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> No, in fact it is the reference that was mistaken, the public ation year is 2013, as indicated below, and this should be the same, 2013

6. References “Dodd (2012), Gaut (2010), Kania (2018), Kivy (2006), Robson and Meskin (2016), Rosen (2015), Searle (2015), Tobia et al. (2019)” were not cited anywhere in the text. Please provide in text citation or delete the reference from the reference list.

> I have deleted all but the latter. I have edited this reference below; the publication year is 2020. This is referenced in the text, now edited as "Tobia et al. (2020)" at the end of the fourth paragraph, section 3.

7. Please provide publication year, volume and page numbers for the reference “García-Carpintero (Forthcoming)”, if published.

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8. Please provide page numbers for the references “Rough (2018a, 2018b)”.

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Games, Artworks, and Hybrids

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Abstract

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Videogames are an interesting example of objects that, at least in some cases and *prima facie*, have a dual nature: they are games, and they are also (better or worse) artworks—more specifically, fictional artworks. Some authors have contested this view. From a Suits-inspired perspective on games that I broadly share, Brock Rough argues that artworks cannot be games. Here I will present a Suits-inspired account of games, and a parallel account of fictional artworks, to uphold the intuitive possibility of hybrid artwork videogames against Rough's arguments. On the account I'll offer, both games and artworks are defined by constitutive rules (as in the Wittgensteinian language-games tradition), but there is a different functional account that explains why their defining rules are accepted or enforced. Two distinguishable sets of experiences

that we value for their own sake and may fully occupy our attention play a crucial role in that teleological story, *aesthetic experiences* on the one hand, and *lusory experiences* on the other. The view allows a reply to Rough's points by bringing forth other instances of objects that may aim to serve (and succeed fairly well in doing so) the functions of artworks, and other functions in addition—as in architecture or design. The argument will be partially abductive: a main reason to be offered here for the functionalist constitutive rules account of games and artworks will lie in the way it upholds the *prima facie* plausible intuitive view on (some) videogames in the face of Rough's arguments.

Keywords

Constitutive rules

Games

Artworks

Fiction

Normativity

1. Introduction: Videogames and Artworks

Videogames are objects that, at least in some cases and *prima facie*, have a dual nature: they are games, and they may also be (better or worse) artworks, more specifically *fictional* artworks. Some authors contest this view. From a Suits-inspired perspective on games that I broadly share, Rough (2018a) argues that games cannot also be artworks. Here I will outline an account of games on the one hand, and fictional artworks on the other, that validates the intuitive possibility of artwork videogames in the face of Rough's arguments. I will rely for this on proposals articulated by García-Carpintero (2019, 2021a, Forthcoming). The argument that I'll offer will be abductive. Some support will be given here for the controversial assumptions on which I'll rely in that they help answering Rough's concerns. Independent support has been provided for them in earlier work and in the tradition to which it belongs—the tradition of thinking of artworks as resulting from communicative acts understood on the model of institutions defined by constitutive rules, like games, following writers like Wittgenstein, Austin, or Danto.

This is, in outline, a preview of the argument: both game-kinds and artwork-kinds are defined by *accepted constitutive rules*, as understood in García-Carpintero (Forthcoming). There are functional accounts that explain why their defining rules are *accepted* or *enforced*. They depend on the *intrinsic value of experiences* of different sorts: the *aesthetic* and the *lusory* experience. Games and artworks thus have different functions. But individual artefacts can be hybrids with several functions, as illustrated by religious, political, or erotic artworks, by architecture and design. This is crucial to understand fictions, which might make assertoric acts, without being thereby "patchworks" of fiction and non-fiction (García-Carpintero, 2019, 2021b).

I'll start by explaining in the next section how institutions defined by constitutive rules should be understood; the material here mostly summarizes the account in García-Carpintero (Forthcoming). I make three claims: (i) kinds defined by constitutive rules (like particular games, and particular representational acts) are *real* kinds, with *real* definitions; (ii) their defining conditions are *normative*; (iii) for them not to be merely *putative*, their rules must be *accepted*. In Sect. 3, I'll explain the commonalities and differences between games and artworks, on my assumptions. Finally, in Sect. 4 I'll address Rough's arguments. Videogames as such will drop from the picture until that final section; I must beg readers for their patience. As my discussion of Rough will show, I need both a sufficiently elaborated account of games, and then one of artworks, for me to articulate a compelling enough response to his arguments.

2. Games as Kinds Defined by Constitutive Rules

In this section, I'll contrast two accounts of the distinction between constitutive and regulative rules, and I'll offer reasons to defend the one I'll need for my reply to Rough. On Searle's (1969, p. 34) intuitive characterization of the distinction, *regulative rules* "regulate a pre-existing activity, an activity whose existence is logically independent of the rules", while *constitutive rules* "create the possibility of new forms of behavior" (ibid., 35). As shown below, the distinction is only apt if made relative to a specific practice: (1) below is meant to illustrate regulative rules, (2) constitutive rules, for the same actual game, chess. I use imperative versions to critically address Searle's syntactical characterization of constitutive rules; but also the more malleable declarative modal formulation I take them to illocutionarily entail:[1]

(1)   Control the center in the opening!

(2) Castle only if the castling king is not in check!

∴ One must (castle only if the castling king is not in check)

I will use 'formalism' to refer to "the view that games (and sports to the extent that sports are games of physical skill) can be defined primarily by reference to the idea of constitutive rules and goals or obstacles designated by the rules themselves, which are unintelligible apart from them", Simon ([2000], p. 2).[2] Formalism is the view that some rules of games are constitutive and not merely regulative, that is, that they provide the essence, nature or "real" definition of such kinds, thereby "creating their possibility". Formalism thus contends that practices are "natural kinds", in the contemporary sense that they have "real definitions".[3] Here 'natural' is not used in opposition to 'social', but rather to refer to properties and kinds in Lewis's ([1983]) "sparse" (as opposed to "abundant") sense. In fact, the account I'll assume for games and for illocutionary types like fiction and assertion takes them to be "social constructs", grounded on social rules.[4] "Natural" properties and kinds are those that play substantive explanatory roles, and hence have a "hidden nature" which only reveals itself after theorizing.

On a standard interpretation, anti-formalism just rejects that games have a rule-constituted essence. This is typically predicated on a Wittgensteinian, anti-definitional take on games that (Suits, [1978], p. 21) justly disparaged.[5] Thus understood, anti-formalism is not a compelling view. Kinds might not have definitions in terms of intrinsic properties, but they may still have perfectly fitting and explanatory relational ones, like those that have been claimed for biological and social kinds, or the one that defines an institution like *Analytic Philosophy* (García-Carpintero, [2011], [2021b]). A more plausible version of anti-formalism doesn't deny that games and speech acts have definitions, but claims instead that, as in the case of 'jade', the ones they have are not deeply explanatory. Perhaps they only have *cluster* definitions, or definitions in terms of exemplars or prototypes that just deploy their manifest, superficial, or criterial properties.

Constitutive rules, Searle says, "often have the form: X counts as Y in context C" (35); in a more recent piece he still sticks to this grammatical elucidation: "[i]t is [...] natural to think of these rules as having characteristically different syntactic forms. The regulative typically takes the form of an imperative, "Drive on the right!", for example; the constitutive rules, not so obviously but I think nonetheless apparently, take the form "X counts as Y" or "X counts as Y in context C", Searle ([2018], p. 52). (2) thus becomes (3):

(3) *x counts as* castling in chess only if the castling king is not in check when *x* is performed

This strongly suggests the distinctive tenet of a variety of formalism I'll call "descriptive formalism", F_D, to wit, that the only 'must' in constitutive rules is not really prescriptive, but definitional; it is that of logical or conceptual necessity. Kinds defined by constitutive rules don't differ on this view from 'water', on the standard Kripke-Putnam line. We thus obtain the following application to our case of F_S:

(4) *x* is$_{df}$ castling in chess only if the castling king is not in check when *x* is performed

This is of course only a partial definition; other conditions should be added to obtain a full one: see rule 3.8 in the *FIDE Laws of Chess*.[6] Midgley ([1959]) and Suits ([1967]) explicitly embrace F_D; Guala ([2016], pp. 58–59) follows a long trend of interpreting formalism that way. The most distinctive consequence of F_D is this: "To break a constitutive rule is to fail ... to play the game at all", Suits ([1978], p. 52). Current supporters concur: "It is a rule of chess that a pawn moves a certain way, and one is not playing chess if one is not acting in accord with this rule", Jankovic ([2018], p. 376, fn. 11); "rules are constitutive of the game and to not obey them is to not play the game", Rough ([2018a], p. 7). According to F_D, when the rule is (intentionally) broken, the activity doesn't occur—the performance is an Austinian *misfire*, not an *abuse*.

Williamson ([1996]) offers an account of assertion in terms of constitutive rules, taking games as models. He hypothesizes (for abductive inquiry) that a single CR-shaped norm defines it, in which C stands for a suitable property of the expressed proposition:

(CR)   One must (assert *p* only if *p* has C)

In explicitly drawn contrast to F_D, Williamson insists that the 'must' in (CR) is genuinely prescriptive: "Constitutive rules do not lay down necessary conditions for performing the constituted act. When one breaks a rule of a game, one does not thereby cease to be playing that game" ([1996], p. 240). Assuming F_D, philosophers hence object that this view does not really assimilate speech acts to games (Johnson, [2018], p. 55); norms like (CR) don't have the proper Searlian form to be constitutive norms (Maitra, [2011], p. 282 **AQ2**).[7] In my experience, Maitra's is the crucial consideration that moves defenders of F_D: if a norm is expressed in the imperative, that already makes it "regulative"; for a rule to be constitutive, it must be in the "count as" form.

However, as has been repeatedly pointed out in the literature, this syntactical characterization of the distinction is misguided. It is inspired by the right view that constitutive rules provide real definitions for their rule-constituted kinds; but the way it aims to capture this by means of a purely formal criterion is misguided. On the one hand, as Lewis ([1979], p. 344) indicates and (2)

illustrates, straightforward imperatives might well be constitutive rules in the intended sense (Ransdell, 1971, pp. 390–392; Glüer & Pagin, 1999, p. 220; Morin, 2011, p. 190). On the other, little ingenuity is required to frame any imperative in explicit definitional locutions (Black, 1962, pp. 123–124; D'Agostino, 1981, p. 12; Glüer & Pagin, 1999, p. 217; Goldberg, 2015, p. 22):[8]

(5) *x counts as* an assertion of *p* (if and) only if: it is wrong (to perform *x* if *p* lacks C)/it is impermissible (to perform *x* if *p* lacks C)/one must (perform *x* only if *p* has C)

(6) *x* is$_{df}$ an assertion of *p* (if and) only if: it is wrong (to perform *x* if *p* lacks C)/it is impermissible (to perform *x* if *p* lacks C)/one must (perform *x* only if *p* has C)

Williamson thus assumes a different variety of formalism, which I'll call "normative formalism", F_N. Rules of the F_N kind only differ from those of the F_D sort in having truly normative, deontic conditions in their *definiens*. They thus allow for Austinian *abuses*, in addition to *misfires*; or better *require* them, as Williamson points out: "The rule unconditionally forbids this combination: one asserts *p* when *p* lacks C. The combination is possible, otherwise it would be pointless to forbid it" (ibid., 254). But this is consistent with having the status of truly providing the constitutive nature of kinds, and hence with their character of constitutive norms, "creating the possibility of" new behavior. This is thus still *formalism*: it espouses the distinction between constitutive and regulative norms, and grants that the former provide the nature or essence of distinctive kinds.[9] It is the version disparagingly qualified as *Platonist* by the earlier critics who pointed out the obvious failures of F_D (D'Agostino, 1981, p. 9; Morgan, 1987, p. 2), because it primarily characterizes *an ideal* for games—what a *good* game should be. Games are *norm kinds* in Wolterstorff's (1980 **AQ3**, p. 56) sense, kinds "such that it is possible for them to have properly formed and also possible for them to have improperly formed examples".[10] On the F_N variety of formalism, the partial definition for castling in (4) should be replaced by (7):

(7) *x* is$_{df}$ castling in chess only if it is not allowed if the castling king is under check

What are those "obvious" failures of F_D? It has the unacceptable consequence that cheaters, tactical breakers of rules, or inept players are not playing the games (D'Agostino, 1981, p. 9; Lehman, 1981, p. 42; Williamson, 1996, p. 240; Rescorla, 2009, p. 101; Kreider, 2011, p. 56; Ridge, 2017, p. 7; Fricker, 2017, p. 407; Consalvo, 2014) discuss cheating in videogames). Lehman mentions the case of a very prominent baseball player, the pitcher Gaylord Perry, who is in the baseball Hall of Fame even though it is generally accepted that throughout his career he threw *spitballs*—pitches that are illegal according to the rules of baseball, thrown after applying some foreign substance to the ball, causing it to do unpredictable things. The F_D account would entail that Perry never pitched in the relevant games, and nor, in consequence, did his teammates. Supporters of F_D have had recourse to different strategies to confront the problem; I just refer the reader to García-Carpintero (Forthcoming) for reasons to seriously doubt that they succeed.[11]

I have now presented the two first features of the view on rule-constituted kinds I rely on which I listed at the end of the previous section; I'll move now to the third, that for them not to be merely *putative*, they must be *accepted*. Rawls (1955, 26 fn.) distinguishes between *blueprint* kinds defined by constitutive rules, and those *that are in force* (cf. Glüer & Pagin, 1999, p. 221). There must be some account of why the rule-constituted kind has come to be *in force* or *accepted*. Many kinds defined by constitutive norms are not in force, and hence are not really normative: they don't give anybody a reason to act.[12] Think of variations we can concoct on the rules that define actual games, and the "possible" games they define (I use scare quotes because, as abstract kinds, they are actual).[13] They define *putative*, candidate kinds; but, if they are not in force, nobody is really obligated by them. They don't give anybody a reason to act, and, in that way, they are not really normative. What would make such putative rule-constituted kinds "actual" in a given community, practices whose constitutive norms players are bound by?

What this requires is the "collective acceptance" that Searle (1995) discusses in more recent work, or Hart's (1961, p. 51–61) "rules of recognition". This might come to a convention or agreement; more in general, it is realized by social norms (Bicchieri, 2006; Brennan et al., 2013 ch.1, Southwood, 2019). There must be some related teleology, some "coordination problems" or goals more in general (Lewis, 1969) that are to be achieved by enforcing the norms (Graham, 2019).[14] For the case of games, this has been discussed under the topic of the game "ethos", "the purpose of the activity, which can guide both the selection of rules and behavior outside the rules" (Nguyen, 2017, p. 11)—which anti-formalists of different denominations (D'Agostino, 1981; Lehman, 1981; Morgan, 1987, §5, 2004) invoke in offering an alternative account, and formalists upholding F_D have also aimed to accommodate (Kretchmar, 2001, 2015). My view on this is the topic of the next section, in which I'll outline my account of how the constitutive rules of games are accepted in parallel to the account of how those that I take to define specific artworks are.

3. The *Lusory* and the *Aesthetic* Attitudes

To establish a first basis for my response to Rough's argument, in the previous section I have outlined an account of

have *real*, substantive, explanatory definitions—which, in the case of games are provided in part by their constitutive rules along formalist lines. The same applies to particular artworks, as I'll suggest momentarily. But unlike Suits I doubt that "higher taxa" (the genus to which they belong, respectively *game* and *artwork*) have more than non-explanatory *nominal* essences, given by their criterial features. The second main pillar for my response to Rough in the next section will be a functional account of the general category *game*, which I'll model on a well-known and well-developed related account for *artwork*. Most of the section will outline this familiar (even if controversial) functional account of *artwork*, referring the reader to the relevant literature for details.

Suits doesn't define *being a game* but *playing a game*: "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 favor of less efficient means [*constitutive rules*], and where the rules are accepted just because they make possible such activity [*lusory attitude*]" (Suits, 1978, pp. 54–55). In short, he has it, playing a game is a "voluntary attempt to overcome unnecessary obstacles" (55). As Russell (2004, p. 146) nicely puts this core idea, "games create opportunities for developing certain human excellences by presenting obstacles that must be mastered and overcome in order to achieve the goal set by the game".

We cannot extract from this an acceptable, real definition of 'game'. For his purposes, Suits needed the "prelusory goal" of games to be given independently of the rules; something like *putting the ball inside the basket* in basketball. But he himself (Suits, 1978, p. 58) admits that in fact the goals of games (checkmate in chess) can only be properly defined inside the "institutions" that those games constitute.[15] Granting that, it is not clear that many of the things we should count as games have such goals—say, *singing games* like *ring-a-ring o' roses*, or *make-believe games* like *cops and robbers*. *Games of luck* like *rock, paper, scissors* strain in their turn the notion that games "create opportunities for developing certain human excellences". Suits deals with these issues by excluding some of these practices from the category of games, and by diluting the notions of "prelusory goal" and "obstacles" to include the others; but as a result, the account appears to overgenerate (Geras, 2009; Ellis, 2011; Berman, 2013; Ridge, 2019).

As I indicated in Sect. 2, it would be wrong to conclude from this that 'game' doesn't have a definition; what it lacks is a real, explanatory definition. Putnam himself held that *being H_2O* provides the real essence of the kind designated by 'water' only in the "predominant sense" of the term (Putnam, 1975, p. 239). He thereby assumed that it has other "senses", which can be in operation as a function of "context". One is that in which it means the same as "transparent, odorless, tasteless liquid filling rivers, lakes and oceans" (ibid.). This provides a much less explanatory (and extensionally different) kind, given by a cluster of the criterial features we use in applying the term, a "nominal essence". This polysemy that Putnam assumed has been amply confirmed in recent research (Tobia et al., 2019 2020).

In fact, the polysemy of kind-terms goes beyond the two ends of the spectrum—real, explanatory, induction-supporting essences provided by intrinsic features versus non-explanatory nominal essences given by a cluster of stereotypical features, or similarity to a prototype or exemplar exhibiting them) that **AQ4** Putnam's view illustrates for the case of 'water'. There is, in addition, the more general type/token polysemy we of course have also to countenance here; I'll come back to it below for our cases. Games afford a fourth type, as I'll now show.

It is by now a standard view that biological species cannot be defined by intrinsic features (say, a genome), as Kripke and Putnam assumed; but there are relational alternatives that many researchers accept (Ereshefsky, 2017; Bird & Tobin, 2018). There are, among other models, Boyd's (1999) *Homeostatic Property Cluster* view, evolutionary-lineage views like cladism,[16] and a few others. I'll assume that these relational views may also capture real, explanatory, induction-supporting kinds.[17] Now, game-kinds as understood so far here are defined by all their constitutive rules. However, we (perhaps even more saliently) take, say, soccer before and after the introduction of VAR (which slightly changed the rules, and hence, strictly speaking on the present view, the game) as "the same game". We also count as soccer what kids play in the street, without proper goals, proper equipment or the proper number of players.[18] Now, kinds defined by constitutive norms that are thereby in force have a history. This allows for a further polysemy, on which kind-terms designate the related historical kind, continuous across relatively small changes in the defining constitutive rules—for soccer, perhaps including a stage when it was brought to England by Germanic settlers in the fifth to seventh centuries and continuing till the VAR-improved game of today (García-Carpintero, Forthcoming; Ridge, 2020).[19] While in the case of biological species, the historical kind would perhaps constitute Putnam's "predominant sense", on the view advocated here it would be secondary for rule-constituted artefacts.[20]

In the case of 'artwork', cluster definitions closer to the "nominal essence" end of the spectrum have some defenders, cf. Longworth and Scarantino (2010), and similar proposals can be made for 'game', in a Wittgensteinian spirit free from definitional animadversion. I myself, however, support functional accounts for both 'game' and 'artwork', which capture better in my view their nature, and the open-texture character of the concepts. I nonetheless take the functional accounts to place them also close to the "nominal essence" end of the spectrum, for reasons I'll give below. The functional accounts I'll suggest rely on well-known proposals for artworks based on the notion of an *aesthetic experience*. They aim to capture what I take to

be the most suggestive aspect of Suits' views—his appeal to the *lusory attitude*, "the acceptance of constitutive rules just so the activity made possible by it can occur" (1978, p. 54). I'll present first the structurally identical nominal definition I like for 'artwork' in terms of the related notions of the *aesthetic attitude* and the *aesthetic experience*, which relies on a more familiar literature.

Although it has distinctive aspects, the view of artworks I want to promote is sufficiently close to other proposals in the literature in the functionalist camp (cf. Stecker, 2010, ch. 5) to allow for it to be presented without much elaboration or argument. Artworks are artefacts with the function of producing specific *aesthetic experiences*. These I understand as in the *non-minimalist* tradition on which they are essentially good enough, pleasant in an extended sense in which even first exposure to John Cage's *4′ 33″* or a white painting by Rauschenberg may afford one. [21] Many philosophers since Kant's *Kritik des Urteilskraft* have offered compelling, recognizable characterizations of such experiences (under several labels), including Dewey (1958), Beardsley (1969), Scruton (1974), Lind (1992), Walton (1993), Iseminger (2006), Budd (2007), Gaut (2007), Stecker (2010), Goldman (2012) **AQ5**, Levinson (2016), Matthen (2017), Gorodeisky (2019).

This is Stecker's (2010, pp. 52–53) definition, which for our purposes I endorse: *the experience derived from attending in a discriminating manner to forms, qualities or meaningful features of things, attending to these for their own sake or the sake of a payoff intrinsic to this very experience*. On non-minimal views, the aesthetic experience has positive hedonic value. This value is one of the "facilitating" kind, in contrast with the "relief" kind to which other pleasures belong (Matthen, 2017; cf. also Lind, 1980; Miller, 1998). It is certainly not "mere pleasure" (Gorodeisky, 2019); in my own estimate, particularly good items of the kind are afforded by Henry James' later novels, or Richard Strauss' operas, which certainly require a lot of effort for one to properly discern their rewarding features. On Lind's, Miller's and Matthen's accounts, what the relevant pleasure facilitates is the persistence in the effort required to engage an object with an *aesthetic attitude*. This is the attitude that, addressed to the proper object and in the proper enabling conditions, might be conducive to a fitting aesthetic experience—a satisfying "learning-like" response, Miller (1998). When the object of the attitude is an artwork, and hence defined by constitutive rules as I'll explain in a moment, Suits' characterization of the lusory attitude also fits the aesthetic attitude quite well, for it then is "the acceptance of constitutive rules just so the activity made possible by it can occur". In such a case, the activity in question is that of engaging the artwork in pursuit of the aesthetic experience it promises to provide—at least until one realizes that it will fail to live up to it.

Minimalist views about the aesthetic experience (Kivy, 2011; Carroll, 2012, 2016) deprive it of positive value. Their defenders are right that we also need the notions of an attitude which is specifically aesthetic and whose exercise doesn't guarantee any reward, what I am calling on Suits' inspiration *the aesthetic attitude*, which hence differs from the *aesthetic experience*. [22] This is because artworks may not be fit to produce aesthetic experiences, no matter how competently the aesthetic attitude is addressed to them. (This doesn't mean that they in fact do not produce them; they can produce *unfitting* aesthetic experiences.) Artworks I take to have the function, and hence to be subject to the norm, of allowing (i.e., being normative reasons) for satisfying aesthetic experiences, when their enabling conditions are fulfilled: [23] one belongs in the class of subjects targeted by them, one is in the relevant age range, has the required expertise, has slept well, is not otherwise distracted, and so on and so forth. I am treating 'satisfying aesthetic experience' as the positive form of the comparative 'better aesthetic experience than', on the model of the standard semantic treatment of context-dependent gradable adjectives like 'tall' (cf., e.g., Kennedy, 2007; cf. Miller, 1998) on the "normal scale" of aesthetic appreciation). I am thinking of the aesthetic experience on the *fitting attitude* model that I think offers the best account for attitudes like emotions. [24] Emotions like *admiration* or *contempt* represent states of affairs; they might represent the same particular state of affairs—say, a violent act. What is distinctive about them is the conditions under which that state of affairs makes them *fitting*; whether it is a normative reason for them (Jacobson, 2011): contempt but not admiration might be the fitting response, or the other way around.

On the present ontological view of artworks, we thus need both psychological categories, *aesthetic attitude* and *aesthetic experience*, the latter being explanatorily fundamental. Other important related notions, like *aesthetic property* and *aesthetic judgment*, are also to be understood on its basis (Budd, 2007, pp. 46–47). As indicated at the outset, the resulting view is close to Danto's, cp. Stecker (2010, p. 108), Lind (1992, pp. 117–118). The fundamental ontological trait of artworks is that they are historically bound artefacts with a communicative purpose. They have a "text" distinguishable from the work that they are (Currie, 1991), as motivated by Borges' "Pierre Menard", or similar Danto cases. This "text" is the meaning-vehicle, constituted by aesthetic features that are targets for the conscious attention (sensuous in music or visual arts, cognitive in literature) that is a central focus of the aesthetic attitude (Lind, 1980). The work is additionally constituted by its meaning; this will include a content, but also force-like features, which can be assertoric, as in documentaries, an appeal to the imagination in fiction, or some other, expressive or conative. It is not so ontologically decisive whether the work is a repeatable (but temporally bound) universal (Thomasson, 1999), or a particular concrete object.

Let me explain how I think we should think of the meaning of artworks on the "language games" view as characterized in the previous section. As indicated there, Williamson (1996) offers a constitutive-rules account of the proper F_N sort for the specific kind he calls "flat-out assertion", which is according to him (ibid., 258) what we do by default when uttering sentences

in the declarative mood. To interpret this, I (García-Carpintero, 2021a) appeal to the near-universal character of the three moods, declarative, imperative, interrogative; I assume that they are polysemic, and I take each of them to have a default use; these would be flat-out assertions, flat-out directives, and flat-out questions. A criterial feature of each of them would thus be the default meaning of each mood. Additional criterial features of flat-out assertions include their being used to provide information by being "taken at one's word", that is, based on one's presumed epistemic authority; for the imperative it would be to instruct based on one's authority, and for the interrogative to tell the audience to provide an answer on the basis of one's authority to that effect. Something like this is standardly assumed by linguists to be the functional role of the moods when they look for their paradigms in different languages (König & Siemund, 2007, pp. 282–284). Williamson goes on to offer a particular implementation of the "simple rule" model (CR) described in the previous section to characterize the nature of this specific speech act, a flat-out assertion with content p, (KR); some other proposals have been made, in particular the one I favor—the audience-involving rule (KPR), cf. Hinchman (2019):

> (KR) One must ((assert p) only if one knows p)

> (KPR) One must ((assert p) only if one's audience is put thereby in a position to know p).

As indicated above, a crucial aspect of a full defense of any of these views would have to include an account of why the relevant rule is accepted; on the model I have been suggesting, this would be a functional, etiological account, and the value that such an account will mention in this case will be the pooling of information through the transmission of knowledge via testimony (Graham, 2019). Such an explanation would establish that a practice whose essence is defined by (KPR) is a real, explanatory kind. For it would explain the criterial, manifest features of flat-out assertion mentioned above. The full explanation would involve a compositional semantics, to account for how the relevant content is determined; and it would have to include an explanation of how implementing a practice on which people in the relevant community are bound by the rule—so that they can be criticized if they make an assertion that they shouldn't have made, and so on—allows for the goals ascribed to the practice to be attained. This semantics for the relevant meaning-vehicles will have to be backed up by a metasemantics—an account of why the semantics is the proper one for them. If the constitutive rules view outlined here is correct, such metasemantics will rely on it, cf. (García-Carpintero, 2021a). But this doesn't detract from the explanatory significance of the Austinian account of assertion: the full explanatory package might have been provided instead by an account of a very different sort, a Gricean one, or a Chomskian one, say. If true, it would be illuminating to know that in default uses utterances of sentences in the declarative mood may allow for the transmission of knowledge along the lines of the explanation provided by the constitutive rules account.

Parallel points apply to artworks, in particular fictional ones. On García-Carpintero's (2013, 2019) development of Walton's views in the just outlined constitutive rules framework of fictional artworks, they are meant to furnish specific imaginative projects; and when it comes to their specific trait of being *fictional* artworks, they are constitutively liable to the following rule:

> (FR) One must ((fiction-make p) only if one's target audience is put thereby in a position to enjoy a satisfying (good enough) imaginative project vis-à-vis p).

As above, this assumes that we can compare how satisfying the imaginative projects afforded by fictional artworks are for the intended audience (along multiple dimensions: to what extent we are caught up in the plot, how much we empathize with the characters or find them interesting, what imagery it prompts, how emotionally engaged we feel …), as part of a promised full aesthetic experience. It further assumes that the context in which the norm is in force provides an (indeterminate) cut-off point for the positive form mentioned in (FR).

It is essential that the constitutive norms for these communicative acts, flat-out assertion, and artwork fiction-making—(KPR) and (FR) respectively, I assume—be understood in accordance with F_N: clearly, a flat-out assertion may be a lie that cannot put anybody in a position to acquire knowledge of its content, and the imaginative project proposed by a fictional artwork may well be utterly uninteresting to the intended audience. Such failed acts do not afford normative reasons for belief or imagining vis-à-vis their (sufficiently determinate) contents, respectively; in that sense, they don't really prescribe beliefs, or imaginings. The metasemantics will establish that they are liable to such norms, relative to sufficiently well determined contents. They "prescribe" belief and imaginings with such contents only in the sense that—to focus on the fiction case—one should so imagine when deploying the aesthetic attitude in the proper circumstances, to establish whether the works fit the norm.[25]

The proposal thus characterizes specific assertoric speech acts and specific artworks as real kinds with explanatory normative essences; but it hardly goes beyond offering a nominal essence for higher-order kinds. Consider the kind *artwork*. What the outlined functional account in fact does is to appeal to our previous capacity to identify prototypical exemplars of the kind, by relying on our having enjoyed aesthetic experiences: "If there is one thing we know about aesthetic objects right off, it is that they are interesting in some way", Lind (1980). I have tacitly assumed the Louis Armstrong dictum, "if you have to ask … you'll never know" to apply to the aesthetic experience. I hope some illumination is provided by the functional account, but it hardly goes beyond highlighting the relevant features of the criterial, stereotypical traits.

All this applies, *mutatis mutandis*, to specific games, and to the kind *game*. I said that what I like in Suits' account is his characterization of the *lusory attitude*, "the acceptance of constitutive rules just so the activity made possible by it can occur",

unnecessary obstacles" that it demands? The reason is that good games, like good artworks, afford players similarly pleasant experiences, which similarly facilitate the effort that Suits describes—the effort of seeking their constitutive goals while abiding by their constitutive rules (Ridge, 2019, p. 78). These would be *lusory experiences*; Suits' *lusory attitude* is the attitude of actively seeking them—actively seeking the pleasure the game promises to afford, appraising it in doing so.[26] This applies to the sort of games that Suits took as prototypical, like chess or soccer; but it applies also to the other sorts mentioned above, including those that he dismissed like singing games. Lusory and aesthetic experiences share crucial features: both are autotelic, sought for their own sake; both may fully occupy attention; both facilitate difficult activities. They differ in that these activities are different. The latter assists the activity of contemplating the "text" of an *artwork* while grasping its meaning. The former, the activity of playing a game, being in so doing thereby beholden to its specific constitutive rules.[27] On the present view, in sum, games are artefacts defined by constitutive rules, whose function is to produce in appropriate judges/players a satisfying enough lusory experience—one above a certain threshold.[28]

I have now developed the two pillars for my response to Rough—an account of kinds defined by constitutive rules that applies to games and language games, and a functional account of the general categories *game* and *artwork* predicated on the attitudes and the experiences they are meant to mobilize. We can move now to the issue whether games can be artworks.

4. The Possibility of Hybrids: A Rejoinder to Rough

The views just outlined overlap significantly with Rough's (2018a), beyond our sympathy toward Suits' account of games. We agree that particular games and artworks are real kinds (ibid., p. 8). We agree that the general categories to which they belong differ: "Artworks and games are ontologically distinct things" (p. 2), even though they have something important in common: "Games and artworks both have among their constitutive parts prescriptions for how to appropriately engage and appreciate them" (p. 2). The difference lies for both of us in the kind of "engagement and appreciation" (p. 3) that items in each category demand; Rough assumes a functionalist view of artworks parallel to the one just articulated (pp. 8–11). But there are also important disagreements. Rough understands constitutive rules on the wrong model F_D. He fully endorses Suits' account of the kind *game*, which I have questioned. He mixes up the psychological and the normative. This will be the basis for my rejection of his arguments.

Rough summarizes his three main considerations thus: "(1) games and artworks cannot share the same constitutive goals, (2) artworks cannot employ the arbitrary inefficiency that is required of games, and (3) the required attitude that we take towards artworks undermines the required sufficiency of the attitude that we must take towards games" (p. 5). In developing these points, Rough appears to assume a hylomorphic metaphysics (Evnine, 2016; Fine, 2017), on which objects can share a "matter" (and hence spatiotemporal location) while still differing in their "form", and hence being different objects, like the notorious statue and piece of clay: "This incompatibility [between games and artworks] does not mean that a game, like most anything, could not be a constitutive element of an artwork, but a game cannot be identical with an artwork", p. 20. But Rough's claim doesn't follow from hylomorphism alone: the "form" of an object might combine that of an artwork, and that of a game. There are cameras; there are cellphones; and there are *hybrids*: artefacts that constitutively are both (Evnine, 2013, p. 415, fn.).

Rough's arguments for the first two objections to this natural proposal elaborate the point that artworks are "unable to have separable prelusory goals", and that there cannot be in their case "inefficient lusory means" (p. 20). Deploying the aesthetic attitude is a "technical" activity (p. 11), for we are supposed to use the most efficient means for our goal—proper appreciation of the work; the lusory attitude seeks instead enjoyment by using inefficient means to reach the goals set up by the game. This argument depends too much on Suits' general view of the genus-kind *game*, which we have found questionable (fn. 15 and text to which it is attached). But the main problem is that it confuses the psychological with the normative. Perhaps, as a matter of physical fact, it is impossible for the cellphone camera to take good pictures and simultaneously offer efficient communication; but it can be an excellent exemplar of both a camera and a cellphone nonetheless. Similarly, perhaps as a matter of psychological fact an agent can only enjoy at a time a videogame as a good game, or as a good artwork; perhaps the lusory and aesthetic attitudes "do not overlap" (17)—this should be a matter for empirical investigation, although, as far as I can tell first-personally, holding both together vis-à-vis one and the same object may well be psychologically feasible. But the object as such can still meet both standards perfectly well.

This confusion of the psychological and the normative starts already when Rough provides his own way of turning Suits' definition of *playing a game* into a definition of *game*. Rough says that games prescribe "that players engage the set of rules with the lusory attitude" (p. 6). This can at most be metaphorically true. Strictly speaking, games just prescribe for their constitutive rules to be obeyed. Players might play them fully competently without adopting the lusory attitude at all. Perhaps they are seasoned pros, who lost interest in the game long ago and are only motivated by money and fame. The fact that games assure (have the function of providing) lusory experiences and are thus to be engaged with the lusory attitude is only part of the explanation of why their constitutive rules are in force or accepted. The main problem with Rough's claims is that they confuse the constitutive rules that provide the essence of games, with the explanation—in part psychological—for why some of them are in force or accepted.

Rough's third critical point is that "the lusory attitude's sufficiency" is "undermined by the necessity of the artistic attitude" (2018a, p. 20). This doesn't conflate the psychological and the ontological (see also pp. 16, 17). But it simply begs the question to assume that the "lusory attitude" suffices for full appreciation of hybrid objects that are both games and artworks. "[G]ames prescribe the lusory attitude as attitudinally sufficient while artworks prescribe the artistic attitude as attitudinally necessary", p. 17. That is correct; but hybrid games-artworks do not "prescribe" either the lusory or the aesthetic attitude as attitudinally sufficient. The lusory attitude is only secure to suffice for full appreciation for objects that are (good enough) games, not for those that are both games and artworks.

²⁹

The points I have made in response to Rough apply equally to much more common cases of hybrid artworks. Documentaries are artworks (very good ones in some cases, e.g. Errol Morris' 1988 *The Thin Blue Line* or Joshua Oppenheimer's 2012 *The Art of Killing*) the force-component of whose meaning is assertoric; they may be just flat-out assertions meaning to provide testimony-based knowledge, or make informed guesses, or just put theories or propositions for our consideration. As Stacie Friend (2007, 2008, 2010, 2012) has been insisting, however, most fictional artworks are also meant to make assertoric acts; and the other way around: non-fiction artworks like the two documentaries I just mentioned also include, as essential components, fictional reenactments. Friend (2012) uses these facts to defend (I take it) a Wittgensteinian relational view on the *fiction* category, on which "prescriptions to imagine" are not essential features of fictions. Although I cannot develop this point here, the hybrid view of the relevant works allows us to resist her proposal (cf. García-Carpintero, 2021b).

In this chapter I have articulated parallel functionalist views of games and artworks, and I have relied on them to defend the possibility of hybrid artefacts that are both from Rough's (2018a) arguments. Given that I take the possibility—even the actuality—of such hybrids to be intuitively very plausible, my defense, if successful, offers a measure of abductive support for the controversial views on games and artworks on which I have relied.

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1

 I'll use 'rule' and 'norm' interchangeably. As I use these terms, rules are just what "*flat-out*" directives—typically conditional ones: do Q! (if P)—signify, to echo Williamson's (1996, p. 246) usage for the case of assertion: the specific force that is indicated in default, literal uses of imperative phrases. "Flat-out" directives are those uttered by someone presumed to have the required authority to make a command, as when I say 'Eat!' to my daughter, in contrast with 'Take it!' said to give advice, or 'Keep well!'. Kaufmann (2012) argues that a directive that *p* is synonymous with an assertion that the addressee should/must make it the case that *p*. On standard Kratzerian contextualist modal semantics, the obligation is conditional on implicit or explicit features that select accessible worlds and order them. This is implausible (Charlow, 2018, p. 82; Roberts, 2018, p. 331); but I do take directives to entail on illocutionary grounds Kaufman's assertoric counterparts (Charlow, 2014), and I'll avail myself of this throughout the paper.

2

 Similar characterizations can be found in the literature: according to formalism, "games are a product of their constitutive rules … these rules jointly create and define the game" (Kretchmar, 2015, p. 11); "the essential nature of a game is its rule-set and … proper play involves obeying the rules" (Nguyen, 2017, p. 9).

3

 Recent discussion of these issues mostly stems from the deservedly influential work of Kit Fine; cf. Correia (2017) for a good account and further references.

4

 They are "Platonic" essences, in the (fitting in this context, see below, fn. 10) terminology of Newman & Knobe (2019), as opposed to "causal" essences like that of water. I thus assume the "generalized essentialism" they argue for. It is controversial that artefacts (as opposed to the superordinate category *artefact* itself) have explanatory natures, but I am far from being idiosyncratic in thinking that they do have them (Evine, 2016; Preston, 2020).

5

 As I make clear below, Sect. 3, unlike Suits I only aim to vindicate formalism for species-like "lower taxa"—in our context, specific games or specific speech acts. When it comes to genus-like "higher taxa" like *game* or *art* in general, or assertion understood as a genus encompassing guesses, conjectures, putting forward propositions for their consideration, and so on, the sort of definition I favor is closer to a nominal, non-explanatory one than a real definition.

6

As a matter of fact, as Searle (1969, p. 36) points out, only the whole set of rules will do. A standard way for formalists embracing F_D to react to the counterexamples discussed below is to restrict the claim of constitutivity to a designated set of rules, as it were the "important" or distinctive ones. García-Carpintero (Forthcoming) offers reasons to reject this move. See also fn. 13 below and related material in the main text.

7

Hindriks (2009, p. 272), Guala and Hindriks (2015, pp. 188–189), Guala (2016, pp. 58–59), and Reiland (2020, p. 7, fn. 9) all assume the linguistic characterization of the distinction in their discussions.

8

This shows that the constitutive/regulative distinction can only be made relative to particular games. Searle begrudgingly admits as much: casting the rule in the "*X* counts as *Y* in context *C*" mold "is not intended as a formal criterion for distinguishing constitutive and regulative rules. Any regulative rule could be twisted into this form, e.g., 'Non-wearing of ties at dinner counts as wrong officer behavior'." But then he goes on to argue that, with some qualifications, the formal criterion would do; cf. García-Carpintero (Forthcoming) for critical discussion.

9

Formalism as understood here is thus an ontological view. Just to be clear, I am not suggesting that Williamson is committed to its details; perhaps he doesn't understand "definition in terms of constitutive rules" in the way I am assuming. In fact, in a quotation I provided above he says that "[c]onstitutive rules do not lay down necessary conditions for performing the constituted act"; but in my view they do, if the defining conditions properly include normative vocabulary. Thanks to Samuele Chilovi and Matthew Kramer.

10

It is also in this sense, I take it, that Newman and Knobe (2019) talk of "Platonic essences" in their defense of the generalized essentialism I am assuming here, see fn. 4 above.

11

Suits (1978, p. 52) suggests a form of "legal positivism/realism", claiming that a move in a game is illegal if and only if a referee decrees it so. But this is a poorly motivated form of conceptual engineering. It leaves out games played without a referee (Kaluziński, 2018, p. 119). And it assumes a questionable view of what referees do, as Russell (1999) points out; referees also make mistakes, as shown in that their decisions are sometimes overruled.

12

Cf. Broome (2013, ch. 2) for a sharp discussion of the current Scanlon-inspired take on the "core" normative notions that I am assuming here. Franssen (2009) provides elaborate analyses of normative talk concerning artefacts in this framework.

13

Cf. McPherson (2011, p. 232) on *chess* vs. *schmess*, and Kaplan (2021, fn. 10).

14

Fricker (2017, p. 388) provides a detailed explanation; she shows that both a convention or a social or a moral norm, and a constitutive rule, might well underwrite the very same actually instantiated practice. In Epstein's (2015, chs. 6–7) ideology, constitutive rules provide real definitions for the kinds they individuate, and they must be grounded (Correia, 2017); in his terms, there must be corresponding "framing principles". Social norms provide what Epstein calls *anchors* for kinds that are in force. The external "norms" that explain why practices defined by constitutive norms are in force need not be more than regularities in the behavior of the relevant community, sanctioned by rewards and punishment; this is in fact the way both Lewis and Bicchieri think of them, cf. Hédoin (2015), Guala (2016, chs. 5–6), but see Brennan et al. (2013, ch. 2–4) and Southwood (2019) for a non-reductive alternative that I am sympathetic to.

15

Rough (2018a, 6 fn.) tries to salvage a notion of *prelusory goal* "separable" from the rules: "The prelusory goal may not always, however, be separable from the institution of the game itself. For instance, checkmate is not a mere configuration of objects in space, but requires the conventions that dictate what moves the pieces can make and what contexts count as checkmate. What makes the prelusory goal separable is that one can still achieve the prelusory goal without following all the rules of the game. Chess serves as an excellent example of this, as learning the game often involves setting up the board, or looking at illustrations of it, in positions that do not start at the beginning, a clear abrogation of the rules, but still follow the rules from there as a way to teach certain principles". This questionably assumes F_D—which Rough indeed holds, as a quote above shows. The whole set of chess rules is needed to define *being a checkmate*; but they are to be understood in accordance with F_N. Rough's cases don't pose a problem; the rules are indeed violated, not because of ineptitude or cheating, but for other good reasons; cf. also fn. 18.

16

Martínez (2020) offers a compelling revision of the HPC account.

17

For good examples of how arguments for this may go, well-informed by current science, cf. Franklin-Hall (2021) and Khalidi (2021) on reasons why the sexes male vs. female (in general, and more clearly in particular species) are real kinds of such a historical sort.

18

The latter case could also be treated along the lines suggested in fn. 13. As a matter of fact, the two accounts are complementary: the cases that Rough puts forward are chess in the historical sense, and they are also chess as defined by the current FIDE rules when this is understood in accordance with F_N; the rules are not being fully obeyed, for good reasons.

19

Changes are "small" relative to the preservation of the distinctive "lusory means" that the game affords, allowing for distinctive lusory experiences vis-à-vis those afforded by other historically defined good games, kept in existence because of that. See below for elaboration.

20

Polysemy cannot always be explained by assuming a *core* or *central* sense, from which the others can be explained, cf. Falkum and Vicente (2015). But in some cases, this is a good working hypothesis; cf. Tyler and Evans (2003) on prepositions.

21

Cf., e.g., Lind (1992). To be fully candid, I have to confess that I would find it utterly impossible to understand—alien—the behavior of someone who would be prepared to incur the costs I am to enjoy a celebrated new production of Strauss' *Rosenkavalier*, or a once-in-a-lifetime Giorgione, Vermeer, or Caravaggio exhibition, for the sake of being exposed for a second time to Rauschenberg's painting, or Cage's piece—whether or not the accidental sounds made by the audience in the performance are part of it, cf. Dodd (2018).

22

Of course, there is a long tradition of appealing to an aesthetic attitude in characterizing artworks, from Kant to Stolnitz and Scruton, cf. King (2012).

discussed by Kemp (1999), taking up Kemp's demand that the discussion of its nature be placed "in the context of a suitably rich theoretical atmosphere" (ibid., p. 399).

23

I am assuming the now standard Dancy-Raz take on *normative* and *explanatory* reasons; cf. Álvarez (2017). I think of functions along the etiological lines nicely articulated by Eaton (2020). On the view I am outlining, the etiology determining *proper function* and *proper conditions* for function fulfilment is afforded by the account of how the constitutive norms defining the artefact (the artwork) have come to be in place or accepted; cf. Thomasson (2014). As Eaton points out, this allows for artworks to be answerable to the relevant norms even when their makers lack the intentions to yield to them: individuals may be obligated by norms even when they lack such intentions, for different reasons. However, the normative reasons that I am assuming artworks should provide are meant, in prototypical cases, to be *owned by*, *possessed by*, or *available to* artwork producers and their audiences; I take it that a form of "moderate intentionalism" (Livingston, 2005) about proper interpretation (i.e., "Does Mean" interpretation, as opposed to "Could Mean" interpretation, Levinson, 1998) follows from this.

24

Although I agree with Gorodeisky and Marcus (2018) that successful artworks provide normative reasons for an attitude, my view of the aesthetic experience is much closer to the one nicely articulated by Goffin (2019)—and the more general view of pleasant feelings developed by Aydede (2018). I sharply distinguish aesthetic experiences from the aesthetic judgments they may ground and justify; for the judgment can occur without the experience, as the experience can occur without the judgment. (My take on the related debate about aesthetic testimony is close to Franzén's (2018)). And, while I agree with Gorodeisky and Marcus (2018) and Gorodeisky (2019)—and Kant—that we intuitively take aesthetic experiences to make claims of necessity and universalizability, I think we have good theoretical reasons to resist them, and to embrace a form of (contextualist) relativism (Marques & García-Carpintero, 2014).

25

This paragraph was motivated by an illuminating exchange with Kendall Walton. The point in the text is compatible with the metasemantics allowing for some "value-maximizing" elements in *Does Mean* interpretation; for instance, to allow for a flat-out assertion of 'the vote was unanimous' to *say* that the vote was anonymous when the malapropism is sufficiently manifest (Unnsteinsson, 2017); or to allow the application of (FR) to Fritz Lang's 1937 *You Only Live Once* to be made relative to George Wilson's (1986, ch. 2) non-obvious (but to a very great extent upheld by clues in the film) interpretation, as opposed to the sentimental standard one.

26

In a similar vein, Juul (2005, p. 226) states that a "game has been designed to be entertaining when one pursues the goal" (thanks to Aarón Álvarez and Alfonso García for the reference). This goal is what rules like the "12 Tenets of Board Game Design for Stonemaier Games", https://stonemaiergames.com/about/mission-statement/, transparently aim to secure.

27

A referee asked how to locate my discussion in the long debate in the literature on games on the distinction traced in English (but not in Spanish and other languages) between 'game' and 'play'. It is generally granted that the latter has a wider use than the one at stake here (cf. Aarseth, 2014; Clément, 2014). For my purposes, 'game' refers to the abstract object defined by constitutive rules, 'play' to the activity of engaging it with the lusory attitude.

28

I'd like to note here the most significant difference between my views on fiction and Kendall Walton's, in many ways the closest to my views and certainly the one that has been most influential in developing them. As elaborated in Chap. 2 of Walton (1990) and the earlier works that it crystallizes, Walton famously assimilates fictional artworks to make-believe games, and other categories including daydreams, and even dreams; Corbí (2020) identifies social rituals, and Stock (2021, ch. 6) legal fictions, and legal-fiction-like gender classifications, as other examples in the category that Walton calls "representations"—items that can be seen as having the prop-facilitated function of prescribing imaginings. Accordingly, Walton (2015a) takes sport games to be fictions. Now, I don't have any qualms in acknowledging Walton's ontological category, or its significance. However, as commentators have pointed out (Friend, 2008, pp. 152–154; Woodward, 2014, p. 825), Walton is dismissive of the narrower category that, say, Searle (1974–1975) or Currie (1990) were trying to account for—which is, I take it, that of fictional artworks. This cannot be explained in terms of the blanket notion of *prescriptions to imagine*, as Walton (2015b) now acknowledges; but as García-Carpintero (2019) shows, it can be along the lines outlined here. And it differs from games for the reasons given in the main text; as Walton (2015a, p. 80) himself points out, "even in the case of spectator sports like professional baseball games and track meets, no one arranges the events of the game to best advantage for appreciation—at least no one is supposed to. The participants play to win, not to put on a good show".

29

My references in Sect. 2 acknowledge how close my views on games are to Mike Ridge's. Unsurprisingly, his response to Rough (Ridge, 2018) is also similar to mine. However, I grant more to Rough than he does. I grant Rough the hylomorphism, which Ridge objects to as leading to a "bloated ontology", p. 8—something that doesn't worry me in the least. More importantly, I think of both games and artworks as (in the primary sense of the terms for the relevant kinds) constituted by rules, along similar lines to Rough. This is why my own objections stand in the face of Rough's (2018b) brief dismissal of Ridge's objections.