-player characters, as distinct from player characters being controlled by real people). In *EverQuest* you do not kill other players or fight them unless they

challenge you to a duel. You must accept the challenge in order for them to be able to fight you. You can always decline the challenge. There are also PvP (player versus player) arenas where anyone may attack you, but these are clearly signposted and easily avoided. Thus the emphasis in relationships towards other players is more on co-operation and community than aggression. Aggression is channelled towards mobs. The way these affordances are coded into the game trains players into a particular set of cooperative social values and discourages adversarial values.

The basic goals of *EverQuest* are to progress through the game, gaining experience and levels, gaining access to new zones and new equipment and abilities, making friends and teaming up to fight more difficult mobs. There are an infinite number of trajectories through the game. You can practice tradeskills, hone up a particular fighting skill, or sit and talk and do nothing game-related at all if you choose. There are multitudes of quests that you can embark upon. The shape of a quest tends to be that you talk to an NPC who will give you a task, or a number of tasks. You run around various zones usually looking for particular mobs to kill and loot for particular items. These you turn in to either the NPC you started from or some other NPC they have nominated. This style of quest is known in the industry as the fed-ex style of play, for the way it requires you to pick up packages from one spot and ferry them to another, where you may then be given a further package or task that needs to be ferried to the next NPC. There are small quests with only a single task required, and 'epics' which can take players weeks or months as they perform an endless array of tasks – some of which require organising raids of 70 people to kill a particular mob to get the item it drops[22]. The additive nature of the environment means the developers can continue to insert more quests as additional content to keep players busy – this is much easier than some other forms of content to develop.

I slowly learnt the complex features of the interface (see Figure 1), with its multiple windows with changing arrays of information, its chat windows

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[22] See Appendix 7 for a description of an epic Druid quest.

where conversations with other players appear, its health gauges, mana gauges (mana is what you use to cast spells with), it's stamina gauges.

This figure is not available online.
Please consult the hardcopy thesis available from the QUT Library
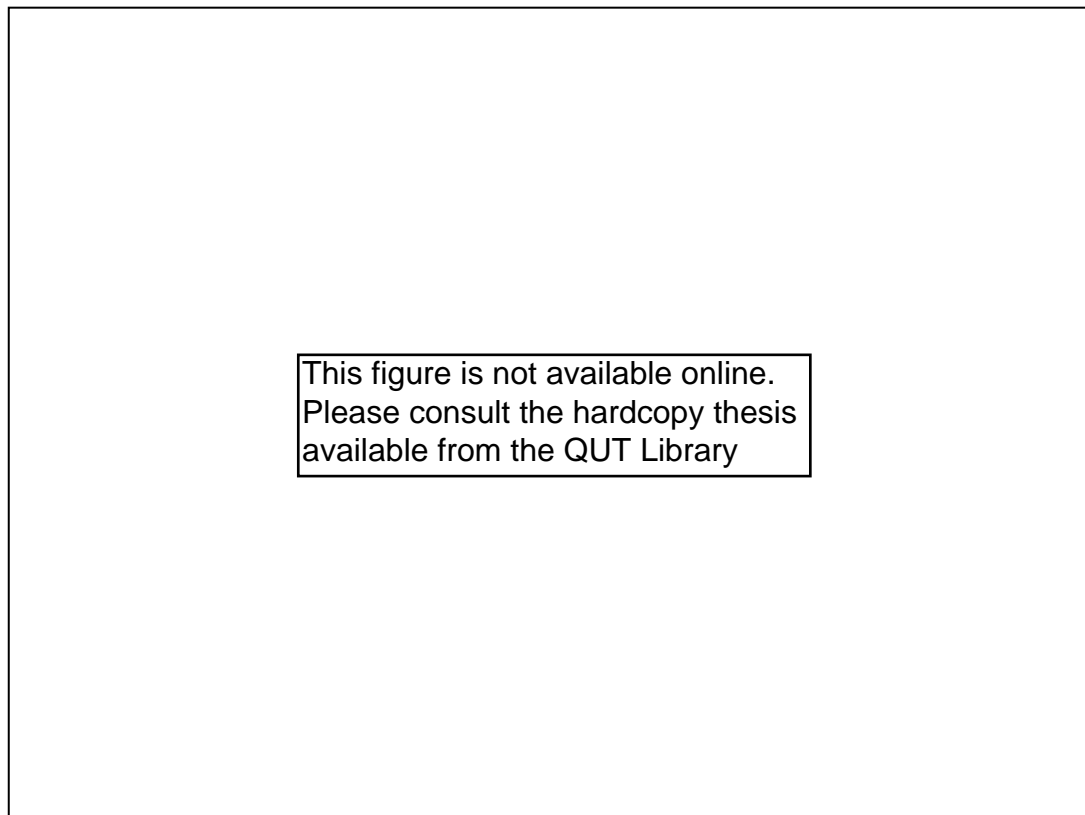
Figure 1 EverQuest Interface

Even more slowly I grasped some of the basics of the economy. Prices might vary between merchants, depending on their race and yours, or the scarcity or desirability of the item. Or depending on how much charisma you have! This I discovered after I noticed that I had a set of statistics associated with my character. These include such things as strength, stamina, wisdom, intelligence, and yes, charisma. Each of these features was assigned a numerical value and I learnt they can be manipulated by changing the items of armour and clothing you wear on your character. Get a new ring to wear on your finger and watch your charisma go up 7 points! Just like Liberace! Furthermore a decent piece of armour can actually raise your wisdom and intelligence! If only.

I struggled through my first few weeks of playing, watching my all important 'experience' bar or exp bar inch slowly towards the next level with each little bat, rat or wolf I killed. I had to turn the sound down when I killed wolves as I found it all a bit abhorrent. The wolves yelp when you hit them. I hoarded my coppers and silvers, earned from sales to merchants of rat pelts and bat wings, and bought food and drink when I began to run low. At some stage I gained the ability to cast spells. I had two. One to heal myself and other players a little bit, and one to strengthen my fighting ability. Over time each character in a casting class is able to buy more and more sophisticated spells. The spells that enhance your abilities – for instance which give you extra strength, or extra protection of some variety, for a period of time, are known as buffs. Players are always seeking buffs from each other. Different classes have different buffs, which creates a constant interchange between players as they swap buffs or trade for them.

Various skills increase over time, and the game engine sends you little messages like "You just got better at one-handed slashing [12]". There are numerous little categories like this – defence, offence, taunting, meditating, sense-heading, tracking – the list goes on. It's part of the intense feedback loop, where you play and your performance is constantly being assessed and rated by the game engine, and the game adjusted according to your improved abilities. It is always a little bit gratifying to receive one of these messages, and it is one of the hooks of the game – a little reward to keep you in there, playing a little more, waiting for the next message of assessment.

There are echoes here of Foucault's *Discipline and Punish* (1977) where he traces how our skills and talents are assigned numerical values and measured, compared, hierarchised, and generally subjected to an intense level of surveillance. This form of governmentality trains us to be both useful and docile as we become integrated into a system of values around progress and skills development. We are always being judged and differentiated by our achievements in this system. It is obviously a highly automated system of surveillance at this level – the game engine reads our

actions and awards us points and moves us on to higher levels as our skills increase. The more entranced we become with this system of surveillance and rewards, the more we give our time and labour to the game. It is a technique of discipline that is productive in the way it induces a form of 'docility' within the game that goes some way to assuring its smooth operating.

After a few weeks of playing I was wishing for a friend to tell me what to do and how to do things better and faster. It took me a few sessions to figure out how to talk to other people. Or at least, I had the theory of how to talk to them down pat, but my execution was a little slow and they had generally run off by the time I got the text onto the screen. There are multiple chat channels, which unless you know how to separate them, all scroll through the same chat window. Thus a typical screen might show something like this:

Skyflyer tells the guild, 'shawl 7 is within my grasp now.. jc next'

Vascolos tells the guild, 'woot, 7/8 ?'

You say out of character, 'anyone casting breeze?'

Skyflyer tells you, 'shawl 7. same as Lili's'

You told Skyflyer, 'wow, sky is getting so big!'

You say to your group, 'oom'

I realise the content of this snippet is not particularly comprehensible, but it is the form that I want to attend to here. The first part of this log is in the guild chat channel. Any member of a guild can turn on this channel and participate in the conversation, but no-one outside the guild can. Guild members are scattered all over the world and not co-located in the same zone. I will come to an explanation of guilds shortly.

When I say in 'out of character' mode "anyone casting breeze?", this question is broadcast to all people in the zone I am in. The world of Norrath is made up of hundreds of zones. Skyflyer then talks to me on a personal chat channel that only he and I can see, and I reply to him in personal mode. I then talk to my group – this is the people I am formally grouped with

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and whom I am fighting the mobs with. Groups can have up to 6 people. There are two other main chat channels not shown in this small excerpt – one for talking to people directly around you but that you aren't grouped with – thus it has a smaller broadcast reach than the out of character broadcast. It only reaches those you are standing close to. The shout channel also reaches the entire zone. You can create separate windows for each channel, or have them all in the one window. I found too many windows hampered seeing the game environment. Colour coding the channels so that each channel was in a different colour but came up in the same box is the solution enabled by the game. Thus I have purple for 'personal', bright green for 'guild', dark green for 'out of character' (known as ooc), light blue for 'group', red for 'shout' and yellow for 'say'. Gradually I developed a literacy around these colours and learned to recognise which need to be paid immediate attention, which need less attention, which are from those nearby, which from elsewhere. The literacy of talking to a number of different groups at one time and switching between various levels of intimacy is one which has been examined by researchers of internet chat (for instance Turkle, 1997). They note peoples' capacity to fragment their attention between different conversations and 'spaces' is quite high once literacy is achieved.

The above chat log was recorded some time after I had started, and I was not capable of deciphering such texts to begin with. I did eventually start to have conversations with other players. It was a troublesome time as I tried to work out the etiquette of the game, the language, and what kinds of behaviours were appropriate. It was difficult to get people to talk to me about how to go about life in the world of Norrath. I would have conversations with people who left vowels out of every word, and one memorable conversation with a player who not only didn't use vowels but didn't put the last letter on any words either, and used abbreviations to refer to in-game objects and zones that meant absolutely nothing to me. I had one player abuse me for not taunting and using LOH. I was completely bemused. What an earth did she mean? Some time later I discovered that these were two abilities I had – to taunt, which is a skill you train up, and which is used to attract a mob to

attack you rather than one of the other players. Such self-sacrifice! And the all important LOH – Laying of Hands. As a paladin I had the ability to lay my hands on another player if they were near death and heal them completely (although only once a day). Such power!

Occasionally I would meet up with another 'newbie' and we would have a great time making mistakes together and learning together, and sharing what we already knew. These were always the most gratifying sessions and I would close my computer off feeling cheerful and optimistic at the end of those sessions. Sometimes I might have gone backwards in exp from dying multiple times, but at least I had had fun doing it! I eventually made some friends – people whom I ran into a bit more regularly and whom I could 'group' with to fight the ever more difficult mobs.

Here is what Marilyn, my guild leader in the game had to say about her time starting out in *EverQuest* :

Marilyn: I got it for Christmas, from my brother, who got it from this friend of his, and he goes 'you've *got* to try this out'. So we are totally clueless, never really played an online game, let alone something that's very different from the playstation, and with real people and everything. The first while was overwhelming, because the game back then was different… there were no newbie quests. When you died you lost exp, you'd have to go find your body.

Sal: you'd have to retrieve your corpse?

[*By the time I started playing this had changed and you didn't have to retrieve your corpse when you died until you hit level 11.*]

Marilyn: at level one, yeah, and that was hard.

Sal: and that's hard, cos one whack from a bat and you're dead.

Marilyn: oh I know. [laughs] and then of course for the first few levels I didn't even know you could loot!

[Laughter]

Sal: so your brother wasn't helping?

Marilyn: no, he was learning as we were learning. So we were all going waaaahhhhh I don't know what I'm doing, and of course we didn't have Luclin we just had the original.

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[Luclin is an expansion pack that created the moon. Its best advantage is to provide an easier mode of travel than going everywhere by foot. It allows players to 'teleport' from various locations in the world to the moon and then back down to places on the other side of the world. This is a much faster process than taking long and tedious boat rides and having to run across continents!]

So I started off in Felwith [*a town*] and went out into Greater Faydark. [*a zone similar to Misty Thicket*]

Would *not* fight an orc, I would run, run run run.

[Laughter]

The first time I found the tree city, I was like, where the heck did this come from?

 [*Kelethin – a town that is built in the trees in the middle of the Greater Faydark zone. It consists of a series of platforms in trees linked by rope bridges. There are no safety nets*]

All the times you fell to your death from there.

[laughter]

And I can remember getting drunk the first time, and just how totally hilarious, and how, cos you didn't know that… cos somebody gave me some beers, I slammed them all back and then I fell off the tree city and died

[laughter]

but you know, you had no idea where you'd died, cos everything was all blurry

Sal: yeah. In fact Erith [*a mutual friend*] was the first one to get me drunk

[Laughter]

Took me into a pub in Rivervale and sat me down and said 'here drink this'. So I did, and then she said 'here drink this too' so I did, and she went 'here drink this too' and I did, and I'm like '…so?' cos I'm still sitting down, you know and then she says 'ok, see you later' and so I stand up

[laughter]

[*Drinking alcohol has little effect when you are sitting down. However once you stand up and try and move, the screen lurches in front of you and becomes blurred and the picture unstable – in effect simulating the experience of drunkenness through manipulating the image. It takes some time for the effects of the alcohol to wear off and for that time it is difficult to control your character's direction and speed.*]

Marilyn: haha, I told everybody, 'look I'm drunk! look I'm drunk!' and you know my brother and my husband would come running and we were all laughing because you know, the screen being so blurred that you cant see nothing. With the original interface, you know where you only had the small little picture, it was so funny. (Interview 1, Marilyn)

The game is complex and confusing, but full of such moments of delight and fun. Interaction with other people is key to how players access both information and that fun and delight. The game design creates the possibility for 'drunkenness', but who could predict the shared hilarity in the dining room of Marilyn's house, or for that matter, the drunken dwarves' race across the zone of Butcher Block Mountains I participated in with a group of academic researchers in late 2003? Picture a group of about 20 dwarves being fed large amounts of alcohol and then setting off on a foot race from one side of the zone to the other. We flooded past other players somewhat bewildered by the sudden appearance of such a large group of out of control little people and obviously puzzled by the mixture of taunts and reflections on the methodological dilemmas of researching MMOGs. The game designers put in features they cannot predict the outcomes of. The players pick them up and do different things with them. This is one quality of emergence that makes a game text different from a conventional text.

The above descriptions of the process of learning to play indicate the extensive training involved to achieve literacy with the interface and to understand the values of the game, what the goals of playing might be, and to induce a desire to achieve those goals through many hours of playing. This is the form of governmentality structured into the world through the use of code and game design. It is not totalitarian or uniform in its reach. Each player negotiates their own way through such a system of regulation, and as Foucault points out – the intention of a technique of discipline may be to 'optimise particular aptitudes in order to mould them towards certain goals and particular ends.' (McHoul and Grace, 1993:71). We can see this played out as an in-game function – the regulatory exercise of power seeks to achieve a particular kind of game outcome. But we can also see this at the

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level of the relationship between the player and the developer, as a set of techniques that train a player into long hours of dedicated playing, which work very much to the advantage of the publisher and their profit margins. Here we see one of the key areas of ambiguity – is this consumption or production? Is this work or play? Is this an in-game mechanism or one that bleeds into real world functionality as well?

Obviously this is not power being imposed on a passive subject – the gamer – but a negotiation where the player consents to participate in the system with varying degrees of dedication. The rewards in-game are an inducement. The surveillance operates as a spur to a particular set of behaviours. I will explore later how some players negotiate this system to their own advantage and undermine some of the structures and hierarchies through their practices.

4.2.2 Role-playing

I was intrigued by the concept of role-play in the game. As far as I could see, although the game is marketed as a role-playing game, nobody really pays attention to that aspect in terms of the genre of fantasy role-play. I joined a different server – one especially set up as 'role-playing preferred', and yet even in here there was a limited amount of role-playing. Occasionally people would talk using a lot of 'thees' and 'thous' and sometimes you would come across a consummate role-player, but generally, even in the guild I joined, it seemed to be an after-thought rather than a key aspect of the game. People still talked about weapons, statistics, where to fight and what the weather was like in their home town right now.

I asked several of the people I interviewed whether they played their characters as themselves or whether they specifically role-played. It became clear that while some didn't, others viewed their characters as different to themselves and in that sense they were at least adopting a different persona from their offline persona, even if not one that was specifically a 'fantasy genre' role. Marilyn commented at various points in our interview that her

main character was stronger than she was. She also had a male character that she played, called Clouds.

Sal: Tell me how is it different role-playing a male character?

Marilyn: I actually enjoy it, I find it fun.

Sal: why?

Marilyn: um. People don't hit on you. That's very refreshing, cos Rose [*her main and female character*] gets hit on so much …

Sal: So do you do anything to make Clouds seem masculine?

Marilyn: He addresses people as 'my lady', he's very cordial, very polite. All ladies are 'my lady' no matter how big or how small. And he always has a flower on him.

Sal: is that right?

Marilyn: yep. But lately he's been dating guys, so…

Sal: So we think he's gay?

Marilyn: yeah, he's gay. (Interview 1, Marilyn)

Christie asserted that she played her character as herself, but that her boyfriend role-played:

Christie: …he has three different characters with three very distinct personalities, of which, when he plays his gnome… 'gnomes aren't polite' is his attitude, and "I don't have to be polite, and if you want me to heal you, too bad" and he takes advantage of that type of characteristic.

Sal: so he can be rude when he wants and it's in character?

Christie: exactly. He's got a monk who is very noble… He would help anyone, because he could drag corpses, you know so he would help everyone because that essentially is the character of the monk. That was his role. So he's one of the only people I know who really took it on that level.

Sal: what's his other character?

Christie: uh, he had an ogre? An ogre or a troll, and that was his, he didn't speak, because he felt that, it's [*the character*] just not intelligent, like he had a base intelligence of like, 60. [laughter] So basically he was an ogre warrior, so he was just muscle. And it was another way for him to just not communicate [laughter] but he really took his roles seriously and he enjoyed playing them. (Interview 4, Christie)

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It would seem from my observations that role-playing ranges from the subtle to the outright fantasy role-playing of the genre, with most opting for the 'close to reality' persona (which of course is never a stable thing in itself).

My engagements with other players increased as I became more competent with the interface and with my role in the game. I could see how people who had friends (either offline or online) who also played, were able to advance at a much faster rate than I was. Trying to learn the game on my own, and from what I could find within the game environment was proving to be very frustrating.

4.2.3 Websites

I accidentally clicked on an NPC in Rivervale one session, and she asked me if I would be prepared to deliver some mail to someone in Freeport. I replied that I would and she gave me a piece of mail and told me I would be rewarded if I delivered it to a particular NPC in North Freeport. I put the mail in my bag and set out. I had no idea where Freeport was. I ran around for two days looking for zone lines. I crossed into zones where I was killed multiple times. I discovered that you can run around in Kithicor Forest in the day time, but come nightfall it's just a slaughter-field for someone as young as I was. I discovered the Runny-eye citadel where I was killed in a number of interesting ways by some very ugly looking goblins. I eventually discovered the West Commonlands on the other side of Kithicor, where the lions and bears can kill you in about two swipes. I spent another day being killed in the West Commonlands before I made it through that zone to the East Commonlands. Several days of making long corpse-runs later, I arrived exhausted and battered but somewhat triumphant at the gates of Freeport. Freeport turns out to be such a large city it occupies three zones of its own. Having been lost in the twisting and turning alleyways there for a number of hours, I did eventually find the North Freeport zone. Several hours later I found the NPC character I had been trying to find for what felt like half a lifetime by then. I was punching the air in my office. I dug into my bag, and

gave him the mail, eager to see what my reward would be. He gave me absolutely nothing. Then he asked me if I would be willing to deliver some mail for him.

The next day I was telling one of my new-found friends in the game about this experience, relating how I had run my already short Halfling legs to stumps, and she said to me "oh I just use EQ Atlas". She directed me to a website that has maps of all the zones in *EverQuest* and how they are linked. There are hundreds of zones, each with its unique topography and climate, each with different mobs with different levels of danger associated with them, different quests, different opportunities for making money or grouping. EQ Atlas (http://www.eqatlas.com) has a guide to all of them. Each zone is mapped, and has pointers to where the dangers are, where the quest related characters or mobs are, where the different types of traders and shops and buildings are. It's a site put together by a player who goes by the name Muse. Sony eventually (after over 4 years) introduced in-game maps that can be used while in a zone. However at the time I was learning, discovering EQ Atlas was like finding the holy grail. After that I was never without a map of the zone and a zone connections map at my side. I would spend hours at EQ Atlas doing research before I went somewhere in the game. I had a dedicated folder containing the maps and guides I had printed out. This grew to be centimetres thick and several kilos in weight. When I went to interview my guild leader Marilyn, who along with her husband has played for several years, and for up to 40 hours a week, I was amused when they showed me two expanding concertina files sitting between their computers. Then they pointed to a three drawer filing cabinet. The level of detailed knowledge they and others have accumulated about the game is quite phenomenal. And all generated by players.

From EQ Atlas I started following links to other player websites. Most helpful were the websites that had put together guides to the game. A site such as *Casters Realm* has guides to each class and race, to how to start and then play different characters, where to hunt at different levels, what armour is good to wear, what spells to buy and (more importantly) what to do with

them. It also has some very clear instructions on what your role in a group is. This is important because it is obvious people have expectations of particular classes to perform particular functions in group play, but it is not intuitive what these roles might actually be. Of course, if someone in your group yells at you "you're a druid, you should be snaring" you figure it out, but it's nicer not to be yelled at. There are tradeskills guides to how to make food (baking skills) with lots of recipes and where to find the ingredients, how to make arrows (fletching), how to do quests, and so on. I found myself spending as much time researching on *Casters Realm* as I was in the game playing. From the number of guides submitted by players and the number of comments and conversations carried out on these sites, I was clearly not alone. These are not sites developed by the publishers. They are player developed and run.

Although SOE runs its own website for *EverQuest* the information available at fan-created sites is much more extensive. Some of the key sites include Casters Realm, EQ Atlas, Allakhazam's Magical Realm, EverQuest Stratics, and Everquest Vault[23]. SOE seems to have a relationship with most of the major fansites – it feeds them news, runs chat sessions with the development team through the fan sites and so on. Baelish (Greg Short) who runs the Casters Realm site was at the Chicago Fan Faire promoting his new software for guilds. He was acknowledged by the SOE team, and given time to explain his product at the large evening dinner show. SOE, like most other developers are keen to harness the activities of these players for obvious reasons. In an interview with Greg Short published on the Sony Online Entertainment *EverQuest* website he says:

> Since August 1999 when Casters Realm fully launched we have expanded our EverQuest site to provide news, spell lists, FAQ's, item lists, map lists, and tradeskill info. Short of providing quest walkthroughs we cover just about every aspect of EQ nowadays. We also try to work with the Dev team at SOE to provide insights into expansions or answer other high profile game issues. (http://eqlive.station.sony.com/community/articles.jsp?id=51446, last accessed 7/1/2005)

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[23] URLs for these websites are listed in the reference list.

He goes on to say he works full-time running the site, raising revenues from advertising and competitions. He sells merchandise and software at Fan Faires.

Once I started reading the websites, I realised I had done poorly at developing my little Halfling paladin. Although I had been playing her for months I had not progressed very far. I was also finding it difficult being such a short character. I hated having to constantly tilt my head upwards to look at other characters and mobs. I felt very short and bustly with my big feet and large cleavage, which I did eventually cover with quest armour that I spent many hours fighting for. Quest armour requires you to gather together various items – usually by looting the bodies of particular mobs. This meant killing and looting for many hours at a time in search of the required items. They then need to be combined in some form – for instance in a sewing kit, or in a forge – with other items and given to a particular NPC who gives you the armour in return. Discovering these quests and carrying them out trains players into the basics of questing, killing and looting, and tradeskills, as well as acquainting them with the basics of how the economy in the game works.

I decided the time had come to retire my paladin and start a new character and this time make a more effective one and progress a little faster. I learned from the websites to put extra statistics points into particular areas (yes, those strength/wisdom/intelligence/charisma type stats really meant something) when forming a character. I began my Half-elf Ranger with a confidence I hadn't possessed before. I knew where to distribute my stats. I had read up on the best places to spend my time at different levels. I knew what my role was in a group, and what skills it was necessary to develop. I launched myself into the world with a renewed enthusiasm. I had also decided to try out being a male character – mostly because I found the representations of the female characters so objectionable. Why is it that the male characters start out with so much more clothing? Or if they don't, they

at least have muscles and some semblance of toughness to go into a fight with.

The standard sexist portrayals of the genders apply in *EverQuest* as much as most other games (see Figure Two for examples of different gender portrayals in *EverQuest*). It seems most designers are unable to break out of these parameters. At the Austin Games Conference, held in September 2003, and focussed on MMOGs, there was a session on gender in games that tried to address this and other issues around gender. But at the book selling tables there was still a book for sale entitled *How to Draw Those Bodacious Bad Babes of Comics* (McLaughlin and Gold, 2000) with 144 pages of meticulous instructive detail on how to represent women as large breasted and tiny waisted bimbos. I'm not sure whether the book sold, but its presence indicated that someone thought it an appropriate market.

Below: A noticeable difference in the amount of clothing given to the different genders of similar characters.

This figure is not available online. Please consult the hardcopy thesis available from the QUT Library

Above: The halfling paladin character with the large feet and even larger cleavage. At level 13 I had the newbie quest armour .
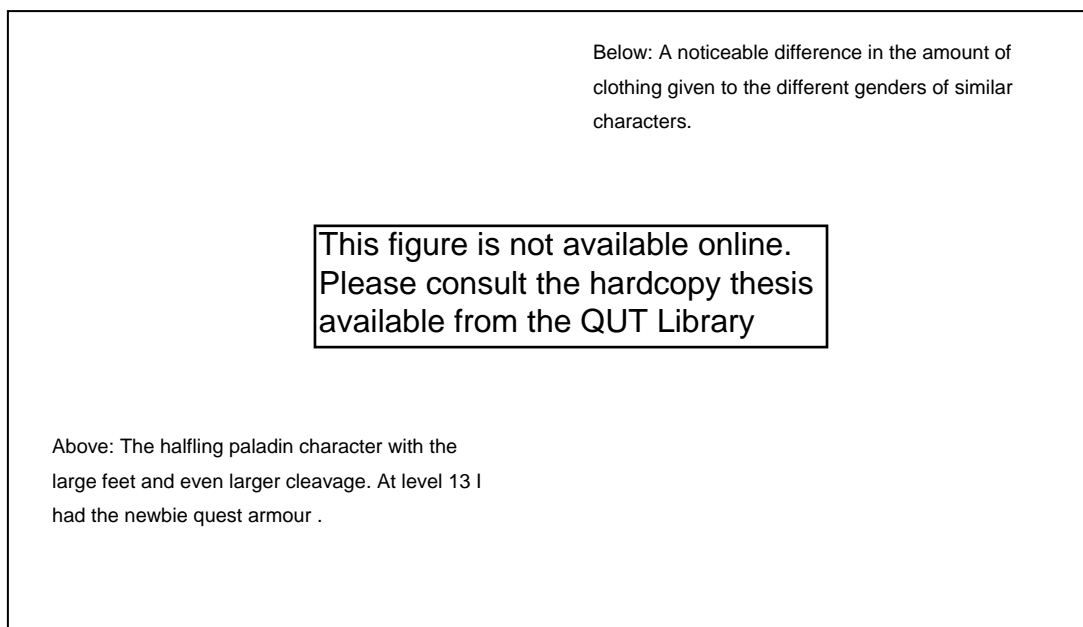
Figure 2 Gender Representations in EverQuest

Life as my taller Ranger dude was more satisfying and I progressed through the levels at a slightly faster pace, although still much slower than almost every other player I met. It seemed that putting in 8-12 hours a week (the most time I could find, and what I thought of as a substantial commitment)

simply wasn't enough to keep up. I would make friends and we would group together for a while and then they would level up much faster than me because they were playing more often. Characters can only gain exp in groups where you are no more than about ten levels apart. So I quickly lost touch with those who were playing more than I was.

This imperative to play more in order to make and maintain the social ties within the game became quite problematic for me as a researcher trying to participate in the culture and observe it. I have never reached the endgame[24] nor been truly enmeshed into a guild network or social network over time. I belong to a guild where I know a number of players, but have rarely been on raids with them. I have made some individual friends and contacts that I have sustained over time. I have relied on these in-game contacts and the interviews with players who *do* play the endgame, to gain understandings about the game's social networks. It was clear from early on that the fun and much of the engagement came for most players, through building social ties in the game.

Some players would not *name* this as social – social having a connotation of being about chatting and doing non-fighting things with other people. But raiding, fighting together as a team against NPCs on a regular basis is a social activity, even though it may lack the 'warm fuzzies' of other activities in the game. Raiding is still carried out with other players – it is impossible without them. Thus a player might play in a guild that is into raiding, doing the harder quests, playing the endgame and achieving status through being 'über' (meaning being recognised as the elite on your server). Über players and über guilds work like elite sporting teams in some ways. The social ties seem to be mostly about working well as a team. Other social ties made by

[24] The endgame refers to the highest levels of the game. During my time as a player this went from Level 60 being the highest level, to 65 and eventually 70. Many players achieve these levels and then continue to play, doing high-level raids and quests, without actually being able to achieve a higher level. Satisfaction is derived not from achieving another level but from accumulating wealth and status through these raids and quests.

less competitive or dedicated players are more about making friends, communities, and even sustaining romantic liaisons in-game.

4.2.4 Small groups

There are specific affordances of *EverQuest* that encourage the formation of social ties. I have mentioned groups and guilds. Groups are short term and relationships to other group members fleeting. The game interface has a mechanism whereby one player 'invites' other players to join them in a group. The other player clicks on the 'follow' option and is joined to the group. Groups can have up to six players in them, and once you are part of a group you have a box on your screen interface that shows you the names and the health of the other members of your group. You also have a group chat channel for communication.

Groups are often formed with people who don't know each other, or who might know one or two others but not everyone. They tend to be opportunistic in their formation, depending on who is in the zone at the time. Of course groups can be more deliberately formed, but, particularly in the low and mid- level zones, formation tends to be more random. Good groups need to be balanced – they need to have members who can heal, members who can attack – either with spells or weapons (melée), members who can alter the state of either the mobs or the players through magic. The particular balance of classes might vary according to the zone and its challenges.

Once you are in a group the experience can vary hugely. I have been in groups where not a single word was uttered, groups where there was bickering over roles, groups where there was banter and laughter, groups where there was more than one boss (these ones never last too long), groups where no-one was boss and no-one wanted to facilitate some plan of action and where pandemonium ruled. The game is designed in such a way that it is difficult to operate 'solo' in most zones. Some classes simply can't. Clerics for instance, really don't have many HP (hit points) or attack abilities.

Their role is to heal, so they are obliged to be in groups. Fortunately they are greatly sought after in groups for obvious reasons. Even for classes with attacking abilities, often a zone will have mobs that roam in packs, so that although you might have the ability to kill one mob at a time, it is very hard to attack one mob without four or five of its friends coming to its aid and killing you off in seconds. So you need to be in a group to deal with the packs of mobs. The game engine calculates the amount of exp you get after each bit of slaughter. It is weighted so that you gain more exp from a full group of six. Thus it encourages groups both through making it difficult to act alone, and making it more rewarding to act in groups.

Players who are 'hard core' or who are regular players even if not of the 40 hour a week variety, rely less on the random formation of groups, and more on grouping with people they already know. It is clear that groups can learn to operate as a team, with each player understanding their tasks and jobs in relation to other members of the group. Like any team sport, playing together with the same people over time increases your efficiency and abilities. You come to understand where your skills will be needed, by whom, when, and who will need to lead, who to follow, who will have what kinds of information and so on. Christie doesn't like grouping with people she doesn't know:

> **Sal:** So you only ever group with people you know?
>
> **Christie:** that's right. Cos that's something that you get bored with … you know, being in groups where people don't know how to play their character or expect your character to do certain things. I played several times last week and the week before [*with people she did not know*] where I've had people tell *me* what to do. Like I started last week! Or I don't know my class skills very well! (Interview 4, Christie)

Down in the lower levels such competence is not required – the tasks are less focussed. Once players reach the endgame there are tasks that require a much more sophisticated level of planning and co-ordination. It is highly unusual for a player not to be in a guild by this stage. Although some might

be between guilds, almost no-one gets to be high level without joining a guild.

4.2.5 Guilds

Groups are formed on a short-term basis from session to session. Guilds are groups that endure over time. Guilds are the fundamental social tool of the game, and it is through guilds that much of the playing and sociability of the game is facilitated. The elements that go into the assemblage of the guild include raiding or grouping together, guild chat in-game, guild websites and bulletin boards, guild tags and public identity (once you are a member of a guild your guild name appears alongside your personal name over your avatar), and guild reputation. Sometimes it also involves offline networks of friends or family who play together.

Once you've joined a guild you have access to the guild chat channel and this is one of the ways that contact with the other guild members is maintained. It is the channel that operates no matter where you are in relation to the other players. All the other channels, except the private one-to-one channels, require you to be in the same zone, and sometimes within the same smaller area of the zone. Guild chat broadcasts to all members of the guild no matter where they are. Thus you may come to know people through their chatting in guild, but never have actually come across them face to face in the game (or, more accurately, avatar to avatar). This would depend on the type of guild.

Some guilds are small cohesive groups of people who know each other offline as well as online. Some are small groups who only know each other online. Others are larger groups who raid together regularly and thus most players know each other. And some guilds are much looser, social affairs, where grouping together happens where possible but is not central to the practices of the guild. Given my relative lack of time for playing and the fact I was in a different time zone to the Americans and Canadians who make up the majority of players, I joined a guild that was the latter type – large,

friendly, but not requiring my attendance at group events to maintain my membership. I have interviewed people who belong to small and cohesive raiding groups to find out how they operate as well.

Guilds have formal hierarchies, with a guild leader and guild officers, who each have differing levels of power to invite people into the guild, or eject them from the guild. Roles and responsibilities may vary from guild to guild, but often there will be raid organisers, treasurers and 'commanders' who are responsible to certain classes of character within the guild. The officers often hold a role of care and instruction as well as organisation.

Guilds vary enormously in their expectations of members. Guilds like the one I belong to have no process for vetting who comes in, and no requirements on members in terms of commitment, although there are expectations of fair play, no bad language, and a certain degree of friendliness. At the other extreme are the 'über' guilds, mentioned earlier. I visited one website of an 'über' guild that listed in its requirements of members that they be prepared to raid 5 nights a week for at least 4 hours per raid. If they weren't prepared to commit to this then they should not apply to join. Some players I have talked to have related stories of raids that went for over 20 hours. When I interviewed Phillipe he told me stories of setting his alarm for 2am so that he could log on and meet his other guild members to claim a particular mob that was proving hard to get access to in normal hours – too many guilds wanted to kill it and his was unable get a look in. So they spent a week logging in during the night and fighting the mobs they were having difficulty accessing at other times.

Christie plays with a guild that is very dedicated to raiding in an efficient and effective way. They have always researched the zones they are going into, and each person knows their proper roles.

> **Christie:** The one thing the Danes [she was in a guild which was a close knit group of Danish players] did … they did so much offline [*meaning off-game*] research it was crazy.
>
> **Sal:** tell me how much. What did they do?

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> **Christie:** They'd scour. They scoured every available resource to learn about zones and maps and monsters and tactics. And on our bulletin board … they had this one guy who would constantly be posting the research that he found, so that when we went into a zone, you know, we knew exactly what path to find, what mob we had to kill, what was needed to kill them. There were no surprises on that level. We were very prepared. And so they expected perfection when you played with them. (Interview 4, Christie)

Paul is a serious *EverQuest* player of longstanding who belongs to an über guild with the reputation (according to him) of being the best on his server. This is obviously important to him – he's very aware of the status of wearing his guild tag and what it means to other players. He described the process of getting into his guild. This is an edited transcript of his description.

Sal: So what does it take to get into your guild? What kind of processes does it take? Because yours is an über guild, you're at the end game aren't you?

Paul: Well. You have initial benchmarks that you have to meet. You have to be level 65, [*the top level*] you have to have a certain number of alternative advancement points [*where exp accrues once you have reached level 65*]. And we really really want people to be flagged. Just because it's a pain in the ass to have to go and flag people.

Sal: flagged? What is this?

Paul: Advancement in Planes of Power [*an expansion pack released by Sony that has a particular set of zones in it*] requires that you do certain things in sequence. For instance if you want to get access to one particular plane you have to have killed the Manaetic Behemoth, which is a mob in the Plane of Innovation. Do-able but a pain in the ass.

Sal: but it gives you access to some other area?

Paul: [*he lists off a number of different zones in the planes and different mobs that need to be killed to get flags in order to access further zones*] So doing any of those raids takes time. It's just a hassle to go and do it. So we want as many of those flags as you can get. But outside of that, the process that we go through – someone that wants to join the guild is presented on our [*bulletin*] board. We have like an open commentary on it where people can say "I grouped with this guy" and you know,

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you can be [*indistinct*] (weeded out) in that environment for different things. We don't like dishonest people, we don't like loot whores, people who are going to place what they wear, what they get for their character over the benefits for the group. There's a concept that we try to adhere to called the 'need before greed', which is that if something drops [*loot from a mob – at this level very specific and quite valuable*] that is suited to a class and that person is actually going to use it on that character, they get it. We don't roll for it. They just get it.

Obnoxious people, people who create problems as a general rule, irritating people, um, there's a whole set of categories … but it's generally, do we want this person around us? If they get through that…

Sal: how many of you are there?

Paul: there's about 70 of us. We're relatively small.

After the comment period, if there's no reason that comes up that people don't want that person in the guild or to raid with them, then the people get to raid with them. And they get treated just like other members do toward loot. And then in terms of what happens, they're with us for a really long time – typically about 80 to 100 raids later they'll get voted on, assuming nothing's happened during the process…

Sal: so that could be months?

Paul: it took me about 8 months to get in. We don't let people in easily. Not all guilds are like that. We're very small, we tend to try to be very cohesive.

Sal: do people get really pissed off if they're not let in, in the end?

Paul: it doesn't usually happen that way. Typically if you last past 30 raids you're going to get in unless you do something really obnoxious, or stupid. I mean there are people that get into that category. But you've got to want to be there. You really do. And that's because we have the mystique of being the best guild on the server. So we do things that other guilds… you know, we killed a mob recently with about 55 people online, and that included the people that were playing three characters. So there were about probably 45 of us online. We killed this mob – it's one of the mobs that gets you into the Plane of Time. Well the next time it was killed [*by another guild*] it took two raids – one raid of 72, one raid of 27, and all to kill the same mob. And the reason is our players react well, you see something developing – and it's the cooperative effort where people fill in where they need to, pay attention. You know, it's a matter of degrees – not everybody's like that, but we're very effective

in dealing with situations. TPW – total party wipeout – we're very good at recovering from. (Interview 5, Paul)

My own guild seems to run more like a soap opera than a well oiled fighting machine like Paul's. There are about 125 members and about 425 characters (players often have several characters they play and will sign them up to the same guild. You have a 'main' character and 'alts'). In my time in it there have been a number of fall-outs between players that have resulted in mass sulking, and people leaving to join other guilds and so on. It is not a raiding guild. It is a mid-level guild and it occasionally raids – some periods it has raided more often than others. At one stage it used to run a low level, mid- level and high level raid each Saturday, but the guild leader told me she felt quite burnt out after running these raids for a while, so they dropped the practice. In earlier days of the guild the raids were often less than successful:

Marilyn: you know, we'd try and do Dragon raids, and they'd suck terribly, cos we'd all be dead before we got to the raid spot.
[Laughter]
The raid in Mistmore once, we all died in Lesser Faydark trying to get to Mistmore
[Laughter]
And then we had to retrieve dead bodies you know, "I found your body, mine's got to be close" . (Interview 1, Marilyn)

It should be clear from the descriptions from Paul, Christie and Marilyn that guilds differ considerably in their outlooks and expectations. Christie's guild expected perfection in her playing style, was well researched in its missions and very serious in their executions. She has travelled across the world to visit them in Denmark. Paul has a similar story of his über guild and its raiding practices and expectations, but has never met them. Marilyn describes something quite different – more of an alliance of people learning how to do things as they progress through the game, sharing information and making friends, but not through the tight structures and high expectations of an über guild.

4.2.6 Negotiating relationships and the boundary of the game

There have been numerous romantic liaisons in my guild as well, with Marilyn marrying several other characters in-game (using various of her alts), and also officiating at other marriages within the guild. While romantic liaisons are by no means the norm for all players, this is an aspect that exists for some. In the online survey I carried out, in answer to the question 'Do you have in-game romantic relationships and/or cybersex?' the majority answered 'no' (59 out of 77 responses).
 Responses included statements such as:

- never. I /report[25] people who try to speak to me in an inappropriate way. EQ is a fantasy game played for fun, it isn't a chat room for me.

- No cybersex, but my romantic relationship is with the person I met online

- One of my characters is married in an in-character only relationship...

- I do have a wife in-game.

- only with my wife

- Romantic relationships but not cybersex (ok, very rarely!)

- once in while. I flirt a lot though

- Nope. No in-game romantic relationships for either my husband or myself.

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[25] The way to make a formal complaint about someone to customer Service is to type /report.

Again, the range is interesting, with attitudes even from a small sample varying quite notably. The responses also illustrate the boundary people try and negotiate between online and offline relationships and personas. For some the character is divorced from their offline persona, for some their characters seem to be an extension of themselves. For some the offline rules of their relationships apply to game relationships as well, and for some the game is a distinct world where different rules apply. Thus having an in-game romance poses no threat to a monogamous off-line relationship for some, and for others it clearly does. Some play with their offline partners online. Just where the boundary is, shifts with each player. This produces interesting dilemmas for the players negotiating relationships amongst themselves and their offline social contexts.

At the *EverQuest* Fan Faire in Chicago I met a woman who was dressed as a one of the games' bearded dwarves in leather armour she had hand made and tooled herself (see Figure Three). I stopped to ask her about the costume and she introduced me to a man dressed as a 'dark elf' standing with her. This was a friend of hers and her husband's. She told me how she had met them both in her guild in the game. The two men were friends from college who decided to play *EverQuest* as a way of keeping their friendship alive after they left college and moved to different states. They both joined the guild and met the woman, who was an existing member of the guild. She fell for one of them, and they met and married offline. Her husband hadn't been able to come to the Fan Faire due to work commitments, but the friend had. He had become friends with the woman as well and met up with both her and his friend whenever possible.

This is a story which holds many of the complexities offered by the online/offline map of social relationships. The in-game/ex-game, 'real life'/fantasy life boundaries are challenged on many fronts.

Figure 3 Fan in Dwarf leather armour (hand crafted by the wearer). This woman married a man she met in _EverQuest_ .

Some players only play when there is someone co-located with them playing as well. Christie's guild was made up of about 6 core players, who all lived near each other, and who played together in the same room. Carmel, a woman I interviewed at the Fan Faire, has four computers set up in her lounge room and never plays alone. She is always in-game with at least one other person who is in the same room as her. (She's very popular with the kids next door). Paul has never met anyone from his guild, plays alone in his den, but has talked on the phone to them, knows their account numbers and plays their characters when needed in a guild raid. He is planning to meet up with his guild mates at a gathering in California.

Marilyn, at one point in our interview talked of one her alt characters' relationships:

Marilyn: Tribula's been in love many times

Sal: uh huh. And when Tribulas' in love are you partly in love too?

Marilyn: no

Sal: so you're quite separate from her

Marilyn: I try, I try. Sometimes the emotions get in, and it's hard to separate where the character ends and I start and I find that really difficult sometimes. (Interview 1, Marilyn)

Other players have also described the challenges of what is real and what is fantasy, what is role-play and what is 'true' emotion for them. As Christie says:

Christie: there's a couple of constant debates – "it's just a game", and "it's more than just a game". Those two comments are thrown back and forth all the time. And it's really funny, because at one point when I wanted to leave that guild, "it's just a game, my character's no longer benefiting from you guys, time to move on". But then there's the "it's not just a game. There's social relations going on and they hurt" (Interview 4, Christie)

Here she refers to an incident where she left a guild and people were very upset with her and she had justified her actions by saying "it's just a game". She also described to me experiences where, while playing with her partner he has become very angry with her for not playing well enough and yelled at her, which has been difficult. She and he also experienced difficulties with the guild they both belonged to – the small cohesive guild, made up of the group of Danish friends and themselves. They had played together for so long that at one point she and he went to Denmark for a week to meet the group and spend time with them.

The relationship between her partner and one of the other members of the guild soured some time later. She says she felt the amount of time she and her partner spent talking about the politics of the group and the game was huge. It had become very important to them and occupied much of their emotional lives for some time. She concluded that the effect of the game on her emotional life was very much more than "just a game". She contrasts it to a single player game:

Christie: But with a single player game you shut off. You mightn't stop thinking about it, you might be wanting to play, but you don't have all that extra… like when I look at all the conversations I've had, in real life, in tangible space, about *EverQuest*, it's ridiculous how the politics, … you know when we've had our turmoils going on, on how much that affected our everyday conversation. Whereas with a single player game, I can put it down and walk away. It might bug me, but I'm not going to talk to you about it for days. (Interview 4, Christie)

While the game environment provides the parameters for action, and the design features constrain and enable particular forms of behaviour, it should be clear that in each game session a player embarks upon, they are creating the action, to some extent, themselves. They play within the constraints of the game rules and code – which obviously shapes some of the directions the game goes in. As I discussed earlier, there are disciplinary techniques encoded into the game world that suggest particular values, including social engagement. But there is latitude within the game world to pursue various trajectories and goals. This emergent quality to game-play relies almost entirely on player contributions and the player contributions have social/emotional qualities as much as 'tangible' or material ones. It took me a lot of time and energy to create my own game play within the world of Norrath. After my initial steep learning curve, it took interaction with other players to keep me in the game and entertained. I looked forward to grouping with other players, playing with particular people, having fun, learning things, chatting. It's also clear that players much more hardcore than myself rely on other players as part of their game experience. You can't raid on your own. And for those not interested in raiding it's even more important to have friends and a social life in-game.

Thus, as players we have become producers of content, for ourselves and for the other players around us. This may not be player content as conventionally understood through the concept of modding – player created objects, levels, or skins – but player content as the substance of the game play. It is important and essential to the functioning of the game. In playing, I have become a producer of content for Sony. I produce social interaction for

other people, I generate play, action, dialogue. I generate community. All of these things are important for the health of the game. All these things are part of what keeps people paying their $12.95 per month. They all relate to Sony's profit margins. Who is the producer here? It is not that SOE is not producing content and a service, but that they are not the only ones contributing. Production is collaborative. It's the contributions of people like those that I interviewed – some who have spent 40 hours a week for 4 years, some who've spent considerable time nurturing and organising guilds and the social relations within them – that constitute a significant part of the game. Thus the economics of the game are heavily dependent on the social aspects. These two spheres are inextricably entwined. And the social is very deliberately structured into the code and the disciplinary techniques of the game – the game engine reinforces socialising as the norm.

4.2.7 The grind – some things just aren't fun

When I was discussing with Marilyn the time she married her in-game husband, she told me a long story of how they got to know each other, and how he proposed to her, and then she went into quite some detail about how they were engaged for months and months while they got together all the 'stuff' they needed for the wedding. She wanted him to be wearing a particular suit of blue armour. They had to have particular weapons, and:

Marilyn: I had to have a horse, so I was farming money so that I could have a horse.

Sal: how many hours a day was this taking?

Marilyn: a lot!

[Laughter]

Because 10 k (10 000 Platinum Pieces was how much a horse cost) back then was so hard – at 7 pp a kill

Sal: that was the most you could make on a kill?

Marilyn: yeah. (Interview1, Marilyn)

She also had to have a sword that cost 3000pp, and various other items. When she totted up the cost of all the items, they cost over 30 000 pp and

the most she could make was 7 pp on a single 'kill'. That meant killing over 4000 guards – sitting in the same spot, waiting for them to re-spawn after she had killed them, killing them again, and so on. A task that palls somewhat after the first eighty hours or so.

Of course this kind of 'grind' depends on desires and values that are cultural and derived as much from a more general cultural context as the specific game context. The drive to buy 'stuff', to own things, to accumulate wealth, even when it is only virtual wealth, is trained into people in capitalist consumer economies. Those who design the game, and those who add further design through their game-play, are structuring cultural norms into the game that come from outside the game. Not being a great accumulator myself in the offline world, I was never a very astute player when it came to accumulation in-game. Sometimes this worked to my advantage as I became everyone's favourite charity case – guild members would give me their hand-me-downs when they upgraded. However, overall if you hadn't adopted the general cultural norms such as this one, the game became less playable and less enjoyable. As a player I never wanted *things* enough to set myself the task of farming for an item or for money for 40 hours or whatever it would take. Those kinds of goals held no appeal to me and it lessened my ability to get ahead in the game or to create stronger social ties (I wasn't spending the time it needed to make the lasting ties).

Tradeskills are the other occupation known as 'the grind' in the game. Some items can't be bought, they have to be made. There are a number of different tradeskills a player can develop, but they all require a very tedious process of picking items out of one 'bag' and placing them in the slot of another bag with other items also placed there, and 'combining' them to make something else. Usually this process is long, involved, repetitive and consists of mostly failing to make what you are trying to make, until your skill level increases to the point where you can make it. It can be very expensive to buy the ingredients that you need to combine in your tradeskills container, and you still might fail to make the item you are trying for.

Many players complain about tradeskills. They are time consuming and very boring to build up. At the tradeskills session at the *EverQuest* Fan Faire in Chicago, the complaints and obvious frustration of the players about the tradeskills occupied quite some time. The first question asked: "When are you going to make tradeskills fun?" was greeted with uproarious laughter from the assembled several hundred people.

I have also followed long threads on the mud_dev list[26] about how to balance out a system of tradeskills with some kind of element of fun, or indeed whether such a feature of a game was necessary at all. The word 'skill' in the term tradeskill is somewhat of a misnomer. Tradeskills are an activity that require an investment of time. And every investment of time bears an economic relationship to the publisher.

However, as we can see from Marilyn's description, she was prepared to put in the grind, in order to achieve a particular goal. She has also developed many different tradeskills up to a very high level, as a means of making money. She is now able to make complex items that require several different tradeskills and sell them for large amounts of money. Christie belonged to a guild that aimed to be 'self sufficient' and each member was thus required to be a master at a particular tradeskill so that they could always manufacture the items they wanted, within the guild.

I was curious too, about other aspects of the game that struck me as just not fun at all. In each interview I did, I asked about how they felt about the parts of the game that seemed to be distressing. Paul told me that even though some sessions he played were terrible – the group would get wiped out over and over and lose exp – there was a way in which you bonded with people through living through adversity together. So he felt that the bad times were good for group cohesion and solidarity.

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[26] Mud_dev is a reasonably high traffic email list used by developers of MUD environments and MMOGs to discuss anything from design issues to technical problems and solutions.

Marilyn told me about times she curled up in a ball on her bed and cried for hours after a bad session of play. Christie described sitting in front of her computer crying and cursing but still playing, to finish the raid she was on, even though she was having a terrible time and was being yelled at by other players. Each player talked of the sense of achievement they had if they stuck it out and achieved their goal despite the obvious distress it caused them in the process. Of course it must be the case that some players won't put themselves through that level of intensity or emotional pain. They either quit or don't play at that pitch. But it is interesting to see how the 'game' is not always fun – it can be boring or painful – but this doesn't necessarily deter players from playing. It's easy to draw a parallel here with some sports, which can be physically or emotionally punishing, and which require some pretty boring training routines to achieve.

4.3 Conclusion

From the description provided thus far it should be apparent that playing *EverQuest* is an activity that is complex, requiring literacy skills for the interface and generating many intricate social networks. These networks cross the boundaries of the game in different ways – people playing with existing friends and family, or making relationships with new people, most often people who live in geographically distant places. It is apparent that while the game, with its rules and affordances, suggests particular values, players adopt many different strategies and use the game for many different purposes. Long hours are spent in pursuit of goals which resonate with broader cultural values. Time is invested by players to an astonishing degree. It's important to understand however, that this does not imply time spent away from people – it is most often social time – and also that it appears that many people play with their friends or family in the same room, or use the game to meet up with existing friends and family who don't live nearby. Thus it may disrupt some offline social lives, but it may not, and we should be slow to draw conclusions about whether it has detrimental or positive social outcomes. It is more appropriate to notice that the networks cross the game boundaries. In the next chapter I want to engage with issues

of governance and regulation in the game, and look at the relationship between SOE and the players. It's important to understand not only that social communities are established and important in a game like this, but also to look at how the community is then 'managed' and regulated.

5 Continue Session

By now I have begun to convey to the reader some of the complexity of the game world in this MMOG. There is the game engine and interface – design features made by the developers, constraints imposed by the game rules and affordances offered by tools of the interface. There are extensive social networks that map across the boundaries of the game world and into the offline world in a variety of ways. There are wide ranges of styles of play, types of groups and types of guilds. People play in many different ways and for very different reasons. There are huge numbers of player-created resources available to assist in playing. There are bulletin boards and guild websites by the thousand. How is it all managed, given that there are so many types of players engaging in it for so many different reasons? Is Sony Online Entertainment (SOE) the sole source of power, control, and regulation? It should be clear by now that this game is no puzzle toy. It is a series of communities that interact in complex ways. They combine play, sport, emotions, relationships, and organisation in ways that are limited by the affordances of the world at the same time as they are enabled by them and in ways that mean the communities exceed the boundaries of the 'game world'. These characteristics have a quality of emergence. As Christie (Interview 4) says, it's a game and it's more than a game. It's a system in which power relations occur on different levels, with struggles and negotiations played out using different tactics and strategies. Governance is sought by the publisher through particular mechanisms in the game, but these are under constant threat of being undermined and resisted, as each player negotiates their own particular relationship to the game.

5.1 Community relations

With any community of this size there will be both conflict and ways of resolving conflict. There will be expectations about behaviour that vary from player to player and which require negotiation. Governance is achieved in a number of ways. One of the things that makes these processes more

complex and more interesting is the economic and legal relationship each player has with Sony which overlays ordinary community norms and how they are negotiated. This is an area where the proprietary nature of the community space differentiates it from public space, and from private non-commercial space. This is background to some, but serves to set up expectations in others about the handling of in-game regulation, and intrudes on others in unwanted or unforseen ways.

It is almost as if within the world of Norrath, Sony plays the role of the state, and the players are the citizens. Foucault identified the ways in which the state assumed the role of both 'shepherd' charged with pastoral care of the 'flock', and 'police' (in a very broad understanding of the term) charged with control of citizens. He referred to '… the tricky adjustment between political power wielded over legal subjects and pastoral power wielded over the lives of individuals' (Foucault 1988:67). He examined the art of governing with reference to these roles – identifying ways in which knowledge (often gained through surveillance of the population) is necessary to the exercise of power. We can see parallels with the ways in which Sony exercises its power and its pastoral care for its 'citizens' through techniques which rely to a certain extent on surveillance of their player populations to gain knowledge of them, and the targeting of particular areas for intervention. This kind of exercise of power is aimed at developing an economy of practice (the creation of ever more efficient ways of handling player populations and their chaotic, disruptive practices), at harnessing the productive aspects of player activities into the business (economy in the sense of the economic), and at producing more compliant and useful players. It is an exercise of power that is productive.

However there are some serious flaws in conceiving the game world as a state, as the constant leakage of the non-game world into it and vice versa, makes the boundaries of the 'state' very unclear, and the duties of its citizens and the limits of the state's power equally ambiguous. These are issues that relate to communities existing within a proprietary space, where the bottom line is as much a priority as the health of the communities and

their members. The relationship between SOE and a player is contractual and financial. Understanding power in this environment requires understanding how the micro-level negotiations intersect with the layers of governance and mechanisms of control that are derived from the game code, the publisher's customer service team, and the legal mechanisms of the non-game world such as the EULA.

5.1.1 Guides, petitions, and vigilantism

When things go wrong in the game, players have the option of 'petitioning'. By typing /petition, they can log a complaint against another player or a request for help if they have had some technical glitch (which for instance might have left them dead and with their corpse in some irretrievable place through a bug in the game code). The petition function is a means of asking for help from the Customer Service team that is responsible for community relations within the game. There is a hierarchy of people that any petition works its way through. At the initial response level is the volunteer guide.

Players can volunteer to be guides. They have to apply to Sony and go through a vetting process and training sessions. If they are accepted by Sony as a guide they receive a player account free of charge, as well as an account where they play their guide character. Thus they are relieved of the monthly subscription fee in return for their volunteer work. I spoke to two guides at the *EverQuest* Fan Faire in Chicago. Each of them said that they were expected, but not compelled, to do 4 to 6 hours per week of volunteering (this calculates at about 50 cents per hour – if the subscription rate is $12.95 a month). The first guide I spoke to said she had applied because she wanted the free account. The second wanted the free account as well, but was also dedicated to the idea of guiding players through the game and helping them resolve conflicts. She had been a guide for 2 years when I talked to her. I interviewed this woman, Carmel, and she explained how she saw her role:

Carmel: … I kind of work as a filter. And we filter out requests that may or may not require a Sony employee to handle – a GM [*game master*]. Basically we're the

investigators, the information gatherers. We find out what happened, where, who was involved, why did it happen and any other information. We add that to the player petition, so that the GM doesn't have to begin to spend time gathering that information. They make the judgement call. Usually in a typical scenario where someone has lost an item due to some bug in the game, then we can gather all the facts about that particular incident and we tell the GM. And then they can back it up because they have the files of the actual playing, they can confirm, find out, make sure there's no dishonesty going on.

Sal: do you ever do conflict resolution with the players – do you ever try and sort things out when people have petitioned because of other players?

Carmel: yes, yes. We have an extensive procedure that guides us in how to handle that. And we have specific tasks, we have like a checklist that we have to go through, and we have [*technical*] capabilities that we can go in and watch what's going on. We make contact with the players and try to figure out who is, or what's going on, in a non-biased way. Cos just because a guy petitions, doesn't mean he's the innocent party. And so we don't go in knowing who's guilty and who's the problem, and basically find out, and if they can work it out then that's what we support. They [*Sony*] don't want us to be involved in it.

If I have to weigh in then I'm gonna say "ok you go first, then you, then you" and they don't want that. Most of the time it's "I wanna win, and give me the loot".
[Laughter]

And we don't do that, we endorse the "chill out, let's play nice, children" approach and they don't want to hear that. (Interview 2, Carmel)

She later also said :

I feel that, even though I don't work for Sony, I am a representative of Sony. When a customer comes up to me, I represent the game. (Interview 2, Carmel)

The politics of using volunteer labour to do this work is something I will return to in Chapter Six.

Matters of conflict or rule-breaking not resolvable at the guide level are left to the GMs. At the Customer Service session I attended at the *EverQuest* Fan Faire we were told there were a little over 50 GMs employed to cover

the 53 servers that *EverQuest* runs on. Given that each server might have up to 10 thousand players, this is not a very high ratio. Given that the servers run 24 hours a day, seven days a week, and the GMs are only paid for 8 hours a day, 5 days a week, there are obviously going to be some gaps in coverage. There was mention of some extras employed to fill some of these gaps, but there were inevitably areas and times where coverage was not possible with that number of staff. Jessica Mulligan, in her presentation on how to budget for an MMOG at the Austin games conference, recommended a rate of 1 GM per 5000 customers for good service (Mulligan, 2003).

Many of the players I spoke with didn't have a lot of faith in the process of petitioning, or in the ways they perceived Sony handled regulation in the game. For some, they felt that it was unclear which rules Sony would enforce, and they had a perception that a blind eye was turned to things that didn't directly affect the economy of the game. SOE sets out its rules on the *EverQuest* website[27]. Christie said she found their decisions inconsistent. Paul said there was no way that adequate customer service could be done on the budget they had to run the game on – it would require so many more GMs.

Most people had a story of someone they knew who was banned from the game – their account stripped by SOE for breaking the rules. Sometimes this was seen as fair, sometimes not.

Christie: A friend of ours, back in 1999 had a paladin. He died somewhere that was really difficult to get out of, and it was actually a game bug. So a GM – which is the Guide Master – the head guide of all the guides – the guy who's got the most power, on the developers' side, logged on, got his corpse out, and because it was a game bug, gave him an ability to heal with unlimited mana for one day. That was his like his little compensation for the bug.[*This is a substantial advantage over other*

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[27] See Appendix 2 for the full body of rules for playing. This cannot be found in the materials which come with the game when you buy it. You have to search through the website to find it.

players.] But the guide forgot to shut it off. So he had this lovely ability for about 2 months. And they caught him, and they cancelled his account for exploit. Because I guess it wasn't his moral code to contact them and say "I still have this gift you gave me" and he lost his account. And he quit *EverQuest* for almost two years. He was very angry about it. It was basically ridiculous. "You gave me an ability, *you* forgot to take it away from me, and then you ban me for exploitation?? Cos I should have known better?" Because that was basically their attitude. So he now has a cleric, a level 65 cleric. I mean essentially all he did was buy another account. Pay for another game key. … He was angry and just refused to play the game [*for two years*]. For him it was an uncalled for action. "They should have just taken it away from me . And let it be at that. I mean, I exploited the power that was given to me. I didn't hack the code and give my character special abilities." But that's the only case I know of, of banning. I've heard of people being banned for short periods of time – for bad language and harassment. (Interview 4, Christie)

Defining what an 'exploit' is in the game seems to be one of the main areas lacking clarity in the regulation process. Paul also felt that he had been unfairly 'warned'. If a player is warned they have a marker placed on their account – a way for SOE to keep track of repeat offenders. Too many warnings and your account may be cancelled. Paul felt another player had unfairly petitioned about him – he felt very much that the other player was a griefer, had created an enormous amount of trouble for him and his group, and when he had responded after several hours of harassment with a comment like "do that again and you're going to regret it", the player petitioned him and a warning was put on his account.

He also knew a player who was banned outright for 'duping' .

Paul: there was a druid in my guild who discovered a dupe bug.

Sal: A dupe bug?

Paul: a dupe bug is a thing that allows you to make multiple copies of the same object. This guy … he sees nothing wrong with the dupe bug and he had fun with it… he duped something, I don't know, maybe it was the 'sceptre of destruction' or something like that. At the time it was going for several hundred thousand platinum [*a LOT of money*]

[laughter]

Paul: So he sat there and he duped it about 8 times, and the GMs caught him. Course he should have been apologetic, but he didn't say any of the right things to avoid being banned. He's totally a smartass, and he got banned for it, that character got banned. He was back the next week as a wizard.

What I found interesting about that whole situation and really one of the ways that it kind of informed me about, or brought home again what was important to them [*SOE*], was that they don't care about the players, what they care about is the integrity of their game as a money making machine. You know, you can do all kinds of things to other players but as long as it doesn't threaten the integrity of the game they're likely to let it go. (Interview 5, Paul)

SOE are perceived to be inconsistent by these players, as well as more interested in money than player happiness. It is interesting to note that banning doesn't stop people playing – they often just buy new accounts in online auction houses. There are several issues here. Firstly, that SOE is seen to be unaccountable for their decisions and actions. When they are perceived to be making unfair decisions which affect peoples' ability to play or their reputation, there is no system of appeal. Secondly, rather than submitting to this attempt at total control, players circumvent it rather matter-of-factly by (illegally) buying another character in an online auction house. Thus while SOE attempt through their EULA and terms of service agreement to take control of the in-game policing and enforcement of particular values, many players seem to just shrug and work their way around these measures. It seems to indicate on one level that some players at least, accede to the terms of the EULA because they have to in order to play, but they don't agree with them or intend to pay attention to them.

What emerges as an alternative to the SOE 'justice' system is players who create their own solutions to problems within the game. Although they are limited in what they can do technically to address another player's perceived bad behaviour there are numerous ways – mostly social – of censoring other players or making their life hard in the game.

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Social reputation and the ability to group with other people is key to success within the game. Thus if your reputation as a bad player or griefer is advertised loudly and widely it will affect to some extent how you can engage with the game. Public shaming for bad (as in unfair) play is quite a common tactic. I have seen many messages shouted throughout a zone 'So and so is a loot stealer' or whatever.

Christie told me a story of when her 12 year old daughter was verbally abused in the game by a particular player. Christie's boyfriend took matters into his own hands. To understand this next story the reader needs to know that when a monk is being attacked by a mob, he can 'play dead' and the mob is fooled and stops attacking him, turning its attention to the nearest other player and attacking them instead.

Christie: … instead of petitioning he followed the guy around for a week, and got him killed continuously. Every zone, he would train a mob to him, play dead, and they would kill that guy instead. To the point that he made his game time terrible. 'So if you want to make my time terrible I'll make your time terrible'. Now, he's got a lot of time to do this, but that's, instead of petitioning, that's what a lot of the people that I associate with, would prefer to deal with it on that basis than on a petition basis. And the petitions never really work out either. I don't know how they base things, what they base things on. (Interview 4, Christie)

Subtler forms of regulation that relate to social norms are also a part of the game, as they are of any community. Players police each others' behaviour. For instance particular types of masculinity are the norm, and performing different types of masculinity is a risky business. I was policed into different forms of masculinity than the ones I was performing through both subtle and not so subtle commentary on my attitudes and behaviour. From my journal of playing my male ranger character comes the following excerpt. I was approached by another player who tried to recruit me to be a spy, join a rival guild and send information back to him. He was explicit in stating that it was time for a war.

I had a funny reaction to all this. I have been quite enjoying building Sudayen [*my ranger*] as a cheerful and friendly peace-loving character. I am still learning how to

do 'boy' and I don't do it too well – I'm way too nice and my sentences too long to be this game's version of boy, really. Anyway, the thought of turning into a spy and war-maker was not part of my plan at all. But then I thought, well, what the hell – you have to engage with people to understand what's going on. So I agreed. This was after I asked him why I should do this and he asked me if I was a wuss and a pansy. I said laughingly 'oh yes, call me a pansy anyday'. He reacted very ferociously saying I had better be joking. So I backed off and went a bit obsequious for a minute or two to calm his homophobia down. (Field Journal entry, 3/7/2002)

At other times I have been called 'gay' as an insult to pull me into line when I have not been behaving in a properly masculine manner for whoever I was with at the time. I have been slapped down for patting one guy on the head when he was in wolf form (he only lets the ladies touch him). This is not an everyday occurrence, but it happened often enough for me to notice and realise there was something difficult about the persona I was presenting for other players. People police each other in these ways constantly, in this and any other community. Because *EverQuest* consists of many communities, it is possible to find a whole variety of norms being played out, depending on which group you are with. It's entirely possible that there are groups where my version of masculinity would go uncommented on. My point is more that we police people through social means into conforming to social norms, whatever they are.

The distinction between community norms, game rules, and enterprise or legal rules is not always clear. Who has the right to police them, and how they are policed is also sometimes ambiguous or inconsistent. The effects of community policing of norms are something we deal with in most contexts. The game rules may be likened to a body of law we are obliged to abide by. But this body of law is seen to be ambiguous, and inconsistently policed. The enforcement institution is not accountable to its constituents. Its source of legitimation for its right to do this – to impose a body of rules – is the 'real' law of the non-game world. The real world law used is contract and intellectual property law, that has little to do with the welfare and care of a community of people. I am not suggesting here that SOE is always in

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conflict with players, or that the interests of the players are not served, at least to some extent, by having SOE regulate and manage community conflict and cheating. The interests of the players and the company often coincide– the company wants the community to be healthy and happy and functional. That's what keeps players coming back. However it also seems that having such all-encompassing powers, and players having no recourse to an appeals system, can do damage. Banning the account of a griefer who is making life hell in the game for other players is probably a good thing. Banning someone who has been misjudged, or who misunderstood the terms under which they were playing, takes away their community, denies them access to their friends and relationships, and to the character they may have spent years of time and emotional investment building.

In summary, we can divide the kinds of contacts between developers and players into a number of types. There are interactions which revolve around regulation of in-game behaviour. As I have described, these can be initiated by players complaining about other players or by developers monitoring player actions. Players seem to have varying degrees of faith in the process of petitioning, but at least a proportion of players do use this as a means of accessing regulation. The developer assumes a position of authority here and acts as the policing regulator of the game culture. But as was also shown, many players circumvent this system, deploying their own solutions to behavioural management.

The developers also monitor player behaviour through technological means using pattern recognition data mining to pick up anomalies such as players duping items (as described by Paul). They initiate contact with players to police their behaviour, to warn them, or ban them. This community regulation is not something we see in other media assemblages. Publishers and authors of more conventional texts are not involved in policing the style of 'consumption' their audiences indulge in. The closest thing would be attempts to control distribution and reproduction of texts through copyright law. But this is some distance from what could be seen as the political project of intervening in player relationships, behaviour, and community

politics. I'm not suggesting it is unnecessary intervention – the maintenance of a healthy community requires some means of dealing with destructive or disruptive behaviours. But it is not a role we see other media producers in. Some media are subject to content regulation ratings systems, but these systems are geared toward policing content, not content users.

5.1.2 Cheating

Code rules implemented through the game engine regulate the behaviour of players to some extent. Some things just are not possible because of the coding of the game. The actions your avatar can perform are from a limited set coded into the engine. The kinds of spells or armour you can wear and the benefits you can derive from them are preset. The kinds of exchanges you can make and the venues you can make them in are limited. Game rules are a regulatory layer which both enables and constrains player actions and work towards a particular set of values being enacted in the game. For instance the rule that you can't attack another player, except under particular and limited circumstances, leads to collaborative rather than adversarial relations between players as the norm.

But in most games there are a portion of players who will cheat through hacking the code. The consequences of hacking the code can be minimal, but they can also be widespread. If, for example, a hack allows a player to duplicate an item, they can flood the market and unbalance the game economy. Not only do they gain unfair advantage for themselves, but the game community as a whole can be destroyed by a dysfunctional economy. The solutions to these hacks are never optimal from the developers' point of view, and always involve compromising game values or economic values. They are seen to be limited solutions that will only partially address the problem or only for a short amount of time.

One of the most interesting and strangely entertaining sessions I attended at the Austin game developers' conference was on cheating. The thing that struck me about this session was the complexity of the problem and the

lengths some players go to, to hack the code and cheat. Dave Weinstein of Redstorm Entertainment delivered the session, describing hack after hack and discussing possible countermoves, with the pros and cons of each solution pronounced only partially effective. There was a sense of trying to hold back the flood, but without much hope of 'winning'. I was reminded of the comments of Celia Pearce (2002), about the intimate knowledge developers have of their players. Engaging with cheaters builds up quite a storehouse of understanding about a particular type of player. There is dialogue and interplay between developers and players, and it's not all just about feature sets and fixing bugs. There is also this competitive hack/counter hack interplay.

It's a race to create impervious game software, to hack it, and to counter the hacks once they are made. Hackers go to extraordinary lengths to circumvent security measures, and the developers have to go to equally complex lengths to detect how the hack works and then devise a 'block' for it that won't cost too much. Cost is seen in terms of either bandwidth or game play or the technical smoothness of the way the game runs as well as the economic cost of paying programmers to spend time on it. There was a sense of both frustration and admiration in the cheating session. Obviously it would be very frustrating to have to deal with the constant attack upon, and compromise of, the system you had built, but as programmers, the developers also displayed a sense of amazement at some of the tricks the hackers had come up with. When describing the hacks, there was a certain cheerfulness in showing what the players had done – for instance changing enemy textures to day-glo values to make targets instantly visible – everyone in the session laughed. It was funny and clever, even though it needed to be countered. There was almost a pride in presenting the clever things players have worked out in order to cheat.

In this strategy game of hack and counter hack it seems the players always win in the end. Hackers are a subset of players of course, but it is a subset that is from the 'hardcore', which is the main source of the developers' profit. Jessica Mulligan, in a different session of the same conference, talked about

how the hardcore gamers are the key source of income for the MMOG –
particularly because MMOGs are so demanding of the time of players. Most
MMOG players would fall into the category of hardcore. Other games attract
the more casual players:

> I don't think we'll ever have a massively multiplayer game that's truly
> mass market, or at least not for a long while, because we're still
> figuring out how to make that market pay. You've got this pyramid.
> Here at the bottom is 70% - the 'mass' market. And then you've got
> these moderate casual players who're like maybe 20% of the market,
> and then you've got these guys with great big freakin wallets who I
> love love, love, called the hard core. Historically they have provided
> well over 80% of the income in this industry and continue to do so.
> (Mulligan, 2003)

Thus the 10% hardcore provide most of the profits and most of the grief for
the developer. The final slide in the cheating presentation makes interesting
reading:

> For almost every countermeasure, there have been drawbacks
> indicated. Stopping cheating is an ongoing war, there isn't an
> automatic "winning" set of techniques that can be used. We are
> spending costly engineering staff time to fight against an army of
> hobbyists, and we can only do so so long as it is economically viable.
> For MMOs, the line is clear; rampant cheating will destroy an MMO
> community, and the MMO has a clear revenue stream to maintain a
> live team. For boxed games, the line is harder to find; where does the
> cost of developing continual anti-cheating updates get higher than the
> loss of sales due to cheating? But in every case, while we can stack
> various countermeasure techniques together to make the game more
> difficult to cheat, if the game is successful enough, the law of
> sufficiently large numbers says that cheats will proliferate. Only
> games which fail in the marketplace can escape them. Which, when
> you think about it, makes having to deal with cheating not quite so
> bad a problem. (Weinstein, 2003)

It's a war, and it's about winning or not winning. The consequences of
cheating are linked to economic revenue, which is tied to a robust
community in an MMO. Cheating destroys the community, therefore it is
worth the time and money to stop the cheating. This is less so for boxed
games where revenue stops after sale. But only good games are worth
cheating on, so if they're hacking your game you've done something right.
This highlights the contradictory tensions embodied in the relationship
between the developers and players at this level.

There are two negotiations of ambiguity going on in these interactions. The first is that the developers are players and it is an awkward negotiation for them to draw a line between themselves as players and themselves as 'enemy' of the players (or at least as the people who have to police players). Cheating has become a competition between the developer and the hardcore player – both of whom we could class as passionate gamers and programmers. The second is that of the ambiguity surrounding production and control, which we could perhaps cast as a struggle over authorship. Developers want to make their games successful and they acknowledge that you have to cede control, to some extent, to players in order to hook them in – especially to an MMOG. They also know the most successful games leverage player content. They have little problem exploiting that. But players are also what cause them the most grief. The developers seem to both love and hate the players. Players are like the necessary evil that destroys their perfectly formed idea. The game would be perfect if it wasn't played, and the players didn't produce a whole lot of outcomes that distort or destroy the original idea. But a game is only a game if it is played. Players are a burden at the same time as being the whole point, and a key source of profit. Ceding authorship, ceding control, is both painful and profitable.

5.2 Economics

The game economy is crucial to the ongoing health of the game – particularly because it is structured around concepts of accumulation and wealth through acquisition. In-depth economic analysis has been done on game economy by Castronova (2001, 2003) which I will explore in Chapter Six. I have seen very long threads on the mud_dev email list discussing how to tweak the game engine and rules in order to maintain a healthy economy in a game. Many long discussions take place over why a game economy crashes (which can effectively wreck a game). Just as the in-game social networks are complex, multi-layered, contextual and historic, leaking beyond the boundary of the game, so too are the economics.

Items are introduced into the game by the developer. They are either available from NPC traders, or are dropped as loot from specific mobs. Items in *EverQuest* do not decay or suffer damage through use. Thus rare items are eventually destined to become common, and lose their market value. There is a constant need for the developer to introduce new 'rare' items into the economy for players to hanker after and strive to acquire. The exchange of items is orchestrated through four basic mechanisms. Players can give each other items for free or in a barter exchange, players can sell each other items, players can buy and sell items from NPC traders, or players can buy and sell in the auction houses on the internet.

5.2.1 Gifting

A feature of games communities often commented on is the gift economy, or gifting. Certainly my own experience in the game was that I got ahead through the assistance of other players. As a young paladin newbie, at a point where I had been playing for months and had never accumulated more than 3 platinum pieces (I was a bit remedial about making money in the game – as in life), a player I grouped with gave me 200pp. I was beside myself! Suddenly I had enough money to buy a better sword! Maybe a few pieces of armour! Extraordinary! I had been to websites and knew that some pieces of armour or weapons sold for several hundred thousand pp. Obviously to some, 200 pp was nothing. But to me it was a fortune. This was not an isolated incident. Over time I have received many gifts – of money, weapons and armour. Mostly these have come from other guild members, but not exclusively. As I have hit the middle levels of the game, I have had some fun helping out the newbies myself. Sometimes this involves going to a newbie zone and buffing them with spells.

My latest character, a druid, has the ability to teleport herself and other characters to various locations within the world of Norrath. I make money by 'porting for donations'. I sit in a much frequented zone (the Plane of Knowledge) and advertise my taxi service. I will take another player to a location and they will donate pp to me. Sometimes they don't, and that's ok

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– it's part of the deal. The current standard rate is between 20 and 50pp. So I can make a few hundred pp in a session if I pick up enough fares. I give free buffs to people that I port, or when I am between ports and waiting for the next 'fare' to turn up. Other players also buff me.

5.2.2 Player to player trading

There are a number of ways players can trade with each other using game money. The older mechanism is the Auction channel. This is a specific chat channel where players can advertise what they want to sell or buy. This mechanism has mostly been replaced through the introduction of the Bazaar. This is a zone enabled specifically for trading. Prior to its introduction players tended to create their own marketplaces in a specific zone – the East Commons tunnel on most servers. In the East Commons marketplaces there was much shouting and buying and selling and haggling over prices. Finding the item you wanted could be a slow process.

SOE eventually introduced the bazaar, with functions that enable players to look for specific items rather than having to watch the lists of items for sale scroll by them, hoping to see the item they wanted. Now they can comparison shop! For instance, if I decide I want a new piece of armour – say, for my arms – I can go to the bazaar and open a window which allows me to search through all the armour for druids made for the arm slot. I might also specify that I want the armour to have a wisdom stat (wisdom is the statistic that druids need to enhance their spell casting abilities) and to be below a particular price. The interface will then list all items available for the given parameters, and give me directions on where the trader is that will sell me my choice. Players who set up traders can leave them to operate unattended – so they can set up a trader and leave it in the bazaar while they do other things, rather than have to wait around for customers to turn up. The transactions are automated. There can be no haggling for price in this market. You advertise at a price and the game engine does the rest.

There is a very robust marketplace for items in the game, and there are many players dedicated to buying and selling. Some will 'farm' for items or money for long periods of time, as Marilyn did for her wedding goods, to sell them and make money for other items. Pricing of items being sold in the 'bazaar' fluctuates depending on availability and popularity.

5.2.3 Player to NPC trading

Buying and selling from NPC traders is reasonably straightforward. These are the most predictable transactions in the marketplace. Generally speaking the NPC traders buy low and sell high. This generates the player to player market, which is less stable, but more economical for most players. Selling goods to an NPC doesn't garner much profit for a player. But the NPC trader will buy your item off you for a pittance and then sell it for a vastly inflated price. Selling your item to another player at a higher price than you could get from the NPC is possible because your price will still beat the price that the other player would have to pay to get the item from the NPC.

There are intricacies involved in trading with NPCs – certain races will not trade with other races, so there may be towns or zones where it is impossible for your character to trade any item, or buy food and drink. The price you are offered by NPCs varies as well, depending on your charisma statistic. The higher your charisma the higher the price you will get for items and the lower the price for buying.

The NPC traders are mechanisms for removing items from the game economy. If the item sold to an NPC is rare, it may be left in their inventory for another player to buy. However if there is a glut it is within the power of the developer team to remove the items as they are sold to traders. This is one way of dealing with the 'no deterioration or decay' characteristic of items.

5.3 The secondary economy

There is a market for in-game items thriving on the internet, outside the game. This is perhaps one of the most interesting features of the game economy. The internet auctions are 'illegal' – they are in direct contravention of the EULA. However this has not prevented a thriving market in trading. People auction in-game items for real money at e-Bay like sites (internet auction houses), and meet buyers in-game to transfer items they have paid for with real money over the internet. This attribution of real world monetary value to in-game virtual items complicates the idea of both value and property, and brings various issues of value and labour into the picture as well. Not only do these transactions challenge the 'magic circle' boundary of the game world (Huizinga, 1955), but they make it difficult to delineate the boundary between work and leisure. People are 'playing' in the game, accumulating game-wealth, and selling the product of their in-game playing. Many regard those in-game items as being the product of long hours of labour – even though they did not write the code that created the item. Different theories of value – those of property and of labour – clash here. The sale of items for real money also implicates the law. As long as the virtual world maintains a hard boundary between its in-game economy and the economies of the non-game world, income and property law at least, has no interest in it. Once real exchange value is introduced the law could become interested at a number of levels – taxation, fraud, theft, money laundering, and so on. Hunter and Lastowka (2003) also identify this as a looming problem of jurisdiction.

It becomes even more complicated when we consider that people sell their avatars – their characters – in online auction houses too. People can get hundreds of US dollars for a well equipped and high level character. SOE specifically disallows the selling of accounts in its EULA[28]. Many of the character auctions have disclaimers such as:

> Legal Disclaimer: Buyers please note that I have no actual ownership of any of these items and some references may be registered

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[28] See Appendix 1 for the EULA.

trademarks of Sony Online Entertainment. You are merely paying for the time and work invested.. .. By bidding/viewing my auctions, you are acknowledging that you are not an employee or affiliated with Sony Online Entertainment, Verant Interactive, Sony Computer Entertainment America Inc., any government agency, Anti-piracy group or any of their affiliates to whom this auction is not available to, nor will you relay any of this information to them. Knowingly doing so violates code 431.322.12 of the Internet Privacy Act signed by President Bill Clinton in 1995 and may require legal action. You are stating that you are 18 years of age or older by bidding on this auction. Thanks to whoever wrote that for me to use. (http://www.playerauctions.com/listings/details/index.cfm?itemnum=1 083721048, accessed 10/5/2004)

Whether such a disclaimer holds weight is another question – the final sentence is almost touching in its hopefulness.

Many players dislike the so called 'e-Bayers'[29] (players who bought their high level characters from an auction site) they come across in the game. If my description of the game has given a sense of its complexity, then it should be clear that a player who buys a high level account, never having played the game before, will blunder around terribly. This means they usually manage to kill all the players around them through their mistakes, and engender a great deal of hostility in the process. There are stories of people who are experienced players buying high level accounts because they don't want to spend the time building a new one, or, as Paul and Christie spoke of, players who were banned at high level and bought another account in order to keep playing. These players tend to know how to drive a high level character and are less toxic to the others around them.

What this online economy in the trade of avatars does partly is to destroy the careful system of the game which institutes governmentality through surveillance of players. Each player is monitored by the game engine and proceeds through the levels only on the basis of acquisition of the skills

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[29] e-Bay has, after requests from Sony, banned the sale of *EverQuest* characters and equipment on e-Bay. But there are many other online auction houses where it is possible to transact such business. For instance http://www.playerauctions.com/.

required. This heirarchising and differentiating between players – this technique of discipline in Foucault's terms (1977), designed to train and monitor players and extract the maximum commitment of time from them – is undermined by the selling of avatars. If a player buys a high level avatar, they undermine the techniques of discipline by skipping all the hours and skill building normally required for the attainment of high levels. They also fail to put in all the time and labour that makes the money for the publisher in the process of attaining those skills. It may be months of subscription fees skipped, and money going to another player for those months of labour, rather than going to SOE for the licence to play for those months.

Thus the in-game system is undermined, as is the broader system of economics and production. We see strategies being employed by the subjects of power (players) which resist its exercise. We also then see counter-strategies from the publisher, who moves to close down these tactics through a juridical approach (employing IP and contract law), through use of a type of sovereign power (exerting the power to ban player accounts – an online death of sorts, although one which is also circumvented by some players), and through collaborating with other corporate institutions like eBay to ban such auctions in the auction sites. However this struggle for power is never completely subdued, and players find ways to continue the practice despite the attempts of SOE to close it down. Much as Dave Weinstein observed in his assessment of the struggle against cheats who hack the code, complete control is not possible and circumvention or resistance to the exercise of power will always take place.

Thus ownership becomes a complex area in this medium. There are differing understandings of exactly what it is that can be owned and by whom. It's just a game, and the items in it are all virtual and 'unreal', but they come to acquire value in the 'real' world, where they are exchanged for hundreds of dollars, and in-game money is sold for US dollars. This burgeoning economy is no longer separate from real world economics. The trade being done in in-game items through auction houses – the secondary markets – was estimated to be worth US$880 million at the 2004 State of

Play conference at the New York University Law School. This claim was made by the president of the company IGE (Steve Salyer) that runs the largest online trading house in MMOG goods. Unlike some auction houses, which act as a 'dating service' in that they put buyers in touch with sellers, but play no part in the transaction itself, IGE actually speculates on the market. It buys goods from games and sells them. In his delivery to the State of Play 2 conference, Salyer said that the company had millions of dollars worth of inventory in stock (Salyer, 2004).

This company also has an arm of operations in Hong Kong. When I talked to the CEO, Brock Pierce, at the first State of Play conference in 2003 (also at the NYU Law School), he told me how he employed 15 people in Hong Kong who 'power level' accounts for a fee. Thus a player buys an account and hands it over to this service. The paid workers rapidly level the character up to the requested level through 'power playing' in the space of a week or so, and then hand the account back to the person who bought it. We can see how the line between work and play is severely challenged here – people really are being paid a wage to play. Other practices spoken of at the State of Play 2 conference, but unconfirmed with hard evidence included sweat shops in Mexico where workers were paid low wages to level up characters or to farm items to sell in the secondary markets.

> While players in wealthier countries casually drop hundreds of dollars to buy their way into better positions in the games -- or out of tedious parts of the games -- some workers in poorer countries are playing around the clock to produce virtual goods that earn them real money. These "currency farmers" sell their virtual goods to companies that, in turn, offer them to players who can afford to pay.
> For example, entrepreneur Valery Markarov said he pays workers in Russia a base salary of about $100 per week to earn in-game money, which Markarov then sells to Internet Gaming Entertainment, or IGE, the major seller of virtual goods. Workers get paid more as they're more productive, though, and could make up to $500 a week, he said. (Weir, 2004)

Also referred to at the conference were the exploit farmers, who find a dupe bug or an exploit (such as finding an NPC merchant who buys back for more that he sells), and immediately set up automatic scripts that perform the

action over and over. They do this on 30 computers at a time, and reportedly make vast sums of money from it.

These secondary market venues and practices all seem to contravene the EULA of *EverQuest* but obviously efforts to police the conditions of that contract are inadequate. In Korea the secondary market in MMOG goods and services is thought to be at least as big as the primary market. An article in *Newsweek* claims:

> There are now more than 200 companies working the field, with total yearly revenue officially estimated at between $83 million and $415 million. The largest, ItemBay, has 1.5 million customers and as much as $17 million in monthly revenues. (Russell, 2004)

The issues of both property and labour, work and play that these stories raise will be dealt with in chapters Six and Seven.

5.4 Harnessing player feedback

Developers rely on their player communities to give them feedback and suggestions and ideas for the next expansion of the game. Leveraging player content and ideas is key to any ongoing game development, whether it is a game which encourages mod communities that develop material extensions to the game (*EverQuest* does not do this), or whether the content is intangible or at the level of suggestions and ideas.

Developers cultivate communities of players and use feedback from them to implement changes and new features in the game. Because the MMOG is an ongoing production, there are opportunities to constantly update and change the 'feature set' of the game, adding in new items – pieces of armour, spells, classes of character, zones – and tweaking the balances in the game play. Much of this is done based on player feedback. So although *EverQuest* doesn't have player created content in the form of player developed levels and items, the ongoing relationship between the players and the developers is still crucial for the development of the game.

It struck me at the *EverQuest* Fan Faire in Chicago that there was a distinct difference in the sessions run by customer service and those run by the live development team (responsible for this development of further features and game balance tweaking). In the customer service session, we encountered the team that manages the community relations in-game. There were three customer service people from *EverQuest* there – the head of CS, a GM and the woman who coordinates the guide program – and a hundred or so players. The tone was reasonably light, with the CS people bantering and fielding questions from players with some humour and a stab at graciousness. But there was a way in which the dialogue was very different from that in the development team session. My thoughts at the time were:

They give constant reminders that they are in control and they have the power, they are the police in that world. It's a kind of paternalistic role in some ways. I feel the same response to the head CS man, hearing him talk, as I do to the immigration officers at the US airports I have been travelling through lately. They can be very nice, they can smile, they can joke with you, that's great, but they are very sure to make you aware that they have the power to deny you access to the country and that if you cross the line they'll slap you down. (Field Journal entry, 27/9/2003)

The customer service session was characterised by a discourse of paternalistic authoritarianism. The development team on the other hand, were trying to garner suggestions for future development, to gather ideas for new features, feedback on various balance issues in the game-play and so on. There was no sense of paternalism, no sense of being in the presence of an authority figure so watch your step. Whereas in the Customer Service session the mode was more one of question from the audience and definitive answer from the CS people, in the developer session the mode was one of a dialogue of peers. I was very struck in this session by the level of expertise in the room. It was quite extraordinary the depth of knowledge the players had about the game – sometimes they knew more than the developer team about particular features in the game and their effects. Many players after all, spend more time playing than the developers do. The developers were very keen to tap into their expertise. There were a number of them sitting on the panel taking notes.

SOE has also started to consult with players in a new fashion. Recently members of some of the top guilds were flown at SOE's expense to San Diego for a round table discussion on future directions for the game. This is an interesting move, indicating a further acknowledgement of the expertise of the players and also perhaps a more dedicated attempt to allow players into the design process.

Outside of the environment of the Fan Faire – which was good to observe but only happens a few times a year – there are bulletin boards on Sony's *EverQuest* website where players can post comments about the game. The responses from Sony are minimal but appear often enough to inspire hope that suggestions and complaints might be listened to. There appears to be one board on which Sony responds to posts made on various other boards. Other than that, it is mostly players responding to each other. However, it is a rich source of feedback for the development team, as very opinionated players post on features of the game, the quality of the customer service and game. It is clear from some of the Sony postings and strategies towards the boards, that the boards are not easy to manage, and as a community venue they can be problematic (players tend to mostly post negative things – when they are happy they are playing the game, when something goes wrong they post to the boards)[30]. However it is also clear that contact needs to be maintained between the developer and the players. Sony could just as easily shut these boards down. But there is a *necessity* to maintain the channels of communication with the players and to maintain the player base through the provision of a service that is responsive, at least to some extent, to player needs and demands. Disgruntled players may leave and cancel their subscriptions and take their friends with them.

The message boards tend to indicate too, that at least some of the players are as technically savvy as the developers. The advice that flows from

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[30] See Appendix 4 for an explanation from Sony as to why they closed the bulletin boards for a period of time and how they view the function of those boards.

players to developers about technical bugs, bears out the observation from the Fan Faire that sometimes the players know more about the game than the developers themselves. The dialogue, public and often competitive, seems very different to that associated with other media. Many players are actively aware of the role of SOE as service provider and take them to task for what they see as poor service provision. Thus it is easy enough to find in a quick perusal of some of SOE's own bulletin boards[31], complaints about there not being enough GMs, and guides not doing their jobs, and about there being too many patches after the introduction of new features into the game that didn't work properly. Complaints about this in one thread were centred on the idea that SOE had not tested the product well enough before introducing it to the game, and that players were being used to do the testing for them. The following exchange from the 'veterans board' at SOE's *EverQuest* website is illustrative:

> I want to start off by saying that Everquest is the most phenomenal online game that I have ever played. I truly appreciate how SOE has continually been producing new good content. It shows me that they care about expanding the game and making it better for all. I also appreciate SOE upgrading the graphics engine to make the performance better for all.
>
> However, as a paying customer, I do not appreciate the problems I have been experiencing in Everquest lately. I want SOE to recognize that we are paying customers and not Beta testers for Everquest. I feel that the new graphics engine was pushed out to [sic] early and paying customers are be [sic] impacted unfairly. Basically, it comes down to SOE having some respect and courtesy to paying customers which I feel they need to work on. With every bad patch my positive opinion of Everquest diminishes a little bit more.

And one reply from another player read in part:

> Yeah, I believe you came in well after Luclin. Nightly patches? No way. Try three or so patches in the same night. Try frame rates in the single digits. Try the CUSTOMERS got together and diagnosed what the problems were after a month and told Sony. I remember a ten+ page thread with people posting their dxdiag files and subjecting certain zones to every analysis they could; even setting up temporary websites to post proofs.
> I wouldn't be surprised to find out they hired the one player that did the most work in figuring it out.

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[31] Located at http: http://www.station.sony.com/en/message_boards.jsp

It's a kind of discourse which assumes a particular relationship with the
developer. It is echoed in many other threads on the bulletin boards. There
is a demand for reasonable service, seen as a right that has been paid for,
and an understanding that the players' power lies in withdrawal of
subscription and business. There is a sense of player expertise and right to
comment on both management and development of the game.

5.5 Issues revisited and raised

In this chapter the complexity of relations between the developer/publisher
and players has been explored. How governance and regulation work, at
various levels of interaction is one of the key areas in need of examination
as we come to understand what distinguishes this medium from other
media. There is a danger in underestimating the importance of these new
relationships, which are shown to be complicated – developers with their
love/hate relationship to players, publishers with their bottom line
imperatives guiding their community management practices, and players
with their multiple motivations for playing and varied ways of interacting with
other players and with the developer/publisher.

Power is negotiated in all these relationships through a variety of
mechanisms and the purpose of this chapter has been to describe some of
the ways I have observed this occurring. The establishment of community
norms through peer regulation, through game engine coding and design,
and through legal apparatuses imply a complex cultural negotiation. The
economics of the game have an impact on how the game works, and the
establishment of secondary markets points to the robust capitalist
underpinnings of the game's parameters. The generation of these
secondary markets also implies the breakdown of any notion of a hard
boundary between game world and 'real' world and the looming involvement
of a number of areas of the law. Chapter Four showed the breakdown of this

barrier in terms of social networks and affective investment into the game that spills over into the offline world.

Given the level of investment of many of the players in this MMOG, and given the above phenomena, it seems appropriate to turn our attention to the ways that people are choosing to enact portions of their lives in proprietary spaces. Publishers claim these spaces as theirs to govern, to enforce rules, to police. And yet the boundaries of the space are shown to be very permeable. Where exactly their power to regulate should end, should find its edge, is unclear. How much the contract, through which this notional edge is laid down, can spread beyond the boundary of the game, and how many rights it can ask the player to waive, is the next key area for debate.

In Chapter Two I made the argument that games and in particular MMOGs are a disruptive medium. They complicate some of the taken for granted aspects of media in a number of ways. At the level of the text they disrupt narrative, through differing temporality, through differing functionality, and through their emergent qualities. The ergodic nature of the text implicates the audience in a productive role that is not merely active, but configurative. Developers have a different kind of relationship to their 'audiences' than conventional media organisations. Production is ongoing and recursive, continuing well past the initial point of publication. I highlighted that players need to be studied as part of any examination of the game, for their contributions and investments which become part of that cycle of production.

I outlined my approach as one which would seek to describe how the negotiations of power took place within the site of study. In the thick description provided in Chapters Four and Five I have demonstrated the agency of the various stakeholders. Player engagements with the game rules, the code and design, are complex and varied, and draw on both personal or individual approaches and broader, culturally generated

understandings. Player engagements with each other and with developers are constant and occur with differing intensities.

5.5.1 Three Themes revisited

Chapters Four and Five also served to highlight three themes I identified as emerging from the disruptions to conventional forms. These were ambiguity, networking and investment. The disruptions have created ambiguity around a number of previously well-defined boundaries and roles. These include ambiguity around the line between developers and players, or consumers and producers, in a model where players contribute to the development of the 'text'. My study shows that the content produced by players is not only textual, or material (as in the published words of players and their actions and movements represented through imagery) but intangible or immaterial as well. Players produce social networks and relationships of both intense and casual forms. The ethnography, websites and interviews have demonstrated that alongside the content produced by the developers, such as the game objects to be acquired, the skill levels to be achieved, the quests to be worked through, there are social formations that produce different goals, outcomes, or activities, not exclusive of the developer's content but layered into it.

Thus we have the raiding guilds meeting nightly for four or five hours at a time, looking like elite sports teams – cohesive, doing long hours of training, research, and raiding. They build their own connections with each other which become the 'glue' that binds them to the game. We also have the guilds that exist to socialise and have fun (the 'Bunnies of Chaos' is my personal favourite). Not as focused or as high level generally, these guilds can be the source of friendships and romantic liaisons that draw players back to the game. This social content is of great value – both to the players and to the publishers. So the consumers have become producers of content of both a tangible and intangible nature. The investments of both time and affect into the creation of this network 'content' should be clear from the descriptions in Chapters Four and Five.

A further ambiguity is that between work and leisure in an environment where the product of one person's leisure activity may be harnessed for the profit of a corporation, where people volunteer their labour for the corporation as part of their leisure activities, and where there is a secondary economic market that employs people to play. Teasing apart these issues in order to understand the different roles that commerce may play in peoples' leisure activities may show that this is not an entirely new phenomenon but one in which there has been an intensification of connections between commerce, leisure and relationships.

These issues point to the ambiguity between the 'real' world and the 'game world', where each world seems to 'bleed' into the other at various levels. Chapter Four showed the ways in which relationships spill from the game to offline world and *vice versa*. It showed that some people use the game world as fantasy space but that the effects of their actions inside that fantasy carry over into their 'real' lives. Players like Christie (Interview 4) acknowledge it's both 'just a game' and 'more than a game'. Marilyn (Interview 1) says she doesn't know where her character ends and she begins. The importance of the websites generated by players as an almost essential part of game-play highlights the idea that content can exceed the boundaries of the game. Chapter Five pointed to the secondary economy – the buying and selling of goods in auction houses giving real-world value to game-world items and meaning that real-world economics affects game-world economics (and possibly *vice versa*). Thus we have players, publishers and lawyers debating whether the in-game tangible assets are 'real' or only virtual. Should the law apply to the virtual sword stolen by another player? Some argue for the game to be a separate space, outside the law, but the emergence of secondary economic activities in particular highlight that this is not an obvious or inevitable response.

The concept of the 'magic circle' breaks down in these practices. The limits of the game world are not clear and hard boundaries. People live with contradictory sets of understandings about this. Because the game is a

complex environment which involves economic, spatial, technological, social and legal aspects, different stakeholders will have different understandings of the issues, and the line between 'reality' and 'game' can be drawn along many different borders – by different stakeholders, as well as by individuals who at different times shift between different understandings depending on the context.

A further ambiguity pertains to whether the publisher is a publisher or a service provider or both. An obvious answer is both, but it is important to notice how publishers strategically deploy the discourse of one or the other in their efforts to maintain control. A de-emphasis on the role of service provider seems most common as the industry casts itself in the role of publisher with intellectual property currently under threat from the open and collaborative peer to peer networks. Networks that, in another way, it actually relies on for much of its business.

These ambiguities are a means of identifying where the newness of this medium lies. They are a way of pinning down where institutions will be disrupted, where the challenges arise. The areas of production, property, governance, jurisdiction and labour are most readily identifiable in these terms. The publication industry, with its particular ways of viewing these issues and its particular practices towards them, differs from the services industries. The availability of different discursive understandings in a converged medium leads to conflicting views both on how to understand the medium and how to respond to and shape it. The emergence of a distinctive way of understanding it is occurring only through protracted and strategic negotiations amongst the stakeholders. The power exercised is uneven and the process is subject to the influence of an array of forces – from cultural and social to large-scale economic and technological.

5.5.2 MMOGs under Publication Industry models

It should be clear that the multi-player online game produces an emergent, mutable, and ongoing text, and that the social aspects of the game are

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structural, textual, and economic. They are integral, rather than incidental, to the 'publication' of the text, and contribute to its newness or difference from conventional media. I want to note here too, that community interactions occur simultaneously all over the world of Norrath, and occur differently on the 50 or so different servers which run the game. This results in a 'text' that cannot be 'fixed' in a meaningful way – it is emerging in different ways in different places simultaneously.

When considering the MMOG in the light of publication mechanisms or institutions, there are three main aspects that are important to keep in mind. These are firstly that the game is both textual and social and thus embodies both tangible and intangible 'assets'. Secondly these assets are created by both the paid labour of the developer/publisher, and the unpaid labour of the players. Finally, that the text is dynamic, mutable and emergent – all qualities that differentiate it from conventional linear media.

Media publication industries rely on legal rights generated through copyright and intellectual property law. This body of law is what underpins the business model of the industries. Filtering the access of consumers to works by authors through selection, distribution, and management of reproduction rights, publishers play a pivotal role in the cultural reproduction that occurs through media. It is a model based on a linear process, although the larger cultural process of innovation and cultural production is always recursive in that every work inevitably builds on some existent work. Through legal mechanisms a tight control of content is maintained. It is also a model which, if used to understand MMOGs, positions players as consumers. Discursively, this positioning constructs particular and limited practices that can be carried out by the players. The role of consumers is to consume. They might produce meanings and interpretations through that act, but in relation to the textual product, they consume it. There is no room for understanding them as co-producers of the text. Players' productive activities have no place in the intellectual property model – productivity becomes a transgression of the rules of the model.

In the book and magazine publication industries, in the single player game industry, and in the music industry, the point of sale is the main interaction between the publisher and the consumer. The consumer hands over their money and the transaction is complete. Ongoing after-sales relationships need not occur. Of course many industry marketing departments recognise the advantages to cultivating communities around their products – to encouraging fan clubs or brand recognition of their imprint, which will possibly boost sales of further products. Aside from the possibilities of policing reproduction violations, the publisher can, if they choose, have nothing further to do with a customer – having sold them a completed text.

Broadcast models of publication rely either on advertising, where they sell audiences to advertisers, or on delivery of content through subscription. Again, while they might police reproduction violations, the content is sold as a series of finished texts. Their audiences are largely mass, and relatively distant. They certainly don't have to intervene in fights between audience members. They don't have to run a bulletin board which manages which group will have access to a particular part of their text first. (In *EverQuest* there are some mobs that are rare and difficult to kill, but which are required as part of a quest or as part of a progression strategy. Queues of people or guilds form to kill these mobs. Bulletin boards have to be set up and people add their names to the list. Some might wait months for their turn to try killing a particular mob.) They don't have to manage the content produced by their audiences and absorbed into the text – game management requires ways to filter out obscene material or bad behaviour of players as these things impact on other members of the 'audience' of the text. The productiveness of players – their additions to the text – cannot be addressed through a copyright or intellectual property framework. It must either be ignored or cast as illegal, transgressive activity.

It is important to conceive of the MMOG system beyond that of publication, because, as I have described, the MMOG is a system that requires governance, justice, and the management of social relations. Where, in the institutions of conventional publication industries, are there strategies for

this? The recursive and distributed production presents the initial challenge to the system. Governance presents the next.

Conventional media are regulated through mechanisms such as content regulation – in the form of ratings and censorship models, models which mandate percentages of particular types of content (for instance nationally produced content), rules which stipulate the hours when particular kinds of content may be broadcast and so on. They are mostly systems which rely on the finished and known text as content. One can subject a piece of literature or a television program to a censorship regime because it is possible to view it before distribution. An MMOG is not finished, and the content in its ongoing production is supplied by every player. Obviously this medium cannot be regulated through the same means.

Live radio provides an example of text being distributed before it can be regulated or censored[32]. Regulations can stipulate what it is permissible to broadcast, and penalties can apply if the regulations are breached. Radio stations can have their licences revoked or other penalties applied if they breach the regulations. This process is carried out through legal institutions, and the broadcaster has avenues of appeal open to it. Any application of penalty is done through a system which is highly accountable for its decisions. If we liken the MMOG to live radio in that it cannot be subjected to the same kinds of regulation as fixed or finished media can, but rather must submit to a retrospective process, we immediately notice some basic differences. Players may breach the regulations laid down by the publisher. We can liken this to a breach of regulations in radio, where, for instance, other audience members are impelled to hear something they find offensive or which is illegal to broadcast. The radio broadcaster has published something against the rules. However unlike radio, the player may 'have their licence revoked' (be banned from playing the game) but the decision is not one subject to any legal process for which the publisher can be held

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[32] This is usually offset somewhat in that there is often a few seconds' time delay in the broadcasting to enable filtering of obscenities and so on.

accountable. Because contractual relations have been entered into, there is no direct access for players to natural justice through administrative law.

Thus we can see that neither property law nor content regulation – the two bodies of law most often associated with organising the publisher relationship to 'consumers' – can effectively facilitate that relationship in the MMOG context. Contract law could provide the mechanism, but is currently used in non-accountable ways that afford very little protection for the players.

5.5.3 MMOGs under Service Industries models

The MMOG does not do away with property. It is not purely a service. It is a hybrid of the two. The platform is a property made by developers. A licence to access the property is sold to the players by the publishers. Where a service differs from a publication is that:

> … services do not qualify as property. They are immaterial and intangible. They are performed not produced. … They cannot be held, accumulated or inherited. While products are bought, services are made available. … Services always invoke a relationship between human beings as opposed to a relationship between a human being and a thing. Access to one another, as social beings, becomes increasingly mediated by pecuniary relationships [in a service economy]. (Rifkin, 2000:84)

The service provided in an MMOG consists of 3 areas. Firstly there is the ongoing technological maintenance of the virtual world. Servers need to be running, bugs need to be fixed, access needs to be technologically smooth and efficient. Secondly, and more problematically, the service provider undertakes the facilitation and management of the community. Thus particular standards will be imposed and enforced. Whether this part of the service is equitable, consistent or uneven depends on the particular game. Thirdly, the service provides access to other people. It can be seen as analogous with a dating service – in that it puts people in touch with other people, and then provides access to those ongoing relationships formed in the environment of the game. The quality of the service will determine to

some extent the success of the business. If the servers are always 'down' due to technical hitches, or the frame-rates are slow, if players are allowed to run amok to the detriment of the community, or alternatively if the customer service team selectively and unevenly enforces unpopular standards, if the developers are not responsive to community will, then the game becomes less viable.

The terms of service for *EverQuest* seem by most standards to be particularly one-sided – something I will examine in greater depth in Chapter Seven. Players are bound in a contractual relationship to SOE through an End User Licence Agreement (EULA)[33], in which they give up ownership rights and IP rights to in-game content they create. They also accede to a regime of regulation in which behaviour deemed in violation of 'the spirit of the game' can result, at Sony's discretion, in cancellation of the player's account. This new media form generates a new relationship between the developer/publisher and the player – no longer that of author/publisher and audience, but an ongoing interaction involving service provision and community regulation on the part of the 'publisher' and content creation, community creation and subscription payment on the part of the 'consumer'. This is a medium that requires after-sales services and ongoing customer relations in capital letters.

Under conventional media regulation systems, as explored briefly above, consumers of media are generally 'protected' through state-based systems. In the service-based industries, the contract is the source of the terms of engagement. Increasingly we find this framed by a consumer rights discourse, which implies a neo-liberal sovereign consumer as an empowered citizen. This suggests quite a different set of power relations between publisher and audience than a state-based system of protections.

Access to service, rather than ownership of property, is where economic value is generated in the new economy, according to Rifkin. How does this

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[33] See Appendix 1 for the full EULA.

equate with the MMOG industry's characterisation of itself primarily as a producer of intellectual property (and a keen enforcer of property regulations), rather than a service provider? As the games industry publishing giants consolidate into larger and larger conglomerates, swallowing up smaller and independent publishers and developers, the business models seem to be increasingly based on similar models to the film industry (Kline et al, 2003). This is no accident. The nexus between the film and games industries is tightening, with many films made in conjunction with game development. The danger in the adoption of the film industry model is that the film industry's obsession with intellectual property will also be adopted. The closed models of production suggested by film do not mesh well with the distributed and ongoing models of production generated by an MMOG. The disruptive innovations of interactivity are likely to be chilled by the imposition of strong intellectual property regimes. The players will be continually cast as consumers by this discourse – which facilitates not only a particular understanding of what content is, but also what the role of the player is.

In the convergence of publication and service provision exemplified by *EverQuest*, publishers make profits, in part, from the social and community relations of people. This commodification of community and relationships requires careful consideration. The provision, maintenance, and extension of a game world is probably best carried out by commercial entities, given the enormous amount of work involved in developing and maintaining the infrastructure of the game technology. The spheres of culture and commerce are intertwined at many points, and the relationship between them is not necessarily exploitative. Players voluntarily participate and have agency and power within their relationship to the publishers as has been shown in chapters Four and Five. The type of regulation imposed by the publisher on the community is one ultimately driven by economic concerns. In such a high surveillance environment, the potential for invasive or unreasonable limits and constraints to be imposed are high. How do the contractual obligations of the EULA intersect with the rights of individuals to privacy, freedom of expression, freedom of association, freedom from

discrimination and other state-based regulations that afford citizens protection[34]?

Regulation could be provided in a manner that ensures the rights of participants are not infringed by corporate practices and unfair contracts, at the same time as recognising the needs of publishers to facilitate engaging and healthy communities. Achieving the balance between these interests is always a culturally subjective process, and one that could either occur in the environment of a state-based system of accountability and protections, or be left to the corporations to invent and manage.

What these questions of 'protections' and rights indicate is a shift in the role of government in media regulation. Current media regulation falls into a number of categories. In content regulation, cultural policy objectives such as the maintenance of national culture, the imposition of particular cultural standards with regard to violence or sex or language, and similarly, standards regarding suitability of material for different age groups in the population are what drive the agenda. It is policy directed at attempting to shape, in whatever minimal form, the national cultural terrain. It is directed at 'the production of cultural citizens' (Lewis and Miller, 2003:1). Governments use it to '… address populations with illustrations of patriotism, custom and art' (2003:1). Lewis and Miller suggest that the creation of cultural citizenship through cultural policy is done through two main avenues – that of preservation and maintenance of current culture, and that of developing new modes of expression(2003:2). Venturelli (2005:395) suggests that any cultural policy in the information age must concern itself with putting the tools for creativity and innovation into the hands of as many people as possible – to prevent a stagnation of culture and to ensure its viability in an ongoing fashion. Cultural policy needs to focus not so much on preservation of national culture, but more on ensuring that the proprietary control of ideas is minimised so that circulation and reworking of ideas into new cultural

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[34] I recognise that different countries have different systems of protections and regulation with regard to these issues, but am speaking here more of the broad principles involved.

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forms is facilitated. Ownership of MMOGs and the control of the content co-produced by players could thus be seen as a contentious site for cultural policy intervention.

Media ownership regulations similarly represent an attempt to manage content range through anti-monopoly strategies (however weak these may have proved to be). The discussion above heralds a shift to a rights-based agenda in a service driven environment. New media regulation may need to be not so much about managing the type of content as about managing the relationship and practices between contracting partners. It may need to be not only about cultural citizenship but also, importantly, about juridical-political citizenship embodied in mechanisms of access. Obviously this is not the whole terrain of government regulation and media policy. But it represents an emerging area for attention.

5.5.4 Emergent forms

People are choosing to build communities in proprietary spaces online. Or perhaps more accurately not only do they choose to do so, but social and cultural forces mean that this is where the current choices are being made available – digital, online, interactive spaces[35]. There is a need to understand the ways in which current property regimes and regulatory regimes derived from other more traditional media models are both inadequate and inappropriate to these new media environments. Here culture and community are emerging in commercial environments that include a mix of publication industry and service industry mechanisms. These new interactive media environments represent a mix of paid and unpaid labour, and of tangible and intangible 'assets' – social and material networks that are directly related to economic profits. The mobilisation of existing forms of institutionalised power is strategic and beneficial for some

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[35] Mobile phones suggest another kind of choice of media environment currently shaping peoples' social lives.

stakeholders, but inappropriate for the medium as a whole if it is to develop to its full potential and if a sense of equity is to be achieved.

There is a need to investigate whether and how communities in proprietary spaces are different from communities built in public spaces or in private, non-commercial spaces. The ownership of a community implies a shaping of that community by commercial values. The regulation and accountability of the practices of the owners are not currently addressed by medium-specific regulatory regimes. If we take commercialised online communities seriously, if we allow that they are 'real', that the relationships within them are 'authentic', then the issues of how they function and to whose benefit are ripe for investigation.

5.5.5 Suggested directions

The first five chapters of this thesis have been concerned with detailing the workings of this online interactive form. I have explored textual, social and economic structures of the MMOG. In this chapter I have identified a number of issues arising from the case study of *EverQuest* which I will pursue in more detail in the final chapters. Two of the key dominant discourses that shape current practices around this medium are those related to intellectual property and those that cast players as consumers. In the next two chapters I want to address the ways in which these discourses construct particular and inappropriate understandings of the medium. Each relies on a model of production that institutes a construction of content that is divergent from the actual processes of content production within the MMOG. The consequence of viewing content as fixed and finished at the point of publication is to institute particular roles for different stakeholders in the process of production. I want to show, in the next two chapters, how the discourse of the consumer, and the discourse of intellectual property are mobilised in relation to this medium.

In Chapter Six I will 'denaturalise' the discourse of the consumer by casting players' activities as labour. This is a strategic and instrumental move

designed to highlight the ways that players do not fit the role cast for them as consumers. It is not meant to suggest that labour is a discourse that can occupy the whole terrain of understanding the MMOG environment. There are definitely legitimate arguments that can be made for viewing the players' activities as unpaid labour. But I make the argument with an understanding that it is not the only or even the best discourse through which to cast their activities. But in exploring its legitimacy, it serves to deconstruct the discourse of the consumer through which they are most often cast.

The issues that emerge from blurring the boundary between leisure and work are not confined to MMOGs by any means. They can be situated in a landscape of the knowledge economy, where neo-liberal strategies of flexible work conditions, and the harnessing of intellectual productivity to meet an incessant demand for innovation, increasingly blurs the line between working and not working. As Hardt and Negri identify,

> … the creation of wealth tends evermore toward … biopolitical production, the production of social life itself, in which the economic, the political, and the cultural increasingly overlap and invest one another. (Hardt and Negri, 2000:xiii)

In Chapter Six I explore the context of production more generally in networked digital economies to generate the understanding of players' activities as labour.

The mobilisation and response of the law is often key to shaping the directions in which emergent forms of media will travel. In Chapter Seven I examine the ways in which the law is mobilised by different stakeholders in the current struggle for control over new media. The implications of the deployment of property and contract laws, discussed briefly in this chapter, are traced in more detail.

Both of these chapters will grapple with an underlying conflict between discourses that attribute the creation of value differently. Some frameworks understand value as residing in products and their exchange value, some in the inputs required through labour. Henderson et al (2002:449) suggest it

lies not only in the processes of creation but also in the 'capture' of value. Most ignore the value of affect, although as I will show, affect is becoming increasingly central to commercial practices. If the provision of services has become a key area of economic activity and value, and services imply, as Rifkin suggests, a relationship between human beings, then affect can be seen as part of the equation of value. Players' affective investments and their 'products' (the social networks they create) are mostly erased from any discussion of value in this medium.

6 Play-as-work, Work-as-play[36]

6.1 Introduction

The productiveness of player activity is a constantly recurring theme in this project. It disrupts the producer/consumer (and the encoding/decoding) understanding of media. The inherent conflict (both linguistic and conceptual) of casting players as producer/consumers can be overcome by framing the activity of playing as labour, rather than consumption. In this way the MMOG can be framed as a product of the paid labour of the developers and the unpaid labour of the players. The conceptual leap I am trying to encourage with this framework is to cease thinking of players as 'end-users' – users at the end, always the last thing in the value chain, even if they are 'value adding' at the end of the chain. If we cast the user as a producer it situates them not just at the end of the chain, but integrated into the model as part of the process of creating a game at many points in its development.

Introducing a labour theory framework at this point in my thesis is part of a strategic eclecticism toward theory that arises from my inductive approach to the subject matter. If productiveness has been a central issue to emerge from the ethnographic work, then labour suggests itself as one means of examining that issue. Labour theories offer ways of understanding production and relationships that emerge from or shape production. Thus I use labour theories in this chapter for their ability to provide ways of thinking about the productiveness of players. Descriptions of the terrain of networked labour economies help provide context and some explanations for the particular practices observed in the MMOG, as does an exploration of the history of thinking on labour in media studies. The conditions of creative labour and the ongoing debates about unpaid labour offer alternative ways of understanding player activities. The concept of value, what it is, who

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[36] This term coined by Kline et al (2003:202)

produces it, what can be done with it and by whom, can usefully inform an analysis of networked and distributed production.

By canvassing these five or six different areas of the study of labour and relating them to the MMOG, I am not attempting to create some definitive and new theory of labour in an interactive environment. I *am* seeking new ways of understanding the activities of players and the system of production that constitutes the MMOG.

The use of the idea of labour also serves to denaturalise some aspects of the discourse of the consumer that have come to dominate thinking about these media environments. As mentioned above and in the closing sections of the previous chapter, the construction of the player as consumer invokes particular understandings of their role and activities while obfuscating others. Casting their activities through the discourses of labour acts to highlight the ways in which the discourse of the consumer functions in the operations of power. Thus the use of the labour framework is a strategy, rather than an attempt to create an all-encompassing explanation of the terrain of the MMOG.

6.1.1 A network, not a chain

Conceptualising players as unpaid labourers serves to place them inside a network model at the productive level, rather than at the end of a linear chain. In the process it challenges the idea of an elite class of creative professionals, by understanding creative input as generated by both the paid and unpaid elements of the workforce. It allows a place for user-led innovation and acknowledges the creative capacity of the players. It encompasses the collective nature of creative processes, rather than trying to stay with models of the heroic creative individual author.

> The attribution of creativity is best understood as being an outcome of a process rather than a *persona*, and … moments of creative discovery are characteristically the outcome of incremental processes undertaken as part of a team of people that possess diverse skills. (Flew, 2005:348-49)

Figuring the players as part of the collective labour pool is a necessary part of understanding the role of 'interactivity' in new media as more than 'use' of an application at the end of the value chain. The value chain has an implicit temporality: producer – text/product – distribution – consumer. The MMOG is an ongoing production. As such the concept of the value chain is of less use. This is not to suggest that there aren't relations of value adding that are temporally organised, but it is to suggest that linearity forces activities into a model they don't really fit. Instead we can think of the product as a network of relations and production. An alternative, network model might look more like Figure 4.
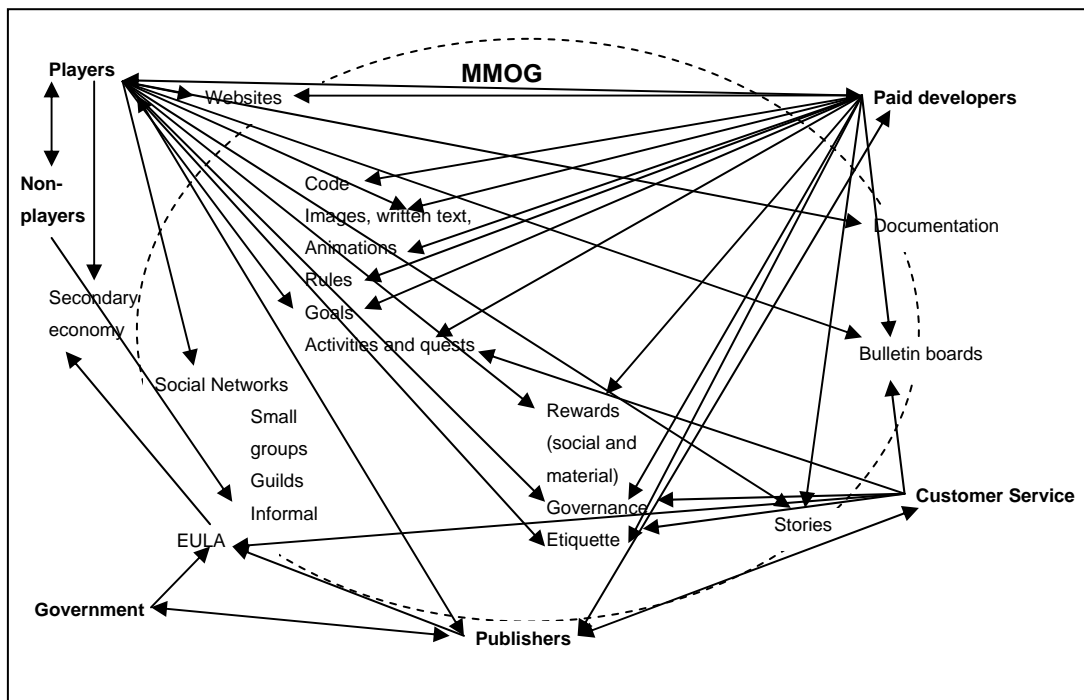
Figure 4 Production of value in an MMOG network

This model illustrates a) the permeability of the 'text' boundary, b) the network rather than linear process of production and value adding, c) both publication and service processes. Although players are undifferentiated here, they should be understood as a diverse population with varying degrees of involvement in the network. Paid developers too, are more differentiated than shown here – consisting of artists, programmers, writers, musical composers, producers and so on.

This model shows the various inputs of different stakeholders into the MMOG. The game is shown to have a permeable boundary, with aspects of

player production falling outside the game-space yet proving integral to its functioning (for instance the websites, bulletin boards and social networks). It illustrates how the supplanting of the straight publication value chain with a system involving both publication and service, erodes the linearity of the process and its accompanying sense of causal temporality and finiteness. The network model links different stakeholders to different aspects of the product – adding value – but also to each other in a set of relationships embodying different power relations. The unevenness of power and the politics of who benefits, and how, from the value added, are not shown on this diagram. But the social networks – the relationships of different stakeholders to each other – are included because they are part of what is produced, and part of the value in an MMOG.

6.1.2 Some pitfalls of the labour framework

There are a number of pitfalls to employing the concept of labour in relation to players that I want to avoid however. Firstly, using the term labour or the concept of work threatens to drain the importance of pleasure from the medium, to override the activity of play in favour of some more serious and 'meaningful' activity known as labour. In order to proceed without invoking this unwarranted seriousness, or perhaps erasing the pleasures involved, I want to suggest that pleasure and work are not mutually exclusive activities, and that pleasure and seriousness are also able to coincide. Some people are lucky enough to do work that they enjoy, find engaging, challenging and rewarding. Sometimes that work is even paid. But being paid does not need to be the factor that defines work, or labour.

This brings me to the second pitfall: labour is often thought of only in relation to economics. Thus the move to regard player activity as labour risks falling into an economic determinism characteristic of many political economy studies. What I want to suggest throughout the following discussion is that while the economics of labour are definitely a part of what is important, the work of producing *EverQuest* can be approached without draining it of its cultural and psychosocial aspects and importance. This is not making an argument to monetise the value of the unpaid labour of players. But there is

an argument to value the importance of that labour and to suggest other directions might be implied by that valuing.

The discussion at the end of the previous chapter highlighted the ways in which MMOGs are a hybrid publication/service form. The productive player disrupts the conventional publication form, through configuring and adding to the content of the product. The publication form is further disrupted through the need for service provision and community management post-launch. The links between these two things can be made more explicit through viewing the activities of players as labour. Labour in a services industry model doesn't produce property. I will, throughout this chapter, construct an understanding of labour as not only paid, but unpaid, producing not only tangible, but also intangible outcomes and content whose value resides partly in its affective, creative and cultural qualities. How to value the contribution of player labour in an MMOG is an undecided question.

If, as I have suggested and will argue further, affect has become central to business practices and economic models, then the response to affect, the treatment of the affective contributions of players, the value in which it is held, may become key to the success of these environments. If we see labour contracts and conditions as a guide to how paid labour is valued, is the EULA a guide to how the unpaid contributions, including affect, are valued? The terms of service, the practices of the customer service team, and the rights accorded players may well become an important part of the economics of business in this area. The value of affect and social networks is not rewarded through monetising. It may well come to pass that it needs to be rewarded in its own terms, through greater attention to conditions of management and access. Whether that becomes an area for state-based regulation or industry self-regulation has not been debated.

Thus the point in viewing players through the lens of labour, is to position them as producers as well as consumers, to elucidate some idea of *what* the labour consists of, and to understand the power relations involved in these contributions to production. Understanding the value of player

contributions might flag a need to reorganise the rights and obligations of various stakeholders. The networked model I am suggesting accommodates the affective value of player contributions rather than erasing it through a retreat to the discourses of property. Being able to think of players as producers, not just consumers, offers a way to conceptualise their entitlements as more than those of consumers in the marketplace.

6.1.3 Map of the chapter

The discussions of labour that are pertinent to this study range across a number of areas. Firstly, from media studies, there is a school of thought about the 'labour of consumption' which relates to the consumption of media more generally. The act of consumption by television audiences (Smythe, 1981) and film audiences (Miller et al, 2001) has been positioned as a sustaining element of capitalist economics. I will canvass this work as a means of developing an initial framework for understanding the media consumer as economically productive. The new-media consumer's role as configurative adds a further dimension to these ideas. This set of arguments is complemented in cultural studies by arguments about the active audience creating social relations through engagement with the text, such that the text is indistinguishable from its social use. The approach I am making here seeks to bridge the gap between political economy and cultural studies approaches, by pursuing the interconnectedness of the economic and socio/cultural implications of player activity.

Secondly, there are debates about what should count as work, and these raise the central issue of value – what it is, where it is generated and by whom, what can be done with it and by whom. I look at the often gendered nature of what is valued and consider the commodity as the source of value, the value of emotional or affective work, and non-market value. I want to use some of these concepts to build an understanding of value in the MMOG that encompasses cultural, creative and affective elements as well as the value that resides in its status as a commodity for the exchange market. Understanding the history of thinking that erases or minimises the value of

gendered, affective and non-marketised labour is helpful in understanding how these things are also minimised in discussions of value in interactive media. Included in this discussion is a consideration of the nature of 'knowledge' products and knowledge work. Hardt and Negri's (2000) depiction of the role of affective labour in the networked economy is useful in this area. However, I am not looking for definitive or ideological explanations or prescriptions in this discussion. Rather I canvass these ideas for their descriptive power in relation to MMOGs. They can cast light on both the internal workings of the MMOG productive system and the context in which that system has arisen.

Thirdly, I discuss what the actual productive activity or work is that goes into making the MMOG. Thus I look at which areas of activity engaged in by players could count as work, and then the work and conditions of work of the paid labour force in the games industry. The middle section of this chapter, then, describes what players produce and the conditions under which paid developers work.

Fourthly, literature about creative work and creative workers raises a number of useful points about the nature of creativity and innovation and their current relationship to commercial structures. There is a body of recent work (for instance Ross, 2000, Ross, 2003, Postigo, 2003, Terranova, 2000, Vaidhyanathan, 2004, Gill, 2002, McRobbie, 2002, Jarrett, 2003, Florida, 2002, Epley, 2003, Leadbeater and Miller, 2004) on the characteristics of creative labourers and how they are deployed in 'new economy' structures – particularly in the production of digital material.

Threaded throughout these discussions is an argument about the legitimacy of 'amateur' production in relation to 'professional' production (in particular Leadbeater and Miller, 2004, McKee, 2004, Jenkins, 1992). It should be clear from the descriptions and analyses of chapters Four and Five that players often achieve a level of expertise and knowledge about the game that is greatly valued by development team members, even if minimised by the rhetoric of other parts of the publishing and development organisation.

The aforementioned bodies of literature give context to the argument that players' productive activity can legitimately be thought of as labour. They indicate how the implications of conceptualising such activity as labour have been considered in other contexts.

In the concluding section of the chapter I use the work of chapters Four and Five to point out some of the characteristics of the player labour force and the mechanisms of control used to try and rein in its chaotic and unruly practices.

Ultimately the function of this approach to games through the lens of labour is to denaturalise the discourse of the consumer. It is to present an alternative understanding of players that seeks to incorporate their productive activities as meaningful and important in the media production cycle. It is not meant, however, to suggest this as the *only* or the *right* way to view players. It is a device to point up the ways discourses that construct players as consumers or end-users miss some of the new and different characteristics of the medium. It is a device to illuminate some of the relations between stakeholders in the MMOG system, and the power negotiations between them.

6.2 The labour of consumption

In 1981, in a break from viewing the media as an 'ideological machine' which worked to produce a particular consciousness in the population (as Marxist and other content-driven analyses of media up until this point had often done), Dallas Smythe looked at the role of the media in creating and managing the demand for goods in capitalist market economics. This function, he argued, is achieved in part through the productive labour of audiences, who are sold to advertisers and who 'work' through learning to consume the products advertised. Devoting their leisure time to watching advertisements and content, making decisions about acts of consumption, and engaging with the project of capitalist consumption is all cast as work. They invest in the equipment needed to engage in this work (eg. the

televisions, radios, electricity, etc) at a much higher rate than advertisers invest in advertising, according to Smythe. (This investment in equipment in particular becomes more explicit in the 'new media' context where a content industry like computer games drives the demand for improved hardware and software, and the intertwining of the content and hardware/software industries is very clear.)

Smythe conceptualised leisure as an activity reserved for the rich, and goes so far as to contend that even sleeping is just preparation for work, for making sure that workers are able to function as workers. There is a lot of unpaid labour done in the world, often by women, and Marxist feminists have pointed out the importance of the reproduction of labour power within the capitalist system (for instance Delphy and Leonard, 1992, Barrett, 1980). However, to suggest that what people experience as their leisure time is not really leisure time at all, but actually work is a risky proposition. To erase the distinction between work and leisure by referring to an underlying economic function can have the effect of producing a concept of people as always duped, manipulated and 'distracted'. This I think, is one of the areas where we need to take account of the project of cultural and media studies in moving away from economic determinism to understand the agency of audiences as crucial to the functioning of the media production cycle. We can understand the activity as both pleasurable and labour. (Two concepts not necessarily mutually exclusive in many contexts anyway.) We can also understand that although players as labourers are not receiving monetary rewards, the social rewards, the rewards involved in achieving goals, in creating relationships, in having fun after a hard days' paid work somewhere else perhaps, are legitimate, not insignificant or unworthy.

It is important to understand each medium in its specificity – that different media will organise relations between stakeholders (publishers, developers, players, regulators, etc) differently. Smythe illuminated the relationship between television media, advertisers and audiences as mutually constitutive. In his Marxist conception, mass media functions by harnessing audiences as a commodity to sell to advertisers – a process which works

also to advance the key functions of the mass media, of reinforcing the marketing of goods and services, and reinforcing the position and ideology of the state (Smythe, 1981). Miller, Govil, McMurria, and Maxwell (2001) also pursue the idea of the labouring consumer in their work on the Hollywood film industry and its global construction.

Since Smythe was writing audiences have been reconceptualised as much more active interpreters of texts. Miller *et al* explore the ways in which the active audience construction has been utilised by both the left and the right (to whom the active audience member strongly resembles the sovereign consumer). They comment on the divergence between those in media studies who pursue a political economy framework (production matters) and those who pursue an audience theory framework (interpretation matters). They suggest that:

> … the worldwide divergence of filmgoers' labours of interpretation and judgement is not reducible to a choice between false consciousness or polysemy. Historical specificity is a valuable antidote to any purely textual or symptomatic reading… (Miller et al., 2001:176)

Following Dan Schiller (1996:194, cited in Miller et al 2001:177) they propose an approach in which the concept of labour breaks down the opposition between production and consumption – a concept very useful to my project of understanding the interactive game.

> Screen production need not be thought of in opposition to consumption, with one practice 'productive' and the other not, or one side trumping the other. Instead, the work of screen employees is one moment of labouring activity and the work of screen audiences is another. (Miller et al., 2001:177)

The lens of labour allows us to see the MMOG as a production involving both paid and unpaid labour. Whereas for Smythe and Miller et al the audience labours through acts of consumption and interpretation, through generating personal information that can be collected and used by marketing firms, and through devoting time and energy to that consumption, the MMOG adds more layers. The player generates text, gameplay, websites, communities and networks. This is a substantial contribution to the actual media product.

6.2.1 'New media' models

How the relationships between publishers, audiences and advertisers manifest in the new media context differs somewhat from conventional media. In part this is because new media, and in particular the internet, is less of a mass medium, and the audience has to be thought of differently. Audiences are so fragmented that it's not really possible to use the demographic profiling of mass media audiences in the same way. Instead, advertising on the internet is sold as individualised targeted marketing based on information collected on individuals through various methods of data mining and information collection made possible through digital technologies.

So while ratings data is collected for conventional media and is a cybernetic commodity of a particular kind, individual profiling has become the means of targeting audiences on the internet. This intensification of surveillance is something pointed to by Miller et al in their discussion of audiences (Miller et al., 2001:181-192).

In some senses, then, in the case of many internet media applications the fundamental relationship between audience, media publisher and advertiser still exists. The relationship to content has become more slippery, as advertisers can't know with the same kind of certainty which sites their ads will show up on or when, or to whom.[37] But the audience, once they give their attention, are actually likely to do more explicit 'work' by pursuing a product advertised actively to another website, by filling out forms, by giving up more personal information about themselves which formerly advertisers had to gather through other means.

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[37] Banner advertising on many websites is organised by advertising companies who profile users by tracking their choices through a site and across sites and then providing increasingly more targeted ads, based on the user's previous choices – of sites and of material within those sites. Thus the company advertising its product cannot know which site their ad will be shown on, or to whom, in advance.

Computer games add complexity to this picture. The audience, who have become the players, are active not only as consumers of a text, as with conventional media, but they create the text with each engagement. The production of the text is in part the job or the work of the player. This makes the productive activities of the 'audience' more readily identified. But who is this work for? Advertising is not key to this industry model. It is not a model which sells audiences to advertisers. It is supported through direct sales, and through ongoing subscriptions. Thus the relationship is one where the publisher and the player are directly engaged with each other. But the work of each player feeds into the product the publisher is selling to every other player. Thus the network structure of the game means that in some ways the players work for other players. The publisher facilitates this and reaps the monetary profits from it. The publisher doesn't sell audiences to advertisers, it sells players (and their creative content) to each other. This is a function of it being a service. (It also of course, sells access to its own content to the players as the platform on which the service is based.)

The publisher has access to a vast array of information about each player – able to monitor every keystroke and access financial information through credit card dealings – so that the possibilities for surveillance and profiling are greatly intensified. Andrejevic suggests that:

> Conceived as a form of labour, the work of being watched can be critiqued in terms of power and differential access to both the means of surveillance and benefits derived from their deployment. The operative question is not whether a particular conception of privacy has been violated but, rather: what are the relations that underwrite entry into a relationship of surveillance, and who profits from the work of being watched? (Andrejevic, 2002:232)

To listen to the customer service division of *EverQuest* at the Fan Faire and to some of the speakers at the Austin Game Developers conference, it was clear that they are overwhelmed with the information they can store on users. Most have not yet managed to put in place data mining systems that would usefully harness that information to any great extent. One presumes it can only be a matter of time.

Foucault's concern with disciplinary surveillance "… focuses not so much on the repressive force of panopticism, but its productive deployment" (Andrejevic, 2002:232). Understanding their every move to be under surveillance produces particular behaviours in players. Or, to use a different example of the productiveness of this power relation, data mining can create useful information through tracking player interaction (see Figure 5). This figure is a snapshot of a network of relationships between particular players' clans in an MMOG, shown at the Austin Game Conference by Patricia Pizer (Pizer, 2003). The data mining tool has recorded who interacts with whom and classified this by clan (guild) membership.

This figure is not available online.
Please consult the hardcopy thesis available from the QUT Library

Figure 5 Mapping social networks in-game.

Data-mining software tools make visible the social networks between players by tracking who they interact with. Source: (Pizer, 2003:slide 35 "Faction connections")

What can be done with this information depends on context and purpose of course. It could be used to monitor who the key players are in networks and target them for specific tasks. It could be used for social management

purposes. It could be used to monitor trading between players. Just as the 'cool scouts' look for leaders in sub-cultures to identify trends, data mining can identify key players who are hubs for interactions with different players. This information's productiveness for, for instance, design, or alternatively, managing, policing and regulating social interactions between groups in-game, is clear. It can contribute to the production of docile subjects within the game, rather than just repression. (It is also interesting for making tangible what generally remains intangible – the social network.)

Miller et al refer to 'informational labour' – where the information generated by a consumer through their choices is gathered and used by media marketing firms. The monitoring that records such data " … create[s] an involuntary informational labour market from which they can surreptitiously exploit the effort that gives value to their enterprise" (Miller et al., 2001:187). In this argument, the labour achieves its status because it is value-generating activity. A final point on surveillance, raised by Andrejevic, is that the distinction between work and leisure under the Taylorist model was that work was time where activity was monitored, leisure the time when it wasn't. Thus the increasing surveillance of leisure time serves to break down that particular distinction between work and leisure (Andrejevic, 2002:242). Of course, work for (mostly) women has often extended into the domestic sphere – not under surveillance as their paid work may be – but work nonetheless. Unpaid women's work undermines Andrejevic's distinction between work and leisure, but the point about surveillance extending its reach remains valid.

The MMOG model points to a different set of relationships to those proposed by Smythe. The triad of advertiser, publisher and audience has gone. But the audience is still working, in explicit ways directly related to content, as well as in terms of consuming, making decisions about product consumption, devoting time and attention to the product, buying hardware and software and so on. The engagement with content has changed. Players are initially constrained by the design and the affordances offered by game rules (and in this a Marxist or other ideologically based inquiry

might see similar kinds of ideological operations that function within mass media). However players then create the further content which progresses the game, and thus their constitutive role in social and cultural practices becomes even more explicit. The level of surveillance has intensified dramatically.

There are thus both continuities and differences between 'old' and 'new' media in their relationship to cultural or affective labour. The continuities are in publishers' 'reliance on their public/users as productive subjects', and the difference is in the *mode* of production and the ways that power and knowledge work (Terranova, 2000:46).

If we accept a model of the MMOG as a system of labour – both paid and unpaid – the key questions then relate to the politics of labour. What rights, what conditions pertain to such a mixed labour force? What power relations are generated and negotiated and between whom?

6.3 What counts as work?

What counts as work is a political question. Counting something as work implies the creation of value. Who benefits from the value, who controls it, why, and under what conditions has exercised many economists and labour theorists. Media consumption, seen as work, does not necessarily resemble paid work in its form. It has different attributes which we are able to see as work in the context of the broader system, although they may not accord with our perceptions of what conventional work is.

In considering the unpaid labour of players it is useful to explore what has already been said about unpaid labour as a pathway into the issues. Some of the major debates about unpaid work take place around definitional questions of what work is. Questions such as: is it productive activity? Is it market based, or potentially market based, or non-market based? Is it activity someone else *could* be paid to do? If you count emotional labour, how do you ever draw the line between leisure and work? If it contributes to

social reproduction is it work? Is it only economic? If so, that may mean that work is only that which can take a commodity form, or has a commodity equivalent (Baneria, 1999).

6.3.1 Value

Various economic schools frame what counts as labour and its value differently. It can be viewed as the value of the time invested in the activity of work. It can be the value of the outputs of labouring – the product value. Or it can be the value that is realised through the market exchange process. Or it can be a mix of these things. Marxists define value in terms of use value or the utility attached to a commodity, and exchange value or its market price based upon contributions of necessary and surplus labour. For the purposes of this chapter I want to define labour as activity that generates not just economic value but cultural value as well. Thus I want to look at labour through a lens that can account not only for market exchange value, but for non-market based production of value,[38] and production that has social or cultural value. This is obviously a much broader definition than some, and who produces this value encompasses a broader group of labourers.

A focus on commodities as the basis for determining value has limitations I want to avoid, particularly in this context of the hybrid publication/service model. Services-based labour has historically been devalued in relation to the value of labour that '"fixes itself" in durable commodities' (Flew, 2004:3) in economic theories from Adam Smith and Marx to more current theories which still position services labour as part of the 'McDonaldization of Society'. The positioning of material or tangible production over cultural and social production is something I want to avoid in this discussion, in part

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[38] Open source software development is a good example of this kind of production – it is distributed development, it has economic value, but it is produced in a non-market environment. It can be a more efficient way to innovate than proprietary and exchange-based systems. See Benkler (2003a).

because the cultural and social are economic despite their immateriality, and they are produced *by someone* – they don't just exist without cost to anyone. The cost may be affective, but as I will discuss below, affective labour is becoming central to the production of value in a knowledge economy.

The production of cultural value is also a pertinent concept to employ in the context of the media which is a 'cultural industry'[39]. This characteristic of being a generator of culture has led the media to be considered a separate or special case when government regulation and policy is developed in relation to industry. Thus we already have a history of treating the cultural value generated in media as important. Our perceptions of who is generating that cultural value in the 'media value chain' has drifted over time, as discussed by Hartley (2004) and the media consumer is now considered active in the process. Players intensify the production of value in the network application of the MMOG.

6.3.2 Collectivity and collaborative production

Cultural value has economic value and rather than seeing them as mutually exclusive terrains we can understand that there is no outside to either the economic or the cultural. MMOG players' production exemplifies the generation of cultural value through labour and the structuration of that value into the business models of the publishers. In late capitalist societies in general, where information and knowledge have become key in value creation (Scase and Davis, 2000, Nixon, 2003, Lash and Urry, 1994, Castells, 1996), the combination of technical and cultural work is pervasive – not restricted purely to 'knowledge workers' – and has characteristics slightly different from other work:

> Knowledge work is inherently *collective*, it is always the result of a collective and social production of knowledge. … the collective aspect of labor implies a rejection of the equivalence between labor

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[39] Hesmondhalgh defines cultural industries as 'those institutions … which are most directly involved in the production of social meaning' (2002:11)

and employment … to emphasize how labor is not equivalent to employment also means to acknowledge how important free, affective and cultural labor is to the media industry, old and new'. (Terranova, 2000:46) (emphasis in original)

According to Terranova then, what can be considered labour is both paid work and unpaid work. The cultural component of work in knowledge-based work is collective, as well as affective. These characteristics raise interesting challenges for a framework based on property, not affect, which conceives of that property as singularly authored and owned, not collectively produced. What I am trying to highlight here, is that the MMOG is a production network with characteristics which include unpaid labour as well as paid labour, affective production as well as material production, and collective as well as individual production. These characteristics are foregrounded or diminished by the discourses which shape the power relations in it. We can conceive of a framework where both the technical and cultural elements are included in the idea of production, and where both paid and unpaid labour are acknowledged as important in the production of value that is both cultural and economic.

Thus when SOE or other publishers assert ownership over multiplayer games, what is produced by the players is diminished by a discourse that denies the importance of both the affective nature of their inputs and the culturally collective creativity that constitutes the game. This does not mean these things don't exist. Just that it is in the strategic interests of those currently holding the power to define what is important about MMOGs, to minimise or trivialise them. It also does not mean collective and affective characteristics of MMOGs aren't economically important.

6.3.3 Legitimate texts

There is an underlying assumption that some production is legitimate and some illegitimate. McKee (2004) explores the ways in which the production of texts by *Dr Who* fans has been dismissed over time as unimportant – they are seen as secondary and illegitimate texts – despite the fact that when

investigated it emerges that much of the fan generated content has been incorporated into the series. He also notes the move of some fan writers into positions as paid script writers for the show. He traces the ways in which the conceptualisation of primary and secondary textual production masks some important crossover between the paid and unpaid producers of text. Jenkins' earlier work on textual poachers also makes an argument for the legitimacy of fan-created texts (Jenkins, 1992). For my current purposes it is interesting to highlight this sense that paid work generates the legitimate text. If we were to jettison this idea and understand all textual and cultural production within and around the game as legitimate, then the unpaid productive work of the players can be acknowledged as an important part of the production cycle of the MMOG.

Leadbeater and Miller, in an extended discussion of Pro-Ams – 'innovative, committed and networked amateurs working to professional standards' (Leadbeater and Miller, 2004:9) – characterise the content creators in games communities as key to innovating within the industry. More generally they say:

> A Pro-Am pursues an activity as an amateur, mainly for the love of it, but sets a professional standard. Pro-Ams are unlikely to earn more than a small portion of their income from their pastime but they pursue it with the dedication and commitment associated with a professional. … Pro-Ams are a new social hybrid. Their activities are not adequately captured by the traditional definitions of work and leisure, professional and amateur, consumption and production. (Leadbeater and Miller, 2004:20)

Leadbeater and Miller make very useful observations about the activities of serious amateurs, the benefits derived from large numbers of dedicated and networked people performing free R&D for various professions, and yet is frustratingly silent on the politics of who benefits economically from these activities. Their focus is on the Pro-Ams' identity construction through the pursuit of a passion for an unpaid activity. This is one aspect of Pro-Am activity. Their work makes the case for the legitimacy of much unpaid work done by these groups of passionate amateurs. It makes no attempt to look at the politics of who benefits when that work is harnessed and monetised, as it often is.

6.3.4 Knowledge products

Understanding media consumption as productive highlights a central difference between media products (and other knowledge based products) and conventional tangible goods. The consumption of a media product does not destroy it. It is not scarce, but rather non-rival. One person's consumption of it does not preclude another from consuming it. Consumption does not result in loss. Thus as Levy (2001) points out, the concept of production is conventionally set up in relation to destruction, but with knowledge and information products (of which we can consider MMOGs a part), consumption generates further production rather than destruction.

The more we shift to a knowledge and information based economy, the more entwined the economic and cultural aspects of production become. (See Cunningham (2002) for discussion on the relationship of content to economic value in a knowledge and services economy.) In relation to a media product such as *EverQuest* it is important to take account of both cultural and economic value and to understand that it is generated by both the paid and unpaid labour of employees and players. In particular we can understand this value as being harnessed by publishers in order to make profits. Postigo has investigated this phenomenon in the broader context of the internet.

> The large socio-economic changes in the past 30 years are of significant importance to an analysis of unwaged labor on the internet, because they create the context within which such activities as forming and supporting community, volunteering, and pursuing hobbies can be tapped as a source of revenue. (Postigo, 2003:21)

6.3.5 Paid and unpaid work

Free and immaterial labour are not inherently anti-capitalist acts, but are immanent in the capitalist system. It has always relied on free labour and volunteerism. As Terranova points out, the 'free' of free labour is free, as in

unpaid, but also free, as in freely given[40]. She argues that capitalism is heavily reliant on free labour – and that free labour is '…a fundamental moment in the creation of value in the digital economies.' (Terranova, 2000:36). The amateur and volunteer labour that goes into the digital economy arises from desire – desire that is socially formed and shaped. In an 'overdeveloped' post-Fordist society we have

> … workers who have been repeatedly addressed as consumers of meaningful commodities. Free labor is the moment where this knowledgeable consumption of culture is translated into productive activities that are pleasurably embraced and at the same time often shamelessly exploited. (Terranova, 2000:37)

It is this latter duality that becomes interesting in the context of the MMOG, and which requires an analysis of the power relations involved in order to make sense of it. It is not a happily benign process where the interests of players and publishers coincide in an endlessly mutually beneficial manner. It is a process that occurs on an uneven playing field that requires critique. In particular, the discourses of economists who only count value as what can be exchanged in the market are challenged by a framework where cultural, affective, collective and free labour are deployed with economic outcomes.

6.4 The work of producing EverQuest

I want to briefly recap what I see as some of the main productive activities associated with *EverQuest*. As Smythe suggested, time is something that is given to the capitalist enterprise when consuming media. Time, in terms of television at least, that is given over to advertisers as much as program content. Time is certainly a factor in the MMOG system. Players are spending on *average* 20 to 24 hours a week inside the game. My own experiences inside *EverQuest* were that spending 12 hours a week meant I was left behind by the other players. Discussions on the developers' list (Mud_Dev) occur regularly about what to do to balance out the needs of

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[40] Lessig argues that the product of this labour or creativity can and should be free as well, but free as in free to circulate and not as in 'free beer' (2004:13).

time rich players with those who are cash rich/time poor. The conclusion seems to be that with this style of game, 'time sinks' are inevitable, are part of what is required to build communities and therefore key to the success of the game. Add to this the time spent outside the game but devoted to game related activities, such as building websites, researching on websites, conversing on bulletin boards and interacting on guild websites, and the time expenditure rises considerably.

It is useful to break down how that time is spent to understand how and where the value is generated by players' labour.

6.4.1 Playing

Initially, and perhaps most simply, we can understand that when players play they are generating the action in the game. Their play is what progresses the game. Their engagement creates text, action, interaction. It does this for themselves but also usually for other players as well. This activity is what my discussion of the literature of games studies in Chapter Two highlighted as a key difference between conventional and interactive media. The role of the players in generating the text of the gameplay is key to the game functioning at all. The action of the 450 000 players over the 53 servers generates a phenomenal amount of text/progression/activity – much more than could be dreamt of being produced by a single author, or publishing company. The sheer volume of it is quite extraordinary. Perhaps equally extraordinary is that the publisher claims IP rights over all content generated inside the game – a vast amount to be claimed by a singular entity and a point I will return to in the next chapter. Playing is also probably the key source of pleasure – it is generally fun, sociable and quite un-work-like. Its productive output can be creative and entertaining. Its rewards are mostly social – the accumulation of social capital through networks, status and reputation – and the accumulation of knowledge and expertise. Sometimes rewards are financial, but only for those players choosing to participate in the secondary economy.

I want to emphasise here, that the content that players engage with is thus largely created by other players in the course of a session of play. The virtual world environment and objects in the game they engage with are created by the paid developers, but this is only one aspect of the content they access and that makes the game a source of pleasure and engagement for them.

6.4.2 Guild work

Most players belong to guilds inside the game. Guilds are enterprises which require a certain amount of effort to maintain and facilitate. Most guilds have leaders and office bearers in charge of various functions: organising raids, keeping a guild bank, facilitating social events, maintaining websites. All of these roles require time and effort if a guild is to work well. Guild websites are often elaborate, full of information on raids, quests, the state of current guild finances and politics, bulletin boards with ongoing discussions that range over any number of areas of interest. The websites often contain graphics, created by members or even by graphic artists who charge for the work (see section below on income generating activities). Through all this activity guilds are doing the work of building up networks and community. The social bonds forged through these activities are the glue of the game – they make it sticky, hard to let go of. Time is committed to turning up for guild raids, doing research for raids, helping other guild members get items for their 'epic' quests. These activities, along with things like raiding, and competing with other guilds to be the first to achieve particular goals, all create social bonds that tie players to the game.

6.4.3 Websites

Apart from guild websites, there are the numerous information websites that are associated with the game. The atlas sites which give detailed maps of the hundreds of zones in the game are extraordinary for the amount of time they represent. Each zone is mapped on a longitudinal and latitudinal grid. The player creating the map had to run around the zone using the /loc command at regular intervals. The /loc command gives coordinates on a

grid. The player plots these and generates the map in their own separate graphics package.

Class websites contain a vast array of information on each of the classes of character available in the game – how to play them successfully, where to take them, how to make the most of the particular skills available to them, what quests are available to them and so on. There are over a dozen different classes (rangers, druids, warriors, mages etc) and there are dozens of websites to peruse for information on each.

Similarly, one can find hundreds of websites relating to different skills – tradeskills like baking, fletching (making arrows), jewellery making, tailoring, and so on. Each tradeskill has hundreds of 'recipes' associated with it, and there are numerous websites that list the recipes, the outcomes one can expect, the places one can find the 'ingredients', and so on. The knowledge this represents and the time spent acquiring the knowledge is substantial. The creation of the websites on top of that is a further investment of time and money. Some of the websites are cross-referenced to a very detailed level.

Websites devoted to quests[41] and how to carry them out, lore and fan fiction, armour, weapons and spells, all exist in similar numbers. As I hope to have shown in the chapters Four and Five, websites are an integral part of playing the game. They exist outside of the game boundary, and yet the game is almost unplayable without them. Would SOE have been able to create this level of information for players within the game? Only by employing many more staff and expanding the functionality of the game well beyond its current form. As I noted in my observations of the tradeskills session at the Fan Faire, many of the players had a much more detailed knowledge of how the game functioned than the development team. One could say that the information system accompanying the game was outsourced to the players – the instruction manuals for successful play are

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[41] See Appendix 7 for a description of a Druid epic quest found on a guild website.

generated by the players. Although players obviously do this as a hobby and for the love and interest of it, it is nonetheless a convenient way for the publisher to outsource its user documentation.

6.4.4 Income generating work

The issue of the distinction between work and play is further clouded when we consider those people who make money from playing the game. This is paid work, but not paid by the publisher. As a secondary economy generated by the game, it falls into both legitimate and illegitimate categories. Legitimate forms of income generation from *EverQuest* include the traders who create merchandise for the game and sell it at the Fan Faires. In Chicago there were people selling t-shirts with *EverQuest* quips on them, trinkets, knick knacks and ornaments such as pewter dragons, elves, mugs with *EverQuest* themes. Others were there selling software packages for creating guild websites.

I have mentioned that I encountered businessman Brock Pierce, who employs people to power level characters, at the State of Play conference in New York in 2003. It is not clear to me whether this is legitimate activity as, even though he insisted he neither bought nor sold characters (an explicitly forbidden activity), it is also part of the EULA that players cannot share accounts with each other. Whether it is legal or not to give your account to another person to level up for you remains untested, but the fact remains that there are people employed to play the game and rapidly level up characters then hand them back to their owners. It is clear this undermines the system for publisher profit-making which relies on players spending the time, and money on their subscriptions over time, to level up their own characters. The conditions of employment for the power levellers are unknown.

There are other spin-off income generating businesses associated with *EverQuest*. When the guild I belonged to revamped its website, we paid a graphic artist to take screen shots of us in the game and then rework them into an image for the front page of our website (see Figure 6). The woman

who we employed to do this makes a small income from reasonably regular work generated from *EverQuest*. Others have thought up similar ventures, such as developing and selling software to set up guild websites.

The more outright illegitimate income generating activities (those banned by Sony) take the form of selling in-game items and characters on web auction sites, as discussed in Chapter Five. All manner of goods are available in the auction houses – from weapons and armour to platinum pieces and characters. I have encountered players who are attempting to make their living from these activities, with one player telling me he had to make US$300 a week or his wife would make him give up playing *EverQuest* . I had one developer (not from the *EverQuest* team) tell me he had a friend who made $30 000 a year in this manner.

This figure is not available online. Please consult the hardcopy thesis available from the QUT Library

Figure 6 Home page of the Dragonrider Knights guild. Image made by a graphic artist using screenshots taken in-game, remixed in a graphics program and inserted into website.

Julian Dibbell, author of *A Rape in Cyberspace* and various other commentaries on social life in online environments, set himself the challenge of earning as much money being an online trader of in-game items from another MMOG, *Ultima Online*, as he made from being a writer. His target was to make US$4600 a month. He failed, but not by much. Over the course of the year he made US$3917 per month – an annual income of over US$ 45 000. Dibbell documented his experiences over the year in a blog [42] and it is interesting to note his transformation from being a player who enjoyed the game, to a person rather stressed and anxious about making target sums by trading in the auction houses, buying low and selling high, wheeling and dealing. Thus some people make a reasonable amount of money from 'playing' in this manner. Becoming a 'day-trader' in game commodities obviously has a social cost as well.

The link between leisure and work is perhaps most obvious when economic value and market-based exchange are present. In 2001 Edward Castronova, an economist, calculated the income generating activity from *EverQuest* based on activity in online auction houses, the exchange rate between EQ platinum pieces (pp) and US dollars, and a survey of over 3600 *EverQuest* players and suggested that the GNP generated by the economic activity of the players in *EverQuest* was slightly greater than that of Bulgaria (Castronova, 2001). In determining whether it was valid to think of the virtual world of Norrath as a legitimate economy with a GNP, he notes:

> From an economist's point of view, any distinct territory with a labor force, a gross national product, and a floating exchange rate, has an economy. By this standard, the new virtual worlds are absolutely real. (Castronova, 2001:18)

He calculates the average time invested in making a character, assesses its US dollar value based on the exchange rate between pp and US dollars (at the time he wrote it this was $0.01072) and the amount of pp each avatar

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http://www.juliandibbell.com/playmoney/2004_04_01_playmoney_archive.html#108209506356337766

has accumulated – both as savings and the value of their accumulated inventory of armour and other items, and concludes that the average avatar is worth between $1800 and $3000. He also concludes that the nominal hourly wage (calculated by regressing the value of the equipment and cash of an avatar by the number of hours an avatar has been played) is $3.42 an hour. (Castronova, 2001:36)

Castronova bases his analysis on conventional economic frameworks that use market exchange and property as the determinants of value. He does not (indeed cannot within this framework) address the idea of affective labour and the economic value to be found residing in social networks. Addressing social aspects of the game he suggests the drive for social status and the aspirational and acquisitive 'nature' (somehow thought of as universal and possibly even biological rather than a specifically cultural construct) of players underpins the motivation for playing, but he makes no account of the economic value of the social and relational networks. He is interesting however, for his construction of all players as labouring in a system that is generating economic value, whether they are monetising that value or not. He does not problematise the 'illegal' aspects of trading online – merely noting that despite the fact that Sony has stated Norrathian items are its intellectual property and that trading these items is theft, 'Nonetheless, trade goes on' (Castronova, 2001:30). Nor does he problematise the idea that play might be considered labour. In his view, if an activity is generating economic value then it is labour, regardless of how the 'labourer' conceives it. Thus while some players are making money from their playing, many others aren't. It's still labour according to this construction. So in his model value, not actual exchange is critical, and labour leads to the creation of value.

6.4.5 Networks

The building of social networks is one example of the labouring done by players that is less obviously market exchange related in its value. Ultimately the value is economic to the publishers however, as the networks

are what drive the retention rates and subscription payments in the game. Thus it is the process that generates commercial value in this case, rather than some final 'product' made by the players. It is the generation of profit that is the goal, rather than the production of a particular 'thing'. This points to an interesting feature of this part of the system – that what is of value is generated collectively and is social in nature. It is not 'the text', and it is not attributable to one individual author. It is the work of many individuals creating a community. As I will explore in the chapter on intellectual property these features do not readily fit with many of the institutional practices of the law which tend to recognise and valorise individual authors and finished texts.

I have already written about the networks formed through guilds. These should be understood as the key form of networking within the game. However many other forms exist, including the networks that extend well beyond the boundaries of the game – into offline personal relationships, families that play together in the game, people who come together to play the game in groups at private houses, and so on.

6.4.6 Volunteers (guides)

EverQuest has a volunteer guide system in place, as mentioned in Chapter Five. Guides are recruited from the official *EverQuest* website and are vetted through a process of online interviews and questionnaires. I have described their function as 'peacekeepers' or conflict resolution agents and information gatherers for the GMs. Volunteer guides are a way for SOE to employ less paid customer service staff and their role is clearly doing work that could be done by a paid worker. In a slightly different context, a class action was mounted against AOL in 1999 (for payment for voluntary work done in the past) by some of its volunteer workforce. This happened after AOL changed its conditions of access for volunteers and the degree of agency and control they had within their communities was curtailed. This case demonstrates that volunteers are only happy to labour in this way if the conditions suit them and they don't perceive them to be exploitative. In

considering the case between AOL and its volunteer community organisers Postigo notes that:

> [t]he ephemeral nature of today's jobs can hide labor in the context of leisure … those who do the work of generating and maintaining the Web remain always hidden away under the rhetoric of volunteerism or hobby. (Postigo, 2003:23)

EverQuest volunteer guides work between four and six hours a week. The work of community management they perform obviously holds some appeal for them or they wouldn't be in the program, and some have indeed used it as a pathway into paid employment as GMs. The following is an excerpt from the biographical notes of Jeff Butler – Vice president of Sigil Games:

> Jeff first joined the MMOG community as an avid player of Ultima Online. He was then one of the first *EverQuest* Beta testers and joined the *EverQuest* Guide program early in Beta. Jeff was hired by Verant Interactive as the *EverQuest* Lead GM in February of 1999, and promoted to Customer Service Manager shortly thereafter. In March of 2000 he left customer service and became the producer of the EQLive team, responsible for the ongoing content and development of the game, …
> (http://www.sigilgames.com/000004.php Accessed on 24/5/2004)

Using volunteer guides is also obviously a way for SOE to garner hundreds of hours a week of labour for very little cost. The reliance on volunteerism is becoming more familiar to us in the broader context of neo-liberalism, where many responsibilities formerly assumed by the state have been shifted onto a volunteer workforce in the effort to 'trim' back government. As Andrew Ross points out, in a neo-liberal context, '… the service ideal invites, if it does not vindicate, the manipulation of inexpensive labor…' (Ross, 2000:26).

How much and for how long publishers like SOE can rely on this form of outsourcing their customer service functions depends presumably on how well they manage that workforce. Jessica Mulligan (2003) spoke at the Austin Game Developer conference of the importance of customer service to the success of an MMOG, and of the need for developers to shift their mindset to encompass the concept of post-launch community management. She was adamant that many MMOGs failed because of the failure of the

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developers to see beyond the *creation* of the game world and into the *maintenance* of the game world and the adequate facilitation of good community structures. She characterised developers as having difficulty moving from an old model of publication where their job was done at launch, and into a new model of production where their role extends to service provision and continuing development in conjunction with players post-launch. One of the key failures of developers is to adequately plan and budget for customer service (Mulligan and Patrovsky, 2003:36).

6.4.7 Feedback

Players are also a source of feedback and suggestions for feature set additions and bug fixes, as well as game direction. This feedback is gathered on the SOE bulletin boards and at the Fan Faires, but also recently SOE gathered together a group of guild leaders from what it identified as the top guilds from the best servers. They flew the leaders to San Diego, put them up in a hotel and spent a day with them, garnering their opinions on game balance and directions. This consultative approach was considered an interesting one by many of the players, and reflective of the fact that the expertise of players is increasingly acknowledged and sought after. Whether the information sharing is ever transformed into power sharing, or whether SOE will continue to keep its tight grip on direction and governance remains to be seen. The identification of these player experts can only come about through the surveillance of the player population. This surveillance has the effect of creating a hierarchy of player experts – some of whom are then consulted with about further development plans. I am not suggesting this is a 'bad' thing, or that consultation with willing and passionate supporters of the project of *EverQuest* development is cynical exploitation. It represents part of the dialogue between commercial and non-commercial stakeholders. But it is also useful to understand how it comes about and who benefits in what ways.

6.4.8 Paid Workforce

The paid labour force that develops *EverQuest* for SOE is not one easily accessible to the researcher. Despite a number of requests I was unable to interview or elicit a response to email questions sent to the development team. However one can assume that the conditions of work at SOE are similar to those in the rest of the industry. The games development industry does not hold an enviable reputation when it comes to work conditions. It can mostly be characterised by long hours, extended 'crunch times' when publisher deadlines pressure workers into sometimes weeks or months of working 60 - 80 hours a week. The International Game Developers Association (IGDA) published a 'Quality of Life' (QoL) report in 2004 which assessed the working conditions of those in the industry. They surveyed 1000 workers within the industry. In advocating for better conditions for workers – particularly in order to retain them in the industry – they could not help but describe some of the truly awful work conditions:

> … our industry's shortcomings, with its endemic long hours and 95% marketplace failure rate, may not always seem obvious or crippling. But after a few years, all-nighters fuelled by coffee and pizza lose much of their appeal. Most people come to want significant relationships, a more balanced life, and sometimes, children as well. None of this is easy to achieve in the typical game company. As a result, many experienced developers fed up with the crunch cycle decide to leave the industry, taking with them a wealth of talent and experience that we can ill afford to lose.
> Some within the industry consider long hours, high pressure and generally poor quality of life as normal, or even as signs of strength to be bragged about. (IGDA, 2004:5)

This valorisation of long hours within IT creative industries is something I will return to below in the section on creative labour. My own experience of working at a games development company for a year in 1998 certainly bears out the practices described in the QoL report. Most of the employees where I worked were under 24, all were male, and very few were in long term relationships. When publisher milestones approached some would work 100 hour weeks, and I would arrive at work to find someone asleep under my desk, surrounded by coke cans and pizza boxes. As the report points out, such practices are not sustainable over time, and are not

conducive to maintaining relationships, let alone families, or having much of a life outside work. I understand the company I worked for implemented better policies about crunch times in the following years. It is interesting to note here that it is the publishers who impose the demands on the developers that leads to these crunch times. Developers can be seen to structurally occupy different positions of relative power – with the publishers on one hand and with the players on the other.

The statistics on crunch times gathered in the Quality of Life report are salutary indeed:

> • **Almost three developers out of five report working 46 hours or more in a typical week** (38.1% say 46-55 hours, 19.7% say over 55). Most of them (58.8%) say their colleagues work about the same number of hours as they do.
>
> • **Crunch time is omnipresent**, whether before every milestone (57.2%), during beta (20.7%) or on at least a monthly basis (16.7%). Only 2.4% of respondents report that their company never has any crunch at all.
>
> • Crunches of all durations were reported, with the most frequent being 1-2 weeks (29%) and 2-4 weeks (23%). Over 18% of respondents reported having experienced crunches of two months or more.
>
> • **During crunch, respondents work 65 to 80 hours a week** (35.2%), with 55-65 hours also being frequent (30.4%). The average crunch work week exceeds 80 hours in 13% of responses.
>
> • When asked to describe their company's policy regarding crunch, **a whopping 51.7% of respondents said "Management sees crunch as a normal part of doing business in the game industry,"** ahead of "Management sees crunch as a necessary evil and tries to minimize its impact" (38.9%). Only 2.3% of respondents said their companies actively implemented no-crunch policies, like the 40-hour work week.
>
> • **Overtime is often uncompensated** (46.8%), with the most common form of compensation being time off at the end of the project (19.4% give partial compensation, 3.2% count all hours), ahead of royalties and profit sharing (12.5%). Only 4.3% of respondents say their companies pay overtime in cash. (IGDA, 2004:18-19) (bold emphasis in original)

Cutler notes '… the games labour force is motivated by the buzz of the current project, the attractiveness of being part of a specific team environment, and the ability to recoup intrinsic creative rewards' (Cutler, 2002:23). The QoL report sums up some of the pros and cons of working in the games industry thus:

> Hope and self-determination, specifically the chance to apply one's skills in meaningful ways to projects one cares about, the game industry provides in plenty. And while some other related industries may pay better, there is no doubt that developers are able to put bread on the table once they find regular employment.
> However, long crunches, frequent periods of intensive stress, and a hit-driven industry in which high-profile project cancellations and studio closures happen almost on a weekly basis don't support much in the way of mental and physical health, nor a sense of security. As for community, game development itself is a remarkably friendly brotherhood, but the opinion in which the general public holds us all too often ranges from amused contempt ("When are you going to get a real job?") to outright hostility ("This ultra-violent worthless tripe you do should be outlawed, you crazy sociopath!"). (IGDA 2004:11)

The reference to a 'brotherhood' is unfortunately apt in this industry where there are very few women. Of the 1000 respondents to the survey done for the QoL report, only 7% were women. (IGDA, 2004:15). This reflects the paucity of women game developers overall, although their numbers are increasing slowly. The reference to jobs with better pay as available but less satisfying than the work of crafting a game is a point I want to deal with in more detail next.

6.5 Creative labour

> Customized workplaces where the lines between labor and leisure have dissolved; horizontal networking among heroic teams of self-directed workers; the proto hipster appeal of the bohemian dress codes, the personal growth, and non-hierarchical surroundings; the vague promise of bounteous rewards from stock options; and employees so complicit with the culture of overwork and burnout that they have developed their own insider brand of sick humor about being "net slaves", that is, it's actually cool to be exploited so badly. Industrial capitalists used to dream about such a workforce… (Ross, 2000:11-12)

This is Andrew Ross's assessment of the labour conditions in 'webshops', and more generally in the digital economy. There are obvious resonances with the above discussion of game development industry conditions. In examining the historical work conditions of creative labourers Ross identifies how creative labourers and their specific relationship to culture and commerce, have come to exemplify the ideal worker in a knowledge economy in late capitalist societies.

One issue he raises that can be usefully applied to both the paid and the unpaid labour of the MMOG is that of the 'cultural discount'. Following the 'art for art's sake' ethos, he notes that cultural workers are willing to discount the price of their labour for love of their craft. Artists may accept non-monetary rewards for their work – the gratification of creating art is substituted for proper payment. 'Indeed it is fair to say that the largest subsidy to the arts has always come from the workers themselves…' (Ross, 2000:6). The fact that innovation and creativity don't necessarily need financial reward is one that has allowed publishers to harness the productivity of amateurs and hobbyists. This idea that artists create for the love of it is one that dogs the cultural and creative industries' labour politics. Combined with a tradition where close links to commerce are seen to 'taint' the work – to reduce it to the status of pop rather than high art – it has left an expectation, not only in employers, but often also in the creative workers themselves, that proper compensation is not required for their labour. Hence we have passionate gamers who become artists and programmers for game development companies, working 80 hour weeks with no overtime pay. And we have the passion of game players and their productive activities being structured into business models that harness the value of their labour without monetary reward. Kline et al conceptualise this as a paradoxical phenomenon where the work-as-play ethic is one that creates a 'hip' work environment for young workers who are exploited through appallingly long work hours, and the play-as-work ethic is one used to capture the productivity of players (Kline et al., 2003:202).

The intense cynicism of webshop workers, aware of their exploitation, but believing there is little that can be done to change conditions is explored by Epley. He argues that they rationalise their own exploitation when they '…invoke an aesthetic discourse to take pride in their craft independent of the ends to which their employers will put that production' (Epley, 2003:7).Thus they perceive themselves to be artisans rather than labourers, and the art for art's sake discourse manifests again.

A further aspect of this work is the way in which mental labour or knowledge work is difficult to separate out as a process different from leisure or other time. If your mind is 'always on' it can always in some sense, be working. The webshops tend to have very flexible working hours and forms – workers are given mobile technologies to enable them to work outside of the office, and outside of office hours. Such mobility and flexibility has led to the joke that bosses have the attitude: "you can work any 18 hours of the day you want" (Epley, 2003:8). Thus, in these circumstances '[i]n knowledge companies that trade in creative ideas, services, and solutions, everything that employees do, think, or say in their waking moments is potential grist for the industrial mill' (Ross, 2003:19). It is easy to characterise player activity as work with this construction of labour.

The creative labour market has evolved in the past two decades, and the neo-liberal context and the drive to individualisation has meant that much creative and knowledge work is negotiated in a marketplace where organised and collective bargaining has disappeared (Gill, 2002, McRobbie, 2002). Project based work, that is short-term, mobile, with uncertainty about future work has led to a labour force where democratic process, equal opportunity, and anti-discrimination mechanisms are bypassed through individualised work contracts and a reliance on informal networks to gain work.

The key elements that characterise the artists' work practice are those which most suit the profile of the modern 'knowledge worker'.

> … the traditional profile of the artist as unattached and adaptable to circumstance is surely now coming into its own as the ideal definition of the post-industrial knowledge worker: comfortable in an ever-changing environment that demands creative shifts in communication with different kinds of clients and partners; attitudinally geared toward production that requires long and often antisocial hours; and accustomed, in the sundry exercise of their mental labor, to a contingent, rather than a fixed, routine of self-application. (Ross, 2000:11)

There is a certain continuity between these observations about the conditions and power relations associated with paid labour in the knowledge and creative work forces and the unpaid labour also done in these spheres. The existence of volunteers, hobbyists and amateurs is not a bad thing. Leadbeater and Miller refer to the many benefits for those who engage in these activities – better mental and physical health, building of social capital, less depression (Leadbeater and Miller, 2004:56). Many innovations and creative outcomes result from their activities, and from the often laudable service ideals that lie behind much 'free labour'. How these activities are being structured into business practices in neo-liberal capitalism is a point of interest (and one often ignored).The knowledge economy in its cultural turn is heavily reliant on low wage and no-wage labour. While there are some highly paid workers in the industry, there are many more who are working under exploitative conditions and lower wages. We can see how the history of creative or cultural labour, with its flexibility, ethos of working for the love of the craft, its perennial practice of the cultural discount, and so on, has lent itself to these structures. In an economy where 'mental labour' is one of the keys to value, creativity – long seen as a mental phenomenon – both provides a model and is integral itself in the new economy. The MMOG is exemplary for the way it uses both paid and unpaid creative labour to produce a successful media product. The politics lie in who makes the profits from the labour and how the various elements of that labour force are treated.

6.6 Affective, immaterial and mental labour

In the discussions above I have referred to the production of cultural value as being a valid and essential part of where the general and economic value of an MMOG lies. I have yet to consider what this cultural value might be, other than to allude to it in terms of its immateriality – the intangible aspect of the game. We can couple culture with technical skills as the ingredients for knowledge work. Artistic discourses tend to regard cultural products as those tangible goods that are the outcome of creative labour. One of the points I have been driving at in outlining the networks and the creation of those networks as part of the labour involved in producing *EverQuest* is that there are social and emotional investments or aspects to that labour which produce sociocultural outcomes – intangible but nonetheless vital and economic. Thus it is not just that people *invest* affective labour into the system, it is that there are social and cultural *outcomes* from that investment that are of value too.

Hardt and Negri define immaterial labour as being '…labour that produces an immaterial good, such as a service, a cultural product, knowledge, or communication' (Hardt and Negri, 2000: 290). They identify affective labour as being one aspect of immaterial labour (the other being the work involved in problem identifying and problem solving and so on).

> What affective labor produces are social networks, forms of community, biopower. Here one might recognize once again that the instrumental action of economic production has been united with the communicative action of human relations; in this case however communication has not been impoverished, but production has been enriched to the level of complexity of human interaction. (Hardt and Negri, 2000:293)

One of the aspects Hardt and Negri identify in relation to communication networks where much affective labour is harnessed, is that these networks aren't just conduits for goods and services, they *are* the goods and services. They go on to say:

> Our economic and social reality is defined less by material objects that are made and consumed than by co-produced services and relationships. Producing increasingly means constructing cooperation and communicative commonalities. (Hardt and Negri, 2000: 302)

Although Hardt and Negri make these comments in the context of a much larger argument about the global relations of capital and labour, I am not so much interested in that element of their argument. I think however, that their observations of the nature of labour in a networked knowledge-based economy is useful. Their pinpointing of the value of networks produces a way of understanding player-created networks as both valuable and a product of their labour.

As I will argue in Chapter Seven, which deals with intellectual property, the social, affective and cultural aspects to the value of an MMOG are often erased in discussions which focus on property, or debates about economics that rely on a concept of value residing in exchange. The refusal of those debates to encompass the immaterial aspects of cultural production – the knowledge, social and emotional elements – is to my mind, untenable, as the economy becomes more and more reliant on such things for its success. Writers like Hardt and Negri are able to identify these aspects of production. They do go on to observe that the conceptual crisis this may bring about for private property '…does not become a crisis in practice, and instead the regime of private expropriation has tended to be applied universally. … Private property, despite its juridical powers, cannot help becoming an ever more abstract and transcendental concept and thus ever more detached from reality' (Hardt and Negri, 2000: 302).

There is a long history of capitalism ignoring unpaid work and yet relying heavily upon it for its success. The domestic work, most often done by women, which enabled the industrial model of labour to proceed, is one of the more obvious examples of this. Feminists have often argued for the acknowledgement of this form of labour in national accounting practices at the least. Some have argued for payment of such work (Waring, 1999). It would seem that as economies shift from being industrial to knowledge-based, the practice of ignoring the value of unpaid work is continuing.

A more contentious argument has centred around the value of affective labour. Those who argue that what should count as work is activity that one could pay someone else to do (the third party principle) would exclude affective/emotional/caretaking work from any account of work. Others have argued strongly for its inclusion, the main grounds being that such work is essential for the reproduction of labour. Baneria, in attending to this argument notes that:

> … a significant shift has taken place in the conceptualization of economic activity towards the inclusion of tasks that contribute to social reproduction and the maintenance of the labour force and which are not directly connected to the market. (Baneria, 1999:295)

She also notes that current conventional economists dismiss the concept of there being an economic or monetary value to unpaid labour on the grounds that

> … [in the conventional economists' view] any monetary evaluation [of women's unpaid work] displays an ignorance of the concept of value as something realized through the exchange process. That is, the exchange process is viewed as the only source of value despite the fact that the value of non-market goods in subsistence production has been estimated for many years…' (Baneria, 1999:304).

The boundaries of conventional economists' paradigms can be challenged to interrogate the link that is made between 'work' and paid labour time and the market. 'Feminist economists have emphasized the need to construct models other than those based on the market-oriented motives of rational economic man.' (Baneria, 1999:305). In a networked economy and with a model such as the MMOG, affective labour is not so much about the reproduction of labour as the about production itself.

The dismissal of affective labour as part of economic production can probably be traced historically to gender. Emotional and affective labour has most often been the domain of women. Feminised work is often underpaid or unpaid and undervalued (Vosko, 2000). Terranova (2000) notes that writing code for Open Source is considered to be labour, but being a volunteer for AOL and facilitating community interaction through chatting is often not. She speculates that as these are heavily gendered activities –

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much of the Open Source movement being male, much of the community facilitation being female – that Open Source work is legitimated more readily than community relations work.

In a network economy based on knowledge work and a cultural turn, the centrality of affect to the business model is increasingly recognised, although whether the recognition of the importance of affective labour to the economic system results in any change in power dynamics remains to be seen. The rhetoric of 'consumer empowerment' encompasses the role of affective labour in network economics and a market where businesses are often reliant on branding and customer loyalty for their success (Jarrett, 2003). Industry literature is very aware of the value of customer networks and loyalty, and actively strategises to utilise the value produced by consumers through their affective labour. In a network economy, with the non-rival nature of information goods, the increasing returns gained through widespread networking are recognised, and community elements and social engagements are seen to increase brand loyalty. In a web environment they are seen to increase site 'stickiness' and raise the 'switching costs' – a phenomenon I have referred to in relation to *EverQuest*.

> "The crucial feature of network economies then, is that value resides in the web of relationships a company fosters rather than its internal logic or its assets"(Kelly, 1998:26). This necessarily places the consumer, and specifically the affective connections of that consumer, at the core of any commercial enterprise operating in the network economy. (Jarrett, 2003:340)

Community and loyalty are both things that have affect at their core. This means that not only must the consumer be conceived as a 'rational and self-interested individual', but also as an emotional and social agent vitally concerned with relationships. Status and social relations become an important part of online consumption – for instance the peer ratings in online auction houses and the customer reviews at Amazon.com.

> Online consumption, conceived as a social act, becomes less about material gain but about social identity, its manifestations, expression and codification. (Jarrett, 2003:341)

Another key aspect of the network economy Jarrett identifies is the emergence of the 'experiential good'. This is something referred to by Rifkin as well, (Rifkin, 2000) although he tends to rate commoditised experience as somehow inauthentic or lacking in a trust-based dynamic that would make it authentic. I think this invocation of inauthenticity is a misreading of the nature of online communities. The aspect of an experiential good that we need to note is that it requires the consumer to participate and create in some measure, the experience they are consuming. Mostly that participation can be identified as affective.

The discounting of affective labour when it comes to conceptualising work has a long and strongly gendered history. It seems clear that such work is becoming more and more central to the network economy. It is no longer about the social reproduction of the labour force, it has moved into a new and different area. Affective labour is now a part of the value of the product itself. To continue to ignore it in discussions of media like MMOGs is to create a very partial and incomplete picture of how the system works. To pay attention to it, I would argue we need to lift the status of the non-monetised rewards involved in such a product. By this I mean that I am not arguing for monetising the value of affective labour. But as businesses elevate their use of affective labour, their responsibility towards that affective labour force might need to be interrogated. As there is an increase in the use of affective labour should there perhaps be an increase in the protections afforded that labour? A social accounting framework would suggest that a system of mutual obligation would be appropriate and should become more central to how business practice in this area is regulated. Thus the current focus of economists and the legal profession on intellectual property and value generated through market exchange could be broadened to encompass the new centrality of affect to business models.

6.7 Power negotiations and the unruly labour force

6.7.1 Collective production

A final aspect of labour I want to consider in relation to the MMOG follows on from the consideration of cultural value. The production of cultural value is a collective process. The production of knowledge is a collaborative and social enterprise. It is always based in culture and the circulation of cultural understandings and practices. Thus there are aspects of the production of an MMOG like *EverQuest* that can be attributed to individuals. But there are aspects which are collectively produced, held and maintained by the game communities. These are elements which are generated both through skill and through affective involvement. Emotional and social work is core to this business. Relationships and trust are concepts that have shifted out of the peripheries in post-Fordist models of production. People are no longer interchangeable units for putting in labour hours in an assembly line model of production. People, networks and relationships achieve a central importance. The question that arises from these observations is, what kind of value do we place on collective cultural production? Does it have value in a market exchange environment? Jarrett and others have pointed out that branding and brand loyalty have huge market value (see also van der Graaf and Nieborg, 2003). Is collective, cultural production something that can be owned by a single entity? If the value lies in the processes of community, rather than the production of a material item, can the process be owned? By whom? Can it be exchanged? These are questions that I will explore further in Chapter Seven, but which need to be flagged here in the discussion of what value one gives labour, when the labour is collective as well as individual, and when it is unpaid as well as paid. I don't claim to have answers or indeed to suggest there is a truth about this waiting to be discovered. Our understandings of these processes are discursively constructed and my goal here has been to tease apart what the various aspects involved in player productivity might be.

> The problem does not consist in drawing the line between that which, in a discourse, falls under the category of scientificity or truth, and that which comes under some other category; rather, it consists in

seeing historically how effects of truth are produced within discourses that, in themselves, are neither true nor false. (Foucault 2000:119)

Thus my questions and discussion have been aimed at understanding the terrain of current discursive constructions of labour in many of its forms and what the power relations associated with it are.

6.7.2 Negotiating power

What relationships do the labourers in *this* system have to each other and to the owners and managers? The most conventional of these relationships is the paid workers and their employers. The conditions under which they work are mapped out in their employment contracts and through the practices observed in documents like the IGDA Quality of Life report. Should they choose, both the employers and their workers have the opportunity to negotiate conditions of work, either individually or collectively. In part this is because they understand this to be the nature of their relationship. They hold an expectation that the terms of their engagement with each other will be negotiated – either individually or collectively, or through an existing system that has institutionalised the relationship in these terms. Players and publishers have no such understanding or expectation of their relationship being negotiated in these terms.

Developers, depending on their business model, will either be in a relationship with a publisher who applies additional constraints and demands on the production schedules and labour conditions, or will be aiming to self-publish (a reasonably infrequent model, given the high cost of initial development). Thus the publisher may be involved in labour conditions to a greater or lesser extent and with varying degrees of directness. In the case of a game like *EverQuest* the publisher subsumed the development company *Verant* into its own business and now the developer is an in-house part of the publisher's corporation. The nuances of these labour relations can be traced through various individual instances, but bear some similarity to other media employment relations.

The relationship of the unpaid labourers to the developers is less easily mapped. Firstly it is important to differentiate players. Hard-core players differ greatly from casual players, in motivation, level of expertise, level of investment, and degree of participation, such that they have quite different relationships with developer teams (and each other). The casual player may be more inclined to have a distant or non-existent relationship with paid developers. They may ask for technical assistance, but never seek further involvement with developers or publishers. Hard core players, the target market of the MMOG, who invest much time and affect into the game and who achieve high levels of expertise and competence, have a much closer relationship to paid developers (Herz, 2002b, Pearce, 2002). I have described in Chapter Five and earlier in this chapter the ways in which the ongoing development team use this group of experts to garner ideas and feedback. I have also described how they exist in competition with them in the discussion of cheating. Cheating, using 'exploits', sailing close to the wind when it comes to game rules, making money on the auction market for in-game goods, are all examples of the ways in which the unpaid labour force challenges the system. They are not a docile workforce, subject to a labour contract that keeps them in line and ensures their adherence to management strategies.

They are unruly, chaotic, inclined to pursue their own passions, and goals other than those which generate profit for SOE. In this I am not suggesting that they are rebelling against the forces of capitalism or any other political or resistant agenda. Quite the contrary. They are most often acting in self-interested and entrepreneurial ways that support the goals of liberal individualism. However, they are, as a labour force, unruly. The frustration of this for the developers and publishers was evident in the Game Developer's Conference session on cheating. It can also be seen in the publishers' resorts to the repressive powers of legal remedies such as cease and desist notices to fan websites they don't approve of (see Taylor, 2002:234-235), and in using the EULA as a means of disciplining players through suspending and banning them. I will explore the implications of governance through the EULA contract in the next chapter, but for my purposes here it is

enough to note that in the absence of employment contracts, this is the mechanism through which the publisher seeks to 'tame' its workforce. However the rules determining what can be demanded through the contract are subject to a different set of regulations than those which pertain to employment contracts. Thus, unlike employment contracts which specifically negotiate the relationship between employers and labour in terms of expectations and conditions of production, a EULA is not a contract designed to cater to player productivity or to negotiation.

The other point worth noting in relation to the EULA contract, is that the unpaid labour force it controls is a very disorganised one. The chances for negotiating this contract are very slender indeed. Each player comes to the contract as an individual, usually unconnected to the other individuals who are consenting to the terms of the contract, and with very little chance of organising as a collective to negotiate the terms of the contract. The thought that one individual might try and challenge the terms, against the might of the multinational corporation SOE and its legal teams, is almost laughable. The parties are not on an equal footing when entering into this agreement. Indeed, in the neo-liberal context of flexible labour and fluid, individualised portfolio careers, organised labour of any sort has become less common (McRobbie, 2002, Gill 2002). The paid labour of the games developer workforce is not organised, and the structures through which to organise have been dismantled. It is completely unsurprising that the unpaid labourforce of players is disorganised. As Best points out, the discursive construction of the flexible worker is extremely individualised, and while the focus on individual pleasure and agency may be of benefit, it provides no tools for addressing institutionalised power such as that wielded by corporations (Best, 2003:465).

As demonstrated through my descriptions in Chapter Five, legal systems of regulation are not seamlessly adhered to. Or as Foucault states:

> I don't want to say that the state isn't important; what I want to say is that relations of power, and hence the analysis that must be made of them, necessarily extend beyond the limits of the state … the state, for all the omnipotence of its apparatuses, is far from being able to

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occupy the whole field of actual power relations …(Foucault, 2000:122-123)

Players often work their way around the legal regulations. Thus although the publisher may seek to control this part of its labour force through the juridical means of the EULA, it is only partially successful in doing so. While the unpaid workers in this production model can't be subjected to the constraints of labour contracts, they are also not afforded the protections (however minimal) of labour regulation. They are much less likely to organise themselves into a collective bargaining body. Their determined unruliness is persistently irritating to the publishers and developers, at the same time as their contributions and expertise are sought after and valued.

Currently publishers' obligations are to treat their paid workforce fairly (which they are obliged to do through labour law – although labour laws vary from country to country with regard to fair treatment of workers), but no such obligations pertain to their unpaid workforce, because it is not conceptualised as such, and its productivity is minimised through the discourse of the consumer. Thus, if the publisher were to dismiss a paid employee it is expected to have a sufficient reason for doing so or else incur an unfair dismissal charge. Perhaps there is a case to be made for also expecting sufficient reason for dismissal of a player. It seems to me this situation arises from the relative newness of the publication/service hybrid, and the lack of institutionalised forms associated with it.

Each stakeholder in the MMOG system has a different form of power it may resort to or negotiate with. The publishers hold the power of access. They can withhold access to the market from developers (projects are often cancelled, even after years of work by developers), and they can withhold access to the game from players. Negotiations between players and developers are more nuanced, with developers reliant on player contributions and expertise to the point where they cannot always ignore player demands. Players' power resides in a number of strategies (such as circumventing rules, following their own agendas not the company's, and

ultimately the 'exit' strategy of leaving when dissatisfied), but these strategies are possibly the weakest of all the stakeholders in the system.

6.8 Conclusion

In this chapter I have argued that labour provides a means of theorising the production of the MMOG that breaks down the opposition between production and consumption. Using it as a means to denaturalise assumptions that arise from the discourse of the player as consumer, I have canvassed the ways in which the different concerns of labour discourses can cast light on player activities.

I explored how the model of the labour of consumption relating to television and films can be extended to encompass the work of interactive media users. The work of Smythe, Miller et al, Terranova, Ross, Hardt and Negri, and others, can be used to create an understanding of labour as consisting of both paid and unpaid work, with technical and cultural elements. The specific activities of *EverQuest* players that result in production that can be harnessed into a business model are embedded in the history of the conditions of creative labour and affective labour. Creative and affective labour have moved from the periphery to the core of business models used in a post-Fordist, network economy. The MMOG can be seen as an exemplar of this model, in its use of low paid and unpaid labour, creative and affective labour and social networks, to generate profit for the publisher. The power relationships negotiated in this system are complex. The intersection between amateur and professional, and between art and commerce generates tensions that can be exploited by the publisher who ultimately wields the power of access. To discursively construct players as labourers suggests new grounds for debate about publisher obligations toward their player populations.

In the next chapter I will examine the basis on which the power of the publisher is secured through the use of intellectual property and contract law, and question the mobilisation and effect of these laws in relation to

MMOGs and their governance. I will examine in particular the discursive constructions of property law and how they erase many of the attributes of creative, affective and cultural production explored in this chapter from the legal understandings of the MMOG.

7 "You're in our world now"[43]
Proprietary Worlds: Ownership, Governance and Accountability

I have observed through my ethnography that there are two main discourses that dominate understandings of MMOGs – the discourse of the consumer and the legal discourses of intellectual property and contract. In Chapter Six I used theories of labour to denaturalise the idea of players as consumers and make clear their productive role. In this chapter I want to carry the implications of that forward into a discussion of the role of productive players in discourses of intellectual property. I also want to consider the implications of property discourses in a service environment. In considering the service aspects of the MMOG environment I want to draw attention to the EULA as a mechanism which manages terms of access to the game, and analyse the relations of power that form around that mechanism.

Power and control in a game like *EverQuest* are negotiated through interactions between different stakeholders and institutions. In this chapter I will examine how the discursive practices of the law shape power negotiations between players, developers, and publishers. Intellectual property (IP) and copyright law are the most commonly used bodies of law in the area of media publishing. They operate from a particular set of assumptions about the structure of the production and publication cycle. Digital networks reorganise access, distribution and production, and this generates challenges to conventional legal practices. New economy practices which make knowledge and affect more central to economic processes also present challenges.

I intend to explore the discourses of copyright and intellectual property and the current struggles for control within that field of practice, before engaging with what makes MMOGs different from other media, and why property law

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[43] Marketing phrase coined by SOE for *EverQuest* for the first several years of its existence.

is an inappropriate or limited mechanism to use in an interactive medium. Having explored the productive role of players and the implications for the MMOG production cycle in the previous chapter, I want to point to the many ways that the discursive constructions of property law erase or minimise aspects of that productivity, to the advantage of the publisher and the disadvantage of the players.

I will address the aspects of production that are immaterial, rather than tangible: the cultural production, the emotional investments, the networks, relationships, identities and communities and the value they generate. If the value of these things lies not in ownership of them, as though they were objects, but in their social and cultural value, the intersection with legal discourses occurs around issues of community control and access. Contract law, and the management of the terms of access, is the 'companion' body of law that helps shape the legal environment of *EverQuest*. The role of the contract and the kind of power relationships engendered by contractual mechanisms are key to understanding power in these circumstances. It is important to locate where the constraints lie and where there are mechanisms of accountability.

Ultimately I want to argue that MMOGs are a *service* provided by the publishers, and that *access* to that service is one place to focus our attention upon. There has been little scrutiny of the accountability of publishers in their management practices in relation to game communities. Currently a player in *EverQuest* can have their access to the game terminated without any recourse to a mechanism of appeal. Player contributions to the production cycle are crucial to the publisher, who relies on their content creation, their social networks and their emotional investments for the ongoing viability of the game. Yet players can be summarily ejected from the game without explanation – a situation that is constituted through the EULA terms. Should there be some degree of mutual obligation in this environment? In exploring this intersection of cultural and legal practices we need to extricate ourselves from a narrow focus on property in MMOGs. If, as Rifkin suggests, we live in the 'Age of

Access' (Rifkin, 2000), and if, as much industry literature suggests, relationship networks and affect are part of core business practices (Jarrett, 2003), the focus of legal argument needs to match the shift and move away from an obsession with property.

The trajectory of this chapter is to canvass current debates in the field of intellectual property and copyright law, move on to specific issues relating to MMOGs and *EverQuest*, examine the role of contract law (and the EULA), and then discuss the implications for access, community management and corporate accountability. The discourse of consumer rights is very much implicated in these issues. Player rights and access to power within this system are often framed through a consumer rights lens which locates the source of power for players as residing in their 'exit power'. This is inherently problematic in a social space where the switching costs are high. If the adoption of proprietary space as community space means that it takes on some of the characteristics of the public sphere, do citizen rights override the constraints imposed by consumer contracts or can contracts compromise or reshape our commonly held citizen rights? If someone belongs to a sports club and feels they have been unfairly treated, or are injured as a result of excessive violence or aggression from another player, at some point natural justice and administrative law will provide arbitration and assert protections for that person. In a proprietary world, the contract may result in there being no access to natural justice through the administrative legal system.

7.1 Intellectual property and copyright

I want to trace some of the arguments about copyright and intellectual property that have gained currency in the past ten years and see what relation these arguments bear to computer games and in particular multi-player online games as publications. I will also question the appropriateness of the property framework to this medium when looking at the complexity of intersecting interests and rights in an environment that embodies social as well as publication elements, production as well as distribution issues.

Rather than accepting the key terms of the debate, which tend towards arguments about who should own the intellectual property in particular works, I want to question whether some things should be owned at all. Engagements with this body of law produce particular effects and kinds of truth about the medium in question. Invoking property law can preclude other understandings and shape practices in particular ways. In current contexts, it seems almost inevitable that intellectual property should be the lens through which this medium is viewed. It governs the institutional practices surrounding it. But as Frow (Frow, 2000) points out, the teleological assumptions that accompany arguments of inevitability need not be accepted. Institutional practices are the result of a series of strategic moves made by the stakeholders, and represent the enactment of particular power relations. These can be countered in equally specific and strategic ways. The framing of all issues pertaining to this area as property issues closes down other debates that might be had. As Siva Vaidhyanathan suggests

> …once all questions of authorship, originality, use, and access to ideas and expressions become framed in terms of property rights, discussion simply seems to end and maximum protection seems ordained; how can one argue in favour of theft? (Vaidhyanathan quoted in Coombe, 2003:3)

It is important to view the institutional practices currently deployed around intellectual property as historicised and contextual. Hence the more general discussion of IP and copyright that follows here is designed to outline the context in which negotiations in MMOGs take place.

Much of the discussion of copyright and intellectual property in general in the academic literature (and in particular in the field of critical legal studies) is based on the US law of copyright. To some extent the commentary I give below is based on US copyright principles. Where possible I use alternative sources, based on other international regimes. In general though, there are a number of arguments why retaining a US-based focus is acceptable in this discussion. The first is that the US increasingly holds sway in international trade agreements on intellectual property, and thus we are increasingly

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subject to US style intellectual property laws.[44] The second is that the general principles do not vary hugely between Western countries, although the balance between various elements that go into those principles does vary (Gartner G2 and Berkman Centre for Internet and Society, 2003). Thirdly *EverQuest* is a mostly US based game, with the bulk of its player base living in the US. Fourthly, any disputes that arise from *EverQuest's* terms of contract will be dealt with under US law in the State of California. Finally, the Australian market is too small to sustain an MMOG and we thus have not so far had any Australian developed MMOGs in our market. [45]

There are however some drawbacks to using the US arguments. The first of these, in the Australian context at least, is that US-based arguments tend towards setting up oppositions between copyrights and the right of free speech and first amendment arguments. Unlike Australia, the US has free speech rights enshrined in its constitution. Therefore much of the legal debate goes to whether the increasingly expansive reach of intellectual property laws is constitutional under US law. In Australia such arguments are less fruitful as we have an implied limited right of free speech in our constitution. Also, in Australia we have moral rights law included in copyright law – which is not the case in US law. As far as possible I will try and point to where these differences impact on the debate in the local or international (non-US) contexts. However, in the main this chapter does not engage with different jurisdictional regimes. The whole issue of cross-jurisdictional issues – of rights and the international reach of an application like *EverQuest* is too complex for the scope of this chapter.

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[44] The recent Australia – US free trade agreement devoted almost 70 of its over 140 pages to realigning Australian IP and copyright laws to be compatible with US laws (Given, 2004)

[45] There is at least one developer working on an MMOG, but it is for the South Korean market, not the Australian market. Cutler identifies three possible disadvantages for Australian development of MMOGs in an international market, including lack of broadband penetration in the domestic market, and a cost penalty for international broadband links. (Cutler, 2002:20)

Traditionally copyright law has been characterised as having several goals. It seeks to balance the rights of the public to access creative works with the need to provide creators with an incentive to produce work. Producers are thus granted a *limited* monopoly over their work in order to give them an incentive to produce that work. The limits are in the form of fair use restrictions and time restrictions.

> Intellectual property rights are limited monopolies conferred in order to produce present and future public benefit – for the purposes of achieving those goals, the "limitations" on the right are just as important as the grant of the right itself. To put it more accurately, since there is no "natural" absolute intellectual property right, the doctrines which favour consumers and other users, such as fair use, are just as much a part of the basic right as the entitlement of the author to prevent certain kinds of copying. (Boyle, 1997:9)

In the US, historically, copyright was intended not as a '…property right but a policy that balanced the interests of authors, publishers and readers' (Coombe, 2003:1). It was an incentive framework that recognised that all new work builds on existent works and therefore only grants a limited monopoly right as a kind of necessary evil in a market economy. It could be seen as an attempt to facilitate the intersection between commercial and cultural imperatives.

According to Bettig copyright laws in the US sought to achieve four main goals when they were first made: a) to secure the author's rights; b) to promote learning; c) to provide order in the book trade; and d) to prevent monopoly. He contextualises these laws as part of the nation building exercise that included a raft of legislation that sought to protect private property, promote competition over monopoly, and limit popular sovereignty. These he characterises as the structural logic of capitalism.

As publication is central to the process of claiming copyright, the publication industry and its capital are central to copyright law. He thus posits that copyright is a right of capital, not of the author. With copyright, he says, "[c]ultural artefacts are transformed into investment instruments for capital

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along with real estate, bonds, stock, licences, franchises, precious metals, etc" (Bettig, 1992:151).

Historically there is a relationship between the rise of the market, capitalism, liberal individualism, the printing press and copyright law. Authors became more important once all of the existing material in the public domain had been 'enclosed' by publishers and printed. It then became necessary to seek new material for printing and the interests of authors in the publishing process grew. 'As literary and artistic works were progressively commoditised, possessive individualism began to characterize the attitude of writers to their work' (Eisenstein 1979:121, quoted in Bettig 1992:140). Thus authorship as a concept can be seen to be a construct related to a particular discourse and cultural context, rather than a 'natural' category.

The role of the author in processes of creativity generates a central contradiction or paradox within copyright law that is becoming more pronounced as author rights are being strengthened. The author, as characterised by the law more recently, fits a 'romantic' notion from the enlightenment era which constructs creativity as a divinely inspired individual effort. Such idealist concepts (a particularly Western phenomenon) deny the appropriative nature of creativity and culture – that all creative works rely to a greater or lesser extent on what has gone before. Appropriation is in fact what drives cultural innovation. Thus the 'original' work protected by copyright law always necessarily builds on other works. On the one hand then, the individual creative is recognised by this body of law as needing incentives to produce 'original' work, and on the other hand, the limited nature of the monopoly awarded recognises that we need a public domain of work to draw on to create new work. The romantic and idealist notion of the author is at odds with the appropriative concept of culture acknowledged through the protection of the public domain. We can see that culture works in a broadly recursive fashion, and that the law, as it seeks to strengthen authorship rights, denies this recursivity. The MMOG can be seen as a microcosm of this recursive process and the ownership rights claimed by the publisher an echo of the broader context.

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Copyright law and the concept of intellectual property are culturally driven, discursively constructed institutions of Western societies that embody a particular set of interests. Strengthening intellectual property and the concept of individual authorship affects how we conceive of culture and its processes:

> Emphasis upon intellectual property tends to exalt originality rather than creative variations, singular authors rather than multiple interpreters, canonical works rather than social texts, and to privilege a moment of inscription over the process of ongoing appropriation. (Coombe, 2003:2)

In Chapter Six I discussed the collective characteristics of much creative and knowledge-based work and the processes that result in creative products. As Coombe points out here, such collective processes are lost in the structures of intellectual property. Not only are these collective processes lost, but the ways in which they draw upon collectively held cultural material and understandings held in the public domain is also obscured:

> … the rhetorical focus on originality leads to a tendency to undervalue the public domain. … The ironic result is that a regime which lauds and proposes to encourage the great creator, may in that process actually function to take away the raw materials which future creators need to produce *their* little piece of innovation." (Boyle, 1997:6)

Frow argues that the public domain is what is left over after intellectual property has been claimed – it is residual (Frow, 1999, Frow, 2000). Thus there are some areas that have traditionally been seen as off limits to claims of intellectual property. These include, in patent law, the 'laws of nature'; in trademark law, language; and in copyright law, ideas. This notion of the public domain as residual – an almost negative space – makes it hard to map and easy to encroach upon. It is not a clearly defined space with positive identifying statements mapping out what it encompasses. Toby Miller suggests that rather than base an entire system on protection of somewhat spurious authorship rights (due to the involvement of corporations granted status of 'legal personhood' through current legal

systems), we should instead base it on consumer rights. This would ensure not ownership rights, but the right to *do* things with texts. 'In other words the public domain must be the constitutive ground upon which creativity rests, rather than its remainder' (Miller et al., 2001:204).

The public domain has been subjected to an increasing and steady erosion over recent decades. The limited monopolies granted by copyright law have been consistently extended and the balance between the public domain and the copyright holder is increasingly put out of balance. The limited time of the copyright monopoly has been extended on numerous occasions by the US legislature. The most recent time in the US was the Sonny Bono Copyright Extension Act of 1998 which extended the period a work remains within the control of the rights-holder to the lifetime of the author plus 70 years. The limits on copyright instituted by fair use clauses, which ensure that works are available for copying in such areas as education, libraries and archives, for the purposes of satire, personal use, and so on (the exact limits of fair use vary from country to country) have also been gradually eroded. This has been done mostly through technological and contractual means, but also through extensions of copyright to cover things like databases which house previously public domain material. International agreements made through the World Trade Organisation such as the TRIPS agreement force countries to adopt US style laws regarding intellectual property (Drahos and Braithwaite, 2002). This move to include intellectual property as part of trade regimes rather than as part of cultural policy is significant. It is a shift which favours the viewing of all creative production as property, much like stock, to be traded and owned. This discursive practice serves to minimise any consideration of immaterial characteristics such as cultural value and the value of affect and networks in the production of media like an MMOG. It is a powerful force in defining what matters and what doesn't.

The bolstering of authors' rights, of course, is referred to with the understanding that in fact authors sign away most of their rights to publishing companies who set themselves up as having legal personhood,

and therefore as 'authors' in the eyes of the law. The benefit of most copyright and intellectual property goes to the publishers rather than the authors themselves. This goes back to Bettig's point that the interests of capital rather than the author are served by copyright law. Joost Smiers observes that research by economists has shown the benefits of copyright tend to go to the investors rather than the creators and performers of works. He concludes that:

> … the rhetoric of author's rights has been largely carried by third parties: publishers and record companies, i.e. investors in creativity (rather than creators) who also turn out to be the chief beneficiaries of extended protection. (Smiers, 2002:126)

There is a general perception amongst critical legal scholars as well as those in media and communications, that the balance has gone out of the copyright law and that authors' rights (or, more commonly, publishers who have taken on the persona of authors) have become paramount:

> … the balance to be struck between the rights of authors and public rights of access to the public domain has weakened considerably. … the recent tendency of copyright doctrine in many countries has been to narrow the fair use exemption quite drastically by foregrounding the notion that it is a subsidy which has costs in rent foregone by the author: copyright is thus seen as a source of monopoly right to be protected against 'harm' by copyrighting pirates. (Frow, 1999)

7.1.1 The commons analogy

The argument or analogy most often deployed around the issue of the extension of copyrights and the erosion of the public domain and its possible chilling effects on culture, is that of the commons. James Boyle, John Frow, Lawrence Lessig and Yochai Benkler have written extensively on this subject (Benkler, 2003b, Benkler, 2003a, Boyle, 1997, Boyle, 2000, Boyle, 2002, Frow, 1999, Frow, 2000, Lessig, 2004, Lessig, 1999). The commons, and its enclosure, is based upon an analogy which likens the extension of intellectual property rights into the public domain to the enclosure of the commons lands in England from the 15th to the 17th centuries. Economists who frame this enclosure as a beneficial move base their rationale on the idea of the 'tragedy of the commons' – used to justify the enclosure of land

in England. This model proposed that any commons would be overused and abused because of the inability of individuals to work for the greater good, they only act in self-interest. Individual greed would lead to the overuse and devastation of the commons land. Therefore it was necessary to enclose it for use by private individuals, who would create greater wealth through economies of scale once they had enclosed the land and aggregated it. This wealth would trickle down to the people whose land it had been and all would be better off in the long run. Or as Boyle (2002:14) puts it, it was ultimately seen as more efficient and for the greater good, for economic wealth to be concentrated in the hands a few – otherwise there would be no incentives to invest in improvements.

As Frow, Boyle and Benkler point out, this argument is a nonsense that assumes that the commons were not governed by strict sets of protocols and rules about use that enabled the land to be managed over many centuries. Commons weren't anarchic, they just imposed different constraints than private property law. Of the current situation, and its relationship to the enclosures of commons land in England, Boyle says:

> Once again, things that were formerly thought to be uncommodifiable, essentially common, or outside the market altogether are being turned into private possessions under a new kind of property regime. (Boyle, 2002:14)

Frow, Boyle and Benkler are all also at pains to point out that, in relation to intellectual property, the nature of knowledge is very different to that of land. Land, once used, cannot be used by others. Knowledge, by contrast is a non-rival good. As I canvassed in Chapter Six it can't be exhausted or used up, and one person using it doesn't prevent another person using it simultaneously. It is not 'consumed' or destroyed and the more it is shared the more it actually grows (Frow, 2000:183).Thus it is qualitatively different from land and requires a different set of principles to organise it. Current logic that has led to the strengthening of copyright and intellectual property in general seems to be based to some extent on an assumption that a commons based system of information or knowledge production would be

both inefficient and underdeveloped (as lands based commons were thought to be) (Boyle, 2002:17).

Both Boyle and Benkler make strong arguments as to why this would not be the case. Benkler in particular shows that productivity does not have to be a market-based activity (Benkler, 2003a). Indeed in some cases productivity and efficiencies are achieved better in non-proprietary models of production. He cites Open Source Software production as an example of this. Innovations and solutions are more effectively produced by a large pool of workers than by the limited numbers that can be employed by any one, individual firm working in a closed proprietary system.

The problem for capitalism is that in order for there to be exchange value in a good, and therefore to make profit from it, it has to have some kind of scarcity. Thus as we move more and more into a knowledge based economy, it becomes vital for the logic of capital to create a scarcity in knowledge products in order to be able to make a profit from them. Intellectual property law, with its capacity to restrict distribution and access, is one answer to this dilemma. The emergence of knowledge as a commodity with exchange value in the market place, rather than as a non-proprietary good in the public domain, is a symptom of the increasing reach of capital into new areas.

We can characterise intellectual property as a discourse of power in which the availability of knowledge is restricted and the social construction of meaning is shaped by those restrictions. Culture and cultural production, as Coombe points out, is a dialogic process – a conversation between the centre and periphery, a constant reworking of ideas and forms (Coombe, 2003). Instituting a property regime into this process reifies and 'freezes' these processes of dialogue into a monologue. It represents a form of institutionalised power at work that is very culturally specific, whilst trying to characterise itself as a naturalised process embodying a set of inherent rights.

We should also note that the rationale that copyright provides incentives for authors is not one that holds particularly true. As discussed above, much of the profit from intellectual property rights goes to investors rather than creators. It also relies on an assumption that incentives for creators to create must be economic in nature. There is a reasonable amount of evidence that this is not always the case. People seem to be creative and pursue both cultural and scientific innovation without great economic rewards. Caves has argued that non-pecuniary motivations are the principal driver of creative workers, which places them at odds with mainstream economic theories of the 'maximising' individual (Caves,2000:10). Open Source software and gamers' modding communities are examples of groups that pursue innovation with little promise of financial reward. Writers, artists, musicians and performers all continue in their endeavours in the face of a system that barely rewards them. While we would wish for this to be different, and that all creatives could be properly rewarded for their labour, it also shows that people continue to be creative and innovative despite a lack of financial incentive. Thus productivity in the area of information, knowledge and creativity is not necessarily linked to a market system.

7.1.2 The challenges presented by digital networks - consumption and distribution practices

The conflict we can observe over the tightening of copyright and intellectual property laws is one indicator of the broader power struggles involved in the shift in structures of both distribution and production enabled by digital networks. The changes in the economy towards knowledge and information based production as a key area of economic activity have been accompanied by and facilitated by the development of digital networks. The internet in particular has been a major factor in enhancing the flow of information around some parts of the globe. But digital networks are not neutral technologies and their development shapes and has been shaped by, shifts in institutional structures and shifts in balances of power between different stakeholders. There is ongoing struggle and conflict over the control of certain institutions and practices.

The introduction of a new communications technology often gives rise to such conflicts. The printing press caused major upheavals in the balances of institutional power in Western societies (Innis, 1951). Likewise photography, radio, cinema, television, video have all disrupted more entrenched media as they emerged. Each time a new communications technology is developed and adopted in a culture there are challenges to the institutions surrounding older technologies, as well as broader scale societal institutions. This is very much the case with digital media and digital networks. Intellectual property is definitely one of the grounds on which these conflicts are being played out.

In this section I want to look at the shifts in consumption practices that have taken place with the advent of distributed networks. Conflicts around practices such as music downloading, and *Napster*-like file sharing, have arisen as the result of both digital formats and distributed networks. It is not my intention to go into any great detail on these matters, as they have been thoroughly examined by many scholars (Rimmer, 2005, Rimmer, 2001, Crawford, 2005, Vaidhyanathan, 2004, Carnachan, 1999, Bowrey and Rimmer, 2002). I want to look at the some of the broad principles and responses involved: the rise of the use of technical digital rights management (DRM); contracts and licences and their relationship to intellectual property law; and then move onto a less studied area – that of distributed production. DRM and contract law are also very pertinent to distributed production.

My reasons for not wishing to focus too heavily on the altered consumption practices offered by digital distribution networks such as the debates around music or film downloading, are that I think most of the arguments and conflict arising around these practices pertain to altered distribution methods of conventional media. They are not essentially about interactive media which disrupt *production* processes. They are about the circulation of texts that are already finished. A piece of music, a written text, an image, is copied without permission from the copyright holder, and there is

disagreement about whether this constitutes theft or not, whether it breaches intellectual property rights or not. From the discussion above, it is clear that such a text may well build on previous works, in fact inevitably it does, but the text itself is a complete piece of work. It may then be used for new works to be created from at some point in the future.

I want to make the distinction between the recursive cycle of creative production in the broader culture (that requires a public domain) and the recursive cycle of the MMOG because it is a useful one. While some people may well use a copied piece of digital media to produce a new work – a new song for instance – many don't. Many just listen to a downloaded song, without ever going and making a song of their own from it. Interactive texts on the other hand, involve every user in the production of text, and are hence qualitatively distinct from more conventional media. It is perhaps difficult to draw a hard border between the two, but this is not a reason to discard the distinction if it usefully illustrates something to us.

When large corporations seek to tighten copyright control over their media products, they are responding to the changes in usage and consumption patterns made possible by decentralised digital distribution networks. Digital networks obviously create possibilities for both market and non-market distribution not available in physical networks. The ease and cheapness with which digital media can be copied has led to massive downloading, file-sharing, and copying by consumers. Some of this may well be in breach of copyright. It has led to access for consumers to material that formerly may have been controlled by large media conglomerates. The concentrated ownership (and its attendant regimes of power and control over information) are threatened by the availability and ease of access to both market and non-marketised media afforded by digital networks.

As Benkler points out, the large media conglomerates will not go down without a fight. "None of the industrial giants of yore are going to take this redistribution lying down. Technology will not overcome their resistance through some unsurmountable progressive impulse" (Benkler, 2003a:1249).

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It is important to note this anti-technological-determinist argument, just as it is important to note Frow's anti-teleological argument about the inevitablility of globalisation and intellectual property regimes doing away with the public domain. The processes at work here are both social and economic, and the result of strategic moves being made by some very powerful stakeholders. This is not a technologically determined process. The control of the new digital networks is what the fight is about.

Legal action taken against the creators of file-sharing networks like *Napster* have dominated mainstream media discourse. Cries of theft and loss of potential income have issued from the music publishers. And yet there is ambiguous evidence that file-sharing has led to a fall in sales of music. As Cannane (2004) reported in the *Sydney Morning Herald* in early 2004, the Australian Record Industry Association (ARIA), while claiming to be losing revenue at a great rate to file-sharers on the internet, in fact had its best ever year for sales in 2003 (ARIA, 2004). ARIA's own commissioned research shows in part that "…the research suggests those with the money, the 45 and overs, are buying more CDs after file-sharing." (Cannane, 2004). Cannane suggests that ARIA deliberately portrays itself as under threat, and takes a heavy handed legal approach to file-sharers, prosecuting them in large numbers, while in fact enjoying higher sales currently than ever before.

Rather than becoming too embroiled in the details of these debates, the main point is that it seems entirely possible that with new business models, media industries can continue to operate in the digital market place. They may need to relinquish old models of distribution, perhaps become less centralised and their ownership less concentrated, but it seems clear that there is still a profitable marketplace for the distribution of proprietary media. A shift in business model might make the move suggested by Rifkin to a services style model, where the profit is made through after sales service – value adding through technical support and network facilitation and other strategies that utilise features of the network.

This is notable with the apparent success of *iTunes* – a music download system run by Apple in which a pay-per-download mechanism is instituted. *iTunes* is partly implemented through a Digital Rights Management (DRM) system embedded in all the media available for download from its repository. The use of DRM in this and many other digital media raises a number of issues for the area of copyright. DRM effectively encloses a media product with technological safeguards that can prevent copying. The specificity of what use a product may be put to can be embedded in DRM systems. Use can be tracked and limited in specified ways. This additional layer of technological control can be seen to enhance the legal protections afforded to copyright holders at the same time as it can also be seen to degrade the access to fair use provisions and other legitimate rights ordinarily accorded the user through copyright law. Thus, says Hugenholtz, "[t]he rules of this 'coded' world will no longer be set by democratic means, but by software engineers." (Hugenholtz, 1999b). This is a point also made strongly by Lawrence Lessig in his thesis that 'code is law' (Lessig, 1999). A DRM system can effectively preclude the fair use of media, and legitimate access to material by the public. The technology overrides the law. Furthermore, laws such as the Digital Millennium Copyright Act (DMCA) in the US make it illegal to circumvent technological safeguards, adding an additional layer of law to the layer of technology that has been added to the original layer of (copyright) law, that again overrides considerations of fair use. This is also a feature of the TRIPS agreement and thus these mechanisms have passed into Australian law as well, through the copyright reforms of 2001.

In this way we can see how the balance of copyright outlined above has been upset, with strong favour being given to the rights-holders to the detriment of the public domain and users.

> Through DRM, the delicate balance between the interests of copyright holders and the public can not only be upset, but completely overridden. (Berkman Center for Internet and Society, 2004:84)

Thus we see a trend, at least in the US, of strengthening intellectual property rights for 'authors'. This trend is reflected in international trade agreements such as the WTO's TRIPs agreement, which institutes a US style regime on signatory countries. Of course, DRM does not *have* to institute such strong protections or barriers to copying. It is also possible to code in rights management that *does* allow for fair use to be made.

> …[E]arly attempts indicate an overemphasis on copyright protection can lead to stifling innovation. Protecting digital content requires a multifaceted approach comprising technology, consumer education and the law. Using these vectors makes flexibility possible. (Gartner G2 and Berkman Centre for Internet and Society, 2003:36)

Other concerns associated with DRM include the possibilities it opens up for surveillance and invasion of privacy through its tracking mechanisms (Miller et al., 2001). The use of technology to 'secure' media products seems to be only a marginally effective way to meet the challenges and opportunities presented by distributed networks of consumption. As the Berkman Centre suggests, security code is always vulnerable to attack – to being hacked or reverse engineered and made redundant. Instead of a purely technological approach to maintaining rights, any solution needs to be firmly rooted in understanding the social practices that surround consumption and aiming to adopt social and legal solutions, that may or may not work with technological solutions such as DRM.

7.2 MMOGs and their challenge to legal discourses.

The most obvious way in which the medium of the MMOG departs from more conventional publishing media is in its recursive production cycle. The 'text', released as an interactive platform of activity for players, grows and progresses through the input of the players. Player activity is productive in a number of ways. The basic ergodic nature of the game text requires player input in order to advance the game. In emergent games like *EverQuest* this can be a creative process which leads to unexpected or unpredictable outcomes (Juul, 2002). Players also: are a source of feedback and

suggestions; act as quasi bug-testers; are active on game bulletin boards; interact with developers in ways vital to the developers in their ongoing production and design of the game; and create websites with information and guides to the games, which also generate discussion and feedback. Moreover there are the social and community investments of players that build important structural features such as the social networks found in guilds, and the long-term friendships and team-like relationships that lead to player retention in the game. Long term guilds, short term groups for large and small scale raids – all require social interaction and investment on the part of the players, and are integral to game-play.

Player activities are being commodified by the publishers and structured into their business models. This shift in 'consumer'/publisher relations requires a reconsideration of how the relationship is theorised. Most discussion of games and the law characterises commodification as the process of giving 'real world' value to in-game items such as the virtual swords and armour accumulated by a player (Hunter and Lastowka, 2003). The initial bedrock process of harnessing player productivity (Herz, 2002b) in *all* its forms, including the social and emotional, is the commodification that is ignored in these discussions.

The intensely social nature of MMOGs is not incidental or accidental. It is a result of structure and design embedded in the game engine through coding and rules. Various mechanisms ensure that social play is rewarded, normalised and integral to the game-play. Every developer of an MMOG knows that social networks drive retention and retention means ongoing subscriptions and a resulting ongoing revenue stream.

Social play generates not only relationships, community and identity, but text and content for the production cycle. Thus the game is both textual and social and embodies tangible and intangible (social) assets. It can only exist in this form because these assets are created by the paid labour of the developer/publisher, combined with the unpaid labour of the players. IP has its basis in a linear model of publication, where the text is authored, finished,

published and distributed, and then 'consumed'. The MMOG has as its model of publication a text which is never finished, and multiply authored, in part by the 'consumers'. What the players add cannot be considered peripheral. The game would not function without it. How does this body of law deal with recursivity? It would seem essentially to ignore it.

Ownership rights in an MMOG largely minimise the actual structure of production and 'authorship'. Thus IP in *EverQuest* is claimed by SOE as if it had developed and published a finished product, rather than a textual environment where development is ongoing and the result of collaborative inputs of many authors, both paid and unpaid.

The troublesome and contradictory notion of the romantic author that underpins copyright is not only a source of paradox when considering the linear and recursive models of production. It also has the effect of individualising the process of authorship. In the next section of this chapter I discuss the affective aspects of production. These are generated *collectively* by players and developers in a dialogic process that is always in flux. It is difficult to attribute an object status (to commoditise it) to such processes of collective production. And yet rather than address this, legal institutions and discussions tend to ignore it.

Intellectual property law deals with this medium as though it were the same as more conventional media (a phenomenon that has occurred with the introduction of many new media and possibly a structural outcome of legal systems driven by precedent), and ignores the inherent productive activities of the users. In Benkler's words, the laws are being "…tugged and warped to fit the size of the industrial model organizations of yesteryear", (Benkler, 2003a) rather than adapted to fit newer distributed production modes.

The role of the publisher in a recursive model of production is very different from conventional publishers' roles. No book publisher has ever had to manage the ongoing reading practices of their customers, integrate reader contributions into their text, resolve conflicts between reader interpretations,

fix the book when the type rearranges itself into a random pattern on the page for an unknown technical reason ten days after release, or try and resolve which book-club should have access to page 103 first. The MMOG has given rise to a whole new set of interactions with 'consumers' and demands on the publisher. Serious questions arise about which systems of regulation and accountability should apply to the publisher in its new roles. Yet what we mostly see is the implementation of regulation and law surrounding the more conventional and 'known' types of media. The suite of institutional practices that surround conventional publishing, including the use of particular kinds of law like property law and copyright, are deployed despite the ways in which this is obviously a differently structured medium.

My point is not to argue against the use of property laws *per se*, but to suggest that a more complex approach is needed than what is offered up by IP law. The game becomes a collaborative creation from the time it is published (and in some games, even before launch, with players contributing to bulletin board discussions on the game development, and participating in beta testing well before actual launch). The developer/publisher should be able to claim intellectual property rights over the platform they have created. Beyond that, we need ways to acknowledge firstly that what is produced post-launch is collaborative. Secondly that it is not solely tangible, but can be social and cultural. Thirdly that 'ownership' of social processes or networks is not necessarily appropriate or desirable. Lastly that 'control' of social networks, currently established through the concept of ownership, may need to be rethought. What we are addressing is an intersection of the social, material, and economic, that is not straightforwardly suited to property laws.

As an example we can look at the status of the avatar in this system. TL Taylor (2002) raises the issue of who owns the avatar in an MMOG. The question is can anyone own it? As a representation of the player inside the game the avatar is much more than an image or an entry in a database. It is the online identity of the person who sits at the computer interface. It is, if you will, a cyborgian assemblage – a hybrid being, part machinic, part

human flesh (Haraway, 1987, Balsamo, 1996). It extends a person's presence into the space of the game. The avatar represents a person's online identity, not as distinct from their offline identity, but as part of an assemblage that incorporates both on and offline elements – mind, body, avatar, code, machine, and social contexts inside and outside the game. However strongly or weakly a player invests in an avatar character, it is almost always more than just the creation of the developer, more than just a piece of code in a database, or an image. An avatar is social, and an extension of a person who exists offline. That a corporation could own all or even part of this is a legal fiction that may be convenient for the publisher, but can be challenged on many grounds.

Players too, sometimes consider the avatar as something that can be owned. As evidenced by the trade in avatars in online auction houses, some players consider them to be objects with exchange value. However, what is sold in auction houses is not the full avatar that is of so much value to both the publishers and the players. The full cyborgian assemblage cannot be exchanged. The shell – the bits of code that make the image and the equipment on the avatar are what is sold. This shell represents to the player the value of the hours invested in accumulating the levels and equipment that endow the avatar. The full value is never sold, because the full value, for players and for publishers, lies in the personal identity and social relationships a player builds over time. Reputation, social networks, game play and direction, are created by players, and cannot be exchanged.

The knowledge about game-play acquired during the time spent accumulating the levels and equipment is also not passed on – hence 'e-Bayers' are often despised by other players for their inability to play their characters. Their lack of knowledge often leads to disaster for the players around them as entire groups or raids can be wiped out through their incompetence. Thus we can see that avatars are different from other in-game items more readily understood as property within the framework established by IP law. They are the awkward place where the discourses of

economics, property, knowledge and the social intersect but fail to articulate with each other – an abrasive encounter rather than a seamless melding.

The game play and social networks generated by the players are also enclosed when publishers claim property rights. These are processes engaged in by players for their own pleasure and satisfaction, but with the ultimate effect of creating value for the publisher – social networks drive player retention in the game and generate further profits for the publisher. That such networks and relationships might be open to ownership in the first place is an assertion that is open to questioning. The effect of the claim of ownership is to claim control and assume power over the social networks and over the very existence of those online identities represented in the assemblage, without formal accountability structures to constrain that power.

Ownership of the community may not mean using it as a product for exchange, although it is conceivable that a publisher could sell a game world, with players, to another publisher, with unknown consequences for the player communities within. It means the corporation owns the property of the game and licences people to use it under particular conditions and constraints. In doing so it may get them to contract away their rights to such things as free speech or fair use in copyright law or their intellectual property rights in material they generate. It may give the publisher the right to shape the social relations of the users, to summarily terminate accounts (and thus relationships) without structures of accountability for their decisions, or to terminate entire communities without explanation. This outcome follows from the way that, in legal terms, the game world and its contents are seen as products or assets. By contrast, the community and social networks are legally peripheral. In other words, the defining features of the laws and institutions of the more conventional publication industries hold sway, despite the shift to this new form which includes community and social relationships and distributed, ongoing production. It echoes the construction of intellectual property as a trade item rather than a cultural item in the larger scale WTO negotiations.

In this way, we can see how a property framework applied to *EverQuest* will construct it as the rules and code and servers made by the developers rather than as the social text – the relationships and identities and communities – or the ongoing, collaboratively produced content and updates to the world which incorporate the ideas and feedback of the players. Any productivity on the part of the player is minimised by this framework. Instead we have that legally created fiction 'the author' – in this case Sony Online Entertainment – claiming to have made what might also be considered a legal fiction – the game as a finished text.

IP law focuses heavily on tangible (even if virtual) objects, and dismisses the intangible socially produced networks despite their obvious productive and economic characteristics. Thus we have arguments about who should own the virtual sword in the game – the player who spent 100 hours battling for it, or the company that wrote the code for it and owns the database entry that it is. Who created the value it holds? But we don't have concomitant argument about the social network, the guild relationships and the game-play generated by a group of players interacting. This is also 'content' for the game. It is not individually authored, but collaboratively produced. It is mostly produced by the unpaid labour of the players rather than the paid labour of the publisher.

There have been explorations of other laws that relate to the MMOG environment. Balkin (2005) explores social aspects of MMOGs in relation to the law to some extent in his examination of the possible articulations of US law with game worlds. His discussion focuses on player rights as derived from their citizenship and from their role as consumers. Thus he looks at how US free speech laws might articulate in a number of ways with publisher and player rights, and how such law might be usefully (or not usefully) employed in the internal workings of the game community. He looks at questions of defamation, at deception, at fraud and so on, within the internal player to player workings of the game. He looks at consumer law as it might pertain to the property generated in the game, (meaning the tangible in-game items such as the swords). He does not particularly engage with

the notion of player productivity however. Where he mentions that a game might be seen as the production of a 'collaborative artwork' he does not address this as an issue that might require an exploration of ownership. Rather he seems to hold that creative work somehow lies outside of the economic framework of the game. So although the 'creative' game-play generates much of the content and value of the game, he frames this either as the result of the developer's 'right to design' (thus erasing the contributions of players to the production), or as a collaborative piece of art somehow free from commercial taint (although this indeed is what drives much of the economic success of the game and is intensely commercial in its outcome).

Balkin's work is very useful for exploring many of the ways that current law articulates or might articulate with an MMOG. However current law does not seem to encompass the idea that a publisher might have an obligation, in its management of the community it 'owns', to be accountable for its actions toward that community and its well-being. The social relationships of community members have been structured into the business plans of the publishers. Given this clear emergence of a new cluster of relations between commerce, media and community, there is a need for debate about the obligations of all stake-holders in the virtual proprietary space.

7.3 Ownership and control

Ultimately, the publisher's control of the social community, its management of the community, rests on an underlying understanding that it owns the community and therefore has the right to act as the god-like (or state-like?) power within it. It sets up a contract with the players to gain their consent in this arrangement. The regime of intellectual property law is reinforced through contract law (eg. the EULA in *EverQuest*). The EULA establishes what 'rights' the contractual partners have, and emerges as a further way in which collective rights are de-emphasised in favour of the individual. The publisher can, through this contract, require the individual to waive some of the rights accorded to them as citizens, at least in the US.

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For instance in many EULA contracts users contract away their entitlements under copyright law. The legality or enforceability of such moves is not clear or particularly well tested at this time. The Harvard Berkman Centre's Green Paper (2004) analyses the ways that copyright and contract law interact. They conclude that in the US although federal constitutional law generally pre-empts State law, and copyright falls under federal law, contract law under State law, "… US courts increasingly agree that copyright law does not override contract law and permit contracts to assign or waive copyright protections and defenses" (Berkman Center for Internet and Society, 2004). Part of the rationale for this is that "…copyright's protections are universal, while contractual rights only apply to agreeing parties" (Berkman Center for Internet and Society, 2004).

It is worthwhile highlighting here how contract law can individualise an arrangement, and thus override the collective rights that may be protected by law focused on the 'universal' public good. This recourse to the individual echoes the way intellectual property law creates and valorises the rights of individual authors over collective and ongoing collaborative cultural production. The contract can erase the rights accorded to a person as a member of a collective and reduce the relationship to one between the individual and the corporation. The contract in the case of *EverQuest* legitimates the publisher's almost unfettered right to act without regard to the players' interests. This is not to say that they do so on a regular basis. Generally we can assume, with regard to governance, that the interests of the publisher coincide with the players' interests (each wants the existence of a functional community). However where this is not the case, the player has little recourse to mechanisms that hold the publisher accountable for its actions.

The Berkman Centre report goes on to say that there remains some uncertainty about the validity of contract law overriding copyright law:

> Even if contract law can displace copyright, a contract may not be enforceable because … those terms are considered oppressive by courts." (Berkman Center for Internet and Society, 2004)

It is this element of oppressiveness that may have to be drawn upon in the future to argue against the all encompassing nature of the contracts used for environments like *EverQuest*. As TL Taylor points out:

> …we increasingly live in a world in which opting out of technological systems is becoming more and more difficult … and yet participation within them pushes us to accept structures we might oppose. (Taylor, 2002:232)

It may become the case that the contracts users are asked to agree to in order to participate in games (or other media applications) come to be seen as too one-sided. 'It is likely that we will see courts rejecting EULAs to the extent that they are overly restrictive upon the economic interests of the participants within the world' (Hunter and Lastowka, 2003:68).Thus while courts may not reject contracts for their infringement on copyright or other 'rights' grounds (free speech for instance), they may eventually be rejected on the grounds of oppressive terms and have to be rewritten in terms more favourable to the users (it should be noted that Hunter and Lastowka are referring to economic rather than social grounds in their argument). The inequitable terms of many contracts suggest '[f]reedom of contract may become contractual coercion, especially when dominant undertakings abuse their market power to impose contractual rules on powerless consumers as if they were public authorities…'. (Hugenholtz, 1999a)

The point being, of course, that consumers and the corporations they contract with are not contracting on a level playing field (even if consumers may not be quite as powerless as Hugenholtz suggests). Taylor (2002) points to the example of Sony Online Entertainment banning the account of a player who put fan fiction they found objectionable on his own website. They invoked copyright law to compel him to remove the material. Whether this was an appropriate use of the law is not clear. However one small fan is not likely to have the resources to fight a corporation the size of SOE, and thus is unable to challenge this use of the law in the courts. Similarly,

challenging the terms of a contract like the EULA would be beyond the means of most players.

This points to one of the more salient features of the neo-liberal context in which the contract is 'negotiated'. Players are a disorganised collectivity – particularly before they start playing a game. Each individual comes to the contract alone and without any power to negotiate its terms with the large media conglomerate that is the publisher on the other side of the contract. Collective bargaining (in the labour market for instance) has traditionally been a mechanism for achieving fairer terms, but disorganised individuals wield almost no power in such a negotiation. A player could just decide not to play that game if the contract EULA seemed unacceptable to them. But it should be noted that in an era of increasingly concentrated media ownership, where games are published by fewer and larger media corporations (Kline et al., 2003:178), the variations between the terms in game contracts may be quite small. Currently there is enough variation to demonstrate that alternative and less restrictive IP terms are possible in a successful game, (for instance games like *The Sims* and *Trainz* as discussed in Humphreys et al (2005)). However as the number of publishers in the marketplace contracts, these alternative models may disappear.

Does it become coercion as Hugenholtz suggests, if a player feels obliged to agree to a contract they don't like, in order to be able to play games at all? It will be interesting to see whether players ever organise themselves into collectives to bargain with the publishers about contractual terms and if such a collective would have an impact on how the publisher organised its business. It has been noted by Herz (2002b) that disgruntled players have the power to hurt a game and that a game's success depends heavily on the goodwill of the player population. While players remain disorganised collectivities their power to shape the terms of the contract will be minimal.

7.3.1 The EverQuest EULA

The End User Licence Agreement between Sony Online Entertainment and the player illustrates the way in which the publisher sets up a contractual relationship which is to its own advantage. The EULA is clicked through each time a player logs into the game. It is some 7 A4 pages long, and if the player wants to understand some of the terms they must consult the *EverQuest* website (for instance the Rules of Conduct they agree to in the EULA are only found on the website, and consist of a further 8 A4 pages). It seems doubtful that many players read through the entire document. The EULA reads in part:[46]

> 3. We may amend this Agreement at any time in our sole discretion….

Thus the player consents to the terms of the contract changing without consultation with them. If one considers that a player has the right to not play the game if they don't like the terms when they first purchase the software, their ability to make that decision over again once they are embedded in the game networks – if for instance they have been playing for several years – must be thought of as constrained. Thus having agreed to play on a particular understanding of the terms of service, and having invested heavily either emotionally and/or economically, the player may find the terms of service changed without consultation or negotiation.

> 6. We may terminate this Agreement (including your Software license and your Account) and/or suspend your Account immediately and without notice if you breach this Agreement or repeatedly infringe any third party intellectual property rights, or if we are unable to verify or authenticate any information you provide to us, or upon gameplay, chat or any player activity whatsoever which we, in our sole discretion, determine is inappropriate and/or in violation of the spirit of the Game as set forth in the Game player rules of conduct, which are posted at a hotlink at www.everquestlive.com. If we terminate this Agreement or suspend your Account under these circumstances, you will lose access to your Account for the duration of the suspension and/or the balance of any prepaid period without any refund. We may also terminate this Agreement if we decide, in our sole discretion, to

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[46] A full copy of the EULA may be found in Appendix 1.

> discontinue offering the Game, in which case we may provide you with a prorated refund of any prepaid amounts.

We see in this clause how SOE sets themselves up as the arbiters of fair-play without any recourse to a system of accountability. The term 'in our sole discretion' would seem to place them outside any other system of arbitration. Players must go to the *EverQuest* website and find the 'rules of conduct' in order to fully understand what they are agreeing to. SOE can operate at their own discretion, using the catch-all of the 'spirit of the game' to cover any circumstance. This is possibly one of the most inequitable clauses of the whole contract. They then go on to limit what the players may do with the game.

> 7. Subject to the terms of this Agreement, we hereby grant to you a non-exclusive, non-transferable, revocable license to use the Software solely in connection with playing the Game via an authorized and fully-paid Account. You may not copy (except to make one necessary back-up copy), distribute, sell, auction, rent, lease, loan, modify or create derivative works, adapt, translate, perform, display, sublicense or transfer all or any portion of the Software. You may not copy any of the written materials accompanying the Software. You may not reverse engineer, disassemble or decompile the Software except to the extent that this restriction is expressly prohibited by applicable law. The Software may contain license management software that restricts your use of the Software.

Although some may see this as standard terms for software licences, this clause does seem to purport to give SOE a right to stop players from using *EverQuest* for purposes such as making machinima. This is a practice becoming popular amongst a growing number of gamers who make movies by using game platforms to record pre-scripted narrative enactments. Thus there are movies made using *Grand Theft Auto, Quake, Star Wars Galaxies* and other game environments to record characters acting out non-game related scenarios[47]. These are distributed on the internet. Although machinima is at this stage not a very widespread practice, it is an example

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[47] Many machinima are available at http://www.machinima.com and some particularly interesting animated music videos made in *Star Wars Galaxies* can be found at http://furplay.com/swg/download.php?list.3 (Cantina Crawl XII is highly recommended).

of how creative innovation occurs – where media are used for unexpected purposes – and how strong IP law can stifle such innovation through the use of clauses like the one above. Not all licences to games use such heavy handed constraints. Others allow and encourage derivative work to be made, some allow commercialisation of that work, others claim it for themselves. The variety and flexibility that exists around this issue highlights the fact that SOE is not obliged to implement these kinds of restrictions, but chooses to do so over a number of other options (Humphreys et al., 2005).

> 8. We and our suppliers shall retain all rights, title and interest, including, without limitation, ownership of all intellectual property rights relating to or residing in the CD-ROM, the Software and the Game, all copies thereof, and all game character data in connection therewith. You acknowledge and agree that you have not and will not acquire or obtain any intellectual property or other rights, including any right of exploitation, of any kind in or to the CD-ROM, the Software or the Game, including, without limitation, in any character(s), item(s), coin(s) or other material or property, and that all such property, material and items are exclusively owned by us.

This is the clause which prevents players from selling on the internet auction markets. It is the clause that is at the heart of the controversy over whether player time creates value in items such as virtual swords which players then might have a claim to. Sony argues that such markets upset the balance of the economy inside the game. It is the clause that also constructs an understanding of the avatar as code and image only.

> 11.… you can upload content to our servers in various forms, such as in the selections you make for the Game and in chat rooms and similar user-to-user areas (collectively, your "**Content**"). …You hereby grant to us a worldwide, perpetual, irrevocable, royalty-free, sublicenseable (through multiple tiers) right to exercise all intellectual property rights, in any media now known or not currently known, associated with your Content.

It's not clear whether this clause demands exclusivity in their sub-licensing of player created content but perhaps read in conjunction with the other clauses this is the effect nonetheless. Effectively, then, Sony has said that players cannot use SOE's material to create derivative works, but that Sony *can* use players' material to make derivative works. Thus any material and innovations arising from player activity is enclosed by SOE for its own

exclusive and sub-licenseable uses. It is ironic that SOE make claims to all material within *EverQuest* when they themselves have appropriated heavily from the genre of fantasy fiction and previous games themselves.

The final area of concern the EULA raises concerns privacy.

> 12. We cannot ensure that your private communications and other personally identifiable information will not be disclosed to third parties. For example, we may be forced to disclose information to the government or third parties under certain circumstances, or third parties may unlawfully intercept or access transmissions or private communications. Additionally, we can (and you authorize us to) disclose any information about you to private entities, law enforcement or other government officials as we, in our sole discretion, believe necessary or appropriate to investigate or resolve possible problems or inquiries.

This last is what seems like the nail in the coffin of any right to privacy. They are askingthe player to authorise them to, among other things, disclose information about the players to private companies to resolve any inquiries! It is part of a widespread practice noted by Kozlovski (in Engle, 2003) whereby government agencies can also circumvent the mechanisms that create accountability in government practices. For instance government agencies need a warrant granted by a court to access certain information about citizens. In this clause we see how Sony can give them that information without requiring a warrant, because the player consents through the contract to disclosure of information and waives their right to such protections as warrants. Thus information on credit status and the like is available, and Sony may share it with government agencies and with other commercial organisations. Furthermore they don't have to wait to be asked. Kozlovski has noted that this is also the practice of eBay and a number of other online auction sites and businesses. Mechanisms of accountability in place to afford citizens protections on a universal basis, are circumvented through contract.

7.3.2 Informal power

Power relations are never wholly encompassed by the law and there are informal constraints on publishers' control over community. Foucault makes

a distinction between the power of the state (exercised through law) and disciplinary power and governmentality – negotiations of power that occur at the micro-level and not necessarily with reference to state-based power. (Foucault, 1980) These kinds of power can operate concurrently, inflecting each other whilst requiring different strategies for mobilisation. With MMOGs we can see player to player governance occurring through strategies like informal rule setting and etiquettes, public shaming of transgressors and so on (Foo, 2004). There are forms of disciplinarity instituted through the mechanisms of game play and the game engine, as I discussed in Chapter Four. The contract operates at a different level and represents a different strategy for control.

Sometimes it is clear that the control sought by the publishers through legal ownership and contract just does not work. Foucault mounts a critique of how liberal or juridical conceptualises of power as a 'thing'

> … that one can possess like a commodity, and which one can in consequence transfer or alienate, either wholly or partially, through a legal act or through some act that establishes a right, such as takes place through cession or contract. (Foucault 1980:88)

This conception misses the way power actually operates in other ways. The EULA contract is an attempt to get players to cede their power, commodity like, to SOE. But power relations cannot be contained within this conception of power as a commodity form. Not that the EULA is ineffective as a technique of power, as an exercise of power. But a legal contract is based on an economic understanding of power. As Foucault shows with his genealogies, there are many ways in which power is exercised that fall outside an understanding of power as a 'thing' that can be traded. Hence we have the practices of players which ignore, undermine, or counteract the EULA contract. The EULA contract attempts to construct the role of the player as that of consumer. Consumers access power in this model, through their exercise of choice in the marketplace.

Recently various of the top guilds in *EverQuest* were approached by a rival games publisher who made offers of free user accounts in their game if the

players would switch games. In this we might see the vulnerability of publishers to the independence of player groups and their resistance to ownership by corporations. However opportunities to shift *en masse*, taking entire social networks from one game to another, may not always be an option for players. The switching costs for individual players to shift to a new game are often too high to contemplate. The recourse to the idea of consumer empowerment through switching brands (the 'exit power') is a construction which ignores or dismisses the importance and value of social aspects to game-play. Many players spend between 20 and 40 hours a week inside an MMOG world. To change games represents a much more costly choice for the 'consumer' than to change brands of jeans or toothpaste. The discourse of the empowered consumer in a neo-liberal world conceives of empowerment in the world of contracts and consumption as the power to exit – to take your business elsewhere. This is a source of power which relies on an individualised notion of agency in the marketplace, rather than power which is held collectively, or derived from citizen rights, or negotiated and struggled for on non-economic grounds.

In the neo-liberal model, the process of players switching between games is a crucial intersection in the struggle for control in a game. If a publisher overplays their power, exercising what players see as too much control, players can leave the game. Publishers cannot risk alienating them. If a player community turns against a developer they can 'trash' the game, ruin its reputation and its viability. As Herz says 'The amount of damage a group of malevolent or disgruntled players can do to a games' commercial prospects is significant' (Herz, 2002b:21). Hence the publisher's power is constrained. The marketplace will act as a control on possible publisher abuse of power. However the embedded social cost of leaving also constrains the player in exercising this exit power.[48] The tension and the balancing of these constraints is how the marketplace is seen to provide

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[48] A player is more likely to feel comfortable with leaving if his or her entire guild is leaving too. Thus we see that empowerment is more likely gained through collective rather than individual action once more.

balance and equity. It does not, however, erase the ultimate control the publisher has over the game (the switching-off option and the eject-the-player option).

We can see that while a publisher stakes a claim through the law, the negotiations 'on the ground' are a much messier affair, with players finding ways around legal impositions or ignoring them (a parallel can be seen in how many people ignore copyright law when they download music). Sometimes a banned player, with a metaphoric shrug at the EULA, will simply go to an online auction house and buy a new account and start playing the game again with a new high-level character they bought illegally (as related in the interview with Christie). Although the player bears the cost of this transaction, and their banning has created a financial burden on them, the law itself has been circumvented by the player. Another solution for the banned player (as related in the interview with Gary) has been to use a 'spare' character that a guild-mate might offer them (which is also against the EULA contract). I would suggest the publishers will find ways of securing their technology to prevent these breaches (and the law enables this), but also that (as was noted in the cheating session at the Austin Game Developers conference) players will continue to find ways to subvert them. It should also be noted that publishers often only selectively enforce their EULAs.

7.4 Accountability

Thus far I have outlined the ways in which property law and contract have shaped a particular understanding of MMOGs – discursively constructing them in ways that tend to erase the recursive and networked nature of the production cycle, the contributions of the players, the collective nature of the production, and the affective and social qualities to the product. I have outlined ways in which contracts advantage publishers and are 'negotiated' on an uneven playing field. In outlining all these aspects I hope to have created a picture of the MMOG where the social and 'immaterial' are densely interwoven with the economic and the 'material', and the

relationship between players and publishers is complex – inflected by legal and non-legal (informal) power negotiations.

How should the issue of accountability within this complex environment be addressed? Sony Online Entertainment reserve the right to terminate player accounts without any process of appeal, sometimes on the basis that the player played against the 'spirit of the game'. They reserve the right to change the rules, to censure players and to monitor their behaviour. While not denying the importance of the need for governance within the game, the power that is claimed by SOE in its EULA for *EverQuest* leaves very few avenues of redress for the player who may have been misinterpreted, misunderstood or discriminated against by SOE.

The outrage evinced from players of *Star Wars Galaxies* (another MMOG published by Sony Online Entertainment) recently over multiple bannings in a duping incident is testament to this as a live issue.[49] SOE discovered that some players had exploited a dupe bug, which threatened to put the economy out of balance by flooding the market place in-game with extra items. Rather than tracing the specific players responsible, they banned anyone who had traded in the duped items – including players who had no idea the items were illegitimate (there was no way to tell). Thus players who had done nothing wrong found their accounts banned. SOE reinstated some accounts after players complained, but ultimately were not under any obligation to do so, and remained unaccountable for their actions. When players gathered in a particular zone to protest this, the customer service team began removing them from the zone – breaking up the gathering by transporting characters to outer zones of the game that were difficult to return from.

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[49] Commentary on this event can be found at

http://intrepid.galaxyforums.com/index.php?showtopic=7190&st=0

http://www.warbucket.com/ibforums/index.php?act=ST&f=23&t=17655 (accessed 2/9/2004)

Similarly, a player in the *Sims Online* game (not an SOE title) was banned after publishing an article in his game newspaper, the *Alphaville Herald* (Ward, 2003, Manjoo, 2003). This newspaper covered community news inside the game and in this instance reported on teenage girls who were doing cybersex for money inside the game. The player was banned, but there was no attempt to constrain the behaviours reported on. Thus the publishers were not concerned with intervening in player behaviour in-game, but were concerned that it might be bad publicity if more widely known about. As damage to their reputation might affect their economic position, their response was one related to the bottom line. This highlights the publisher's ability to restrain both free speech and freedom of association (of the news reporter who can no longer access his community). It represents a clash between commercial and citizen or cultural interests.

For the player the loss of access to a game can represent a loss of community, of social networks, of access to friends and long-term relationships. To dismiss this issue as being about the risks one takes in joining any community – that a player shoulders that risk and it is not the responsibility of the publisher, is a sleight of hand. The publishers work hard to embed community values and social relationships into the game in order to maximise profitability but then seek to dismiss the importance of these things when it is time to be held accountable for management of them. The contract may operate to erase a group member's right to be treated fairly and equitably. If a patron is ejected from a sports club there are various grounds for appeal against discrimination through the courts (depending on jurisdiction). But if the EULA of a game can waive those rights, then the system of justice we expect as citizens can be undermined. As yet this seems to be untested in courts. Juridical/political citizenship involves a particular organisation of rights in relation to a range of objects and processes. We can see how the contracts in MMOGs reorganise those rights as private property rights and citizen rights are transformed into consumer rights.

Generally citizen rights are aimed at constraining the power of the state against the individual. They are less directed at the relationships between citizens. Corporations are beneficiaries of the legal fiction of personhood, and protections from intrusions by corporations are not the point of citizen rights. The relationship of the corporation to the player is seen as citizen to citizen. However, as proprietary spheres come to resemble public commons in their function, and corporations start to wield state-like power in their proprietary worlds, it may be time to rethink who should be targeted by regulation. Is there a role here for regulation and policy to be created to protect players, to ensure some minimum standards of accountability from publishers in their relationship to players? Because although publishers have the fictional status of individuals, here they are taking on a role that far exceeds that of an individual. I raise this not just as an issue for game worlds, but for the implications it holds for broader applications. As we increasingly live parts of our lives inside corporately owned mediated worlds, what kinds of assurances do we have about terms of access in those proprietary worlds? Should we be aiming not just for assurances about privacy (a common source of concern in the consumer rights discourse), but also fairness in relation to access issues?

Publishers of MMOGs may protest that they only wish to create fun games with healthy communities, that their interests coincide with those of the players and that the introduction of mechanisms of publisher accountability will be cumbersome and intrusive on what should, after all, be just a piece of fun. If what we are looking at is part of a much broader trend in which our relationships and communities are structured into business practices (Terranova, 2000) what forms of protections might be appropriate? Perhaps the answer is none. Whether, or what form of, government regulation is called for in this situation is obviously a political question. Free market libertarians might insist that consumer agency in the marketplace is enough to ensure the publishers are reasonably constrained in their management of communities. But the issue of access is one that exceeds the regulations pertaining to ownership of private property. In this highly social media

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environment, terms of access, more than terms of ownership, are what may become the key area of struggle.

I raise these issues, not through some conviction that a particular course of action ought to be taken in relation to them. It is more that the discourses of the consumer and of intellectual property that I have identified as dominant in structuring understanding of these digital interactive environments make it hard to even raise these issues as important or in need of debate.

Publishers have moved from the business of managing the rights and distribution of finished texts to a more complex process of publishing texts that continue to develop through a recursive production cycle, and which involve social and community management. The issues that arise can be seen to coincide with other long-running debates over the intersection of contract law and citizen rights. Intellectual property law, appropriate for other publication industry products (although unbalanced in the current context), serves to construct particular understandings of an MMOG that deny or minimise the aspects of MMOGs that are new and hybrid. While some may think it is not terribly important whether a person loses their access to *EverQuest* through an unfair decision on the part of Sony Online Entertainment, when seen as a microcosm of the broader trend it may start to matter what powers the corporation has over the 'gated community' it owns and runs.

7.5 Conclusion

This chapter has explored the ways in which the discursive practices of intellectual property regimes organise relations around knowledge, affect and culture. Media applications such as MMOGs disrupt some of the very foundations upon which this body of law is based. Authorship is collective, distributed and ongoing, rather than individual, and reliant on a notion of the Romantic author. The commodification of knowledge can force an understanding of it as a product for exchange, obscuring affect and social or

cultural attributes. The fixed nature of a commodity belies the ongoing and fluid characteristics of the MMOG text. The value generated in an MMOG by social networks and the emotional investment by players is made invisible in the realm of intellectual property, although it is highly valued by developers and publishers whose design strategies and business plans acknowledge its centrality. These may be thought of more as elements of a service rather than a publication. In a context where the recursive cycle of innovation in culture more generally is constrained by strong intellectual property regimes which deny the importance of the public sphere, it is unsurprising that the recursivity of the MMOG production cycle is also erased from discussion. These issues arise, in part, from constructing the MMOG as a publication, rather than acknowledging its functions as a service as well.

If ownership constitutes part of the legal debate around digital media, and arises from their construction as publications, access constitutes a further part and arises from its service functions. Given that the value in the social and affective characteristics of MMOGs is not amenable to exchange (the key mechanism for articulating property value), access becomes a further site for the articulation of control. Contract law organises the formal relations of control, power and access in MMOGs, with the EULA setting out the terms under which the proprietary virtual world may be accessed. The EULA for *EverQuest* is heavily weighted in favour of the publisher. Although non-juridical power negotiations and struggles take place constantly in an MMOG, the legal power of the contract holds ultimate sway over those negotiations. Although publishers may choose not to enforce the contract down to its finest detail, the fact that they could is undoubtedly a mechanism which controls players' behaviour to some extent. And when publishers do exert their power to deny access, there is no mechanism of accountability in place to ensure that the players are treated equitably. The contract may be considered 'coercive' or 'oppressive', but this has yet to be tested in courts and is likely to remain so for some time, given the cost to a player of trying to challenge a large publishing corporation such as Sony.

The 'empowered consumer' gains their power through exercising choice between products. What I have tried to show throughout this thesis is that players of MMOGs do much more than that. They invest – time, money and affect – in the game, and produce content that gives them a legitimate sense of ownership in the game. The discursive construction of them as consumers limits what can be said about that productivity, and about what rights or protections might be afforded them. The question posed by Foucault is: 'what rules of right are implemented by the relations of power in the production of discourses of truth?' (Foucault 1980:93). If we view players through the discourse of the consumer, certain truths are mobilised which implement certain rights. The rights of consumer differ to those of a producer. The rights of the consumer differ to those of the citizen. Where these discourses intersect, as I believe they do quite clearly in an MMOG, which rights and truths will be given precedence depends very much on the relations of power.

Affect and social capital are mobilised and relied upon in business practices (branding being a further example – with companies spending vast amounts on building brand loyalty which is an affective process). But the use of these resources is not accompanied by a concomitant sense of obligation toward the players. There seems to be a touching faith that the market place will ensure the fairness and equity of interactions between players and publishers. The idea seems to be that there will be enough virtual worlds with different contractual arrangements for the consumer to differentiate and choose between, and hence the corporations will establish more liberal regimes in order to attract customers. This has not proved to be the trend thus far. The constraints and limitations of a proprietary space, driven by an underlying profit motive, can be raised as issues in discussions of consumer empowerment in such spaces. The shaping influence of the discourses of the marketplace may not all be detrimental, but neither are they all benign. The limits of the marketplace – of what constitutes the choices offered – can be interrogated rather than unquestioningly accepted.

8 End Game

Massively Multiplayer Online Games consist of complex networks of relationships and production constituted by developers, publishers and large numbers of players. The value generated in these applications lies in the digital assets created through code, the relational networks created by the wide variety of 'stakeholders' including players, developer, publishers, auction houses and workers in the secondary markets, and the services provided by both publishers and secondary providers. Far from being trivial, MMOGs provide us with an example of engaging, successful, interactive environments which are commercially viable. They offer both an opportunity to observe the structural, social and business components that go into building that success, and a chance to look at the issues that arise when a new, convergent form of media is generated.

An MMOG engages an 'audience member' in a way that disrupts the processes ordinarily associated with media consumption. Even as media theory comes to grips with the active audience that takes media texts and remixes them, makes derivative works from them, or creates a cultural identity based on choices between them, media 'consumption' has already taken a more radical turn. The interactive text, the game that requires meaningful input from the player, that reads the player's performance and adapts to it, that rewards particular actions and behaviours over others, that creates the network pathways for intensely social activities, and that is never really a finished 'text', but more of a serviced environment where production is ongoing, moves us definitively beyond the trope of the 'active audience'.

As players generate content for the game they help constitute a networked production model, more challenging to conventional media practices than the networked distribution models that have generated so much controversy over the past decade. The struggle for control over peer to peer distribution networks is intense. Commercial media organisations have been impelled by the practices of users to change their business models. They have had to

adapt to the changed opportunities afforded by networked distribution channels. The trouble that collaborative and distributed production may cause (or is already causing) has been a theme of this project.

I have explored throughout this thesis, the idea that the form of the MMOG disrupts some previously well-defined boundaries. Although these disruptions may not be exclusive to MMOGs, MMOGs offer an opportunity to examine some of the issues arising from converged new media applications. Perhaps the key disruption of the MMOG is around authorship. Distributed production implies different modes of authorship. In some ways it is reasonably easy to point to different parts of the game and nominate authors. We can look at the platform of underlying source code, and nominate the paid programmers as authors. Similarly, we can look at the game artwork and attribute it to the graphic artists employed by the developer, and we can look at the ongoing game play and understand it as collaboratively authored by players and developers. Game documentation has also been done by both professional and amateur authors. Social networks in the game are built and maintained by players, facilitated by developers. These statements only become problematic when we consider the number of institutions and practices that inhere in a concept of individual authorship. In today's Western cultures at least (and with bi-lateral and multi-lateral free trade agreements such as TRIPS, increasingly other parts of the world as well), creativity, innovation, rights of ownership, moral rights, rights of distribution, rights of access all get their shape in some way from the concept of individual authorship.

> According to 20th century entrepreneurial mythology, great ideas come, like divine providence, to those few special individuals who, by dint of extreme brilliance or business savvy, qualify as a distinct sub-species of Homo sapiens – Homo innovatus, as it were. … Homo innovatus is a great story: It's a hero story. We know how to hear it, and the media know how to tell it. … The problem is that Homo innovatus doesn't explain a lot of leading-edge innovation, nor does it account for the dynamics that define a networked marketplace and the evolving relationship between companies and their customers in that marketplace. … a million people will always be smarter than 20 people, and … there is business value in that differential. (Herz, 2002b:1-2)

Different styles of games disrupt the mode of authorship to differing degrees. The more emergent the game structure, and the more social it is, the more the authorship becomes distributed. Thus a side-scrolling single-player game like GameBoy *Super Mario,* where there is one basic trajectory through the environment, a limited set of goals and rewards, mostly defined by the developer, and a distinct end to the game, is less of a departure from conventional media. Authorial control remains to a large extent with the developer of the game. It is still different, in that it requires the player's input and adapts to the player's skill through feedback loops and so on. But the MMOG is a vastly more complex proposition, with its social networks, almost unlimited number of pathways or trajectories of activity, its player dependent action, player defined goals and player defined outcomes. Its authorship is layered – a source code platform, developer created artwork, rules, goals, player created innovations in gameplay, artwork, goals and rewards, publisher defined community standards, player defined community standards, lawyer defined rules and so on. In these interactive environments, authorial control is shared, but sometimes not easily.

MMOGs are quite remarkable in their complexity and the level of activity they generate. But as this thesis has shown, this complexity is disruptive. I have pointed out how the work of Herz (2002c, 2002a, 2002b, Herz and Macedonia, 2002) and others (for instance Leadbeater and Miller, 2004, Leadbeater, 2000 and Rifkin, 2000) who have considered the harnessing of user creativity as part of new business models is interesting for both the very astute observations about how the new distributed systems of production function, but also for the lack of engagement with the politics of commercialising the work of a free labour pool. Looked at from the perspective of the players, it becomes more problematic. There are new power dynamics and struggles as audience agency turns into productive activity, long term investment and the building of strong social networks. Who controls all the different types of value generated by this activity: the fan created content, the social networks, the governance inside the game, the innovations, the commercial outcomes and the direction of development, has become contested terrain.

Chapter Two of this thesis established that interactivity alters the structure of texts. I identified the ways in which, if authorial control is ceded to the user, the organising structures and tropes of narrative are often lost. Cybernetic feedback loops and social interaction create a different set of structuring parameters – those of goals, performance, adaptation, mutability and emergence. Thus while narrative may be found in games, it is not the key structure around which the text is organised. I also showed how the space of games is more than just visual representation. It is space that is navigated by users – moved through, socially as well as representationally structured. I highlighted that this kind of text requires a different set of analytical tools from conventional media. The author-text-distribution-audience linear structure of conventional media circulation needs to be rethought in the context of an interactive medium where the audience actively produces elements of the text. I suggested that it is appropriate to study what the players produce in the context of emergent and social game forms – that their authorship is as important as that of the developers. I also noted that the relationship and ongoing dialogue between developers and players is much more intense than that of the more muted dialogue between authors/publishers and mass audiences.

In Chapter Three I outlined my approach as following on from this analysis of the medium's form. I chose ethnography as a means of investigating the role of players in the recursive construction cycle of MMOG texts. I outlined how by taking a Foucauldian approach to the material gathered in the ethnography I have been able to examine from the micro-level and from the perspective of players, the day to day negotiations of power. The strategies, tactics and counter strategies employed by the players, the developers and the publishers, have generated various debates. My framework of study was designed to take what could be described as the cultural studies focus on active audiences, and the generation and circulation of culture and meaning, and use them in a consideration of issues derived from the political economy focus on the organisation of industry, the mobilisation and

conditions of workforces, and the politics of ownership and economic benefit. The more productive the 'audience' becomes, the more these two sets of concerns coincide. If a traditional political economy approach holds that production matters, and a traditional audience reception/cultural studies approach holds that interpretation matters (as Miller et al, 2001 suggest), we can see that these two aspects of the process are much more closely aligned in the convergent form of the MMOG.

In Chapter Three I also flagged my intention to use labour as a framework through which to view the productive activities of players. This was done in part to denaturalise their positioning as consumers by dominant discursive constructions, but also to understand how player productiveness fits within a broader context of networked knowledge economy production. As well as the usefulness of critical legal studies for investigating the other dominant discursive construction of the area – intellectual property – I also outlined some of the assumptions about the relationship of commerce to culture and culture to virtual environments that I have noticed employed by other authors and that I wished to avoid in my own study. I was particularly concerned to avoid casting virtual worlds as inauthentic and less real than offline environments either because of their relationship to commerce or their status as virtual.

Chapter Four's ethnographic thick description mapped some of the ways in which the game *EverQuest* functions. By describing my own experiences and observations and those of some other players, I traced the ways the game rules and code operate to suggest and reward particular behaviours over others. I showed how players encounter and engage with these training mechanisms and techniques – acceding to some, resisting some, attempting to control each others' behaviours around those rules, relying on the customer service team to resolve disputes in some cases, circumnavigating the customer service team in others. I illustrated the deep level of social engagement and commitment to the game made by some players – leading to strong friendships and even marriages for some. Others displayed commitment levels to activities such as raiding reminiscent of elite

sports teams. I showed the often incredibly detailed level of knowledge and expertise accumulated and shared between players. This knowledge and expertise has been leveraged: by developer teams for ongoing game development and directions; by players who choose to work in the secondary market; and by players who enjoy the status and social rewards inside the game, where a large part of their community life is carried out. It's also leveraged by publishers who maintain the service and receive the subscriptions. I made these observations about the various strategies and techniques of players and publishers and developers in part to emphasise that this is not some system of corporate domination of helpless and hapless players. The very productiveness and activity of players is a huge challenge to the developers and to the publishers. They are reluctant to cede the authorial control that is inherent in those activities. There are also struggles for control of the economic benefits, and the social governance of these applications.

Chapter Four also pointed to the very permeable boundaries to the MMOG. Where the game edge is, socially, technically and legally, is problematic. For instance many of the social networks in-game were shown to spill into the offline world and into other internet applications – guild websites, for instance, form a key part to many players' experience of the game and yet are not part of the official game. Social networks are part of what drives the economic profitability of the game and yet they cannot be contained within the game. Their control is largely in the hands of the players and yet they are in other ways subject to regulation and attempts at control by the publisher.

Chapter Five pursued these challenges to the game boundary with analysis of the secondary economy, and later in the thesis the extent of the reach of legal mechanisms beyond the game boundary were examined. It examined the issues of governance and economics within and around the game. I looked at the ways that players negotiate the creation and maintenance of cultural norms, how they relate to the customer service team and its role of rule enforcement, and what strategies and counter-strategies are employed.

It became apparent through this analysis that governance in *EverQuest* is a multi-layered and complex set of relations, with no one particular force or strategy able to implement a totalising control.

The description of the economics of the game gave further insight into the ways in which disputed understandings of ownership give rise to any number of strategies and counter-strategies from players and publishers around secondary markets. Finally in Chapter Five I sought to understand the implications of the hybrid characteristics of MMOGs as both publications and services. It is this hybridity that captures the sometimes contradictory discursive formations mobilised by key stakeholders in MMOGs. It is the hybridity that makes the use of different regulatory regimes both possible and inappropriate at the same time. The regulation of property rights and the regulation of service provision, content regulation, state-based protections and rights-based arguments pertaining to citizenship and consumerism are all raised by the converged form of the MMOG and require further critical analysis.

In Chapter Six I used concepts from labour studies and theories of production and value to explore the ways in which the production cycle of MMOGs fits with other networked knowledge-based production cycles in the post-Fordist era. I described the various forms of work, both paid and unpaid that go into the ongoing production of an MMOG. I established that although some economists regard value as arising only in that which can be exchanged in commodity form in the market, there are many ways in which value arises both outside the market and the commodity form. Thus, using mostly the work of theorists such as Hardt and Negri, Terranova, and Ross, I developed a description of value that incorporates both material and immaterial forms and can arise from the activities of both paid and unpaid labourers. This definition allows an understanding of how the contributions of players both to the production of material assets within and around the game and its sustaining networks, can be counted as producing value. Unpaid labour has a long and often gendered history and the politics of what gets counted as value by various stakeholders has been, and remains,

political and strategic. I looked at the way that creative and affective labour are often discounted in attributions of value and yet have become increasingly central to business models. I described the ways in which it is possible to view players activities as part of the labour that produces the MMOG. Doing so remains a political and strategic mobilisation of a particular understanding of the processes at work, as does not doing so.

I carried these ideas forward in Chapter Seven to examine how, in a product made up of value generated in this way by both players and paid labourers, in an ongoing and recursive cycle, intellectual property discourses must erase or minimise much of this value in order to continue to be seen as a legitimate basis for organising economic relations within the media. I explored the ways in which copyright and intellectual property law more generally have become a major site of struggle for control in an era of digital networks where knowledge-based products have achieved the status of holding primary value in many economies. I problematised the idea of ownership of community and social processes and then looked at the way that social relations were regulated through the service contract of the EULA. This was shown to be a one-sided contract. It behoves us to remember the descriptions and conclusions from Chapter Five in relation to this. Chapter Five drew out the complexity of governance in the MMOG and showed how the EULA never completely closes down the strategies employed by players to achieve their own ends. However, as a means of control the EULA does work on many players and the access veto of the publisher, while not complete, is certainly a powerful tool.

My focus on these issues in the final two chapters has been an attempt to raise their profile as issues in need of critical scrutiny and evaluation. The point is not to say that commercial interests should be, or indeed could be, driven out of the cultural sphere of social relationships, as commercial considerations drive the development of games applications. The point *is* to observe the interactions between the commercial, market-based interests of the corporate media world and the social, emotional and cultural interests of

people engaging with MMOGs and to ask how best the interests of each can be served.

In a network economy, relationships and affect have moved into the core of business practices. What does that mean for the people conducting those relationships? If the relationships at the centre of *EverQuest* are both the drivers of profit, *and* an important part of the emotional life of the people who create them, can these things co-exist without harm? In creating the environments and nurturing the networks into existence, and making the money from their existence, is the publisher under any obligation toward the groups of people involved? For the most part we can assume that the publisher wants the community to be happy, to continue to grow, and to maintain long term investments and links within the game. Nothing in this would suggest that they would treat the players with anything other than the utmost care. Governance is, however, never as straightforward as the easy coincidence of the interests of all stakeholders. As shown in the ethnographic descriptions there are struggles over the interpretation of the rules, over what community standards and norms should apply, over ownership and control of various elements and so on. In the first years of *EverQuest's* existence, the motto used by Sony for this game was "You're in our world now". This attracted so many derisory comments from disgruntled fans that they eventually removed all trace of it from packaging, and websites and let it quietly slip away.

It was an indicative motto however. The publisher positions itself as having taken on the role of the state. It owns the world, it has the right to determine what can and can't happen inside it. It has the power to police the state. It can discipline its members and holds the power of access as the ultimate measure of control. Players, on the other hand, also feel that they own the world. They have invested endless amounts of time. They have built networks, they have nurtured guilds, run raids, documented game elements and used them as training for other players, taught newbies how to play, given extensive feedback to the developers on bugs and desirable feature set additions and game directions. The concept of intellectual property, as

used in this context, erases the player contributions to the value of the game, and the collaborative, social and affective components of value. The idea that SOE owns *everything* in the game, on the basis of intellectual property law, is an attempt to force this convergent and new media form into an old media framework no longer appropriate or adequate to encompass the complexity of the MMOG. The publisher is not the state. Its formal relationship with the players is financial and contractual, not one of state to citizen. The terms of that relationship are determined by the contract of the EULA.

Viewed as a service provided on a platform owned by the developer and/or publisher, the MMOG makes more sense. However the EULA has been shown, in the case of *EverQuest,* to be weighted heavily in favour of the publisher. What should the limits on the power of the publisher be? How should the publisher be accountable for its actions towards the players? In a proprietary world, the contract organises the formal relations between the contracting stakeholders. If a player doesn't like the governance performed by the publisher and its customer service community managers, he or she can leave – the exit power is one mechanism of the marketplace that has been pointed to as a key source of power for the consumer. But players are more than consumers. What they invest in the game can lead to the production of relationship networks they are reluctant to lose. In some games they also accumulate goods with real world monetary value that they lose access to. Their own sense of ownership of the game makes the exiting option one that represents loss and an extra cost (both financial and emotional) that they have to bear. The *productiveness* of their activities and the value of them to both the publisher and the player are ignored in the scenario of empowered *consumerism*. It also ignores the mechanism of exclusion held by the publisher.

The idea that there is a marketplace of MMOGs for the player to choose between and, if the governance of one is not to their liking they can move to another, ignores these costs. It also ignores the limits of the choices available in the marketplace and the fact that terms of EULAs are selectively

and inconsistently enforced by publishers. Thus, even in the unlikely event that an eager gamer were to read, before playing, through the incredibly long EULA document (8 A4 pages), follow the links to the websites for further information on the rules of the game and the terms of service (7 A4 pages), and could interpret, without having played the game, what terms like 'spirit of the game' might mean to this publisher in this context, there is no guarantee that all that information will bear a relationship to the way customer service teams selectively enforce those terms. The argument of competition and choice in the marketplace providing incentives for publishers to constrain their behaviour is inadequate.

In the unlikely event that government or policy makers or the industry itself decided that there should be some minimum standards, or some regulations pertaining to the EULA contract, it is difficult to know what those standards or regulations might look like. I have seen suggested (on the mud_dev list) that an ombudsman might be appropriate as a mechanism through which players could appeal decisions made by publishers or customer service teams. In the increasingly risk-averse direction that large media corporations are taking games development, it seems unlikely that a high degree of regulation would be useful. Too heavy a hand on the part of regulatory bodies would probably lead to a reluctance on the part of the publishers to run the services required by an MMOG. The issue of the governance of proprietary spaces which host productive users will arise in other contexts too and will eventually have to be addressed.

There is an argument to be made for a stronger understanding of these media applications as services, rather than solely as intellectual property. There is much to be gained by publishers and developers from player innovation, commitment and investments of time and passionate energy. But the seeking of unfettered power over player populations, and the enclosure of player creations as the intellectual property of the publisher are unconscionable. The fear of piracy and the demonising of peer to peer networks as the conduits for theft has led to an all consuming obsession with digital security and ownership that is inappropriate to this model of

networked production. It would be a great shame if the innovative opportunities of such networks were missed because of an over-reaching by media publishers in their understanding of what they can legitimately claim to own.

It is also a concern that these proprietary worlds enforce restrictive behavioural codes that have limited peoples' freedom of association and speech. If these virtual worlds take on the characteristics of a public commons for the people who use them, should there be some constraints on the publisher's capacity to limit the user's freedom of speech, association and right to privacy? On the internet there are still many uncommercialised, non-proprietary spaces where players might turn in the face of those limitations. It is not inconceivable that in the future there will be less commons spaces available on the internet – indeed it seems likely. MMOGs provide us with an example of the issues that may arise from the expansion of proprietary spaces as the means through which people conduct significant parts of their lives. It behoves us to ask what the citizen's recourse to justice should be, when their freedoms are shaped and restricted by corporate media contracts and practices.

I have argued in this thesis that the new forms generated by interactive applications which create both distributed production networks and strong social communities has led to a number of arenas of contestation. The issues discussed in this thesis, pertaining to ownership and governance, are far from resolved. The governance of proprietary worlds is an area in need of further investigation. How customer service teams encounter their clientele and negotiate between the goals of the publishers and the goals of the players would be a fruitful area to research. Innovative rule sets and game coding that suggest alternatives to the trends observed in this thesis will doubtless arise, probably through player-led developments, and these will be worth watching and tracking. Developing legal alternatives to the overbearing terms of the current EULA, that will allow the publisher to feel safe in running a game platform without introducing oppressive terms to their clients, may become a priority if we are not to see inequitable power

relations between publishers and players entrenched. [50] The attitude of policy makers and government regulatory bodies toward these issues may take some time to develop, but ti seems clear that ownership and governance in digital media applications will be on the agenda for quite some time to come. In the globalised context of internet applications, cross-jurisdictional issues are raised but seem difficult to resolve – particularly in consideration of issues such as citizenship rights where national regimes will vary.

These are areas for research pertinent to the networked economy, and to a world where the reach of commercial interests into the social and emotional lives of people has intensified. Networks are not just about reorganised distribution. They are about reorganised production, and the relationships of the people who form them. As this thesis has shown, conventional practices of media organisations need to be rethought in the light of these changes. The intensely pleasurable and engaging pursuit of playing a multiplayer online game not only exemplifies a successful interactive application at work. The abrasiveness of its hybrid structure generates contentious and interesting grounds for debate and further research.

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[50] It will also be worth watching how issues such as these are played out in other emerging proprietary media spheres such as mobile phone platforms (which increasingly seek to deploy games and game-like structures in their content services).

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Casters Realm   http://eq.crgaming.com/

Allakhazam's Magical Realm http://everquest.allakhazam.com/

EQ Vault   http://eqvault.ign.com/

EQ Atlas   http://www.eqatlas.com/

Auction site   http://www.playerauctions.com

Dragonrider Knights http://www.dragonriderknights.comb

Appendix 1

End User Licence Agreement for EverQuest

Please remember to review the current terms and conditions of the EverQuest User Agreement and Software License.

Thank you. EVERQUEST® USER AGREEMENT AND SOFTWARE LICENSE THIS AGREEMENT DESCRIBES THE TERMS ON WHICH SONY ONLINE ENTERTAINMENT INC. ("**SOE**") OFFERS YOU ACCESS TO AN ACCOUNT (THE "**ACCOUNT**") TO PLAY THE EVERQUEST FANTASY ONLINE ROLE PLAYING COMPUTER GAME AND ANY EXPANSION PACKS (INDIVIDUALLY AND COLLECTIVELY, THE "**GAME**"). BY PRESSING THE "I ACCEPT" BUTTON, YOU ACCEPT THE TERMS AND CONDITIONS BELOW. BY PRESSING THE "DECLINE" BUTTON, YOU DECLINE OUR OFFER, IN WHICH CASE YOU SHOULD CONTACT YOUR PLACE OF PURCHASE REGARDING ITS RETURN POLICY FOR THE APPLICABLE PRODUCT. If you have any questions regarding these terms and conditions, please contact customer service at eqmail@soe.sony.com.

1. Accounts are available only to adults or, in their discretion, their minor child. If you are a minor, your parent(s) or guardian(s) must complete the registration process, in which case they will take full responsibility for all obligations under this Agreement. By clicking the "I Accept" button and providing us with a credit card number, you represent that you are an adult and are either accepting this Agreement on behalf of yourself or your child. You may not transfer or share your Account with anyone, except that if you are a parent or guardian, you may permit one child to use the Account instead of you (in which case you may not use that Account). You are liable for all activities conducted through the Account, and parents or guardians are liable for the activities of their child. Corporations and other entities are not eligible to procure Accounts.

2. To play the Game, you must (a) purchase or receive through an SOE-authorized promotional offer (such as an authentic disc bundled with a game

magazine) the Game CD-ROM (the "**CD-ROM**") or applicable files which we may make available for direct download, which includes software required for the Game (the "**Software**"), (b) have a fully paid Account, and (c) have an Internet connection (which we do not provide) to access your Account. In addition to any fees described herein, you are responsible for paying all applicable taxes (including those we are not required to collect) and for all hardware, software, service and other costs you incur to access your Account. Neither this Agreement nor your Account entitles you to any subsequent releases of the Software, nor to any expansion packs or similar ancillary products, without paying applicable charges. You understand that we may update or otherwise enhance the Software at any time and in doing so incur no obligation to furnish such updates to you pursuant to this Agreement.

3. We may amend this Agreement at any time in our sole discretion. Amendments shall be communicated to you at the time you log into your Account. Such amendments shall be effective whenever we make the notification available for your review.

4. Upon registration, you must select a password. You may not disclose your password to any third party. We never ask you for your password by telephone or email, and you should not disclose it this way if someone asks you to do so. Although we may offer a feature that allows you to "save" or "remember" your password on your hard drive, please note that by using this feature third parties may be able to access your computer and thus your Account.

5. We describe our fees and billing procedures at a hotlink located at www.everquestlive.com, which are incorporated by reference. All fees are stated in U.S. Dollars unless otherwise specified. All fees are prepaid and non-refundable. Upon your acceptance of these terms, we have the right to automatically charge your credit card the Account fee plus any applicable taxes we are required to collect, and you authorize us to do so. Thereafter, each time your Account comes up for renewal, we have the right to charge your credit card the then-current renewal rate plus any applicable taxes we are required to collect, and you authorize us to do so. If we are unable to process your credit card at a renewal period, your Account may be

immediately terminated. If we make a Game Card available and you use a Game Card to pay for your Account, the Game Card shall activate your Account for the period stated on the Game Card and, thereafter, you will either need to provide a valid credit card (in which case your credit card will subsequently be charged as referenced above) or purchase another Game Card for subsequent subscription periods, or your Account will be closed. You may terminate your Account at any time through the Account registration process. If you terminate your Account during your initial free period, if any, your account will be closed at the end of the free period and you will not be billed. If you terminate your Account during any subscription cycle, your Account will be closed at the end of the then-current cycle and you will not be billed again unless you affirmatively reopen the Account. We do not give full or partial refunds for subscription periods that you have purchased.

6. We may terminate this Agreement (including your Software license and your Account) and/or suspend your Account immediately and without notice if you breach this Agreement or repeatedly infringe any third party intellectual property rights, or if we are unable to verify or authenticate any information you provide to us, or upon gameplay, chat or any player activity whatsoever which we, in our sole discretion, determine is inappropriate and/or in violation of the spirit of the Game as set forth in the Game player rules of conduct, which are posted at a hotlink at www.everquestlive.com. If we terminate this Agreement or suspend your Account under these circumstances, you will lose access to your Account for the duration of the suspension and/or the balance of any prepaid period without any refund. We may also terminate this Agreement if we decide, in our sole discretion, to discontinue offering the Game, in which case we may provide you with a prorated refund of any prepaid amounts.

7. Subject to the terms of this Agreement, we hereby grant to you a non-exclusive, non-transferable, revocable license to use the Software solely in connection with playing the Game via an authorized and fully-paid Account. You may not copy (except to make one necessary back-up copy), distribute, sell, auction, rent, lease, loan, modify or create derivative works, adapt, translate, perform, display, sublicense or transfer all or any portion of the

Software. You may not copy any of the written materials accompanying the Software. You may not reverse engineer, disassemble or decompile the Software except to the extent that this restriction is expressly prohibited by applicable law. The Software may contain license management software that restricts your use of the Software.

8. We and our suppliers shall retain all rights, title and interest, including, without limitation, ownership of all intellectual property rights relating to or residing in the CD-ROM, the Software and the Game, all copies thereof, and all game character data in connection therewith. You acknowledge and agree that you have not and will not acquire or obtain any intellectual property or other rights, including any right of exploitation, of any kind in or to the CD-ROM, the Software or the Game, including, without limitation, in any character(s), item(s), coin(s) or other material or property, and that all such property, material and items are exclusively owned by us.

9. You may not use any third party software to modify the Software to change Game play. You may not create, facilitate, host, link to or provide any other means through which the Game may be played by others, such as through server emulators. You may not take any action which imposes an unreasonable or disproportionately large load on our infrastructure. You may not buy, sell or auction (or host or facilitate the ability to allow others to buy, sell or auction) any Game characters, items, coin or copyrighted material.

10. To obtain an Account, you will be required to choose both a login name and a player name. While you are encouraged to use a pseudonym, especially if you are a minor, you may not pick a name that violates anyone's trademarks, publicity rights or other proprietary rights.

11. As part of your Account, you can upload content to our servers in various forms, such as in the selections you make for the Game and in chat rooms and similar user-to-user areas (collectively, your "**Content**"). Your Content shall not: (a) infringe any third party intellectual property, other proprietary or publicity/privacy rights; (b) violate any law or regulation; (c) be defamatory, obscene, child pornographic or harmful to minors; or (d) contain any viruses, trojan horses, worms, time bombs, cancelbots or other computer programming routines that are intended to damage, detrimentally interfere with, surreptitiously intercept or expropriate any system, data or

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personal information. We may take any action with respect to your Content if we believe it may create liability for us or may cause us to lose (in whole or in part) the services of our ISPs or other suppliers. You hereby grant to us a worldwide, perpetual, irrevocable, royalty-free, sublicenseable (through multiple tiers) right to exercise all intellectual property rights, in any media now known or not currently known, associated with your Content.

12. We cannot ensure that your private communications and other personally identifiable information will not be disclosed to third parties. For example, we may be forced to disclose information to the government or third parties under certain circumstances, or third parties may unlawfully intercept or access transmissions or private communications. Additionally, we can (and you authorize us to) disclose any information about you to private entities, law enforcement or other government officials as we, in our sole discretion, believe necessary or appropriate to investigate or resolve possible problems or inquiries. Furthermore, if you request any technical support, you consent to our remote accessing and review of the computer you load the Software onto for purposes of support and debugging. You agree that we may communicate with you via email and any similar technology for any purpose relating to the Game, the Software and any services or software which may in the future be provided by us or on our behalf. You may choose to visit www.everquestlive.com or www.station.sony.com, SOE's web sites ("**The Station**") if such web sites offer services such as an EverQuest game themed chat room or other services of interest to you. You are subject to the terms and conditions, privacy customs and policies of SOE while on such web sites and in connection with use of your Account and the Game, which terms and conditions, policies and customs are incorporated herein by this reference. Since we do not control other web sites and/or privacy policies of third parties, different rules may apply to their use or disclosure of the personal information you disclose to others. Solely for the purpose of patching and updating the Game, you hereby grant us permission to (i) upload Game file information from the Game directory and (ii) download Game files to you. **You acknowledge and agree that we may transfer Game and your Account information (including your personally identifiable**

information and personal data) to the United States or other countries or may share such information with our licensees and agents in connection with the Game.

13. WE PROVIDE THE CD-ROM, THE SOFTWARE, THE ACCOUNT, THE GAME AND ALL OTHER SERVICES "AS IS." WE AND OUR SUPPLIERS EXPRESSLY DISCLAIM ALL WARRANTIES OR CONDITIONS OF ANY KIND, EXPRESS, IMPLIED OR STATUTORY, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF TITLE, NONINFRINGEMENT, MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Without limiting the foregoing, we do not ensure continuous, error-free, secure or virus-free operation of the CD-ROM, the Software, the Game, your Account or continued operation or availability of any given server. Some states do not allow limitations as to how long an implied warranty lasts and/or exclusions or limitations of consequential damages, so the above limitations and/or exclusions of liability may not apply to you. This warranty gives you specific legal rights and you may also have other legal rights which vary from state to state.

We are not liable for any delay or failure to perform resulting from any causes beyond our reasonable control. Further, we cannot and do not promise or ensure that you will be able to access your Account whenever you want, and there may be extended periods of time when you cannot access your Account.

14. IN NO EVENT SHALL WE, OUR PARENT, OUR AFFILIATES OR OUR SUPPLIERS BE LIABLE TO YOU OR TO ANY THIRD PARTY FOR ANY LOST PROFITS OR SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES (HOWEVER ARISING, INCLUDING NEGLIGENCE) ARISING OUT OF OR IN CONNECTION WITH THE POSSESSION, USE, OR MALFUNCTION OF THE SOFTWARE, YOUR ACCOUNT, THE GAME, THE SOFTWARE OR THIS AGREEMENT. OUR LIABILITY TO YOU OR ANY THIRD PARTIES IS LIMITED TO $100. Some states do not allow the foregoing limitations of liability, so they may not apply to you.

15. You shall comply with all applicable laws regarding your use of the Software, your access to your Account and your playing of the Game.

Without limiting the foregoing, you may not download, use or otherwise export or re-export the Software except in full compliance with all applicable laws and regulations, including, without limitation, the laws of the United States.

16. This Agreement is governed in all respects by the laws of the State of California as such laws are applied to agreements entered into and to be performed entirely within California between California residents. The UN Convention on Contracts for the International Sale of Goods is expressly disclaimed. Both parties submit to personal jurisdiction in California and further agree that any cause of action relating to this Agreement shall be brought in the County of San Diego, State of California (if under State law) or the Southern District of California (if under federal law). If any provision of this Agreement is held to be invalid or unenforceable, such provision shall be struck and the remaining provisions shall be enforced. Our failure to act with respect to a breach by you or others does not waive our right to act with respect to subsequent or similar breaches. You may not assign or transfer this Agreement or your rights hereunder, and any attempt to the contrary is void. This Agreement sets forth the entire understanding and agreement between us and you with respect to the subject matter hereof. Except as provided herein, this Agreement may not be amended except in a writing signed by both parties.

17. All services hereunder are offered by Sony Online Entertainment Inc., located at 8928 Terman Court, San Diego, California 92121. Our phone number is (858) 537-0898. Current rates for using the Game may be obtained from a hotlink at www.everquestlive.com, and such rates are subject to change at any time. If you are a California resident, you may have this same information emailed to you by sending a letter to the foregoing address with your email address and a request for this information.

The Complaint Assistance Unit of the Division of Consumer Services of the Department of Consumer Affairs may be contacted in writing at 400 R Street, Sacramento, CA 95814, or by telephone at (800) 952-5210.

Parental control protections (such as computer hardware, software, or filtering services) are commercially available that may assist you in limiting access to material that is harmful to minors. If you are interested in learning

about these protections, information is available at
http://www.worldvillage.com/wv/school/html/control.htm or other similar sites
providing information on such protections.

The Software is a "commercial item" if acquired under agreement with the
U.S. Government or any contractor therewith in accordance with 48 CFR
12.212 of the FAR and, if acquired for Department of Defense (DoD) units,
48 CFR 227-7202 of the DoD FAR Supplement, or any succeeding similar
regulations.

Appendix 2

Rules Of Conduct

THE FOLLOWING ARE THE BASIC RULES OF CONDUCT THAT GOVERN PLAYER INTERACTION AND ACTIVITY WITHIN EVERQUEST AND IN THE OFFICIAL EVERQUEST FORUMS. FAILURE TO ACT RESPONSIBLY AND COMPLY WITH THESE RULES WITHIN EVERQUEST AND THE OFFICIAL EVERQUEST FORUMS MAY RESULT IN THE TERMINATION OF YOUR ACCOUNT WITHOUT ANY REFUND OF ANY KIND.

1. You may not harass or threaten other players.

2. You may not use any sexually explicit, harmful, threatening, abusive, defamatory, obscene, hateful, racially or ethnically offensive language.

3. You may not impersonate any Sony Online Entertainment, Sony Computer Entertainment America, or Verant Interactive employee, past or present, including any Customer Support personnel.

4. You may not violate any local, state, national or international law or regulation.

5. You may not modify any part of the EverQuest Client, Server or any part of the EverQuest Web Page located at <http://www.everquest.com>.

6. You may not arrange for the exchange or transfer of any pirated or illegal software while on EverQuest or the EverQuest Web site.

7. You will follow the instructions of authorized personnel while in EverQuest or on the Official EverQuest Forums.

8. You may not organize nor be a member of any guilds or groups within EverQuest that are based on, or espouse, any racist, sexist, anti-religious, anti-ethnic, anti-gay, or other hate-mongering philosophy.

9. You may not give false information or intentionally hide any information when registering for your EverQuest account.

10. You will not upload or transmit on EverQuest, or on the EverQuest Web Site any copyrighted content that you do not own all rights to, unless you have the express written permission of the author or copyright holder.

11. You will not attempt to interfere with, hack into, or decipher any transmissions to or from the servers running EverQuest.

12. You will not exploit any bug in EverQuest and you will not communicate the existence of any such exploitable bug (bugs that grant the user unnatural or unintended benefits in game), either directly or through public posting, to any other user of EverQuest. You will promptly report any such bug via the in-game "/bug" command or via the eqtesting@soe.sony.com email address.

13. You will not attempt to play EverQuest on any server that is not controlled or authorized by Sony Computer Entertainment America, or its designees.

14. You will not create, use or provide any server emulator or other site where EverQuest may be played, and you will not post or distribute any utilities, emulators or other software tools related to EverQuest without the express written permission of Sony Computer Entertainment America.

1.1 Play Nice Policies - Activity within EverQuest

In addition to the general guidelines listed in section 1.0, players are also subject to these supplementary rules while playing EverQuest. While by no means an all-inclusive list of the do's and don'ts in EverQuest, it provides a suitable foundation by which the player can determine what activities are appropriate:

1. You may not steal kills.

Kill Stealing is defined as the killing of an NPC for any reason that is already fighting or pursuing another player or group that is prepared to engage that same NPC without that group's specific permission.

The intent of this rule is discourage and make note of habitual Kill Stealers, not to punish those who honestly try to work together or those who make an honest mistake. Its enforcement by the EverQuest Customer Service Staff will reflect this philosophy.

2. You may not ninjaloot.

Ninjalooting is defined as taking special equipment from a fallen creature without the express permission of those who killed the creature if they are in attendance.

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The purpose of this rule is to stop those who stand near creatures that carry special items and attempt loot that equipment prior to it being looted by the rightful owner.

3. You must comply with arbitration for contested spawns.

There are cases where two or more groups wish to kill the same NPC or hunt in the same area. In these cases, the groups are required to compromise.

If an equitable compromise cannot be reached between the players prior to EverQuest Customer Service Staff involvement, the EQCSR will mandate a compromise. Any such compromise is final and not open to debate. Refusing to abide by these terms will be considered disruption and may result in disciplinary action.

It is therefore **strongly** suggested that the groups make every attempt to reach a compromise that they can live with prior to involving an EQCSR, who may mandate a compromise that does not suit you to the extent that a player-devised compromise would.

Note: A "group" in this case is defined as a party of one or more characters that are united in a common belief or goal and are capable of completing that goal.

4. Foul language is not permitted, in any language.

Excessive use of foul language in an inappropriate context, including swear words, real-world racial slurs, and other language that is not consistent with the fantasy environment and designed to hurt, will be considered a disruption. The existence of the filter (/filter) is not a license to be profane.

5. You may not harass others.

Harassment is defined as specifically targeting another player or group of players to harm or inconvenience them. As harassment can take many forms, the EQCSR involved will make a determination as to whether or not a "reasonable person" would feel harassed and act accordingly.

6. You may not disrupt the normal playability of a zone or area.

Zone/Area Disruption is defined as any activity designed to harm or inconvenience a number of groups rather than a specific player or group of players. This includes, but is not limited to::

- Monopolizing most or all of the kills in an area.

- Deliberately blocking a doorway or narrow area so other players cannot get past.
- Refusing to cooperate with the other parties at a contested spawn site after having been instructed to do so by an EQCSR.
- Making excessive and inappropriate use of public channels of communications (/shout, /ooc, etc.).
- Intentionally causing excessive zone latency (creating excessive corpses, abusing spell effects, etc.).
- Causing intentional experience loss to other players (deliberately impeding fleeing players by blocking their escape route, intentionally training NPCs on other players, etc.).

7. You may not defraud other players.

Fraud is defined as falsely representing one's intentions to make a gain at another's expense. Examples of this activity include, but are not limited to, using deception to deprive another player of items, slandering another player or impersonating them with the intention of causing harm to that player's reputation, or falsely representing one's identity in order to gain access to another player's account or account information.

Fraud in all transactions between players may result in disciplinary action when confirmed by an EQCSR.

8. You may not abuse other players or Customer Service Representatives.

The following actions would be considered abuse:

- Hate Mongering - participation in or propagation of Hate literature, behavior, or propaganda related to real -world characteristics.
- Sexual Abuse or Harassment - untoward and/or unwelcome advances of a graphic and sexual nature. This includes, but is not limited to, virtual rape, overt sexual overtures, and stalking of a sexual nature.
- Attempting to Defraud a CS Representative - Petitioning with false information with the intent of receiving benefits as a result. This

includes reporting bug deaths, experience or item loss, or accusing other players of wrongdoing without basis for it.

- Impersonating a Customer Service Representative - falsely representing yourself to another player as a Guide or a Verant Interactive employee.

- CS Personnel Abuse - This includes, but is not limited to, sending excessive /petitions (as an individual or group), sending excessive /tells to a CS Representative, excessively using say or other channels to communicate to a CS Representative, making physical threats, or using abusive language against a CS Representative.

- Implying Favoritism by EQCSRs - Stating that employees of SOE or members of the Guide program will show favor towards one or more parties involved in any given situation. This includes, but is not limited to, using threats of retribution or inferring that you will not be held accountable for your actions due to special consideration.

Note: This list is not all-inclusive. Other actions may be determined as abuse at the discretion of the EQCSR.

9. "Role-playing" does not grant license to violate these rules.

Though EverQuest is a Role-playing game, the claim of "Role-play" will not be accepted in defense of any of the anti-social behaviors mentioned above. We strongly encourage role-playing, but cannot allow it to be done at the expense of others.

10. You may not operate a guild that habitually violates these rules.

Disciplinary issues involving guilds may be addressed with the entire guild. Guilds whose members habitually violate these rules may be issued guild warnings, and can even be permanently disbanded.

Guild Leaders and/or officers may be held accountable for any actions of their guild members, in addition to any other actions that may be taken. It is therefore the responsibility of the guild leadership to ensure that all guild members abide by these rules.

Specific rules for PvP servers can be found at

<http://eqlive.station.sony.com/library/sz_rule_sets.jsp>

1.2 Message Board Conduct

As the Official EverQuest Forums are part of The Station, posting to these forums is bound by The Station's Terms of Service that can be found in their entirety **here**. In addition to these terms of service, we have a few supplemental rules that apply to the EverQuest Forums.

In general, you may post any material, written in a courteous and mature manner, providing that it is on-topic for the forum to which you are posting. This includes material that disagrees with the way that we, the developers, operate the game. We will not interfere with the communication of thoughts and ideas as long as the presentation is appropriate for all those capable of reading the forum.

You may not, however, post any material that:

- Attacks or insults others on the board. Feel free to debate the idea, but do not turn your disagreement into an attack upon the poster.
- Engages in name-calling, harassment, or threats. See above.
- Contains obscenity, vulgarity, or profanity. Though we do have a filter in place to catch the unintentional obscenity from time to time, this is not a license to abuse it.
- Disparages any religion, race, nation, gender, or sexual orientation.
- Is considered inappropriate for children 13 or over as governed by general standards of decency in the United States.
- Infringes on anyone's privacy rights.

Furthermore, you may not:

- Make multiple posts on the same subject for the purpose of getting attention paid to your issue.
- Post off-topic comments in threads for the purpose of drawing attention to another thread on a different subject.
- Monopolize the front page of any forum by "bumping" threads of the same or similar content to the front. We may intervene by closing threads any time that this occurs.

- Use the official forums as a staging-ground for creating general unrest within the game (e.g. Sit-ins).
- Use the official forums as a place to advertise the sale of EverQuest characters or items in exchange for real-world money.
- Advertise web-sites with content that violates these rules, the EverQuest EULA, or the Station Terms of Service.
- Advertise products or websites that are not related to EverQuest or other Verant/Sony Online Entertainment products.

Action that we might take in regards to a post in violation of these rules on the Official EverQuest Forums will vary depending upon the transgression. It could include any number of the following:

- Editing of the post.
- Deletion of the post/thread.
- Closing of the thread.
- Suspension (results in user being unable to play EverQuest for the duration of the suspension).
- Banishment (results in the user's station account being canceled. User will no longer be able to access EverQuest, or any Official EverQuest Forum).
- Legal Action (I.e. Contacting law enforcement personnel in regard to a threat.)

People who violate the rules of the boards may or may not receive any warning before any action is taken. In the event that a warning is given, the warning will be recorded upon the game account and may result in further action should the player show a pattern of engaging in prohibited conduct. Philosophically and administratively, there is no difference between conduct in game, and conduct in the Official EverQuest Forums.

If you are still having problems after visiting this support section, you can contact our Technical Support Department through an email via our online form.

Appendix 3

EverQuest Community relations message from developers to players

EQ community relations : Developers notice board.

Accessed 15/10/02

http://boards.station.sony.com/ubb/everquest/Forum1/HTML/000001.html

Hello all.

We've made some changes to the message boards, as you can see. The letter below is from the team.

Alan

Hello all,

Upon EverQuest's release, Sony Online Entertainment, then a separate company, came to Verant Interactive and proposed that they set up and host community message boards on the EverQuest site. The purpose of these boards was to provide a place for EverQuest players to hang out, get to know each other, and basically do what EverQuest players do in any of dozens of message forums hosted by EverQuest fan sites.

As they grew more popular, a culture of dedicated and knowledgeable players formed, and the forums quickly evolved into a place where game design concepts were discussed freely by a relatively small group of people. As a developer always open to new ideas, the boards did not go unnoticed by the EverQuest design team, and we began commenting on issues there regularly.

As the weeks went on, some EverQuest players heard that the "Official" EverQuest forums were the place to go if you wanted to speak with the EverQuest Development Team. As issues were addressed, it was apparent that the boards were a phenomenal tool for collecting player feedback, listening to issues, and occasionally to release information.

In late 1999, we decided to even further our commitment to communicate with players about development issues – a philosophy that remains true to this day. And it seemed the boards were the best place to do this. To that end, a full-time Community Relations

Manager was hired to not only disseminate information to the public via the boards, but also to bring the public's issues to the development team such that valid player issues would be addressed and not overlooked – the latter part being key.

Fast-forward to today: Unfortunately, the EverQuest message boards are often a hotbed of exaggerated negativity where only through one-upmanship, melodramatics, and dauntless persistence can one hope to create a big enough thread surrounding an issue as to have it addressed. Posters with the opportunity and time to engage in these tactics at least get to see an Official tell them "Yes" or "No", while others with equally valid stated concerns and the same desire to make the game better for everyone see their posts fall off within minutes, only to be overlooked or missed in the end. That, or they simply don't post at all, avoiding the boards and the negativity found therein (we've received a lot of player feedback via email and at Fan Faires attesting to this phenomenon).

Well, this is simply not acceptable. Our original goal for the boards was to have them serve as a place where valid player issues would be addressed and not overlooked. We need and want to hear the feedback of anyone willing to send it. You deserve to know that your feedback is being read, that your issues are being considered by the design team, and that the chance of having your thoughts heard is not tied to your ability to be outspoken and persistent in a public forum. That is one thing all of our goals have in common, and one thing that we need to improve such that we are able to give players the input and feedback they deserve – the current "public" process.

To that end, we're making a number of changes, both to the message boards and the procedures for sending feedback. First, you'll notice that the Harpy's Head and the Official Message Boards have been shut down. This is a temporary measure to allow people to time to read up on the new processes and rules in place prior to posting on official EverQuest forums. Some boards will be reopened in one-to-two weeks time under the new rules.

The Harpy's Head boards will reopen under their existing rules (in-character), but will require an active EverQuest account to post. The Wishlist, the Newbie Zone, and the Customer Service/Technical Help forums will also reopen at the same time, but will have very strict guidelines concerning the type of content that is allowed in those forums. Other former forums, including the server and class forums, will not reopen.

Two new forums, "Developer's Corner" and "Quality Assurance", have been added. These forums will take the place of the former "General Discussion" and "Testing" forums. The difference here is that attempting to post a message or reply will take you to a special form where you can "Submit Comments" to the Development and Quality Assurance teams. Representatives from each team will read all of the comments submitted and choose

several daily to which to reply publicly. Those representatives will then quote your comments if chosen in individual posts under the appropriate read-only forum. These forums will also be used for special announcements, inquiries, and the release of important information as it is appropriate. And we also hope it will be much easier for players to keep track of what is going on in EverQuest.

It is very important to us that we are able to address the needs of our customers. It's not only important from the perspective of our goal of providing good service, but also for our primary goal: To be the number one online gaming company in the industry. Player feedback is so important to this process that we are taking these steps in order to gather feedback from more people more effectively. We are committed to responding not only to more issues, but also to more issues of concern and interest to a broader range of players. Finally, we are committed to giving our playerbase more input into what we do, and more insight into how and why we are doing it.

These changes are a sincere attempt to make all of that more possible. Please join us in ushering in a new age of communication and collaboration and visit the EverQuest Message Boards to submit your comments today.

- The EverQuest Team

Appendix 4

Survey Questions

Massive Multi-user Online Games: Survey page 1 of 4

Personal Information

Age

Gender   female ▼

Country of Residence

Would you be willing to do a follow up interview about your experiences in EverQuest? This could be an online interview, or possibly a face to face interview (depending on where you live), or just an email exchange. If so, what is your **email address**?

Area 1: Time

1. How much time do you spend playing the game each week?

2. How much time do you spend working each week?

3. How much time exercising each week?

4. Before you played the game, how would this have been different? What did you do with the time you now spend playing the game?

5. Do you ever feel you want to spend more time in EQ?

6. Does anyone ever pressure you to spend less time in EQ?

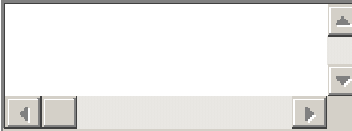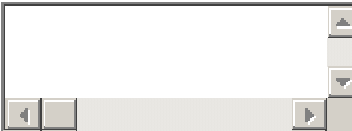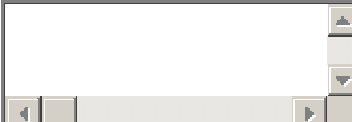**Massive Multi-user Online Games: Survey page 2 of 4**

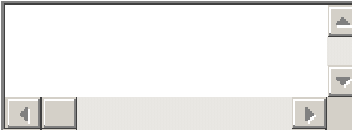**Area 2: Social relationships**
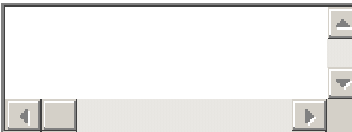
Living arrangements

1. How many people do you live with and what's your relationship to them?

2. Does anyone you live with also play EQ?

3. Does anyone sit at the computer with you and play alongside you?

4. Does anyone that you live with object to your EQ playing?

Friendships

5. Do you think of yourself as having a wide circle of offline friends?

6. How much time do you spend each week interacting with your offline friends?

7. Do any of your offline friends also play EQ? Do you play in game together?

8. Do you have many friends inside the game? Do you hang out with the same people on a regular basis in the game, or do you team up with whoever is around?

9. Are you in a guild and is that important for creating friendships in the game?

10. How important are your in-game friendships compared to your offline friendships?

Romantic involvements

11. Are you in a romantic relationship/ married/ have a significant other offline?

12. If you are in an offline relationship, is it ok by your partner for you to have relationships and/or cybersex online?

13. Do you have in-game romantic relationships and/or cybersex?

14. If you do have online romantic relationships, how many of these relationships do you have? Do you have more than one, using the same character? Do you have different romantic relationships

using different characters (alts) in
the game?

15. Is this an important part of why
    you play EQ?

16. Have you ever started a romantic
    involvement in EQ that you
    followed up outside the game?

Family relationships

17. Do any other members of your family play EQ?

18. Do you play together in the game much?

19. Do you talk about EQ with your family? (even if
    they aren't players themselves)

Area 3: Playing

Grouping in game

1. Do you join groups regularly when you
   play EQ?

2. What makes a good group? eg. Is it
   about things like: the range of classes;
   good players; sense of humour; good
   communication; good weapons and
   other equipment; or something else?

3. When do you feel the most satisfied
   with a group? eg. Is it about when you
   level up fast or when you get good loot
   or when you work well as a team
   together or when you have a lot of fun
   even if you do get wiped out
   occasionally, or something else?

4. What do you value most in other players
   in your group?

5. What do you try to do most as a group
   member?

6. What do you dislike most to happen in a group situation?

Guilds in game

7. Do you belong to a guild (or guilds)?

8. What kinds of things do you value about your guild?

9. What are your expectations of your guild?

10. Are most of your important in-game friendships within your guild?

11. Does your guild require you to attend raids regularly?

Area 4: Websites

1. Do you use websites about EQ to help you play the game? eg. for maps, player guides, info on quests, armour, weapons etc. Which of these is most important to you?

2. Do you use a guild website?

3. Do you ever visit bulletin boards about EQ? Do you contribute to discussions?

4. Have you made a special sig. file either for you website or for using on bulletin boards?

5. Have you made your own website about EQ?

6. Do you use a custom UI? If so, did you make it yourself?

7. Have you ever bought or sold EQ items or characters outside the game (eg. At an auction site on the net)?

8. What do you think about the practice of selling and buying EQ items and characters over the net?

Area 5: Anything else?

1. Is there anything else you'd like to comment on about EQ? For instance why you play, what you get out of it, what's good about it, what things you don't like about it or about playing.

2. Would you be willing to do a follow up interview about your experiences in EverQuest? This could be an online interview, or possibly a face to face interview (depending on where you live), or just an email exchange. If so, what is your email address?
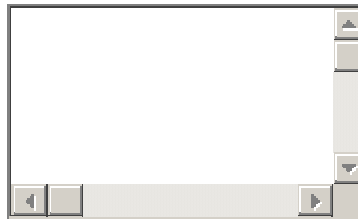
Appendix 5

A sample log file.

The following excerpt covers 12 seconds in the game:

> [Tue Sep 16 08:02:19 2003] Codil tells the guild, 'not afk any more so hi air'
> [Tue Sep 16 08:02:19 2003] Oogagla tells the group, 'inc [{(< a recondite bandit >)}] les rock n roll'
> [Tue Sep 16 08:02:22 2003] a recondite bandit says 'Looks like you chose the wrong caverns to go for a stroll through. I hope your purse isn't as empty as your head!'
> [Tue Sep 16 08:02:25 2003] A recondite bandit punches Oogagla for 15 points of damage.
> [Tue Sep 16 08:02:27 2003] Dakthar begins to cast a spell.
> [Tue Sep 16 08:02:28 2003] A recondite bandit punches Oogagla for 6 points of damage.
> [Tue Sep 16 08:02:29 2003] Oogagla slashes a recondite bandit for 24 points of damage.
> [Tue Sep 16 08:02:29 2003] Juweil looks valorous.
> [Tue Sep 16 08:02:30 2003] Oogagla slashes a recondite bandit for 9 points of damage.
> [Tue Sep 16 08:02:30 2003] Oogagla slashes a recondite bandit for 44 points of damage.
> [Tue Sep 16 08:02:31 2003] A recondite bandit punches Oogagla for 4 points of damage.

The log files record both the time, action and the dialogue, although not the images. One session of play can generate many hundreds of pages of log files.

Appendix 6

Narrative Structures identified by Hilf

Linear Narrative

This image has been removed.
Please consult the hardcopy thesis
available from the QUT Library

Interrupted Narrative

(Player explores or performs tasks in order to progress to next part of story)

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Please consult the hardcopy thesis
available from the QUT Library

Branching Narrative

(Player chooses from predefined options at various points)

This image has been removed.
Please consult the hardcopy thesis
available from the QUT Library

Object Oriented Universe

(Objects have programmed behaviours, but there is no set pathway.)

This image has been removed.
Please consult the hardcopy thesis
available from the QUT Library

Hilf, WH (1996) *Beginning, middle end. Not necessarily in that order*
http://www.cybertown.com/hilf.html Last accessed 7/1/2005.

Appendix 7

The Druid's Epic Quest.

For an indication of the complexity of knowledge of the game required to complete a high level epic quest, the following document is informative. Written by a player, it gives detailed instructions for the quest. The understanding required about factions (killing some species or characters raises or lowers your 'faction' with others - understanding what raises or lowers what faction can be extremely difficult), tradeskills, zones, raids, and mobs is complex. I include the whole 13 pages, not in the expectation that the reader plough through every paragraph, but to give a sense of the scope of the task and the knowledge required to complete it.

> Nature Walkers Scimitar
>
> MAGIC ITEM LORE ITEM NO DROP
> Slot: PRIMARY
> Skill: 1H Slashing Atk Delay: 30
> DMG: 20 Dmg Bonus: 13
> STR: +15 STA: +15 WIS: +20 HP: +10 MANA: +90
> SV FIRE: +10 SV DISEASE: +10 SV COLD: +10 SV MAGIC:
> +10 SV POISON: +10
> Effect: Wrath of Nature (Must Equip, Casting Time: 9.0)
> WT: 3.0 Size: MEDIUM
> Class: DRU
> Race: HUM ELF HEF HFL
> Slot 1, Type 4

9   **The Start**

> First off, know this: if you took part in any raids on the Plane of Growth, kiss the epic goodbye. Your faction will be toast to everyone who should be your allies. You can walk through PoG totally unmolested and even get a quest for a great pair of gloves, but never, EVER, kill anything up

there or be a part of a group that does. Don't heal anyone, don't SoW them. On person reported going from ally to indifferent with Tunare for SoWing someone who was part of a raid.

Also, even though it's tempting, didn't kill the Millers in Qeynos Hills like so many have done, and don't kill Holly Windstalker, no matter how annoying that bitch is. Both are on the Ranger faction table and there's no repairing that faction.

It starts with Telin Darkforest

(Level 55) in Burning Woods. He's hidden in a grove of thick trees near to the Skyfire zone and has been spotted at 3234, 2871. Use tracking to find him, and invis to get through the zone unmolested. Ask him "what action" and he will give you a worn note. If he doesn't, then your faction is too low. Faction can be built up fast by doing the muffin quest in Freeport.

Next, find Faelin Bloodbriar in Greater Faydark. She spawns around 1500,500, or south-west of the Crushbone entrance. She has orc pawn placeholders, so kill every pawn you see to make her spawn. Once she spawns, you better be SoWed, because she runs constantly and won't stop when you hail her. Give her the note (and keep running after her) and you'll receive a ring. After giving her the note she depops.

Go to Kithicor Forrest and track Giz X'Tin, a dark elf who will not attack you. He can be found on the path to Highpass Hold, but is usually closer to the WC zone than HPH. Be very careful of the other dark elves in this zone. Give him the ring and he gives you a dark metal coin. After you hand him the ring a level 50 Darkelf Reaver spawns and attacks you. Have SoW on you so that you can run away.

Go back to Telin Darkforest and give him the Coin. He will give it back to you as worn metal coin and tells you to find Athele. She is in the East

Karanas , just north of the barbarian fishing village. Once you start this section, you begin a chain of events, so don't do it until you are ready to finish the job.

Give her the worn metal coin and receive a worn amulet. Give this amulet to Sionae (-2300, -930), then to Nuien (-3650, -300) and finally to Teloa (-3800, -2860). Teola will say to follow her, but don't. A Dark Elf Corruptor and two Darkelf Reavers (all around level 50) will spawn around -1500, -1000. The Corrupter will depop after 10 seconds if not attacked and the Reavers will attack and kill all of the druids you just dealt with, so have a small army ready. You must take out the Corrupter. Loot immediately to get his tome. His buddies will attack the druids down by the shore if you don't stop them. If you don't kill him in time, or don't loot in time, and his buddies kill the druids and despawn, you won't get the book and will have to start over from the beginning. Also keep in mind these inkies are Shadow Knights, so don't be too close to their spawn point or you will be harm touched.

If the Reavers kill the druids, just wait one hour of real time (not EQ time) and Athele will spawn again. Give her the tome and she gives you an Earthstained Note. Bring this to Ella Foodcrafter, a Halfling running around in Misty Thicket. Like Faelin, she constantly runs, so you have to chase her. Give her the Earthstained Note and she will tell you that she needs a mixture. She will give you her mixing bowl. It is a Container so you need a free slot in the Inventory. She also mentions some kind of ancient bowl that she needs.

The Hardened Mixture

You must forage four items that you have to combine in Ella's mixing bowl. Forage a Chilled Tundra Root from Everfrost Peaks, a Sweetened Mudroot from Misty Thicket, a Speckled Moldy Mushroom from Innothule Swamp and a Heartfruit from Greater Faydark. You need a forage skill of over 100 to do this, so I hope you've been building up your

forage skills.

Go to these zones, you can forage these items anywhere within the zones, find a nice safe space and hit forage continuously. The four items look like edible foods, but you'll get a message saying "You have foraged something that does not look edible." This can take several hours so be prepared to be very bored. When you get the items, combine them in the bowl and you get a Hardened Mixture. After this you will no longer need the mixing bowl.

The Runed Bowl

Now go to the Chess Island in Timorous Deep. The easiest way to do this is to take the barge from the Oasis docks to Timorous Deep. From this island, cast levitate, Sow and invis (there's a deadly Iksar on Chess Island, you want to avoid him) and run south. Do it from something elevated, like the docks, so you skim over the water. Run straight south. Use track to locate Alrik Farsight. He's at about -6500, 2000. Note that Succor and Egress both take you within 100 feet of Alrik. Egress is a level 52 Druid spell, and Succor is a group form of that, received at level 57.

Uninvis yourself, hail him, then say "How do you make an ancient bowl?" and "I can take the artifact." He gives you a crushed pot and sends you to Felwithe. Hail Farios Elianos in Felwithe South before you give him the crushed pot. Farios is in the merchant building near the caster's guild. When you enter Felwithe South, you'll see the entrance to the merchant straight ahead, whereas the entrance to the caster's guild is to the left.

If he doesn't respond to you then your faction with Keepers of the Art is too low. Do NOT give him the pot. Indifferent is not enough, you need amiable. You can build up faction fast with the batwing-quest in Felwithe South.

(This quest is simple and cheap but time-consuming. In EC, right near the zone to WC, there is a merchant south of Orc 2 camp, an Erudite. She sells bat wings, cheap. Select the wings from her list, hold down shift and click on Buy about 5-6 times. You'll have 5-6 stacks of wings. Head back to Felwithe South, run to the mage guild, and hand in wings, 4 per stack in all 4 give slots, to Niola Impholder, a trainer in the Felwithe Mage guild. It took me two full backpacks of wings to go from indifferent to amiable, and I am a Wood Elf follower of Tunare.)

Once Farios cons amiable and talks to you, give him the pot and you receive a grocery list. The dialogue with the NPCs for this segment is pretty funny. He will give you the receipt for the bowl if you do a job for him. Bring this grocery list to Merchant Nora in the Shop of All Halos in Felwithe north, which is near the cleric guild. She gives you in return a bag of Provisions. Bring it to Farios and he gives you the receipt for the ancient bowl. Head back to Alrik Farsight in Timorous Deep. He will give you an ancient pattern when you give him the receipt.

The pattern says that you have to combine it with a piece of enchanted clay and platinum speckled powder in a pottery wheel. NO skill in pottery is required.

Platinum speckled powder can be obtained through another sub quest. Forage a Rose of Firiona in Firiona Vie and give it to Merdan Fleetfoot in Surefall Glades, a male ranger in the back of the zone, near the water. The old wooden painting that you receive has to be brought to the human skeleton (Level 40) that roams the western part of Frontier Mountains . It can be found wandering on the western and southern areas, far from the giant fort. Invis yourself to be left alone by the wandering mobs. Look for "A Human Skeleton" on track. Give him the painting and he will crumble, and you'll have a silver chained locket in your inventory. Back to Surefall Glade. Give the locket to Niera Farbreeze, a human female in banded armor, also near the water but

close to the druid guild building. She will hand you the platinum speckled powder.

Enchanted clay can be obtained through Kinlo Strongarm in Kaladim's EverHot Forge. If you ask him "what mud" and "do it for me" he will tell you that he would like to have a colored axe for his service. He wants a Jade Reaver that can be found in the City of Mist off of a Black Reaver who is about level 52. This is not easy at all. The Reaver is a rare drop and the Black Reavers are a real pain to take down. You will need at least one full group of 50+ players if not two, and one must be a rogue with high lock picking skills.

Hand Kinlo the axe and you get the enchanted clay. If you hunted dwarf citizens in Butcher, invis yourself and head to the forge. The merchants, thankfully, are on a different faction table. Just go to the Everhot Forge and hand Kinlo a Jade Reaver to get the clay. Now combine the pattern, clay and powder in any pottery wheel to make the Rune Crested Bowl.

The Stones

Go Back to Misty Thicket and hand Ella Foodcrafter the hardened mixture and the rune crested bowl. She will make for you a softly glowing stone from it. Ella tells you to find one such as yourself. For the Druids this means to seek out Foloal Stormforest in Firiona Vie.

Foloal is a half elf on the wall that circles the city of Firiona Vie at the north end. Ask her "are you one such as myself?", "what answers?" and "what about Venril Sathir?" She tells you to bring her the stone you already have from Ella and the gem that can be found on Venril Sathir.

You can kill Venril Sathir in Karnor's Castle, but why? Venril is a very tough shadow knight. He is only killed by the strongest guilds or big raids because he is level 55, hits for 300 FAST, has a 1000+ life suck spell and has two personal clerics that heal him whenever he gets hurt.

This guy is extremely hard so you might want to be in a good group to do this part.

Better thing to do is let some uber guild take him down. He gets killed for his loot all the time. His remains will spawn in 24 hours, or less. When you see Venril Sathir Remains on track, get your friends together, fast. The Remains will be indifferent to you and just stand there. Hail him and he will respond.

First, conjure a Globe of Fireflies. Dance of the Fireflies is a level 5 druid spell that you may not have even bought, but you'll need it for this. Hand him the globe. A new VS will spawn. Then give him the level 49 cleric Resurrection spell, which you can buy at any cleric guild. He will attack you. Step back and let your tanks take him out. Thankfully, this new VS is not as brutal as the original, but he's no cakewalk either.

The remains will drop two stones, called Pulsing Green Stone. You can use either stone. Because the two stones are twins, and both druids and rangers need to take out VS, I ended up splitting the job with another guild. My guild and a second both teamed up (out of necessity since we got there at the same time) to take out Venril, and both me and another druid each got one stone. It's something to consider yourself.

Take the Softly Glowing Stone and Pulsing Green Stone back to Foloal Stormforest. She will give you a warm pulsating stone. This is the time where the quest splits up into the Druid and the Ranger parts. Up to now, they've been identical. Foloal tells you to take the stone and walk your path. The Druid's path leads back to Ella Foodcrafter in Misty Thicket. Give her the stone and you will get the Elaborate Scimitar (10/30 9 wis 10 mana 5 sv poison and disease). Now you have one of the four final pieces and a pretty good weapon in its own right. She asks you to collect the Cleansed Spirits of Antonica, Faydwer and Kunark and hand them along with the scimitar to Xanuusus.

The Cleansed Spirits

In almost all cases with the cleansed spirits, on all three continents, you will have to kill placeholders before a Tainted animal will spawn. Once you kill the Tainted, a Corrupted version may or may not spawn. It's always pot luck and you may have to kill several Tainteds to get one Corrupted. In all cases, a Corrupted will spawn immediately after the Tainted is killed, there's no delay, and it will spawn from the corpse of the Tainted, not at the original spawn spot. So a lot of patience is required. The good news is that when the Corrupted spawns out of the Tainted, some of them won't agro on you, so you have a few seconds to regroup before attacking again. But don't sit around or it will depop.

The Cleansed Spirit of Antonica

Go to North Karana and find a Withered Treant. It is at the far north end of NK, at the base of a mountain wall. It's very close to Xanuusus, who gets the three Cleansed Spirits and the Scimitar when you are done. Hail him and ask him "What Sickness" and he will respond that he wants you to cleanse Antonica of its sickness. He means to kill three things.

The first one is the Corrupted Mammoth. He is below level 30, spawns in Everfrost Peaks , pops near Permafrost zone line and Mammoth Calves are his place holder. I got this one while hunting Icy Orcs at Redwind's temple. From level 25 to 30 you can camp the Icys and get good XP, all the taking out Mammoth Calves to make him pop and keeping an eye on Tracking for the Tainted Mammoth. When you see the Tainted, take it out and immediately a hopefully a Corrupted Mammoth will spawn. Kill it and a Chunk of Tundra will drop. That's what you need.

The second monster is the Corrupted Aquagoblin Shaman. He is mid level 30 in Lake Rathe with side spawns on tops of the underwater-

tower. There is a female dark elf named Deep for the Cleric Epic Quest. Ignore her and she'll ignore you. Do this in wolf form so the other goblins won't agro on you. Some people have chosen to fight under water, but if Enduring Breath wears off you could be in a heap of trouble. You are better off kiting the goblins at the top of the tower to the surface, especially since these gobs are clerics and cast some strong cleric spells. They can dish out a serious hurting, plus they can heal themselves. Kill the gobs at the top of the tower only, don't bother with the ones around the base. Eventually a Tainted Goblin will spawn. Kill the Corrupted and get a Clean Lakewater item. It looks like a globe of water.

The third one creature is the Corrupted Hill Giant in Rathe Mountains. You want to hunt in the HG area south of the hill with the Guard Tower in Rathe, where Cyclops can also be found. The same process applies here. Kill HGs around the tower and a Tainted Hill Giant will spawn. Kill it and hopefully a Corrupted will spawn. When it dies, loot an Ancient Rock from it.

Give the 3 items looted from all the Corrupted monsters to the Withered Treant in NK to receive the Treant Heart.

Go to Yeka Ias (2330, -2340) in South Karana, who is far to the east of the bridge and along the water, and give him the heart. He will give you the Cleansed Spirit of Antonica. This is the easiest of the three spirits.

The Cleansed Spirit of Faydwer

You will meet a pained Unicorn in Lesser Faydark. Ask him "What Corrupt" and he will tell you, "Pained Unicorn tosses its head back, drool falling from its mouth. The priests of the sick, channel filth and sickness into the lands. Too late did we notice to stop them. Here, in the ocean, and in the underwater city of old. Go to those places and find the

corruptions. Bring them to me." Collect for him the items looted from the Corrupted Seahorse, the Corrupted Cyclops, and the Corrupted Brownie.

The first monster, the Corrupted Seahorse is located in Kedge Keep. He is around level 52 and needs 1-2 strong groups to be killed. It's passed the area where Estrella and Undertow, the named Seahorse, spawn. This guy hits for about 141 damage and is a cleric, so he can complete heal himself. Bring clerics and barbarians to stun him when he starts to cast a spell. KK is a rough zone, bring lots of scales for Enduring Breath or get an EB item like a fishbone earring. You MUST bring an enchanter for crowd control because there are a lot of crowds.

The second creature is the Corrupted Seafury Cyclops. You need 3-4 high level people to take this one out. It spawns on an island west of Sister Island in OOT. Take the boat from Freeport, get off on Sister Island, and head west. The first island is the one with a mage spell vendor in a tower. The next island to the west is Sea Fury island. There's around a half dozen Sea Furies, which are cyclops. You can pull them to the shore or other island until a Tainted spawns. The best tactic is fear kiting because they hit hard and are around level 52. The Corrupted also summons. The item dropped is Seavines.

The third creature is the Corrupted Brownie. He is a level 55 druid and can be taken out by a full group of mid level 40s, especially with a necro or enchanter to fear kite. His placeholder is a Brownie Scout. All Brownie Scouts spawn at location 0,0. Camp there and kill every brownie that spawns. The Tainted will spawn at the same location. The Brownie is a druid so get your magic resist up and be ready to get hit hard.

Now head back to the Unicorn. The Unicorn will give you a gleaming horn for the 3 items looted from the corrupted. This has to be handed to the gnome Silox Azrix in Ak'Anon to get the Cleansed Spirit of Faydwer.

He is near the mines on the left side of the green river. There is another green gnome near him but you can do this part with superior camouflage on you if you are KoS or otherwise disliked there because you need no faction for Silox.

The Cleansed Spirit of Kunark

Ulump Pujlik, a named Froglok in Swamp of No Hope tells you to give his own essence along with the 3 corrupted things to the gnome that hurts the land. His location is -108, -1762. He is around level 55+ and hits for over 200 damage with 32000 hitpoints and almost 100% magic resist. The only spell that works is the wizard Lure spell. You should have 2 groups with 4-6 melees and 2-4 healers to kill Ulump, casters with pets if you can, and damage shield the tanks. He drops the Froglok Essence.

The 3 corrupted mobs of Kunark are the Corrupted Gorilla, Corrupted Barracuda, and the Dragon Faydedar. The Corrupted Gorilla is mid-40s and spawns in the Emerald Jungle in the northern part of the plateau. Take the giant stairs on the western side of the zone and then head north from the stairs, to the zone wall. Tottering Gorillas are its placeholder. Only pull Tottering Gorillas, the rest are pointless. The best way to get the gorilla is to use invis to get around, track them down and pull to the northern zone wall away from other mobs. Make sure that Severilous, a very powerful dragon, is not around. He will agro if you are in wolf form. The gorilla can be feared with Repulse Animal. He drops the Green Tree Bark.

The second monster, Corrupted Barracuda, is found in the main lake of Lake of Ill Omen at around -900, -900. Same old story here, kill the placeholder, a Deepwater Barracuda, until the Tainted spawns. Placeholders are on a 10 minute timer and this will consume many boring hours. You can determine if the Tainted Barracuda will spawn the

Corrupted very easily. Exit the water. If it follows you onto land, that Tainted WILL spawn the Corrupted. If it doesn't follow you, it won't spawn the Corrupted, but you still have to kill it anyway. The Tainted that comes on land is significantly tougher than the other barracudas and you will need help, like a necro to fear kite. Kill him and get the Pure Lakewater.

The last, final and toughest mob in this whole ordeal is the dragon Faydedar in Timorous Deep. He's really small for a dragon and looks like a lowland basilisk in Butcherblock, but don't be fooled. He is at least level 53 and hits rapidly for up to 250 damage and has major magic resist. His spawn spot is in an oasis at the very southern end of Timorous Deep. Take the boat from the Oasis dock to Timorous and have a 57 or higher wizard evacuate you to Chess Island, or just levitate and run there. A better deal is the necro spell Dead Man Floating, since it gives you levitate AND lets you breathe under water. From there the oasis is to the southeast. Don't go straight south because you'll hit Raptor Island and the agro range of those raptors is ridiculous.

The entrance is at approximately -11300, -3500. It's a large mountain range with a hidden cove. On the far eastern side is an underwater cavern. Swim in and you come up in an inside ring, with yet a second circular area to enter, like a circle within a circle. The second entrance is on the north side of the inside ring. So when you get inside, go right and follow the inside wall, so it's on your left. There is a second underwater entrance that will bring you into the lagoon. You can get an idea from the map at EQAtlas.

The tactics are: load up with about four or five useless, dummy buffs like see invisible, save vs. poison, etc. THEN put on your good buffs. He will dispel you several times, so let the garbage buffs go first. You need as high fire and magic resist as possible, those are his main weapons. Get all the fire and magic resist gear you can and have a bard to twist Psalm of Mystic Shielding and Psalm of Cooling. Also, remove SoW and turn

run to walk. He WILL fear people. If you are SoWed and running you will go quite a distance. Never, under any circumstances, should a caster sit to med when they go OOM. You will be summoned and killed. Last, never heal yourself. Have someone else do it.

When you go to trigger him, have the casters hiding in the second tunnel that leads into the oasis. This will keep them out of range of the AoEs and Dragon Roar. Take the tanks with you to the shore where you will see a dwarf fisherman named Dolgin Codslayer. Give him the Froglok Essence you got from Ulump. Dolgin will give it back to you and depop. This triggers Fay. Have the tanks melee him down to 80 or 70 percent, then bring in the casters from the tunnel to nuke him and start healing the tanks. His magic resists are very high, but cold spells and wizard lures can stick, as will Tashan. But to be honest, lots of tanks and lots of clerics really are the tactic here. Casters won't be much help except wizards for lures and enchanters to haste the tanks. Kill him and loot the Pod of Seawater.

Hand the 4 items to the Gnome Nekexin Virulence in Overthere. He is by the water at the far north end of the zone, to the east of the evil outpost. Approach from the far east, heading west. The evil outpost, with those damned goons, is on the far west of the zone by the water and you don't want to go near it. Give him the Froglok Essence, Pure Lakewater, Green Tree Bark and Pod of Seawater. He will depop and give you the Cleansed Spirit of Kunark.

The End

Well you have made it. Done something extremely difficult. You have made it through the most difficult Druid Quest in the game. Hand the 3 Cleansed Spirits and the scimitar to Xanuusus the Treant in North Karanas to receive the Nature Walker 's Scimitar.

Source: http://www.dragonriderknights.com/ (accessed 23/1/2005)

Glossary

Bind spot/soul binding: Every character has a soul which is linked or bound to a particular location in the game. When character is killed it is returned to this location.

Buffs: spells that give a character enhanced abilities or protections

CR: corpse run. The journey the player must make from their bind spot to the location where they were killed and where their corpse lies.

CS: Customer Service

Dupe: duplicate. Generally used as a shorthand for illegally duplicating an item through exploiting a bug in the game code.

Caster: class of character that relies mostly on using magic and casting spells.

EULA: End User Licence Agreement

Exp: experience – a measured amount of which is gained through killing mobs.

Exploit: term used to characterise the exploiting of a bug or a weakness in the game.

Farming: performing a task repeatedly in order to gain particular items or money.

Griefer: a player who deliberately sets out to disrupt other peoples' game play or to create grief. Definitions of what actually constitutes grief play vary.

GM: Game Master (sometimes Guild Master) – an employee of Sony Customer Service empowered to police the rules, perform community management services and eject players.

Loot and looting a corpse: A recently killed mob will yield loot (in the form of money or items) if clicked upon by the player who killed it. If in a group, any player from the group can loot the corpse of a mob killed by the group.

Loot whore: someone who takes all the loot from group kills for themselves rather than sharing it evenly between group members.

Loot stealer/kill stealer: After a period of time it becomes possible for someone other than the person who killed a mob (or the group that killed a mob) to loot the corpse. This is known as loot stealing or kill stealing as that player did not actually kill the mob. Alternatively kill stealing can refer to someone coming in and killing off a mob once most of the fighting has been done by another player.

Main and alt: character played most by a player is their main. All their other characters (up to 7 others on a server) are alts (alternatives).

Mana: what is required to cast spells. A character will have a certain amount of mana and each spell cast depletes the store of mana. Mana regenerates over time.

melée: fight. A melée character is one that mainly fights through combat rather than magic.

MMOG: Massively Multi-User Online Game.

Mobs: the computer generated opponents that players fight against – can take many forms, but are never other people.

Modding: The practice of players modifying game objects, artwork and Artificial Intelligence to create new items for games or to create whole new games. *EverQuest* does not have the capacity for importing mods, apart from customised user interfaces.

NPC: Non Player Character – a computer character driven by Artificial Intelligence, not driven by a person.

Ooc: Out Of Character – a chat channel used to ask questions about the game (among other things)

Oom: Out Of Mana – a term used by a caster to indicate they have no mana left to cast spells for the group.

Patches: After the developer has added to the game with new code, zones and artwork, bugs are often found that make the game run poorly. Patches are the code that fixes the bugs that emerge. If material has been put into the game without proper testing it tends to lead to many patches in the attempt to fix the problem.

Pp: Platinum Pieces – game currency.

RPG: Role Playing Game

SOE: Sony Online Entertainment

TOS: Terms of Service