

The Quest for Fairness

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Abstract

One crucial element that all competitive play shares is the ideal of fairness, but when we look closely at how we compensate for unfair advantages, we find no consistency. For example, the World Cup pits tiny, poverty-stricken nations against massive, wealthy behemoths, and nobody expects special consideration for the weaker side, yet in sanctioned competition from junior high to the pros, we often “protect” the presumably weaker players. For example, we almost never let adults in their prime play against children or senior citizens, and we rarely allow men and women to compete against each other at any level. Despite these and other inconsistencies, however, our best resource for understanding fairness in our culture is games and sports. When play does not involve winning and losing, fairness is irrelevant. And more serious types of competition, like politics, business, and war, do not allow us the luxury of worrying about fair play. Ideally, a careful analysis of games and sports would enable us to see why some competitive activities gives weaker players or teams a “head start” and others do not. Unfortunately, no current theory explains all the variations we find, but we can still gain valuable insights into the nature of social and political justice by paying close attention to systems of competitive play.

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THE QUEST FOR FAIRNESS

In the first game of the 2014 FIFA World Cup, Brazil beat Croatia 3-1, to no one's surprise. After all, Brazil not only enjoyed home-field advantage, but she has over 195 million more people than Croatia. Yet no one cried foul. No one suggested that Brazil's victory was tainted by her overwhelming advantages.

Every four years, we see the same phenomenon. Tiny states like Costa Rica (4.6 million), Bosnia and Herzegovina (3.9 million), and Uruguay (3.3 million) face behemoths like Japan (127 million), Russia (135 million), and the United States (313 million) on the “pitch.” Dirt-poor African nations like Nigeria (per capita GDP \$2,600), Cameroon (\$2,300), and the Ivory Coast (\$1,600), battle wealthy European powerhouses like France (\$35,600), Germany (\$38,400), and Switzerland (\$43,900). Yet no one bats an eye. No one scoffs. No one demands handicaps, special considerations, a level playing field.

Predictably, only one team with fewer than 40 million people has ever won the World Cup (Uruguay in 1930 and 1950), and no team with a per capita GDP less than \$15,000 has taken the top prize. It seems clear that small and/or poor nations hardly stand a chance of winning the Association Football championship. Yet no one has seriously suggested, for example, that we develop a separate soccer championship for small and/or poor countries, using the FIFA Women's World Cup as a model. Why don't we give these underdogs a chance to win *something*?

Apparently, the entire world seems to feel that the World Cup is fair as it is. Which strikes me as rather strange. After all, in many cases, we take for granted that certain types of handicapping are necessary to achieve fairness. Thus, we rarely allow males and females to compete against each other; we have leagues for youngsters and brackets for oldsters that are age-specific; we pit boxers and

wrestlers against others in the same weight class; we have a Special Olympics only for those with specified physical and mental impairments; we divide high school and college sports into divisions based on the student population or the number and type of athletic scholarships they're allowed to give; and (except in specially defined events), we say that people who have earned money in competition should not compete against people who haven't.

This blatant inconsistency suggests that fairness is an elusive concept. Nevertheless, competitive games and sports are our best resource if we wish to explore and and hope to understand fairness and justice in larger contexts. Nothing else in our culture serves this function nearly as well.

On the one extreme, play (that is, non-competitive fun) cannot serve this purpose because there is no reason to violate the system. Unless an activity involves the possibility of someone winning and someone losing, breaking the "rules" is pointless. Can we gain an illegal advantage in Ring-Around-the-Rosy or Patty-Cake? Would we cheat while tossing a Frisbee with a friend?

On the other extreme, we can't afford to worry about the deepest meaning of "fairness" while we are involved in activities—like business or politics or academics or law or war—that might affect our livelihood or the health/safety of ourselves or our loved ones. When we focus on making money, gaining power, or defending our lives, we are unlikely to be able to step back and look objectively at whether a rule or restriction is "fair"—we will notice first if it hurts or helps us. (For this reason, some students call a low grade "unfair" and a high grade "fair." Children might say a game is unfair when they lose.) In fact, most people would say that in such cases, it is our "job," our duty, to pay attention to benefits and liabilities, not to underlying structure.

That is not to say that participating in or watching games teaches us to play fair (although in many cases, fortunately, it does do that), but when we play a game for recreation or entertainment, we

generally do not feel that the outcome will change our lives in any significant way, so we can more easily recognize the inherent (im)balance of forces, the (un)equal opportunities available to each player to accomplish the goal, the situations that would give one player or team an (un)acceptable advantage. In fact, our desire to win is—in the vast majority of cases—subordinated to our desire to maintain the integrity of the game, to keep it “fair.” How else can we explain why people who are losing rarely resort to stalling, quitting, or cheating?

Notice that understanding fairness is not the function of particular games but of games as a class (pun intended). The same “lesson” is built into soccer, tic-tac-toe, chess, *Monopoly*, *Scrabble*, *World of Warcraft*, *Magic: A Gathering*, tennis, and baseball because all are based on the principle of fairness. If competitive games and sports have nothing else in common, they have this concept at their heart. Fairness—or at least the presumption of fairness—is a defining trait of games.

To demonstrate this fact to yourself, try to name another competitive activity for which the same can be said. Do we assume that elections, trials, schools, businesses, or wars are fair? The frequency with which we hear the expression, “Who says life is fair?” suggests that most of us do not expect any experience other than a game to have this quality. Life, we might legitimately argue, is necessarily (inevitably, unavoidably) “unfair.” We are not created equal—in looks, health, power, ability, family, wealth, geography, or any other way that determines our fate as human beings. And our political, educational, social, religious, and legal systems do little to mitigate these inherent inequalities (and often exacerbate them).

So we devise, play, and watch games. We know, even as children, that we have more money or nicer things or a better home life than some people and that others have similar advantages over us. But we are likely to feel—from envy or compassion—that, in some ideal world, no one should start out

ahead of anyone else.

Games create that ideal world, at least we pretend they do. At the beginning of a game, we like to feel that all players have an “equal” chance to win—or we will be reluctant to participate as players or observers. That is, we want to believe that the game itself does not favor any participant, that the game is neutral with respect to the players.

Evidently, this kind of neutrality is one of the key characteristics of “fairness.” Even the most cynical couch potato, the most disillusioned observer of life’s inequities, while watching the World Cup or World Championship Poker, demands that the players follow the rules (mostly), that infractions receive appropriate penalties, that the rulebook gives neither competitor an edge, that the officials make calls even-handedly and competently.

The increasing use of instant replay and challenges to determine what “really” happened on a field, court, pitch, or rink illustrates our obsession with fair play. We don't want the “mistakes” of a ref, ump, or other official to determine the outcome of a game. We want to give each player exactly what they “deserve,” no more, no less. We are willing to delay a game for several minutes to find out if “the ruling on the field stands.” Even if our team is hurt by an overturned call, we appreciate that justice has been done and the universe has (momentarily at least) returned to some sort of cosmic balance.

Whoever said that (*The Game of Life*) must be fair? Everybody!

Our language reflects this view of games. We borrow expressions from game-playing to discuss equity in other realms. On the positive side, we refer to something being “cricket,” to “a level-playing field,” to being a “good sport” or a “team player,” to giving someone “a sporting chance” or “a fighting chance.” Honest people “lay their cards on the table,” “call a spade a spade,” and “play by the rules.”

On the negative side, we refer to “foul play,” “hitting below the belt,” “moving the goalposts,” “a low blow,” “a sucker punch,” “taking a dive,” “dealing from the bottom of the deck,” “stacking the deck,” “card stacking,” “a shell game,” “loaded dice,” “a cheap shot,” “a dirty player.” A dishonest person has something “up his sleeve” (like someone cheating at poker).

Other expressions related to fairness have crossed over from games and sports to affect the way we think about life. For example, when someone tries to take advantage of us by stretching the “rules” of society inappropriately, we’re likely to say, “So that’s how you want to play?” or “Two can play that game,” implying that we can justifiably (and without feeling guilty) retaliate in kind. We say people are “gaming the system” when they gain a sleazy advantage. We use the basketball expression, “No harm, no foul,” to make sense of non-game situations in which someone has ostensibly violated the code we live by but no one gets hurt. We say “May the best man win,” even in non-sports contexts, meaning that we hope that pure luck or illicit activities don’t determine the outcome. We use the baseball umpire’s “I call ‘em as I see ‘em” when we have to make tough judgment calls in real life. We invoke Grantland Rice (“It’s not whether you win or lose, it’s how you play the game”) as a moral precept transcending sports. And when the government started a social program to give “disadvantaged” kids a better chance of succeeding in school, we named it Head Start, after the children’s practice of giving their speed-impaired buddies a handicap in a race.

Games, then, are our touchstone. Life may not be fair, but as long as we have games, we will always have a way of measuring how unfair life really is. With the model of games, we cannot pretend that other aspects of our existence are the way they should be. More importantly, games provide us with an ideal to strive for. We know what life ought to be because we see have a model of friendly competition.

That's why, when games fail us, when players cheat or shave points, when officials make the wrong judgment or are shown to be corrupt, when the rules are flawed or circumvented, when the match is fixed, our world is threatened in fundamental ways. That's why the Black Sox have that name, why Pete Rose was not allowed to be inducted into the Hall of Fame (until he confessed his sins), why Mike Tyson was (temporarily) banned from boxing and Ben Johnson from track and Tanya Harding from figure skating and A-Rod from baseball, why colleges are put on probation for recruiting violations or selling team memorabilia for tattoos. That's why the Jerry Sandusky scandal created a media firestorm and affected our national psyche so much more deeply than other cases of sexual abuse.

We can't stand our sports to be (publicly) impure because we intuitively know that they are our guide, our North Star, our moral compass. If we can't appeal to games to tell us what is right and just and fair, there is nothing else to appeal to since the other candidates—religion, morality, ethics, law, school, culture, politics—are inevitably tainted with real-world-itis, with the struggle for power and survival.

So do games serve this purpose effectively? Do we in fact understand fairness merely because we play games? Has our experience with chess and baseball taught us all we need to know about decency and integrity? More importantly, have we learned to transfer these lessons to larger social contexts?

Unfortunately, the answer to each question is no. That's not how it works. The existence of games is necessary, but not sufficient, to give us a cultural definition of fairness. In other words, we would not have the foundation for grasping the concept if games did not exist. By their very nature, games hold the secret to our legal system, our religious principles, our educational practices (such as

admission, grading, plagiarism, suspension), our business ethics, our moral standards, our democratic ideals. As Maiese (2003) has pointed out in “Principles of Justice and Fairness (3rd paragraph),

Parties concerned with fairness typically strive to work out something comfortable and adopt procedures that resemble rules of a game. They work to ensure that people receive their "fair share" of benefits and burdens and adhere to a system of "fair play."

However, participating in games and sports does not, in itself, guarantee that we will comprehend every nuance of these complex and challenging concepts. To do that, we must carefully and systematically examine our play, look objectively at what we intuitively call “fair” and “unfair,” find the patterns that make sense of our intuition, try to resolve the apparent inconsistencies, then see how we can apply these discoveries to our moral, social and political life.

Games are merely the text. We must study them as carefully as we study any art form to see what they have to teach us. To play a game or watch a sporting event for fun is like reading a novel or watching a movie for entertainment—we are unlikely to learn anything of importance. But we can teach ourselves and others to see the values and assumptions inherent in games and sports, just as we teach people to see more deeply into novels and movies.

So far, our culture has shown little interest in examining games in this way. They are perceived as frivolous diversions, barely worth our serious attention, like drama in Shakespeare’s time, novels in the 18th century, movies and jazz in the 1920s, comic books in the 1950s. Until scholars began to treat each of these genres as legitimate forms of human expression, few people recognized their influence on our national psyche. The time has come to think of games in the same way, as profound embodiments of our unconscious cultural norms.

Let's start the process with a definition. In games and sports, you are said to have an advantage over another (or others) when conditions seem to favor your success over your opponent(s). In other words, you have an advantage over your opponent when you have a better chance of winning than s/he does. Some advantages (such as home field) precede play, others (such as being ahead in the score) are "earned" during the play itself. Some advantages are very obvious, others are almost imperceptible. Some are visible, others are intangible.

But why are some advantages acceptable to us and others are not? Why do we work hard to eliminate or minimize certain advantages and not others? How do we tell the difference between a "fair" and an "unfair" advantage?

Advantages that intuitively seem fair include the following: greater physical or mental ability; greater concentration; more experience; more diligent practice; more effort or "hustle" or energy expended; greater speed; faster reflexes; greater knowledge; better vocabulary; better co-ordination. In general, we think of these as legitimate reasons for one player or team to have a better chance of winning than another. It's hard to imagine someone seriously saying "That race wasn't fair. He was faster than I was" or "We wuz robbed in that game. They out hustled us" or "You're a cheater at Scrabble. You know more words than the rest of us."

We also seem to believe that certain inherent character traits give players a justifiable advantage, though they have little to do with the specific skills exhibited during a particular competition. We praise players for having grace under pressure, confidence in their ability, a winning attitude, tenacity, persistence, resilience, a "killer instinct," a "game face," a "poker face." All of these supposedly give players a competitive edge in almost any competition and usually separate the near-great from the great, which means that virtually all games and sports reward these intangible qualities.

On the other hand, advantages most of us would consider unfair include behaviors we call “cheating”: having more players on your side (e.g., in a tug-of-war or a football game); using marked cards during a poker game; jumping the gun in a race; doctoring your equipment (such as putting cork in a bat); playing an opponent who’s groggy from a medication; building up your body with drugs that aren’t available to your opponent; using secret hand signals in bridge; adding a foreign substance to a baseball before pitching it; surreptitiously pushing your opponent during a race; punching another player during a pileup in football; biting your opponent during a boxing match or a World Cup match! As mentioned earlier, we also seem to think that various differences between players (such as age, gender, weight, physical handicap, school size, or professional status) give one individual or team an *unfair* advantage and the other an *unfair* disadvantage. In these cases, we keep one set of players from playing “down,” i.e., playing those over whom (we believe) they have an insurmountable advantage of some sort. As Salen and Zimmerman (2004) have claimed:

It is important that players feel a sense of fairness as they play, that they win or lose because of the application of their own abilities within an equitable game system. This is why many games have handicapping rules or player classes, so that players of equal skill can be matched up against each other. (p. 352)

And yet, as we have seen, we make no attempt to balance out the advantages of size and wealth in the World Cup. In addition, we generally allow scholastic teams with vastly different skill levels to play each other “straight up.” As a result, it is not uncommon to see very lopsided scores in high school and college contests. In addition, some schools dominate a sport year after year. Mount Union College, for example, had winning streaks of 55 and 56 games in a row in Division III football, and no one cried, “Break up the Purple Raiders!” Similarly, the wrestling team of Brandon High School in Florida

won 500 wrestling meets in a row, but nobody questioned their right to establish a 40-year dynasty.

Interestingly, when we do introduce handicaps into a sport, like golf, it's probably not so much to make the game "fairer" but to make it more interesting, to make the outcome less predictable and more suspenseful. In any case, the handicap typically doesn't completely compensate for the difference in skill levels. It's usually some percentage (like 2/3) of the difference in two players' average scores. In actual play, the weaker player is still at a distinct disadvantage. I would guess that most people would think it would be unfair to "penalize" the better player by giving the weaker a handicap that would allow him or her to win more than half the time.

For some reason that is not clear to me, we rarely devise leagues based strictly on ability, leagues which cross gender and age lines. One exception is tennis, which often has tournaments or leagues based on players' skill-level ratings—but usually only players of the same gender, at least in singles. Presumably, we could make competitive male-female contests in most sports by pitting females against younger males or pitting females in their prime against men past their prime.

For example, we might put 12th grade girls in a tournament with 10th (or 9th or 11th) grade boys, but, to my knowledge, no one has ever seriously proposed such a possibility. Our bias against mixing the genders is so strong, apparently, that we have not even done the research necessary to find out how much older (or younger) females would have to be on average to give males a run for their money. Why do we continue to insist that females play only females and males play only males in junior high, high school, college, club, Olympic, and pro athletics, even in sports in which testosterone or size does not provide any obvious advantage (like skiing, archery, riflery, billiards or tumbling)? Why do men not compete on the balance beam? Why are men banned from synchronized swimming in the Olympics? Is this an issue of fairness or just plain old sexism? Are we simply stuck in an inherited

system based on outdated views of men and women? Are we afraid that guys' egos are so fragile that they would be devastated by losing to a mere female?

Whatever the reason, it's silly to maintain this artificial gender segregation. The Billy Jean King-Bobby Riggs match showed that a professional female tennis player at the top of her game can beat a former professional male tennis champion in his 50s. Michelle Wie has shown that a 14-year-old female can beat many professionals male golfers in sanctioned tournaments. Danica Patrick has shown that a woman can be competitive against men in car racing. Yet no one has picked up on this Battle of the Sexes notion—in *any* sport (except equestrian).

Equally puzzling to me, we rarely, if ever, set up leagues for non-professionals on the basis of 1) the amount of time they spend practicing; 2) how many years they've been playing; 3) the age at which they started playing; 4) how many private lessons they've had; 5) how much financial and emotional support they get from their parents; 6) how good the facilities and equipment are that are available to them; 7) how good their nutrition is, and so on. Some differences that make one player better than another are perceived as needing to be "corrected," while others are not. Are we operating out of practical necessity (since it would be quite difficult to determine these things about players) or do we just do things this way because we've always done them this way?

Most importantly, is there an underlying pattern to all this?

For the moment let's assume there is and try to come up with a theory of fairness that makes sense out of our practices, that finds some kind of logic (or at least superficial consistency) in the way we treat games and sports in our culture.

First attempt: We perceive an advantage to be fair when we assume it derives from a superiority

in those skills, talents, abilities, or traits that we believe the game is designed to test and not from what we would label as “extraneous” factors. For example, we might claim that a running race is intended to test the participants’ relative speed, body control, handling of pressure, and competitive spirit. It seems reasonable to say that the race is supposed to answer the question, “Who can run this distance in the shortest amount of time?” Our goal, we might argue, is to equalize all other factors so that that question can be answered as meaningfully as possible. As Salen and Zimmerman (2004) have argued,

The game structure creates an artificial arena, in which everything is removed except for the factors involved in the conflict. Chess is a context for intellectual strategic competition. In a gymnastics competition, only gymnastics skills matter. (p. 260)

By that reasoning, an unfair advantage would be one which is believed to result from some factor other than those being tested by the sport.

Unfortunately, this promising theory doesn’t stand up under scrutiny. For one thing, it’s often pretty hard to say what qualities are being “tested” by a game or sport. For example, what characteristic is being tested in all-luck games like War (the card game) or *Chutes and Ladders* or a lottery? Are they designed to determine how lucky the players are? Is lucky-ness a “trait” that inheres in each individual and which can be ascertained through the playing of a game the way speed or strength or cleverness can? I doubt it.

There seem to be many other counterexamples. Why, for example, do we prevent professionals from competing in amateur tournaments if the “real” goal of a competition is to test the skills associated with that type of activity? What difference does it make if some people make a living at it and others don’t? If the professional is better, hasn’t s/he *earned* that superiority?

Some would undoubtedly argue that the professional benefits *unfairly* from the fact that s/he earns a living at a particular sport and therefore can spend far more hours practicing than someone who has to make a living at some other job. In addition, the professional usually has the best coaching money can buy, the best equipment, and so on. Therefore, this argument might run, we must “protect” amateurs from having to play against the pros; there should be a venue in which people who play for the love of the game can compete against others like them.

If this is in fact our goal, then we are not interested only in finding out which players have the best skills associated with a contest; we are evidently also interested in how they acquired those skills. Since American athletes, reporters, and fans have often been heard to moan that the athletes (and chess-players) of eastern-bloc nations get an *unfair* advantage because the state subsidizes them, whereas those in western countries have to foot their own bills, it seems obvious that we do not think that competition is intended merely to test people’s skill level. In some contexts, we seem to think of a contest as fair only if all players have roughly equivalent opportunity to acquire their skills.

But our ideas on this issue are clearly muddled, as a look at the Olympics will quickly show. For many years, the Olympic Committee did not allow professionals in various sports to compete in the Olympics, but now the rules allow them in some competitions (like basketball and tennis) and not others (like diving and gymnastics). Is this just a case where politics outweighs our notion of fairness, or should we recognize that the professional/amateur question is a perfect borderline case that will ultimately help us define what we mean by a legitimate advantage?

Other counterexamples come to mind. For instance, great height is not generally perceived to be an *unfair* advantage in basketball, even though it is not something the player can claim credit for. Obviously, it’s just an unearned accident of genetics. Yet when Team A’s players are significantly taller

than Team B's, we don't usually complain that Team A's victory is somehow tainted. According to the "testing traits" theory, we should. Does it make sense to say that tallness is one of the traits basketball is "testing"?

Similarly, many in our culture seem to accept the as-yet-unproven (and perhaps unprovable) notion that genes make elite African American basketball players able to run faster and jump higher than their white counterparts, but I don't remember hearing anyone say that the resulting advantage is *unfair*. In fact, reporter Jon Entine has published a book (*Taboo: Why Black Athletes Dominate Sports and Why We Are Afraid to Talk About it*) that offers "scientific" evidence for this highly controversial (and, some would say, offensive) position, that athletes with West African ancestry have a *genetic* advantage over others in sports that require speed and explosive jumping ability (p. 341), but nowhere in this book does Entine or any one he quotes suggest that that advantage is unfair or that runners with no (recent?) West African ancestry need to be afforded a head start in sprints. He also says that "blacks" have more difficulty swimming than other athletes because they are "sinkers" (p. 283), but he doesn't suggest that we handicap swimming races in favor of Africans or put weights on the non-African swimmers, as if they were horses in a race.

In this context, some might remember Kurt Vonnegut's satirical short story, "Harrison Bergeron," which brilliantly illustrates the absurdity of trying to "equalize" everyone's chances of success in life by assigning handicaps—tangible disadvantages—to those who are smarter, more beautiful, stronger, or faster. If players of a certain ethnic background inherit spring in the legs or quick reflexes or height or the ability to float, why are those inherited characteristics not considered unfair?

If we had some way to determine, once and for all, that, say, Caucasians have more testosterone than Asians, or East Africans have greater lung capacity than any other population or that West Africans

have more fast-twitch muscles than everyone else, what should we do about it? What would be “fair”? Should we handicap sports on the basis of ethnic background, gender, age, ability? Why do we give handicaps in some sports (like golf, bowling, horse racing, go, chess) and not others. And doesn't our willingness to narrow the gap between competitors by giving weaker players an artificial advantage further undermine the theory that sports are “testing” specific traits? If we give someone a head start in a race, will the result tell us who the faster runner is?

Obviously, there's something more subtle operating here. The “testing traits” theory doesn't seem to work.

Let's come at this question from a different angle. Consider this proposition: A necessary (but not sufficient) condition for fairness is that players with comparable ability have, at the beginning of the competition, an equal chance to win. This initial condition is often spoken of metaphorically as a “level playing field.” Thus, according to Salen and Zimmerman (2004),

If your players feel that your game is unfair, that it lacks a level playing field, it is unlikely that they will want to play. Within the magic circle [of playing a game], a game is suspended between the ideal notion of a level playing field and the reality of inevitable unfairness, a reality that creeps into every game, even while the magic circle's border holds it at bay. Perhaps games do not take place on an absolutely level playing field. But they are premised on the very real idea of fairness and equality. (p. 262)

Surprisingly, even this modest claim can be shown to be problematic. For one thing, the ubiquitous cliché, “level playing field,” is quite misleading, even on the literal level. No one wants a “level” (i.e., flat) playing field in golf, mountain climbing, motocross, skateboarding, surfing, Connect

Four, or Labyrinth. In addition, a football field, basketball court, or tennis court does not have to be “absolutely level” for the contest to be fair, since players switch ends at some point(s) in the game. Even if the field or court happened to be on a five-degree slope, both players/teams would have to run or hit the ball uphill for approximately half the game. Obviously, we need a better metaphor to express this ideal opening condition.

More to the point, it is not necessary for the opening conditions to be equitable for a game to be (perceived as) fair. If one player/team were given a clear advantage over the other at the beginning of the game, we might still say the contest is fair if the *rewards* are different.

For example, let’s say two Scrabble players of more-or-less equal ability are told that Player A will have 8 letters on each turn while Player B will have the usual 7, but Player B will earn \$1000 for winning and Player A will win only \$100 (or some other fraction of what B earns). Wouldn’t they (and we) agree that the game is fair (assuming the difference in compensation is considered “appropriate”), even though they don’t have the same chances of winning?

This, of course, is the principle behind bookmaking. Since we can’t guarantee that all teams, players, or horses have an equal chance for success, we give greater odds or a “spread” to those betting on a competitor perceived to have less chance of winning. The bet is perceived to be “fair” as long the reward for predicting the outcome is seen as more-or-less proportional to the chance of guessing correctly.

But even if the *tangible* rewards were identical, we might say the “unequal” Scrabble game was fair because Player B would gain tremendous bragging rights for winning under these conditions, whereas Player A would get little satisfaction from beating B in this way.

In fact, one might argue that all “underdogs” (people perceived to have significantly less chance of winning than their opposition) have inherent advantages over their rivals. First, the less your (perceived) chance of defeating your opponent, the less “pressure” on you to win. In addition, the less likely your success, the more glory you can achieve by winning. For this reason, the Costa Ricans were the “darlings” of the 2014 FIFA World Cup because they beat Italy, which has 56 million more people and \$18,000 higher per capita GDP, and several other teams that had significant advantages over them.

In “How it Feels to Be Colored Me,” Hurston (1989) made this exact point about being black in the American South in the 1920s:

Someone is always at my elbow reminding me that I am the granddaughter of slaves. It fails to register depression with me. . . . I am off to a flying start and I must not halt in the stretch to look behind and weep. Slavery is the price I paid for civilization, and the choice was not with me. It is a bully adventure and worth all that I have paid through my ancestors for it. No one on earth ever had a greater chance for glory. The world to be won and nothing to be lost. It is thrilling to think—to know that for any act of mine, I shall get twice as much praise and twice as much blame. (p. 1031)

As Hurston has pointed out, only those who are sufficiently “handicapped” have the opportunity to overcome enormous odds and win a glorious victory. How much more exciting and memorable it was for the American hockey team (a huge underdog) to beat the Russians in the 1980 Olympics and go on to win the gold medal than for the American basketball “dream team” (an overwhelming favorite) to win the gold in later Olympics. More than 20 years after the U.S.A. hockey team’s victory, the line, “Do you believe in miracles?” still sends shivers up and down many spines (and generated the movie, *Miracle*). Would we remember David and Goliath if Goliath had won?

In a sense, then, some David-Goliath contests can be seen as “fair” (or less unfair than we would ordinarily see them) because the ostensible advantages of the odds-on favorite may be compensated for by the tangible or intangible rewards available to the underdog. Ironically, we don’t have to “level the playing field” in order to have a game we can all agree is “fair.” We just have to make sure that the player or team running up the hill has the possibility of appropriately greater rewards than the one running down.

In 1970, a game came out which illustrates this counter-intuitive phenomenon. *Blacks and Whites* was apparently intended to show how racism kept African Americans from achieving success, so at the beginning of the game the players who took the roles of black people started out with all kinds of disadvantages—less money, fewer job opportunities, and so on—than those who took the white roles. When I introduced this game to a class, you can guess what happened: All the students wanted to be black people! They knew intuitively that those who played whites would get little joy from winning (since they started out with all kinds of “unfair” advantages), while those who played blacks had, literally, nothing to lose. If the “blacks” didn’t win, no big deal—look how far in the hole they started. But if they happened to win, the rewards would be amazing. They could razz the “whites” for the rest of the term! Ironically, the game demonstrated the opposite of what (I assume) it was supposed to demonstrate. Instead of making the students identify with the plight of black people, it made the circumstances of “African Americans” into a no-lose game situation!

The differences between that game and “real” life are instructive. For one thing, the players assuming the roles of blacks had reason to believe that they had a decent chance of success in the game. First, they could see from the rules that they had at least a shot at winning (let’s say a 1 in 10 chance), but they knew that, even if they didn’t actually win, they would still be able to claim a moral victory if

they “made a game of it,” i.e., they came at all close to winning. More importantly, the forces against the “blacks” were explicit. All the advantages that “whites” had were obvious from the initial set-up. There were no hidden factors.

To me, that’s very different from the way racial relations (or anything else) operate in the real world. For one thing, of course, losing at a game is not like losing at life. The feeling of defeat and humiliation in a contest will dissipate in time, perhaps in a matter of minutes. Unfortunately, we are much more vulnerable in the real world. There is little in common between coming in last in *Blacks and Whites* and living your whole life in poverty. Clearly, a student who takes on the role of a “black” in the game is not risking very much.

In addition, we don’t know what chance anyone (whatever their background) has to succeed in life. In fact, we don’t even have a useful definition of “success” (as we do in a game) that would allow us to determine who “wins” and who “loses.” But even if we did, we have no universal agreement about how to measure someone’s odds of achieving a particular goal.

Many observers (like Jesse Jackson, Andrew Hacker, and the authors of *Inequality by Design* and *The Triple Threat*) have concluded, on the basis of various kinds of evidence, that African Americans (and others) who are born in poverty have virtually no chance (on their own) of “making it” in our society, whereas others (including Clarence Thomas, Colin Powell, William Raspberry, Thomas Sowell, and Bill Cosby) take the position that through hard work, initiative, and perseverance almost anyone, regardless of their supposed disadvantages, can build a fine life for themselves.

This disagreement tells us that the forces lined up against African Americans (or the members of any other group) are not readily observable. When Rodney King was beaten by police officers in 1991,

some people perceived that event as part of a pattern of race relations in this country, and some believed it to be a wild aberration that had little to do with race or even police brutality. Similarly, when Trayvon Martin was shot and killed in 2012, some observers saw George Zimmerman as a perfect example of a rabid racist, while others perceived him merely as an overzealous neighborhood watch volunteer defending his turf.

The unfortunate reality is that we have no way of determining—objectively—how much discrimination the members of any particular group faces, so we can't judge how much of a disadvantage these folks have or how much glory they deserve for overcoming their obstacles. As a result, we can't agree if blacks (or women, gays, Downs Syndrome children, the elderly, or any other “disadvantaged” group) suffer from truly “unfair” circumstances that need to be artificially compensated (through anti-discrimination laws, affirmative action, Head Start, handicapped parking spots, senior citizen discounts, etc.) or if they are Davids who have the opportunity to achieve a glory-filled success by overcoming long (but not impossible) odds.

In individual cases, of course, it's much easier to recognize the obstacles that someone had to overcome and “reward” them accordingly—with admiration. For example, Christy Brown, who became a successful writer even though he had little use of his body except the toe of his left foot, became the subject of a movie (*My Left Foot*) celebrating his achievement. Similarly, a movie called *The Rookie* paid tribute to the man who became a successful Major League pitcher at the age of 35.

But when a member of a supposedly oppressed group becomes successful, we can't know the extent to which that individual was damaged by the alleged oppression. Since all African Americans, gays, or women are not equally victimized by prejudice, stereotyping, and discrimination, we have no way to determine how much to honor the success of an individual black, homosexual, or female.

One of the ironies of group politics is that when the member of a “minority” (like Clarence Thomas, Colin Powell, or Condoleeza Rice) makes it big, some people will argue that members of that group are no longer at a disadvantage. Look, they seem to say, so-and-so made it—what’s wrong with the rest of them? Thus, when Frederick Douglass, an African American who had been enslaved and who had found his way to freedom, became a powerful advocate for abolition, his very success ironically made “the peculiar institution” look less horrific. If he could become a wonderful writer and speaker, some anti-abolitionists argued, how bad could slavery be?

If we could agree that someone has very little potential for “succeeding” in life (say a 1 in 10,000 chance) and someone else has much, much better odds (say 1 in 4), I believe we would also agree that the underdog’s disadvantages in this case were excessive, far outweighing the so-called advantages mentioned above, and thus deserved compensation of some sort, even if we still disagreed about how to make the situation more tolerable. It is not, I believe, the concept of fairness that is the problem—our disagreement stems from the difficulty of figuring out what kinds of obstacles the members of various groups have to overcome and determining the likelihood of their overcoming these obstacles on their own.

By contrast, all of these things were obvious in *Blacks and Whites*, the game.

It’s worth noting that there are very few games like *Blacks and Whites*—competitions which deliberately favor one player/team over another. That dearth suggests to me that we tend to favor “evenness” as a culture, and we tend to associate an equal start with fairness—witness the ubiquity of the “level-playing-field metaphor” in all kinds of game and non-game situations. Wouldn’t it be fun to invent some “uneven” (or underdog) games and see how they play? Isn’t it time to stop trying to make

every playing field level? If we can agree that underdogs have built-in (if intangible) advantages—less pressure, chance for greater glory—then we don't have to work so hard to equalize players' chances of winning. Think of the new possibilities that could then be available to game designers and players.

More importantly, by creating such games, we would give ourselves the opportunity to explore our theories of fairness. At what point of "unevenness" would we say that a game is *unfair*? Why? How severe a disadvantage would we be willing to accept? How would it feel to win (or lose) an abstract strategy game in which the rules themselves make us a clear underdog or a clear favorite? And what would our reactions to such games tell us about our social and political lives?

Here's a quick way for you to begin the process—try a game of Underdog Chess (or Checkers). After you set up the pieces, one player removes any piece of either color from the board. The other player then chooses to play Black or White/Red. If nothing else, the opening moves of the ensuing game will not be canned or overly familiar to either player.

So, are we any closer to understanding fairness? Well, perhaps a little if I've successfully shown why two commonsense theories are inadequate. However, I haven't given definitive responses to many of the questions I've asked. In some cases, I haven't even offered *tentative* answers on key issues. Instead, what I've tried to do in this essay is to explore some aspects of fairness that have tantalized me for a long time. The only claim I feel certain about is that games can and should provide the key to understanding fairness, a vitally important but complex and challenging concept.

If we can't understand why we consider certain advantages acceptable and others unacceptable in games and sports, we have virtually no chance of gaining insight into some controversial issues that seem to hang on our notions of fairness, including racial profiling by the police force, sexual

harassment in the workplace, equal-pay-for-equal-work issues, the Boy Scouts of America's stand on homosexuals, the don't-ask, don't tell policy related to gays in the military, the use of drugs to enhance athletic performance, and so on. On the other hand, if we *can* understand what makes us judge a game situation as fair or unfair, we have a greater possibility, I believe, of coming to grips with these and other crucial questions of social justice.

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