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# Athlete Agency and the Spirit of Olympic Sport

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*ABSTRACT: A debate has arisen over whether “the spirit of sport” is an appropriate criterion for determining whether a substance should be banned. In this paper, I argue that the criterion is crucial for Olympic sport because Olympism celebrates humanity, specifically human agency, so we need to preserve the degree to which athletes are personally and morally responsible for their performances. This emphasis on what I call “athlete agency” is reflected metaphysically in the structure of sport, which characteristically prescribes inefficiencies in order to create challenges, and seeks to reduce or eliminate the proportion of a performance outside an athlete’s control. Emphasizing athlete agency also prevents wealthier and more technologically developed countries from using their resources to gain an advantage in sport. Interpreted according to athlete agency, the World Anti-Doping Agency’s (WADA) “spirit of sport” can be clarified to imply that substances, techniques, and equipment that reduce athlete agency should be reduced or eliminated, while things that increase it should be encouraged.*

KEYWORDS: Olympism, doping, technology, spirit of sport

## Introduction

Imagine a common college student who has not done his homework facing the following pop quiz:

Why is doping banned from Olympic sport?

- A. Because it improves sport performance
- B. Because it poses a risk to the athlete's health
- C. Because it violates the spirit of sport
- D. All of the above
- E. None of the above [write in the correct reason]

Working on process of elimination, the student immediately crosses out option A because almost everything an athlete does is dedicated to improving their performance; improved performance clearly is what sport is all about. He recalls from an earlier lesson that the Olympic motto is “Faster, Higher, Stronger,” so he crosses out option C, since it is hard to imagine what the “spirit of sport” could mean if it rules out improving performance. Next, “All of the above” can be eliminated just by logic since A and C are false. That leaves B or E. It makes sense to protect athlete safety, but many sports are already risky and some banned substances actually contribute to an athlete's health or healing. The answer, our imaginary student concludes, must be “None of the above,” and the correct reason must be marketing or tradition or just because the International Olympic Committee (IOC) are a bunch of naïve idealists who do not understand modern sport.

After more than twenty years of teaching undergraduates, I find this scenario completely plausible. I also know the correct answer to the question is D, “all of the above.” As a scholar of Olympic Studies and the philosophy of sport, however, I realize that this hypothetical student's reasoning is not far off from that of my colleagues. It is for this reason that I finally entered the doping debate with an invited response to an excellent article by Loland in the *American Journal of Bioethics*.<sup>1</sup> Loland's article attempts to distinguish between morally acceptable and unacceptable means of performance enhancement by appeal to a biological distinction between training and doping.<sup>2</sup> While agreeing in principle with Loland's argument, I contended that such distinctions carry little moral weight in a community driven by what I call the “Efficiency Ethos”—a set of values that privileges a quantitative understanding of athletic performance.<sup>3</sup> “If, under the Efficiency Ethos, the spirit of sport just is perfecting performance through any legal means necessary,” I wrote, “talk about substances like EPO violating this spirit begs the question.”<sup>4</sup> It seems to me that since inefficiency is inherent to the metaphysical nature of sport, no special justification is needed to add performance enhancers to the list of efficiencies banned.<sup>5</sup> From the perspective of the Efficiency Ethos (and that of our hypothetical student), however, this argument also begs the question of what the “spirit of sport” truly is. In what follows I will argue that the WADA's spirit of sport criterion can be clarified in such a way that it not only appeals to moral intuitions and Olympic ideals, but also offers criteria capable

of commanding moral authority in a community dominated by the Efficiency Ethos. The concept I propose for doing this is athlete agency.

### The Perils of Precision

The only people who disagree that WADA's spirit of sport criterion needs clarification are those who believe that it should be eliminated altogether, leaving enhancement and health risk as the only criteria for whether the use of a substance or technique should be prohibited. This is more or less the opinion of Henne, Koh, and McDermott, and they are far from alone.<sup>6</sup> Kornbeck argues that the spirit of sport is irretrievably subjective.<sup>7</sup> Waddington et. al. complain that the criterion is vague, "as is apparent from the fact that almost all of [the criterion's] eleven descriptors are compatible with doping. And those that are not, are not compatible with elite sport either."<sup>8</sup> That last comment paints a rather jarring picture of sport, given the eleven descriptors in question:

1. Ethics, fair play and honesty
2. Health
3. Excellence in performance
4. Character and education
5. Fun and joy
6. Teamwork
7. Dedication and commitment
8. Respect for rules and laws
9. Respect for self and other participants
10. Courage
11. Community and solidarity

The point here is not that ethics, honesty, and respect for the rules do not matter, however, but rather that using certain substances (and Henne, Koh, and McDermott here have in mind recreational drugs like marijuana) is only unethical in the first place because it is against the rules. Geeraets, meanwhile, contends that "values like courage make no sense as criteria" for what constitutes doping in the first place.<sup>9</sup> As McNamee pointed out in 2013, however, "values characterize an ideal, they do not provide a definition or description."<sup>10</sup>

In seeking clarification of the spirit of sport, furthermore, we must be careful what we wish for. As the sad history of Olympic "amateurism" reveals, the attempt to codify an Olympic ideal can easily backfire. The very clear rules designed to keep Olympic sport from being about money, arguably had the effect of doing the exact opposite of what they were supposed to. Amateur codes were also used both to slip social biases into rules supposed to be about sport and to preserve the athletic

advantages enjoyed by the upper classes.<sup>11</sup> Keeping in mind the danger that comes with leaving room for interpretation, however, I believe that a certain amount of vagueness is needed to avoid legalism and allow for effective judgment. Indeed, it is circular to use “respect for rules” as a reason why something should be against the rules, and Geeraets is right to ask for a criterion that can be “properly applied.”<sup>12</sup> Recently, McNamee and Loland have proposed a solution that eliminates the eleven descriptors, agreeing with others that they do not enhance the selective power of the criteria.<sup>13</sup> I agree that the task should be to achieve a coherent understanding of the spirit of sport that reliably guides judgment—not to eliminate the criterion or reduce it to a formula.

I suggest that we begin that process not by nitpicking the list of descriptors of the spirit of sport, but rather by examining the preamble to that list in the “Fundamental Rationale for the World Anti-Doping Code”: “Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as ‘the spirit of sport.’ It is the essence of Olympism, the pursuit of human excellence through the dedicated perfection of each person’s natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport.”<sup>14</sup> I think there are three key ideas worth analyzing here. First, the idea of *intrinsic value*; second, the emphasis on *humanism* (human excellence, human spirit); third and most important, the statement that the spirit of sport is *the essence of Olympism*. To better understand what the intrinsic values of sports are, we should examine their metaphysics. To honor the emphasis on humanism, we should focus on sport’s most human element, which I will describe as “agency.” And to unpack the essence of Olympism, we should turn to the Fundamental Principles of Olympism as stated in the Olympic Charter. By examining these three notions in reverse order, I will demonstrate that the spirit of sport may be better applied as a criterion by maximizing the proportion of sport performance attributable to athlete agency and minimizing extrinsic factors, including wealth and access to technology.

## The Essence of Olympism

The first Fundamental Principle of Olympism has endured for decades with minimal change. In the 2018 Olympic Charter, it reads:

Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example, social responsibility and respect for universal fundamental ethical principles.<sup>15</sup>

In my 2015 analysis of Olympism as a philosophy, I concluded that “Olympism is a philosophy of what can be achieved through sport, rather than a philosophy of sport *per se*.”<sup>16</sup> As the second Fundamental Principle of Olympism makes clear, what it wants to achieve is irreducibly humanistic: “The goal of Olympism is to place sport at the service of the harmonious development of humankind, with a view to promoting a peaceful society concerned with the preservation of human dignity.”<sup>17</sup> It is not stated precisely what this human development entails, but that is appropriate since the concept has to be flexible enough to serve a global movement that takes itself to be multicultural rather than hegemonic. I think it is very clear, however, that “human development” in the context of Olympism is *not* to be equated with “human performance,” understood in terms of quantified athletic achievement, such as running a four-minute mile or setting a world record. Such feats, in and of themselves, have little social value. As stated in the first fundamental principle, the human development sought by Olympism is characterized by “a balanced whole [of] body, will and mind,” and it is to be achieved through “a way of life based on the joy of effort.”<sup>18</sup> Furthermore, it has a distinctly social dimension that entails respect for ethics, responsibility, and human dignity.

It is also very clear that we are not just talking about sport here, and worth noting that these human ideals apply not just to athletes, but to “all individuals and entities” in the Olympic Movement, as stated in the third fundamental principle.<sup>19</sup> Every athlete, coach, administrator, official, bureaucrat, and sponsor is expected to keep the global humanistic goals of Olympism in mind as they make their daily choices—as they chose their “way of life.” And they are expected to be aware of “the educational value of good example,” a concept which implies the educational danger of a bad example. This idea reflects Jean-Paul Sartre’s ethical insight that in choosing for myself, I chose for all humankind.<sup>20</sup> The way we live our lives makes a statement about how we think human life should be lived. The social impact of our ethical choices is so unavoidable, thought Sartre, awareness of it causes nausea—the kind of nausea an Olympic athlete may experience in sport. The crucial point, however, is that Olympism *is not* primarily concerned with athletes or sport; it is concerned with humanity and with international community.

So how can the spirit of sport be the essence of Olympism if Olympism is not primarily about sport? As I concluded in my 2015 analysis, Olympism is less a philosophy of sport than a philosophy of *what can be achieved through* sport.<sup>21</sup> Sport is the *means* by which the Olympic Movement tries to realize its humanistic goals, and, as we shall see, the metaphysics of sport provides the clues for how Olympism’s humanitarian goals may be achieved.<sup>22</sup> To those, such as McNamee and Loland, who say that Olympism should be removed from the WADA code because it does not represent a universal view and not all sports are Olympic sports, I reply that Olympism’s articulation of the social purpose of sport underpins the moral authority

of the code.<sup>23</sup> The crucial thing we learn from understanding WADA's spirit of sport criterion as a distilled form of Olympism is that it is about human beings and not athletic performance; about global community and not just sport.

### **Spirit of Sport and Athlete Agency**

It makes sense to describe Olympism as the spirit of sport even if every sport is not part of the Olympic Games because the metaphysical structure of sport itself supports Olympism's emphasis on humanity and community. In his 2002 book, *Fair Play: A Moral Norm System*, Loland develops a whole list of moral norms that can be derived from the structure of sport. Fundamental among these is "Equality of Opportunity," which is conveniently symbolized by such ubiquitous features of sport structures as a common starting line, changing sides of a court halfway through the contest, or requiring contestants to use comparable equipment. The purpose of these is to compensate for what Loland calls "irrelevant inequalities," that give one competitor an advantage over the other.<sup>24</sup> If, for example, a football field runs slightly uphill, the advantage of attacking the downhill goal can be equalized by switching sides at the half. In cases where it is impractical for all competitors to use identical equipment, for example because it is adapted for different biological characteristics like height and weight, that equipment is regulated to prevent a competitive advantage. Even in the case of biological differences, such as sex or body size, different classes of competition are organized to compensate.

It should be observed that the inequalities Loland calls "non-relevant" are quite relevant to athletic performance. Height and mass may provide an advantage in many sports, as do biological sex characteristics, so measures, usually classifications, are made to compensate for them. High performance sports equipment, meanwhile, is marketed and coveted for the athletic advantage it provides, even as the rules try to minimize such advantages. I often hear of cycling equipment that will "save watts" in competition. The claim here, of course, is not that the athlete will actually produce more watts when they use that equipment, but rather that their quantitatively measured performance will be equal to someone who produces more watts but lacks the advantage provided by the bearing cartridge, aerodynamic helmet, or whatever it is. Most sports' rules regulate or compensate for such advantages because, despite the marketing rhetoric, they are irrelevant to sport in the same way certain biological differences are.

I believe that what is behind the moral intuition that these inequalities should be regulated or banned is the fact that they account for a portion of the athlete's "performance" that is not a product of her own agency, and as such they do not contribute to the *human* development sought through sport by Olympism. In my 2018 response to Loland, I illustrated this idea as follows. Imagine everything that goes

into an athletic performance depicted on a pie chart. Some things, such as strength and endurance acquired through training, are a product of the athlete's personal agency. Others, including what Loland calls "biological background conditions and constraints" (such as an athlete's genetic profile) are not a product of her agency.<sup>25</sup> Applying that model to Michael Phelps's performance at the Beijing Olympics, we might say that factors such as strategy and stroke efficiency, which were a product of training and experience, made a legitimate contribution to his victory, whereas the efficiency provided by his hydrodynamic bodysuit (since banned) did not because it *actually reduced the proportion of the performance attributable to the athlete's agency*. I argued that Phelps's victories gained their value from the proportion of the performance that was, in Loland's words, "the unique expression of an individual," and not his access to external resources like the suit.<sup>26</sup>

The distinction between the proportion of the performance derived from athlete agency and the proportion derived from extrinsic factors is important because we *praise* Olympic victors for their athletic performance. In moral theory, praise and blame are appropriate only to the extent that a person is *morally responsible* for the act in question. In the words of ethicist Andrew Eshleman, "to be morally responsible for something, say an action, is to be worthy of a particular kind of reaction—praise, blame, or something akin to these—for having performed it."<sup>27</sup> In Olympic sport, we single out athletic victors for ceremonial honors, lavish them with rhetorical praise, and interview them about their accomplishments. In short, we exhibit the three characteristic behaviors that indicate an assumption of moral responsibility: applying ethical predicates such as "good," or "courageous;" displaying "reactive attitudes" such as gratitude, respect, and indignation; and expecting agents to explain their achievements.<sup>28</sup> Those who would separate virtue from victory in sport must be prepared to forgo the moral adulation (and perhaps the financial reward) that goes with it.

The moral responsibility associated with athletic victory assumes what I call *athlete agency*—the idea that the athlete herself is the primary cause of her performance. The concept is a variant of human agency, which can be defined as the ability to act with certain intentions and/or to be the cause of certain outcomes.<sup>29</sup> Metaphysically speaking, the concept of human agency is fraught—attached as it is to such perennial problems as free will and intentionality.<sup>30</sup> However, we need not resolve these philosophical puzzles to connect the athletic concept of deserved victory with factors under an athlete's control.<sup>31</sup> The intuition implied by the principle of equal opportunity, a fundamental feature of the metaphysics of sport itself, is that we want *as much as possible* for the athlete himself to be the cause of his own performance because this is what makes him worthy of praise or blame.<sup>32</sup>

Let me pause my argument for a moment to address some anticipated challenges to the idea of athlete agency I am promoting here. Critics will say that the



decision to take drugs may also be an act of athlete agency, maybe even athletic virtue, as long as it is voluntary and informed. The proportion of my performance due to my choices of equipment, supplements, or drugs is just as human as the proportion due to training and healthy diet; it is only the pre-existing ban on such substances and measures that casts moral derision on them.<sup>33</sup> I grant that performance enhancing substances and techniques are the product of human beings, that athletes may choose to adopt them freely and intentionally, just as they choose to adopt a certain strategy, and that sports are set up to reward superior athletic performance. There is a distinction, however, between EPO being a product of human ingenuity and the athlete's performance being, as much as possible, a product of their own agency.<sup>34</sup>

The idea behind athlete agency is for the athlete herself to be the direct and active cause of her athletic performance; her decision to use EPO, even if informed and voluntary, makes her at best an indirect cause of the proportion of her performance that is attributable to the increased hematocrit caused by the drug.<sup>35</sup> Even when the technology in question *is* the product of the same athlete's engineering skill and creativity, as was the case with cyclist-engineer Graeme Obree's hour-record in cycling, the performance advantage gained by it was due to increased aerodynamic efficiency, not the athlete's agency.<sup>36</sup> Let me illustrate with a thought-experiment. Imagine the record-setting Obree racing against himself on a normal bike in a legal position and winning by 30 seconds. That margin of victory would be attributable not to the athlete—who in this thought experiment is identical to the athlete he defeats—but rather to the advantages provided by his equipment. The principle of athlete agency seeks to reduce or eliminate such advantage and maximize the extent to which the athlete is the direct and active cause of his performance.

### Spirit of Sport and Inefficiency

To reiterate, the spirit of sport, understood as the essence of Olympism, envisions athletic competition as a means to the end of personal and social human development. As such, its goal is not to achieve ever-improved sports performances, but rather ever-improved people and communities. To achieve such social goals, sport must emphasize athlete agency. The Olympic motto, *citius, altius, fortius* (faster, higher, stronger) may “express the aspirations of the Olympic Movement,” as it says in the Olympic Charter, but it is not part of the Fundamental Principles of Olympism and does not describe the Olympic Movement's goals.<sup>37</sup> If the goal of Olympic sport was really to see how high a person can go, it would allow the use of rocket ships. As it is, Olympic contests adjudicated according to height limit the use of technology to vaulting poles, and only then because that event presents a distinct set of challenges from the high jump. As a matter of fact, limitation of

performance-enhancing technology is embedded into the fundamental nature of sport.<sup>38</sup> As Bernard Suits observed decades ago, sports are essentially “the voluntary attempt to overcome unnecessary obstacles,” where “rules prohibit use of more efficient in favour of less efficient means.”<sup>39</sup> The reason that technological efficiencies that reduce athlete agency are discouraged or even banned in sport is that prescribed inefficiencies create challenges, which push human beings to improve themselves—and not just in terms of athletic performance.<sup>40</sup> Given that human improvement is the goal of Olympism and therefore the spirit of sport, the *inefficiencies* of sport must be preserved.

The problem with performance-enhancing technologies, fundamentally, is that they attempt to overcome a sport’s prescribed inefficiencies by some means other than the human virtues those obstacles were intended to stimulate.<sup>41</sup> The sport says I have to get from A to B as quickly as possible, then proscribes any means more efficient than travel by foot. If I put plastic springs in my shoes or ingest a substance that allows my blood to carry more oxygen than it normally would, I may complete my task more efficiently, but I will not have achieved any higher level of the human development sought by Olympism, even if I win. In fact, insofar as my margin of victory is due to some factor other than the human development sport is supposed to encourage, I may deprive a competitor more deserving of the victory in terms of moral responsibility. Indeed, in sports long associated with doping, like professional cycling, victory can be as much a cause for moral suspicion as it is for moral praise. And often the moral suspicion is not specifically that the cyclist broke the rules, as the boos directed at Chris Froome the 2018 Tour de France illustrate.<sup>42</sup> Such moral suspicion and reluctance to praise certain cases of athletic success derive from the idea that something other than athlete agency is accounting for victory. It also illustrates the fact that victory reaps much (if not all) of its popular value from its association with virtue.

Although the “spirit of sport” should be used as a criterion to determine which techniques and substances should be legal to use, it is not itself a matter of legality. In other words, a substance or technique does not comply with the spirit of sport by virtue of its being legal, the way Froome’s use of Ventolin was legal if it stayed under the predetermined threshold for therapeutic doses.<sup>43</sup> This is why abolitionists are wrong when they claim that the moral problems associated with doping will be eliminated if the ban is simply lifted. Participants in the social practice of sport tend to have similar moral intuitions about illegitimate means of performance enhancement; even convicted dope-cheats affirm the same intuition when they point out that they still had to train as hard as their competitors, or claim to have been coerced by the belief that their competitors were doping so this was the only way to “level the playing field.” A similar moral intuition applies to equipment. I remember Greg Lemond saying in a personal interview, “the cyclist who won the race would still have

won even if he was riding the last placed rider's bike." The fact that his statement conflicts with the logic of sports equipment marketing, including ads that Lemond himself was appearing in at the time, may help to explain why the principles of inefficiency and equality of opportunity embedded in the very structure of sport, are so easily forgotten or overlooked. Efficiencies threaten the spirit of sport by undermining athlete agency.

### **Spirit of Sport and Accessibility**

The expense and exclusivity of high-tech performance enhancers highlights another overlooked aspect of the spirit of sport: accessibility. Every athlete has equal access to her own agency (so to speak), but not every athlete has equal access to external resources that improve performance. Recalling that the Olympic Movement is global, and that the goal of Olympism is not just individual human development but "promotion of a peaceful society," rules makers need to be especially sensitive to performance advantages that can be bought. Huge economic disparities among countries and individual athletes routinely threaten the principle of Equal Opportunity and undermine the ideal of athlete agency. The same is true of technological innovations that are provided exclusively to one athlete or team. The notion of being able to buy an advantage helps to fuel the sponsorship economy in many modern sports, but it is contrary to the "spirit of sport" understood Olympically. Most sports, like cycling, have rules that prohibit the use of equipment that is not available on the consumer market. Others, such as bobsleigh, allow proprietary equipment. Olympic sailing, meanwhile, uses strictly defined classes that all but eliminate performance differences between boats thereby increasing the proportion of the performance due to athlete agency.

Indeed, the sport of sailing provides a good illustration of the reasons why Olympic sport, at least, should limit performance aids to resources widely available across the globe. The America's Cup may be more prestigious than Olympic sailing races, but that event allows—even emphasizes—boat design and engineering. As a result, only the wealthiest and most technologically advanced teams are able to compete.<sup>44</sup> In their long history, which goes all the way back to the eighth century BCE, the Olympic Games have witnessed repeated attempts by the upper classes to use their wealth and privilege to gain advantages in sport. In ancient Greece, for example, after lower-class athletes began winning victories in "gymnic" events like running and wrestling, the elites introduced equestrian events—in which the owner of the horse received the victor's wreath—in order to preserve their access to victory.<sup>45</sup> The current push to allow performance-enhancing technologies in sport in the name of such "human" values as freedom and autonomy, appears to me to be motivated rather by wealthier and more technologically advanced nations

attempting to exploit those advantages in the Olympic Games and other sports.<sup>46</sup> The Olympic Movement can promote athlete agency and the spirit of sport in an international context by emphasizing basic, widely accessible sports like running and soccer, while minimizing the effect of economic advantage in sports like sailing, cycling, and bobsleigh.

The Olympic Movement may never be able to define the spirit of sport in a way that allows for easy application. In fact, efforts to codify such a concept may well lead to disaster, as with the aforementioned case of “amateurism.” We *can* make an effort to better understand and clarify it, though, and that is what I am trying to do in this paper. I think that confusion about the spirit of sport criterion derives from a lack of interest in Olympism and a lack of perspective about the objectives of the Olympic Movement and of sport itself as a human practice. The spirit of sport is not just about doping, rules, or sport—it is about promoting human agency by preserving inefficiency and providing accessibility. A good way to apply the spirit of sport criterion is simply to prohibit substances and techniques that decrease the proportion of athletic performance attributable to the athlete’s agency and to permit and even encourage things that increase that proportion.

Obviously, my clarification of the spirit of sport in terms of athlete agency does not provide the kind of sharp definitional boundaries that make regulation (as well as gaming the system) easy. Decisions about individual techniques and substances will need to be made by a committee of judges with experience and knowledge of sport and its history. For example, we might perform my thought experiment in which an athlete competes against herself to determine whether an energy drink undermines athlete agency and conclude that it does because she runs a marathon ten seconds faster than she would have consuming only water; we might even conclude that water undermines athlete agency compared to nothing. A knowledgeable committee using all three of WADA’s criteria, however, is very unlikely to consider the drink a sufficient threat to athlete agency to justify its ban. The spirit of sport is one of three *criteria* for deciding what should be banned, not a strict definition. My hope is that understanding the spirit of sport in terms of human agency will help rules committees justify the bans on things that threaten the values that underpin Olympic sport.

## Conclusion

I admit that my understanding of the spirit of sport in terms of athlete agency, combined with my claim that modern sport is dominated by an “Efficiency Ethos,” may seem apocalyptic. But I am not at all a nihilist when it comes to sport and its spirit. I believe that sport is a great teacher of its own intrinsic value, especially for those who participate in it. This is why most athletes understand that technological

efficiency may sell products, but it also undermines sport's values and threatens the crucial connection between victory and virtue. Even with the all the ills that sport in general and the Olympic Games in particular have experienced in the last century or so, both remain an important part of modern life. Perhaps they are so familiar now that we no longer feel the need to question their purpose or aspirations. We may even wonder why modern societies push for ever more social liberty while insisting on draconian rules in sport. At least, I hope we wonder. Because it's only by wondering about the nature and purpose of sport and the Olympic Games that we can open ourselves up to the answers, which happily can be found embedded within them.

### Acknowledgments

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### Notes

1. Sigmund Loland, "Performance-Enhancing Drugs, Sport, and the Ideal of Natural Athletic Performance," *American Journal of Bioethics* 18, no. 6 (2018): 8–15.
2. That distinction was made in Sigmund Loland and H. Hoppeler Loland, "Justifying Anti-Doping: The Fair Opportunity Principle and the Biology of Performance Enhancement," *European Journal of Sport Science* 12, no. 4 (2012): 347–53.
3. Heather Reid, "Why Olympia Matters for Modern Sport," *Journal of the Philosophy of Sport* 44, no. 2 (2017): 159–73.
4. Heather Reid, "Responsibility, Inefficiency, and the Spirit of Sport," *American Journal of Bioethics* 18, no. 6 (2018): 22–23.
5. On inefficiency as inherent to the metaphysical nature of sport, see Bernard Suits, *The Grasshopper: Games Life and Utopia* (1978; Peterborough, ON: Broadview Press, 2005), 37. Heather Reid, *Introduction to the Philosophy of Sport* (Lanham, MD: Rowman & Littlefield, 2012), 110–12.
6. Kathryn Henne, Benjamin Koh, and Vanessa McDermott, "Coherence of Drug Policy in Sports: Illicit Inclusions and Illegal Inconsistencies," *Performance Enhancement and Health* 2, no. 2 (June 2013): 48–55.
7. Jacob Kornbeck, "The Naked Spirit of Sport: A Framework for Revisiting the System of Bans and Justifications in the World Anti-Doping Code," *Sport, Ethics and Philosophy* 7, no. 3 (2013): 313–30.
8. Ivan Waddington et al., "Recreational Drug Use and Sport: Time for a WADA Rethink?," *Performance Enhancement & Health* 2, no. 2 (2013): 43n3.
9. Vincent Geeraets, "Ideology, Doping and the Spirit of Sport," *Sport, Ethics and Philosophy* 12, no. 3 (2018): 258.
10. Mike McNamee, "The Spirit of Sport and Anti-Doping Policy: An Ideal Worth Fighting For," *Play True: An Official Publication of WADA* 1, no. 1 (2013): 14–16.
11. For a brief argument, see Heather Reid, "Amateurism is Dead: Long Live Amateurism," *The Olympic Idea Nowadays*, ed. D. Chatziefstathiou, X. Ramon and A. Miragaya

- (Barcelona: Centre d'Estudis Olímpics i de l'Esport Universitat Autònoma, 2016), 61–63. For a full history of amateurism, see Matthew P. Llewellyn and John Gleaves, *The Rise and Fall of Olympic Amateurism* (Urbana: University of Illinois Press, 2016).
12. Geeraets “Ideology,” 259.
  13. Sigmund Loland and Michael J. McNamee, “The ‘Spirit of Sport,’ WADAs Code Review, and the Search for an Overlapping Consensus,” *International Journal of Sport Policy and Politics* 11, no. 2 (2019): 325–339.
  14. World Anti-Doping Agency, *World Anti-Doping Code: 2015 with 2018 Amendments* (Montreal: WADA, 2018), 14.
  15. International Olympic Committee, *Olympic Charter in force as from 9 October, 2018* (Lausanne: IOC, 2018), 11.
  16. Heather Reid, “Olympism: A Philosophy of Sport?,” in *Routledge Handbook of the Philosophy of Sport*, ed. Mike McNamee and William J. Morgan (Abingdon, UK: Routledge, 2015), 379.
  17. IOC, Olympic Charter, 11.
  18. Francisco Javier Lopez Frias, “Unnatural Technology in a ‘Natural’ Practice? Human Nature and Performance-Enhancing Technology in Sport,” *Philosophies* 4, no. 3 (2019): 35. <https://doi.org/10.3390/philosophies4030035>, argues that “effort” amounts to a code word for a particular philosophy of sport, which resulted from the secularization of the Protestant ethic and may be incompatible with other conceptions of sport. In this paper, I am analyzing a specifically Olympic conception of sport and I believe its emphasis on effort and excellence are actually traceable to ancient Greek ideals.
  19. IOC, Olympic Charter, 11.
  20. Paraphrased from Jean-Paul Sartre, “The Humanism of Existentialism” in *Existentialism from Dostoevsky to Sartre*, ed. Walter Kaufman (New York: Meridian Books, 1975), 292. Sartre’s responsibility point is also quoted by David Cruise Malloy, Robert Kell, and Rod Kelln, “The spirit of Sport, Morality, and Hypoxic Tents: Logic and Authenticity,” *Applied Physiology, Nutrition and Metabolism* 32 (2007): 293. For a fuller discussion of Sartre’s ethics in relation to sport, see Heather Reid, *The Philosophical Athlete* 2nd ed. (Durham, NC: Carolina Academic Press, 2019) 132–34.
  21. Reid, “Olympism,” 379.
  22. The ancient Olympics started as a religious festival that allowed warring tribes to worship common gods, but the practice of athletic competition had the unexpected effect of helping them to overcome social differences, to unite for common causes, and to perfect themselves as human beings. The ancients did not even measure athletic performance, except by marking the distance of a jump with a pebble so it could be compared to the next jump. The only records they kept were the number of victories in a given career. When the modern founders revived the ancient Games in the nineteenth century, they were aiming at peace and human development—not human performance.
  23. Loland and McNamee, “Spirit of Sport,” 9: “Olympism has been the object of considerable critical scholarship. It is not a timeless essence of certain sports forms, nor is it a publically shared view, but rather a socially and historically conditioned ideal that finds its specificity in several different conceptions. The WADC, with the aim of being a global and harmonised anti-doping tool, seems an inappropriate instrument in which to articulate a singular vision of ethical sport.” Olympism does admit of multiple conceptions, but I argue that this flexibility is important for its multicultural goals and that sport itself provides sufficient common ground for making ethical distinctions, such as the ban on doping. See Reid, “Olympism,” 378. Those, such as Julian Savulescu, who argue that doping is compatible with an ethical approach to sport, generally overlook Olympism

- and its social goals. See, for example, J. Savulescu, B. Foddy, and M. Clayton, "Why We Should Allow Performance Enhancing Drugs in Sport," *British Journal of Sports Medicine* 38 (2004): 666–70.
24. Sigmund Loland, *Fair Play: A Moral Norm System* (London: Routledge, 2002), 46–60.
  25. Loland, "Performance-Enhancing Drugs," 8.
  26. Reid, "Responsibility," 22.
  27. Andrew Eshleman, "Moral Responsibility," in *Stanford Encyclopedia of Philosophy*, winter 2016 ed., ed. Edward N. Zalta, <https://plato.stanford.edu/archives/win2016/entries/moral-responsibility/>.
  28. John Martin Fischer, "Free Will and Moral Responsibility," in *The Oxford Handbook of Ethical Theory*, ed. David Copp (Oxford: Oxford University Press, 2007) <https://doi.org/10.1093/oxfordhb/9780195325911.003.0013>.
  29. Markus Schlosser, "Agency," in *Stanford Encyclopedia of Philosophy*, fall 2015 ed., ed. Edward N. Zalta, <https://plato.stanford.edu/archives/fall2015/entries/agency/>.
  30. For a recent attempt to resolve the problem, see Erasmus Mayr, *Understanding Human Agency* (Oxford: Oxford University Press, 2011), <https://doi.org/10.1093/acprof:oso/9780199606214.001.0001>.
  31. This claim reflects Derk Pereboom's statement that "an action is free in the sense required for moral responsibility only if it is not produced by a deterministic process that traces back to causal factors beyond the agent's control." Derk Pereboom, *Living without Free Will* (Cambridge: Cambridge University Press, 2001), 3.
  32. People who know me will be pleased that I have not resorted to the ancient Greek concept of *aretē* in making this argument (until now); but let it be stated that the ancient system of ethics that underpins Olympism also emphasizes human agency in its conception of moral virtue.
  33. For arguments along these lines, see W. M. Brown, "Ethics, Drugs, and Sport," *Journal of the Philosophy of Sport* 7, no. 1 (1980): 15–23.
  34. I also deliberately avoid the criterion "natural" here, which seems to me to present more problems than it solves. By focusing on human agency, I can link the spirit of sport with the humanism of Olympism, which is to say its social and political goals, rather than any implied conception of what is or is not "natural."
  35. On the topic of informed consent, Geeraets, "Ideology," 260, argues that consent to the code is not actually voluntary because there are no good alternatives (if you are already committed to a sport) or, if you are not yet committed, you must be a minor and unable to consent voluntarily. It seems to me that the same claim can be made about any sports rule, including the ban on using your hands in soccer.
  36. For Obree's remarkable story, see Graeme Obree, *Flying Scotsman: Cycling to Triumph Through My Darkest Hours* (Boulder, CO: Velo Press, 2005), or the film of the same name.
  37. IOC, Olympic Charter, 23.
  38. Loland, "Performance-Enhancing Drugs," 11, correctly appeals to the structure of sport to defend his interpretation of its spirit. Pointing out that sports rules are "systems of constraints and restrictions designed to cultivate particular sets of human abilities and skills," he identifies a norm of fair equality of opportunity (FEO) implied by the elimination of or compensation for "non-relevant" inequalities in sport. Seeking to bolster this part of his argument, I point out that what is distinctive about regulated "non-relevant" inequalities such as sex, weight, finances, and technology is not whether they are natural, but rather whether they are under an athlete's control, a product of the athlete's agency and therefore her moral responsibility. See Reid, "Responsibility," 23.

39. Suits, *Grasshopper*, 55 and 54. For a general discussion of how Suits's definition challenges the use of technology in sport, see Reid, *Introduction to the Philosophy of Sport*, 110–12.
40. I am here excluding improved techniques, such as a more efficient swimming stroke or pedaling cadence, from the category of efficiencies to be discouraged or banned from sport. Those, indeed, are human improvements that are consistent with the prescription of inefficiencies (such as moving from point A to B by swimming or cycling). My thanks to Charles Stocking for prompting this clarification.
41. My argument that the purpose of inefficiency is to promote human virtue can be found in Heather Reid, "The Ethics of Efficiency: Performance-Enhancing Technologies and Olympic Fair Play," in *Intersections and Intersectionalities in Olympic and Paralympic Studies*, ed. J. Forsyth, C. O'Bonsawin, and M. Heine (London, ON: ICOS, 2015), 11–17.
42. For more on the Froome case, see, for example, William Fotheringham, "Chris Froome Given Little Sympathy as Team Sky Get a Sense of Déjà Vu," *Guardian*, July 7, 2018, <https://www.theguardian.com/sport/2018/jul/07/chris-froome-little-sympathy-boos-tour-de-france>.
43. Or the way blood transfusions were legal when used by the United States cycling team at the 1984 Olympics. For a detailed account of the case, see David F. Prouty, *In Spite of Us: My Education in the Big and Little Games of Amateur and Olympic Sports in the U.S.* (Brattleboro, VT: Velo-News, 1988), 121–71.
44. Olympic Bobsleigh tends to resemble the America's Cup in privileging wealthy and technologically advanced competitors. The nations winning the most medals historically as of 2018 are: Germany, Switzerland, and the United States. See "All-Time Medal Table for Bobsleigh in the Winter Olympics as of 2018, by Bountry," *Statista*, accessed July 26, 2019, <https://www.statista.com/statistics/802133/medal-table-country-winter-olympics-bobsleigh/>.
45. See, for example, Mark Golden, *Greek Sport and Social Status* (Austin: University of Texas Press, 2008), 5–10 and 43–45.
46. See Lopez Frias, "Unnatural Technology," 12–16, for a thoughtful overview of the problem. For my own part, I do not deny that freedom and autonomy are human values, but I wonder why people would try to express them in an essentially rule-governed social practice like sport.