

SUITS ON GAMES: SLIGHTLY REVISED. SLIGHTLY RESTRICTED

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As part of its imitation of a Platonic dialogue, Bernard Suits's *The Grasshopper: Games, Life, and Utopia* mimics the structure found in many such dialogues. They raise a substantive issue about, say, virtue or justice, but then say that to address it properly we must first answer the definitional question "what is virtue?" or "what is justice?" *The Grasshopper* likewise starts by proposing an evaluative thesis, that playing games is good in itself and even constitutes the "ideal of existence," but then switches in a long middle section to the analytical question of what it is to play a game, where it gives a set of necessary and sufficient conditions for doing so. Only when that is done does it return to the evaluative thesis, its defence of which turns crucially on the analysis it's given. Socrates would applaud.

Despite its subservience to a thesis about value, *The Grasshopper*'s analysis of game-playing has been the main focus of philosophical commentary on it. This is partly because the analysis occupies the bulk of the book, but also because it challenges a long-standing orthodoxy. In a famous passage Ludwig Wittgenstein gave the concept "game" as his central example of one that can't be given a classical analysis in terms of necessary and sufficient conditions but involves only looser "family resemblances." Listing board-games, card-games, ball-games, and more, he denied that there's "anything common to all"; there are just "similarities, relationships, ... overlapping and criss-crossing," so what makes game A resemble game B differs from what makes B resemble C, C resemble D, and so on

(1953, secs. 65-67). Wittgenstein's claim about games is widely cited and accepted, and in proposing a unified analysis of game-playing Suits challenges it.

His analysis has three parts. First, in playing a game you aim at a goal that can be understood and achieved outside the game. In golf you try to make it the case that a ball goes into a hole in the ground and in mountain-climbing that you stand atop a mountain; he calls this the "preludory goal." Second, the game has rules, and what they do is forbid the most efficient means to this goal. In golf you may not pick the ball up in your hand, walk down the fairway, and drop it in the hole; you must advance it using clubs, play it where it lies, and so on. In mountain-climbing you may not take a helicopter to the summit. The third and final condition concerns your attitude. To be playing a game you must willingly accept the restrictions the rules impose because you want to engage in the activity of pursuing the goal in only the ways they allow. A golfer doesn't wish he could drop the ball in the hole – he wants to get it there by golfing – nor will a mountain-climber accept a helicopter ride; each has what Suits calls the "lusory attitude." In his summary statement, "playing a game is the voluntary attempt to overcome unnecessary obstacles" (2014, 43).

To assess this analysis, we must first know what Suits intends it to do. One possibility is that he's giving the meaning of the English word "game" or of the phrase "play a game." But though that's at least one critic's interpretation (Geras 2009, 188), it can't be correct. Suits includes among games many activities that aren't usually called games, such as mountain-climbing and the 100-metre sprint, and excludes Ring Around The Rosie, which *is* called a game and is one of Wittgenstein's examples. Moreover, in "The Fool on the Hill," now an Appendix in the Broadview editions of *The Grasshopper*,

he denies that it's either necessary or sufficient for something to be a game that it be called one; he also criticizes Wittgenstein for asking whether there's anything in common to the things *called* games rather than to the things that *are* games. Games themselves, he says, are our proper subject, so instead of describing our language as it now is we should make it "more exact" (2014, 202). He can't therefore be defining the word "game" as currently used or analyzing the concept whose extension matches that word's. He must be doing something different.

His criticism of Wittgenstein seems to assume there's a category of games independent of our language that we can explore as such. In "The Fool on the Hill" he recognizes the difficulty in this view and connects it to the paradox in Plato's *Meno*, but a clear statement of it is given by Colin McGinn, for whom Suits's analysis of games is a paradigm of conceptual analysis and therefore of philosophy more generally. According to McGinn, Suits uncovers the real or metaphysical essence of the property of playing a game, just as scientists identify the real essence of a natural-kind property such as being water when they tell us that water is H₂O (2012, 21-28, 64-65). Scientific discoveries can change our minds about which items have these properties, persuading us that heavy water is water but fool's gold isn't gold. Suits's analysis can likewise make us see that, despite our language, mountain-climbing is a game but Ring Around The Rosie isn't, because the one has the required real essence while the other doesn't.

Though this is certainly a possible view, it has metaphysical assumptions that will be questioned by those who hold, for example, that natural-kind properties have special features that give them real essences but that aren't shared by other properties, including

socially-constructed ones like “play a game.” There are, however, other possibilities.

Suits could be analyzing a concept we intend to express with the word “game” but grasp only dimly and whose extension we therefore get partly wrong. On this view he’s sharpening our hold on a concept we already to some extent have. But I prefer to read him as doing something slightly different. On this interpretation he’s analyzing a concept, but not one we either do or mean to express with “game.” It’s a new concept, which he thinks we should adopt instead of the one associated with our current word because it’s more illuminating.

There are many concepts we could express in our language, some useful for understanding and surviving in the world and some not. The concept of water is useful, and we therefore have a word for it; so is the concept of the number three. But the concept of the set containing water, the number three, and the tip of my nose isn’t useful and, not surprisingly, we don’t have a separate word for it. It would be naive, however, to think that our words always express the most useful concepts possible; the development of our language was too arbitrary for that. There’s therefore room for conceptual reforms, for proposals that we replace the concept expressed by an existing word with a new one that will serve the same or similar purposes better.¹

I interpret Suits as making a proposal of this type: that we replace the concept currently expressed by “game” with the one defined by his analysis. For this to be just a reform, the new concept must be reasonably close to the old one and apply to many of the same items; their extensions must largely overlap. Suits accepts this requirement in “The Fool on the Hill” and it guides him in *The Grasshopper*, where he argues at length that his

analysis fits most of the activities we call games and only a few that we don't. There are therefore two questions to ask about his analysis: Is the concept it defines in fact more useful than the one expressed by "game"? And is it sufficiently close to that concept to be a replacement for it? I start with the first question.

Suits's concept is more useful, first, just because it finds a common character in the things that fall under it. Imagine that we have one concept that fits a hundred items but finds nothing common to them all, and another that applies to ninety of those plus ten others but does find something common. Here the second concept is more illuminating just because it gives a rationale for grouping the items in its extension together: they include all and only the things with the common character. Since the first concept gives no such rationale, we can always ask: why classify just these items together rather than a slightly smaller or slightly larger set? Why draw the linguistic boundary here? Surely a concept that explains why it groups things as it does is preferable to one that doesn't.

Suits's concept has this advantage especially over Wittgenstein's, which he argues can give no explanation why we classify things as we do. Imagine two activities. In one two people play chess, each moving a small piece of wood a small distance every few minutes. In the other a burglar runs as fast as he can down a street with seven police officers in pursuit. Now consider the 100-metre final at the Olympics, with Usain Bolt in front and seven other sprinters trying to catch him. Given only Wittgenstein's undifferentiated concept of "resemblance" – and he offers nothing more – which of the first two activities will we classify the 100-metres with? Surely it will be the police chase, its resemblances with which are much more obvious. But that's not what we do; we

include the 100-metres among sports and games, alongside the chess (2014, 201; also McGinn 2012, 28-29). But then we can't be relying just on undifferentiated resemblances when we classify activities as games. We must have some criteria that tell us which resemblances are relevant and which aren't, and these criteria then define the concept "game."

If Suits finds a commonality where Wittgenstein didn't, it's because he operates at a deeper or more abstract level. Wittgenstein noticed surface differences between games, for example that some use a board and some use cards, and he took them to preclude "anything common." Suits looks instead to structural features of games, to their goals, their rules, and the relations between them, and finds the same abstract structure in games that are superficially very different. This is part of his analysis's great appeal: by looking below the surface properties of games, it finds a surprising unity in activities that at first seem diverse.²

His analysis can do this in part because it itself is unified, with internal connections between its parts. It doesn't just add concept A to unrelated concept B to unrelated concept C, as the set of water, three, and the tip of my nose does. Its third part, the lusory attitude, refers internally to its second part, the rules, because it involves an attitude *to* the rules, one of accepting them in order to make an activity possible. Its second part likewise refers internally to its first, because the rules concern means *to* the prelusory goal, by forbidding efficient ones to it. Its parts are therefore nested, the first about a goal within the second about rules and the second about rules within the third about your attitude. These relations enable Suits to give his brief summary statement, about voluntarily overcoming

unnecessary obstacles. They also give his analysis an impressive unity and even beauty, since it combines three elements – a goal, rules, and an attitude – into a coherent, integrated whole.

Its finding a commonality also enables the analysis to explain other important truths about games. In particular, it underwrites *The Grasshopper's* defence of the evaluative thesis that game-playing is the “ideal of existence.” I’ve previously given a particular interpretation of this defence, arguing that the analysis explains why skill in good or serious games like golf and chess, as against trivial ones like rock, paper, scissors, is intrinsically valuable. The reason is that these games’ rules make achieving their prelusory goal not only more difficult than it would otherwise be but also by absolute standards reasonably difficult, so succeeding at them is a challenge. And in doing this the analysis highlights an intrinsic good that’s been under-appreciated in Western philosophy: that of achievement, or of formulating a goal, especially a complex and difficult one, and then realizing it in the world. In many instances of achievement, such as Nelson Mandela’s in ending apartheid, the goal that’s achieved has great intrinsic worth, much more than any in the process of bringing it about. But in most games your goal is inherently trivial; there’s no value in itself in a ball’s being in a hole in the ground or in your standing atop a mountain. The activities’ value must therefore be entirely one of process not product, or of doing something difficult just because it’s difficult, which is how I understand achievement (Hurka 1993, chs. 8-10; Hurka 2006; Bradford 2015). A great merit of Suits’s analysis is that it brings this good to the fore.

The unity of his analysis contrasts with the better-known views, at least outside

philosophy, of Johan Huizinga in *Homo Ludens* and Roger Caillois in *Man, Play and Games*. Huizinga's concept of what he calls the "ludic" is of activity with the following properties: it's free, in the sense of voluntary; outside ordinary life; absorbing; profitless; governed by fixed rules; and associated with social groupings (1971, 7-13). Caillois's similar concept is of activity that's free; separate; uncertain; unproductive; governed by rules; and accompanied by a sense of make-believe (1961, 9-10).³ But these analyses, which just list unrelated properties, don't have the unity of Suits's and therefore invite the question: why a concept with exactly these components? Why Huizinga's six properties rather than, say, only his first four or last three? Why not seven or eight? The internal connections in Suits's analysis mean it explains why it has the parts it does: if it contains the lusory attitude it has to contain the rules, and if it contains the rules it has to contain a prelusory goal. These alternative views don't do that.

Suits also distinguishes things others run together, such as the concepts of game and play. Huizinga and Caillois conflate the two, alternating in their English translations between talk of "game" and "play" and combining the two in a concept of the "ludic" that involves both.⁴ Nor is this a translator's error, since in most European languages, including Huizinga's and Caillois's, the words for the two have the same root, for example, *Spiel* and *spielen* in German and *jeu* and *jouer* in French. Someone using one of these languages can easily blur the distinction between the two concepts.

But Suits analyzes only game-playing, which he distinguishes clearly from play. Later I'll argue that the two concepts are more connected than he allows, but on the main issue he's surely right. Not all engaging in play involves playing a game. A kitten playing

with a ball of wool or a child playing with his mashed potatoes isn't playing a game, because neither is following any rules. Nor is all game-playing play. As Suits strikingly says, it doesn't follow from the fact that you're playing a game that you're playing (2014, 155-56).

To play is at least in part to engage in an activity for its own sake, or, as Suits says, autotelically. A professional baseball player on a losing team who's hung over from last night's drinking may wish he were doing anything now rather than standing in the hot sun waiting for fly balls. If he nonetheless does that because he's paid to, he's playing baseball but he isn't playing; he's working. Or consider what I'll call a pure professional golfer, who golfs only as a means to money and has no interest in the game for itself. If he could earn more doing something else, he would; if he could cheat at golf, he'd do that. But he knows the TV cameras are always on and will catch any violation. If with this purely instrumental motivation he obeys the rules of a golf tournament, he isn't engaged in play but he is playing golf.

That Huizinga and Caillois conflate games and play is one reason why their analyses are so unsatisfactory. They combine properties relevant to play, such as freedom and profitlessness, with ones relevant to games, such as fixed rules, resulting in an account with no unity.

Suits draws another important distinction. Because Huizinga and Caillois don't take the ludic to involve any specific type of rule – they speak only of rules in general – they include within it not just playing a game but performing a religious ritual, conducting a legal trial, mounting a theatrical production, playing music, and even fighting a war if

that's governed by rules – they combine all these with games in a single category (Huizinga 1971, 5, 14-27, 49-41, 42, 76-88, 89-104, 143-45; Caillois 1961, 6, 12, 15, 21, 30-31, 54-55, 78, 109). But though activities like these are a little like game-playing in that they have rules, they're also unlike it because their rules are so different; someone conducting a Catholic mass or defending an accused at trial is hardly playing a game. This isn't a point about the word "game"; language aside, these activities just seem different from game-playing. But because Huizinga and Caillois don't consider that there may be different kinds of rules, they don't draw this distinction.⁵

Suits, in contrast, discusses only game-playing, as against other rule-governed activities, and thinks his analysis separates the two. More specifically, he thinks game rules differ from other rules because they forbid more efficient means and, especially importantly, are accepted because they do so. He doesn't, however, elaborate this distinction as fully as he could. Though he argues at length that, given his analysis, following the rules of a game differs from obeying a moral rule like one against killing (2014, 26-34), he doesn't discuss more difficult cases like those of religious rituals and legal trials. I'll try to fill this gap below.

Even if his concept is more useful than the one expressed by "game" and than Wittgenstein's, Huizinga's, and Caillois's, it will only reform an existing concept if it applies to most of the same things and has a roughly similar extension. Whether it does so is my second question, and it's been the main focus of objections to Suits, which have taken two main forms. The first say his analysis includes many activities that aren't games and therefore is over-inclusive; here many proposed counterexamples involve other rule-

governed activities. The second say it doesn't include some activities that are games and so is under-inclusive. I'll address both types of objection, but the first bears especially on my claim that Suits's analysis is of game-play in particular, unlike Huizinga's and Caillois's. In response it I'll propose a more specific characterization of the lusory attitude than Suits gives and a slight revision to the analysis it requires. Since one effect of the revision is to bring the concepts of game and play closer together, let me first comment on Suits's understanding of play.

Though he takes play to be autotelic activity, he doesn't think all autotelic activity is play. In "Words on Play," now an Appendix in the third edition of *The Grasshopper*, he adds a further condition, saying play necessarily involves temporarily reallocating to autotelic activities resources such as time or money that you mainly use for instrumental ones (2014, 225). He therefore denies that any professional athlete, and not just a pure professional, is engaged in play. Since the athlete is making money, he isn't switching resources away from instrumental activity and is therefore only working.

Though this isn't a major point, I don't find Suits's added condition persuasive. Most professional athletes don't play only for money but also love their games for themselves; thus many professional golfers say they enjoy nothing more than being "in the hunt" in the late stages of a tournament. In this respect their attitude to golf is just like mine when I play for no money, and I don't see why we shouldn't say they're likewise partly engaged in play. They're also partly working, but if they have two attitudes to their activity they can also be at the same time playing. Suits tends to assume binary distinctions, so something must be either just a game or just not, or just play or just not.

But there's no reason why game- and play-properties can't be present together, or why someone can't be at the same time playing and working.

Suits's motivation for his condition is that if we count all autotelic activity as play, Aristotle's contemplating the Unmoved Mover and an aesthete's listening to Beethoven will count as play. These are indeed unwelcome implications and some further condition is needed to exclude them, but I'm unsure what it should be. Since I doubt the condition will affect the revision to Suits I'm about to propose, I'll understand play just as autotelic activity.⁶

According to him, you have the lusory attitude when you accept the restrictions a game's rules impose "so the activity made possible by such acceptance can occur" (2014, 43), or in order to engage in that activity. This description is fine as far as it goes, but you can want to engage in an activity for different reasons, or with different motives. This allows at least three specifications of the lusory attitude, depending on which types of motive it allows.⁷

The first and most permissive places no restriction on your motive – it can be whatever you like. So long as you want to obey the rules, it doesn't matter why you do so. A second, more restrictive specification says you must accept the rules because you want to engage in the resulting activity for its own sake, or autotelically. In my terminology (though not Suits's) this means you must do so at least in part from a play motive. This condition rules out merely instrumental motives, where you accept the rules only as a means to some external goal, but it doesn't say which intrinsic properties of the activity you must be attracted by. The third and most restrictive specification does say this; it says you must want to engage in the activity for its own sake for the specific reason that the rules make it more difficult, or, even more specifically, that its difficulty presents a challenge you want to meet.

This final version of the lusory attitude figures in *The Grasshopper*'s defence of the evaluative thesis that game-playing is supremely good. The Grasshopper argues that in conditions of utopia, where all their instrumental needs are satisfied, people will have game-playing as their primary activity. Though they can get anything they want, such as a beautiful house or complete scientific knowledge, by pressing a button, they'll prefer to seek them in the old-fashioned way, by building the house or doing scientific experiments. And they'll prefer that because it's more difficult. So when Suits defends his evaluative thesis he assumes the most restrictive view of the lusory attitude, and he does the same when he describes a game-player as valuing his activity because it "provide[s] him with an interesting challenge" or as "responding to the challenge it presents" (2014, 33-34), and also when he describes the motivations of mountain-climbers (91-92). In another passage he suggests, a little less restrictively, that to be playing a game you must have as at least one of your motives that characteristic of amateurs, "for whom playing a game is an end in itself" (154), though you may also have others, as professionals do (156).

On reflection, however, his view of the lusory attitude can't be a restrictive one. Even in the last-cited passage, where he talks of amateurs, he counts people who use poker or bridge only as a means to some further end, and who would abandon it if it didn't serve that end, as playing the game (155). And a restrictive view doesn't count the hungover baseball player and pure professional golfer, who have no amateur attitude, as playing baseball or golf. If Suits is analyzing the concept "play a game" rather than "play," and if he's to include people whose attitude to a game is purely instrumental, his understanding of the lusory attitude must be permissive. You must count as playing a game so long as you accept its rules in order to engage

in it, whatever your motive for doing so.

But a permissive specification opens his analysis to some damaging counterexamples of the first type, which say it fits activities that aren't games. Here are three.

You're driving in a 60km/hour zone, and though you could get home more quickly and just as safely by driving 70, you stick to the limit because you don't want to get a speeding ticket.⁸ You accept a rule forbidding more efficient means, and though you do so only so you won't get caught speeding, the pure professional golfer obeys the rules of golf only so he won't get caught cheating. If he's playing a game, why aren't you?

In *The Merchant of Venice* the suitors for Portia's hand must choose the casket containing her portrait from among a gold, a silver, and a lead one. They accept a rule that forbids them to open the caskets first, and do so because they want to engage in the mandated activity of choosing a casket blindly. Yet surely they aren't playing a game.

Finally, I once asked Suits whether writing an exam, for example a university physics exam, is a game. He said it is, and it seems to fit his analysis. You have the goal of giving correct answers to the exam questions, and accept rules forbidding more efficient ways of doing so such as looking the answers up in a book. But, intuitively, exam-writing doesn't belong in the same category as golf and chess.⁹

These counterexamples wouldn't arise if we had a restrictive view of the lusory attitude like the third. Then we could deny that they involve game-playing because the motive for not driving over 60, not opening the caskets, or not looking up the answers isn't to do something difficult because it's difficult. But the restrictive specifications imply, counterintuitively, that the pure professional golfer isn't golfing. We seem to be at an impasse, with different

understandings of the lusory attitude all having implausible implications.

I think the way out of this impasse is to recognize that we talk of games in two contexts or at two different levels. One is the individual level discussed by Suits, where whether you're playing a game depends only on facts about you and your attitude. Here you can play an idiosyncratic game, one you made up yourself and no one else plays. But we also talk of games at a larger or societal level, as when we say golf is popular in Scotland or Canadians play hockey. The truth of claims like these depends on facts about many people – about many people's goals and their attitudes to them.

This suggests the possibility of a lusory-attitude condition that specifies its required attitude in the most restrictive way but whose form, unlike Suits's, is disjunctive. It says that for you to be playing a game it must be the case *either* that you accept the restrictions the rules impose because you want to engage in a more difficult activity because it's more difficult *or* that, even if you don't have this attitude, most other people in your community who engage in the activity, or do what you're doing, accept the rules in order to do something difficult. Either *your* having the specified attitude makes your activity a game *or other people's* having it does. The two disjuncts in this condition will often be satisfied together. Many games people play are socially recognized, and most people who play them do so for the challenge. But either disjunct alone suffices for you to be playing a game.

The first disjunct just repeats Suits's view, but the second raises several issues of interpretation. It says you're playing a game if most people in your community have the required attitude, but there are questions both about how many others are needed for "most" and about exactly what this community is or where its boundaries lie. For an aboriginal Canadian, for

example, is it just his aboriginal community, all Canadians, or all people everywhere? Similar issues arise about “your activity.” If this is read narrowly, so only a few people count as doing what you’re doing, the condition can have one implication; if it’s read more broadly, it can have another. And whereas the disjunct mentions only people who engage in your activity, it can also consider those who first devised its rules and presumably did so from some motive, or those who now enforce them. There may also need to be shared knowledge among the relevant participants that others are engaging in the activity from the specified motive. But we can set these issues of detail aside and look at the general implications of the proposed disjunctive condition.

It implies, first, that the hungover baseball player and pure professional golfer are playing games. Though they don’t themselves have the required lusory attitude, most other baseball players and golfers do, and that makes these activities games even for those who engage in them with only instrumental motives. But the condition doesn’t imply that my counterexamples involve games, because it’s not the case the most people who obey the speed limit do so in order to get home in a more challenging way or that most Venetians chose caskets without opening them first because that’s more difficult. But imagine that Portia’s suitors were required to have a chess tournament, with the winner gaining her hand. Then even if they had the same motive for participating in the tournament as for the casket-choosing, namely just to marry Portia, they would be playing games of chess. Nor, finally, does the condition imply that someone writing a physics exam is playing a game, because most exam-takers don’t do that for fun. But consider the very similar activity of Trivial Pursuit, where you likewise try to give correct answers to questions while avoiding means like looking them up. The disjunctive condition implies, correctly, that Trivial Pursuit is a game, because most people do it for the challenge, and it

implies that it's a game even for those, if there are any, who play it only for money or, in another *Merchant of Venice* variant, in a tournament for Portia's hand.

Since the restrictive versions of the lusory attitude involve an autotelic or play motive, my revision to Suits connects the concepts of "game" and "play" more closely than he did. Though *you* needn't be engaged in play for your activity to be a game, enough other participants must be. There can still be play that isn't a game and game-playing that isn't play, but for your activity to be a game, if you're not playing, most other people must do it from a play motive, so games are things people typically play in.

It may be objected that my revision destroys some of the unity of Suits's analysis, since instead of his simple lusory-attitude condition there's now a more complex disjunctive one. But the disjunction merely reflects the fact that we talk of games at both the individual and societal levels, and in any case the loss of unity isn't great. Both disjuncts, about you and about other people, require the same attitude: a willing acceptance of restrictions in order to do something difficult. This is less a dual requirement than a single one applied in two contexts.

Moreover, the two contexts need the same requirement. Some writers who emphasize the institutional side of games say it's a mistake to see game-play as involving any mental state or "mode of experience"; a game is defined just by its rules and independently of any attitude. Some even charge Suits with this mistake (Malaby 2007; Calleja 2012). But the "mode of experience" phrase doesn't fit his understanding of the lusory attitude, which involves only a preference for less efficient means but no specific emotion. And a reference to attitude is needed even at the institutional level. Compare again Trivial Pursuit with a physics exam. They have very similar rules yet one is a game while the other isn't. Surely this is because most people play

Trivial Pursuit for its own sake and as a challenge whereas that's not true of physics exams.

The revision also avoids a number of other counterexamples that have been raised against Suits and that likewise say his analysis includes activities that aren't games.

Some of these involve activities where pursuit of a goal is constrained by moral rules. Consider someone participating in a system of legal punishment that aims to deter crime but forbids punishing the innocent even when that might be a deterrent, or a soldier trying to win a war but obeying a moral rule against targeting non-combatants. Their activities are included in Huizinga's and Caillois's concepts of the ludic, but they also, it's been objected, fit Suits's analysis. Yet surely neither is a game (Tasioulas 2006, 238; Setiya 2008; Geras 2009, 195-96).

In *The Grasshopper* Suits distinguishes game rules from moral ones as follows. In the game case you accept a prohibition only in order to make the activity governed by it possible, but in the moral case you do so for an independent reason, namely that apart from this activity what the rule forbids is wrong (2014, 32-33). It follows that whereas game restrictions are accepted only within the context of the game, moral ones apply everywhere. A high jumper doesn't put six-foot obstacles in his path whenever he wants to get somewhere; he does so only when he's high-jumping. Nor do mountain climbers refuse all helicopter rides. But a judge or soldier who thinks it's morally wrong to harm someone who hasn't broken a law or become an enemy combatant avoids causing such harm not only inside legal proceedings or wars but outside them too. He accepts the moral constraint across the board rather than just in one activity.

Some objectors take account of this distinction. Kieran Setiya says a legal system contains many arbitrary rules, such as that a defence lawyer may challenge only so many potential jurors. Someone who accepts this rule does so in order to make the activity of

conducting trials possible but can't believe there's a moral duty to make just that number of challenges (2008). John Tasioulas describes a person who doesn't believe it's wrong to kill non-combatants but wants a career as a soldier, sees that a rule forbidding that is part of the soldier's role, and accepts the rule just in order to occupy the role. Yet he's not playing a game (2006, 238n3).

Though several responses to these examples are possible, a simple one follows from my disjunctive condition. In the legal example it's neither the case that a lawyer acting within the system accepts the rules because he wants to do something difficult because it's difficult, nor that the rules were put in place or are mostly accepted for that reason. Tasioulas's soldier doesn't obey the rule against killing non-combatants in order to make victory more challenging, nor does the rule have that rationale; it was imposed, and is usually accepted, for different, and more specifically moral, reasons. The counterexamples in effect assume a permissive reading of the lusory attitude, which allows any motive for accepting the rules, and given a restrictive one they fail.

Other proposed counterexamples involve a sequence of acts that lead to a final one, where a rule or understanding makes the sequence longer or more complex than it would otherwise be. In one example you go home by taking a stroll around a lake while refusing the faster option of a ride on an ice-cream truck (Button 2013, 579). Another involves a religious ritual with complex rules that people accept just in order to make performing the ritual possible (Tasioulas 2006, 238-39; Setiya 2008; Berman 2013, 168-72). Though Huizinga and Caillois include rituals within the ludic, the assumption here is that they differ from games. A third is reading a novel, where you don't discover the final outcome of the plot in the easiest way, by

looking at the last pages first, but instead read from beginning to end. Here too you accept a restriction on means but aren't playing a game (Geras 2009, 197-98).

One response to these examples is to deny that they involve an end or prelusory goal of the right kind. If in the religious ritual you say a prayer, cross yourself, and then light a candle, lighting the candle is the end of the activity in the sense that it comes last, but it's not an end or purpose in the same way getting his ball in the hole is for a golfer. We say the golfer gets his ball into the hole *by* driving it in the fairway, hitting his approach shot to the green, and so on, but in the ritual you don't light the candle *by* saying the prayer and crossing yourself. The latter acts precede the lighting, but they aren't means to it in the same way the golfer's acts are to his end; they're independent and equally important parts of the sequence. (Is the goal of the ritual then the whole sequence? If so, its rules don't forbid more efficient means; they say what the goal is.) Something similar is true of the stroller. Arriving home is the last act of his stroll, and it's a convenient one because it allows him to immediately shower, change clothes, and so on. But from a purely strolling point of view it would be just as good if he ended his walk somewhere else and were instantaneously teleported home. In a stroll considered just as a stroll, the last step doesn't have the priority over other steps that a genuinely prelusory goal has; it's just one step among many.

Suits makes just this point about novel-reading. In a paper published in a literature journal, he argues that reading an Agatha Christie-style detective novel can involve playing a game. You want to find out who committed the murder but, avoiding the easy means of reading the last pages first, try to deduce it using only clues you're given earlier (Suits 1985). But he adds that not all readers of detective novels play this game. Some make no effort to work out

who did it but just read on, either from curiosity or because they want to be surprised by the ending. He denies that these readers have the prelusory goal of the detective-novel game, because they don't actively seek it or read primarily in order to achieve it. And he would presumably say the same about readers of a standard novel like *Anna Karenina*. Since they don't actively try to figure out the ending, they too aren't playing a game.

As stated, this point of Suits's is a little quick. Though the merely curious reader of a detective novel isn't trying to discover its ending in one way, by deducing it from earlier clues, she is trying to discover it in another, by reading from beginning to end. But his point still has some force. For a standard novel-reader the last turn of the plot doesn't have the same primacy that his ball's going into the hole has for a golfer. We again wouldn't say she's finding out how Anna ends up by reading Chapter One, then Chapter Two, and so on. Reading a novel seems closer in its structure to a stroll or religious ritual, where the last act isn't the goal of earlier ones but just one item among others.

A different response to the examples denies that their rules forbid efficient means, and Suits takes this line about strolls. He argues that efficiency involves making the least use of some limited resource, since if the resource were unlimited there would be no advantage in using less rather than more of it. Someone who takes a longer route home or refuses a ride on an ice-cream truck does use more time, but if time isn't limited for him – if he's not due home for hours – his doing so isn't inefficient and he's not playing a game. If his time is limited, however, for example if he needs to be home by sunset and taking the longer route risks his being late, then if he takes that route because he wants to meet the challenge it poses, he is playing a game – he's having a race against the sun (2014, 56-60).

Mitchell Berman gives a version of the ritual example that's meant to avoid this response. He imagines that the required sequence of acts must be completed by a given time, say, that the candle must be lit by sunset. If someone starts the ritual late, time isn't an unlimited resource for him – he has to hurry – yet he still isn't playing a game (2013, 168-69).

We can again question whether lighting the candle is the ritual's prelusory goal, but a further response to all these examples comes from my disjunctive attitude-condition. In the normal case, someone who starts a ritual late isn't trying to complete it in limited time because he relishes the challenge of doing so; he just got held up and couldn't start when he wanted to. But if he were trying to do that – if he intentionally delayed his start to see if he could finish in the shorter time – he would be playing a game. Nor do most people who perform the ritual do so in order to meet a challenge, and it wasn't designed for that purpose. So even Berman's time-limited ritual isn't a game. Similarly, someone who refuses a truck ride while strolling doesn't normally do so to make getting home more difficult, nor are most strollers trying to meet a challenge; they just want to stroll. And if novel-readers don't read the end of *Anna Karenina* first, it's not because they want to make learning Anna's fate harder; they too don't have the required attitude. If the lusory attitude is understood restrictively and as part of a disjunctive condition, Suits's analysis doesn't count any of these non-games as games.

The disjunctive condition doesn't fit all cases of this type perfectly. Consider someone who reads an Agatha Christie just out of curiosity and without trying to work out who did it. Doesn't the condition's second clause, about other people's attitudes, imply that she is playing a game, and isn't that not what we say? There are two possible reasons not to say it. One is that, though many readers of detective novels treat them as puzzles, many others don't, so it's not the

case that *most* readers have the restricted lusory attitude. The other is that we take the relevant activity to be not the narrower one of reading a detective novel but the broader one of reading a novel. Since most people who do that aren't playing a game, neither is the non-puzzling Christie reader. One interpretive issue about the disjunctive condition is how exactly to interpret "your activity," and that issue may be relevant here. If we take a less specific view of what the Christie reader is doing, the second disjunct too becomes less specific and her reading isn't a game.

Another difficulty comes from someone who finds old physics exams and starts doing them for fun. Doesn't the first clause of the condition, about his own attitude, count him as playing a game, and isn't that again not what we say?¹⁰ Perhaps, though, we should say it; perhaps he is playing a game. Or perhaps the force of the second clause is so strong here that it outweighs the first. Exams are so much an institution, and so overwhelmingly written from non-play motives, that the classification from the second clause may override that from the first even when the first says he's playing a game.

In discussing his ritual example Berman considers a restrictive reading of the lusory attitude, as involving a desire to meet a challenge, but has as one objection that it doesn't fit all professional athletes (2009, 171). This objection is met by my disjunctive condition, which says pure professionals needn't have that desire themselves. But his other objection is that the restricted attitude isn't found in games of chance (171).¹¹ This is an objection of the second type, which say Suits's analysis doesn't fit some activities that are games and so is under-inclusive; let's turn to them now. Here my response here will be less to revise the analysis than to grant that it doesn't fit some of the cited activities and argue that this isn't a decisive flaw.

As Scott Kretchmar notes, games of chance are, surprisingly, never mentioned in *The*

Grasshopper (2008, 148-50).¹² This may be because they seem to fit its analysis straightforwardly. Consider rock, paper, scissors and assume that you can't use skill to anticipate your opponent's move, so it's just a game of chance. Your goal is to throw rock to his scissors, scissors to his paper, or paper to his rock, and the rules forbid the most efficient means to this because they forbid you to make your choice after you've seen his. Roulette and bingo likewise forbid you to place your bet after the wheel has stopped or to get more turns than other players.

But these games don't involve the restricted lusory attitude I've discussed, because they don't involve a desire to meet a challenge; they involve no challenge whatever. We here encounter an ambiguity in the concept of "difficulty." In one sense a task is difficult if it requires a great deal of skill or effort; in another it's difficult if the probability of succeeding in it is low. The two senses often coincide, since the more skill or effort an activity demands the less likely you are to complete it successfully. But they can also come apart. Raising a child is difficult in the first sense but arguably not in the second, since most parents succeed at it. Winning a lottery is difficult in the second sense but not in the first, because it involves no skill or effort (Bradford 2015). Now, the rules of a game of chance make achieving its goal more difficult in the second, probabilistic sense but not in the first. Any lusory attitude they require must therefore involve the second sense, so you accept the game's rules not in order to have a challenge but to enjoy the surprise, entertainment, or drama of having its outcome rest on luck.

I tacitly acknowledged this ambiguity when I said the most restrictive version of the lusory attitude accepts the rules because they make the resulting activity more difficult and, "even more specifically," because they make succeeding in it a challenge. The "more specifically" was meant to leave room for another kind of preference for difficulty, one not

concerned with challenge but just, we can now see, with improbability. We therefore face a choice. We can make the lusory-attitude condition even more disjunctive, so it requires you or most people to accept the rules *either* because they make the resulting activity more challenging *or* because they make succeeding at it less probable, because more a matter of luck and on that basis more attractive. The analysis will then be somewhat more complex and somewhat less unified, but, because it's more permissive, will include games of chance. Alternatively, we can retain the original description of the lusory attitude as focussed just on challenges. Then the analysis will keep its unity but won't fit games of chance and will be more reformist, or depart further from the English word "game."

I find it hard to choose between these alternatives. Each has one of the two main virtues we look to in a proposed conceptual reform but lacks the other, and it's hard to weigh these virtues against each other. Is it more important that an analysis be unified and explanatory or that it be close to an existing concept? To some, I suspect, the second alternative, which retains the original account of the lusory attitude as relishing challenges, will be more damaging to Suits, since it includes fewer of what we commonly call games. But there's no reason why a proposal for conceptual reform can't be somewhat revisionist, and on this reading Suits's analysis does an exemplary job of unifying the activities it does cover and of explaining why it makes sense to group them together and why participating in them can be valuable. Moreover, there are reasons why our language may have come to express a less unified concept. One is just the ambiguity about difficulty discussed above. When the rules of a game of chance make success in it less probable, they do something the rules of a game requiring skill also usually do, which makes the difference between them harder to see. Another reason is the overlap between the concepts of

game and play. Though English has different words for the two, the fact that most people who participate in games do so from a play motive can make it look as if any rule-governed play is a game. That too can blur the distinction. It wouldn't, I think, be a serious objection to Suits's analysis as I've revised it if it doesn't group games of chance with chess, golf, and other intrinsically challenging games; they are, in fact, importantly different.

Other objections of this type say the analysis doesn't fit role-playing games or ones of make-believe, such as House, Cops and Robbers, and Cowboys and Indians (Geras 2009, 185). This topic is extensively discussed in *The Grasshopper*.

Suits starts by denying that Ring Around the Rosie is a game, calling it "a kind of dance to vocal accompaniment, or a choreographed song. It is no more a game than *Swan Lake* is" (2014, 97-98). This seems absolutely right. Once we have his analysis in hand, we see that, whatever the English language says, Ring Around the Rosie is very different from golf, chess, and other paradigm games.

But he doesn't take the same line with role-playing games, which he argues his analysis does fit. He proposes that they form a distinctive category of "open games," where the prelusory goal isn't an end-state that brings the game to an end, like a ball's going into a hole, but is just that the activity continue, as it can in principle forever. In a group playing Cowboys and Indians each player tries to make a "move" that his fellow-players can respond to with another "move" that their fellows can respond to ... and so on. He compares their activity to that of two people trying to hit a ping-pong ball back and forth across the net as many times as possible, and the rule that makes it a game is one forbidding them to use a script – which would make continuing easier – so they have to improvise (2014, 140-50).

Though certainly ingenious, this proposal can't be entirely right. If your goal in the ping-pong game is just to keep the back-and-forth going, you should always give your partner the easiest possible ball to return, i.e., a soft one in the middle of the table. If Cowboys and Indians had a similar goal, each player should do whatever makes it easiest for play to continue. But that would result in very boring games. The ideal might be one where the cowboys and Indians follow each other around a large circle at the same speed, so neither ever catches the other.

But that's not how my boyhood friends and I played the game. We wanted interesting things to happen. We wanted there to be creative sneakings-up and ambushings, and in particular we wanted there to be dramatic dyings. When you were shot you didn't just die in whatever way would best enable the game to continue; you threw yourself about and gasped artistically, uttering as you did some memorable last words. Nor did we do this just to make continuing more difficult. We were interested in the aesthetic side of the game for its own sake and therefore weren't just playing an open game.

This point needn't contradict Suits's general analysis of game-playing. Earlier I said he tends to assume binary distinctions, so something must be either just a game or just not. In a later paper rejecting a view he previously held, he argues that judged sports such as platform diving and figure skating aren't games – they don't belong in the category – but are just performances, in particular aesthetic ones (1988). As critics have noted, however, these sports do have game-like aspects (Meier 1988, 21-23). Just as in the 100-metres you may not start 10 yards down the track from your competitors, so in diving you may not dive from a higher platform or use a jet pack to lift you higher in the air. We can therefore see these sports as neither just games nor just performances but both at once, so they have some game properties and some aesthetic ones. This

is reflected in the way they're sometimes judged, with separate marks for "technical merit" and "artistic impression."¹³

It's possible to see a similar duality in role-playing games, so *Cowboys and Indians* is partly an open game, with the goal of continuation and a requirement to improvise, and partly an aesthetic exercise. This involves a slight restriction of the analysis and loss of overlap with the everyday concept, since it now fits only one side of these games, or some but not all their important properties. But this may not be a serious objection if the analysis still fits, at least in part, most of the activities we call games.

But a dual view like this is much more plausible for judged sports like diving than for role-playing games. In the former the interest in difficulty is absolutely central, given the requirement to do complicated twists and somersaults before entering the water. It's much less if at all present in role-playing games, whose primary focus is the exercise of imagination and the enjoyment of the resulting fictional world. Contra Suits, players of a role-playing game don't have its continuation as a central aim. They want it to go on as a means to the further exercise of their imaginations but surely care little about that for itself. Nor do they have much of the lusory attitude in my restricted form, which seeks difficulty as difficulty. They may take some small pleasure in meeting the challenge of constructing their fictional world on the fly, but their main focus is the content of that world and the enjoyments it allows.

C. Thi Nguyen takes a similar line in his contribution to this volume. He argues that there are two distinct forms of game-play: striving play, which is captured by Suits and involves overcoming obstacles just for the sake of doing so, and make-believe play, centred on imagination and the enjoyment of pretense. The two forms can be found in the same activity and

are so, for example, in many computer games. But just as there are purely striving games, such as chess and golf, so there are pure instances of make-believe, as in the children's games Doctor and House. And more complex role-playing games like Cowboys and Indians have striving as at best a very secondary element.

If this is right, Suits's analysis has an even more restricted application. Not only may it not include games of chance, if we don't understand difficulty disjunctively, but it doesn't include many role-playing games and therefore departs even further from the English word "game." But I still don't see this as a serious objection, since the analysis retains its principal virtues. It does fit a great many things we call games, including most paradigmatic games, and it finds something common to them all, so it explains why it makes sense to group them together. It also explains why we're attracted to them – we enjoy the challenge they pose – and why excellence in them is intrinsically worth pursuing – it involves succeeding at something difficult, or the distinctive good of achievement. These are significant virtues, which a slight loss of generality doesn't outweigh.

More specifically, the slight gap between Suits's analysis and the English word "game" doesn't at all vindicate Wittgenstein's contrary view. Wittgenstein didn't hold only that there's nothing common to *all* the things we call games, so eighty or ninety percent of them can share a common nature so long as the rest don't; he thought the resemblances linking them are almost infinitely varied. In particular, he said "board games, card games, ball-games, Olympic games" don't share common properties. If Suits's analysis fits all these activities, as objections about games of chance and role-playing don't at all deny, it does something Wittgenstein said can't be done, or finds a common nature precisely where he said there isn't one. Moreover, it does so by

looking below the surface features that were all Wittgenstein saw, and by doing so gives illumination neither his nor the everyday concept can.

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Notes

¹ For similar remarks about epistemic concepts see Sosa (2017, 137-38).

² A parallel argument to Wittgenstein's would say there's nothing in common to all stories because some stories are told orally, some in print, and some in movies. It too looks only at surface, rather than structural, properties.

³ Juul (2011, 36-45) gives a similar list-analysis, though its elements are more closely related. On influence: while *The Grasshopper* has, at present, a respectable 1,377 citations in Google Scholar, Huizinga's book has 16, 419 and Caillois's 4, 620.

⁴ The importance of distinguishing the concepts of game and play is emphasized by Carlson (2011), who charges Suits to some extent with conflating them.

⁵ Suits once told me that Huizinga's book, and also Caillois's, is "stunning in its accomplishing the collapse of all of the important distinctions a careful study of play and games requires" (personal communication).

⁶ Carlson equates play with any autotelic activity and therefore includes within it holding a deep conversation, playing music, and eating a delicious meal (2011, 77-78).

⁷ That Suits's lusory-attitude condition admits of different interpretations is also noted in Tasioulas 2006, 238; Ellis 2011, 383-86; and Berman 2013, 170.

⁸ McGinn gives an example of this type (2012, 24) but doesn't see the problem it poses for Suits.

⁹ Caillois also includes exam-writing as a form of game/play (1961, 109, 113).

¹⁰ Ellis gives the example of someone writing exams for fun in 2011, 388.

¹¹ That Suits's analysis doesn't fit games of chance is also argued in Tasioulas 2006, 240.

Geras's counterexamples of Caractacus Potts and The Chore (2009, 185-86) and Button's of picture consequences (2013, 579) are, though not institutionalized games of chance, likewise activities whose outcome is intentionally left to luck.

¹² Kretchmar thinks Suits's analysis does fit these games but that, because of his commitment to an evaluative thesis about meeting challenges, he mistakenly fails to apply it to them.

¹³ I elaborate this account in Hurka 2015.