Performance-enhancing technologies in sports: Ethical, conceptual, and scientific issues

Oskar MacGregor

Department of Philosophy, History and Law in Healthcare, Swansea University,

Available online: 11 Mar 2010

To cite this article: Oskar MacGregor (2010): Performance-enhancing technologies in sports: Ethical, conceptual, and scientific issues, Sport, Ethics and Philosophy, 4:1, 106-108

To link to this article: http://dx.doi.org/10.1080/17511320903580106

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: http://www.tandfonline.com/page/terms-and-conditions

This article may be used for research, teaching and private study purposes. Any substantial or systematic reproduction, re-distribution, re-selling, loan, sub-licensing, systematic supply or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.
BOOK REVIEW


What sort of moral responsibility do individual athletes have to not partake in certain forms of performance enhancement in sports? Can a clear-cut distinction between permissible and impermissible forms of performance enhancement be successfully defended? What ethical impact might future developments in e.g. genetic treatment have on sports? These are some of the fundamental issues to which the authors in this anthology seek to contribute. Their backgrounds are disparate; they are active in areas such as law, philosophy, bioethics, professional sports, genetics, and bioscience. And although this disparity does distract somewhat at times (a point to be discussed shortly), the overall effect is one of comprehensiveness.

The anthology is divided into three parts. The first, comprising six essays, deals predominantly with contextual issues. These aim, by and large, to replace the stereotype of the doping athlete as exclusively responsible for doping with a more nuanced view of the doping athlete as enmeshed in a complex network consisting of, among others, coaches, managers, sports physicians, family, competitors, spectators, and sponsors. The second part of the anthology, consisting of five essays, sets itself the task of grappling with more directly ethical questions pertaining to performance enhancement in sports. Finally, the third part, which contributes just two essays to the whole, brings into the discussion the views of two professional geneticists and a chemist. Their contributions concern the technical feasibility and actual state of play as regards the sorts of performance enhancement philosophers are sometimes prone to speculate about.

Given the diverse mix of authors, the level of argumentation varies somewhat. This is to be expected of such a multidisciplinary anthology. Where some individual essays are lacking a little in theoretical rigour and clarity, however, they nevertheless contain valuable insights, not least in terms of highlighting various sports-related phenomena not immediately discernible in the debate surrounding performance enhancement. For instance, Jan and Terry Todd’s contribution – detailing the chaos which ensued from the decision to separate powerlifting leagues according to their subscription, or not, to a general anti-doping ethic – issues a stark warning about the practical viability of a ‘parallel federations solution’ to the regulation of performance enhancement in sports.

Regarding more strictly philosophical issues, it is important to realise where this book is coming from. As a project, it is funded by ‘the research arm of USADA, the United States Anti-Doping Agency’ (p. xix). This shows quite clearly in the general tone of the contributions, rendering the book as a whole somewhat one-sided. Where the Preface offers a lucid overview of some of the most frequently heard arguments against the notion that doping is morally wrong, the essays themselves barely touch on the same arguments, whether to argue for or against them. There is some incongruity in providing an
introductory ‘road map’ of important arguments against anti-doping while failing to give those arguments much attention in subsequent discussion, at least when one of the given aims of the book is to see ‘how resilient [the idea that certain performance-enhancing technologies that are or might be used in sport are unethical] is when attacked’ (p. ix). The general assumption instead running unqualified through a great number of the contributions seems to be precisely that doping is unproblematically morally wrong.

This assumption is particularly notable in the first and the third part of the anthology, dealing with contextual and scientific issues. Given their subject matters (and the authors’ areas of expertise), such ethical assumptions are perhaps understandable, but it is nevertheless somewhat disappointing to see unqualified remarks to the effect that doping is ‘one of the most serious moral crises facing sports today’ (p. 40), or that it negatively affects ‘the spirit of sport’ (p. 268). There is no doubt that many people feel this way, but these are complex issues, and it is philosophically unsatisfying to see them brushed aside without any further qualification.

The second part of the anthology, focusing on ethical issues, is more philosophically rewarding (and more carefully argued). For instance, by investigating different typical usages of the concept of ‘enhancement’ in bioethics and the philosophy of sports, Eric T. Juengst convincingly argues that the purportedly morally objectionable variants of ‘enhancement’ within sports are, typically, so judged because they are considered somehow ‘unnatural’. But, in Juengst’s view, adherence to such notions of ‘naturalness’ in sports belies a moral viewpoint seeking to treat individuals as moral equals. There is an unwillingness by many to admit gene doping as a potentially legitimate source of ‘levelling the playing field’ between athletes more or less genetically well-endowed, for the purposes of their sport. But failing to do so is, on such a view, an implicit endorsement of ‘sport’s commitment to the creation and promotion of human genetic stratification’ (p. 200). And it is at least prima facie problematic to endorse such genetic stratification in sports, while nevertheless maintaining that it would, for instance, be immoral for insurance companies to attempt a similar stratification of humans in assessing individual risk factors. Although Juengst is not particularly forthcoming with the further implications of his investigation (he seems at the very end of his article to suggest that any competition which is impinged upon by the genetic make-up of the individual competitors is morally misguided), it does highlight a need for further investigation. These are important issues, made all the more pertinent by our constantly evolving body of knowledge of genetics, and the resultant ability to utilize that knowledge to a wide host of ends, some seemingly more preferable than others.

Despite the detailed and interesting discussion, however, the second part does not really grapple with the arguments presented in the Preface. Lead editor Thomas H. Murray spends only a short time in one of his two essays dismissing them, in a not altogether convincing manner. For instance, one of the arguments against the notion that doping is morally wrong states that there is no clear and coherent distinction to be drawn between (currently) permissible and impermissible performance enhancements – things such as hypoxic training versus doping — and that there is therefore no principled reason to permit the former while not permitting the latter. To this, Murray responds by acknowledging that while the rules of any given sport are arbitrary (to the extent that e.g. football pitches could be slightly wider or narrower without thereby altering the fundamentals of the game), this does not thereby make them morally indefensible. In his view, if there is just as good a reason for some such arbitrary rule as another (non-
implemented) arbitrary rule, then it is sufficiently justified. The same thing goes, in Murray's view, for performance enhancement: arbitrariness regarding exactly which sorts of performance enhancements ought to be permitted does not morally undermine any distinction thus reached; 'it is not “arbitrary” in any ethically troubling way' (p. 146).

The arbitrary rules of sports do sometimes change, however, such as in 1969, when Major League Baseball implemented a rule change to the effect that the pitcher's mound was lowered five inches. This was done for the sake of increasing batting success, after a run of (overly) successful pitching. In Murray's acceptance of elements of arbitrariness, he is unable to rule out the possibility of a similar change of the rules regarding the permissibility of certain forms of currently impermissible performance enhancements. There is little in an acceptance of arbitrariness that can safeguard against doping being made permissible in the future, which, it would seem, is what arguing against the distinction-criticism aims to achieve in the first place.

In all, however, despite its somewhat one-sided presentation of the issues, as well as its avoidance of some of the meatier arguments presented in the Preface, the anthology is an important and timely contribution to a burgeoning field. The decision to include viewpoints from various fields helps substantially in providing practical and theoretical insights not immediately discernible from within speculative philosophy, and it is particularly commendable of the editors to have chosen to include up-to-date scientific input on the subject. For philosophers, it is something of an occupational hazard to maintain certain claims that are detached from present reality, and many of the essays in the publication serve as a much needed injection of that reality into the philosophical discussion.

Oskar MacGregor © 2010
Department of Philosophy, History and Law in Healthcare
Swansea University