

regulate behavior within the constitutive framework of sport? A regulative rule is an ancillary dimension of sport. As such it should be subject to continual review and adjusted, when necessary, in the best interests of the athletes and others who constitute sport at the world-class level.

### **“Sport,” health, and harm to the athlete**

During the 1998 Tour de France erythropoietin (EPO) scandal, the distinguished former professional cyclist Robert Millar – fourth place finisher in the 1984 Tour’s “King of the Mountains” competition – described, in a widely distributed article published in the *Guardian*, the Tour’s physical toll on a cyclist.<sup>56</sup> “The riders reckon that a good Tour takes one year off your life,” he wrote, “and when you finish in a bad state, they reckon three years.”

You can’t divide the mental and physical suffering; you tend to let go mentally before you crack physically. ... Riding up one of the mountains on the Tour if you’re feeling bad is like being sick. ... The pain in your legs is not the kind of pain you get when you cut yourself, it’s fatigue, and it’s self-imposed. ... You can’t describe to a normal person how tired you feel; how can you describe feeling so tired you can’t sleep? ... I can understand guys being tempted to use drugs in the Tour. ... I don’t think it’s an isolated cycling thing, people just expect sport to be cleaner than real life.<sup>57</sup>

While Millar’s description of the grueling physical hardships high-performance cyclists experience is important, it is his need to convey this information to the public that is most significant. Millar recognizes that someone with real insider’s knowledge – someone who had endured a Tour – had to explain that world-class, high-performance cycling is far from a healthy ride in the park on a Sunday afternoon. Based on his own life experiences as a high-performance athlete, having interacted with many people from outside that life-world, he knew how little the public at large recognizes the semi-pathological character of high-performance sport. He knew how little the average fan understands athletes’ actual experiences. The mythology that high-performance sport produces healthy, virile bodies is powerful despite all of the evidence of injury and the long-term ill effects of chronic training regimes on athletes’ bodies.

The premise that sport and health are two sides to the same coin has an extremely long history, is deeply embedded in the notion of “sport,” and serves as a powerful ideological weapon in attempts to legitimate the proscription of particular performance-enhancing substances. The relation is so entrenched that Dubin claimed that one of the “true values of sport” was its ability to give pleasure while promoting “health and vitality.”<sup>58</sup>

Since sport is assumed to be healthy, a logical corollary is that possibly unhealthy substances and practices should be banned in the best interests of the athlete and of sport. The “best interests of the athlete” argument is, in fact, one of the longstanding justifications for the proscription of certain performance-

enhancing substances, which, coupled with Knud Jensen's death in Rome, motivated the IOC to prohibit certain drugs and practices. The logic for the action is straightforward: if, in its extreme, win-at-all-costs form, some athletes engage in behaviors and practices that endanger their own personal health, then those practices should be eliminated by people who have a better understanding and perspective from which to make that judgement. Prohibition protects the athlete's health and the fundamental unity of sport and health.

Millar's description of riders' experiences on the Tour suggests that the sport-health premise is false. Health is not the other side of the high-performance sport coin; world-class sport is work and it entails a number of deeply embedded occupational hazards and health risks that are integral to the undertaking itself. Rather than supporting the assumption that certain substances represent health risks, Millar suggests that it is the activity itself that is unhealthy. Before looking at the material conditions of high-performance sport that support Millar's position, there are some logical inconsistencies to address.

When most people think of sport and injury – the counterfactual condition of sport and health – they think of sports that appear to be inherently violent or dangerous. It is useful to begin with those sports, because they point beyond themselves to the more salient fact that it is the social construction of contemporary high-performance sport itself that is dangerous to athletes' health, rather than just certain sports that can be easily and readily classified as violent or risky.

In his analysis of violence and aggression in sport, Kevin Wamsley has demonstrated that vicious and aggressive behavior is not just "part of the game." Consistent with a theme that has run through this book, Wamsley argues that a true understanding of violence in sport requires the location of historically specific sporting activities within a nation's social and cultural history. Violence in North American sport, Wamsley documents, has many of its historical and cultural roots in the nineteenth century when men in the upper and newly emerging middle classes wanted to establish their personal and professional entitlement through new men's sporting clubs. "Through sport," Wamsley writes, "masculinity was tested through an on-field, rule-bound aggression where participants and spectators came to associate the male body with power and authority, tempered by the values of Christianity and a code of fair play."<sup>59</sup> Two factors were most influential in the association of the male body with power, authority, masculinity, and apparently natural aggression.

First, the physical contests of nineteenth century sport appeared, to most, to rest on the natural, biologically determined, physical strengths of the competitors. As a result, the natural, physical aggression that was entailed in, and arose out of, those physical contests also appeared to be a natural part of the game. The social construction of the contests was lost from sight in the apparently basic, biologically natural, dimensions of the contests. As the physical nature of the competition was viewed as an inherent product, the physical violence also appeared to be a natural element to the games themselves. Very quickly "rule-bound aggression" was accepted as a "natural" component of sport. Second, the idea that aggression and violence were natural parts of athletic contests became

more deeply entrenched as the sport forms were passed from one generation to the next. Over time, the historical and social roots of the games were completely ignored as the activities assumed an increasingly natural, transhistorical character.

Hockey in Canada serves as a good example of this process. Many Canadians view violence in hockey as a natural part of the game. Richard Gruneau and David Whitson, in their cultural history of hockey, have documented that violence in hockey – at the minor league, junior leagues, minor professional and NHL level – can be traced to nineteenth century traditions in which aggressive behavior was used as a means for boys and men to prove their masculinity and power in a world that was being increasingly regulated, “civilized,” and, in the minds of some, made effeminate. Sport was a male preserve where the “natural need” to express male aggression was permitted. Over time, ritualized, masculine aggression became naturalized as a basic component of hockey, and the historical roots of the game’s “unwritten code” fell out of the common cultural memory.<sup>60</sup>

Wamsley’s work indicates another reason that physical aggression and violence are accepted as natural elements in contemporary sport. Media coverage of sport provides viewers with a daily diet of the most graphic images connecting sport and violence. “[F]alls, hits, and catastrophic injuries are the mainstays of highlight packages for specialized sport channels and even ‘news’ stories on network television” Wamsley notes. Bone-jarring helmet to helmet collisions, clothesline and blindsides tackles in football, knockout punches on HBO fights, bean balls, concussion-causing body-checks and fights in hockey, “cart-wheeling, rag-doll spills in alpine skiing,” along with spectacular crashes in cycling and auto racing are common images in televised highlight packages, advertising segments, leaders and trailers for regularly scheduled, prime time television. The more spectacular or the more violent, the more it is replayed.<sup>61</sup>

The work of Wamsley, Gruneau and Whitson indicates that certain sports are violent and extremely dangerous, but it is certain performance-enhancing substances that are singled out for concern rather than the nature of many sports themselves. W. M. Brown has documented that there have been only a handful of deaths from drug misuse among athletes – and many of those were due to recreational as opposed to performance-enhancing pharmaceuticals – while there have been countless cases of serious injury and hundreds of deaths in sports such as football, boxing, cycling, downhill skiing and other sports that involve either aggressive physical contact or require the propulsion of the body through space at extremely high speeds.<sup>62</sup>

As risky as some sports are, there is an even more salient point to note: it is not only the sports where risk, aggression and violence are seen as natural that are the counterfactual examples of the “sport as health” binary. High-performance sport in its current socially constructed form potentially undermines the health of athletes – a reality that is much more profound than simply the fact that some sports, due to their particular objectives, appear to be health risks for athletes.

Millar’s description provides one instance of a sport which, even though there are some attendant risks to injury through crashes and other mishaps, is seen as a largely non-violent, non-aggressive sport. Cycling, like running, appears to be

among the healthiest undertakings an athlete could choose. But Millar writes that is not the case at all; taking part in the incredibly demanding rigors of the Tour de France – even in a good Tour – compromises the health and well-being of an athlete. What is true of the Tour also holds for the central demands of almost all high-performance sports today. Terry Roberts and Dennis Hemphill make the point in their description of the general conditions that constitute world-class, high-performance sport:

Whether essential, incidental or sought out, risks and dangers exist in progressive overload training and/or in confronting and attempting to surmount various sport specific, natural, human or mechanical obstacles and forces within the sport action itself. In an environment predicated on maximal effort and performance, risk and danger are essential and accepted elements.<sup>63</sup>

Risk and danger have become such central aspects of high-performance sport that the care and treatment of injuries is a taken-for-granted aspect of all world-class athletes' training environments. This was not always the case but, as Ivan Waddington's work demonstrates, sports medicine has, since the development of the first post-secondary sports medicine curriculum in Germany in the 1920s, become a well-established component of high-performance sport in the modern world.<sup>64</sup> In the wake of the intensification of the demands on athletes from the 1952 Games onwards, the idea "that athletes require routine medical supervision, not because they necessarily have a clearly defined pathology but, in this case, simply because they are athletes" has become firmly entrenched in high-performance sport.<sup>65</sup>

Given the manner in which athletes' medical needs for treatment have grown in both the scale of treatment required as well as the seriousness of the injuries treated, the claim that high-performance sport and health are two sides to the same coin can no longer be maintained. Along with that realization, the logical corollary that the proscription of certain performance-enhancing substances and practices will ensure the health and safety of world-class, high-performance athletes must also be abandoned. While performance-enhancing substances have been singled out for special scrutiny and prohibition under the "harm to the athlete" argument, it is the larger dangers and risks of high-performance sport itself that need to be examined if, indeed, one wants to try to legislate specific protections to ensure the health of high-performance athletes.<sup>66</sup> This conclusion leads directly to the issue of paternalism and the need for others, in "a better position than the athletes," to legislate protections since sport, in and of itself, can no longer be regarded as a healthy activity.

### **Paternalism, protection, and athletes' welfare**

Paternalism is "the interference with a person's liberty of action justified by reasons referring exclusively to the welfare, good, happiness, needs, interests or values of the person being coerced."<sup>67</sup> Paternalistic protection is usually regarded

ethical argumentation. In this instance, however, it asks what lies at the bottom of the slope once one accepts a ban on substances to protect athletes' health that is of concern. Elite rowing coach Charles Erlich does not believe that performance-enhancing substances belong in high-performance sport. He opposes their use and counsels against them. But when his pairs crew was tested for banned substances at a "fun little Fall regatta" in Sursee, Switzerland in October 2000, he asked himself "where do we draw the line" in sport?

If we ban elicit drugs because of health detriments, we then make the next step to banning drugs which merely enhance performance but do no known long-term damage to most people, and from there we can hit blood doping and other similar fool-the-body techniques. What next, though? Do we stop altitude training? Do we limit the number of hours anyone can train in a week? Do we limit the equipment people can use (should we say only hand-made equipment made from natural substances – wooden boats and oars, anyone?). I think it is a slippery slope.<sup>95</sup>

The contradictions, paradoxes and myths of "healthy" sport must be fully confronted before a truly rational analysis of performance-enhancing substances and practices – banned or otherwise – is made. The true nature of high performance sport as it has evolved throughout the twentieth century and into the twenty-first must be acknowledged. The specific events that have developed within the Olympic Movement's last hundred years have led to the unqualified zeal for victory and record breaking performances, conducted by full-time, professional athletes for whom training and competition form an all-encompassing, year-round vocation. Most important, victory and the conquest of the linear record have become the Movement's fundamental principles. The "ethics" of banned substance use must be placed fully within the context of that history and reconsidered in terms of the Movement's changed practices and principles.