PHILOSOPHICAL AND LEGAL INQUIRIES INTO SPORTS IN METAVERSE: GAMES, AVATARS, HUMANS

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INTRODUCTION

Why this book?

The metaverse is a parallel universe currently under construction. Its final goal seems to be that of becoming an alternative to—and over time merging with—physical reality: addressing the spectrum of ways in which the metaverse might affect sports—as a competition, an entertainment, a game, a leisure activity, a cultural phenomenon, and a business enterprise—is but one way to frame the effects that the metaverse might have on humanity as a whole. This is what this book aims to accomplish through an interdisciplinary approach, bringing together perspectives from fields as diverse as philosophy, law, technology, marketing, and sports science. Consequently, it will serve as a fundamental resource for scholars and students from various backgrounds, fostering cross-disciplinary dialogue and collaboration.

This book is released at the right moment: the metaverse is a work in progress. Nothing is set in stone; nothing is preestablished; nothing is concrete and difficult to change. Could we call it a *tabula rasa*? Probably, it will never be *rasa*, as this universe is being built by private technological companies whose power exceeds that of many States. We should not forget that sports are a powerful attraction to engage people and make the metaverse more acceptable and appealing. Therefore, different authors in this book point out that the metaverse is not just a new technology but a whole new world, one whose foundations are being set up by private and very powerful players with an understanding of what this universe is far different from that of those agents who have neither financial stakes nor business ambitions in it.

Having said that, we should also see the possibilities that the metaverse offers not only for sports lovers but also for those interested in human nature and essence to elucidate all the shapes and nuances of the complexity of humans as a species. The metaverse offers a unique scenario to explore and understand each other better: The metaverse changes the settings and erases established boundaries, rules, and interactions, leaving us to make choices and decisions that we seldom have in the real world. These choices and decisions tell many stories of who we are: listening to and thinking over these stories through the lens of the unique phenomenon of sports is what this book is about.

A book centered on exploring the philosophical and legal aspects of the metaverse within the realm of sports holds significant academic relevance and pertinence. Indeed, the metaverse introduces a host of ethical quandaries in the context of sports. These include questions surrounding the development of human identities in virtual spaces, the possibility of digital doping, and the imperative to establish principles of fairness. Philosophical exploration is essential for developing ethical guidelines and frameworks that can ground and guide engagement in sports in the metaverse.

From a legal perspective, the metaverse poses complex challenges that demand the adaptation and evolution of existing legal frameworks. Issues such as intellectual property, data privacy, virtual property rights, and liability require careful consideration. Understanding these legal intricacies is imperative for policymakers, legal professionals, and sports organizations to navigate the metaverse effectively.

However, this book is not only for sports philosophers or legal experts: those interested in the metaverse as a social phenomenon, not in its technicalities, will also find this book valuable. Almost all chapters include examples from real-life cases, existing games, already available technological applications, and other illustrations of how the virtualization of the (sports-related) world is already here among us. These cases and examples should help us think about the metaverse and how to approach it. To be sure, many of these cases could be useful to generate new ideas and suggestions about how to get the best of it.

This academic work also can serve to educate and raise awareness. The book can inform stakeholders, including athletes, coaches, and policymakers, about the metaverse's potential effects on sports, enabling them to make well-informed decisions. As the metaverse continues to evolve rapidly, this comprehensive academic publication intends to contribute to establishing a solid foundation for future research endeavors, policy development, and sustained philosophical inquiry into the ever-changing landscape of sports within our increasingly digital world.

In short, in addressing the philosophical and legal dimensions of the metaverse in sports, this book stands as an academic contribution of great importance, offering ideas, guidance and a deeper understanding

of the impact of this transformative digital frontier on the world of sport and society.

Lastly, scholars will find updated bibliographies at the end of each chapter, which will surely help discuss, debate, and question the metaverse.

Overview of articles

The first chapter, written by Juan Manuel Murua González ("Bodies and Avatars in the Sports Ecosystem"), points directly to one of the main aspects of the metaverse, namely, its virtuality. Indeed, the virtual experiences through avatars clash with bodily physicality in sports. In this sense, he refers to e-sports and exergames that bring these two apparently incompatible phenomena—virtuality of avatars and physicality of bodily experiences—together. He shows that the metaverse, understood in this sense, is not a revolution but an evolution that opens up new possibilities for coming into contact with sports and expanding the spectrum of ways to engage in it. Furthermore, according to this author, the metaverse is also evolutionary in that it amplifies the range of symbolic components of sports and turns avatars—that have been part of the sports ecosystem for years—into much more versatile and active elements for humans to use and enjoy.

In his chapter ("Sport in the metaverse: which sport? which metaverse"), José Luis Pérez Triviño analyses the possibility of a future scenario where sport—that is, the practice of sports as currently conceived—is feasible in the metaverse. This analysis requires conceptual and technical delimitation to know which terrain we are moving in. The first precision is to briefly characterize the metaverse, which has been described as a 3D virtual reality where an avatar can replicate, to a large extent, the actions and decisions of a human agent. Second, the author adopts the notion of sport outlined by Jim Parry, according to which sport is a physical, skilled, competitive, rule-governed, and institutionalized human practice. After this conceptual delimitation, the question of whether sport in the metaverse is conceptually possible is addressed. In contrast with the case of e-sports, the answer is affirmative. To the extent that the metaverse is fully realistic and immersive, it will be possible to reproduce sport's defining characteristics: its human, physical, and skilled character.

A very different question is whether sport is technically possible in the metaverse. Here, the answer is negative, at least in the present and given the metaverse's current state of development. Indeed, it does not seem technically possible to reproduce the various sports modalities while complying with the requirements of realism and immersion. Currently, this is not the case, and it will probably be difficult, if not impossible, for the complexity of most sports modalities to be replicated in a virtual environment. However, there may be exceptions to this, such as cycling.

Migle Laukyte, in her chapter ("Dynamics of Ways of Engagement in Sports"), looks at the metaverse and its impact on sports through the lens of three ways in which we engage in sports in the physical reality according to the research carried out by Aggerholm and Breivik (2021). Her main argument is that these ways (identified as Being, Having, and Belonging) in the metaverse might turn into Existing, Consuming, and Participating, respectively. Whether this hypothesis of change in ways of engagement with sports is correct is still to be seen, yet the author argues that this hypothesis helps us understand the threats that the metaverse could produce should it not be compliant with a human rights-based approach in its architecture design. In addition, her argument should help us have a better perspective on human and technology interaction in general, besides making us aware of possibilities to direct the design of sports-related activities in the metaverse to increase peoples' well-being as well as inclusive and more accessible enjoyment of sports.

Luísa Ávila da Costa and Odilon José Roble reflect on how sport experience is being affected by the technologization of the overall human experience. In this era of intense technological evolution impacting most daily activities, from work to family and other relationships, the ways in which humans interact with one another have greatly changed. This technological shift has led sport philosophers to revisit the debate around the definition of sport and how virtual experiences can affect it.

The authors emphasize that, surrounded by these debates, sport faces ontological questions: can technology become so dominant as to corrupt the authenticity of sporting experience? And what would make a person live a non-real sporting experience as if it were real?

Considering that this new and potentially transformative concept has already arisen, being clear that major sports brands have joined the metaverse, the authors base their examination of the topic on a deep hermeneutic model, tracing some possible routes of desire that present the metaverse as a possibility and reflecting on the fantasies that the self can establish from it. These routes lead them to discuss how the metaverse can challenge authenticity in sports experience in light of the psychoanalytical Freudian principles of pleasure and reality.

In their chapter ("The philosophy and design of virtual reality e-sports"), Julia Uhr and Alex Wolf-Root delve into the intricate nexus of philosophy and design in virtual reality (VR) esports. They grapple with the contentious debate surrounding the classification of esports as genuine sports, a discourse often punctuated by the perceived absence of tangible physicality in video games. Simultaneously, they contemplate the societal and personal significance attributed to traditional sports, infusing weight into this discourse. The authors assert that VR esports can attain the stature of bona fide sports, owing to the distinctive attributes of VR technology. Their exploration is firmly grounded in the philosophical underpinnings of the world of sports.

To buttress their argument, Uhr and Wolf-Root draw upon the illustrative case of the "Ultimate Garden Clash," a notable sporting event in 2020. Elite pole vault athletes, faced with pandemic-induced travel and event restrictions, adapted their competition, showcasing resilience. This analogy underscores that, with suitable technology, VR can birth esports that rigorously examine the same athletic skills as traditional sports, typified by pole vaulting.

Supporting their thesis, the authors identify instances of VR games emulating traditional sports and creating entirely novel VR-exclusive sports. They contend that these practices align with the core tenets in sports philosophy literature, elucidating the essence of sports.

Furthermore, Uhr and Wolf-Root offer design recommendations, emphasizing the preservation of the central contest as an assessment of athletic prowess. They explore intricate facets such as the role of chance, fairness, and cheating. The authors posit that, ethically, constructive contributions to the evolving esports landscape are imperative, acknowledging its inexorable emergence as a distinct facet of the sporting domain.

Silvia Salardi's and Francesco Stocchi's chapter, ("Is the Council of Europe's Vision of Sport Feasible in the Metaverse?") focuses on this institution's work in refining its ethical and political vision of sport, which through the years has crystalized into a value-based approach, strongly based on human rights and ethics. The values incorporated into this approach to sport are respect for human dignity, equality, health, nondiscrimination, social integration, peaceful coexistence, and many others that European societies share. To make this view of sports real in the physical space is one thing, but what the authors focus on in this chapter is whether this approach to sport is also realistic in the metaverse for fans, elite athletes, and those who simply want to practice sports for personal well-being. In particular, the authors explain why we should adopt the EU value-based model instead of the business-oriented and profit-driven model to shape our understanding of and involvement in sports in alternative realities.

In Raúl Acosta's chapter ("An approach to see of the legal problems concerning sports competitions in the metaverse"), the author briefly addresses the main challenges and conflicts that may arise in organizing competitions in the metaverse in relation to traditional sport. Without a doubt, one of the greatest challenges that sports law will face concerning the metaverse is the coexistence of traditional competitions with virtual ones. The author assesses problems about intellectual property as the basis of any video game on which a competition is based, as well as problems of competent jurisdiction in virtual competitions. Besides, he also briefly analyses the impact that the distinction between official and professional competitions may have on virtual competitions when these are compared in a possible metaverse.

Valerio Della Sala, in his chapter ("The Olympic marketing in the metaverse scenario"), describes the metaverse as a virtual world or a network of virtual worlds that constitutes a new frontier of digital technology that offers immense possibilities for human interaction, entertainment, and commerce. In sports, the metaverse has the potential to revolutionise how people experience, participate in, and consume sporting events.

The author focuses his attention on the use of the metaverse in the Olympic Games insofar as it can offer advantages for cost savings and operational efficiencies. Virtual venues in the metaverse can eliminate the need to build physical venues, which can be time-consuming and

costly. However, the metaverse could be a risk given the protection of the Olympic mark, which makes it necessary for the International Olympic Committee to develop and implement guidelines for the use of the Olympic mark in the metaverse.