

COMPTE RENDU / REVIEW

Book Review: Thomas Murray on Doping – Are We Doing the Right Thing?Bertrand Alexandre Stoffel¹**Résumé**

La politique antidopage est une des politiques internationales du sport les plus importantes. Pourtant, sa justification demeure controversée. *Good Sport: Why Our Games Matter – and How Doping Undermines Them*, Oxford University Press 2018, par Thomas Murray (président émérite du Hastings Center) offre une analyse complète et convaincante des questions éthiques soulevées par les améliorations biomédicales dans le sport.

Mots-clés

dopage, sport, amélioration humaine, hyperandrogénisme, consommation de substances

Abstract

Anti-doping policy is one of the most important international sport policies. Yet its justification remains controversial. *Good Sport: Why Our Games Matter – and How Doping Undermines Them*, Oxford University Press 2018, by Thomas Murray (President Emeritus of the Hastings Center) provides a convincing and comprehensive exploration of ethical questions raised by biomedical enhancements in sport.

Keywords

doping, sport, human enhancement, hyperandrogenism, substance use

Anti-doping policy is one of the most important international sport policies, yet its justification remains controversial. Competitive sport demands complete physical dedication from professional athletes, even at the risk of severe injuries, but it takes a zero-tolerance approach when it comes to doping. Within the growing body of literature addressing the rationale for anti-doping, *Good Sport: Why Our Games Matter – and How Doping Undermines Them* [1] by Thomas Murray (President Emeritus of the Hastings Center) provides a convincing and comprehensive exploration of ethical questions raised by biomedical enhancements in sport.

Murray makes no secret that justifying anti-doping is a difficult task. After all, “[s]port accepts many technologies that boost athletes’ performances such as fiberglass poles and hinged skates – why ban drugs?” (p.xiii). The key element, to Murray, is that sport consistently refuses technologies that make things easier. To the author, this is a core value that binds together all sports: respect for natural talents, as well as the perseverance and dedication required to perfect those talents. Murray’s premise is not new, but it is no less powerful [2]. To him, sport is not just about measuring performance against comparably talented competitors. What makes sport meaningful is measuring performance against adversity. From the outset of the book, Murray argues that what drives an athlete towards doping is relatively straightforward. Athletes dope because they believe that their competition is doing so already (Chapter 1). The more difficult question is why it matters whether doping affects the outcome of the competition. *Good Sport* is an attempt to provide a convincing answer to that question. It is also the result of Murray’s extensive experience with the international sport community, including working with the U.S. Olympic Committee and chairing the Ethics Panel of the World Anti-Doping Agency.

Murray adopts a methodological approach informed by what he refers to as John Rawls’s reflective equilibrium. The idea is to move back and forth from close observations of what sport appears to care about to more abstract generalizations about justice and injustice (p.149). In Chapter 2 for example, Murray explains that neither natural talent nor performance enhanced by drugs are the result of hard work and dedication. What they have in common is that they are both unearned. In this sense, allowing one but not the other goes against equality on the playing field. However, in Rawlsian fashion, Murray explains that “unequal” is not the same as “unfair”, and that justice does not require redress for all inequalities [3]. Murray exemplifies this with the case of a Finnish cross-country skier, Eero Mäntyranta. A genetic modification allowed this skier to produce a number of red blood cells far exceeding the average, providing an undeniable endurance advantage. Yet, Mäntyranta still trained hard, admitted to using the occasional amphetamines and hormones, and did not win every race he entered. Murray continues: “Fairness becomes relevant to doping once we’ve decided doping should not be permitted. At that point, we have an obligation to provide non-doping athletes the reasonable assurance that doping won’t overwhelm the competition” (p.167-8). But fairness does not tell us which performance-enhancing technologies should be allowed. For that, Murray goes on, we must understand what gives sport its values and meaning.

Murray expands on the value and meaning of sport in Chapters 3 and 4. Performance-enhancing technologies in sports can simply overshadow the talent and discipline at the heart of a sport. In golf, balls designed to fly straight are not allowed in tournaments because they make the sport almost too easy. Similarly, swimming federations have banned body-shaping, buoyant, and slippery swimsuits. Murray draws two conclusions from this. First, the rules of a sport are not arbitrary: they tell us what sport values and minimize the influence of factors apart from those that sport believes ought to matter. Second, the difficulty in drawing the line between what is natural and what is unnatural does not render the distinction useless. Valuing performance-enhancing drugs and valuing natural talent are simply two different things, and in the context of sport, they are mutually exclusive. Chapter 5 and 6 delve into inequalities and gender. Support, access to equipment and training, time, money, as well as geographical location, all influence an athlete’s chances to succeed. Murray argues that it would be good to reduce the impact of differences in opportunities – and discriminatory ones should be outright eliminated – because they may distort the differences in talent, courage, and dedication that should matter. Yet to the author, the only route acceptable here is to give more people a chance to play, and not to resort to doping as a means of opportunity adjustment. He adopts a similar position with respect to female athletes with hyperandrogenism, arguing that high androgen levels in some female

athletes pose a problem to fair and meaningful competitions for women, and illustrating his position with Caster Semenya's dominant and predictable results in middle-distance running competitions¹.

Murray dedicates the last three chapters of *Good Sport* to ethical questions for collective action in anti-doping. To Murray, given the growing body of research that demonstrates athletes' general support for anti-doping policy [4,5], the discussion should not be about whether we should eliminate doping in sport, but about how to do it best. Collective action might require investing in education, research, investigation, as well as identifying and punishing "the key actors in the ecosystem promoting doping: coaches, trainers, physicians, scientists, and officials" (p.137). But more than anything else, Murray advances that successful anti-doping policy ought to be based on clear rules about what is permitted and what is prohibited. He insists that athletes ought to be able to understand and learn the rules. Here, Murray's commitment to the rule-of-law ideal that rules ought to be good at guiding action, becomes fully apparent. Coupled with detection-deterrence methods and a fair adjudication system, Murray's claim is that desirable anti-doping policy is possible. This can only be read as an answer to some of the most radical critics of anti-doping policy who advance that, given the continued prevalence of doping in elite sport and alleged inefficiencies in catching dopers, we should either legalise doping or concentrate our efforts on detecting substances that are harmful and test athletes for health [6,7].

Good Sport is a must read for anyone who works in anti-doping, but readers from disciplines such as bioethics and public health ethics may find it equally interesting. Doping is not restricted to sports. The growing demand by the healthy for cognitive and performance enhancement, for example in education and at work, presents similar challenges for society. Some of Murray's ethical considerations and lessons around doping might, in his own words, "help us deal sensibly and wisely with promises of technological enhancement in other realms of human life" (p.145).

Murray's analysis is compelling, yet at the end two questions remain. The first one is obvious: What really is natural talent? Murray's apparent acceptance of a cross-country skier's genetic modification contradicts his willingness to require female athletes to lower their testosterone levels. This leads to the second question, which is how we ought to justify public action in sports, and whether the defense of natural talent is sufficient here. Elite sports today are ripe with dangers and inequities. They involve numerous risks ranging from severe injuries to overtraining and stress. The field is never entirely level. Differences in access to facilities and coaching, as well as financial inequalities are very common. This points to a fundamental tension in what anti-doping policy should be. If its objective is to lay out rules for the game, then collective action might not be warranted. On the other hand, concerns regarding health and pressure to dope might very well justify public involvement. With little known benefit other than the performance-enhancing ones, and many potential side effects, we ought to assess, manage and, if necessary, attempt to reduce the risks of doping for the broader population. There is also a lack of knowledge about the influences on athletes' willingness to dope. Most of our understanding about the upstream causes for doping comes from individuals who have come forward to tell their story [8]. With growing interest in anti-doping research, this has begun to change [9,10]. In this sense, one of *Good Sport's* main contributions is to shed light on doping as a complex phenomenon, and thus to open the door to further research questions. Doping appears to be an issue of fair play, a problem for public and athletes' health, and the result of a "win at all cost" mentality, all at the same time. And if this is the case, are we doing the right thing to address all of these concerns?

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Conflicts d'intérêts

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Affiliations

¹ Faculty of Law and Institute for Health and Social Policy, McGill University, Montreal, Canada

Correspondance / Correspondence: Bertrand Stoffel, bertrand.stoffel@mail.mcgill.ca

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¹ Attempts to regulate the issue, e.g., by allowing female athletes to compete if they stay below a certain androgen level, have faced legal challenges. For example, the initial regulation on the issue by the International Association of Athletics Federations (IAAF) was suspended by the Court of Arbitration for Sport for lack of sufficient scientific evidence about the relationship between testosterone levels and improved performance, see CAS 2014/A/3759 *Dutee Chand v. Athletics Federation of India (AFI) & The International Association of Athletics Federations (IAAF)*, Interim Arbitral Award, 24 July 2015. The regulation was replaced by a new regulation which only requires lowered levels of testosterone for a narrowed range of events. It was due to come in effect as from 1 November 2018 but was again suspended pending a decision by the Court of Arbitration for Sport, which is expected to be announced by the end of April 2019, see <https://www.iaaf.org/about-iaaf/documents/rules-regulations>.

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