

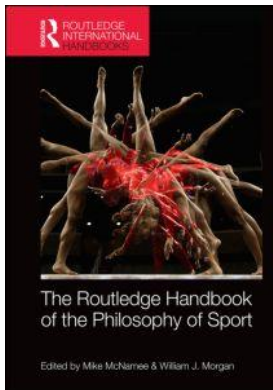
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Mike McNamee, William J. Morgan

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William J. Morgan

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CONVENTIONALISM AND SPORT

William J. Morgan

Introduction

The normative theory of conventionalism can claim very few adherents in sport philosophy circles. Its failure to garner any significant support in this regard cannot be attributed solely to benign neglect. For what little attention it has received in the literature has been mostly of the critical, dismissive, variety. It will come as no surprise, therefore, that my survey of this literature is notable, save for a few exceptions, only for the negative, unflattering picture it paints of conventionalism as a theory of sport. But it may well be surprising, given what I have just said, that the second section of my essay is devoted to a robust defense of conventionalism against its many critics, which in part draws from the work of those select few in the sport philosophy community who think there is more to this theory than initially meets the eye. That defense is long overdue, since I think its critics have not only failed to see what conventionalism has to contribute to normative discussions of sport, but have also badly mischaracterized as well what such a theory, rightly understood, looks like and stands for. These two apparent errors are, of course, related, since it is in part because critics of conventionalism mistake what conventionalism comes to as a normative theory that they have seen fit to reject it, root and branch, as a substantive approach to the critical study of sport. To be sure, my effort to restore conventionalism's good name depends on taking seriously the main criticisms that have been levelled against it, which, in turn, depends on giving those criticisms that comprise almost the whole of the extant literature a fair and comprehensive hearing.

Criticisms of sport conventionalism

The major criticism made against a conventionalist theory of sport claims that the norms in which it trades are too close to the athletic action they are supposed to guide, oversee, and evaluate, to do the kind of critical work any normative theory worthy of the name is supposed to do. That is, critics insist that conventional norms are too caught up in the status quo conception and regard for contemporary sport, too connected to how sport is presently thought about and practiced, to be able to justify whatever normative judgments are made in their name, let alone to criticize the status quo in which they are firmly entrenched. What such norms possess in descriptive force, in describing what actually goes on in sport today, they lack

in prescriptive force, in prescribing what ought to go on in sport. And there is not any way to correct for this normative deficiency, critics further claim, because it is in virtue of what conventional norms are that they prove to be prescriptively impotent.

According to this criticism then, the main weakness of conventionalism is that its trademark norms have nothing more going for them than the fact that they are widely accepted. Since conventions on this view just are wide-ranging social agreements, and since the norms that issue from those agreements tell us only whether they meet with the approval of the relevant athletic practice community or society, they are immune to criticism. This means that criticizing these conventional norms is not only forbidden, but always mistaken, because they alone determine what is and is not normatively correct conduct (Dixon, 2003). This also means that because conventions always bottom out in some sort of agreement rather than, say, a rational argument or conviction, rational reflection and argument play no role in their normative calculus. Rather, then, to paraphrase Simon (2007: 48), on agreeing to normative principles because of the intellectual considerations in their favor, conventionalists would have us agree to normative principles because of the mere fact of their having been agreed upon. Surely, the critics insist, this gets things, normatively speaking, exactly and disastrously backwards, since it substitutes mere acceptance for rational concurrence.

If we are to reverse this fatal flaw in conventionalism and thus disabuse its adherents of the bad idea that normative theory can get along quite nicely by appropriating its standards from whatever the prevailing social morality happens to be, then we have basically two paths open to us to put sport on a firmer moral footing: either to invent a new and improved morality, or to discover a better one. Critics of conventionalism like Simon and Dixon favor the first, inventive approach, and adopt what the former calls a discourse approach, or what I call a “realism of reasons.” The basic idea behind this approach is the simple one that “ethical justification is a common public practice carried out and through the give and take of reasons” (Simon, 2004: 127). What gives this exchange of reasons its normative force is that the standards by which it is conducted and its argumentative success assessed possess a “rational basis independent of cultural, linguistic, or pragmatic considerations” (Simon, 2004: 124). This means that in our deliberations over what normative principles should guide and govern sport we can entertain the diverse viewpoints of all parties to the discourse no matter their historical or social allegiances or circumstances so long as we consider them strictly on the basis of their intellectual merit. It is, therefore, because the reasons traded back and forth in normative discourse can be evaluated according to the intellectual contribution they make to the dialogue, we can be confident that whatever arguments survive such critical give-and-take and are put to use to construct a new moral theory of sport are rationally justified, and thus warrant our critical assent (Simon, 2004: 135). This explains why Simon contends that Russell’s argument (Simon, 2014: 27) that “coaches ... have a duty to correct the competitive injustice of bad calls by officials that provide their own teams with unfair benefits” would be as rationally compelling to an adherent of a nineteenth-century gentleman-amateur take on sport as it would be to a present-day enthusiast of contemporary elite sport.

Critics of conventionalism like Russell favor the second, discovery approach, and claim that on the basis of “certain perfectionist and voluntaristic arguments about the nature of sport,” we can “track the truth and identify real facts” that underpin competitive sport (Russell, 2012: 9). It is from these fundamental non-moral facts about the purpose and point of sport, Russell argues, that we can confidently divine rationally justified normative principles for governing sport. Two such non-moral facts figure prominently in his normative account of sport, both of which he gleans from Suits’s widely regarded conceptual analysis of sport (Suits, 2007). The first is that sport has a “clear underlying purpose, which is to provide “contexts for the exercise and

display of skills in overcoming [rule-created] artificial obstacles,” and the second is that the attempt to overcome these contrived challenges must be voluntarily pursued if that attempt is to be properly regarded as a sportive one (Russell, 2011: 257, 264). As Russell sees it then, it is because his normative theory corresponds to the facts of the matter that underlie sport, no matter, again, when, where, and by whom it is practiced, that we can be confident the principles he derives from these facts capture important moral truths about sport. That is why he thinks he is on firm ground in claiming that – in a reference to the famous George Brett pine-tar baseball bat controversy, in which he was first called out by umpires after hitting a home run for having pine tar (a sticky substance applied to the lower end of the bat for gripping purposes) too high on his bat (a technical violation), only to be later reversed on further review by the president of the American League and awarded a home run – “it really is a fact that baseball is a better game if home runs are not disallowed because pine tar is found high up on a bat ... because there is no advantage to that ... [and it] is in fact irrelevant to the game” (Russell, 2011: 267).

Social conventions and sport conventions

As I have claimed that many of the criticisms of conventionalism in the philosophy of sport literature misfire because they are based on mistaken conceptions of what a convention is, I first need to address the question what counts as a correct conception of a convention before I explicitly consider these criticisms. Of course, if I am right that the major critics of a conventionalist normative theory of sport go wrong in part because they rely on errant accounts of what a conventional norm is, then in trying to correct for these errors I have already begun to take up these criticisms, or at very least set the stage for doing so.

The first thing that probably should be said about conventions is how ubiquitous they are in our lives. Just about everything we do in our lives, from the most mundane to the most sublime, depends on various kinds of conventions. Indeed, conventions of language, etiquette, and courtesy are inescapable features of our lives; we could scarcely get by or interact with others without them (Marmor, 2009: 55). Even the conventions of social practices such as sport, art, music and the like, that affect us only if we voluntarily decide to pursue them, can scarcely be ignored once engaged.

The second thing that should be said about conventions follows from the first. For, if conventions figure in so much of what we do, it stands to reason that they take different forms and play different roles depending on what kind of activity or social practice we are participating in. The multiform character of conventions has not been fully appreciated in the philosophy literature owing, curiously enough, to David Lewis’s path-breaking and widely regarded book, *Convention* (2002). This is because Lewis featured one kind of convention in his book: What he called “coordinating” conventions. The main function of conventions of this kind, naturally enough, is to solve large-scale, recurrent coordination problems. What he meant by such a coordination problem can easily be seen by borrowing one of his own examples: On which side of the road people should drive? This is a large-scale problem, obviously, because if drivers simply follow their own individual predilections or decide among some subset of their driving peers to drive on one side of the road as opposed to the other, the roads will not be safe to negotiate for anyone. It is a recurrent problem, of course, because every time people choose to drive they will face the same problem. What Lewis wanted us to notice about the role that conventions play when confronted with such a problem is, first, just what side of the road people end up driving on is utterly arbitrary (for it cannot be said that driving on the left side is a better alternative than driving on the right side, or vice versa), and, second, that the

way to solve it requires synchronizing our actions with one another. But Lewis was also at pains to show that because of the sheer scale of the problem – the sizable numbers of the drivers involved – it could not be resolved by some sort of grand agreement. This is why he turned to game theory, specifically to cooperation rather than conflict games, to explain how conventions arrive on the social scene, and argued that they emerge when, to stick to the present example, the coordination of the drivers' actions are accomplished when all the relevant parties act out of “a general sense of common interest.” Rather than each driver acting on their own strongest preferences, all are concerned to act only on what they expect everyone else's preferences to be (Lewis, 2002: 4). When enough drivers act in this requisite cooperative manner, and as a result end up driving on one side of the road rather than the other, driving on that side of the road becomes a convention, and remains one so long as drivers continue to comply with it.

What is so important about such coordinating conventions, as Lewis (2002) noted, is that so much of the lives we share with others involve precisely such large-scale recurrent problems, in which we have to figure out how to harmonize our actions with a lot of other people without the benefit of some sort of plebiscite. But Lewis had much bigger theoretical fish to fry in his analysis of conventions of this kind, for one reason he trained his philosophic sights on them was to dispute Quine's weighty claim that language cannot be conventional because conventions are agreements, and surely no one ever agreed with one another to follow “stipulated rules in our use of language”. And even if we suppose our ancestors did, and we have since forgotten, language cannot be conventional since at least some of our predecessors “would have needed to provide the rudimentary language in which the first agreement was made” (Lewis, 2002: 2). However, Lewis countered, if we disabuse ourselves of the mistaken idea that conventions, at least of this broad scope, are mere agreements, then we will be able to see that some not insignificant features of our language are indeed conventional.¹

So Lewis's classic book sheds much needed light on the nature and point of conventions. At least one of those lessons, that conventions are not, in a great many cases, agreements, is of special and obvious interest to my present analysis of sport conventions. That is because, to reiterate, I have claimed that many of the critics of a conventionalist theory of sport are of the view that conventions are essentially social agreements.² However, because Lewis's book was such a philosophical *tour de force*, it became a virtual article of faith in philosophical circles that conventions, at least the most theoretically and practically interesting ones, were mostly, if not wholly, of the coordinating variety. That was unfortunate because, as I have intimated, conventions play a much wider role in the life we share with others, and in one sense that I now wish to discuss, arguably a more important role.

The more important function that conventions perform in this respect is especially significant and relevant to social practices like sport because it is a distinctively normative rather than a mere coordinating function. It is distinctively normative because conventions also are centrally involved, together with the rules, in determining what is the point and purpose of sport, and, therefore, what specific mix of skills, values, and excellences are integral to its pursuit, not to mention what normative vocabulary and standards of reflective appraisal are best suited to evaluate the actions that take place there. Marmor (2009) was arguably the first philosopher to draw our attention to, and highlight the significance of, conventions of this normative stripe, and called them “deep” conventions, to distinguish them from coordinating conventions. We can readily see the importance of his distinction for sport by noting, as he did, the different response called for when asked why we follow a coordinating convention as opposed to why we follow a deep convention. For if we are asked why Americans *inter alia* drive on the right side of the road it makes perfectly good sense to reply “to coordinate our

actions with other drivers,” whereas if we are asked why, say, we play soccer, it makes no sense at all to reply “to coordinate our actions with other players” (Marmor, 2009: 23). That is because, prior to the invention of soccer, there was no coordination problem that needed solving. On the contrary, coordination of this sort comes on the scene in a game like soccer only after its deep conventions and its founding rules have completed their normative work. Deep conventions, then, are deep precisely because they are major forces in shaping and molding sport into the various historical and social perfectionist forms it has taken, and will take, and thus major players in our assessment of the importance and value they hold in our lives.

But how is it that the deep conventions of sport are able to exercise such a formative influence over its basic aim and character? The answer requires that I say something more about what they are, and what they add to the constitutive rules of sport.

With regard to the first point, deep conventions are best understood as normative responses to our “deep psychological and social” needs for playing sports in the first place, for taking on its contrived perfectionist challenges. The fact that we play sports at all, that they are such a vital part of our cultural life, is, therefore, “not a coincidence of history” (Marmor, 2009: 73). So while “we” can easily imagine a culture that plays different games than our own culture, we can hardly imagine a culture that does not play games at all, because such a culture would be so radically different from our own as to defy any explanation intelligible to us. However, the fact that sport figures so prominently in our own culture, not to mention cultures like ours, does not mean that it is an *a priori* fixture of our culture, that it somehow operates in a social and historical vacuum, and, therefore, is immune to the contingencies of time and place. On the contrary, because our normative responses to the deep psychological and social needs we have to play sport change as often as we and our social lives change, which is to say constantly, so do our deep sport conventions. That is why, as we shall shortly see, the kind of gentleman-amateur sport played in the latter part of the nineteenth and the early part of the twentieth century is quite different from the highly professionalized and specialized way in which we now play sport. So while it is no historical accident that sport has always been a part of our cultural life, it is very much an historical and contingent fact that sport has assumed the different forms it has to this point, and, no doubt, will likely assume yet different, perhaps even radically different, forms in the future.

With regard to the second point, the fact that the constitutive rules of sport cannot fix the aim and value of sport all by themselves, but require the normative support of deep conventions to do it, shows that, for all their obvious importance, they are neither self-interpreting nor exhaustive. That means that whenever significant normative conflicts arise in sport, we often must do more than consult the rules to resolve them. If rules were all we had to go on in such cases, then we would indeed be at a loss as to how to set our athletic normative compasses in such confounding circumstances. But no one thinks, save perhaps a strict formalist, that there is not more to sport than its rules, that sport does not also embody, as Marmor puts it, “certain conceptions of winning and losing, values related to what counts as a good game and a bad one or an elegant and a sloppy one” (2006: 352).³ These conceptions, as I have argued, are what deep conventions bring to the normative table, and they are made up of the background understandings, reasons, and values we carry around with us as a result of our particular social enculturation into sport, of our internalization of historically grounded and bounded athletic moral ideals we share with our cultural peers. It is of capital importance, therefore, at least so far as their conventional pedigree is concerned, that these background normative understandings, meanings, values, and reasons are shared. For what they convey and give voice to are not only how the individual members of a culture conceive the point of athletic enterprise, but how the larger culture and society itself conceives the point of athletic enterprise. In other

words, because these background understandings of sport are common ones, they are not the sort of things that, as Taylor (1975: 382) avers, “could be in the minds of certain individuals only”, but rather are part of what Dworkin (1986: 63) referred to as our “form of [collective] mental life or group consciousness”, or what Hegel called our “objective spirit” (a normative shareable state of mind or common like-mindedness).⁴ Further, that the deep conventions of sport implicate our collective, cultural understandings of, and reasons for engaging in sport accounts not only for why they are subject to the interpretation and reinterpretation that are a constant feature of our larger cultural life, but explains as well why the normative story we tell about sport takes the historical twists and turns that it does, and why it defies any abstract, final encapsulation or summing up of its main *telos*.

But how can we be so sure, it might be reasonably asked, that these normative responses to our deep cultural needs and aspirations to play sport are, in fact, conventional norms as opposed to some other kind of norm? The answer is because they meet the three main criteria that most theorists, to include both Lewis and Marmor, regard as distinguishing features of conventions. These features include:

- some community or comparable social unit (C) that typically follows norms (N) in certain social practices (S);
- there is a reason or reasons (R) for members of C to follow N in S; and
- there is at least one other alternative norm (N¹) that if members of C had actually followed in S, then R would have been a sufficient reason for members of C to follow N¹ instead of N in S.⁵

I will briefly explain each one of these three features in terms of my previously cited contrast between the gentleman-amateur and contemporary professional conceptions of sport.

To begin, then, with the first feature of conventions that some community or other, in my example the largely English community of amateur sport and for a time its chief rival and eventual historical successor, the largely American community of professional sport, generally follows norms regarding how its members should pursue the perfectionist point and purpose of sport.⁶ The first question we need to ask here is whether these two supposed athletic cultures are, in fact, *bona fide* cultures or communities. After all, size matters in this regard, and it is not possible to set some determinate number as to how many members a particular culture or community must have to qualify as such (Marmor, 2009: 4). However, we need not quibble over whether these two athletic groups are real communities, if only because both have enough members to rule out the possibility that the norms they follow could have been the product of an actual agreement among them. This fact should give us confidence that the norms these two athletic communities follow are conventional ones, since, *pace* Lewis, conventions typically arise as an alternative to such agreements.

The next question we need to ask is, of course, what norms governed their athletic conduct. In the case of the gentleman-amateur community, the norms its members thought were integral to honoring the purpose of sport were derived from the view that sport is best understood as an intrinsic perfectionist enterprise which should be pursued for the love of the game itself and not for any instrumental benefits that might be obtained by engaging in it. This normative take on sport obviously put it at odds with the professional conception of sport that was to soon replace it, since it rejected any attempt to turn sport into a paid career or occupation.⁷ What is more, the amateur conception that sport is an avocation rather than a vocation not only normatively militated against trying too hard to win, but also against adopting rationalized training methods based on the latest scientific advances, against employing professional

coaches to aid one's athletic efforts, against "seeking a single-minded, focused [athletic] brilliance" at the expense of all-around athletic excellence (LaVaque-Manty, 2009: 99), and against the use of strategic tactics to achieve athletic success (to include both strategies in team sports in which members set the pace for teammates in a footrace or members of a cycling team attempt to box-in opponents to aid their side, and strategic efforts to manipulate the rules to one's advantage).⁸

The norms of professional sport, by contrast, turned those of the amateur conception on its head, which accounts for the unalloyed seriousness in which its enthusiasts pursued sport, and treated winning as its unambiguous aim. That gave a normative pass, then, to the idea that sport is a serious occupation rather than a non-serious pastime, and, as a consequence, to athletes trying to become the most accomplished competitors they could be, that is, well-trained, well-coached, strategically savvy (in both game tactics and rule-bending), extremely efficient, and highly specialized performers. In relatively short order, therefore, the wholehearted commitment to athletic success went from a much despised vice and normatively execrable way to engage in sport to a virtuous and normatively exemplary way to engage in sport.⁹

The second feature of conventional norms is that they not only generate norms to govern our conduct in sport but also concurrent reasons for complying with their directives. They are able to do the latter by virtue of the role they play, together with the rules, in establishing the point of athletic enterprise. For, by shaping our varying conceptions of what sports are all about, of what constitutes genuine athletic excellence, they allow us to distinguish between better and worse ways of achieving athletic success, and, therefore, between normatively good and bad reasons for pursuing athletic excellence. However, the kind of reason-giving that deep conventions make available to us is fundamentally unlike the kind of reasoning provided by coordinating conventions. Since in the latter, coordinating, case, our reasons for having and complying with a convention like driving on the right side of the road are identifiable independently of the conventions themselves. That is because the problem they were created to solve predates them (Marmor, 1996: 366). However, in the former, deep-conventional case, our reasons for having and complying with the relevant gentleman-amateur or professional conventions of sport are dependent on these very conventions themselves. That is because, without them, there would have been no such conceptions of sport in the first place. To put the same point differently, the reasons for having coordinating conventions is that they answer to a practice-independent, external purpose (in the present example, to make driving on the roads safe and efficient for all would-be drivers), but the reasons for having deep conventions is that they answer to a practice-dependent, internal purpose (to establish normatively credible reasons for seeking athletic excellence).

What is especially important to notice about the deep-conventional reasons authorized by the respective amateur and professional athletic communities is the very different assignments of athletic purpose and athletic excellence they make. For what the gentleman-amateur community regards as a good reason for pursuing sport (only in moderation), its successor professional community not only regards as a bad reason for pursuing sport but as no reason at all, since it fundamentally misconstrues what sport is all about and what constitutes genuine athletic excellence; and what, correspondingly, the professional community regards as a good reason for pursuing sport (only in a serious, wholehearted manner), its predecessor gentleman-amateur community not only regarded as a bad reason for pursuing sport but as no reason at all, since it, too, gets the point of sport altogether wrong, as well as that of true athletic accomplishment. This means what counts as a normatively intelligible and justifiable reason for engaging in sport is relative to the athletic practice community one belongs to, and, further, that giving and asking for reasons in sport, the dialogical process by which we reflectively justify

our normative judgments of athletic success and failure, is a thoroughgoing interpretive matter, since it depends ultimately on the collective viewpoint of the relevant practice community. Thus, if we see the point of athletic enterprise through the eyes of the gentleman-amateur community, we will conceive the purpose of sport at its best as a pleasurable pastime. But if we see the point of competitive sport through the eyes of the professional community, we will conceive the purpose of sport at its best as a serious, full-time, intensely competitive, event. In short, everything depends in this conventional sense on how the relevant practice community interprets what is at stake in sport. This means that reason-giving and norm setting are not objective, agent (community)-independent matters, but entirely intersubjective, agent (community)-dependent matters.

The third, and last, distinctive feature of conventional norms concerns their arbitrary character. This feature requires careful elaboration because to say conventions are arbitrary can mean different things, only one of which captures the singular sense in which conventions can rightly be said to be arbitrary.

To say that conventions are arbitrary might mean that they became part of the social fabric for no apparent reason. This suggests that conventions are merely a natural byproduct of living with others, that they turn up without our conjuring them up simply as a consequence of our interactions with our peers. But that cannot be said of conventional norms because, as noted, they were created for quite specific reasons: either to coordinate our actions or to normatively orient, guide, and assess our actions.

To claim that conventions are arbitrary might also mean that, for example, whether we drive on the right or the left side of the road is inconsequential, so long as we coalesce around one of these alternatives, or that whether we treat sport as a leisurely pastime or as a serious competitive quest is equally inconsequential so long as, once again, we coalesce around one of these alternatives. In other words, either alternative followed in these examples will do the job of providing us the normative direction we need if we rally around it, and which one it turns out to be is immaterial. This sense of the arbitrary does seem to capture many coordinating conventions like those of driving because their sole satisfaction condition has to do with their efficacy in solving the problem for which they were created. In other words, it really does not matter what side of the road we drive on so long as the side we choose to do so chimes with what our peers opt to do. However, the deep conventions of sport and kindred practices are another matter. That is because the central satisfaction condition of deep conventions is their being true to the deep normative responses that give rise to perfectionist practices like sport. In these cases then, it does matter, really matter, what deep conventions an athletic practice community settles on, since these conventions, as noted, largely determine what that community takes to be the point and value of competitive sport.

In what sense, then, can it be said that the deep conventions of sport are arbitrary? The answer is in two related senses. The first is that the deep conventions followed by an athletic practice community have plausible alternatives that could have been followed instead without a “significant loss of purpose” (Marmor, 2009: 9). Thus, the amateur devotees of sport could have demonstrated the nobility of their enterprise by insisting that in their participation in the revived Modern Olympic Games both they and their opponents wear a common uniform to discourage any hostility that might arise between them as a result of nationalistic fervor instead of, say, clinging, as they did, to the ideal of balance and proportion to discourage ungentlemanly conduct. Similarly, the professional devotees of sport could have demonstrated the seriousness of their enterprise by refusing to adopt technical advances in equipment, as opposed, say, to training techniques, that might be thought to detract from distinctively human improvements in athletic performance. So long as these alternative norms that forbid nationalistic displays or

mere technological improvements in athletic paraphernalia do not appreciably change the different athletic purposes they serve, then, Marmor (2009) assures us, they count as conventional norms.

The second sense in which the deep conventions of sport are arbitrary is that part of the “initial” reason people follow them is that their relevant peers follow them as well (Marmor 2009: 8). This means that the normative grip that such conventions have on people is owed in part to the fact that the members of the relevant athletic practice community actually follow them instead of their conceivable alternatives, that they are, in other words, “compliance-dependent.” Such compliance, however, should not be confused with a *modus vivendi*; that is, with a mere compromise worked out by its members to serve their private interests. Rather, it points to the previously noted normative like-mindedness that is a characteristic feature of the reasoning of communities, in which, as Postema (2008: 42) nicely puts it, “the participation of others in the practice, indeed their characteristic reasoning about their participation and that of others, plays an important role in their own reasoning about how to act within the practice”. So long as these common reasons and values to act in concert with others are stronger than the private preferences individuals might have for following one of the alternative conventions, we can be confident, first, that they are indeed conventional norms, and second that they exert real normative force, that people will feel bound by and, therefore, comply with them.

But if the conventional norms of sport are arbitrary in this double respect that they have conceivable alternatives and are compliance-dependent, then, a critic might plausibly rejoin, how can they be deep? For, contrary to my claim above, deep conventions seem to have nothing more going for them than the coordinating conventions of driving, since whether athletic practice communities follow amateur or professional conventions seems as immaterial as whether people drive on the right or left side of the road. This is an important objection, but, I hasten to add, Marmor (2009: 74) has a powerful reply to it. That reply is that the deep social features of our culture to which the respective conventions of amateur and professional sport are normative responses are “radically underdetermined” by these cultural features. For the deep cultural needs, reasons, and values that these deep conventions of sport embody and express, and that account for there being such forms of sport to begin with, might well have been fulfilled by any number of alternative deep conventions for playing sports without, again, any appreciable loss of their normative point or salience. However, that the deep conventions of sport have plausible alternatives that might have been followed instead does not in the least diminish how deeply ingrained they are in our sporting lives. For another important part of their normative hold on us is the significant normative contribution they make to our athletic lives once we commit to them in establishing, as noted, what is the aim and value of the contrived challenges they invite us to take on. And it is their deep connection to sport that explains why they have such significant normative pull and staying power, why their conventional character makes them less rather than more amenable to change and modification than even their formal rules. For we often tweak the rules of sports for a variety of instrumental purposes (for example, to make them more interesting or entertaining or profitable), but we much less often tinker with the deep conventions of sport because as the deep normative responses they are they have a lot to do with what we find at various times intrinsically valuable about athletic contests.

Conventionalism defended

My account of the distinguishing features of sport conventions, I want to claim, goes a long way in showing how the critics’ main objection to their normative promise – that conventions

are prescriptively ineffectual because they are nothing more than broad social agreements – can be defeated. There are at least two other accounts in the sport philosophy literature from which I can draw to help make my case for such a defensible conventional normative theory of sport. They include Bogdan Ciomaga's (2012) important essay, which persuasively argued that the critics' takedown of conventionalism was based on a mistaken conception of conventions, and William J. Morgan's (2012) essay, which argued that a conventional theory of sport is an improvement upon other normative theories prominent in the literature (formalism and broad internalism) because it corrects for what he regards to be their overly abstract account of the purpose of competitive sport.

The criticism that conventionalism is normatively suspect because it is critically suspect, because, that is, its norms are mere social agreements, is clearly mistaken. For most conventions, as Lewis (2002) insisted, and as we have seen in the previous section, arise as an alternative to social agreements, when such social agreements are not possible. Indeed, this is Lewis's answer to the pithy question Quine (2002: xi) asks in his Foreword to *Convention*: "What is convention when there can be no thought of convening?" However, even those conventions that are owed to actual convening are not merely social agreements. Rather, they, too, are rooted in the background understandings that deep conventions are normative responses to, and thus are an important source of the reasons we have for playing sports at particular times and places.

I doubt, however, that the critics of conventionalism would be more favorably disposed to it even if they could be persuaded that they had erred in writing off conventions as simple social agreements. That is because their fundamental problem with normative theories of sport of this kind is that their conventional starting points lack rational credibility because they have not themselves been reflectively vetted. So, even if I have succeeded in closing off the critics' favored way of making this point against conventionalism, by showing it cannot be so easily dismissed since its trademark norms are not, in fact, mere social agreements, they can simply shift their critical focus and attack the undisputed fact that conventions are grounded in historically contingent background understandings and not intellectually rigorous arguments to make essentially the same critical point. That would make the question whether conventions are social agreements or not, they would likely claim, entirely beside the point. Rather, what is at issue is the intellectual force of the normative principles we use to evaluate our actions in sport. And it is precisely because conventions lack such argumentative backing that critics would, no doubt, continue to regard them as normatively suspect.

But if we take the critics' objection to conventionalism to heart here, then we can see why it is self-undermining because it leads us into a conceptual and normative cul-de-sac. For the only apparent way of ensuring that our starting points are intellectually credible ones is if they enjoy argumentative backing and not simply, as we have seen in the case of conventions, the social backing of particular athletic practice communities. However, this presumes that when faced with conflicting and competing historical conceptions of sport we can go transcendent and search for some Archimedean point, some meta-normative, completely neutral and impartial standpoint from which to evaluate the normative viability of particular conceptions of athletic endeavor. But surely the search for such a perspective-independent vantage point, in which we try to approximate something like Nagel's famous view from nowhere and assess sport and the like by tapping into standards that are not peculiarly those of any actual athletic practice community, is a well-worn philosophical fiction that has outlived any normative utility it might once have had. For the price paid for trying to take normative inquiry to such great abstract heights is the too-heavy one of irrelevance to practice. That is because the level of reflective generality entailed by such a transcendent move would leave us with a conception of athletic purpose and excellence so conceptually barren and normatively threadbare –

something on the order of sport is about the pursuit of physical (bodily) perfection, that no actual historical conception of sport would have any trouble justifying its athletic bona fides. All of which means that normative inquiry conducted from such a lofty philosophical standpoint is singularly unsuited to serve as an arbiter of the kinds of actual normative conflict I have featured with regard to the rival amateur and professional renderings of sport, and, it goes without saying, of any other such conflict that might breakout between future athletic practice communities.

Suppose, however, there was a way to intellectually burnish our normative principles of sport without going transcendent, without abstracting from our on-the-ground social and historical conceptions of athletic enterprise. Robert Simon has recently proposed an alternative normative approach to sport, one that he claims avoids “the excessive abstraction of our actual situation, on the one hand, and too uncritical immersion in it, on the other” (Simon 2004: 126). Simon thinks we can avoid such excesses if we adopt a discourse version of normative theory, one that gives all the parties to rational dialogue a chance to say their piece and to receive a respectful hearing regarding the critical merits of their contributions. This can only happen, he thinks, if we take at least two crucial steps. The first is to disabuse ourselves of the bad idea that different conceptions of sport can be neatly “divided into isolated paradigms” (Simon 2014: 27), into pure types immune to external, outside scrutiny. The second is to further disabuse ourselves of the equally bad idea that “the second-order standpoint[s] of ... communit[ies],” in other words their internal standards of normative appraisal, should be treated as “sacrosanct” (Simon 2004: 128). That Simon has conventionalism in mind here is too obvious to miss, nor is there any doubt that he is persuaded conventionalism can be dealt a serious blow by following these steps without undermining itself in the process, as I claimed with regard to the former transcendent approach. For, if we can open normative dialogue in this way across different athletic practice communities and their respective conceptions of sport, Simon opines, we can begin to see the important commonalities in our respective notions of sport that unite us rather than the perhaps more obvious differences that divide us, and take critical advantage of this apparent overlap in our normative vocabularies. Simon thus envisages “a potential universal community of discourses,” in which a plurality of viewpoints on what is the central point of sport can be entertained and subjected to careful scrutiny from all quarters (Simon, 2004: 135). Whatever conception of sport is able to survive such a diverse, in-depth, and sustained rational give and take, he argues, is the one we can be sufficiently confident is the most intellectually meritorious one, the one most deserving of our rational assent.

This is, to say the least, a very attractive take on normative inquiry into sport. That is why I am happy to meet him half way, and in fact have already done so since I, too, have claimed that our historical conceptions of sport are mostly, if not entirely, hybrids and not ideal types or pure specimens.¹⁰ But I cannot go the rest of the way with him because his second recommendation that we subject conflicting conceptions of sport like the present one between the gentleman-amateur and professional notions to external scrutiny is problematic if pushed too far. Let me explain.

As I have tried to show, both the gentleman-amateur and professional conceptions of sport are hybrid constructions. In the case of the former, the idea that sport is best conceived as a noble pastime rather than an all-out struggle to demonstrate athletic superiority is partly derived from a medieval conception of social hierarchy and partly from the Renaissance ideal of the courtier who was adept at many things “but supreme (by dint of hard practice) at none of them” (Guttmann, 1978: 31–2). Similarly, the professional conception, to reiterate, retained the amateur-based wariness of playing sports primarily for financial remuneration. So Simon is entirely right that our different historical understandings of the purpose of athletic endeavor

are not ideal types, but amalgams of various athletic features, some of which at least have been purloined from their predecessors. The critical point not to be lost sight of here, however, is that we cannot infer from the fact that our varying conceptions of sport are mixed constructions that they are *ipso facto* rationally commensurable: that they do not and cannot conflict. On the contrary, what I argued with the amateur and professional athletic communities specifically in mind is that their decidedly mixed conceptions of athletic purpose and excellence in no way smoothed the way for their rational reconciliation and made it somehow possible to bridge the significant differences between them. So whether our particular historical conceptions of sport can be made to cohere rationally with one another seems to have nothing important to do, as Simon seems to think, with their ideal or non-ideal pedigree.

Nevertheless, it would be hard to deny Simon's further point that the job of rationally reconciling our different accounts of athletic endeavor requires as well that we subject these thoroughly "mongrelized" accounts to external scrutiny. This is easier said than done, however, since opening up these accounts to outside inspection requires, as Simon duly noted, we stop privileging the internal standards of reflective appraisal that lie behind them and by which we justify them to the members of our particular practice communities. I think, however, that Simon is skating on thin ice in this regard, because there are definite limits on how far we can push normative inquiry in this external direction.

Where, then, do we draw the line in this regard? One place there is no need to draw it is when we ask ourselves whether rival accounts of sport are indeed accounts of sport rather than of simulacra of sport. For there is surely enough overlap in the respective normative vocabularies of these two athletic practice communities for the enthusiasts of each to recognize that the other has an intelligible conception of sport, that what each are doing is sport and not something else. Here the differences in the two accounts are no obstacle to appraising the athletic bona fides of each from an outside perspective. Neither camp, therefore, will have any reason to doubt that the others' practices are indeed forms of sport. So far, then, so good. But it is worth noting that, if there is no obstacle to determining whether our rivals have intelligible conceptions of sport, if Simon is right about this, then it follows that he is also right that there is no obstacle to appropriating from other conceptions of sport one or more of their features to include in our own athletic practices, provided, of course, these additional features can be made to cohere with the other core features of our practices.¹¹ To be sure, incorporating all of the features of these other conceptions is not a possibility, since if the amateur and professional accounts do conflict, as I have claimed, then they could not be all made to cohere with one another. That does not mean, however, that members of these practice communities cannot selectively borrow from one another.

But what they cannot do, and where a line, therefore, needs to be drawn, is to rationally engage one another in an open-ended dialogue to determine by sheer dint of argument which conception of sport is the normatively superior. It was the very possibility of setting the stage for such an argumentative encounter, of course, that is the reason why Simon steered normative inquiry in this dialogical direction. For, if conceptions of sport, even as different as amateur and professional, can successfully be subjected to outside scrutiny in this dialogical fashion, Simon thought, then we will be able argue our way out of conflicts like these. The problem, however, is that while there is enough overlap in the amateur and professional conceptions for each to understand and borrow from the other, there is not enough overlap to sustain a fruitful rational exchange between them. So I do not see how Simon can make good on his admittedly attractive claim that rational dialogue can get us to the normative promised land, since, if we assume, as Simon rightly does, that the transcendent option is not an option at all, then any analysis of the normative merits of our actual conceptions of sport must, per necessity,

take its rational cue from one or the other of these conceptions. But if these conceptions really do conflict with one another, then whatever conception we start our inquiry with will determine the outcome before the argument can even get off the ground; will, that is, beg the question at issue of which conception of sport is the most rationally superior.

We can see why such a dialogical normative enterprise is fated to fail by rehearsing how an argument of this sort would have to go, and actually did go in my example of the encounter between the amateur and professional communities, and why it cannot but lead to an argumentative impasse. Since we only can get such an argument going if, to reiterate, we start with one or the other of the socially and historically embedded accounts in question, let us begin with the professional position because it at least has the advantage of being closer to our own contemporary understanding of what counts as a genuine athletic challenge – of course, it does not matter which account we start with because it will end, or so I claim, in the same rationally disappointing way. It will be remembered that, in the professional rendering, both the use of strategies like boxing in one's opponents in a footrace, and strategically manipulating the rules to one's advantage were coveted features of athletic competitions, and comprised a vital part of the mix of skills that its adherents considered essential to athletic perfection. Members of the professional community were able to make a persuasive, rational case to their peers for why strategy should hold such a valued place in their account of competitive sport in the same standard inferential way in which all such cases are made, namely, by showing that they were justified in drawing such a normative conclusion because it logically followed from the premises with which they began their argument. The rub, however, is that these same arguments had no persuasive impact, nor could they have had such an impact, on the members of the rival amateur community, since by their very different lights these strategy-friendly arguments were no arguments at all, let alone compelling arguments that might cause them to change their mind. It is not that the rational give and take between them failed because one or both sides were being unreasonable, were deliberately trying to sabotage any rational interchange between them, but because they could not see rationally eye to eye on what, if any, place strategy should have in sport given their very different construals of its main purpose. All of which suggests that, *contra* Simon, the giving of and asking for reasons, argumentative discourse, is an inside game, one that can accomplish the normative work that Simon asks it to do, only if everyone is playing the same argumentative game, and thus playing by the same discursive rules. Put otherwise, there is no such thing as an intrinsically good reason or argument that can persuade any audience it is put to, but only a contextually good reason or argument that can persuade certain like-minded audiences but not others. So when extramural normative disputes break out, like the one waged between the amateur and professional athletic communities, all rational bets are off because we can no longer safely assume that everyone is making the same moves in the same language game.

The inability of the professional camp to persuade the amateur camp that strategy is integral to athletic contests, and the latter to persuade the former that it should be kept out of such contests, is seldom viewed by the disputants as the rational stalemate that, I would argue, it is. The conflict currently under discussion is no exception, since each side continued to think it was right, that reason was on its side, and that the dispute could be easily resolved if only the other side would acknowledge that its own arguments were too weak and feeble to make its case successfully. But without any arguments that the other side would and did find convincing to back up their criticisms, such back-and-forth accusations amounted to nothing more than mere name-calling. Of course, that is not how the disputants saw it, because each side persisted in claiming it had, in fact, won the argument. But that very persistence suggests a further weakness in the positions of both, in which the inability of either camp to win the

argument over strategy by the lights of the other puts in question whether either side has won the argument even by its own lights. After all, the idea behind Simon's discourse approach is that by inviting all of the disputants to make their case in an open argumentative setting we can arrive at a rational resolution of the conflict based on which view is best able to defend the criticisms made against it. Surely if the proponents of the professional conception of sport are unable to persuade proponents of the amateur conception that they have successfully defended their argument in favor of strategy as a legitimate athletic skill, then this also casts doubt as to whether its own positive view on this matter is indeed the objectively correct one. Simply by being right about the role of athletic strategy, or any thing else for that matter, by one's own lights alone hardly justifies that its anti-strategy alternative is not. That means any effort to determine who is right in such cases, who wins the argument, cannot be achieved by one side or the other pointing out that its view is correct by itself, according to its own terms.¹²

The moral of this story is not that there is no way forward when we come up against normative conflicts of this kind, but no *rational* way forward where what we mean by 'rational' is something that is neutral between normative conceptions of sport (the transcendent perspective) or non-circular justification (the discourse perspective). That means that the impasse reached by the professional and amateur communities on what is the purpose of sport and what skills are central to athletic excellence is indeed a genuine rational stalemate for which there is no rational resolution of the sort Simon envisaged. Rather, what such a stalemate signals is that both sides have depleted their argumentative resources, have run out of justifications, and when we reach this juncture, as Wittgenstein (1958, section 217) observed, we "have reached bedrock, and [our] spade is turned". So when we hit bedrock, insisting that the argument continue until one side comes to its rational senses is pointless. It misses the point.

But what about Simon's previously noted claim that the argument that coaches have a duty to correct the injustice of officials' bad calls would have succeeded in persuading adherents of both amateur and professional sport, not to mention those of contemporary elite sport, that coaches do indeed have such a duty (Simon 2014: 27). My first response is that I have not claimed that different athletic practice communities would never be able to agree on anything argued by their rivals, but only those core issues that speak to the core differences in their respective conceptions of sport.¹³ My second response is that this issue does, in fact, touch on one such divisive core issue, which is why I think Simon is just wrong that both the amateur and professional communities would find this argument compelling. That is because amateurs of that era were convinced that only players should be entrusted to call penalties, which would include correcting whatever mistakes they make in this capacity, because no self-respecting gentleman would ever deign to intentionally contravene the rules. Assigning such a gentlemanly duty to ruling officials, and then to coaches when the officials make bad calls, would not only be seen in their eyes as an attack on their integrity, as, in effect, a denial that they are the gentleman they so assiduously claim to be, but as a complete sell-out of what they value most about sport.

I am also not convinced that Russell's earlier cited resolution of the George Brett pine-tar controversy would win the day, no matter the athletic audience it was presented to. Russell thought otherwise because he maintained there is a fact of the matter about baseball in this case that, when appealed to, should settle the controversy once and for all. The relevant objective fact he has in mind is that in baseball home runs should never be disallowed because of minor technical infractions like applying pine tar too high on bats when such violations have, and had, no effect on the athletic feat in question. I readily concede that what we are dealing with in this case is an important normative fact, but I would argue it is a conventional fact not, as Russell would have it, a hard, non-contextual realist fact. This leaves very much open, however,

the possibility as we change our minds about what sport is all about and what skills are integral to athletic success, as we inevitably will if past history is any indication, that we might change our mind about this “fact” as well. And one such change relevant to the pine-tar case that we are already beginning to see, and that might well change our view on this matter, is the increasing importance assigned to managerial ingenuity as a relevant factor in determining athletic success. This bears on the present incident with regard to one important and unremarked feature, which is that it was the opposing Yankee’s manager, Billy Martin, who brought Brett’s bat to the attention of the umpire, yet he had noticed the illegality of the bat much earlier in the same season. Nevertheless, he decided to wait for the most strategically opportune time to make it public. Brett’s home run later in the season and late in a game that gave his team a one run lead over the Yankees provided Martin with the most advantageous moment. What I am suggesting, therefore, is that, in sports like baseball, some future audience might well come to see Martin’s timely intervention as a stroke of strategic managerial brilliance that ought to be recognized as an important athletic skill, perhaps even on par with that of hitting home runs, and that if that were to come to pass Martin’s ingenuity would be rewarded by being reaffirmed rather than overturned by the relevant baseball administrators.¹⁴

I have been arguing that there is no rational way forward when confronted with normative conflicts as deep as the present one because there is no rational inferential path that leads from amateur to professional sport. This is because, to reiterate, the very different, conventionally laden starting points at issue here preempt any such inferential moves. Yet it is clear, as I earlier hinted, that we are able somehow to find our way past such disputes, since the amateur versus professional conflict is but one of many such conflicts that have occurred in the history of sport. Kuhn is the theorist to which many philosophers turn when trying to figure out how to get out of such conceptual and normative jams, and for good reason, because his advice when this happens in scientific circles, namely, to rely on one’s creative imagination rather than one’s present arsenal of arguments, is eminently generalizable to sport and most other social practices. For Kuhn (1970) showed that when what he calls “normal” science has run its course, has led to an explanatory and justificatory dead end, the leading lights of the scientific community were able to forge ahead by thinking outside the box, that is, by imaginatively conjuring up a new paradigm rather than repeating the same tiresome arguments of the old one. To pull off such a revolutionary, unconventional feat requires a new kind of dialectical move, one in which the aim, as Rorty (1989: 78) puts it, is to “play off vocabularies against one another, rather than ... to infer propositions from one another,” and, therefore, to substitute “redescription for inference”. This is how visionaries in the athletic world were able to jumpstart their own gestalt switches that produced such innovations as women’s sports and the Paralympic Games. For it was by redescribing the aim of sport, what skills, virtues, and features qualify as athletic excellence, and, not least of all, what kinds of bodies are properly regarded as athletic bodies, that they created a new practical and logical space in which such newfangled sports and new athletic bodies were able to find a genuine home for the first time. So what Einstein did for Newtonian science, Hegel for Platonist and Kantian philosophy, Rousseau for Hobbesian-styled politics, athletic feminists and advocates for the disabled did for amateur and professional sports. And because these normative entrepreneurs of gendered and disabled sports, like those of the “new” science, philosophy, and politics, could not make their case, initially at any rate, in the rationally justificatory fashion of their contemporaries, since the argumentative games their peers played were not only of no use to them but got in the way of their entrepreneurial efforts to change the topic rather than continue the old arguments, they had to draw attention to their novel views by making what at the time were unwarranted assertions and counter-intuitive claims in the hope their peers might out of curiosity take notice. In short, they had to

de-conventionalize sport by redescribing it to make normative room for these new games and new athletes. At the same time, their only chance of success, of instigating “real” change, was to cause enough of their peers eventually to drop their favored conceptions of sport and adopt the new ones, which required that these new conceptions be, as it were, re-conventionalized, that is, become as conventional, as intuitive, and as amenable to rational argument, once firmly ensconced in new language games, as their predecessors.

Conclusion

In closing, I want to underscore that my claim that rational dialogue, the giving and asking for reasons, can do the normative work for which we depend on it in sport and other social practices only if everyone is playing by the same conventional rules of argument is no cause to despair. For the fact that rational argument is itself a conventional social practice does not wed us to the status quo, to what power speaks to truth rather than the other way around, nor does it commit us to the silly idea that we cannot be wrong about our own conventional views of sport and the like. What it does mean is that the more radical and immodest claim that an entire community or culture could be wrong about the point of athletic competition and how it should be normatively conducted is false. For, if that were true, it would mean that we could somehow plausibly distinguish between what such a community thinks is the purpose of sport and what it *really* is. But I don't think any such distinction can be plausibly made since, after all, what is the aim of sport and what standards we should use to evaluate actions within its precincts are not things we discover but rather things that we create. And because we, the relevant practice communities, are the ones who created them, it seems strange, to say the least, that we could be wholly wrong about what we have created. However, and this is the crucial point, it is completely plausible, and has certainly happened enough, that we get our normative assessments of sport wrong because we have drawn the wrong inferences from the premises formulated in our conventional normative vocabulary. So when we argue back and forth with our peers about sport with the aid of that vocabulary, we might well come to see that the premises of our arguments commits us to conclusions that we have not previously drawn; in other words, that we have erred in our inferential judgments and need to correct them by accepting these new conclusions and discarding the old ones. When argument leads to a result like this one, we will have achieved, in Simon's (2004: 127) words, “a more coherent understanding of the deeper cultural values” at stake in such arguments.¹⁵ And that achievement, as I see it, is achievement enough to certify the critical credentials of a conventionalist normative theory of sport.

Notes

- 1 It also should be noted that the common reasoning conventions embody in such cases does not require “the interposition of a promise; since the actions of each of us have a reference to those of the other, and are performed upon the supposition that something is to be performed on the other part.”
- 2 That is not to say, nor did Lewis say, that conventions are never mere social agreements, only that most of the more important conventions that concern our larger social lives are not simple social agreements.
- 3 The real dispute among sport philosophers is what are we to make of these normative complements to the rules; that is, of whether they are abstract, ahistorical and asocial principles, or, as I argue, historically and socially freighted deep conventions.
- 4 This notion that reasons are shared, that they say something about who “we” are in a first-person plural sense above and beyond what “I” privately may or may not regard as a reason in a first-person singular sense, has often been criticized and even ridiculed in certain philosophical circles as some sort of

- mysterious metaphysical claim for, as it were, a super, supra subject that governs how each of us reason and act from on high. But neither Dworkin's notion of "group consciousness nor Hegel's notion of "objective spirit" enjoins any such strange metaphysical collective subject, but rather only that, as Landen (2005: 353) nicely puts it, any account of practical reason that "start[s] from basic building blocks that can [only] be found within individuals," that is, individual mental features such as desires, preferences, or interests, "and works outward," is starting from the wrong place.
- 5 I am simply paraphrasing here, using slightly different nomenclature, Marmor's (2009: 2) rendering of a convention.
 - 6 For a well-documented account of the rivalry between these two athletic practice communities, especially as it played out in the Olympic Games in the period between 1906 and 1924, see Dyreson (1998).
 - 7 It should be noted that, by the turn of the twentieth century, this amateur-inspired ethical stricture against playing sport for money no longer contained the social class animus that its earlier version did, because the sharp edges of the traditional class distinctions between gentleman and working-class folk had been blunted by the burgeoning democratization of English society, as evidenced by its relatively new and growing middle class. What we have here and in the professional conception to come, then, are hybrid forms of sport and not ideal types.
 - 8 Critics of the time derided tactics like pace setting and boxing-in opponents in team sports as contemptible forms of "collusion" (Collier, 1898: 382–8), and they denounced strategic bending of the rules as decidedly ungentlemanly, since no gentleman rightly so called would stoop so low as to resort to such rule tampering (LaVaque-Manty, 2009: 99).
 - 9 As noted in footnote 7 above, what amounts to first iteration of modern professional sport is a hybrid form of sport rather than ideal type. For, like its amateur predecessor, the emergent professional view of sport was similarly wary of the monetary motive in sport. Both camps, as Rader (2004: 131) noted, were persuaded there were "higher purposes than merely making or spending money" both in and outside sport.
 - 10 I do concede and regret, however, that in an earlier essay (Morgan, 2012), I did not make it sufficiently clear that both the amateur and professional conceptions of sport were hybrids and not ideal types.
 - 11 This would, of course, explain how we end up with the hybrid conceptions of sport that we do have.
 - 12 I have benefited greatly from Boghossian's (2007: 78–9) illuminating discussion of this issue. His citation of Fumerton's following point is instructive in this regard, "there is no philosophically interesting notion of justification ... that would allow us to use a kind of reasoning to justify the legitimacy of using that reason" (p. 79).
 - 13 Since the issue in question here, as I point out in the next sentence, does touch on such a core matter, I make this first point only to clarify my position.
 - 14 Russell (1999: 37) astutely anticipates my claim here that Martin's strategic maneuver in this example might itself be construed as a relevant athletic skill, and, therefore, a legitimate form of athletic excellence. But he rejects the normative legitimacy of such a managerial tactic because, at present, we try to eliminate rather than incorporate such strategic interventions in our athletic contests. He is certainly right that our current athletic conventions speak against such a move. But my argument is that just as the professional athletic community waived aside the amateur athletic community's misgivings regarding the use of strategy in sport, a future athletic community might similarly waive aside our present misgivings regarding managerial interventions of the sort Martin attempted here.
 - 15 Of course, Simon eventually rejected this gloss on argument in favor of his discourse realist alternative.

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