PHIL 489

Performance Enhancing Drugs and the Spirit of Sport

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Introduction

Many sports face the problem of dealing with performance-enhancing drugs. The ongoing failed attempts to stamp them out has led some to question whether the current strategy of prohibition is the correct one. Whether or not performance enhancing drugs should be allowed in sport depends on whether or not they are compatible with the spirit of sport. In this essay I will explore three main themes:

• What is the spirit of sport: The “spirit of sport” is a term often used by commentators, spectators and participants to describe certain values that are part of sport. Yet there is very little explanation of what exactly the spirit of sport is, and even less consensus. This is an issue as many attempts to ban performance enhancing drugs appeal to the spirit of sport.

• What do we want out of sport: Sport represents different things to different people, the spectator, the athlete, the administrator all want different things out of sport, and within these groups there are still more differing opinions of what sport has to offer us.

• What should we want out of sport: Of the various opinions of what different people want out of sport, which of these is the correct view, what should we desire from sport?

I intend to use the issue of what the spirit of sport is to reach a conclusion on the use and morality of performance enhancing drugs (PEDs) in sport. My first task will be to outline the debate by discussing the current World Anti Doping Agency (WADA) anti-
doping code and the problems that have been raised with it with regards to the issue of the spirit of sport and the contradictions, and lack of consistency that it seems to represent. I will then critically discuss the arguments on PEDs and the spirit of sport of philosophers Julian Savulescu, John William Devine, Verner Møller, Nick Agar, and David Wasserman. I will borrow from these philosophers to form my own view of the spirit of sport, based on the pursuit of excellence and respect for others, and conclude that such a view of the spirit of sport is not compatible with the use of PEDs. Finally I will argue that the best way to deal with those caught using PEDs is to not only ban the individuals, but also their team mates, as this will provide a positive atmosphere of peer pressure that will lead to cleaner sport.

**WADA on Performance Enhancing Drugs**

**The WADA Code**

WADA decides which substances will and will not be banned on the basis that they must meet two out of the following three criteria:

1. They must have the potential to increase sporting performance;
2. And/or they must represent an actual or potential risk to the athlete’s health;
3. And/or their use must be contrary to the spirit of sport (WADA, 2003, pp. 15-16).

However, as some proponents of PEDs have pointed out this allows athletes to take drugs that are harmful but do not enhance performance or are not seen as being contrary to the spirit of sport. Smoking tobacco for instance is not banned,¹ as it is not seen as improving performance or

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¹ At least it is not banned at the time of writing. WADA is reportedly considering adding nicotine to its list of banned substances after reports linked nicotine use to increased cognitive function and vigilance in users, though it missed the cut for the 2012 prohibited substance list.
being contrary to the spirit of sport, despite having been proven to cause numerous types of cancer. It also allows athletes to take drugs which enhance performance but aren't considered to be harmful to health or contrary to the spirit of sport. Drugs, like caffeine, which has been shown to improve alertness and increase stamina, was removed from WADA's prohibited list in 2004 (Savulescu & Foddy, 2007, p. 511). The wording of point two of WADA's criteria is particularly interesting in the way it is open to interpretation, as it states that a substance must represent "an actual or potential risk to health" (WADA, 2003, p. 15). This potentially includes any substance in existence; too much water can potentially be harmful. It could be argued that WADA means that a substance must be harmful in quantities that are required to enhance performance, which water is not. However, there are substances banned by WADA that can be taken in safe doses that enhance performance. For example, Erythropoietin, commonly referred to as EPO, is a substance that increases the concentration of haemoglobin in an athlete's blood allowing for greater endurance and stamina. When taken in unmanaged quantities, EPO can put athletes at risk of blood clots, heart attacks, and strokes. However, when taken in small quantities, EPO can safely increase endurance without complications. Admittedly the more EPO that is taken the more enhanced a performance will become, and there will always be a temptation for athletes to take more than is safe, but they could be tested to be below a certain level. The first two criteria for banning substances can be made to look absurd. This allow us to see WADA's reliance on the concept of the "spirit of sport" on which the decision to ban many substances can hinge.

The Spirit of Sport?

The 2009 WADA code states that the 'Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport" (WADA, 2003, p. 18). So what then is this all important spirit of sport that PEDs are threatening to rob us of? According to WADA the spirit of sport is characterised by the following values:

- Ethics, fair play and honesty
• Health
• Excellence in performance
• Character and education
• Fun and joy
• Teamwork
• Dedication and commitment
• Respect for rules and laws
• Respect for self and other participants
• Courage
• Community and solidarity (WADA, 2003, p. 3)

WADA’s definition of the spirit of sport certainly lists values that are often required in sport, and others that many would associate with the sporting process, but that does not necessarily make it a good definition of the spirit of sport. In its current state it is just a list of things associated with sport. WADA does not offer any further expansion or explanation on why these virtues characterise the spirit of sport, or why they belong in any definition of the spirit of sport.

Furthermore, it could be argued, that there are instances where doping is not contrary to this view of the spirit of sport. Below I will discuss arguments from philosophers who argue that health, excellence of performance, respect for rules and laws, and respect for self and other participants are values that are not contravened by the use of PEDs. I feel that there are other examples of using PEDs that are in keeping with these values that are not difficult to find. For example, a vast structure of coaches, doctors and scientists working together went into the doping programmes of East Germany and the USSR; this seems to me to be an instance of teamwork and doping.
While WADA’s definition of the spirit of sport offers concepts that those who participate in sports will likely be familiar with, it does not offer any explanation as to why these concepts should be incorporated in any view of the spirit of sport. I also think it is interesting that WADA does not offer any explanation as to why the use of PEDs is against this definition of the spirit of sport. Even in its official youth education and awareness programme on the spirit of sport none of the counter examples to the above values mention doping or the use of PEDs (WADA, 2009). They do not make much of a compelling case for why their definition of the spirit of sport is the correct definition, nor why doping is contradictory to this definition of the spirit of sport.

**Is Sport Without Competition the Answer?**

As mention above, WADA’s definition of the spirit of sport is not clearly opposed to the use of PEDs. What might such a definition of the spirit of sport be? Perhaps for a definition of the spirit of sport to be truly against PEDs the element of competition must be completely removed. This indeed would seem to make PEDs unnecessary, as without being driven to succeed in the pursuit of a certain competitive goal, there would presumably be no need to take PEDs. Is it the ultra competitive nature of modern sport that is the problem? This non-competitive style of sport can already be seen at many junior levels with matches organised in a format where no score is kept and the focus is on enjoyment. There is an important distinction to be made between amateur and elite level sports here. While it may be true that junior sports sometimes don’t keep score in order to encourage enjoyment and participation as opposed to just trying to win, this model would arguably remove what is enjoyable about elite level sport. Spectators support teams because they want them to win. If the competitive aspect was removed from sports then it would likely become less interesting to spectators, or only certain clubs would be watched for their aesthetic style. The supporters of Stoke City may have an attachment to that club for any number of
reasons, but the attractive style of football is not necessarily one of them. If style of football were the only thing that attracted spectators to sport, then arguably everyone in the world would support FC Barcelona.

If the competitive nature of elite sport was removed it could be argued that fans of football would just watch the clubs that play the most beautiful football, and exhibit their skills. It isn't difficult to imagine a handful of teams travelling the world putting on exhibitions in the same vein as the Harlem Globetrotters. It is also easy to imagine a world where this lack of competition would soon become tiresome. Competition is at the very core of sport. It has been since the times of the very first Olympiad and a spirit of sport that is in tune with this should distinguish between fair and unfair competition. It is the cause of joy and anguish for competitor and spectator alike. Some, like Australian philosopher Julian Savulescu, believe that doing everything you can to enhance yourself in order to perform at the peak of your abilities in the pursuit of victory in competition is itself the spirit of sport.

Obviously not all sports are reliant on the loyalty of spectators. As Nick Agar points out, when we sit down to watch the Olympic 100m Final those of us outside the sprinters’ family and friends don’t have any loyalty to the participants.² We do, however, want to see some element of competition in order to be entertained. Without competition there would be no final at all. The 100m would be reduced to athletes running untimed, one at a time, down the track as we admired their techniques which doesn’t seem like it would be

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² Nick was my supervisor on this thesis and, unless otherwise stated, his arguments were expressed to me in correspondence, which has been far more valuable in putting together this essay than any book or article from a peer reviewed journal.
entertaining at all. Arguably this is not the case for every sport. I imagine many spectators watch synchronised swimming events for the artistry involved and are not overly concerned with the scores (unless they support a particular country that is competing). Sports such as synchronised swimming blur the lines between sport and art more than most and may be unique cases in the Olympic arena. Indeed as far as scoring goes there is little difference between the format of a synchronised swimming competition and a tap dancing competition, as it is difficult to objectively measure one competitor being better than another. This is certainly not the case in most sports.

**Sport and the Drive for Success**

**A Duty to Enhance**

Julian Savulescu believes that enhancing your performance, and performing at the highest level possible, at the peak of your abilities, is what sport is all about, and that PEDs are part of this. He argues that:

“[T]he rules of a sport are not God-given, but are primarily there for four reasons: (1) they define the nature of a particular display of physical excellence; (2) create conditions for fair competition; (3) protect health; (4) provide a spectacle. Any rule must be enforceable. The current zero tolerance to drugs fails on the last three grounds and is unenforceable. The rules can be changed. We can better protect the health of competitors by allowing access to safe performance-enhancement and monitoring their health. We provide a better spectacle if we give up the futile search for undetectable drugs, and focus on measurable issues relevant to the athlete's health.” (Savulescu, 2010)
Savulescu claims that the current zero tolerance policy fails on at least three of the four reasons he gives for the rules of sport above; these are the second, third, and fourth reasons;

- To create conditions for fair competition;
- To protect health;
- To provide a spectacle.

I will now assess each of Savulescu’s reasons for the existence of the rules of sport and his arguments for why PEDs should be allowed in relation to each of these points and conclude that they do not point towards a destination where PEDs should be allowed in sport.

Creating Conditions for Fair Competition

The first issue to consider is what fair competition is? Savulescu seems to believe that fair competition is a competition in which there is a level playing field and no one has an unfair advantage. He argues that under the current system two sets of groups have unfair advantages: those who dope, due to the fact that they are artificially enhancing their performance while others are not; and genetic freaks, who were born better suited to certain sports than others (Savulescu, Foddy, & Clayton, 2003, p. 667). Savulescu argues that if PEDs were allowed, this would level the playing field by allowing those who do not currently dope access to PEDs, and those with inferior genetic make ups to catch up to those who are superior natural athletes (Savulescu, Foddy, & Clayton, 2003, pp. 667-8). He claims that another way that allowing PEDs would help create conditions for fair
competition is that PEDs, such as EPO, are relatively cheap compared to training tools which have similar effects. These training tools, such as altitude training or using a hypoxic air machine (a device which replicates altitude training), are expensive and cannot be accessed by every athlete, whereas EPO is relatively cheap and would allow athletes from poorer countries to close the gap on their richer rivals. I disagree that allowing PEDs will offer a level playing field, below I will argue that those with money would continue to dominate sports even if PEDs were allowed, and that a better solution to disparity lies in central governing bodies putting a cap on spending by clubs in team sports where possible and distributing wealth more evenly to national bodies to invest in coaching and training facilities for individual sports.

My reply to Savulescu’s first argument about the removal of the dominance of genetic freaks is that rather than closing the genetic gap, allowing performance enhancing drugs would just move everyone to a new location with the same gap still in place. While those with a weaker genetic makeup would see improvements in their performances from taking PEDs, so would those who are genetically superior, therefore everyone would still be where they started. However, if there was a maximum safe level to which people can dope then it could be argued that this would result in competition becoming more even. Consider EPO, which boosts red blood cells. The percentage of red blood cells that make up your blood is called the hematocrit. If there was a maximum safe hematocrit then those who were born with a hematocrit at this level would not be allowed to dope while others could. This does not seem fair at all, but it could possibly lead to closer competition as Savulescu suspects it would. But I think a far more likely scenario is that it will remove any chance of poorer countries having successful athletes. Genetic freaks can occur anywhere. There is no
legislating for what country they will be born in. A superb runner born in sub-Saharan Africa is fortunate to have genes that could give them international success and the chance of a better life than the poverty they were born into. But if doping were allowed then this genetic advantage would be gone as nations with the money for greater doping systems would artificially enhance their athletes to be equal or superior to our sub-Saharan friend.

Savulescu’s point about how comparatively cheap PEDs are compared to other training methods implies that this shouldn’t happen as cheap PEDs will be available to all. While athletes from poorer areas, who cannot access the same expensive training techniques as those from richer nations, would see improvements from using cheap alternatives like EPO, the rich nations will just provide their athletes with better PEDs. I can no more see the USA track team providing Burkina Faso with its latest wonder drugs as I can providing them with their coaches, and training facilities. Allowing PEDs will not even out competition, or create more fair competition. It may not be fair to speculate about the future manufacture of PEDs so I will address an existing example. EPO increases an athlete’s endurance, and is much cheaper than current legal means of enhancing athletic endurance, so surely allowing EPO would allow poorer athletes to bridge the gap between themselves and richer athletes who have access to expensive training methods. Perhaps, but it still seems more likely that richer athletes will continue to succeed because, even with the help of EPO, athletes still needs to train full time, using the best training methods, to be the greatest. Athletes from richer nations will continue to have all the other benefits of expensive training methods that can’t be put into a cheap vial and injected. No matter how cheap and effective PEDs get those with the most money are still likely to dominate. The richest football clubs will poach the best chemically enhanced talent from poorer
football clubs in the same way that they currently poach the best non-enhanced talent from them.

A better recipe for evening out competition in team sports, if that is desirable, seems to be putting salary caps on competitions. Some of the best professional sports leagues limit the amount that players can be paid by a club, so that every club has the same budget for players, and no one club can get a monopoly on talent. This means that competitions like the NRL (Australia’s premier Rugby League competition) and the NFL (the top American Football league in the USA) are more likely to see a different winner each year than competitions like England’s top football competition, the English Premier League, which has no salary cap and has only seen three different teams lift the trophy from 2000-2010, compared to nine teams in the NRL, and eight teams in the NFL. Salary caps, like bans on PEDs are not immune to being broken. The closest thing the NRL has had to a dynasty in recent years is the Melbourne Storm who won the 2007 and 2009 competitions and were beaten finalists in 2006 and 2008. In 2010 it was discovered that the Storm had been keeping two sets of accounting books; one that they showed to the league which recorded the players’ salaries under the salary cap and one which they kept in secret that showed what the players were actually being paid, millions of dollars over the cap. They were subsequently stripped of the honours mentioned above. This does not necessarily mean that salary caps are pointless, just as some athletes slipping through the cracks of the anti-doping system doesn’t mean that PEDs should be allowed. While it may not seem fair that under the current system some athletes take PEDs while others do not, that is because those that do are cheating. It is like saying the current legal system is not fair because some people steal and get away with it while others do not, and the solution is to allow everyone
to steal some things as this will allow those who are poorer to get more possessions that they currently cannot afford.

Obviously a salary cap style scenario is not possible in all sports, especially individual sports such as track and field events where athletes are competing for their countries. Perhaps the best way to even out competition in these sorts of sports would be for the central governing body of sport, in athletics’ case this is the International Association of Athletics Federations (IAAF), to take on the responsibility of providing coaches and training academies for athletes from less fortunate nations that they would not be able to access in their homelands. This already happens to an extent for many top young Caribbean athletes who are being trained by top coaches at US universities thanks to scholarships. Similarly, top athletes from areas like Africa could be offered places at IAAF-run sports institutes in Europe, or the IAAF could build such academies in the countries who they hope to help, thus providing long term infrastructure.

A major objection to this solution is that spending money on training facilities won’t alter the genetic makeup of athletes, and they will still lag behind their more naturally gifted opponents. This is true. But it is also part of life that not everyone can succeed at everything they wish to do. Some people are not made to be long distance runners; that does not mean they should alter their bodies chemically in order to give themselves better endurance. Jamaicans make better sprinters than Norwegians, but Norwegians are superior cross-country skiers. There are many reasons for this and allowing everyone to use performance enhancing drugs will not close these gaps. In fact, I think allowing PEDs would lead to the opposite occurring, as the genetic advantage that poorer athletes may be
lucky enough to be born with would be removed by richer countries implementing doping systems on their athletes. On the other hand distributing money to invest in facilities and coaching allows for nations to provide their athletes with better opportunities.

**Protecting the Health of Athletes**

Savulescu argues that PEDs should be allowed to be used up to the point where they jeopardise the health of the athlete taking them. He points out that allowing use of caffeine; a once banned substance, has not corrupted the Olympics, and thinks that other safe PEDs should be allowed, and that this can be done by testing the health of athletes, instead of testing whether or not they have taken certain substances (Savulescu, Foddy, & Clayton, 2003, p. p.668). Savulescu believes this to be the answer to the PEDs problem because it would allow athletes to increase their performance in the safest possible environment. Under this system the health of the athletes would be the main concern, which he believes would be beneficial for everyone. If we were to test for health it would prevent any athlete from competing if they weren’t physically well enough to perform the tasks required of them regardless of whether or not they had taken and PEDs.

This view does seem to point out a certain irony in the current system, as it potentially poses a far greater threat to the health of athletes it means to protect by banning PEDs than if their use were allowed and athletes were only tested for health. This is due to the fact that, as Savulescu puts it, “because doping is illegal, the pressure is to make performance enhancers undetectable, rather than safe” (Savulescu & Foddy, 2007, p. 514). If PEDs were allowed their manufacturers would be able to openly display what was in their products and have them regulated for safety. Critics to this system may argue that
athletes would still dope to unsafe levels and merely take drugs that mask their level of health, which is conceivable and athletes may indeed slip through the cracks in the system, but Savulescu would likely reply that it is unlikely to be as many as who currently avoid detection taking potentially harmful substances.

The problem with stating that allowing the use of PEDs would be more beneficial to the health of the athletes because it would allow the black market industry which currently distributes them to become open and regulated is that it makes the assumption that the majority of athletes are using PEDs. If Savulescu is correct, and the majority of athletes use PEDs, given that few athletes have died due to complications from PEDs in recent history, it would seem that their effects are not so harmful that the industry desperately needs to be regulated for the good of the athletes. On the other hand if there are not many athletes who use PEDs, allowing their use in a regulated industry would serve to unnecessarily expose the majority of athletes who are clean to PEDs. Not only that, but if PEDs were allowed, it would likely force previously clean athletes who wished to stay clean, to take them in order to compete with those who do take the chance to take these new, industry regulated super drugs.

**Therapy vs. Enhancement**

Another point that Savulescu argues in regards to PEDs and the health of athletes is that any line drawn to define therapy as opposed to enhancement, when deciding whether or not someone can use PEDs, is arbitrary. He argues that without taking Human Growth Hormone (HGH) Lionel Messi wouldn’t be the best footballer in the world as he is today. The distinction between therapy and enhancement is that therapy is a means of
rehabilitating someone to within normal levels of health and functioning, whereas enhancement takes someone beyond the accepted norms making them extraordinary in some aspect. To use the example of Lionel Messi; Messi was diagnosed with growth hormone deficiency when he was eleven years old and was treated with HGH to allow him to grow to a height that was considered within the spectrum of normal (he is now 24 years old and 1.69m tall). Savulescu argues that this is arbitrary because the definition for what is considered “normal” height is manmade and could have been a centimetre shorter or a centimetre taller, which would move Messi from being in the spectrum of receiving therapy, to the spectrum of being a drugs cheat (Savulescu, Drugs in sport debate: Proposer’s closing statement, 2010).

Here Savulescu seems to contradict himself as he is complaining that the line between therapy and enhancement is arbitrary, that if Messi had been a few inches taller he would not have qualified for HGH therapy, and therefore would not be the same player he is today. While his assertions are true, the contradiction comes when you look at his earlier statement: “the rules of sport are not god-given.” No, they are not. The rules of sport are defined by administrators. So why should Savulescu’s ideas about the rules of sport be considered to be better than what the rules currently are, when they too could be viewed as just as arbitrary as the distinction between what is normal height and what is unacceptably short? It may be true that the distinction between therapy and enhancement is arbitrary but as outlined above, Savulescu’s alternative system for regulating athletes is to test for their health. Who will decide what level of health an athlete has to be at in order to compete? Surely it will be arbitrary to say that an athlete with 50% hematocrit can compete, but an athlete with a hematocrit of 50.1% is unsafe and will be denied entry.
Providing a Spectacle

Even if allowing PEDs would create a more even playing field, and provide for the health of athletes, would that create a better spectacle? When people talk about the great eras in any given sport, they will often discuss a period which is dominated by a single exceptional team or performer, or dominated by a great rivalry between two individuals or teams. In golf the late ‘90s and early ‘00s will undoubtedly be remembered as one of the greatest periods in golfing history as Tiger Woods dominated the sport, giving it unprecedented popularity. In the decade from 1997 to 2007, Woods won 14 Major tournaments, putting him second only to the Golden Bear, Jack Nickalus, who won 18 Majors from 1967-1980. Since injury and troubles in his personal life have kept him off the golf course and out of form, Major tournament victories have been shared around various other golfers. The level of competition in the biggest tournaments in golf has undoubtedly been more even, yet compared to the Tiger glory years it is unlikely that this period will go down in the annals of golfing history as one of the most memorable and exciting. A telling statistic is that the television ratings for tournaments that Woods was playing in during his decade of dominance were around double what they were when he was not playing. If even competition was really something we wanted to see wouldn’t we expect to see the opposite, with people tuning into tournaments where Woods wasn’t the heavy favourite to win?

Savulescu might reply that what people enjoyed about seeing Woods play was not the fact that he won all the time but was that he was such a good golfer, of which winning all the time was a by-product, and that if PEDs were allowed in sport other golfers would be
able to get to his level thus making it an even better spectacle. From the spectators point of view, it seems likely that even competition could be desirable on a more personal level. If you support a team, it seems more likely that you would rather see them being able to compete each year than watch them be whipping boys whose best hope for success is to score the occasional upset win against a powerhouse.

Nick Agar points out that, as spectators, our desires are conflicting. We want dominant superstars, but we also want unpredictability with regards to who will win a competition. Are PEDs something that can provide us with both? Certainly Savulescu thinks so, but as I have argued above, the more likely scenario is that nations with better resources will continue to dominate given that they have access to better drug manufacturing technology. Even if this is not the case, and PEDs do lead to even competition, it will not satisfy our lust for superhuman performances. Savulescu seems to think that sport will automatically become a better spectacle if people run faster and throw further (Savulescu, Drugs in sport debate: Proposer’s update, 2010). But in any given race, a runner’s performance is relative to the performances of the other competitors. In terms of the performance of the winner of the race, running 100m in 7.88 seconds isn’t that impressive if the rest of the field finish in a time of 7.89 seconds. Certainly it would be amazing the first few times you saw it, but the novelty would quickly wear off to the point where it is no more impressive than the times that athletes are currently running. On the other hand if the winner of the race wins by a length of four metres then it is a dominant performance, a superhuman performance in the context of the race, even if he “only” ran it in 9.79 seconds. In any sporting contest, competitors aren’t trying to beat the clock; they are trying to beat the other competitors, so PEDs should not make any difference to the
level of spectacle. If anything, we are more likely to see individually dominant performances from individuals who dope in the current system but slip through the net and come against those who haven’t doped, like Ben Johnson did at the 1988 Olympics.

It might seem that I am suggesting is that what we desire is for a few people to dope undetected so that they may dominate their fields with stellar performances compared to other competitors who are clean. This is certainly not the case. I have offered multiple reasons why doping is not desirable that outweigh this as an argument. Even if I were to argue that such a system were desirable, it would be quite unfeasible to implement, short of telling a few select individuals that they can dope while rigorously testing all of their competitors. I am merely trying to make the case that dominant performances are measured against other performers not against the clock. In a world without doping there would still be instances of superb individual performances from those who were blessed with the perfect genetics for their sport, like Usain Bolt.

Doping contributes to the spectacle of sport in a way that few would be willing to acknowledge: the circus that surrounds drug cheats. As far as off-field entertainment in sports goes, there is little better than that of a celebrated athlete testing positive for PEDs. It seems to be part of the human condition to revel in a scandal, and as scandals go there have been few in sport that have reached the heights of those surrounding the positive tests of the likes of Ben Johnson, Marion Jones, and Barry Bonds. If PEDs were allowed then these guilty pleasures which are part and parcel of being a sports fan would be replaced by news of the latest and greatest synthetic steroid. As far as sport being an off-field spectacle
goes, allowing PEDs would be a great loss to the tabloid media, talkback radio, and our own sense of thrilling shock.

Savulescu states that there are four reasons for the rules of sport being in place, and does not believe that taking PEDs contradicts these four rules. In the case of the health of athletes, I have shown that the need for regulation of the industry by allowing PEDs is unnecessary as either there are a lot of athletes who take PEDs and are not suffering adverse effects to their health or, if they are dangerous, so few are taking them that it is not worth exposing the majority to PEDs just to help those who choose to circumvent the rules. I have also shown that arguments about the arbitrary nature of the therapy and enhancement should not be an issue, given that the rules of sport themselves, whether they be WADA’s, or Savulescu’s, are arbitrary in nature. His final claim that PEDs will provide a greater spectacle is misplaced in that it assumes that superhuman performances are measured against a clock or a measuring tape, as opposed to being measured against the performances of other competitors. Savulescu also overlooks how important the off-field spectacle of sport is, and the role the ban on PEDs plays in providing such a spectacle.

**Devine’s Balance of Excellences**

Julian Savulescu is not the only philosopher who holds a view of the spirit of sport that is based on the pursuit of excellence. John William Devine’s also thinks that sport is about striving for excellence. Like Savulescu, Devine is not fundamentally against the use of PEDs but, unlike Savulescu, he does not think that PEDs should be allowed to be used with impunity as long as the health of an athlete isn’t at risk. Instead, he argues that the threshold that must not be breached by PEDs is that of disrupting the balance of
excellences that any given sport seeks to promote (Devine, Doping is a Threat to Sporting Excellence, 2010, p. 637).

Devine’s ‘balance of excellence’ argument is based on his view that sporting competition is an excellence based activity (Devine, Doping is a Threat to Sporting Excellence, 2010, p. 637). All sports reward competitors for displaying excellence in certain areas. To win a football match you must display excellence in passing, shooting, and defending. You must also show enough excellence in fitness to do these things for ninety minutes. However if, for example, a football match were to last six hours then the balance of excellences required would be tipped too far in favour of fitness for us to be able to recognise it as the same sport. Devine argues that PEDs should be banned if their use threatens to disrupt the balance of these excellences. When he speaks of disrupting the balance of excellences, Devine means that if using PEDs makes one certain attribute much more important to a sport than other traditional excellences, then it should be banned. Devine offers the example of the introduction of fibreglass tennis racquets leading to the balance of excellences in men’s tennis being tipped in favour of power serving:

“[I]n the late 1990s, the men’s singles tennis championships at Wimbledon was criticised as being dominated by powerful serving. While this may partly have been a complaint about the spectacle of tennis losing some its appeal for fans, it can also be understood as a complaint that one type of excellence—powerful serving—assumed too much prominence in the style of tennis that prevailed at the time. That is, while the rules of tennis still allowed for the display of all the excellences valued in tennis, developments in the bio mechanics of serving and advances in racket technology meant that the contribution of different excellences to the outcome of competition shifted in such a way that one excellence came to
dominate, and others, such as deftness of touch and patient strategic play, no longer made a significant contribution to the performance of those who were successful in the sport. In response to these criticisms, tennis authorities changed the court surface and pressure of the balls to encourage the longer, more strategic rallies that were seen to be missing from competition. These measures might be best explained as an attempt to redress the internal relationship between the excellences around which the sport is organised.” (Devine, Doping is a Threat to Sporting Excellence, 2010, p. 638)

He argues that the use of PEDs threatens to do the same thing. That rather than being tested on who can display the best examples of excellence in strength, or endurance, athletes will be too reliant on who displays the best ability to metabolise whatever substances they are taking (Devine, Doping is a Threat to Sporting Excellence, 2010, p. 638).

**Would PEDs Tip the Balance?**

Would taking steroids upset the balance of excellences in sprinting? Would it make athletes too reliant on their ability to metabolise drugs? Or was it wrong to strip Ben Johnson’s gold medal from him in 1988? On the face of it, there are not many excellences that need to be balanced in sprinting: you need to run really fast. While I make no claims to be an expert on sprinting, I imagine that there are different excellences to be balanced such as getting a good start out of the blocks, acceleration, and top end speed. One of the reasons that double amputee Oscar Pistorius is competitive against able body athletes in the 400m but not the 100m, is that his carbon fibre legs give him a poor start, but very good top end speed; it takes him longer to get up to full speed but when he gets there he is very quick, therefore he is better suited to the balance of excellences of the 400m than the 100m.
If steroids aid recovery to improve strength then it would seem that they would improve acceleration just as much as they would improve top end speed. It doesn’t seem they would tip the balances of excellences one way or the other. Devine thinks that allowing PEDs would make athletes too reliant on their ability to metabolise certain substances. But the use of any substance that improves one area will be at the detriment of another. For sprinting, strength is clearly very important, but take too many steroids, get too big, and eventually an athlete will reach a size where they begin to get slower. So it doesn’t seem metabolism would be important other than in relation to the length of time it will allow the athlete to reach the “critical mass” for sprinting. I think that in many sports there will be similar situations, whereby there would be a certain point at which using more PEDs would no longer be helpful. Therefore in the long term, metabolism will not be an issue in considering the balances of excellences in any given sport.

However, once this critical mass is reached it would seem that the near identical body shapes of these perfect sprinters would mean that they would have similar acceleration and a similar top end speed. In this situation, it would seem that this would place far too much emphasis on getting a good start to the race, and anticipating the starter’s pistol. Any hope of victory would slip away for those who didn’t get the perfect push off. Obviously the start is presently a very important part of sprinting but those with better top end speed can make up for a bad start. If sprinters are homogenised by steroids this would tip the balance of excellences in favour of the ability to get out of the starting blocks.

Changing the Balance Changes the Sport
Clearly the balance of excellences that are pursued in any given sport would be changed by introduction of PEDs. But is this necessarily a bad thing? Sports are often changing with the advent of new rules and new technology, yet these changes are allowed. Why are they different to the changes that PEDs would make to sport? The reason that the balance of excellences that would be created by the introduction of PEDs is not only different, but worse, is because they alter the nature of the sports they are introduced to, into something unrecognisable.

When we watch or participate in a sport, we are looking for athletes to display a variety of excellences specific to that sport. However, if PEDs are allowed, those excellences shift, and excellences that were once of the utmost importance suddenly become less so. For example if a pill were introduced to basketball that allowed players to sink shots 100% of the time, the excellences that are on display in basketball would shift dramatically to the point that the sport, while appearing to be similar, would be unrecognisable to spectators and players as the game that they loved watching and participating in. While there is currently nothing as drastic as a perfect shooting pill available, other substances would make the balance of excellences in certain sports tip, or removed completely, to make those sports completely different to what they were.

Devine offers the example of archery as a sport that would have one of its key excellences diminished by allowing PEDs. Archery requires great balance and a steady hand as the slightest movement by the shooter can lead to a large difference by the time the arrow hits the target. Devine points out that archers could take beta-blockers to reduce the natural tremors of their hands allowing them to have greater accuracy (Devine, Oxford
Debates - Performance enhancing drugs should be allowed in sport - Opposer’s opening statement, 2010). Using beta-blockers would improve the scores of archers but would make the sport far worse as the excellence of being able to keep your hand naturally steady while aiming is no longer important as drugs could do this for you. One of the most important excellences in archery is keeping steady and still, so PEDs that allow competitors to do so are not so much tipping the balance of excellences too far in favour of this as they are removing its importance altogether.

It could be argued that such changes would be beneficial to the sports, that they could attract entirely different audiences, and become more popular. Perhaps people would enjoy archery where people got perfect scores every time. But I suspect it would alienate large numbers of people who are already fans of the sport due to the fact that viewers could no longer appreciate the skills on show knowing that they are artificially manufactured.

The attraction of any given sport to spectators and participants is achieving the excellences that are relevant to that particular sport. Allowing PEDs has the potential to alter these sports so that the excellences being pursued either have a different balance or are no longer relevant. All sports are about winning, but what makes them different, are the excellences that are pursued in order to win. This is what makes different sports attractive to different people. PEDs alter these excellences, and in doing so, alter the sports in a way that is unattractive to those who enjoy each sport as the sports become unrecognisable when compared to what they were without PEDS.
When it comes to the compatibility of PEDs with a conception of the spirit of sport based solely on pursuit of excellences, there will likely be cases where PEDs do not upset the balances of excellences that a sport seeks to achieve. If, like Devine, we adopt such a view of the spirit of sport, then these PEDs should be allowed. However, I think there is more to sport than just the pursuit of certain excellences; there are other important values involved, values like respect for others, which I will now discuss.

**Møller and the Importance of Respect**

Verner Møller, like Savulescu, believes that PEDs are in tune with the drive for success that sport embodies. He argues that doping is just an extension of the beliefs that gave rise to the Olympic motto of “faster, higher, stronger” (Møller, 2008, p. 180). Møller, however, stops short of stating that this strive for success, which enhancement is in tune with, is itself the spirit of sport. Møller takes the view that the spirit of sport is characterized by competitors showing respect and consideration for one another, even during the hardest fought competitions (Møller, 2008, pp. 179-80). He argues that acts such as intentionally injuring an opponent in football, or deliberately causing another rider to crash in cycling, violate the spirit of sport, and are to be condemned because of it. Whereas those who oppose doping, Møller argues, are merely showing their own personal distaste towards the quest for success. (Møller, 2008, p. 162). I think that Møller’s is a very appealing definition for the spirit of sport; showing respect and consideration for each other certainly are valued and expected attributes for any sportsman. But taking PEDs is cheating, they are quite clearly against the rules of sport, and any athlete taking them is knowingly breaking the rules and giving themselves an unfair advantage over the competition, an act which
surely is an uncontroversial example of showing disrespect to fellow competitors. This is why Møller believes that PEDs should be allowed. He contends that if they were allowed then athletes taking them would no longer be cheating and thus would no longer be disrespecting the competition as everyone would be entitled to take them.

Agar contends that changing the rules does not settle the issue of disrespect. He offers the example that it would still be disrespectful to kick an opponent in the groin even if the rules of football were altered so that groin kicking became legal. But if such a rule change were made then all competitors would be entering the competition knowing full well that they will probably be kicked in the groin and accept it as part of the sport if they wish to participate. What I think is a more pressing issue is the one outlined above by John William Devine; the balance of excellences. I think that the introduction of groin kicking to football would alter the sport in such a way that it would no longer be football as the balance of excellences would be tipped too far in favour of being able to take kicks to the groin. Similarly, if PEDs were allowed in sport, more respect may be shown to opponents, but the sports they are participating in may be changed in such a way as to render them unrecognisable as the sport we once wished to watch and participate in. If sports must be fundamentally altered in order to allow for PEDs then this seems to be extremely disrespectful to those who were competing in the sport to begin with, and fans of the sport, in which case allowing PEDs is not at all compatible with Møller's view of the spirit of sport. I will now further examine the relationship between fans, athletes, and the spirit of sport.

**Sport and the Spectator**

**The Importance of Simulation**
Nick Agar argues that the problem with athletes using enhancement technologies is that it creates a gap between themselves and spectators. This is problematic because elite sport is geared towards the spectator. Without massive audiences, the phenomenon of elite sport could not exist, due to the fact that major sporting competitions are funded by the money paid by television companies for the rights to show the event, which in turn sells subscriptions to customers; and advertisers who sponsor events because they know that it is an effective way to reach massive audiences. For this reason, argues Agar, the interests of the spectators should be emphasized in the debate on enhancement in sport (Agar, 2011, pp. 149-50). Without spectator interest, there is no difference between the World Cup final and playing football on a muddy pitch in Wellington on a Saturday afternoon.

It could be argued that the demands of spectators have driven athletes to use PEDs. The thirst of spectators for superhuman performances, it could be argued, places unfair pressure on athletes to take PEDs. Aside from the pressure from spectators, there are the major incentives created by the huge sums of money that spectators attract to sports. Sport is a big business, which brings big prize money and the trimmings of fame that go along with a major victory. These incentives may outweigh the negatives in the mind of an athlete deciding whether or not to dope. Is doping merely a by-product of the modern sporting phenomenon that spectators have been complicit in creating?

Agar argues that it is not the superhuman performances of athletes that are important to spectators but the ability to relate to them. Of course the exceptional nature of the performance is important to us, but only to the extent that we can relate to it. The ability to be able to simulate these exceptional performances is known as simulation
theory. Simulation theory is the view that we recreate the mental processes of other humans in our own minds to help us explain the reasons for their actions (Agar, 2011, pp. 152-3). This translates to the spectator-athlete relationship by explaining why spectators get such a thrill from seeing a top athlete perform an outrageous piece of skill. Agar uses the example of watching Diego Maradona’s second goal against England in the 1986 World Cup quarterfinal, later voted as the goal of the century. Simulation theory argues that the thrill we get from watching the goal comes from our ability to simulate what it must have been like to beat each man, make each turn, and finally slot the ball home. Simulation theory makes sense as most sports fans tend to have had some experience of playing the sport that they follow, and can therefore relate to the difficulty of pulling off an outrageous piece of skill, and thus can simulate in their own minds how it must have felt for the athlete who performed it, but of course anyone who has ever attempted to run, throw or kick a ball has the ability to simulate others performing such feats. Agar argues that athletes who use artificial enhancements make it more difficult for us to use simulation theory to relate to them because athletes need to be sufficiently similar to us for us to be able to relate to them (Agar, 2011, p. 154), and that use of artificial enhancement by athletes creates a barrier that we are unfamiliar with, so cannot simulate.

An early objection to Agar’s theory is that it could be argued that, rather than being an argument against the use of PEDs, it is an argument against the publication of failed tests for PEDs. After all, if a spectator assumes that an athlete is clean, even if they are not, then presumably they will be able to simulate their performance and relate to them in the same way as if the athlete actually were clean. Agar contends that it is possible that PEDs create a gap between athletes and spectators even when they are not detected. While I cannot see
how this might be I will continue in the assumption that he is right and that it is in the interest of the spectators that athletes are in fact clean whether they know it or not.

When describing simulation theory, Agar uses the example of Diego Maradona’s wonder goal in the 1986 World Cup quarter final as an example of a spectator simulating what it must be like to dribble through half a team on the world stage and score the winning goal. He then points out that Maradona’s post career drug use, while possibly changing our opinion of him as a man, should not inhibit our ability to identify with his sporting achievements (Agar, 2011, p. 157). But what about his drug use during his career? Throughout his playing career Maradona was addicted cocaine, which is a stimulant banned by WADA. His addiction allegedly started in 1982, meaning that he was addicted to cocaine during the 1986 World Cup, where he scored the aforementioned “goal of the century”. In 1991, he received a fifteen month ban after testing positive for cocaine, and in 1994 he was sent home from the World Cup after testing positive for ephedrine. More recently, in May 2011, Maradona claimed that the entire Argentinean team took advantage of absent doping controls before their crucial World Cup qualifier against Australia in 1993 and were given PEDs. It seems strange to say that when we find out that Maradona was on drugs we lose the ability to appreciate his amazing goals and simulate what it was like to score them, when we were able to do so before we discovered this information.

Agar argues that there are degrees of engagement with athletes. Rather than it being all-or-nothing, we can be less interested depending on the gravity of the offence. So while we may be unimpressed with Maradona’s drug use, it was not used to enhance his performance to levels that we cannot relate to. Arguably his cocaine binges hindered his
performances far more than they would have helped them. But is there any level of PED use that would truly lead to us to no longer being able to relate to the exploits of an athlete?

Elite athletes are already different from us in many ways. They have fortunes that most of us cannot imagine, they train harder than most of us could imagine, using methods most of us have never heard of, and yet these aren’t barriers to simulating their attributes on the pitch. So why are PEDs? When we simulate what it is like for an athlete to score a wonder goal we are not imagining their physiology, just the act of scoring the goal. If the altered physiology of artificial enhancement were really a barrier then it would seem that most of us should have difficulty simulating the attributes of a seven foot tall basketball player as we cannot imagine what it is like to be that tall. Even if a cyclist is on EPO, anyone who has ever struggled up a hill can relate to the pain felt by a cyclist trying to summit L’Alpe d’Huez in the Tour de France. This argument could easily be re-imagined decades ago as someone debating that the advent of professionalism would lead to a disconnect between fans and athletes as the athletes would no longer have to work full time jobs, therefore the public who do work jobs would no longer be able to relate to them. People also still idolise those who have used drugs and are at the top of other fields that rely heavily on fans. People love The Beatles. That does not mean they have to drop acid to be able to relate to the music they produced while under the influence of LSD.

**A Parable in Porn**

An example of a thriving relationship between artificially enhanced superstars and simulation from spectators can be found in the porn industry. The majority of porn is targeted at a male audience, and for the required stimulation porn viewers use simulation
to put themselves in the scenario of whatever they may be watching. However, many male porn stars take Viagra to enhance their on screen performances. This does not seem to have affected the viewership in a continually growing multi-billion dollar industry. It could be argued that that is because the average male can imagine taking a little blue pill before they have sex. But the use of Viagra in porn is much more direct, as actors often inject liquid Viagra directly into their penises, which surely goes beyond the realms of what most of us can possibly imagine.

Certainly simulation plays an important role in how a spectator relates to an athlete but if the use of PEDs in the porn industry, which is surely is an industry more reliant on simulation theory than most, does not affect the relationship with spectators, then I do not think that PEDs would seriously affect our abilities to simulate sporting performances.

**We Can All Relate to a Mothers Love**

David Wasserman’s view of the spirit of sport has some similarities with that of Agar; he also believes that sport has an important relationship with spectators that must be respected, and the change in physiology of athletes has, and will potentially continue to, alienate spectators (Wasserman, 2008, p. 24). He argues that it is easier for spectators to identify with athletes of the past than it is to identify with modern athletes because they were so much more similar to us. He uses the example of Ted Williams, who played for the Boston Red Sox from 1939-1960 and was one of the greatest hitters in Major League Baseball history, who he describes as a “97 pound weakling” as opposed to the “bronzed
Adonis” that is the current all time Major League Baseball home-run record holder\(^3\), and steroid user, Barry Bonds. Wasserman believes that there is a thrill to be had knowing that a professional athlete is not so different than we are, something you get from Williams, but not Bonds (Wasserman, 2008, p. 24).

An alternative view to Wasserman’s, is that PEDs bring us closer to athletes because they give us the belief that we could emulate them. If you’re a 97 pound weakling like Ted Williams then you have to live with the knowledge that despite your similar physique you will never be able to hit like he could. On the other hand, if you look at Barry Bonds you may think that you too could hit like him if you bulked up by taking steroids. It may not mean that you will do this, and certainly doesn’t mean you need to take PEDs to be able to appreciate watching Bonds in action, but you may feel that you are closer to him because you could take the steps to get to his size and hitting power, whereas Williams might be viewed as a freak whose levels of hitting accuracy you could not reach by leaving yourself as natural as he is. Even without PEDs, modern training regimes make athletes impressive muscular specimens, most people do not look like professional athletes whether they are enhanced or not.

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\(^3\) I’d like to emphasise that he is only the Major League Baseball home run record holder, not the world record holder; that distinction belongs to Japan’s Sadaharu Oh who has hit 868 home runs compared to Bonds’ 762. I point this out because it is a fact often ignored by American commentators who insist on declaring the best in American sports as the best in the world. For example the winner of Major League Baseball's "World Series" is declared champions of the world, despite winning a competition only made up of North American teams, as opposed to the World Baseball Classic which consists of national teams from around the world and has been won by Japan on every occasion it has been held.
Wasserman acknowledges that enhancement technologies are unlikely to make us lose all identification with athletes. He uses the example of the coverage of the 2008 Olympic Games in Beijing, which, as he describes it:

“[O]ften paid as much attention to the ordinariness of the athletes’ lives as it did to their extraordinary skill. The cameras focused in on the contenders’ families as they gripped their digital cameras and suppressed their anxieties: hence the relentless attention to Michael Phelps’s devoted mother and sister. Some of the greatest excitement at the games was generated by the success of athletes with whom the audience could most readily identify, like the 38-year old mother who won the women’s marathon.” (Wasserman, 2008, p. 24)

We can relate to athletes who have families by their sides supporting them as they strive for glory because at some point in our lives most of us have experienced the same support from our own friends and loved ones, and Wasserman argues that use of PEDs is unlikely to remove this sort of ability to relate between spectator and athlete (Wasserman, 2008, p. 24). After all, if it had emerged that Michael Phelps had been on PEDs; it seems absurd to say it would mean that we could no longer relate to his mother and sister cheering him on.

This is clearly a different kind of identification to imaging what it is like to replicate the feats of an athlete, as outlined above by Agar. While it may seem like we relate to the love of a mother and a sister, what we are really relating to is the humanity of the athlete. Horses too have loving mothers, yet we cannot relate to a great stallion in the same way we relate to a great swimmer. The issue is whether or not PEDs remove the ability to relate to
the human aspect of those who we are cheering for, and I have already argued above that they do not.

**Broken Records: Is Babe Ruth Turning in his Grave?**

Wasserman also addresses the fears of those who believe that the allowance of PEDs would taint past records as they are achieved with enhancements not available to previous generations (Wasserman, 2008, p. 25). A prime example of this from recent years is Barry Bonds overtaking Hank Aaron’s all time home run record in Major League Baseball with the help of steroids. There is much debate in the USA over whether or not Bonds should be admitted to the baseball hall of fame, and whether his achievement should have an asterisk next to it in record books because he was on PEDs. Wasserman points out that sport is constantly changing; in 1920 Babe Ruth doubled the single-season home run record previously held by Ty Cobb due to a series of rule changes that favoured batters, yet both are still considered greats of the game (Wasserman, 2008, p. 25). No one questions the legitimacy of Ruth’s achievements because he performed them under more favourable conditions than previous generations. If Bonds hadn’t taken Steroids and had achieved his record would people be questioning the legitimacy of it because the advances in training, nutrition, sports science, and technology give him an unfair advantage over previous record holders? It seems unlikely. No one questions the use of LASIK eye surgery by players to improve their vision to better than 20/20, allowing them to see the ball better.

Why should the use of chemical enhancements be so different? Above I argued that use of PEDs would tip the balance of excellences pursued in a sport to the point where that sport is no longer recognisable or desirable. Arguably this is what already happens in
sports with the advent of new technologies and training regimes, so why not allow PEDs? The difference is that PEDs risk leading to radical changes in sports. While technology may get incremental improvements out of athletes by providing lighter shoes, or more aerodynamic clothes, they do not drastically alter the face of a sport, and tip the balances drastically in one direction. When there have been instances of such technology they have been banned shortly after their inception. For example new swimming suits that added to the buoyancy of swimmers in the late 2000s and lead to a spate of broken records were banned, as the technology tipped the balance of excellences in swimming away from the swimmer being able to keep herself afloat. PEDs would similarly tip the balances in drastic ways unlike other performance enhancing technologies.

The Dawn of a New Paralympics

Wasserman offers a solution to those who state that allowing PEDs would put unfair pressure on all athletes to use such technologies. He posits that in the future there may be separate leagues for enhanced and “natural” athletes (Wasserman, 2008, p. 27). This would allow those who do not wish to take PEDs an avenue to compete at a high level. This solution does face some problems, for example would the lower quality performance that would presumably go along with not taking PEDs mean that such competitions would not be viable at the elite level. On Agar’s conception of the spirit of sport the ability to better relate to the athletes would make “natural” sports leagues far more popular than enhanced leagues regardless of the potential gulf in quality. I suspect, however, that this would not be the case; I think it would be more similar to the different levels of support and sponsorship for women’s and men’s sports. This gap obviously wavers between the relatively equal
status in terms of prestige and sponsorship of women’s and men’s tennis players, and the huge divides between women’s and men’s football, so it is hard to say where on the spectrum it would land. Though it is possible to object that this comparison is unfair because it is a matter of different sexes, not just different levels of ability, and women have had to overcome prejudices in all areas of life that can explain the relative gap between various sports. Perhaps a better example would be to compare the Olympics and the Paralympics where the difference between athletes is reflected in physical abilities. I imagine that athletes on PEDs would be more like those at the Olympics, and natural athletes like those at the Paralympics whose exploits, while no less admirable, and on many occasions more inspiring, generate a far lower level of interest from spectators, which would eventually lead to the end of clean sport at an elite level.

**Getting the Best out of the Spirit of Sport**

**A Combined Theory**

Any definition of a spirit of sport is going to be arbitrary, and open to interpretation. Sport means different things to different people. At the beginning of this essay, WADA outlined its spirit of sport by listing various concepts that were very open to interpretation, with little in the way of substantial arguments to back up their claims. Taking the best concepts from the philosophers I have discussed above can, I think, lead to a far better outline for the spirit of sport than WADA's various buzzwords. Thus a view of the spirit of sport is born that looks like this:
The spirit of sport is the pursuit of certain excellences to the best of your ability while showing respect and consideration for other competitors and spectators.

I have argued above that PEDs are not compatible with the points that make up my definition of the spirit of sport. While they may help in the pursuit of excellences, they will tip these excellences too far in one direction thus altering the very sport that is being performed, potentially making it a different sport all together. Allowing PEDs shows disrespect and lack of consideration for other competitors, it does this by altering the face of the competition that they wished to compete in by tipping the balances of a sport too far in one direction. More importantly allowing PEDs would show lack of consideration for competitors by putting them in a situation where they would feel pressured to use PEDs in order to be able to compete with other athletes. Proponents of PEDs would likely say that this is already the case and that allowing PEDs would simply mean that everyone had the option to use PEDs without the risk of being caught. I disagree as in the current situation those who do not use PEDs can be content in the knowledge that they are in the right, and that those who are using will hopefully be brought to justice by the testing system. Furthermore, if PEDs were allowed those who did not use them would be relegated to competing in competitions that would likely be seen as inferior to the performance-enhanced, drug fuelled freak shows that would take over. Finally, allowing the use of PEDs shows a lack of respect and consideration for spectators by making sports less of a spectacle. It would do this by creating a scenario where the richest nations and organisations produce designer drugs that would far outstrip what would be available to poorer nations, thus creating an even bigger gap between the haves and the have-nots.
At the beginning of this essay I also criticized WADAs definition of the spirit of sport for being ambiguous in regards to PEDs, the same criticisms could certainly be levelled at my own definition. This is why I believe that the grounds for whether or not a substance is banned should be changed from:

1. Having the potential to increase sporting performance;
2. And/or representing an actual or potential risk to the athletes health;
3. And/or its use being contrary to the spirit or sport (WADA, 2003, pp. 15-16)

To something more in tuned to the attributes I have identified as the most important aspects of sport. Perhaps, a substance should be banned if:

1. Its use alters the balance of excellences that an athlete strives to achieve in their certain sport;
2. And/or its use shows a lack of consideration and respect for other competitors and spectators.

Admittedly, both points are open to interpretation, and it will be down to the administrators of any given sport to decide. But whether the use of a substance shows lack of consideration for the spectators, for example, will be able to be measured by the audiences themselves. If certain substances are allowed and, as Agar argues spectators can no longer relate to the athletes, or if they are simply no longer entertained as their sport has become an unrecognisable monster, they will stop watching the sport in question. This will be a red flag to the administrators of that sport that the use of that particular substance is at odds with what these spectators want from the competition, and that those views are not being respected.
For the most part substances that are currently on WADA’s prohibited list would remain on there under my proposed definition of the spirit of sport. It is, therefore, a definition of the spirit of sport that is anti-PEDs. This leads to the question of what should be done to deal with those who use-PEDs and, in doing so, violate the spirit of sport?

How to Deal with Dopers

All for One, and One for All

Those who argue that doping is against the spirit of sport must conclude that dopers need to be punished for their actions, but they must also answer the much more difficult question of whether or not the team mates of those who dope should be punished for the actions of others. Take the example of Marion Jones, the US athlete who won three gold, and two bronze medals at the 2000 Olympic Games in Sydney. In 2003 Jones, along with many other athletes, was caught up in the Bay Area Laboratory Co-Operative (BALCO) doping scandal after a disgruntled US track coach tipped off authorities to athletes using undetectable steroids supplied to them by BALCO. As a result of an investigation into BALCO, Jones was stripped of the medals she won in Sydney. However, the matter is not as simple as merely striking Jones’ achievements from the record books due to the fact that two of the medals she won were as part of relay teams (bronze in the 4x100 and gold in the 4x400). As a result of Jones’ doping offenses, the International Olympic Committee (IOC) stripped Jones’ teammates, who hadn’t been doping, of their medals too. Jones’ teammates then took the issue to the Court of Arbitration for Sport (CAS) who, in 2010, ruled that they should be allowed to keep their medals as they didn’t personally commit any wrong doing and conformed to the rules of competition.
Who is right in this situation; the IOC or the CAS? While Jones’ relay teammates did nothing wrong themselves, it cannot be denied that they benefited from doping. If Jones hadn’t been using PEDs she would have run her leg of the relay slower and the US team may not have medalled. While there has been some debate over the example of Marion Jones’ and her teammates, what has been largely ignored is the potential impact of this debate on the self-proclaimed “most tested athlete in the history of sport”, American cyclist, Lance Armstrong. Armstrong has won the most prestigious bike race in the world, the Tour de France, a record seven times. His feats are even more amazing given that, before achieving them, he overcame testicular cancer. In the world of cycling, success usually brings with it accusations of doping, especially as Armstrong achieved his wins during the late 1990s and early 2000s when cycling was in the grips of doping scandal after doping scandal, yet Armstrong has never failed a doping test.\(^4\) To those not familiar with cycling the case of Jones’ relay teammates and Armstrong may not seem compatible; cycling is a sport of individual honours. The winner of the Tour de France is awarded the Yellow Jersey for being the best individual rider. So, I will start by giving an outline of the basics of cycling tactics for the Tour de France.

The Tour de France is competed by hundreds of riders who are members of nine man teams. Each team has a leader and it is the leader of each team who is likely to be in contention for the Yellow Jersey come the business end of the Tour. It is the job of the

\(^4\) There have been accusations that he returned a urine sample that tested positive for EPO during the 2001 Tour de France that was covered up by a Swiss testing lab. However, as these claims have been denied and there is no clear evidence to back up the accusations, so I will assume that Armstrong is, as he claims, a clean athlete.
other members of the teams (known as domestiques) to sacrifice themselves to get their leader in the best possible position. This means that at the beginning of big mountain climbs (where the Tour is generally won or lost) it is the job of the domestiques to ride as hard as they can to get their team leader into the best position possible. By allowing their team leaders to ride in their slipstreams and conserve energy, the domestiques give their teammate a better chance of capturing individual glory which will be reflected on the team. For their hard work it is traditional that the winner of the Yellow Jersey shares his prize money with the rest of his team.

As you can see, a great deal of team work goes into an individual winning the Tour de France, and this is where the problem arises. In recent years several of Armstrong’s former teammates, including Frankie Andreau, Floyd Landis, and most recently Tyler Hamilton, have come out and accused Armstrong of doping, while admitting that they themselves doped when they were his teammates. Setting aside their allegations against Armstrong himself, their admissions of doping alone should be enough to call into question the validity of Armstrong’s seven Tour victories. Without the help of good domestiques no cyclist has a chance of winning the Tour de France, as the team leader needs his teammates to help carry the burden of the gruelling race. So if Armstrong’s teammates have admitted to using PEDs then he gained an advantage from doping (Indeed, if Armstrong was clean while his domestiques doped then it seems the ultimate example of teamwork, one of WADA’s values in their definition of the spirit of sport, risking their own place in the sport to propel a team mate to victory). If his domestiques can climb faster, for longer due to the use of PEDs then he has gained an advantage over other cyclists in the same way that Marion Jones’ relay teammates gained an advantage
from her having doped as she was able to run a faster leg of the relay. Which leads us to the question of whether or not teams should be punished for the offenses of an individual? And if the answer to that is yes, how many individuals are required to test positive for PEDs before their team is punished?

If it emerged that a substitute who played ten minutes in a World Cup match for a side who won the tournament had been using PEDs, is it reasonable to strip the team of the honours they achieved with little help from someone who doped? It seems in this situation the answer should be no. But what if those ten minutes were the last ten minutes of the World Cup final and the doper in question scored the winning goal thanks to his artificially enhanced pace? In situations like these it seems difficult to draw a distinction that a team should be banned if they have $x$ number of players who played $x$ number of minutes who were found to have been doping. There will always be those who object "Why $x$ why not $x+1$?"

Peer Pressure and National Shame

I think the best answer to the situations outlined above is that teams should be punished if any of their members are found to be doping as it would increase self-policing. If someone has their own situation put at risk by someone else’s selfish behaviour then they will be more likely to stamp it out. Indeed self-policing could be the most effective way of fighting doping as it could lead to a change of culture within sports teams. Teammates often form strong bonds with each other, and the thought of letting down your teammates by getting them thrown out of a competition may be enough of a moral burden for most athletes to avoid any behaviour that might risk this; in the same way that
the risk of losing a friendship will prevent most people from attempting to sleep with their friend’s girlfriend. This scenario works for incentivising those who dope without their teammates’ knowledge to stop, but I fear it may not be as straight forward for athletes who are aware of the benefits of their teammates using PEDs.

Let’s say that hypothetically Lance Armstrong was aware that his domestiques were using EPO to improve their endurance. Would he be more likely to turn a blind eye to it and let them get on with doing whatever they needed to do help him win? Or would he use his position as the senior cyclist on the team to stop them so that they wouldn’t jeopardise his chances of winning if they were caught? The latter might seem the obvious answer; why risk the accomplishment of your life’s goal just because others feel the need to cheat? Another way to view this scenario is that Armstrong may not think that he will win if his teammates don’t dope. If this is the case, the dilemma shifts to choosing between potentially having your title stripped and not having a title at all. When your life has be geared towards winning the title there may be athletes who would choose the first option. But those athletes take a massive risk in doing so, knowing that they will not just incriminate themselves but strip their teams of glory, and in the process alienate several countries, in the case of a multinational cycling team.

While it may seem unfair, as Nick Agar points out, teams suffering for the mistakes of individuals is part of sport. A comical own goal in football, a last minute penalty in rugby, a dropped catch in cricket, are all part of the what makes sport sport; it is part of doing your best not to let down your team mates. I think that this is why punishing teams for the doping infringement of individuals is the best policy for stamping out doping. A
shift in the culture of sport is needed, not so far that competition is lost from sport, but far enough that the lengths that people will go to win are curtailed. If individuals put the team at risk they will be ostracised by their teammates, many of whom they will have strong bonds with, this would provide a much greater incentive not to cheat than an individual two year ban as is currently standard for many sports.

**Conclusion**

The performance enhancing drugs debate is far more complex than it is often given credit for in the media. Far from being an obvious case of those taking PEDs being shameful cheats, as many tabloid headlines would have you believe, there are delicate issues that surround the nature of sport to be considered. In this essay I have shown that under careful consideration, these issues still point to banning PEDs as the right move.

I have shown that the beliefs of the likes of Julian Savulescu that suggest allowing PEDs would create a healthier, fairer, and more entertaining sports environment, are misguided. I have argued that while Verner Møller is correct when he says showing respect towards other athletes is an important part of the spirit of sport, he is wrong that altering the rules to allow PEDs would mean that those using PEDs were showing respect. This is due to the fact that the use of PEDs would alter the balance of excellences, as described by John William Devine, to an extent that the sports that were being played would no longer be the sports we wished them to be.

Nick Agar and David Wasserman hit on something important in their descriptions of the spirit of sport from the view of the spectator. While I disagreed with Agar that PEDs
would mean that spectators could no longer simulate the actions of athletes in a meaningful way, I argued that allowing PEDs in sport would alienate spectators in the same way it would alienate competitors; by altering the balance of excellences and thus altering the face of the sport to something undesirable.

From on the shoulders of these philosophers I was able to see my own conception of the spirit of sport:

• The spirit of sport is the pursuit of certain excellences to the best of your ability while showing respect and consideration for other competitors and spectators.

A definition of the spirit of sport that is not compatible with allowing the use of PEDs, for the benefits of the competitor and the spectator alike.

Finally I have addressed the issue of what should be done to those who do decide to cheat by using PEDs. While the punishment of individuals is an obvious step, I made it clear that the best way to lessen the temptation to cheat is to punish the teammates who benefitted, no matter how little or how indirectly, from the use of PEDs. This will lead to increased self policing and a culture shift within sports whereby, the pressure for success is not so great that any individual should be tempted to jeopardise the efforts of their colleagues and compatriots.
Bibliography


