



Article

Chess is *Still* a Game

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Michael Hickson as argued for the provocative thesis that chess is not a game – his “Illusory Checkmates: Why Chess is Not a Game.” More specifically, he (a) argues that chess is not a game in the sense provided by Bernard Suits’ highly influential work in the philosophy of games, and (b) responds to what he considers some of the most important objections to this thesis. In this paper I argue that Hickson is wrong, and that chess is, in fact, a game. The dialectic teaches us something important about the nuances of Suits’ rightly influential definition of ‘play a game’.

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In a paper whose thesis many will find shocking, Michael Hickson argues that chess is not a game—see his “Illusory Checkmates: Why Chess is Not a Game” (Hickson 2022). More specifically, he (a) argues that chess is not a game *in the sense provided by Bernard Suits’ highly influential work in the philosophy of games*, and (b) responds to what he considers some of the most important objections to this thesis. He allows that a full argument for his provocative thesis would minimally require an investigation of rival definitions of ‘game’, which he does not undertake in this paper. Despite its many attractions, Suits’ theory is certainly not the “only game in town” (pun intended). Hickson therefore allows that he would need to say a lot more to establish this conclusion more fully, though he thinks he does as much as one possibly could to make it plausible in such a short space.

Given that it seems like an undeniable platitude that chess is a game, the reader may be forgiven for wondering why Hickson’s argument merits discussion. Dismissing the argument for this reason would be hasty, though. For a start, we can often learn something philosophically interesting by trying to figure out *why* arguments for a seemingly outlandish conclusion go wrong, especially when it is not patently obvious exactly *where* the argument goes wrong, as here. Think of ancient arguments from Zeno that motion is impossible, for example, which might teach us something about our concepts of time and space. In this case, as Hickson himself allows, we might learn that Suits’ extremely influential theory of what it is to play a game is indefensible.

However, I do not think we should learn this lesson from Hickson’s ingenious argument. While I do not think Suits’ definition is ultimately sound, I do not think it falls so

easily to the objection from chess. Its problems lie elsewhere.¹ In this paper, I explain why Suits' definition can, after all, accommodate the thesis that chess is a game.

We can still learn something important from engaging with Hickson's argument, though. In particular, Suits' distinction between games and what he calls their institutions is crucial to the tenability of this theory and interesting in its own right, but it is more subtle than it may initially seem and very easily misunderstood. Engaging with Hickson's argument helpfully clarifies how that crucial distinction should be understood—a distinction which applies to countless games beyond chess, and whose proper understanding is essential to grasping how Suits theory applies much more broadly.

I start by presenting Hickson's argument that chess does not qualify as a game in Suits' terms. To understand Hickson's position, it's necessary to first examine Suits' definition, which I outline here. In fact, Suits defines 'play a game', rather than 'game'.

This is his definition:

To play a game is to attempt to achieve a specific state of affairs [prelusory goal], using only means permitted by rules [lusory means], where the rules prohibit use of more efficient in favour of less efficient means [constitutive rules], and where the rules are accepted just because they make possible such activity [lusory activity] (Suits 2014, 43).

In golf, the prelusory goal is to get the ball in the cup, the rules prohibit doing this in the most efficient way [just dropping it in by hand, say] and to play golf is to pursue the lusory goal of getting the ball in the cup while obeying those rules, and to accept those rules just because doing so makes that activity possible—it is the activity you really value.

The prelusory goal must, according to Suits, be achievable *independently of the game*. This is clear enough in games like golf or a footrace—the goal of getting a ball in a cup or crossing a finish line can clearly be understood and achieved quite independently of playing golf or taking part in a footrace. In chess, things are not so simple. Here the most obvious candidate for a prelusory goal is checkmate. But checkmate itself cannot be understood independently of the rules of chess. We might define checkmate as a position in which the king is immobilized and attacked by a piece in the army of the other side. However, this definition implicitly adverts to the rules of chess in many ways.

¹ See Michael Ridge, "How to Play Well with Others," in Thomas Hurka (ed.), *Games, Sports, and Play: Philosophical Essays, Engaging Philosophy* (Oxford, 2019; online edn, Oxford Academic) for a discussion of this matter.

First, to *be* the king is to be subject to certain rules governing your movement, and so reference to the king already adverts to the rules of chess. Second, to be immobilized here really means to have no *legal* move, which again adverts to the rules of chess. Third, the idea of being “attacked” by another piece can be understood only in terms of the possibility of a *legal* capture on the next move, which yet again adverts to the rules of chess. This might seem to spoil the idea that checkmate could be the *prelusory* goal of chess, since the goal can be understood and indeed defined only in terms of the *rules* of chess.²

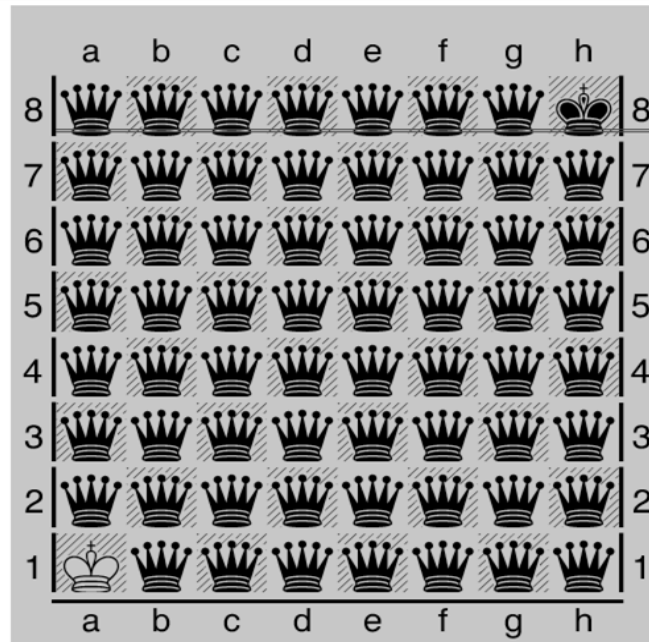
In *The Grasshopper*, Suits replies to this objection by drawing a distinction between the *game* of chess and the *institution* of chess. He argues that while the definition of checkmate does indeed advert to the institution of chess—by advert to the rules governing the movement of the pieces—it still does not advert to the *game* of chess. He illustrates this distinction by pointing out that you can indeed achieve a checkmate position outside a game (or the game?) of chess. You can just get out your board and set up the pieces in a checkmate configuration. In fact, you might do this to explain the game to a novice. In fact, as I shall explain below, there are many other examples Suits could have used to illustrate this point—and, I shall argue, those examples help better convey the distinction between games and their institutions. Suits sometimes puts this point in terms of our ability to take rules either as *descriptive* of how the pieces *do* move or *prescriptive* of how they are *allowed* to move. When playing chess, we take the rules to be prescriptive, but we can take part in the institution of chess while taking the rules to be purely descriptive.³

Enter Hickson. He argues that this reply will not do, and that in fact chess is not a Suitsian game. The crux of his argument arises out of a distinction between what he calls “lusory checkmates” and “illusory checkmates.” A lusory checkmate is one that *can* be arrived at from the starting position by following the rules of chess—via a series of legal moves, alternating between White and Black. *Illusory* checkmates are “chess positions that satisfy the definition of ‘checkmate’, but that cannot possibly arise on a chessboard by following the rules of chess” (Hickson 2022, 406).

² A complication I shall overlook in the text is that, plausibly, you can play chess without aiming for checkmate. You can play for a draw, which is not uncommon in tournament situations in the last round when a draw would secure you first place outright. You might also aim not so much to deliver checkmate but to make it so inevitable that your opponent resigns. This complicates the argument in the text but doesn’t much change the main contours of the argument, since a specification of “the” constitutive goal of chess will need to be disjunctive to accommodate this point, and one of the disjuncts will surely be “achieve checkmate” or some such. Thanks to an anonymous referee for pressing me on this nuance.

³ See also Filip Kobiela, “The Ludic Background of Constitutive Rules in Bernard Suits,” *Argumenta*, 2018: 125-137.

Hickson makes the later vivid with a diagram of a position in which the White king is in one corner (on a1) and the Black king is in the other corner (h8) and literally every other square on the board has a White queen:



This is an illusory checkmate because (among other reasons) you could never have more than 9 queens in a game of chess—the original one and 8 more from promoting all 8 pawns.

Hickson then argues that *lusory* checkmate must be the prelusory goal of chess. Obviously illusory checkmate cannot be the prelusory goal since you could never achieve it and hence never win. Why, though, could the prelusory goal not be checkmate, which is multiply realizable as between *lusory* and *illusory* checkmates? Hickson argues from the absurdity of trying to explain the goal of chess and remarking, “this is what we are trying to achieve in chess.” (p. 13) Or, as he latter puts the point, “General checkmates are not specific enough to count as the prelusory goal of chess because they include both achievable and unachievable chess positions, and the prelusory goal must be achievable.” (p. 13)

Hickson’s claim that general checkmates are not achievable might seem odd or just plain mistaken, since of course many instances of general checkmate *are* achievable—the *lusory* ones. We do not, in general, think that *all* tokens of a type must be achievable for the type to be achievable. It is enough that at least one token of the type can be achieved. The fact that I cannot hit a bullseye with my bow and arrow at 1000 meters does not entail that I cannot hit a bullseye, full stop.

Hickson’s argument here depends on a specific reading of Suits. He suggests that for Suits, to be achievable in the relevant sense, a goal must be such that you can *demonstrate* that it can be reached. For a goal to be achievable in this sense independently of any particular game of chess, then, is to be such that you can demonstrate that the goal can be achieved without reference to any particular game of chess. I will return to this understanding of achievability once I have laid out the rest of Hickson’s argument.

At the stage of the argument as I have so far reconstructed it, Hickson takes himself to have established that the prelusory goal of chess must be *lusory* checkmate—checkmate that can be reached from the initial position via a series of alternating legal moves. He then argues that *lusory* checkmate *cannot* be the prelusory goal of chess. Why? Because it cannot be understood independently of the game of chess. He argues that the way to discover whether a given checkmate position is a *lusory* checkmate is by going through a *game* of chess to prove that it could be reached in that way—via a kind of “existence proof.” If at least one legal path exists, then trivially it is possible to reach the checkmate legally.⁴

Hickson’s master argument thus goes like this:

1. Suits’ definition of ‘play a game’ is correct. [on the strength of Suits’ arguments for his definition]
2. If Suits’ definition of ‘play a game’ is correct then, necessarily, something can be a game only if it has a prelusory goal. [a natural extension of Suits’ definition of ‘play a game’ to a constraint on the definition of ‘game’]
3. A prelusory goal must, by definition, be such that it could be achieved “independently of the game in which it figures.” [by stipulation, ‘prelusory’ is a technical term; see Suits, p. 44]
4. If chess has a prelusory goal then it must be either general checkmate, *lusory* checkmate, or *illusory* checkmate [no other obvious candidates].
5. *Illusory* checkmate cannot be achieved in a game of chess.
6. The prelusory goal of a game must be achievable in the game for which it is prelusory [intuitively, a game must be at least *possible* to win to be a game at all].
7. Therefore, *illusory* checkmate cannot be the prelusory goal of chess. [from 5 and 6]

⁴ You can also prove that a checkmate is *illusory* through something called “retrograde analysis,” but we don’t need to pause over this, since proving that a checkmate position is *illusory* won’t help us to prove that a checkmate is *lusory*.

8. General checkmate cannot be achieved independently of all particular games of chess by describing or displaying it by reference only to non-game parts of the institution of chess (e.g. in the context of analyzing a purely hypothetical position rather than playing a game).
9. Something can be the prelusory goal of chess only if it can be achieved independently of all particular games of chess by describing or displaying it by reference only to parts of the institution of chess that are not particular games of chess.
10. Therefore, general checkmate cannot be the prelusory goal of chess. [from 8 and 9]
11. Therefore, if chess has a prelusory goal then it must be lusory checkmate. [from 4, 7 and 10]
12. Lusory checkmate cannot be achieved outside of a game of chess—“independently of all particular games” of chess.
13. Therefore, lusory checkmate cannot be the prelusory goal of chess. [from 3 and 12]
14. Therefore, chess has no prelusory goal. [from 4, 7, 8 and 12]
15. Therefore, chess is not a game. [from 1, 2, and 14]

So far, so shocking. Given its conclusion, the argument surely goes wrong somewhere, but where?

One reply I mention mainly to put to one side. To be compelling, any argument that chess is not a game must contain no premises which are less *ex ante* plausible than the thesis that chess is a game. A valid argument always just gives us a choice—we can accept the conclusion or deny one of the premises. If one of the premises is far more controversial than the negation of the conclusion, then it is reasonable simply to abandon that premise instead of endorsing the conclusion. In this case, the conclusion that chess is not a game is so *ex ante* implausible that many of the premises of this argument are *far* more controversial than the negation of the conclusion. Chess not only has all the hallmarks of a game, I venture to guess that if you asked competent speakers in most parts of the world to create a list of games that chess would appear on the top 10 of such lists as often or almost as often as any of its rivals. Chess seems like a *paradigm* of our concept of a game—something to which we would point to explain the concept of a game to someone who did not already have that concept. Surely Suits’ definition of

‘play a game’ which is controversial for many reasons I will not rehearse here, is *far* more controversial than the thesis that chess is a game.⁵ The rational conclusion should therefore be not that chess is not a game, but that Suits’ definition is defective. I put this reply to one side simply because Hickson’s argument could still be very interesting if it provided a knock-down objection to Suits’ highly influential definition of ‘play a game’. Indeed, Hickson himself indicates that many of his readers will take this to be the real interest of his paper.

A second reply to Hickson’s argument is, in my view, more telling. It is very intuitive to characterize what Hickson calls “general checkmate” as the prelusory goal of chess. Certainly, when teaching the game to novices, we tell them about aiming at checkmate, not “lusory checkmate,” and so the practice of explaining how to play chess fits better with this way of thinking. Hickson’s argument that general checkmate cannot be the prelusory goal of chess relies on a very demanding reading of being “achievable independently of any particular game of chess.” Suppose I set up what is, in fact, a lusory checkmate. *Ipsa facto*, it is also a general checkmate, since all lusory checkmates are also general checkmates. So general checkmate can, with a little luck, be achieved independently of any particular game of chess.

For Hickson, this would not be sufficient to achieve checkmate in the relevant sense. Why not? His idea is that to be achievable in the relevant sense it is not enough that the goal can be displayed independently of any game of chess. It must also be displayed in such a way that you can thereby *know* that it is *also a lusory checkmate*, and thus a possible outcome of a game of chess. This is consistent with allowing that in some weaker sense—one that allows achievements to be a matter of luck to some extent—you could achieve a general checkmate independently of any particular game of chess.

Why should we think achievability in the needed sense requires that we also *know* that when we achieve the goal by displaying it that it is also the possible outcome of a game of chess? This strong reading of ‘achievable’ is crucial to Hickson’s argument,

⁵ Hickson has responded (in correspondence) to this point by noting that most world champions seem to think chess is something other than a game, at least if we take their remarks at face value. Steinitz called it a science, for example. Alekhine thought it was an art, while Capablanca thought it was a kind of mathematical puzzle. Fischer called it psychological warfare, while Euwe and Carlsen call it a sport. However, it doesn’t follow from the fact that chess is any of these other things that it is not *also* a game. Clearly something can be both a sport and a game, as in a game of baseball. Sudoku is a math puzzle and a game. Many people think video games can be art, but they still think they are *also*, well, video *games*. Even science can be treated as a game, as Suits argued in *The Grasshopper*. He suggested that in Utopia we could treat science as a game by adopting a rule against consulting the supercomputers to discover the answer to a given scientific question, forcing ourselves to do it the old-fashioned way, through our own research. This would make scientific research fit his definition and it would be a game in much the way that doing a crossword puzzle when you could just look up the answers in the back of your puzzle book is still a kind of single-player game. I sympathize with the sentiment behind the overly dramatic claim that chess is a game, which I presume is that it isn’t well thought of as *just* a game – it is so much more than that. Personally, I prefer Grandmaster Jonathan Rowson’s pithy take on this sentiment, which expresses it without falling prey to any false dichotomies or literally false claims about its status as a game: “Chess is just a game in the way the heart is just a muscle.” (Jonathan Rowson, *The Moves That Matter*, Bloomsbury, 2019)

but as far as I can tell he never argues for it in the text. I suspect that he thinks Suits implicitly *defines* achievability in this way. The textual basis for this reading presumably would be that when asked to show that checkmate can be achieved independently of any particular game of chess, Suits simply points out that you can set up a checkmate position on the board without having played a game of chess—that you can *display* a checkmate independently of any particular game of chess. Hickson might then argue you cannot display a state of affairs as the goal of a game without *knowing* you have done so. Perhaps he thinks this is true as a matter of conceptual necessity.

I see two problems with this defense of Hickson’s reading of achievability. First, Suits never says, and as far as I can tell, does not need, the thesis that achievability requires that you can display the goal *as the goal*. He simply says that you can “bring about a state of affairs correctly describable as checkmate in complete disregard of the rules as procedural prescriptions.” (p. 59) Someone could do what Suits describes without even knowing that checkmate is the goal of chess at all.

Second, the thesis that you cannot display something as a goal of a certain sort without *knowing* it is a goal of that sort seems to me not only not a conceptual truth; it is not any kind of truth at all—it is false. A liar might *display* something as a certain sort of goal while *knowing* it isn’t such a goal. Politicians do this all the time, displaying themselves as having a goal they do not care about at all, for example.

More innocently, if I sincerely believe something is a goal of the relevant sort, then I can display it as such even though I am mistaken. Here is an analogy that might help make the point. When asked for a valid form of ID, I might display my university staff card as a valid ID because I believe it is. Unbeknownst to me, my staff card is *not* a valid ID in this context, though—only a driver’s license will do. The fact that I didn’t realize this doesn’t mean that I didn’t display the card *as* valid; it just shows my display was inaccurate.

I therefore conclude that there is no reason to read ‘achievable’ in the very strong way required by Hickson’s argument. Without this reading, though, there is no obvious reason that general checkmate cannot be the prelusory goal of chess. If we read ‘achievable’ in this demanding sense, then premise 9 is false—Suits’s theory does not impose this epistemic requirement on prelusory goals. We can preserve the truth of 9 by reading ‘achievable’ in the weaker way discussed above, but then premise 8 is false—general checkmate *is* achievable independently of any particular game of chess in this sense. The argument therefore fails to rule out general checkmate as the prelusory goal of chess.

Although I think this objection is decisive, I want to discuss another objection to Hickson’s argument because I think it sheds revealing light on Suits’ otherwise easily misunderstood distinction between a game and its corresponding institution.

Here my objection is to premise 12. Recall that premise 12 asserts the following:

Lusory checkmate cannot be achieved outside of a game of chess—“independently of all particular games” of chess.

Hickson is quite right that the only way, apart from “asking God,” to determine that a particular checkmate is legal is by showing how the position could be reached *through a series of legal, alternating moves from the initial position*. It is also very natural to understand any series of legal, alternating moves from the initial position ending in a checkmate as a game of chess. In fact, though, this is a mistake, and this mistake shows why Hickson’s argument goes wrong.

According to Suits, a game of chess was played only if the players *both* follow the rules *and* attempt to achieve the game’s lusory goal. Someone who follows the rules but makes no attempt to win is “trifling,” rather than playing the game, according to Suits. In that case, though, it is entirely possible to reach a checkmate position through a series of legal, alternating moves from the initial position *without having played a game of chess*. All that is required for this to be the case is that you were not *aiming* at checkmate.

As it happens, Hickson’s own discussion of the history of chess nicely illustrates how this is possible. He hypothesizes, with some credibility, that the original goal of chess (or the precursor to chess, depending on how one individuates games⁶), was to take all the opponent’s pieces, rather than to deliver checkmate. Insofar as this was their aim, they were *not* playing chess in Suits’ sense. Yet they could have the *concept* of a checkmate—without caring about it yet, much less seeing it as their goal. With that concept in hand, they could go through a game of whatever we want to call the game they are playing—“Pre-Chess,” let’s say—to prove that checkmate can be achieved through a series of alternating legal moves from the initial position.

Once this point is registered it is easy to see countless riffs on the idea—indeed, as many riffs as there are possible “variants” of chess that stick with the same initial position and rules governing movement of the pieces, but which have a different aim. Loser’s chess, where the aim is to *be checkmated*, for example, would also allow you to discover which checkmates are lusory without playing a game of chess. You could even just be aiming to produce pretty patterns on the board or please the gods, so long as you also followed the rules and had the concept of a checkmate, to determine that a given checkmate is, indeed lusory.

⁶ See Michael Ridge, “Individuating Games.” *Synthese*, vol. 198, no. 9, 2020, pp. 8823-8850, for a discussion on individuation for games.

What does this teach us? In my view, the real lesson is that the institution of a game like chess necessarily includes *its rules*, but it need not include its goal. This, in turn, can explain why it is natural to think of the rules in a game of chess as *prescriptive*, but the rules in relation to the corresponding institution as merely *descriptive*. When we have some goal in mind, like checkmate, it is natural to see the rules as *constraining* our pursuit of that goal by ruling out otherwise effective means to our end. That makes them seem prescriptive. Whereas in relation to the more austere *institution* of chess as such, we need not have any specific goal in mind. This makes it more natural to think of the rules as descriptive. Hickson seems to understand the game/institution distinction differently. This is corroborated by the fact that in the latter part of the paper he repeatedly moves seamlessly between “independence of the game” and “independence of the rules of the game.”

Here is a potentially helpful analogy. Kant held that the supreme law of morality is an imperative, and in that sense prescriptive *for us*, but not for God. Why? Because we can be tempted to stray from its requirements—it issues requirements that interfere with our other goals—for Kant, the goal was our happiness. By contrast, for God, the moral law does not interfere with any rival goals; God doesn’t have any contingent inclinations and therefore has no goals that could conflict with morality. The categorical imperative is therefore more of a description of how God infallibly will act, rather than a prescriptive rule that constrains him in the face of potentially contrary inclinations. Similarly, if we understand the rules of chess relative only to the institution of chess then they will not seem like constraints because we have no goal in view. In the context of the bare institution of chess, the rules are simply descriptive of how certain pieces move. If, however, we understand the rules relative to a game of chess, where a goal has been specified, then the rules are prescriptive. They constrain our pursuit of the goal of checkmate in the way that the moral law constrains our pursuit of happiness.

The necessary connection between the rules of chess and the institution of chess can help clarify how we should understand “general checkmate,” a concept Hickson deploys but does not actually define. Something is a general checkmate only if it is a *chess position* such that the king is in check and there are no legal moves for the side whose king is in check. To be a “chess position,” of course, requires that there are *chess pieces* placed on a suitable 64-square board. The board can be virtual or merely notional (as with blindfold chess), but the more important point is that a position requires *chess pieces*. Little figurines shaped like knights and bishops need not be chess pieces. If they were designed simply as works of art by people who had never dreamed of chess as a game, then they would not be chess pieces, even if they were, in their intrinsic properties, molecule for molecule identical to some actual chess piece. What is crucial is that to count as chess pieces, these figurines must be understood as regulated by the rules of chess. The point of my reply, then, is that you can have genuine chess pieces outside

the game of chess because you can have pieces understood as regulated by the rules of chess but where nobody is trying to achieve the goal of chess.

An interesting case to consider here would be one in which I am cleaning up my son's room and arrange his scattered chess pieces on the board.⁷ As it happens, the pieces exemplify what would, if it occurred via a game of chess, count as a checkmate position? Is this an instance of "general checkmate"? It depends on whether we count the little figurines I have placed at random on the board as "chess pieces." I think there is plausibly an ambiguity here. In one sense, they still clearly are chess pieces, whereas the hypothetical figurines as works of art I mentioned in the previous paragraph are not. Why? Because they were made *to be chess pieces*—that is, their *function*, as fixed by their maker's intentions, was to be used as chess pieces—which means to be used in games of chess, and thus regulated by the constitutive rules of chess. They still have this function even when they are not being used with that function, so in this sense they are still chess pieces, and so in this sense we do indeed have a "general checkmate" in the case at hand. In another sense, though, something counts as a chess piece at a given point in time only if it is treated as if regulated by the rules of chess *at that time*. In this more demanding sense, the "pieces" I put at random on the board in my son's room are not *really* chess pieces at that moment in time, and so at that instance in time what we see on the board is not a general checkmate.

Happily, my argument here will go through on either way of defining "general checkmate." Clearly it will go through on the first, broader, definition, since there is no pressure to think that general checkmate in that sense can exist only given a certain causal history, viz. being part of a game. However, it will also go through on the second, stricter definition. This is precisely because of the contexts I have discussed in which you can treat something as a bishop, knight, rook, etc. *without playing a game of chess*—that is you can treat the relevant figurines as regulated by the rules of chess when playing "loser's chess," playing "pre-chess" (whose goal is to capture all the pieces, not checkmate), while analyzing a position, etc.

I have here argued for the shocking conclusion that chess is, in fact, a game! More seriously, I hope that my diagnosis of where Hickson's seductive argument goes wrong can help us better understand an important and often misunderstood feature of Suits' influential theory—his distinction between a game and the institution corresponding to that game. I suspect this is one of the most easily misunderstood facets of Suits' theory. To that extent, even if, as I have here argued, Hickson's argument that chess is not a game is unsound, we can still learn something interesting and important from seeing *why* it is unsound.

⁷ Thanks to an anonymous referee for suggesting this case.

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