

Can Cheaters Play the Game?

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A number of recent philosophers of sport have endorsed the thesis that it is logically impossible to win, or even compete, in a game while at the same time breaking one of its rules (intentionally, at least). For instance, Suits argues:

The end in poker is not to gain money, nor in golf simply to get a ball into a hole, but to do these things in prescribed (or, perhaps more accurately, not to do them in prescribed) ways: that is, to do them only in accordance with rules. Rules in games thus seem to be in some sense inseparable from ends If the rules are broken, the original end becomes impossible of attainment, since one cannot (really) win the game unless he plays it, and one cannot (really) play the game unless he obeys the rules of the game. (5: pp. 149-150)

The thesis that cheating in a game is logically incompatible with winning that game may sound initially plausible. I imagine everyone has a vague feeling of having heard it somewhere before—perhaps in high school physical education—but I am going to argue that it is false. Undoubtedly, following some “framework” rules is essential to playing any particular game as we know it, and even violation of rules covering “finer points” may in some cases lead us to say that no game worthy of the name has taken place, no real winner been determined. But counterexamples to the unqualified incompatibility thesis advocated by Suits and others (1: 4) are not hard to come by.

I

Consider, first, what people ordinarily say about certain sporting events in which deliberate violations of the rules are known (or at least thought) to take place. (I take it for granted that the issue here is the conventional meaning of such phrases as “compete in a game,” “win a game,” “deliberately violate the rules of a game,” etc. Of course someone can stipulate a sense in which it is impossible for cheaters to “really” win, but the nontrivial question is whether this conclusion is implicit in the

ordinary meanings of the words.) For instance, many baseball fans believe that Atlanta Braves' pitcher Gaylord Perry throws a spitball. Throwing a spitball is a violation of the rules of baseball. Suppose these fans are right about Perry. Does anyone seriously want to say that no baseball game is ever played when Perry pitches? Should Perry be ineligible for the Hall of Fame on the grounds that he has never won a game, let alone competed, in baseball? Yet this seems to follow if we accept the unqualified thesis that cheating and competing are incompatible. And, of course, cases like Perry's—many of them more elaborate, some of them legendary—can be multiplied indefinitely.

A second point is as follows: Why, if Suits' argument is sound, should only *intentional* violation of rules be relevant to the question of whether genuine participation in a certain game (and hence victory) has taken place? (In the first sentence of this essay, I tried to be charitable by adding intention as a parenthetical condition of the logical-incompatibility thesis, but it will be noted that Suits himself does not say this.) The major premise of Suits' argument, after all, is just that one cannot play a game without following the rules of that game; or in the words of another proponent (4: p. 117) of the incompatibility thesis, "the rules of a game are the definition of that game." But the failure of something to conform to an established definition or set of rules is not abolished by the absence of an intention to nonconformity on the part of its creator. If I draw a four-sided figure with sides of unequal lengths, then I have failed to draw a square, even if I intended to make the sides equal. Thus, it seems that even unintentional violations of the rules of a game should lead us to say that no game (and hence no victory) has occurred, if the usual argument for the logical-incompatibility thesis is correct.

This points the way to more counterexamples. Amateurs almost certainly commit unwitting violations of some rule or other in any game they play, especially while learning. Even in major professional sports, sharp-eyed commentators (and instant replays) often expose accidental violations of the rules, but no one is tempted to say that no game has therefore occurred. Indeed, in team sports, the presence of just one secret cheater on a squad whose members otherwise intend to follow the rules religiously would render the whole team logically incapable of winning.

Let me approach the matter from a different direction. In "Some Reflections on Success and Failure in Competitive Athletics," Delattre, another defender of the logical-incompatibility thesis, remarks:

Both morally and logically, then, there is only one way to play a game. [That is, by the rules.] Grantland Rice makes clear his appreciation of this point in his autobiography, *The Tumult and the Shouting*. For emphasis, he employs the example of a rookie professional lineman. The athlete responds to Rice's praise for his play during his rookie year by observing that he will be better when he becomes more adept at holding illegally without being caught. Of course, to Rice this confused vision of successful competition is heartbreaking. (1: p. 137)

Now, admittedly, I cannot quite work up a broken heart over this incident, but that is not the main point. My question is rather, what kind of confusion did Rice think his lineman had fallen prey to—conceptual confusion, of the sort which fails to notice the impossibility of round squares and married bachelors, or (alleged) moral confusion of the sort which places winning (or, more precisely, "winning") ahead of

playing strictly by the rules? The thesis that cheating and competing are logically incompatible would require the former interpretation (and then, perhaps, we should think of the lineman as heartbreakingly stupid), but I strongly suspect that Rice was disappointed in his lineman's alleged moral confusion. I also suspect that the logical-incompatibility thesis draws part of its appeal from being conflated with the moral thesis; Delattre, for instance, speaks of Rice as appreciating "this point," when there are really two points involved.

II

When one cannot see a pattern to them, counterexamples often seem like trivial nit-picking. In this case, however, I think there is a clear pattern, though perhaps not a particularly profound one. The counterexamples all seem to stem from social custom or convenience (i.e., utility). Games are played within a framework of social practices and priorities, and violations of rules must be assessed within this framework to determine whether competition and victory, in the normal sense of the words, have occurred.

Hence, the spitball and offensive holding are a part of the game of baseball and football, respectively, and are techniques sometimes practiced by winners in those sports. Custom seems the primary reason why a game in which the spitball rule is violated is still baseball: The folklore of the game abounds with gleefully told stories of doctored pitches, bats, playing fields, etc., and booing the umpire (i.e., the embodiment of the rules) is a hallowed tradition. On the other hand, the fact that offensive holding can occur in a game of football seems to be mainly a concession to utility: There is simply no practical way for the officials to see everything that occurs in the interior of the line, and the game would probably be much less enjoyable to watch if all the infractions were punished (i.e., the offense would be continually frustrated by penalties, if not by the defensive line).

Of course, as I conceded at the outset, a game cannot be played if too many of its rules are violated. There would be no point in calling an activity a game of baseball if none of the rules of baseball were followed, and it is certainly hard to imagine the point when only a few of the rules are followed. Admittedly, too, one can imagine a society of sanctimonious sports purists who allow that a certain game is played only if every rule of that game is strictly followed. But perfect adherence to every rule is not usually essential to the occurrence of a given game, with a genuine winner.

Between the two extremes of angelic obedience to rules and destruction of a game by wholesale violation of its rules is an interesting set of borderline cases, as in professional wrestling: Here, rules against punching, kicking, strangling, etc., are routinely violated, so that even if the outcome were not fixed, there would be considerable question about whether the resulting show was wrestling. In the social context of certain ultra-violent science-fiction movies, the objective of sport usually seems to be the provision of spectacles of mayhem; perhaps in those societies, "illegal" biting and choking would seem as innocuous as the spitball does in American baseball. But in the actual context of our society, I am not sure what to say about professional wrestling.

So, although I concede that at some (probably hard-to-define) point, excessive rule violations become incompatible with playing a given game, and that there also

may be certain ideal cases in which exacting conformity to rules is essential, I maintain that (due to social custom and convenience) it is not in general necessary to the playing or winning of games that every rule of those games be obeyed. Pearson (4: p. 116), however, yet another defender of the logical-incompatibility thesis, remarks that "a particular game is no more (in terms of its careful definition) than its rules." She then goes on, in best Lockean fashion,¹ to state the corollary that "problems of identity and diversity of games are decided by the rules for each game. Identical games have identical rules and diverse games have differing rules." But if I am correct, it should be possible to imagine different games with identical rules (because they are played in the context of different social customs and utilities), and identical games with differing rules (because social customs and utilities negate the difference of rules "in practice"). For example, it seems conceivable (although I do not know this to be the case) that Japanese baseball players are much more earnest about following the rules of the game than American players are. If the spitball were more widely used than it is in American baseball, and if its effect were greater than I think it is, I can easily imagine a Japanese player saying that, because of the spitball, Americans play a different game. In my view, this would be the literal truth rather than just a manner of speech. Also, of course, it is simple to imagine the cases of differential enforcement of rules canceling out differences in rules.

III

So far I have been concentrating on the thesis that cheating and competing are logically incompatible. But the logical-incompatibility thesis often serves as a premise (or at least a background assumption) in moral arguments designed to show that cheating is, without qualification, unethical and/or unsportsmanlike. I therefore want to conclude this essay with a brief examination of one such argument.

The most explicitly worked-out version of this argument that I know of is advanced by Pearson:²

I have argued earlier that a particular game is defined by its rules—that the rules of a game are the definition of that game. If this is the case, a player who deliberately breaks the rules of that game is deliberately no longer playing that game These acts [i.e., deliberate violations of rules] are designed to interfere with the purpose of the game. If the arguments presented here are correct thus far [and it has been asserted earlier that (1) "the purpose of these games is to test the skill of one individual, or group of individuals, against another ..." and (2) "If an act is designed by a willing participant in an activity to interfere with the purpose of that activity, then that act can properly be labelled unethical"] we can conclude that the intentional commission of a foul ["an act that is not in compliance with the rules"] in athletics is an unethical act. Ordinarily, when we refer to unethical acts on the part of athletes, we call these acts unsportsmanlike. (4: pp. 116-117)

The major premise of this argument [i.e., item (2) in the brackets] is reminiscent of Kant's second illustration of the first form of the categorical imperative; Pearson also speaks elsewhere of players entering into a contract with their opposition. Obviously, however, discussion of such fundamental principles is beyond the scope of this essay. I grant them for the sake of argument. But consider the other premises.

Understood narrowly enough, I would have no quibble with the assertion that the rules of a game "define" that game; my point has only been that in certain contexts, breaking the rules that "define" a game will not entail that one is not playing that game. Suppose, however, that I am wrong, and the logical-incompatibility thesis is correct. It will still not follow that a player who deliberately breaks the rules of a game is deliberately no longer playing that game. For "deliberately" introduces an intentional context, and validity is not preserved in intentional contexts. (The man behind the arras was Polonius, but it does not follow that in deliberately killing the man behind the arras, Hamlet was deliberately killing Polonius.) Similarly, if someone is too "confused" to appreciate the logical-incompatibility thesis, he or she may deliberately violate a rule without deliberately opting out of the game.

Still, someone might reply, this is irrelevant to Pearson's main point. If her ethical major premise is correct, and if the purpose of games is to test the skill of the participants, then if we just add the premise that someone who deliberately violates the rules of a game is deliberately interfering with a test of the skill of the participants, without trying to deduce it from the logical-incompatibility thesis, the conclusion can still be secured. To be sure, some qualifications might be needed to take care of cases in which rules are deliberately broken for some unusual reason, but the idea would be that in deliberately throwing a spitball (or so we suppose), Perry is deliberately interfering with a test of the batter's skill at hitting a (legal) pitch. In general, cheaters know very well that they are trying to minimize an opponent's chances in a test of skill.

Nevertheless, even if these emendations are allowed, I think the argument is still infected with the same disease I was trying to cure in the last section. For how does one establish that *the* purpose of a game is a test of its participant's skill? So far as I can see, only by supposing a certain romanticized social context in which custom and convenience dictate that games are played solely to test the player's skill within a certain framework of rules. But that, I would argue, is not the social context of most sports as we know them. Indeed, to the extent that it is intelligible to talk of sports having purposes at all (an assumption which apparently goes undefended), sports seem to be multipurpose. Baseball, for example, serves the purposes of providing an income for owners and players, an afternoon's diversion for the casual fan, another installment in a unique kind of larger-than-life drama for a passionate devotee of "the national pastime." Of course, competing in or observing an event in which there are tests of skill basically within the framework of a set of (very complicated) rules is a main purpose of almost everyone concerned with baseball, but a pure test of skill featuring saintly observance of every rule is *the* purpose of baseball only to a few purists.

Thus, I think that Pearson's attempt to derive unsportsmanlike conduct from some kind of frustration of the purpose or goal of a game implicitly falls victim to the same oversight as the thesis that cheating and competing are logically incompatible: It assumes that one can read off what a game (or the purpose of a game) is just by examining the rule book. Admittedly, rule books for games do not contain statements of purposes for those games. But they do set down conditions for winning, and they do proceed on the assumption that the rules are rigorously followed; this makes the hypothesis that the purpose of a game is to determine a winner according to its rules by far the most obvious hypothesis.

I suspect, then, that no argument that makes deliberate violation of rules a sufficient condition for unsportsmanlike conduct is likely to apply to many of the sports

we know. And this seems to me as it should be: I have no reason to believe that Perry, if he throws a spitball, or offensive linemen, if they hold, are generally regarded as poor sports by their peers or the fans. On the contrary, it seems likely that many of them are regarded as displaying all the essentials of good sportsmanship. Sportsmanship seems to transcend the rulebook, not only in the sense of sometimes requiring more than adherence to the rules, but also in the sense of sometimes permitting less.

Notes

1. See (3), esp. Bk. II, Ch. 27, sec. 8, "Idea of Identity suited to the Idea it is applied to."
2. For similar views, see (1: 2). Keating does not defend the logical-incompatibility thesis, but he does tie unsportsmanlike conduct to frustration of the goal of sport.

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