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TRANSFORMING THE DOPING CULTURE

Whose responsibility, what responsibility?

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Abstract

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The doping culture represents an issue for sport and for society. Normative debates on doping have been mainly concerned with questions of the justifiability of doping. The practice of assigning responsibility for doping behaviour has chiefly been individual-based, focusing mainly on the individual athlete's doping behaviour. The overarching aim of this thesis is to investigate the relevance and the importance of the ideas of responsibility in relation to ethical debates on doping. The more specific aim is to examine the possibility of broadening the scope of responsibility beyond the individual athlete, and to sketch a theoretical framework within which this expansion could be accommodated. In the first study, it is argued that bioethicists have a moral/professional responsibility to start out from a realistic and up-to-date view of genetics in ethical debates on gene doping, and that good bioethics requires good empirics. In study 2, the role played by affective processes in influencing athletes' attitudes towards doping behaviour is investigated, both on an individual and on a collective level. It is concluded that an exclusive focus on individual-level rule violation and sanctions may entail overlooking the greater social picture and would prove to be ineffective in the long term. In study 3, the common doping-is-cheating arguments are examined and it is argued that they fail to capture vital features of people's moral responses to doping behaviour. An alternative account of cheating in sport is presented in terms of failure to manifest good will and respect. It is concluded that putting cheating in the broader context of human interpersonal relationships makes evident the need to broaden the scope of moral responsibility and agency beyond the individual athlete. In study 4, the particular case of assigning responsibility for doping to sports physicians is used to examine the current individual-based approach to responsibility. This approach underestimates the scope of the responsibility by leaving out a range of other actors from the discourse of responsibility. The central conclusion of the thesis is that transforming the current doping culture requires broadening the scope of responsibility to include individuals and groups of individuals other than the athletes themselves.

Keywords: Doping; responsibility; prospective responsibilities; cheating; good will; interpersonal relations; sports

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To Annelie ♥

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This thesis is based on the following papers, which are referred to in the text by their Roman numerals.

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Contents

Introduction	9
Background	11
What is Doping?	11
Definitional and Boundary-Drawing Issues	12
Common Doping Substances and Methods	15
Brief Modern History of Doping	16
Future Prospects - Gene Doping	18
Potential Health Risks Related to Doping	19
How Widespread is Doping?	19
How Do Athletes Acquire Prohibited Substances?	20
Detection Procedures	20
Unintentional Doping	21
Current Philosophical Debates on Doping	23
Doping and Health Related issues	23
Doping and the Spirit of Sport	23
Doping as a Form of Cheating	25
Doping and the Question of Athletes' Autonomy	26
Equality in Accessibility	27
Compensation for Natural Inequalities	27
Parallel Competitions?	30
Aims and Questions	32
Methods – Empirically well-informed bioethics	33
Summary of Studies	38
Study 1: Gene Doping and the Responsibility of Bioethicists	38
Study 2: Beyond the Individual: Sources of Attitudes towards Rule Violation in Sport	39
Study 3: CHEATING IS THE NAME OF THE GAME - Conventional Cheating Arguments Fail to Articulate Moral Responses to Doping	40
Study 4: Doping and the Participatory Responsibility of Sports Physicians	41
Discussion	43
Relational Aspects of Agency	44

Relational Aspects of Responsibility.....	46
Doping and Shared Participatory Responsibility.....	50
Shared Prospective Responsibility	53
Emotion Culture and Shared Participatory Responsibility.....	55
Possible Objections.....	59
Future Works	60
Conclusion.....	62
Acknowledgments.....	64
Summary in Swedish – Sammanfattning	66
References	69

Abbreviations

BMA	Board of Science and Education
EPO	Erythropoietin
GTT	Gene Transfer Technology
IOC	International Olympic Committee
THG	Tetrahydrogestrinone
USADA	United States Anti-Doping Agency
WADA	World Anti-Doping Agency

Introduction

Je n'ai pas inventé le dopage...J'ai simplement participé à ce système. Je suis un être humain

Lance Armstrong, American cyclist¹

Today, the current pervasive doping culture represents an issue for sport and society. Normative debates on the ethical status of doping have been mainly concerned with the questions of justifiability (i.e., whether or not, and on what grounds, it should be allowed in sport). This thesis represents an effort to call attention to the relevance and the importance of the ideas of responsibility in relation to ethical discussions of doping in sport. The practice of responsibility assigning in relation to doping behaviour has primarily been individual-based, focusing mainly on the individual athlete's doping behaviour. Consequently, individual athletes are commonly held responsible for doping behaviour and seen as “drug-cheats” who, as if in a vacuum, exercise autonomy over their desires, aspirations, decisions and actions, and who rarely, if ever, act out of coercion or under other forms of external pressure.

In the wake of a doping scandal, we sometimes see young athletes on TV screens who confess in front of millions of viewers to their doping offences, and who often in a highly emotional state literally cry out their feelings of guilt and remorse. In contrast, a cyclist on the sports news a few years ago was annoyed by the questions about the occurrence of doping in the tournament and unexpectedly turned to the camera and said something along the lines of “*you expect us to hold an average speed of X, while you know that it is humanly impossible [without EPO].*” His comment was followed by an uncomfortable and disturbing silence. It seemed like his response had reversed the relation between the judge and the judged in an uncanny way, and, had turned the camera towards those who stood behind the cameras or sat in front of the TV sets and judged him. By the same token, the rider's comment regarding the expectations of the fans also revealed the other side of the responsibility assigning “coin”: its second-personal dimension. In an analogous sense, this thesis could be seen as an attempt to turn the responsibility seeking analytic “camera” towards the sport community and society. It

¹ “I did not invent doping...I just participated in this system. I am [just] a human being (Le Monde 2013)

seeks to examine the question of responsibility in relation to doping behaviour beyond the individual athlete.

The core argument of this thesis is that individual-based conceptions of responsibility in relation to doping behaviour are problematic, and ineffective in coping with the complexity of doping culture. I endeavour to outline an alternative view of responsibility in relation to doping behaviour based on social practice, which better depicts the way we experience the exercise of responsibility assignment in relation to doping behaviour. This alternative view will also offer considerable possibilities for broadening our conception of responsibility and its scope, and for developing preventive measures concerning the doping culture. The basic tenet will be the idea that the practice of responsibility involves an indispensable social component in that both the judge and the judged are to be viewed as socially embedded. This relational aspect of responsibility implies that the person who assigns responsibility and the person to whom responsibility is assigned stand in a reciprocal relationship.

To this end, the thesis stresses the need to broaden the conception of responsibility in relation to doping, and to extend the scope of responsibility to include actors other than the athletes themselves, who are in one way or the other involved in or connected to the current doping culture (e.g. coaches, sports physicians, fans, sponsors, media, sports journalists). As will be argued in Study 1, this also includes bioethicists who are involved in ethical debates on doping. For instance, they have a moral and professional responsibility to be well informed about genetics. The intention here is not to come to a conclusive normative conclusion about the ethical status of doping. There is admittedly no harmony of interests in this regard. I simply proceed from the problematic nature of the current doping culture (few would deny that doping currently is an issue) and endeavour to understand *why* and *how* we assign responsibility to actors in relation to doping behaviour.

The disposition of the thesis is as follows: In the next section, entitled “Background,” I will attempt, in general terms, to acquaint the reader with definition, history, and prospects of the doping phenomenon in sport. The section ends with a bird’s-eye view of current philosophical debates for and against doping. The section “Aims and Questions” introduces the main questions that the thesis sets out to answer. In the section “Methods,” presenting common methodological approaches in bioethics, I will defend the approach embraced in this thesis, referred to as *empirically well-informed bioethics*. This will be followed by a summery of four studies included in the thesis. In the section “Discussion,” drawing on the arguments presented in these four studies, I will attempt to further elaborate on the conception and the scope of responsibility in relation to doping behaviour, and to raise the question whether responsibilities in this regard could be assigned to groups such as athletic subcultures, and if so, to what extent. Before presenting the concluding remarks, suggestions regarding future research will be provided.

Background

What is Doping?

Generally speaking, “doping” refers to the use of illicit substances and methods by athletes in order to improve athletic performance. There are many ways to enhance athletic performance; some of which are permitted (e.g. training, diet) and some are prohibited (e.g. growth hormones) by sports’ governing bodies. The use of drugs in sports was officially recognised as problematic first during the 1950’s and the early part of the 1960’s. The International Olympic Committee (IOC) passed its first anti-doping resolution in 1962. Under the initiative of the IOC, the World Anti-Doping Agency (WADA) was established in 1999 in order to come to terms with doping issues in sport internationally. WADA defines doping as “the occurrence of one or more of the anti-doping rule violations set forth in Article 2.1 through Article 2.8 of the *Code*” (*World Anti-Doping Code*, sec. I). The above violations refer to “presence of *Prohibited Substances* or its *Metabolites* or *Markers* in an *Athlete’s* bodily *Specimen* (sec. 2.1) and the “*Use or Attempted Use of a Prohibited Substance*” (sec. 2.2). WADA’s “Prohibited List” includes substances that stratify these conditions:

1. Scientific evidence or experience that demonstrates that the method or substance has the potential to enhance, or enhances, sport performance;
2. Medical evidence or experience suggests that the use of the substance or method represents an actual or potential health risk to the athlete;
3. The use of the substance or the method violates the spirit of sport².

Doping substances vary according to the nature of the specific sport. For instance, stimulant substances such as amphetamines might be used in sports such as baseball, which involve long periods of tournament and numerous games, while steroids might be an attractive choice in sports such as weight lifting and rowing, which benefit from greater muscle mass. In endurance sports such as cycling, where an increase in the oxygen-carrying capacity of the blood is vital to performance, EPO (a substance called erythropoietin the

² See article 4.3 in the WADA Code, http://www.wadaama.org/rtecontent/document/code_v3.pdf.

use of which increases the number of red blood cells) is sometimes used. Alongside doping *substances* such as EPO and steroids, WADA's "Prohibited List" also includes doping *methods* such as "blood doping" (transfusion of haemoglobin-rich blood before the match), and *masking agents*, that are used to conceal the use of doping substances, e.g. plasma expanders that are used to cover the use of EPO. The majority of doping practices involve drugs (DeFrancesco, 2004).

Definitional and Boundary-Drawing Issues

Since the acknowledgment of doping as a problematic issue in competitive sports, questions have arisen about what counts as doping and the definitional and boundary-drawing difficulties in this regard still give rise to arguments concerning doping today. The enhancement of athletic performance is obviously not a new phenomenon. For years, athletes have attempted to enhance their performance via different diets, training methods, and gear. Performance-enhancing substances were supposedly even used by gladiators in Ancient Rome, who drank some sort of herbal mixture to increase their physical strength before a battle. The introduction of racing shoes to foot race entailed some kind of foot-enhancement that allowed the runners to perform better. One may ask in what way pharmaceutical substances differ from running shoes regarding the enhancement of athletic performance? Where should we draw the line between what should be considered to be appropriate performance-enhancing substances and methods and what should be considered inappropriate?

An early attempt to define doping was made by Cava, who defined doping as "the use of energy-providing substances other than food, aiming to increase competitive output in advance" (Cava, 1962: 53). This definition is clearly insufficient in scope, since not all doping substances are "energy-providing" (e.g. beta-blockers). Another rather appealing (and perhaps most commonly assumed) way of defining doping would be to refer to any use of "unnatural" or "artificial" means to enhance one's performance. In the early days of doping monitoring, in order to distinguish doping from acceptable means of performance enhancement, a line was drawn between "natural" means of performance enhancement (e.g. diet, training) and "unnatural" means (i.e., those substances that were banned). Thus, doping was considered to be an "unnatural" or "abnormal" way of enhancing one's performance. This view is held by many still today. However, as the current debates on the subject matter show, drawing a strict boundary between what is "natural" and what is "unnatural" is as difficult as it is to draw a line between "normal" and "abnormal" (Tamburrini, 2009). For instance, many East African endurance runners seem to have higher red blood cell count,

which entails an increase in oxygen uptake in the blood, and thus an increase in endurance.

The debates on natural/unnatural distinctions are closely related to debates on normal/abnormal and artificial/non-artificial distinctions. One could, for instance, maintain that what constitutes a “natural” way of participating in a bicycle race is to rely solely on one’s “normal” physical abilities (muscles and lungs) without the use of “artificial” substances or methods (e.g. EPO). Then again, referring to such notions as “artificial” or “natural” raises the question of what counts as “natural” or “artificial”. Are, for example, different nutritional substances used by athletes necessarily “natural”? Is there a fundamental and morally relevant difference between the use of synthetically produced vitamins and minerals and those found in nature? Given the ambiguity of the term “natural”, a definition of doping based on the distinction between “natural” and “artificial” means of performance-enhancement seems to be a very difficult position to defend. Doping and training are both artificial forms of enhancing one’s performance. The question nevertheless is whether there is a fundamental morally relevant difference between these two forms of artificiality. Perhaps what we refer to as enhancement in sport is simply different kinds of artificiality, and what seems to be problematic is deciding upon a clear boundary between what is acceptable and not acceptable in this regard. As Ellis Cashmore, a critic of anti-doping rules, argues:

Let’s say four teams of long distance skiers want a competitive edge. Austria opts for blood doping to pump up the desired oxygen-carrying blood cells. Finland achieves much the same result, but by training at altitude. Germany also trains at altitude in, say, Kenya, last year, extracts the enriched blood from its athletes and then transfuses their own blood back prior to the games. Denmark instructs its athletes to sleep in hypobaric chambers. All achieve the same results via different methods. Under current rules, Austria and Germany are cheating. How come? This is not logically consistent; it is arbitrary and hypocritical. (The Olympics Meets the War on Drugs)³

To put the question differently, in what way can the above four enhancement devices, or EPO and gene therapy, be said to corrupt or highlight the excellence that the skiing sport is meant to display? More importantly, do these four methods, producing the same effect on performance (i.e., increasing endurance by heightening the blood’s oxygen-carrying capacity), differ in profound ways that are morally significant? Conceivably, a less ambiguous way to determine a division between the appropriate and inappropriate performance-enhancing methods or substances is to refer to the primary internal purpose of competitive sport. This purpose could be understood in terms of

³ Available at: <http://stopthedrugwar.org/chronicle-old/424/olympics.shtml> (accessed 2013-08-22).

the measure of athletic skills and talents (the “spirit” of sport). The spirit of sport could then provide a criterion for determining whether a method or a substance promotes this purpose or otherwise undermines it. Morgan argues that:

When one’s winning of a foot race or any other sport is owed in some significant measure to how one’s body contingently and favourably responds, say, to a steroid, that win is compromised by the fact that how one’s body happens to respond to a drug is not a bona fide athletic talent or skill because it has nothing important to do with what an athletic test is supposed to be about. (Morgan, 2006:126)

Another approach is offered by Loland & Caplan (2008). They admit that there are no given answers to which performance-enhancing substances or methods should or should not be permitted in sport. Yet, they remain optimistic regarding the possibility of reaching consensus about which performance-enhancing methods or substances to permit and which to prohibit. Beside safety and fairness considerations, at the heart of their approach lies the notion of “responsibility for performance”, in that “performance should be the result of athletic effort” (ibid.: 72). Thus, a possible boundary drawing strategy could be formulated in terms of the spirit or the rationale of sport:

Many performance-enhancing technologies are of key value and constitutive of sport. Athletes interact in admirable ways with sport equipment such as skis, bikes, skates, and soccer balls. In training and preparation, athletes also interact with a variety of technologies that include weights, training machines, and technological devices that measure air and water resistance as related to movement patterns and body positions, etc. Successful outcomes of these interactions depend on athletic effort and skill. As long as there is equal access among competitors, they are in line with and to a certain extent enforce the spirit of sport. However, most performance-enhancing technologies, such as the use of most of the substances on WADA’s Prohibited List, are considered to provide performance enhancement without athlete effort and skill. Their successful use depends primarily on their correct administration usually guided by external expertise. In addition, most of these means imply significant risks of harm. Upon their use, athletes end up in vulnerable positions in which the nature and consequences of technology use must be carefully overseen by others. Athlete autonomy is threatened. Sport, as a measure of athletic effort and performance, loses its significance. (Ibid.: 74)

Nevertheless, those rejecting the restriction of performance-enhancing substances (e.g. Tamburrini, 2006) still insist that there is no incongruity between the use of such substances and the purpose, or the rationale, of the modern competitive sport. Tamburrini rather considers modern competitive sports in terms of being “driven by a desire to expand the boundaries of what hitherto was considered to be humanly possible”, and says that the purpose

of athletic competition is “to expand the limits of our capacities” (ibid.: 203). It is to some degree true that the recent regulations about professionalism have virtually turned modern sports into a job, but the question of what exactly it is that drives modern competitive sports remains an open question, and is not necessarily limited to the rather idealistic notions such as expanding the horizons of what is humanly possible. It remains an empirical question whether professional athletes themselves, or even any who dope themselves for that matter, actually view their activity in such idealistic terms as Tamburrini suggests. For instance, one may understand doping phenomena with regards to the enormous financial stakes involved in modern professional competitive sports such as football. In this sense, the “desire” that “drives” competitive sports, and a possible rationale (among other factors) for doping behaviour, could for instance be interpreted as a desire to overcome poverty or to achieve fame and fortune. Nonetheless, the understanding of doping as something that undermines the individual’s athletic effort seems to be more in line with the common understanding in the sport community and among general public.

Considering competitive sport in terms of its purpose or the rationale provides a constructive starting point for further discussions about what performance-enhancing methods or substances should be permitted. Yet, the issue of boundary drawing regarding performance enhancement in sport can also be considered from the broader perspective of human enhancement. On the broader social and cultural level, there seems to be a tension between a libertarian desire for limitless enhancement of human physical and mental traits and the sociocultural breaking mechanisms which impose limits in this regard. Boundary-drawing issues in relation to performance enhancement in sport can be seen as a partial reflection of the aforementioned tension. Thus understood, on a broader level it is not as much about the permissibility of a particular performance-enhancing substance or method, but rather about the degree to which athletes should be allowed to enhance their physical and mental traits. Though boundary drawing in the case of performance enhancement remains problematic, I believe it is necessary to continue debate this matter. It cannot automatically be concluded that no boundaries should exist simply based on the fact that it is difficult to draw strict boundaries between what is permissible and what is not. Altogether abandoning boundary-drawings regarding performance enhancement in sport could lead to an unhealthy quest for ever more effective methods and substances.

Common Doping Substances and Methods

The purpose of the use of doping substances and methods in sport is to enhance physical abilities (e.g. speed, endurance, or strength), as well as mental abilities. Common doping methods include “blood doping” (alternatively,

EPO-doping), as well as physical and chemical manipulation (e.g. anabolic steroids). Drugs in sport could be divided into two categories: (a) “work-enhancing”, and (b) growth-stimulants (Loland, 2002: 79). These drugs can enhance the athlete’s performance when used recurrently. For instance, the administration of erythropoietin (rEPO) may lead to an increase in the production of red blood cells, enhancing oxygen transportation, which in turn leads to an increase in endurance. Another example is the use of beta-blockers in shooting sports, which reduces the heart beat range, hence allowing for more control over performance anxiety.

Brief Modern History of Doping

Performance-enhancing methods are perhaps as old as sport. However, athletes’ attempts to enhance their performance by means of different pharmaceutical substances can be traced back to the introduction of synthetic testosterone during the 1930’s (Donohoe & Johnson, 1993; Hoberman, 1997). The first known account in medical literature was published in 1865 in the *British Medical Journal*, and refers to the exclusion of a swimmer from an Amsterdam canal race for taking an anonymous performance-enhancing drug (MacAuley, 1996). What characterises the modern approach to performance enhancement in sport is the systematic approach taken by modern medical science towards athletic performance and its application to sport in the form of medical technology, as it has developed from the beginning of the 20th century until today. This brought about radical structural changes in sport competitions. Today, the traditional role played by the medical support system goes beyond providing treatment of injuries. The recent developments in sports medicine and the application of medical technology can arguably be seen as an extension of the traditional forms of training methods in elite levels of sport. The picturesque image of the gentleman athlete training alone or with a friend at the sea shore, as in the film “*Chariots of Fire*”, seems far removed from the reality of today’s modern elite sport. During the last century, top-level elite athletes came to be increasingly dependent upon medical doctors and other experts in physical performance for advice and supervision in their quest for optimal performance and gaining a competitive edge.

In the post-Second World War era and during the Cold War, the victories of Soviet and East German athletes at the Olympic games and other world championship events marked a new era in the history of doping. Doping came to gain political dimensions in the form of systematic state-sponsored doping programs used as a means of producing top athletes in order to obtain status on the international scene. In the West, suspicions began to arise regarding “Communist” athletes who were depicted as some sort of “despiritualised automaton, the sportive alien” (Hoberman, 1997: 194). These suspicions were confirmed during the 1950’s, when gender testing revealed male

and quasi-male imposters among female athletes from the Eastern Block (ibid.: 195). Decades later, during a public hearing on the alleged misconduct of the former East German physicians, reports about illicit organ transplantation and experimentation with steroids on young female athletes (sometimes without their knowledge) echoed for many in an uncomfortable manner the Nazi medical practices⁴. Many in the West drew parallels between the Nazi medical practice and the East German State-run doping program. However, as Hoberman shows, in spite of Germany's long tradition of sports medicine, dating back to 1920's, the Nazi state showed no interest in athletic performance enhancement. For Nazis, physical culture was not interested in pursuing athletic world victories or in producing a "bunch of sick and artificially bred outsiders", "the Nazi authorities regarded the performance as less important than the politically correct attitude of the performer" (ibid.: 211).

In the course of the 1954 World Weightlifting Championship in Vienna, Dr. John Ziegler, the team physician to the U.S. weightlifting team, obtained evidence that Soviet sports scientists had been experimenting with performance-enhancing effects of testosterone on Soviet athletes (Todd, 1987; Voy, 1991). According to Voy, upon his return to the U.S.A., Ziegler, who had been impressed by the muscle-building effects of testosterone, helped the CIBA Pharmaceutical Company to develop the drug Dianabol (methandrostenolone) (Voy, 1991: 9). Ziegler convinced three U.S. weightlifters to use Dianabol and the immediate performance-enhancing effects on strength and muscle building was evident. This, according to Voy, initiated the widespread use of anabolic steroids in late 1950's and during 1960's (ibid.: 10). Years later, faced with what sometimes were devastating side-effects of taking high doses of steroids, Ziegler "realized the mistake he had made by helping to introduce these drugs to the athletic community...[he] knew he had created a monster, a fact he regretted for the rest of his life" (ibid.: 10). There seems to be an agreement that the tragic death of the Danish cyclist Knut Jensen in 1960 during the Rome Olympics triggered the anti-doping campaign. It was then well known that the use of stimulants, such as amphetamines, was prevalent in cycling (Pound, 2004).

The first systematic scientific approach to the performance-enhancing effects of blood doping was made by Professor Björn Ekblom and his associates in Sweden during the late 1960's and early 1970's. Blood doping involves removing and storing the athlete's blood for reinfusion prior to a competition, causing a boost of oxygen-carrying capacity of the blood and thereby increasing strength and endurance. Ekblom's findings indicated considerable enhancement in performance as the result of blood doping (Donohoe & Johnson, 1986: 116-117). Similar studies were carried out by sports scientists and physicians during the 1970's and early 1980's, with

⁴ *Der Spiegel*, August 26, 1991.

more or less the same results as Ekblom's. Some studies were aimed at developing proper and more effective methods of blood doping (Williams, 1981). There were scholars who were critical to blood-doping techniques during the 1970's and early 1980's (e.g. Williams & Sperryn, 1983, see also Waddington, 1996). However, the main concern revolved around the issue of safety rather than the consideration of fair play, and the research remained legitimate. The situation changed when in the Los Angeles Olympics 1984; the U.S. cycling team successfully used the technique in its favour (winning nine medals, including four gold). It became evident that members of the U.S. cycling team had been practicing blood doping (Pavelka, 1985). This gave rise to ethical concerns by the IOC regarding principles of fair competition. Following these events, blood doping came to be regarded as an illegitimate performance-enhancing technique and was finally banned in 1986 under the IOC's anti-doping rules.

The anti-doping raid on the Tour de France in 1998 and the Festina scandal that followed marks a new chapter in the history of doping. It became evident that despite the international anti-doping campaign, the use of EPO among professional cyclists had been immense. Moreover, it became clear that doping was no longer an isolated phenomenon; it had become ever more sophisticated and systematic, involving physicians and soigneurs. Willy Voet, the soigneur of the Festina team was stopped with a load of banned pharmaceutical substances in his car. This emerging systematic approach to doping practices became further evident in the USADA's (U.S. Anti-Doping Agency) report on Lance Armstrong in 2012. Now, it became evident that one was faced with a *doping culture*.

Future Prospects - Gene Doping

Rapidly increasing knowledge about genetics raises the issue whether this knowledge might soon also be used in the field of sport. In theory, all existing protein levels in the body can be altered through gene therapy. This includes doping related proteins, such as erythropoietin (Epo), Myostatin, and growth hormones, on which the first gene therapy⁵ trials have been performed (Haisma & Hon, 2006). The potential use of this kind of therapeutic technique to enhance athletes' performance is referred to as gene doping. For instance, an increase of red blood cells and oxygen-carrying capacity, which leads to an increased endurance, can be achieved by inserting a supplementary copy of a gene. The transferred gene will instruct the body to produce new red blood cells (ibid.). Another example is the therapeutic techniques that have been developed to help people with degenerative muscle condi-

⁵ Gene therapy refers to transferring genetic material (DNA, RNA, or genetically modified cells) to human cells in order to treat and prevent diseases or disorders.

tions such as muscular dystrophy. Such therapeutic techniques may be used to strengthen athletes' muscles or to increase muscle mass.

Gene doping methods as a new form of doping was added by WADA to the list of "conventional" (chemical) prohibited doping substances and methods (WADA, 2003). It is defined by WADA as: "the non-therapeutic use of cells, genes, genetic elements, or of the modulation of gene expressions, having the capacity to enhance athletic performance" (WADA, 2005). As of January 1, 2003, the International Olympic Committee (IOC) has also included gene doping in their list of prohibited methods.

Potential Health Risks Related to Doping

Most doping substances and methods entail health risks for the athletes. This is indeed one of the criteria for a substance or method to be included in the WADA's Prohibited List. For instance, extensive use of rEPO may lead to heart failure or stroke. Adding red blood cells makes the blood thicker, and this makes it harder for the heart to pump the blood through all tissues in the body (Lage et al., 2002). The underlying ethical principle is the protection of the athlete against harm. Nevertheless, pharmaceutical products (mostly sold "under the counter") continue to be discovered, the side effects of which have not been adequately tested or are not even known (e.g. efaproxiral, RSR-13 in 2001, and THG in 2003). This shows that some athletes, in their quest for gaining a competitive edge, seem to be ready to go far despite the risk of serious health consequences.

The situation is even more serious in the case of gene doping, in that there are uncertainties regarding the long-term effects of gene modification. These uncertainties are partly due to financial reasons and partly due to the difficulties involved in determining reliable paradigms for the study of side effects when it comes to new methods (Haisma & Hon, 2006). Like illicit doping substances, there is a risk that gene transfer procedures are carried out in non-controlled laboratories. Under uncontrolled conditions, gene transfer vectors may become contaminated during production processes with major consequences in terms of safety risks. Moreover, the procedures of germ-line gene transfer are permanent, irreversible, and are transmitted to next generations. This means that in the case of gene doping, the issue of health risk extends beyond the health of the athletes themselves to that of their offspring.

How Widespread is Doping?

Precise data on the prevalence of doping are difficult to obtain since it is not financially feasible to screen all athletes. Selection for doping testing is usu-

ally random, e.g. among medal winners, team captains, or athletes who show a sudden or unexpected improvement in personal records. The true frequency of doping tends to be more widespread than anti-doping control data would suggest (Lippi et al., 2008). In the past decades, several surveys have revealed alarming statistics (BMA, Board of Science and Education, 2002). Doping is not just prevalent in elite competitions; it is also prevalent in amateur sport and school sport. In France, the incidence of practicing doping in amateur sport is 5-15% (Laure et al., 2000). In 1993, it was estimated by the Canadian Centre for Drug-Free Sport that 83,000 children between the ages of 11 and 18 years had used anabolic steroids in the previous 12 months (Pipe & Ayotte, 2002). An American study indicated that the prevalence of the use of anabolic steroid in adolescents was 4-12% for boys and 0.5-2% for girls (Bahrke et al., 1998). The level of drug use among body builders is alleged to considerably exceed that of the elite athlete (Auge, 1999; Keane, 2005). Keane characterizes the emergence of steroid use as a major public health problem which affects the general population and which is not confined only to the world of elite sport (ibid.). Research in the United States, Canada, the United Kingdom and Australia has indicates that steroid use is now widespread among recreational bodybuilders and amateur athletes, (ibid., see also Yesalis et al., 2000). However, the reliability of methods used to estimate the prevalence of doping in sport (mainly relying on self-report) has recently been questioned (see Petróczi et al., 2012).

How Do Athletes Acquire Prohibited Substances?

Athletes can gain access to prohibited medicines from physicians, pharmacists, retail outlets, health and lifestyle magazines, gymnasiums, coaches, family members, fellow athletes, the internet and the black market. Many physicians may unwittingly write prescriptions for what they believe to be a genuine condition (Sando, 1999). With the prohibition of amphetamines, those disposed to doping turned instead to over-the-counter medicines, which contained ephedrine, pseudoephedrine, phenylephrine and phenylpropanolamine, and which were accessible in pharmacies. Illegal drugs, including anabolic steroids, are commonly advertised in lifestyle magazines and gymnasiums. This prevalence is due to the lack of controls on mail order and Internet retails. Most of the high-tech drugs end up on the black market.

Detection Procedures

The introduction of gas chromatography and mass spectrometry in the early 1980's changed the prospects for success in doping testing. Now, the main problem for anti-doping control tests is that while analytical tests are becom-

ing increasingly complex, the athletes who cheat seem to be one step ahead of the game (Sonsken, 2002). It is obvious that testing methods and application of the rule of rigorous liability in and of themselves will not necessarily guarantee a clean sport. There are operational irregularities between different nations and sports federations, and advances in this area are hindered by lack of international cooperation (Mottram, 1999). Notwithstanding these difficulties, the rapid developments in gene transfer technology (GTT) will eventually make dope testing control systems outdated; GTT will, for instance, make it possible to increase muscle growth up to 28% (Pipe, 2002). Enhancement in athletic performance that involves the manipulation of athlete's own genes makes it almost impossible to detect (Miah, 2002). Part of this difficulty resides is due to the fact that the DNA that is be used for gene transfer is of human origin and not different from that of the athlete. However, a way to evade this problem could be to mark gene transfer products with some sort of "bar codes". Another way of detecting gene doping would be to introduce repeated physiological protein profiling of athletes, allowing for the detection of alterations in protein levels (Haisma & Hon, 2006).

Unintentional Doping

While some athletes intentionally use illicit drugs in order to obtain a competitive advantage, others may use substances for other purposes (e.g. medical) without knowing that the particular substance is banned. Whether doping is deliberate or unintentional, the IOC and the National Sports Councils apply the rule of "strict liability". Today, the penalty for the first-time violation of doping rules by athletes is four years of sport ineligibility and ineligibility for sport funding during that period. Second Infraction entails permanent sport ineligibility and permanent ineligibility for sport funding.⁶

A revision in the definition of doping by WADA now also includes physicians, who could be charged with and found guilty of doping offences. WADA's 2009 Code defines punishment of medical doctors in article 10.3.2 as follows: "For violation of article 2.7 (trafficking or attempted trafficking) or 2.8 (administration of prohibited substances or prohibited method), the period of ineligibility imposed shall be a minimum of 4 years, and up to lifetime ineligibility (if the anti-doping rule violation involves a minor, and due to a failure of a heightened fiduciary obligation)" (Dikic et al., 2013). It is therefore crucial that athletes (and their medical advisors) have the ability to check all medicines they are using or are considering for use. Athletes need to know which drugs or substances they can and cannot take, including the medicines such as inhalers for asthma that demand preceding notifica-

⁶http://www.caricom.org/jsp/community_organs/dopinginsport_bb.jsp?menu=cob

tion. Unintentional doping may be of particular concern in amateur sports, where means are limited regarding education of participants in anti-doping.

A problem as regards unintentional doping is related to nutritional supplements which seems to be virtually unregulated and are directly marketed to athletes. Content and quality cannot always be easily determined and many are purposefully or otherwise impure. The label does not always cover the actual content. Recent studies show that supplements are sometimes contaminated with prohibited compounds (Maughan, 2005). For instance, many of these supplements contain heavy metals such as mercury, arsenic and lead (Sheehan, 1999). Analysis of 75 supplements obtained over the Internet showed that seven contained undeclared hormones and two contained ephedrine and caffeine (Kamber et al., 2000). The knowledge about these supplements and recommended daily dosage is generally poor and the advertisement of these products for financial gain by top athletes worsens the situation. The culture of nutritional supplement in sports needs to be discussed.

Current Philosophical Debates on Doping

Doping and Health Related issues

As mentioned earlier, one of the central pillars of the anti-doping campaign is concern about athletes' health. However, some commentators (e.g. Møller, 2010) have argued that one of the features of high-performance sport is that it involves relatively high risks. Damage to muscles, torn ligaments, broken arms and legs, concussions and even death are common in elite sports. Why then should doping be a different matter in this regard? Another approach to health risks can be described as the less-harm principle. According to this view, rather than focusing on drugs, one should concentrate on health. By legalising doping, i.e., permitting safe drugs, one could guarantee athletes' safety (see Savulescu et al., 2004). Yet, it has been argued that many elite athletes are role models and idols for adolescents; even if one finds their involvement in risky doping behaviour as permissible, one may not wish adolescents to mimic their behaviour. Some substances might also be safe for adult athletes but harmful for adolescents (see, Jost, 2004; Voy, 1991; Paddick, 1990).

Doping and the Spirit of Sport

In addition to concerns for athletes' health, one of the main reasons given by WADA and other instances for the ban on doping is that doping is "fundamentally contrary to the spirit of sport." WADA characterises the "spirit" of sport through values such as: ethics, fair play and honesty; respect for rules and laws; respect for self and other participants; excellence in performance (World Anti-Doping Code, 2009: 14). However, as Loland & Caplan (2008) point out, despite frequent references to the "spirit" of sport in the literature on doping, this concept remains unclear and is in need of more accurate interpretations (Loland & Caplan, 2008). In their effort to clarify the concept of the "spirit" of sport, Loland and Caplan offer an interpretation of the spirit of the sport that mainly focuses on the purpose of the sport by emphasising the notion of the "athlete's autonomy and responsibility for performance" (ibid.: 74). According to this account, the purpose of athletic competition is to measure athletic performance, i.e., the result of a combination of talent, effort and skills. Most performance-enhancing substances and methods that

are banned by WADA offer the athletes a sort of enhancement involving neither effort nor skills. In such cases, sport “as a measure of athletic effort and performance, loses its significance” (ibid.). Loland and Caplan’s normative stand regarding performance (or achievement) seems to be that “training and competition must cultivate the athlete’s responsibility for performance”, and that “performance *should* be a result of athletic effort” (ibid: 72, emphasis added). One could thus maintain that an enhancement-method which bypasses effort is tantamount to an unjustifiable shortcut to achievement.

Some find it doubtful to begin with, that one could assign a general purpose to sport. Kious, for instance, doubts that sport, “considered in the abstract, has an objective purpose” (2008: 227). Rather, he claims that people who are involved in sport may have different reasons for watching a sport, supporting it or participating in (ibid.). To certain extent, it may be true that the “purpose” of sport is complex. However although Kious suggests people may have different reasons or motives for considering a sport worth watching or pursuing, this is not incompatible with the currently agreed upon idea of sport competitions as being a measure of excellence in performance. Understanding the purpose of sport competitions as being a measure of effort and excellence provides, to some degree, a baseline for distinguishing permissible technologies from those that are not compatible with the spirit of certain sports. For instance, using a motorcycle to win a cycle tournament is in this regard clearly incompatible with the spirit of cycling, while introducing better designed helmets may actually add something to that sport, in that it would directly interact with the athletes’ talent and effort and help bring out their best. It also provides an understanding and a way of explaining people’s reactions to doping. Many consider the idea of winning a competition with the aid of performance-enhancing substances and methods appalling or troubling. An example of this is the achievement of Rosie Ruiz, who won the 1980 Boston Marathon by taking the subway for part of the competition. One way to understand the negative reactions would be to say that what she did was a violation of the spirit of sport in the sense that the spirit (and the rules) of Marathon races do not include riding the subway, and doing so would simply undermine the very point of what a Marathon race is about.

The above interpretation of the spirit of sport has been challenged by alternative interpretations, particularly by those opposing the ban on doping and gene doping. Tamburrini, for instance, maintains that the “essential” purpose of modern competitive sport is “to expand the limit of our [natural] capacities,” something which he believes is compatible with biological manipulation in sport (Tamburrini, 2006: 203). This ideal echoes the more general ideals about human enhancement in terms of transcending human natural cognitive, mental, and physical limitations through the aid of biotechnology (see Bostrom, 2006). Along a similar line of argument, Savulescu criticises what he refers to as the “old Athenian vision of sport” in which the

purpose of competitive sport is predominantly to test “natural physical talent” or “biological potential” (Savulescu, 2006: 329). Emphasising the athlete’s individual autonomy, he considers biological manipulation as being in line with the human spirit, i.e., “the capacity to improve ourselves [including improving our inborn potentials via biotechnology] on the basis of reason and judgment” (ibid.: 330).

A key point of discrepancy thus seems to be about what should count as athletic excellence. Different perspectives in this regard lead to different understandings of the purpose of sport, and one may distinguish two different patterns of thoughts, namely, the purpose or spirit of sport as a measure of either:

1. Excellence understood as involving a combination of natural talents, for which the athlete is not responsible and has no control over, plus the category of effort, for which she is responsible, or
2. Excellence understood as the result of a combination of controlled, engineered or improved relevant genetic predispositions and controlled effort.

Though not directly mentioning the spirit of sport, Tännsjö (2009) also criticises what he refers to as the “ethos” of elite sport. His view loosely suggests that elite athletic competitions are not “fair” in a strict sense since the winners owe their position to talents or genetic predispositions for which they are not directly responsible. Put differently, naturally gifted elite athletes enjoy an exclusive unfair or unjustifiable advantage over others who are the “losers” in the natural lottery. Here one encounters a critique of what is believed to constitute the perceived view of human excellence in the sport community, an ideal which rules out the improvement of inborn natural potentials through the help of drugs or genetic manipulation, while stressing the athlete’s reliance solely on *innate* natural endowments plus his or her *own* effort. This ideal is roughly reflected in statements similar to that of Dick Pond about sport being “essentially a humanistic endeavour to see how far you can go on your own talent” (CBC Sports Online, 2003; cited in Savulescu, 2006).

Doping as a Form of Cheating

Many consider doping as representing a form of cheating. Many of us think of cheating as being unfair. Doping, as a form of cheating, can be understood in terms of gaining advantage over one’s opponent in an unfair manner, or, alternatively, affecting the results of the competition in ways that are unfair. Consider for instance winning a marathon race by taking the subway half the distance. The unfairness in this case could be said to depend on winning the race via a shortcut (the subway), and thus gaining unfair advantage over

opponents who, following the constitutive rules of marathon, do not resort to such shortcuts in order to win. This wouldn't in fact be unfair if marathon races allowed for the idea of running the first half and taking the subway in the other half, since if everyone were allowed to do so, then taking the subway would not be an unfair advantage *exclusive* to one athlete. Another analogous way to understand this sense of unfairness would be to regard doping as leading to unequal opportunity among competitors. A competition is meaningful as long as everyone has roughly equal chances of winning. Thus, it could be said that enhancement interventions that are banned are considered to give rise to unjustified inequalities in terms of unfair advantage.

No matter what one feels about current doping regulations, in and of themselves, they can be said to be *procedurally* fair, so long as they apply equally and indiscriminately to everyone who participates in competitions. The unfairness involved in doping may be understood as benefiting from *exclusive* advantages that are not accessible to others (or where the opponent's consent is lacking). In other words, for doping to be unfair in this way, it requires that it is not a prevalent phenomenon. If everyone is doped and cheating thus becomes common, then having unfair advantages in the sense described above loses its meaning. Yet, one can never be sure that doping always actually entails unfair advantages, since it is not certain that various doping methods in reality enhance athletic performance. Some athletes engage in doping without gaining the desired effect. The reality of today's elite athletic competitions indicates an uncertainty (or anxiety) which many elite athletes face regarding the possibility of opponent's doping. Hence, those opposing a ban on doping maintain that it is unfair as far as the ban exists. If the ban is removed, the notion of unfair advantage, as well as the uncertainty will disappear. This will, the argument goes, also allow for better research out in the open for developing safe methods, allowing for better considerations of the athletes' health (see Loland, 2002: 166).

Doping and the Question of Athletes' Autonomy

From a more liberal vantage point, one might plead to athletes' autonomy in order to morally justify enhancement, by stressing the athlete's freedom to choose whatever means necessary to enhance her performance (Savulescu, 2007). According to this view, the anti-doping campaign is perceived as a paternalistic way of limiting athletes' liberty in pursuing their goals and athletic ambitions. Athletes, as autonomous rational beings, should be permitted to pursue their goals, even if it includes the use of performance enhancing substances and methods. However, some commentators believe that removing the ban on doping entails a shift of agency from the athletes themselves to that of the bio-medical and technological support systems, hence under-

mining athletes' autonomy by reducing them to a mere tool (e.g., Sandel, 2007). Referring to such experiences as East Germany's doping program, Loland points out that under "the coercive force of the external expert system, athletes become involved in practices over which they exert little control" (2002: 80). Moreover, it could be argued that removing the ban may push unenhanced athletes to practice doping against their will, in order to be able to compete with those who are enhanced, and this would put them in an unfair position (see Murray, 2010).

Equality in Accessibility

It could be argued that many doping methods are expensive (e.g. gene doping), and that allowing enhancement will result in inequalities with respect to accessibility, since not everyone would have equal access to enhancement technologies. This would be unfair, since fairness requires equal opportunity. This view parallels the broader accessibility discussions (e.g. that of equal access to healthcare) concerning human enhancement. A common counter-argument is that although enhancement technologies currently are expensive, they will soon become more affordable, and lifting the ban would actually contribute to this end, by securing equal access which assures fairness.

Compensation for Natural Inequalities

Not long ago, a relatively small group of people enjoyed certain positional privileges and entitlements due to "nobility of birth", an unfortunate idea which still exists in some parts of the world. In our modern liberal democratic societies, most find the idea that a person is entitled to a certain social position simply on the basis of being born into the "right" family repugnant. In these societies, in accordance to the modern ideals of equal opportunity and social justice, a person achieves certain position due to his or her merit, and everyone is given equal opportunity to pursue this end. This is at least the ideal. However, modern elite sport tells a different story. As Sandel puts it, we "want to believe that success, in sports and in life, is something we earn, not something we inherit" and the problem is that "natural gifts, and the admiration they inspire, embarrass the meritocratic faith" (2007: 28). The whole point of elite athletic competitions is to distinguish between the best, the good, and the worst. Moreover, biological limitations do not allow everyone to enjoy an equal opportunity to pursue excellence. For the majority, the necessary hard training, determination and dedication do not automatically merit a position in an elite league. Without certain natural inborn endowments, we do not stand a chance against those who possess them, regardless of access to proper gear, diet and training.

The question may be raised whether modern elite sport entails an unavoidable inherent unfairness, in that elite athletes generally enjoy some sort of “nobility of birth” by being born with certain biological predispositions necessary to achieve excellence. Some believe this to be true and that this is morally problematic (e.g. Tännsjö, 2000; Savulescu, 2009). The nature of elite sport has undeniably been dramatically transformed during the last decades, partly due to recent regulations regarding professionalism in sport. Many elite level sports such as football have now become highly paid “full-time” jobs for many, and have caused a lucrative industry to grow around the elite sport competitions (commercials, gear, fashion, lifestyle, etc.). Many now view the possibility of pursuing a professional career as an elite athlete as a way out of poverty and a chance to obtain fame and fortune. In a sense, raising the questions of fairness and social justice is a consequence of this development in elite sports. In the near future, the feasibility of and the accessibility to human enhancement technologies could heighten the tension between sport’s internal ideals of achievement and excellence, where the focus lies on the combination of effort, skills, and *natural* talents, and external general ideals of fairness and social justice. Yet, some (e.g. Murray, 2010) may still insist that elite sports are *particular* spheres of human activity in which existing genetic inequalities or possessing extraordinary natural endowments are not considered problematic (apart perhaps for a handful of philosophers!).

As an example, one might consider two teenagers, Peter and Paul, who both share a passion for basketball and a dream of becoming professional basketball players. Peter is 2 meters tall and is already a promising athlete, displaying all the physical and mental abilities and skills necessary for becoming a pro NBA basketball player. Paul is 1.55 meters tall and lacks the most necessary physical conditions for pursuing the same career as Peter. Inequalities in relation to innate physical and mental capacities are inevitable. However, the question remains, whether, as has been suggested by proponents of enhancement, one should allow enhancement methods which, if available, would help levelling these inequalities, thus rendering the above situation “fair” (e.g., in terms of equality of opportunity)? Well, one may say that this depends on what we mean by “fairness” and/or whether considerations of fairness actually are relevant in this case. Rules of basketball and the physical restraints it imposes upon players are certainly contingent. It is even possible to imagine a new form of basketball in which Paul would be considered a better candidate for becoming an elite basketball player than Peter. Many would, however, consider it clearly unfair if Peter and Paul both had (roughly) equal physical and mental preconditions for becoming pro, but Peter got there because of being better looking than Paul, or because he had managed to bribe officials in his favour. The rules of basketball, though being contingent upon the design of the game, are nevertheless procedurally fair as long as they apply indiscriminately and equally to everyone.

Many of us would not necessarily consider Peter and Paul's case to be unfair. As Murry points out, "a match that should never happen is a one-on-one basketball game between LeBron James and me...it may be uninteresting, probably comical, perhaps YouTube-able, but it will not be unfair. He is simply a superior player, not merely to me but probably to every other person living on this planet" (2010: 13). For some, the very nature of elite sport remains radically "discriminatory" and "unfair", hence, the reference to "the inherent unfairness of sport" found in sport literature (see, Edgar, 1998). A core element underlying such a view on elite sport is the assumption of "unfairness" and "inequality" due to the arbitrariness in nature's allocation of natural endowments, as developed by Tännsjö (2005; 2009), and Savulescu (2007). This is an "unfairness" which ought to be eradicated by means of enhancement. Tännsjö claims that enhancement "doesn't seem to have anything to do with equal opportunities for anyone to excel", and that concerns of unfair advantage could be "easily avoided" by ascertaining everyone's access to enhancement (2009: 324). What he conceives to be problematic in this regard is a special notion of fairness in elite sport which involves:

insisting that we all must accept the ticket we have actually drawn in the genetic lottery. Genetic differences are not irrelevant to the outcome of the competition...This is a Nietzschean view of justice, according to which it is unfair if those who are less fit pool their resources and rob the genuinely strong *Übermensch* of his genetic advantage...It [this notion of fairness] is there, all right, but we should get rid of it. Nowhere else in a civilized society are we prepared to live with this notion of justice (ibid.: 325)

Underlying Tännsjö's claim regarding elite sport, there seems to be a special view on the natural allocation of endowments, a view that he shares with Savulescu (2007: 330). To put it roughly, this view loosely suggests that elite athletic competitions are not "fair" since the winners owe their position to talents or genetic predispositions for which they are not directly responsible. In this way, elite sport competitions resemble beauty contests (Tännsjö, 2005; Savulescu, 2007). Put differently, naturally gifted elite athletes have an "unfair" advantage over others who are the "losers" in the natural lottery. Thus, this inequality of opportunity is to be levelled by the opportunity to intervene in the natural lottery. Savulescu even moves one step further in this direction and maintains that given this sense of inequality of opportunity, fairness *requires* enhancement and that this *morally* obligates us to allow enhancement so that "the winner is not the person who was born with the best genetic potential to be strongest" (Savulescu 2007: 330).

Loland, on the other hand, points out that athletic performances are the outcome of great number of various genetic and non-genetic factors (Loland 2002: 67). There are many random circumstances (socio-economical and environmental factors, mental abilities, etc.) and non-random (training, diet, coaching, etc.) circumstances and factors involved in producing top elite

athletes. It seems unreasonable to single out one factor or one circumstance as being ultimately decisive in this regard. When it comes to winning, one may agree with Murray in that “a random bounce, a slip, a hesitation can give victory to the side that might lose nine of ten matches” (2010: 14). Few would deny the utmost importance of proper coaching in fully bringing out the potentials of an athlete, potentials that might otherwise not lead to excellence, no matter how talented the athlete is.

Equality of opportunity is certainly an admirable ideal. Many would agree with Loland that “inequalities [such as weight] which significantly and systematically influence performance, but which individuals cannot affect in any significant way and for which the therefore cannot be held responsible, ought to be eliminated or compensated for” (Loland 2002: 67). Minor inequalities in talent due to bio-motor abilities may be compensated for by learned skills and by acquiring relevant mental qualities (See *ibid.* for a more detailed discussion of this latter point). However, Tännsjö holds a more radical view in this regard when he asserts:

Today I realize that, no matter how hard I train, I will never be able to run 100-meter sprint final anywhere near as fast as Ben Johnson or Car Lewis did [hence the inequality of opportunity and unfair genetic advantage]. However, when, in the future, I watch a final where the winner runs faster than 5 seconds, I know that, had I decided to adopt the very same characteristics [via enhancement], I could have done so as well. The winner doesn't look like me, but looks can be changed. (2005: 67-8)

Loland argues that the consequence of such a strict “egalitarian” view would be that differences in performance become a matter of chance. This, according to Loland, does not realize the structural goal of sport competitions, namely, the measurement, comparison, and ranking of athletic performance (2002: 72).

Parallel Competitions?

Finally, it could be argued that in order to avoid fairness issues we ought to consider having parallel competition, one in which legal performance enhancing methods are allowed, and one in which this is not the case⁷. The problem with this solution is that this actually might create more problems than it solves. Firstly, this may still push enhanced athletes to seek illegal and unsafe enhancing methods (under the counter) in order to get a competitive edge (Murray, 2010). Furthermore, given the existence of such parallel games, there is no guarantee that enhanced athletes will not want to compete

⁷ See for instance the debate here: <http://www.livescience.com/21683-gene-doping-london-olympics.html>

with non-enhanced athletes in order to get a competitive edge. This would certainly be unfair to non-enhanced athletes, and, from a practical point of view, entails that the whole monitoring apparatus must remain intact in order to hinder enhanced athletes from entering non-enhancement competitions. Practically, this means that we must have parallel detecting apparatuses as well.

Aims and Questions

The overarching aim of this thesis is to investigate the relevance and the importance of the ideas of responsibility in relation to ethical debates on doping. The more specific aim here is to examine the possibility of broadening the scope of responsibility in relation to the doping culture beyond the individual athlete, and to sketch a theoretical framework within which this expansion could be accommodated.

To this end, I intend to answer the following research questions:

1. Do bioethicists have a moral/professional responsibility in their approach to doping? (Study 1)
2. What are the social and psychological factors underlying athletes' moral responses to doping behaviour; and what implications might these factors have for our understanding of responsibility in relation to doping behaviour? (Study 2)
3. Is the common individual-based approach to responsibility based on the notion of cheating adequate; and could responsibility in this regard be assigned to individuals and groups of individuals other than the athletes themselves? (Study 3-4 and the section Discussion)
4. What are the practical implications of the above questions in terms of the anticipation of potential problems and the development of preventive measures regarding the doping culture?

Methods – Empirically well-informed bioethics

The term “method” has its origin in the Greek words *methodos* (“pursuit of knowledge”) and *hodos* (“way”). It is perhaps in this etymological sense of the word “method” that Heidegger in the methodological introduction to *Sein und Zeit* characterises method as the “how” of inquiry, rather than the “what” of its subject. Bioethics has traditionally been a theoretical discipline involving the use of general moral philosophical theories, such as Utilitarianism, Deontological (duty-based) ethics, and Virtue ethics, in order to address ethical issues. In the scope of this thesis, I cannot do justice to these moral theories, however they can be characterized *in very general terms* as follows: Utilitarianism stresses the significance of the consequences of an action and whether an action will bring about most good for the most people. Deontological ethics, on the other hand, stresses the morality of the action itself. In moral assessment of an action, deontologists proceed from what is considered the “right” action; while Utilitarianism proceeds from considering the “utility”, and from there identify the “right” action as the one that produces maximum goods. Virtue ethics emphasises the character of the individual who acts, rather than the action itself, or the consequences that an action may produce. In this view, the character and the motivation of moral actors play an important role in assessing the moral status of their actions. The question whether bioethics could be said to have an integrated theoretical foundation can be left open.

At the outset, regardless of which theoretical approach to doping culture is adopted, my main concern is the flexibility of the ethical generalisations, that is, the degree to which they relate *reciprocally* to the social context within which the ethical issue is embedded. In other words, the question here is the degree to which ethical generalisations coincide with, and reflect, peoples’ moral experiences in their everyday ethical life, and whether there are discrepancies in this regard. For instance, Joshua Green and his colleagues (2008 and 2012) in their research argue for “dual-system” approaches to moral judgment in real-life situations. In their view, slower and deliberative moral reasoning tends to result in utilitarian judgments, while rapid or reflexive (automatic) responses tend to produce duty-based judgments. According to them, the processes underlying moral reasoning are partly determined by situational factors and partly by personal style. A brief survey of

debates on the ethical status of doping among “ordinary” people in sport forums on the Internet makes this point evident. In such forums the pluralistic nature of moral life is striking, as “good” and “right” glide into each other and where a *given* hierarchical primacy of one principle over the other is difficult to determine.

My basic scepticism concerning the application of general theories (or general moral principles) to concrete situations is derived from the likelihood that such a procedure runs the risk of sacrificing the complexity of the particular ethical situation due to oversimplification and reduction, in order to preserve the coherency and the logical consistency of the theory. This presupposes remoulding and subsuming the concrete ethical experience of individuals to fit into a specific subordinating framework of theoretically coherent systems of values or principles. Hence, I have aspired to a methodological approach in which moral theorising reflects the plasticity and the complexity of the concrete ethical experience. By “concrete ethical experience”, I mean the moral experience of individuals who are engaged in the practice of responsibility assigning in their ordinary interpersonal transactions. To this end, I have found Peter Strawson’s account of responsibility a suitable theoretical starting point, since Strawson in his work rather than proceeding from a general moral system, proceeds from the concrete experience of individuals. The lesson from Strawson’s work is that in contemplating our actual experience of ascribing moral responsibility, we do not need to rely on some sort of general moral theory about what is right or wrong. This point also expresses a normative stance regarding the methodological approach, that is, the primacy of concrete ethical reality (experience) over the aspiration of obtaining an internally coherent self-contained system of beliefs or values. This does not mean that we should abandon ethical generalisations altogether, but that general moral principles should be viewed only as provisional guidelines. However, human is a complex being and so are the relationships among human beings. In the face of such a complexity, sometimes even the simplest, most elegant and well-designed problem-solving moral theories may prove to be the most futile for the purpose of telling us how exactly to live our lives morally.

Another essential feature of the approach of this thesis in Study 2 is that it draws upon empirical findings. Recently, a new approach has emerged under the term empirical ethics, the purpose of which has been discussed by authors such as Molewijk et al. (2004), and Musschenga (2005). Empirical ethics’ ultimate aim is to increase the context-sensitivity of ethics (ibid.). Empirical ethics could refer to either designing and conducting empirical research in order to address ethical issues, or drawing on empirical research in doing so. Though falling into the latter category, I would rather use the notion of *empirically well-informed bioethics* to designate the approach embraced in this thesis and will highlight its features as described in the following sections.

Empirical evidence is undoubtedly relevant to ethical questions in bioethics, such as euthanasia, genetic screening, or genetic enhancement. Likewise, bioethical inquiries have implications for social life. In Study 1, an attempt is made to show that “good” bioethics requires good empirics. That is, considering bioethics based on unsubstantiated presumptions about scientific facts (being empirically *misinformed*) may result in holding untenable ethical positions, positions that could have serious social implications. A bioethicist considering the moral permissibility of gene doping should have basic up-to-date knowledge about the nature of genes, their interaction with other genes and with the environment. This knowledge depends on scientific research and experimentation, even though the scientific research was conducted without having any direct relevance to moral philosophical concerns. If we want our (bio-) ethical inquiries to have relevance for actual human beings and the social life in which they are engaged, then empirical inquiries help us understand what sort of creatures human beings are, and what the conditions of their social life are like.

Empirical evidence can enable the bioethicist to view moral values in the light of the social conditions which confer these values their quality and force, or what makes them prevalent, prominent, or irrelevant in a particular social context. This implies a moral philosophy that is rooted and embedded within the ethical reality of social life. I might sit in my philosophical “arm-chair” and, remaining empirically non-informed, make a whole host of abstract assumptions about what elite athletes are like, or what psychological processes underlie athletes’ intuitions and attitudes with regard to doping behaviour. It is common for philosophers to use phrases such as “many would agree that *s* is the case” or “*s* is intuitively the case” as a premise in their arguments. The works of scholars such as Shaun Nichols (2004) and Stephen Stich (2001) indicate that there is a divergence regarding epistemic and normative intuitions between different cultures and different socio-economic groups. These factors limit the reliability of the supposedly shared “moral intuitions” (or the adverb “intuitively”) as a premise for ethical arguments. Empirical research and evidence could shed light on the extent to which philosophers’ moral intuitions coincide with that of “common” people. An example of this is that, as indicated in Study 3, there seems to be a discrepancy between athletes’ theoretically presupposed moral intuition about unfair advantage and cheating in relation to doping behaviour, and their actual moral experience in this regard as indicated by empirical evidence. Appealing to notions of unfair advantage and cheating in relation to doping behaviour could at best be ineffective, if not futile, since these notions have lost their relevance in the real situation. As indicated in Study 2, athletes’ moral intuition and experience with regard to doping behaviour could be influenced and altered due to social factors (emotion cultures). A doped rider still waits for the other who has fallen (he also having been doped) until he is restored and is able to continue the race. This implies that

moral intuitions regarding unfair advantages are still intact, but inhibited or altered with regard to doping behaviour, in that doping behaviour is no longer perceived as cheating or as gaining unfair advantage.

An important aspect of moral philosophising is *imagination*. Empirical results could provide philosophical imagination with the material to work with. For instance, if empirical evidence indicates that a considerable minority of elite athletes, or sports physicians, find cheating (say, in the form of doping behaviour) morally acceptable, then the interesting question arises as to *why* they do so. This may indicate that one ought to look beyond such factors as moral negligence or moral insensitivity and instead seek possible overriding factors which might have an influence on upholding such attitudes. The latter factors may be sensed by athletes or others involved as participants in the particular social activity, yet impossible to discern through armchair philosophising (i.e., by remaining empirically non-informed). In this regard, empirical research could also contribute to and provide information for philosophical theorising, thus compelling one to reassess and revise one's theoretical presumptions. This entails adjusting the moral philosophical theorising to the social/ethical reality, rather than the opposite.

As a newly emerged field, empirical ethics, or what I here refer to as empirically well-informed bioethics, certainly is faced with many problems, e.g. problems regarding the interpretation of the results, the design of the deployed empirical research and its method. It is evident that in drawing on empirical research in one's ethical arguments, it is important to refer to research that fulfil the generally acknowledged requirements of good scientific research, such as, proper design, thorough interpretation, being informed by the existing literature, etc. Yet, for instance, in the case of surveys conducted in relation to doping attitudes, there seems to be a lack of adequate method in gathering data, and these surveys rely heavily on self-reporting questionnaires (Petróczi & Haugen, 2012). Nevertheless, such problems are not unique to empirical ethics, and are shared in other research fields referred to in this thesis, such as social psychology and behavioural economics.

Another problem is the question of the naturalistic fallacy (the supposed gap between *is* and *ought*, or between fact and value). The is-ought dichotomy logically speaking implies that one cannot, infer what *ought* to be done from what the case *is*. In other words, from a description of how the world is, one cannot infer how one ought to behave. For instance, if 99% of all elite athletes in a survey consider doping behaviour to be morally acceptable, this still doesn't say anything about the moral wrongfulness or moral permissibility of doping behaviour, or that all athletes ought to engage in doping. Authors such as De Vries & Gordijn (2009) and Kon (2009) have discussed the normative implications of empirical ethics and have explored how empirical ethics resolves the is-ought dichotomy. However, this problem does not concern the approach of this thesis. It has not been my intention to use descriptive empirical research in order to come up with conclusive normative con-

clusions. I have rather been aiming primarily at being informed by empirical research in my philosophical theorising on the conception of (moral) responsibility and processes underlying responsibility assignment. The quasi-normative claim that follows from the inquiry is neither a claim to some sort of moral truth, nor a claim about what *ought* to be done, but a claim about *how* things should be done.

In short, the “how” of my approach to responsibility in relation to doping behaviour could be summarised in three steps as follows:

- *Investigating the social context within which the issue is embedded*: to begin with the concrete ethical reality from within the particular social practice of sport. To achieve this, I use empirical evidence as a starting point and guideline in identifying social (relational) aspects and underlying mechanisms of responsibility assignment in athletic contexts.
- *Conducting empirically well-informed theoretical inquiry*: critically examining current conceptions of responsibility and drawing on possible implications of empirical evidence in reconstructing and developing the concept of responsibility in relation to doping behaviour.
- *Formulating practical implications*: exploring and formulating the practical implications of the developed theoretical standpoints in the form of suggestions about what *could* be done.

The above three-step division is perhaps not reflected in the studies in a tangible or systematic way. However, I have paid close attention to the social context in the form of *informal* conversations with athletes (some of whom had been practicing doping), sports journalists, and fans, both in person and in sports forums on the Internet, and this underlies my reflections. These informal dialogues regarding how and why sports people assign responsibility to doping athletes, their responses to doping behaviour, reading the USADA’s report on Lance Armstrong and books and articles written by athletes who had been engaged in doping (e.g. Tyler Hamilton, 2012) have aided me greatly in obtaining, to a certain degree, a perspective on doping culture from *within*. Finally, the “way” of this thesis, as sketched out above, implies a loop back that cannot end as long as new ethical concerns arise (e.g. due to bio-technological developments.) Revision, further development or a readjustment of theoretical standpoints might therefore be required when faced with emerging ethical realities.

Summary of Studies

Study 1: Gene Doping and the Responsibility of Bioethicists

This study serves two purposes. The first is to point out the moral/professional responsibility of bioethicists to base ethical debates on genetic enhancement on a realistic and up-to-date view of genetics. The second purpose is to make the methodological point that good bioethics requires good empirics. Research reveals the ever-increasing complexity of gene activity, which makes it reliant on many external factors which are independent of genes themselves. Genes certainly play a vital role in shaping physical and mental traits, but they do this beyond the function of a single gene and in combination with other factors. Yet, I frequently came across the previously mentioned determinist framework for describing genes as a basis for the ongoing ethical debate surrounding genetics in general, and genetic enhancement of athletes (gene doping) in particular. This raises the question about the responsibility of bioethicists. In a first attempt to broaden the scope of responsibility, it is argued here that they could be assigned responsibility in this regard. Discussions in the field of bioethics often have direct implications for the public discourse. Given that most athletes do not have the knowledge about the risks involved in gene doping, unsubstantiated presumptions underlying ethical debates relating to gene doping could contribute to promoting the hype surrounding genetic enhancement. This could have undesirable social consequences by affecting policy- and decision-makers, and the public. Discussions on the notion of *shared* responsibility presented later on in the Discussion section will cast light on how responsibilities could be assigned to groups or professions, such as bioethicists. Moreover, it is argued here that normative claims, whether for or against gene doping, that rest upon flawed or obsolete empirical assumptions could be unsound. Bioethicists have a responsibility to relate more critically to the empirical material underlying their assumptions.

Study 2: Beyond the Individual: Sources of Attitudes towards Rule Violation in Sport

In this study, focus shifts from rule violating behaviours, such as doping, to that of attitudes towards such behaviour in athletic settings. As will be argued in the Discussion section, attitudes towards doping play a key role in promoting a doping culture, and as such have a significant impact upon the way we understand responsibility assignment in relation to doping behaviour. Apart from rational grounds, affective processes constitute an essential element in attitudes towards rule-violation. These affective processes could be understood in terms of emotionally charged responses or general human emotional reactions to rule violations. More importantly, affective processes, operating both on individual and social levels, seem to have a major impact on the behaviours and attitudes of individuals.

Emotions play a vital role in the conduct of a functional social life. A preliminary conclusion to be drawn at this level would be to suggest the possibility that attitudes towards rule-violating behaviour in some cases could be explained in terms of underlying defective affective mechanisms in individual athletes. In such cases, while the rational faculty may remain intact, defects in affective mechanisms could result in a dysfunctional social life. However, it seems questionable whether one ought to consider possible deficiencies in individual athletes' affective mechanisms as an explanation for the prevalence of doping behaviours, for instance, in cycling.

The possibility still exists that affective processes, influencing athletes' individual-level attitudes towards rule-violating behaviour, may also operate on a social level. Common expressions in sport vocabulary such as 'team morale' or 'team spirit' indicate a phenomenological experience of some kind of implicit social mood. Moreover, studies on emotional contagion suggest that people could to be affected by the moods of others in their surroundings. The term chosen here to designate social-level affective mechanisms underlying attitudes towards rule violation is *emotion cultures*. Emotion cultures may be conceived as affective mechanisms that could influence individual athletes' emotion norms and attitudes by inducing a normative hold on a social level. For instance, emotion culture in rugby could be said to allow for 'exaggerated' display of aggression by altering the individual players' "normal" attitude towards aggression, that is, his attitudes when not influenced by the normative hold of the emotion culture of rugby.

Furthermore, emotion cultures' normative hold may involve non-conscious affective processes. This makes it possible that attitudes towards rule violation may become institutionalised and structured to an athletic tradition through non-conscious processes of emotional contagion/induction. It is concluded that the mere focus on rule violations and sanctions on the individual level may entail overlooking the greater social picture, and would thus prove to be ineffective in the long term, since emotion cultures may

remain intact and endure individual sanctions. Tackling doping cultures thus requires targeting the particular emotion culture *as a whole*. Insisting on ascribing blame and responsibility solely with regard to individual athletes' actions risks losing sight of the key social components involved in athletes' attitudes towards doping behaviour. Emotion cultures may prevail without being affected by individual sanctions. In dealing with the doping culture, we need to look beyond the individual.

Study 3: CHEATING IS THE NAME OF THE GAME - Conventional Cheating Arguments Fail to Articulate Moral Responses to Doping

In this study, the case of doping-as-cheating is used to draw attention to a need to broaden the scope of responsibility in relation to doping behaviour. One of the most common rationales underlying the ascription of responsibility and blame in relation to doping is that it represents a form of cheating. Athletes found guilty of doping offences are commonly referred to as “drug cheats”. It is commonly argued that doping represents a form of cheating and therefore is wrong, since it involves: (a) breaking the rules, and/or (b) gaining an unfair competitive advantage that is not equally accessible to the opponent(s). However, I argue that these arguments fail to account for our (often strong) moral responses to doping behaviour. It could not be the mere fact of breaking the rules that qualifies it as a form of cheating. Sport competitions are not about a strict adherence to rules, but about using the content of rules in an optimal way in order to gain success. If doping is a form of cheating, it should be prohibited because it is wrong rather than declared wrong because it is prohibited. The notion of unfair advantage can also not adequately account for our moral responses to doping behaviour. There are competitive advantages (such as access to proper gear, coaching, and training facilities) that although in one sense or the other considered as “unfair”, do not involve cheating, and do not raise genuine moral responses.

Elite sport competitions can be seen as rule-governed joint activities that require a level of cooperation between many parties (athletes, spectators, referees, coaches, organisers, fans, sports organisations, sponsors, media, etc.). This implies interpersonal relationships, which include interactions among participants, and others involved in sport competitions. Drawing on Peter Strawson's work, it could be said that interpersonal relationships also implicate mutual demands that participants could make on each other. These demands are mediated through emotionally charged evaluations (“reactive attitudes”) of agents' attitudes and the quality of their will, which is manifested in their actions towards us and towards others. Regarding persons as fully free and responsible (co-)agents involves, from the perspective of par-

ticipation, resenting them when they fail to manifest goodwill in their actions towards others or us. Cheating in joint social activities, such as sport competitions, could be understood as a failure to comply with the system of mutual demands and entitlements. Understood as such, cheating could be seen as a structural element in the system itself. This, in the sense that the whole procedure of planning and implementing the act of cheating, is possible if and only if the cheater him/herself (i) assumes the existence of a binding system of mutual and entitlements; a system which s/he tacitly intends to take advantage of, and (ii) presumes that others would comply with the normative requirements and assume their responsibility in this regard.

However, sophisticated forms of doping involve many other people beside the athlete herself on whom the athletes are reliant. Here, the target of moral responses (reactive attitudes) is therefore no longer a single will, or the attitudes of a single moral agent, but rather a form of multi-agency, or a multitude of wills, i.e., a multitude of actors and involved parties holding different positions regarding moral responsibility depending on the extent of their involvement. It could be argued that the ultimate decision is made by the athlete him/herself, hence s/he bears the ultimate moral responsibility. Nevertheless, as argued in Study 2, athletes may act under the influence of the normative hold induced by emotion cultures, which could alter the atmosphere in which athletes act. Considering cheating in the broader context of human interpersonal relationships makes evident the need to broaden the scope of moral responsibility and agency beyond the individual athlete.

Study 4: Doping and the Participatory Responsibility of Sports Physicians

In this study, the particular case of responsibility assignment to sports physicians in relation to doping is used in an attempt to outline the theoretical framework for broadening the scope of responsibility as indicated by previous studies in this thesis. Sports physicians (hereafter SP) have played an important role in the development, introduction, and administration of doping methods and substances. Sporting authorities have in this regard adopted a policy of prohibition for doping substances and methods by means of introducing anti-doping rules, regulations and policies, which now apply to both athletes and physicians. These measures are largely based on established medical norms and practices, and their purpose seems to be to define (and assign) the SP's responsibilities in relation to doping behaviour in order to be able to find and punish guilty individuals who break the rules.

Commentators have pointed out the need for more precise regulations with regard to the doctor-athlete relationship. The ultimate goal is to create rules

and policies that clearly outline appropriate ethical behaviour with regard to doping behaviour. Introducing rules, policies and guidelines is certainly a rational and efficient way of regulating the behaviour of individuals and creating social cohesion. However, there are drawbacks to this approach. Such an approach implies a legalistic view on (moral) responsibility, heavily based on the principle of liability. According to this view, liability is retrospectively attributed to an agent according to a set of rules or norms. Complying with rules and regulations is all that is needed for a SP to fulfil his/her moral and professional duties. Moreover, responsibility here is equated with, and understood in terms of, culpability, where the sole focus is on detecting individual athletes or SPs who break the rules. This approach risks promoting a culture of defensiveness, finding scapegoats and shirking responsibility.

A more serious drawback to this view is that it limits the scope of responsibility. Although anti-doping regulations and sanctions require a direct causal link in attributing responsibility, the full extent of responsibility would be unnecessarily restricted if it only were to include identifiable individuals who stand in a direct causal link to the doping offences. This means leaving out a range of other actors from the discourse of responsibility. Doping is a social phenomenon, and, as argued in Studies 2 and 3, the exclusive focus on individual athletes' (or sports physicians') causal contribution in assigning responsibility and blame overlooks the social factors influencing attitudes towards doping behaviour. In a social context, the responsibility attribution is carried out by someone, and this person stands in a particular relationship to the individual being held accountable—they are both socially rooted. Responsibility could therefore be said to arise in social practices among participants who are engaged in interpersonal transactions.

According to Strawson, proper members of the moral community are identified in order that they can be held accountable for their actions in the context of social life. The social context here provides a channel for communicating participants' expectations of each other. This means that members of a moral community affect and influence each other's actions via the web of mutual demands and expectations. These expectations and demands are mediated through emotionally charged responses ("reactive attitudes") to others' actions. This mutual susceptibility of the participants in the social practice helps to coordinate their behaviour towards each other. Responsibility pivots on social context and the expectations of participants within that context. Nonetheless, it always remains open to modification and reassessment. Doping is a complex social phenomenon which has equally complex causes, and no given set of responsibilities issued from an external source seems to exist for SPs to improve the situation in a drastic way. A change in this regard is likely to come if SPs assume or create new responsibilities, which may then become incorporated into the expectations related to their social roles.

Discussion

Men who live together inevitably make demands on one another

John Dewey

A recurring theme in this thesis is the social dimensions of responsibility and agency beyond that of individual athletes. I argue that as a bioethicist, one has a moral and professional responsibility not to base ethical arguments about gene doping on unsubstantiated presumptions about genetics, since this would promote hype surrounding gene doping, and lead to conceptions of agency that are untenable on a theoretical level. I then preliminary set out to examine social factors beyond individual athletes that may influence attitudes towards doping behaviour (Study 2). In Study 3, I stress the need to broaden the scope of agency and moral responsibility in relation to doping beyond the notion of the individual “drug-cheat” acting in a vacuum. In Study 4, I attempt to outline the theoretical framework for broadening the conception of responsibility by focusing on the relational aspects of responsibility and social dimensions of the practice of responsibility assignment.

In the studies, my arguments on responsibility are mainly focused on *how* and *why* we assign responsibility to individual actors. In the following section, I will attempt to examine the implications of the arguments presented in Studies 1 - 4, for developing the extended conception of *shared participatory responsibility* with regard to social groups within the sport community. I will examine whether responsibility could be assigned to social groups (athletic subcultures, fans, sponsors, etc.) in relation to the current doping culture, and if so, how and to what extent. I will begin by further analysing the social aspects of responsibility and agency in greater detail. I then go on to outline the theoretical framework which would facilitate extending the conception of responsibility beyond individual actors, also to include social groups in athletic settings. Drawing on the notion of *emotion culture* developed in Study 2, I argue that an appreciation of the role played by the social groups in promoting doping attitudes compels us to address the responsibility of social groups in contributing to the doping culture. I will conclude by arguing that an expansion of the conception of responsibility to include social groups as actors opens up windows of opportunity to bring about cultural change regarding doping in a way that is not available through individual agents alone.

Relational Aspects of Agency

Drawing on Strawson's participatory ethics, the main emphasis in my arguments is on the concept of responsibility in relation to doping. However, in Strawson's account, moral responsibility is conceptually tied up with agency. Assigning responsibility to individuals presupposes a notion of intentional agency, and without this, any discussion about responsibility seems meaningless. It seems indisputable that agents could be said to have some sort of responsibility for the acts they have actually committed (Thompson, 1987: 40). Common to our everyday understanding of agency is the idea that people should primarily be judged, and be praised or blamed accordingly, *qua* free rational agents. Consequently, we do not tend to hold people morally responsible for actions that have been coerced, or actions over which the agents have had no control at all. Agency also plays an important role in the ethical discussions of doping. One of the main conflicts between different approaches to the ethical status of doping can be seen to concern agency. For instance, bio-conservative opponents to doping (e.g. Sandel, 2007) claim that doping risks undermining individual athletes' agency, in that they may no longer consider their achievements as their own doing. On the other hand, libertarian proponents of doping (such as Savulescu, 2006, and Tamburini, 2002) maintain that athletes, as autonomous free agents, should be given any opportunity to achieve their goals, even if this entails enhancing one's performance through doping. Here, one can perceive a tension between different conceptions of agency in relation to doping.

One could argue that in Strawson's account, the conception of agency is *relational*. In contrast to the individualised conception of agency which views agents as sovereign distinct entities, moral agents are embedded within the social practice in which they participate, and in which they are involved in interpersonal transactions with each other. For Strawson, agency is generated and assigned within the particular social practice. Agency is mediated through the practice of responsibility assignment in social practices. We hold each other responsible *qua* free rational agents and equal members of the moral community, who are mutually susceptible to reactive attitudes such as resentment, indignation or praise, and could make legitimate claims on each other. Therefore, individuals do not act in a vacuum; the susceptibility to the responses of other members of the moral community influences their actions through the legitimate and *non-coercive* expectations of others. These mutual expectations, through their influence on actions, regulate the social interaction among individuals (see Darwall, 2006). Put differently, engaged in a social practice, we identify each other as free agents through the lens of mutual non-coercive expectations and demands that we could have on each other. For instance, we do not ascribe responsibility to persons who suffer from severe mental disorders in that we no longer conceive them as *free* agents, i.e., as appropriate subjects of claims and expectations. Ac-

cordingly, a free agent is not defined in terms of individual capacities. One is rather a free agent in the capacity of being a member of the moral community, and one is a member of the moral community in the capacity of being a free agent. As Stephen Darwall puts it, “*the very concept of person is itself a second-personal concept*” (2006: 80, for variations of this Strawsonian theme, see Pettit, 2001, and Barnes, 2000).

Doping behaviour can occur under duress or coercion (e.g. by peers,⁸ coaches and officials,⁹ or states¹⁰). For instance, as indicated in the recent report by The United States Anti-Doping Agency (USADA) on Lance Armstrong, he had (according to the testimony of witnesses) “enforced the doping program on his team by threatening a rider with termination if he did not agree to doping in accordance with the plan drawn up by Dr. Michele Ferrari”, and had “pushed his teammates to use [the controversial pro-doping sports physician] Dr. Ferrari” (USADA 2012: 14, 60). It is tempting to conceive actions that have been taken under coercion as not being free in the sense that they lack the element of choice on the part of the agent. From the first-person perspective (that of the rider himself), one may for instance think that he, given the threat or coercion, felt unfree in that he had no other choice than doping. One may however contend that threats or coercion actually did not eliminate the element of choice on the part of the threatened athlete. Rather, what occurs is that the alternative of choosing not to participate in doping becomes tremendously costly (both economically and professionally) due to this coercion.

Using Strawson’s account, we may say that from a second-person (i.e., relational) perspective, we experience actions of the athlete who complies with the threat or coercion to be doped as not being wholly free in the sense that his action has not been influenced by the ethical evaluations (responses) of others, but by coercion. Thus, one may suggest that according to Strawson, agency can be understood in terms of susceptibility to the non-coercive expectations of others, rather than in terms of individual choice or volition. This demonstrates the social dimension involved in assigning agency as stressed by Strawson. It is worthy to note that coercion often presupposes some sort of asymmetry in the power relationships among individuals. For instance, the USADA’s report above points to the power Armstrong exerted upon his co-riders and others, either to actively engage in the doping program, or to turn a blind eye to the ongoing doping practices. It seems reasonable to assert that the nature of asymmetries in power relations between in-

⁸ See for instance, USADA’s report on Armstrong 2012.

⁹ See for instance, <http://www.thehindu.com/sport/athletics/indias-ukrainian-coach-ogorodnik-sacked-for-doping-fiasco/article2161111.ece>

¹⁰ As in the case of former East Germany, or recently in Belarus, see <http://www.stuff.co.nz/sport/olympics/track-field/7486029/Belarus-supports-doping-says-Adams-coach>

dividuals (e.g. coercion or manipulation) could significantly affect responsibility-seeking/assigning processes.

Relational Aspects of Responsibility

For Strawson, questions regarding whether and how we hold persons responsible arise within human interpersonal relationships or within the framework of the ways we relate to each other. To stress this relational aspect of responsibility, the term ‘responsibility’ here will be used in the sense of responsibility *to* (someone, an individual or the moral community), which is invariably related to claims and demands. This, as distinguished from responsibility *for*, says, having done a good job, or for one’s achievements, which does not need to involve claims or demands (see also Darwall, 2006: 69, and Watson, 1996)¹¹. In social practices, we are apt to assign responsibility to others by making legitimate demands or claims on them. These claims, expectations or demands, are mediated through reactive attitudes such as resentment, indignation, blame, and praise. Strawson further distinguishes two categories of reactive attitudes: *participant reactive attitudes*, which concern individuals who are in interaction with one another themselves¹², and *impersonal reactive attitudes*, which are “impersonal or disinterested or generalised analogous” (Strawson, 2004: 15). The former category is felt from the standpoint of individuals in interaction (e.g. resentment), and the latter kind of attitudes are felt from the perspective of the moral community (e.g. moral indignation). Reactive attitudes and their presupposed claim or demand could be understood as a kind of normative reason one may provide in order to influence others’ conduct in a certain way. In this regard, reactive attitudes could be said to regulate social conduct (Darwall, 2006).

Reactive attitudes presuppose intentional agency and claims (or demands) that one can legitimately make on others to manifest good will towards us¹³. In addition, reactive attitudes represent a response to the manner in which the other manifests his or her attitude towards these claims (Strawson, 2004: 6). These factors distinguish reactive attitudes from other participatory emotions, such as envy, which are not necessarily linked to the other’s intentional agency, and other participatory attitudes, such as trust, which are not principally reactive. The ‘other’ to which one stands in a relationship could be either a specific (singular) second-person individual or the *shared* moral community (plural) to which one belongs as an appropriate member. Given the relationship between reactive attitudes, agency and responsibility, Straw-

¹¹ Darwall uses the term “accountability” to designate responsibility in the former sense.

¹² These attitudes may also be had by related others “on their behalf”.

¹³ These claims could also be made on others to manifest good will towards others (i.e., from a third-person ‘vicarious’ standpoint), and on oneself (from a first-person standpoint). Here, I am mostly concerned with second-personal standpoint.

son's account implies a notion of agency and responsibility which Stephan Darwall (2006) refers to as the 'second-personal' standpoint. The second-personal standpoint is "the perspective you and I take up when we make and acknowledge claims on one another's conduct and will" (Darwall, 2006:3). This means that we experience a *reciprocal* I-thou relation in our normative interactions with others.

Darwall (2006) and Wallace (1994) link reactive attitudes and their presupposed demands to something like a moral demand. Reactive attitudes towards others' actions implicitly address a 'second-personal claim'. This claim is a normative claim upon the other's will, i.e., a sort of agent-relative normative reason one gives to the other for him or her to act in a certain way (Darwall, 2006:4). Making legitimate claims in an interpersonal relationship presupposes that both parties, as free rational agents, *reciprocally* acknowledge a shared second-personal authority, competence and responsibility. Darwall tries to clarify the 'second-personal' standpoint by referring to the Humean example where a person is standing on the gouty toes of another. One may make a legitimate demand on a person who is standing on one's toes to remove his foot from there. One may address this demand to him or her either as the person whose toes s/he is standing on, or as a member of the common moral community whose members conceive of themselves as demanding that members not step on each other's feet, or as both. In either case, the demand (or the reason) one addresses is agent-related, that is, it "would concern, most fundamentally, his relations to others (and himself) viewed from his perspective within those relations, in this case, that his keeping his foot on yours causes another person pain" (ibid.: 7). Moreover, according to Darwall, it is important that the person to whom the claim is addressed accepts the addresser's authority to make demands, and that s/he also accepts that one could have grounds for responsibility-seeking responses if s/he does not comply with the demand to remove his or her foot. Darwall thus characterises the "second-personal reason" (or claim) as "*one whose validity depends on presupposed authority and accountability relations between persons and, therefore, on the possibility of the reason's being addressed person-to-person*" (ibid.: 8, italics in the original text). Second-personal reasons owe their existence to the normative relations that the members of a moral community assume to exist between them.

Darwall maintains that addressing legitimate and *non-coercive* claims and demands presupposes that they are made from an authoritative standpoint, an authority that is mutually accepted both by the addresser and by the addressee. This also presupposes competence on the part of the addressee to comprehend the demand that is addressed. Therefore, the demand X makes of Y should be intelligible to Y; moreover, Y should intelligibly recognise X's authority and standing to make legitimate demands (Darwall, 2006: 75-77). Following Watson (1987), Darwall sees reactive attitudes as "forms of communication" that are "simply unintelligible in their own terms without

the presupposition that their object can understand what is being said and act on this understanding” (Darwall, 2006: 75). Moreover, reactive attitudes implicitly address demands or claims on others, in that they imply “an expression of, and demand for” certain conduct on the part of others (Strawson, 2004: 15). However, this presupposes that those to whom demands and claims are addressed and whom one might hold responsible also have that standing. In this regard, the practice of responsibility-attributing and making valid claims presupposes mutual respect in that the addresser and the addressee reciprocally recognise each other’s authority and competence to address valid demands (see Darwall, 2006: 119-151).¹⁴ Indeed, one may say that the very exercise of reactive attitudes (even in the “negative” sense of resentment or indignation) and assigning responsibility implicates an element of respect, since in doing so, one also recognises the other as an appropriate “member of the moral community, only as one who has offended against its demands” (Strawson, 2004: 23).

In “Freedom and Resentment”, Strawson argued against the consequentialist accounts of moral responsibility in which the practice of responsibility assignment and punishment are justified according to their “efficacy...in regulating behaviour in socially desirable ways” (Strawson, 2004: 2). He argued that the notion of social desirability is a reason of the “wrong sort” for the practice of responsibility (see Darwall, 2006: 15-17). The essential question in practices of responsibility is not whether doing so is desirable (socially, morally, personally), but whether a person’s conduct is blameable, and whether we stand in the position to hold him or her accountable. As an analogy, it would be wrong to conclude from the fact that it would perhaps be socially undesirable to appreciate the “Nazi architecture,” that it shouldn’t be admired as an example of fine architecture. Rather, what warrants and justifies one’s attitude towards, or appreciation of, certain architecture has to do with certain *relevant* features about the building itself (e.g. proportion) and not whether it is or is not socially desirable to appreciate it as such. Similarly, one may say that, for Strawson, utilitarian or pragmatic approaches to responsibility ignore the relevant attitudes and actions that are involved in the practice of responsibility assignment. They overlook the relational aspect of responsibility and that responsibility arises within inter-personal relationships. This defies external justifications of responsibility in terms of what one desires the state of affairs to be *independently* from the interpersonal relationships within social practices.

Again, the general locus of responsibility is to be found, according to Strawson, in the indispensable element of reactive attitudes. When someone

¹⁴ “When some one uses your foot as his footrest, this is an injury not just to your foot, but also to your person. It is a failure to respect your standing or dignity as someone who may not be so treated and who has a standing as one among others to hold others to this“, “[i]n seeing ourselves as mutually accountable, we accord one another the standing to demand certain conduct of each other as equal members of the moral community” (Darwall 2006: 84, 119).

intentionally causes you harm and refuses your appeal to stop the harm, you would be apt to address a responsibility-seeking response in the form of resentment towards him or her for defying what is considered by you to be a legitimate demand. Strawson's phenomenological point is that, here, your experience of resentment differs from any desirability you might have regarding the state of affairs, e.g. the desirability of a world where nobody causes harm to others, or the desire to reduce harm. The point seems to be that you may have these thoughts in mind when you make claims, but your reactive attitudes are distinct from them as an inseparable part of your expectations and demands (for a more detailed discussion, see Darwall, 2006: 153-169).

In the case above, if you for some reason (say, out of fear for inducing further retaliation by the offender) find it undesirable to address a responsibility-seeking response, your feeling of resentment would not be compromised by this and will sustain. On the other hand, your resentment could shift towards another source if you found out that the offence had occurred under duress or diminish (or perhaps even been eliminated) if you found out that the offender had no control over his behaviour due to a severe mental illness. According to Strawson, these are the cases where we hold an "objective attitude" and no longer find the offender an appropriate subject for blame and the assigning of responsibility. For Strawson, what seems to vindicate your feeling of resentment here is the quality of the will manifested in the other's behaviour (manifestation of good will towards you), and the mutual legitimate claims or demands you may make on each other. As Darwall suggests, "unlike considerations of desirability (even moral desirability)", the validity of claims "depends not on the value of any outcome or state, but on normative relations between persons, on one person's having the authority to address the demand to another" (Darwall, 2006: 103).

Along the same line of argument, one could say that "reasons" given by commentators in justifying doping behaviour in terms of the "welfare" of athletes (Savulescu 2006), "social justice/equality" (Tännsjö, 2005), or the pragmatic "less-harm approach" (protecting the athlete's health, see Hoberman, 2002), all represent "wrong" reasons in the Strawsonian sense and do not warrant our reactive attitudes towards the doping behaviour of athletes. Losing sight of the relevance of the social practice within which conceptions of agency and responsibility arise may tempt one to assume these conceptions from a first-personal deliberative perspective alone (e.g. from the athlete's point of view alone regarding his or her desires or athletic ambitions). Surveying the emotionally charged responses made by cycling fans in sports forums on the Internet following the doping allegations against Lance Armstrong (and his confession later on), one gets a glimpse of how the practice of responsibility assignment works *in practice*. Reactive attitudes of the fans (resentment, indignation, etc.) towards Armstrong's conduct, and the consequent practice of ascribing blame or praise, are better understood and war-

ranted in terms of the fans' expectations, demands, and claims within the framework of their particular relation to Armstrong (e.g. seeing him as a "hero"), and in relation to Armstrong's particular standing within the sport, and within the moral, community (his being a great athlete, or being a great charity worker, etc.). These emotionally strong responses seem to have little (if nothing) to do with whether Armstrong's conduct and his responsibility could be seen in the light of some desirable state of affairs such as "equality in sport competitions", or in terms of his athletic aspirations and desires (from his first-personal perspective). He may be said to be responsible *for* bringing about certain undesirable or desirable outcomes, but, as a member of a moral community, he necessarily remains responsible *to* other members.

Doping and Shared Participatory Responsibility

In Studies 3 and 4, I pointed out the need to broaden the scope of responsibility in relation to doping beyond the athletes themselves to include other individuals within the sport community. Coaches, sport officials, athletes' families, sports journalists, and sports philosophers, to name a few, are all to some extent related to sport and each could *potentially* be held responsible for contributing to the current doping culture. However, the focus of my argument in this regard remained on the individual actors. Here, I will attempt to push the proposed notion of broadening the scope of responsibility regarding doping culture in elite sports one step further by raising the question whether one could assign responsibility to social groups within the sport community on a group level. My endeavour is to reflect on the implications of the relational conception of responsibility, sketched above, for a notion of *shared participatory* responsibility concerning doping. That is, responsibilities that people share in the capacity of participating in joint transactions with one another. This goes beyond predefined retrospective responsibilities (i.e., responsibilities that exist prior to the social interaction, or those imposed by external authorities).

Generally speaking, concerns about (moral) responsibility within the philosophical tradition (at least the Western tradition) have almost invariably been focused on an individual-based conception of responsibility understood in terms of the relation between an individual and the state of affairs caused by the individual's actions (see Mellema, 1997). Still, in the everyday discourse of sport, responsibility is commonly ascribed by people to groups of individuals. For instance, states might be held responsible for encouraging doping behaviours,¹⁵ "hooligans" might be held responsible for undermining sport's moral status (giving it a bad name), bodybuilding subcultures are

¹⁵ See <http://www.stuff.co.nz/sport/olympics/track-field/7486029/Belarus-supports-doping-says-Adams-coach>

often held responsible for promoting doping culture, and sponsors are held responsible and blamed for drinking problems in sporting nations.¹⁶ The question is whether one, along the same line, could attribute *shared* responsibilities in relation to doping. I believe that an important and complementary approach to responsibility in relation to doping would be to bring to the light and address responsibilities related to different social groups within the sport community (e.g. sports physicians, sponsors, fans, federations, subcultures, etc.). My reasons for this claim are twofold. The first reason is that professionalisation, commercialisation, globalisation and the ever-increasing reliance of elite sports on (bio-) technological innovations make contemporary elite sport a complex social and cultural phenomenon which inevitably involves, and is affected by, decisions made by social groups (e.g. sports physicians, multinational corporations who operate as sponsors, pharmaceutical companies, corporate media, multinational fans, athletic subcultures). Hence, given the significance of doping phenomena in contemporary elite sports, it does not seem exaggerated to assert that there is a great need to address the nature of group responsibilities in relation to doping. The second reason is that understanding doping as a cultural phenomenon entails that any changes in the current state requires the transformation of the doping culture itself. Social groups as actors could have an impact on the doping culture in ways that may not be available to single individual actors.

A key issue in assigning responsibility to groups is that the consideration of collectives as moral agents is often assumed to be problematic. Some commentators (e.g. Held, 1970) suggest that it is possible to assign moral agency to collectives. The collective could be held responsible if there is an understanding of the moral nature of the action and if the collective as a whole could have done otherwise (Held, 1970: 90-91). Others maintain that we cannot ascribe moral responsibility to collectives because collectives lack the intentional agency which is a prerequisite of moral responsibility (see May & Hoffman, 1991). However, an important question regarding ascribing shared responsibilities to social groups within the sport community is that we must first understand what kind of groupings we have in mind. Gilbert (2006: 96) distinguishes collectives from mere aggregates of individuals in that the members of the former are connected to each other in a way that the latter are not. The relations between the members of a basketball team, for instance, differ from the relations in a random aggregation of individuals who, say, happen to be in a train station at the same time. The members of the former group participate in a joint social activity and share certain goals. Translated into the Strawsonian language of participation, collectives or groups could be understood in terms of social practices and what characterises a social practice is that the participants have a reciprocal relationship to

¹⁶ See for instance: <http://www.abc.net.au/news/2013-04-29/bainbridge-alcohol-advertising-in-sport/4656386>

one another. Their interpersonal relationships constitute, and in a sense create, the social practice (the collective).

Furthermore, we may distinguish informal groups such as subcultures, fans, etc., from formal groups such as WADA, IOC, and other governing bodies, pharmaceutical companies, and corporations such as Nike who act as sponsors. These groups could differ drastically from one another with regard to the level (or the lack) of organisation and decision-making processes. Assigning shared responsibilities to the latter seems less challenging since formal collectives (such as sports organisations or corporations) include decision-making procedures that imply, to some extent, a sense of intentional agency necessary to responsibility assignment. The same thing could be said about professions (coaches, sports physicians, etc.) seen as collectives. Professional responsibilities are assumed; “in choosing a profession, one *assumes* the responsibility concomitant with being a professional” (Muyskenes, 1982: 172). A member of a team’s medical support group chooses the profession, and with the profession comes the commitment to certain role-responsibilities. This makes it less problematic to assign shared responsibilities to the medical support as a group, e.g. a shared responsibility to sustain certain professional standards which can reasonably be expected of them. This point demonstrates the sense of shared responsibility which in Study 1 is assigned to bioethicists as a group of professional academics who are expected to maintain standards of being well-informed and updated about findings within the field of genetics when engaged in ethical discussions of gene-doping.

Relational mechanisms underlying responsibility assignment in social practices, outlined earlier, may be extended to cover formal groups as well. In 2006, the multinational corporations Nike and Phonak both pulled out of the sponsorships of their respective riding teams following doping scandals, perhaps in order to protect the reputation of their brands.¹⁷ More recently, Adidas suspended its sponsorship of the American record holder in the 100 meters, Tyson Gay, as he tested positive for doping.¹⁸ Some would perhaps say that these corporations acted out of pure self-interest. However, their decisions also could be seen as a response to public expectations, which implies a form of responsibility assignment that targets sponsors like Nike as a group. It could be said that this mechanism resembles the responsibility assignment processes on the individual level discussed before, with the difference that in this case, the corporation as a group shows susceptibility and is subjected to expectations of the sport community. One might be tempted to conceive of the above corporations’ decisions as a pure act of self-interest from the “first-person” perspective. Yet, from a “second-person” perspec-

¹⁷<http://www.guardian.co.uk/media/organgrinder/2006/jul/31/sportssponsorsanddopingsca>

¹⁸<http://in.reuters.com/article/2013/07/15/athletics-doping-adidas-tyson-gay-idINDEE96E0B720130715>

tive, their actions are considered to be influenced by the susceptibility to expectations of others, with the aim of gaining approval, and upholding the corporation's status within the (sport's) moral community. Thus, like individuals, formal social groups within the sport community might be subject to, and influenced by, reactive attitudes and legitimate non-coercive expectations.

- Ascribing responsibilities to informal groups (fans, subcultures, etc.) in relation to doping proves to be more challenging. It should be noted that:
- *Responsibility admits of degrees.* The degree of involvement in doping practises varies among different actors and therefore might be difficult to determine adequately.
- *Attributing intentional agency to social groups is problematic.* Responsibility might be multi-levelled and overlapping. Causes contributing to doping behaviour seem to be complex as they are not easily discernible, traceable or possible to link to a single source.
- *Responsibilities in this regard could not reasonably be distributed equally.* It does not seem reasonable to distribute responsibility equally among different actors within a group. Neither does it seem sensible to blame the group as a whole, since it would be unfair to hold responsible and to blame those individuals who were not directly involved in doping practices.

Yet, as will be discussed in following sections, the above issues presuppose a narrow and limited conception of responsibility, and could be resolved by expanding the framework within which responsibility-assigning processes on the group level could be accommodated. To this aim, I attempt to develop a conception of *shared participatory* responsibility by including the category of *prospective* responsibilities (discussed briefly in Study 4), and by incorporating the notion of *emotion culture* (developed in Study 2)¹⁹ into our understanding of responsibility.

Shared Prospective Responsibility

Thus far, our discussion of responsibility assignment to social groups has focused on retrospective responsibilities which mainly concern establishing causal link between actions and outcomes in order to ascribe blame or praise in relation to the outcome. For instance, members of a team's medical support may be held collectively responsible for causing harm by not upholding

¹⁹ It must be emphasised that the approach to the conception of shared responsibility outlined here, concerns only assigning responsibility to social groups within the context of sport, and that in relation to doping phenomena. I make no claims about the possible applicability of my arguments to other spheres of social life.

reasonable standards to the degree required of them. In assigning responsibility to the group, a causal link might be established between the damage done and the group by going back in time. However, in Study 4 and following Young (2006), I discussed the broadening of the conception of responsibility to include *prospective* responsibilities. This category of responsibilities was presented as responsibilities that (a) arise within the particular context of interaction between individuals in a given situation, (b) are taken (or assumed) voluntarily as new ethical issues arise in a situation, and (c) are not linked to blame and punishment.

Disregarding culpability when considering responsibility opens up a horizon of responsibilities that are, ontologically speaking, *potential-but-not-yet-actualised*. If the current doping culture in sport is considered an issue, the prospective responsibilities could be seen as a category of responsibility which implicates what prospectively *could be done* to alleviate damage or to alter the current situation with regard to the doping culture. In other words, prospective responsibilities are not about what people could have done otherwise, but what they *can* do in the future with regard to arising ethical concerns in particular situations. As opposed to retrospective responsibilities, prospective responsibilities are not necessarily assigned to individuals (or groups) who directly, or in a strict sense, have caused the harm, e.g. in the case of natural disaster where the damage or harm is caused externally and is not traceable to specific individuals (see Miller, 2001: 465). In this regard, prospective responsibilities, unlike retrospective responsibilities, are not tied to blame. A feature of prospective responsibility is capacity (or resource). These responsibilities are to be assigned in proportion to the resource or the capacity of individuals to discharge them (ibid.: 460). This feature distinguishes prospective responsibilities from causal responsibilities. As an example, you might assume prospective responsibility to provide economical help to children suffering from famine in Africa. In doing this, you can still not be held responsible or be blamed, in a strict sense, for causing the famine or the suffering of these children.

Prospective responsibilities to remedy a certain situation could thus be assigned to groups (shared prospective responsibility) or the individuals within a group, even if no member of the group, or only some of its members, bear retrospective (or causal) responsibility for the outcome. For example, already in 1999 during the Tour de France, the respected French Daily newspaper reported that corticosteroids were found in Armstrong's urine. It seems reasonable to assume that at least some cycling fans knew about the extensive doping practice taking place in Armstrong's team US Postal. Let us imagine that an individual cycling fan chose to assume the prospective responsibility of boycotting US Postal (or the whole tournament for that matter), since s/he had good reasons to believe that most competitors would be doped. Other fans that continued to support the tournament could not be held responsible (in a causal sense) in a strict sense for the supposed harm caused by the prac-

tice of doping. Yet, though the fan's individual responsibility could not have major impact, if many fans did the same thing, this would pressure organisers, sponsors, and cycling teams (as groups) to reassess their standards, attitudes, and patterns of behaviour with regard to doping. Were such a change to take place, then the responsibility for the change could not be assigned to any single individual.

We may thus outline three features of prospective responsibilities which resolve the issues regarding ascribing shared responsibilities to social groups discussed earlier:

- Unlike retrospective causal responsibilities, prospective responsibilities are non-distributive in the sense that they need not to be distributed, equally or otherwise, among *all* the members of a group.
- Prospective responsibilities presuppose neither intentional agency nor a direct causal link to outcomes. They could be assigned to individuals, or groups of individuals, even if there is no direct causal link between their actions and outcomes (states of affairs).
- Prospective responsibilities admit of degrees only with regard to capacities and resources of individuals, rather than with regard to the degree, and the nature, of their involvement in bringing about an outcome.

The assumption of shared prospective responsibilities by groups such as fans, or members of sports teams who dispose resources and capacity (through media attention, fame, being role models, etc.), could play an important role in contributing to the transformation of the doping culture—well beyond what a single individual could achieve in this regard.

Emotion Culture and Shared Participatory Responsibility

The assumption of prospective responsibilities by groups (and individuals) can play a significant role in tackling the doping issue. However, I do not here wish to make the categorical claim that it is the only strategy at our disposal in assigning responsibility to informal groups in athletic settings (I have particularly two important informal groups in mind, athletic subcultures, and the fans). One may encourage groups to assume prospective responsibility readily through communicating legitimate non-coercive expectations, and hope that they will actually take responsibilities to bring about cultural change upon themselves. Yet, assigning prospective responsibility to

social groups, in my view, could be seen as a kind of soft coercive demand that lacks the normative connotations associated with assigning retrospective responsibility (e.g. in the sense of “X has brought about the harmful state of affairs S, X has a responsibility to remedy S, *or else...*”). Arguably, this lack of coercive power may, prove to be a challenge in the case of athletic subcultures, since they may remain reluctant to comply with such non-coercive expectations or demands. As previously discussed, assigning responsibilities *retrospectively* to social groups could be problematic. Nevertheless, I think these theoretical issues could be resolved by introducing further modifications to, and the expansion of, our conception of responsibility in social practice.

So far, in the discussion of responsibility, we have been occupied with an *action-centred* conception of responsibility, i.e., a conception of responsibility that is concerned with the relation existing between actions of individuals (or groups of individuals) and states of affairs (outcomes). Retrospective responsibilities are assigned to an actor based on the contribution of her action (or non-action) in bringing about (or causing) an outcome. Prospective responsibilities, on the other hand, are assumed in order to alter the state of affairs in the future through individual or group actions. An issue in assigning retrospective responsibility to groups seems to be that one cannot unproblematically ascribe intentional agency to all kinds of social groups in the same way as we do with regard to individual actors. Unlike formal groups such as corporations or sports organisations, informal social groups, such as fans and athletic subcultures, lack clear decision-making procedures.

Moreover, it could be said that in these groups, the extent to which the actions of individual members have contributed to bringing about a certain outcome (e.g. violence) is not at all evident, and is therefore hard to determine. Hence, it might be argued that attributing responsibility and blame to a group as a whole could be unfair since, for instance, not all players in an ice hockey team might endorse violence, or not all riders in a cycling team might be engaged in doping practices. Furthermore, as discussed earlier, reactive attitudes presuppose intentional agency. This makes it challenging and controversial to attribute responsibility to social groups such as athletic subcultures or “hooligans”. It could be argued that these groups, as opposed to corporation sponsors, lack intentional agency on a collective level and therefore, as a whole, could not be the appropriate subject of reactive attitudes and the consequent practice of responsibility assignment. Yet, despite such theoretical difficulties, it is not uncommon that people assign responsibility to informal groups (e.g. bodybuilding and cycling subcultures are commonly held responsible for promoting a doping culture).

I believe that these challenges could be overcome once we stop considering responsibility *solely* in terms of the actions of individuals or groups. In connection to responsibility, actions introduce intentional agency and causal links into the equation. Yet, we may disentangle responsibility from the no-

tions of direct causal links and intentional agency by introducing a third variable into the equation of responsibility: *attitudes* towards doping behaviour. One might suggest that it is not the doping behaviours of individuals alone that contribute to and promote doping cultures, but that it is also a question of their attitudes towards doping behaviour. In Study 2, a shift of focus was made from rule violating behaviours to responses and attitudes towards such behaviours. It was argued there that affective processes operating on a collective level (*emotion cultures*) might affect or influence athletes' individual-level attitudes towards rule violating behaviours such as doping. Moreover, the influence of emotion cultures in this regard could involve non-conscious affective processes that may operate beyond individuals' intentional agency. For instance, in the case of institutionalised forms of rule-violating behaviour in athletic subcultures (e.g. violence, cheating), the simple fact of identifying with such subcultures would increase the risk of adopting attitudes that are generated, embraced, and promoted by the underlying emotion culture (see Study 2: 10). Emotion cultures could thus generate (e.g. through emotion contagion/induction) a climate in athletic settings that makes certain (rule violating) behaviour acceptable. They could therefore be said to play a significant role in bringing about undesirable outcomes such as violence. By inducing a normative hold on a collective level, emotion cultures alter the milieu in which athletes act, and thus contribute to promoting the conditions allowing for patterns of behaviour such as violence. This implies a notion of exercising "agency" on a group level, which could have significant implications for our understanding of responsibility.

As mentioned earlier, according to Strawson, the subject of reactive attitudes are not always actions of others, but also their attitudes towards legitimate claims and expectations. Imagine, for instance, that someone uses your foot as his footrest. At first, the target of your reactive attitude (e.g. resentment) could be the action of the person and the lack of goodwill manifested in his action. Being certain about the lack of goodwill, you may make a legitimate demand of him to remove his foot from yours ("You cannot do this to me!"). Now suppose that, despite your appeal and your legitimate expectation, he refuses to remove his foot from yours. In that case, one could say that your sustained reactive attitude and your responsibility-seeking expectations would now shift towards the attitudes held by that person towards your legitimate claim. In the same manner, regarding doping culture, the subject of reactive attitudes could be said to encompass not only doping behaviours, but also doping attitudes that are generated within emotion cultures.

If the members of a subculture such as ice hockey share the emotion culture which generates certain attitudes towards violence (e.g. acceptance or glorification), then, it seems reasonable to say that they also share the responsibility for the violence that is brought about. Endorsing attitudes (towards violence, for example) does not in and of itself represent a breach of some rules or regulations. Individuals or groups cannot reasonably be held

responsible for endorsing certain attitudes, by referring to rules and regulations alone (at least not in democratic societies). When it comes to accommodating preventive measures, including attitudes (emotion cultures), as a factor that plays an important role in promoting and facilitating doping cultures, we are able to put pressure on and hold responsible those individuals or groups of individuals who contribute to the creation of or identify with emotion cultures which make conducts such as violence acceptable. This need not necessarily involve establishing direct causal links between the actions of individuals and the outcome. Neither does such practice of responsibility assignment require that all the members of an athletic subculture be engaged in certain rule violating behaviour. Not all members of the Nazi party could be held responsible for the Holocaust in a strict sense: in the action-centred sense of responsibility aimed at identifying intentional agency and establishing direct causal links to harm. Nonetheless, they could be held responsible in the sense of participating in the promotion and the sustainment of the “emotion culture” which made anti-Semitism (or, discharging of anti-Semitic attitudes) seem acceptable. Subcultures within the sport community may lack intentional agency due to the lack of distinguishable decision-making procedures. Nonetheless, their members may be said to act in an environment altered and influenced by emotion cultures. Even if only a minority of individuals in a subculture are actually engaged in rule-violating behaviour, the emotion culture influencing athletes’ attitudes and behaviours still operates on a collective level.

Holding athletic subcultures responsible in the above sense is not to be understood as shifting the responsibility from individual athletes to the collective (the emotion culture). Rather, it entails complementing the responsibility of individual athletes by expanding the scope of their responsibilities. Individual athletes could not refer to emotion cultures as some sort of unconditional coercive locus influencing their actions or attitudes in a certain way. As argued in Study 2, individual athletes could influence and resist emotion cultures, by inducing affective experience on a collective level (page 10). Once we realise and appreciate individual athletes’ shared responsibility in sustaining and promoting emotion cultures, we may go on to assign responsibilities in accordance with their level of participation in this regard. For instance, while assigning higher responsibility to Lance Armstrong for promoting the doping culture during the Tour de France, in relation to his power and status within the sport community one might still assign responsibility to all those who contributed to the emotion culture which made attitudes towards doping behaviour acceptable. To return to the previous Nazi example, we might assign higher or more stringent responsibilities to main actors within the Nazi regime such as Goebbels or Eichmann, yet, we might also extend the scope of responsibility to include all the members of the Nazi party in the above sense in order to strengthen the preventive measures against the recurrence of such atrocities as Holocaust. The individ-

ual athlete, as a rational agent and a member of the sport (moral) community, should be assigned responsibilities, but the scope of his or her responsibility is to be extended to also include responsibilities shared with others in generating, sustaining and promoting emotion cultures which influence the behaviour of the individuals on a collective level.

Possible Objections

A major objection to the Strawsonian-inspired conception of responsibility embraced in this thesis is likely to be that it entails committing to some kind of relativist view of responsibility. It could be said that if, as suggested here, responsibility emerges within social practices and should be seen as an integral part of social interaction between participants, then there would be no external vantage point from which one could compare, judge or criticise particular practices of responsibility. The lack of universal standards of judgment would make the standards for practicing responsibility relative to the particular social practice. For instance, in Study 3, it is argued that strengthening the position of sports physicians within the hierarchy of sport management would enable them to assume prospective responsibilities in order to create changes in expectations regarding doping. One could argue that, given the lack of external standards, there would be disagreements about the exact nature of the sports physicians' responsibilities across different social practices.

However, the lack of an Archimedean vantage point or a set of overarching values that is external and independent in relation to particular social practices need not implicate relativism (in the sense of "anything goes"). Despite the lack of objective external overarching standards, there could still be grounds for judging and criticising practices of responsibility within different social practices. Assuming prospective responsibilities does not entail relinquishing basic overlapping responsibilities such as the responsibility not to cause harm, but to complement and enhance them. Furthermore, those participating in the social practices of sport should reflect on their responsibilities as participants, i.e., as members of the sport community. As such, they are committed to inherent values such as fair play, equal opportunity and sportpersonship, which have evolved within the athletic tradition and which form a shared ethos (see Loland & McNamee, 2000). Again, value standards underlying the practice of responsibility are a product of social interaction, but they are not fixed; they are subject to constant debate, reassessment and possible revision. Reciprocal non-coercive legitimate demands, claims and expectations existing within a social practice are not just directed towards individuals' conducts, but they could also target the social practice itself as a way to influence it. Moreover, one might (following Strawson) maintain that we cannot judge the practice of responsibility within a social

practice (e.g. a subculture) of which we are not a member or participant, since there is no point of reference external to the social practice in question. Still, in accordance with what has been previously been said about emotion cultures, it could be maintained that despite this limitation, one could assign responsibility *externally* to a subculture as a whole while allowing for rearrangements in the allocation of responsibilities to occur from *within* the subculture.

That said, responsibility might still take the “wrong” turn when the underlying social practice and its internal shared values such as fair play or equal opportunity are undermined. Due to this weakening, athletes, for instance, might begin to identify themselves with athletic subcultures as their initial social grouping. Furthermore, expectations within the social practice in relation to the roles that different actors play may become blurred, which may lead to uncertainties about appropriate conduct in given roles. This could lead to a situation where individual actors (athletes, physicians, coaches, etc.) might begin to exercise agency more or less *independently* of the underlying social practice. The broadening of the scope of agency and responsibility (by assuming prospective responsibilities) is dependent upon the skills in practical reasoning for coping with issues as they arise, but it should occur against the background of expectations and shared values. Nonetheless, many elite sports competitions might currently be seen as global phenomena, involving millions of people with different backgrounds (social, cultural, religious, ethnic, etc.), well beyond the local social boundaries. The doping behaviour of the so-called Fastest Men on Earth, Tyson Gay and Asafa Powell, is no longer merely a matter of local or national interest, but now engages the “global” sport community. This supports the argument that there is a promising possibility of an emerging discourse of sport ethics on a global scale, where we may attempt to understand alternative perspectives and to persuade and influence others through non-coercive negotiation and dialogue.

Future Works

As explained in the Method Section, the methodological approach embraced in this thesis includes the possibility of constant reassessment and revision of the theoretical framework against the background of fluctuations in underlying social practice, and the possibility that new ethical concerns may emerge. Developments in (bio-) technology may alter the social context, and thus also alter the demands and expectations of those involved in sports in relation to the doping phenomenon. In this regard, the discussions of this thesis are not conclusive.

Moreover, the need for more comprehensive empirical research about doping attitudes, and the power relations in the hierarchy of sports manage-

ment and between different interested parties is evident. The fans and athletic subcultures constitute important focus groups. The relation between fans and athletes, and their attitudes in this regard could provide vital information about dominating values in the current doping culture. However, there is an urgent need to develop methods and models of inquiry in surveying attitudes towards doping that are more reliable. In developing preventive measures in relation to the doping issue, affective and social dimensions of responsibility assignment outlined here could help. Stressing the social components of responsibility, the exact nature of the relatedness of interested parties (left out here, e.g. media, sport journalists) to the doping culture could be studied further.

Conclusion

I began my investigation by focusing on the ethical debates on doping. In the first study, I argued that underlying some of the ethical arguments both against and for doping, there are unsubstantiated and obsolete understandings of genetics. I concluded that bioethicists have a moral and professional responsibility to proceed from a up-to-date understanding of genetics. By being misinformed about empirical facts, bioethicists might contribute to the promotion of a hype surrounding genetic enhancement. Given that many athletes have little or no knowledge about genetics, this could have serious social consequences. The study also attempts to make a methodological point: in the case of doping, *good bioethics presupposes good empirics*.

In the second study, I attempted to investigate possible social processes that may influence athletes' responses to rule-violating behaviours such as doping. I argued that athletes do not act in a vacuum and that there are social dimensions to their doping behaviour. Developing the notion of emotion culture, it was argued that athletes' responses and attitudes towards doping behaviour could be influenced by affective processes that operate on a collective level beyond the individual athlete. Emotion cultures influence the attitudes of athletes by altering the environment in which they act. I concluded that paying attention to emotion cultures could provide a tool in dealing with the doping culture. Moreover, affect-based education could aid accommodating preventive measures in this regard.

The third study focused on arguments about cheating as being the most common reason underlying assigning responsibility to athletes in relation to doping. It was argued that common doping-as-cheating arguments fail to account for our moral responses to doping behaviour. Drawing on Strawson's participatory ethics, I attempted to develop an alternative account of cheating in sport, as the failure to manifest goodwill and mutual respect. It was concluded that viewing athletes as drug-cheats who act in a vacuum overlooks the complexity of the doping culture and its social dimensions.

In the fourth study, using the special case of sports physicians as an example, I argued that the individual-based legalistic approach to responsibility limits the scope of responsibility by excluding other actors who are involved in the doping culture. I pointed out the need for broadening the conception of responsibility and its scope vis-à-vis doping behaviour. Drawing on Strawson's account of moral responsibility and by incorporating the notion of prospective responsibility, I attempted to develop a theoretical framework

which would facilitate the extension of the scope of responsibility to include individual actors other than athletes. It was concluded that sports physicians could create and assume responsibilities as new ethical concerns emerge by developing their skills of practical reasoning.

Drawing on the above studies, I set out to broaden the conception of responsibility and its scope in relation to doping culture beyond individual actors to also include groups as wholes. I argued that, despite theoretical problems in assigning responsibility to informal groups such as athletic sub-cultures and the fans, people normally tend to assign responsibility to groups (e.g. the athletic subculture in bodybuilding for promoting the doping culture). It was further argued that theoretical problems in relation to assigning responsibility to informal athletic groups derive from adopting an action-centred conception of responsibility. It is not doping behaviours alone that promote doping culture, but also attitudes towards doping behaviour. By integrating the notion of *emotion culture* developed in the second study into the conception of responsibility, I argued that informal groups such as athletic sub-cultures could be assigned responsibility for facilitating emotion cultures which influence attitudes towards behaviours such as doping or violence, thus making them seem more acceptable. It was concluded that this would put pressure on groups within which emotion cultures are generated and sustained, and accommodate effective preventive measures regarding the transformation of the doping culture.

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Annelie: ♥

Arash, mamma och pappa: utan ert stöd skulle jag inte ha kommit så långt.
Stort tack!

Summary in Swedish – Sammanfattning

Den dopningskultur som idag tenderar att sprida sig utgör en fråga för både idrotten och för samhället. Normativa diskussioner om det etiska i fråga om dopning har huvudsakligen rört frågan om dess berättigande (d v s om det bör tillåtas inom idrotten eller ej och på vilka grunder) . Denna avhandling utgör ett försök att fästa uppmärksamhet på, och undersöka, vilken relevans och betydelse uppfattningar om ansvarsfrågan har i etiska diskussioner om dopning. Ansvar för dopning har huvudsakligen varit individbaserat och framför allt lagts på den enskilde idrottsutövaren. Följaktligen har individuella utövare hållits ansvariga för dopning och kommit att betraktas som fus-kare, som om de befinner sig i ett vakuum och kan fatta självständiga beslut om sina önskningar, strävanden och handlingar och som om de sällan eller aldrig agerar av tvång eller av andra former av yttre påtryckning.

Huvudargumentet i denna avhandling är att individbaserade uppfattningar om ansvar i dopningsfrågan är problematiska och otillräckliga för att handskas med den komplexitet som dopningskulturen utgör. Jag strävar efter att presentera en alternativ bild av frågan om ansvar i dopningsproblematiken baserad på social praxis, vilket bättre skildrar sättet vi upplever utövande av ansvar när det gäller dopning. Denna alternativa uppfattning erbjuder också betydande möjligheter att bredda och utvidga begreppet och också att utarbeta förebyggande metoder i denna fråga. Grundtesen är idén om att ansvars-tagande ofrånkomligen omfattar en social komponent på så sätt att både do-maren och den dömde måste ses stå i ömsesidig relation till varandra.

Sammanfattningsvis understryker avhandlingen behovet av att bredda be-greppet om ansvar i fråga om dopning och att utvidga ansvarsfrågan till att omfatta även andra aktörer än enbart idrottsutövarna, som på ett eller annat sätt är en del av dopningskulturen, (t ex tränare, idrottsläkare, beundrare, sponsorer, media, sportjournalister för att nämna några). Jag börjar med den gängse problematiken i dopningsfrågan (få skulle idag förneka att dopning är ett problem) och försöker förstå *varför* och *hur* vi tillskriver ansvar till olika aktörer i denna fråga.

Studie 1 tjänar två syften: *för det första* att peka på bioetikens mora-liska/professionella ansvar att utgå från en realistisk och tidsenlig syn på genetik i etiska diskussioner om ”genetic enhancement” och *för det andra* att peka på det angelägna i att kunniga bioetiker behöver grunda sig på välgrundad empiri. Diskussioner inom bioetik har direkt påverkan på den allmänna uppfattningen. Underförstått är att de flesta idrottsutövare ej har kunskap om

de risker ”gene doping”, eller andra former av dopning, medför, och att ogrundade antaganden som framförs i etiska diskussioner om dopning skulle bidra till den ”hype” som omger ”genetic enhancement”. Detta skulle kunna ha oönskade sociala följder då de påverkar beslutsfattare och allmänheten. Dessutom anförs som skäl att normativa påståenden som vilar på bristfälliga eller föråldrade empiriska antaganden, vare sig de är för eller emot dopning, skulle kunna vara ohållbara. Bioetiker har ansvar att förhålla sig mer kritiska till det empiriska materialet bakom sina antaganden.

Studie 2 betonar den betydelse emotioner har för reaktioner på dopningsbeteende. Attityder gentemot dopning spelar stor roll när det gäller att befämja dopning och har som sådan stor inverkan på det sätt vi har förståelse för ansvarsrollen. Bortsett från rationella grunder, utgör affektiva processer ett väsentligt element i attityder mot regelöverträdelser. Sådana känslöyttringar skulle kunna förstås som allmänt mänskliga reaktioner inför regelbrott. Än viktigare verkar de affektiva processer som utövar påverkan både på individ- som social nivå och som kan påverka beteenden och attityder hos individer. Slutsatsen är att fokus på regelbrott och sanktioner enbart på individnivå kan försumma det större sociala perspektivet och skulle på så sätt visa sig vara i långa loppet otillräckligt.

I Studie 3 används fallet med dopning som fusk för att fästa uppmärksamhet på det nödvändiga i att bredda ansvaret för dopning. En av de vanligaste förklaringarna som ligger till grund för frågan om ansvar och skuld, är att dopning är en form av fusk. Idrottsutövare som förklaras skyldiga till dopning benämns vanligen ”drogfuskare”. Det görs vanligtvis gällande att dopning är en form av fusk och således felaktigt eftersom det innebär a) regelbrott, och b) ”unfair advantage.” Med stöd i Peter Strawsons arbete försöker jag presentera en alternativ bild av fusk inom idrotten, nämligen uttryckt som avsaknad av god vilja och respekt.

I Studie 4 behandlas den specifika frågan om idrottsläkarnas ansvar angående dopning i ett försök att beskriva det teoretiska ramverk som kan bredda synen på ansvarsfrågan. Dopning är ett socialt fenomen och ett enögt fokus på enskilda idrottsutövare (eller idrottsläkare) förbiser samhällseliga faktorer som påverkar attityder gentemot dopning. Slutledningen är att dopning är ett komplext socialt fenomen som har lika komplexa orsaker. Inget givet ansvar hos yttre källor som kan förbättra situationen på något vis tycks existera för idrottsläkare. En förändring på detta område kan komma från idrottsläkare som tar på sig nytt ansvar vilket senare kan införlivas i de förväntningar som ligger i deras sociala roll.

I mina studier är mitt resonemang om ansvar huvudsakligen inriktat på *hur* och *varför* vi tillskriver ansvaret hos individuella aktörer. I avsnittet Diskussion gör jag ett försök att undersöka innebörden av de argument som presenteras i studierna 1-4 för att utveckla det vidgade begreppet *delat ansvar* hos grupper inom sportens värld. Jag diskuterar huruvida sociala grupper (sådana som subkulturer inom idrotten, supporters, sponsorer m fl.)

skulle kunna tillskrivas ansvar och, om så är fallet, hur och i vilken omfattning. Slutligen tar jag itu med den teoretiska ramverk som skulle göra det enklare att tänja ansvarsbegreppet till något bortom individen till att inkludera grupper i idrottsmiljöer. Jag hävdar att medvetenhet om den roll som dessa grupper spelar i sitt stödande av attityder gentemot dopning tvingar oss att rikta ansvaret åt det hållet. Slutsatsen är att ett vidgat ansvarsbegrepp som inkluderar olika grupper i samhället öppnar våra ögon och kan få till stånd en kulturell omsvängning i hela dopningsproblematiken och leda våra tankar bort från den enskilde individen enbart.

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