

ETHICS AND SPORT

Sport, Ethics and Philosophy

Edited by
Mike McNamee



 **Routledge**
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www.routledge.com

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ISBN 978-1-138-29605-3



9 781138 296053

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First published 2018
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon, OX14 4RN, UK

and by Routledge
711 Third Avenue, New York, NY 10017, USA

Routledge is an imprint of the Taylor & Francis Group, an informa business

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British Library Cataloguing in Publication Data

A catalogue record for this book is available from the British Library

ISBN 13: 978-1-138-29605-3

Typeset in Myriad Pro
by RefineCatch Limited, Bungay, Suffolk

Publisher's Note

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Sport, Ethics and Philosophy

This book represents a bold statement concerning the excitement and energy of the field of sports ethics and philosophy in contemporary terms. It is comprised of a collection of commissioned essays from the leading international scholars in the field to celebrate the ten year editorship of Mike McNamee for the journal: *Sport, Ethics and Philosophy*. The collection includes essays familiar sport philosophers on work about the nature and nuances of sports and games playing, winning and losing, role models and strategic fouling. It also celebrates in phenomenological terms the complex and heterogeneous experience and values of sports in both phenomenological and analytic modes. Finally, it addresses the most serious threats to sport integrity and governance, in the shape of doping, the unchecked power of sports institutions, and the charisma of sport that is at the mercy of commercialism.

This book was originally published as a special issue of *Sport, Ethics and Philosophy*.

Mike McNamee is Professor of Applied Ethics, and Director of the Research Institute for Ethics and Law, at Swansea University, Wales, UK. A former President of the International Association for the Philosophy of Sport, he has pioneered the field of Sports Ethics for the last quarter of a century. He is Program Director of the pan European Erasmus Mundus Joint Master Degree in Sport Ethics and Integrity. His scholarship and consulting work ranges across engineering, medical, sports, and police ethics.

Ethics and Sport

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The Ethics and Sport series aims to encourage critical reflection on the practice of sport, and to stimulate professional evaluation and development. Each volume explores new work relating to philosophical ethics and the social and cultural study of ethical issues. Each is different in scope, appeal, focus and treatment but a balance is sought between local and international focus, perennial and contemporary issues, level of audience, teaching and research application, and variety of practical concerns.

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Porrovecchio and Olivier Sirost

Sport, Ethics and Philosophy

Edited by Mike McNamee

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Citation Information

The chapters in this book were originally published in *Sport, Ethics and Philosophy*, volume 11, issue 1 (February 2017). When citing this material, please use the original page numbering for each article, as follows:

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Mike McNamee

Sport, Ethics and Philosophy, volume 11, issue 1 (February 2017), pp. 1–2

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Paul Gaffney

Sport, Ethics and Philosophy, volume 11, issue 1 (February 2017), pp. 3–11

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Games and Fiction: Partners in the Evolution of Culture

Scott Kretchmar

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Chapter 11

Inhibiting doping in sports: deterrence is necessary, but not sufficient

Larry D. Bowers and Raymond Paternoster

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Sport, Ethics and Philosophy: A 10 Year Retrospective

It is with mixed feelings that I write this editorial introduction. The present volume marks the end of a decade that saw the launch in 2007 of *Sport, Ethics and Philosophy*, then the first new international journal launched in the field since the *Journal of the Philosophy of Sport* in 1974. The journal arose out of the success of the British Philosophy of Sport Association (BPSA), which I founded in 2002. My ambivalence at deciding to pass on the editorship of this journal marks a 15 year period of intense personal commitment to the field of philosophy of sport. I hope I am not lacking in humility when I say it marks an achievement of which I am duly proud.

The journal, like the field, has gone from strength to strength in research terms. Now published quadrennially, it boasted around 30000 downloads of articles in 2017. Equally, the European Association for the Philosophy of Sport has been a platform for philosophical work—in keeping with certain European intellectual traditions—that has extended scrutiny from traditional western competitive sports, into wider terrains of philosophy of action, philosophy of the body and philosophy of physical culture. To an extent, these concerns were addressed in the early days of the field, but decades of scholarship in the analytic tradition had tended to narrow academic concerns into the kinds of activities one saw in the Olympic Games. The world of philosophy of sports research is a more varied and more interesting place now compared to just a decade ago.

The journal has served to promote the best scholarship in the world but has also attempted to promote (and possibly even protect) the less commercially viable interests that lurk in niche corners of our world. Thus special issues have been produced on skill and expertise in sport, the phenomenology of sport, athletics in the ancient world, the ethics of sports medicine and disability sports, sport and art, philosophy and ethics of the Olympic movement and so on. In the decades of publish or perish it has always been a challenge to get large international publishing houses to publish such work, except at costs prohibitive to the individual reader.

The result of these opportunities, and the flourishing of our older sister journal, the *Journal of the Philosophy of Sport*, gives evidence to the assertion that the subject is flourishing like never before. Yet all is not rosy in the garden. Concerns remain that the 'kinesiologyization' or 'scientization' of the field has squeezed the sports humanities more generally to the margins is undeniable. One branch of philosophy of sport more than any other, ethics, has been the driver in the survival and flourishing of the subject. I think this is partly because the concerns of ethics were more readily appreciated by scientists and pedagogues working the fields of sport and physical activity and education. This recognition, however, has not arisen in a vacuum. It is clear that ethics, and its cognates 'integrity' and 'governance' are looming large in society itself and in the operations of the institutions of sports—in the MacIntyrean sense—more generally.

In previous Editorials I have registered a further ambivalence concerning the dominance of sports ethics. One could envisage a scenario in which Sports Ethics flourished while other elements of the Philosophy of Sport withered on the vine, so to speak. I am reassured by a glance over the contents of *Sport, Ethics and Philosophy* over the last decade that this has not been the case.

Among the more neglected parts of our field is that of political philosophy. I suspect that the rise of governance on the sport and political agendas will drive the development of this aspect

of the philosophy of sport. I also note the paucity of philosophical discussions of sport policy, notwithstanding anti/doping and—to a lesser degree—gender identity scholarship. I further suspect that the domain of sport integrity, whose use is becoming a label for the field of sports ethics by the sports industry, will be the major focus of professional innovation in our field in the decade to come. It is notable that 2017 saw the establishment of the first higher degrees in the field in Australia and in Europe dedicated to this emerging phenomenon. I imagine that North America, which has always represented the majority of geographical contributions to the field, will not be far behind in developing such postgraduate degrees. Young scholars in our field have never had direct vocational route to follow other than to a career in academia. The development of postgraduate sport ethics and integrity courses is a tremendously valuable innovation to my mind. It creates a direct connection between the philosophy of sport and a vocation (i.e. Sport Integrity Officer). This will help attract the brightest young minds in sport studies to our field, as well as attracting scholars from other disciplines to convert to the philosophy and ethics of sport. Perhaps it may serve to as a corrective to the more cynical institutional instrumentalisers of sports and games.

The present volume is indicative of the excitement and energy of the field in present times. In addition to the longstanding agenda of philosophizing about the nature and nuances of sports and games playing, authors also address the experience of sports and its governance. It is comprised of scholarship from the very best authors in the field, and represents a watermark for Sport, Ethics and Philosophy. Each of the essays' authors was commissioned to freely choose and then to ruminate over an issue that piqued their philosophical interests. I express here my warmest gratitude to them. I also wish to mark my appreciation to the Editorial Board of *Sport, Ethics and Philosophy*, and indeed the publishers for their long standing and unfailing commitment to the journal, the BPSA, and the field.

Mike McNamee, Editor

Breakthrough victories: How can a loser ever win?

Paul Gaffney

ABSTRACT

The domain of sport provides opportunity for development and growth, which is often incremental but can be marked by significant breakthroughs. Using Aristotle's virtue ethic as a model, this paper explores the challenge of overcoming new obstacles, sometimes reversing bad habits, in the athletic domain. Breakthrough victories in sport are achievements that both reward persistent effort and open new horizons in the pursuit of excellence. They are significant because they seem to hold out a promise for future performance, now that some barrier has been passed. Breakthrough victories are often among the most important and rewarding moments in an athletic career.

Introduction: determinacy, indeterminacy, and tendency

All genuine athletic competition involves what we might call 'procedural determinacy' on the one hand and 'outcome indeterminacy' on the other. These two principles – each absolute in its own way – set the parameters and moral conditions of athletic engagement. Their interplay is rightly an important theme in sport ethics. My paper focuses on a phenomenon that operates, so to speak, between these absolutes, which therefore requires a different consideration and terminology. In contrast to the absolute conditions of determinacy and indeterminacy, much of what we find compelling in sport is a matter of degree and development. Some development is incremental, underscoring the importance of persistence and repetition, but occasionally there are achievements that represent turning points or what I shall call breakthroughs in a career. As the term implies, breakthroughs are not merely singular achievements; they are also springboards to subsequent performance. These moments often represent the most satisfying and memorable achievements in a career. Before considering how breakthroughs arise, I describe the absolute principles that condition these achievements.

Procedural determinacy is a function of constitutive rules, which both create and regulate the characteristic activities of an event (Suits 2014, 39, 40), and expresses itself in the imperative mood. For example, participants in a swim meet must employ the designated stroke, remain in their lane, and eschew unnatural aids, etc. The winner must touch the wall first; failure to do so forfeits victory, even if she arrives at the end of the lane long before her

competitors. Similarly, baseball codifies a finite number of ways to reach base, a finite number of ways to score, and a finite number of ways to complete the contest. In a sense, therefore, every athletic event is formally identical to every other event of its kind.

Outcome indeterminacy describes the unscripted character of the action within the determinate strictures. Each contestant has an equal opportunity to perform any qualifying action, good or bad, and in any sequence.¹ Accordingly, each contest develops a particular – indeed, unique – narrative. Admittedly, the particularity of some events requires astute observation; it is likely, for example, that games with similar scoring sequences will appear nearly indistinguishable to some observers. But beneath the summary facts of a contest there exists a virtual infinity of choices, moves, triumphs, and failures comprising the actual event. As determinacy implies a formal identity among events, indeterminacy implies a material singularity; each unfolds as a unique and unrepeatable phenomenon.

The interplay of these two absolute principles provides a context for fair and genuine athletic encounters – universal compliance with constitutive rules along with the guarantee that the action is free and open-ended represent the moral conditions of competitive sport. In a sense, we know exactly what to expect, and yet, at the same time, we have no idea what to expect. Determinacy provides sport with its glorious rigor; indeterminacy allows for its dramatic possibilities.

Against this backdrop, I wish to explore a more variable element in sport, namely, athletic tendencies. Although the principle of indeterminacy guarantees that all outcomes are possible, some are more likely than others. We often have a very good idea of who will win a contest, and even when we do not, we have a good idea of how the participants will perform. Athletes do not go into contests as blank slates; they have different talents, different training routines, and – most significantly for the present discussion – they have different athletic personalities. That is to say, athletes typically have some good and bad tendencies that manifest themselves in regular and, to some extent, predictable patterns of behavior.

In a recent article Mumford and Anjum describe athletic contests in terms of sets of tendencies, which suggest but do not guarantee outcomes:

Each athlete or team brings their net sum of sporting prowess to the contest. These are set against those of the opposition. This allows us to make a further calculation. If the net sporting prowess of competitor A is greater than that of competitor B then there is an additional result: A will tend to beat B ... This is where the dispositional modality of tendencies is vital. A is better than B and will tend to beat them, but this nevertheless does not mean that A must win and B must lose. There is no guarantee, no necessity. And this is just how we want it and how we must understand the sporting contest. (Mumford and Anjum 2014, 404, 405)

The ‘sporting prowess’ that Mumford and Anjum mentions includes both innate and developed powers, which together make up athletic personality, but my focus is on the latter because these are variable. They have been developed over time, through training and repetition, and are therefore similar to Aristotelian habits. As Aristotle explains, habits are not inborn powers or capacities like the senses and therefore agents have some control and responsibility for the habits they have – although not all responsibility, at least not at first, because one’s initial habituation is strongly influenced by others, such as parents and teachers, etc.

The relevance of this to sport should be obvious. An athlete, like any moral agent, is a creature of habit engaged in a more or less extended pursuit of excellence. Because we have different innate abilities, some positive aspects of our athletic personality might come more