

## Match-Fixing: Working Towards an Ethical Framework

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*How does match-fixing, or other unfair manipulation of matches, that involves under-performance by players, or refereeing and umpiring that prevents fair competition, be thought of in ethical terms? In this article I outline the different forms that match-fixing can take and seek to comprehend these disparate scenarios within Kantian, Hegelian and contractualist ethical frameworks. I tentatively suggest that, by developing an ethical opposition to match-fixing in sport, we can give much greater substance to popular phrases such as 'respect for the game', encompassing the value of sport itself and respect for other players, fans, sponsors and organisers. Arguing that match-fixing denies recognition to these 'others' demonstrates how fundamentally match-fixing 'hollows out' sport because a fixed match is of no worth: the whole value of the game has literally been evacuated.*

**KEYWORDS** Match-fixing; Respect; Contractualism; Recognition; Cheating; Imperative duties

### Introduction

All traditions are invented and it seems from the literature on match-fixing that it has become 'traditional' to commence any report or study with an acknowledgement that it has been around for as long as sport and most certainly as long as sport and gambling have been closely associated. It is usual to note that corruption in sport was known to the Ancient Greeks and it is *de rigueur* to mention the notorious 'Black Sox' scandal in the Major League Baseball Championship of 1919, perhaps still the most prominent example of corruption at the apex of professional sport.<sup>1</sup> The tradition extends to an observation that, while match-fixing may be nothing new, both gambling and non-gambling related match-fixing is thought to be more widespread now than at any time in the past to the extent that David Forrest and his colleagues were able to warn that, 'the apparent increase in cases of fraud in sport, in particular those connected with betting activities, is threatening the very essence of sport'.<sup>2</sup> By way of example, the European police agency, Europol, announced in February 2013 that a major investigation in 13 European countries had uncovered a criminal network that implicated 425 match officials, club officials, players and serious criminals who had been involved in attempts to fix more than 380 professional football matches, including some at the elite Champions League level.<sup>3</sup> More recently, in February 2014, at a press conference launching his latest enquiry into match-fixing in cricket, the former railways employee and amateur mathematician, Atul Kumar, dramatically alleged that 'all or almost all international matches between any two countries are fixed'<sup>4</sup> for the purposes of fraudulent betting. As a warning that sport at all levels are targets for manipulations, the FIFA 2014 World Cup was the subject of rumours of corruption with Croatia's 4-0 win over Cameroon the object of claims of match-fixing.<sup>5</sup>

Although betting-related match-fixing is often perceived as the biggest threat to sport, it is not the only form of manipulation that affects games. For example, in the women's badminton contest in the

London 2012 Olympics, the final matches in the 'round-robin' stages were marked by both teams trying to lose in an attempt to avoid playing against a Chinese duo in the quarter-final who were perceived to be stronger opponents and thereby maximise their chances of reaching the final. A sense of anger started spreading around the Wembley Arena, culminating in loud boos from the 6,000 spectators who paid good money to watch a world-class competition. A disciplinary hearing followed where it was decided that the four women's doubles teams, two from South Korea, the Chinese and the Indonesian, would all be disqualified from the tournament and effectively expelled from the Games. The sport's governing body, the Badminton World Federation, decided that the four teams had infringed its code of conduct by 'not using one's best efforts to win a match' and 'conducting oneself in a manner that is clearly abusive or detrimental to the sport.'<sup>6</sup>

A further form of non-betting related match-fixing occurs where teams agree a result in advance for the purposes of promotion or avoiding relegation or other 'sporting' reasons. These matches often take place towards the end of season where one club places less importance in the game than the other club. An example of such an arrangement was uncovered by the American writer Joe McGinniss who witnessed a fixed game played out between Castel de Sangro and Bari that would enable Bari to win and gain promotion to Serie A while Castel de Sangro would remain in Serie B.<sup>7</sup> The investigative journalist, Declan Hill, has also uncovered similar practices in the Russian football Leagues.<sup>8</sup> These forms of fixes are especially difficult to observe as they lie outside the detection systems of the betting monitoring organisations and it is impossible to say with any degree of certainty how prevalent this form of match-fixing might be.

The common feature of each of these forms of match manipulation, whether for betting or other reasons, is that one side or player has failed to try to win. A rather different scenario emerges where a referee is persuaded to alter the course of a game, such as during the 'calciopoli' scandal in Italy in 2006 where it was discovered that officials from teams in Serie A, including Juventus, Lazio and Fiorentina, had enlisted and pressured referees to ensure favourable outcomes in certain games. In this situation the game has been rigged in advance and fair competition has been denied both the teams and spectators. In all the cases I have outlined above there has been a fundamental flaw in the way the game has proceeded, sometimes to alter the result of a game (match-fixing) or to influence some part of the game (match-influencing) that would not have occurred had fair competition been allowed.

### **Match-fixing: developing an ethical framework**

Philosophical approaches to cheating in sport have fallen broadly into two camps, formalism and *ethos*, with occasional attempts made to bridge the divide. It is beyond the scope of this article to provide a full treatment of the literature on cheating in sport, but it is helpful to briefly stake out the terrain in order to contextualise the debate over match-fixing. Simply put, the formalist position holds that games are rule-governed practices and competitors agree to abide by the rules when playing the game. In order to avoid the nonsensical position where every breach of a rule automatically voids a game, for example if a footballer deliberately trips another player, most formalists make the well-known Kantian distinction between constitutive rules and regulative rules.<sup>9</sup> In essence, the constitutive rules *are* the game and a deliberate failure to abide by the constitutive rules voids the game altogether and a player cannot be said to have won a game in which she or he failed to abide by

a constitutive rule as they have not been playing the game at all.<sup>10</sup> One of the best known examples of breaching a constitutive rule is the case of Boris Onischenko, the Russian pentathlete who cheated in the 1976 Summer Olympics by tampering with his épée sword so that he could make it go off without actually hitting his opponent.<sup>11</sup>

Regulative rules, on the other hand, determine the conditions and means by which a game is played such as the size, colour and weight of a cricket ball. Using a different type of ball, such as a tennis ball, would not necessarily mean that a game of cricket was not being played. A breach of a regulative rule would not render the whole game meaningless, for example a deliberate foul by a player does not undermine the entire game. As Simon notes, the justification for this argument is that the rules themselves make allowance of their own breach by stipulating a penalty for the breach.<sup>12</sup> However, Kathleen Pearson dismisses such arguments, pointing up the logical fallacy that is involved, namely that if all rules authorised their own breach by exacting a penalty then there would be no breach of the law that could not, upon the payment of the appropriate price, be legitimised.<sup>13</sup> The result would be no law or rules at all. Simon's rejoinder to Pearson's argument is that it is possible to view some penalties as punishments, such as those prescribed by the criminal justice system for committing a prohibited act, while other penalties, for instance those imposed by sport for a strategic foul, can be thought of as the price that is paid in respect of the breach of the rule.<sup>14</sup>

To overcome these objections, an alternative philosophical approach to cheating thinks of sport as a cultural practice or a social construct. In this approach, cheating is not judged simply on whether a particular rule has been broken but whether the breach is part of a wider *ethos* among players, fans and others. A notorious example was Thierry Henry's deliberate handball in a World Cup qualifier game against Ireland in 2009 that allowed France to qualify for the World Cup finals at the expense of their opponents. While Henry was widely excoriated in the British press and broadcast media (let's be charitable here and presume they would have been equally outraged had the handball incident been in favour of Ireland), other voices, from the ranks of former professional players, were more understanding of Henry's actions. For example, former England captain, David Beckham came to Henry's defence and admitted that he could not be sure he would not have done the same thing, telling Sky Sports News, 'Who knows in that situation? You're playing in a qualifier to go through to the World Cup, you don't know what you're doing'.<sup>15</sup> Of course, if he thought about it at all, Henry would have accepted that the handball might well result in a free kick and a yellow or red card and no advantage would have been gained, but, in the circumstances, the potential benefit, should his infraction be overlooked, significantly outweighed the risk of penalty if it was spotted. The support shown to Henry by his fellow professionals suggests that the game of football is not simply an expression of rules, as the formalists would have it, but is a social practice in which there are shared agreements as to conduct that might breach the rules in a strict sense, but which has become part and parcel of the ethos of the professional game.

In his latest piece of investigative journalism, *The Insider's Guide to Match-Fixing in Football* (2013), Declan Hill argues that the form of cheating just described (cheating to win) is a different species to match-fixing where underperformance is the unethical behaviour. Some deliberate breaches of the rules might be excused in part by appealing to an ethos of the game that is shared among player and even fans, especially the 'win at all costs' approach at the professional level. Hill argues that deliberate under-performance with a view to manipulate a match unfairly represents a universal sin since there

is no known society or culture where match-fixing is deemed to be acceptable. While not all match-fixing necessarily involves manipulating the result, it does always involve some form of underperformance by players, or some manipulation by referees that prevents a fair contest from taking place. How, and in what ways, is such behaviour unethical?

To answer this question, it is to the idea of winning and competing that I now turn since these notions of sport are central to an ethical evaluation of match-fixing where the object of the fix is to lose a game deliberately or not to compete at all times. If the first sporting ethical lesson that most of us learn at a young age is that winning by cheating is a hollow victory, then hard on its heels is a second lesson that victory is only meaningful if one's opponent has also tried her or his hardest to win. Where competitors are well-matched in terms of ability, the result is sport of the most compelling kind. It is for this reason that elite men's tennis has captured the imagination so fiercely in recent years. The closely fought battles between Nadal, Federer, Djokovic and Murray have been titanic struggles of epic proportions between players whose command of the game exceeds all those who went before them and between whom almost every game is gloriously uncertain in its result, with the 2014 Wimbledon final the latest epic instalment of these long-running contests for supremacy.

From an ethical standpoint there are two discrete yet allied injunctions – to try to win and to compete to the best of one's ability. Robert Schneider proposes that these twin concerns can be summed up in the phrase of having 'respect for your opponent'. He argues that, 'winning and losing with dignity, playing the game fairly, performing to the best of your ability, and demonstrating good sportsmanship before, during, and after the contest are all valuable elements of sport that are not related to winning' (2009: 64). But he also maintains that winning is vital, because, 'when people agree to take part in a particular sport, they not only accept its rules and challenges but also implicitly agree to play to win, to do everything they can within the rules they have agreed to play by ... It is not only important to try to win, it is assumed that if you are involved in a sporting contest, you are expected to do your best to win' (2009: 64).

On similar lines, Bernard Suits identifies as intrinsic to any sport the 'end of playing the game' which may also be called 'the end of contesting' or, more simply, 'trying to win'.<sup>16</sup> Without this end, a game does not in fact exist. Warren Fraleigh extends this notion to the extent that simply trying to tie a game is unsatisfactory because it contravenes the injunction of trying to win.<sup>17</sup> Perhaps, because Suits and Fraleigh are American scholars they overlook the fact that some sports, such as cricket and football, do not necessarily produce an outright winner. In those sports, holding on for a draw, or batting out to secure a draw, can result in a tense and compelling contest in its own right. Many football purists appreciate a 'backs to the wall' rear-guard defensive display while there is a long and valiant tradition in cricket of batsmen digging in doggedly for a draw as Jimmy Anderson and Monty Panesar famously did in the Ashes Test at Sophia Gardens in 2009.<sup>18</sup> They may not have been trying to win but in refusing to buckle in the attempt to prevent an Australian victory they were displaying a fierce competitive spirit. While trying to win and competing will very often overlap, they nevertheless remain separate objectives, but whereas it is not always necessary to try to win to still be participating in compelling sport, it will always be necessary to compete to the best of one's ability.

Competing can therefore be regarded as a non-negotiable aspect of playing sport because as Jan Boxill notes, 'competition ... is a striving to achieve an outcome that is not predetermined, or fixed' (2003,

111). Not to compete disrespects one's opponent, the spectators and the game itself. In an important intervention into the ethics of sport, Robert Butcher and Angela Schneider maintain that to play fairly is vital in order to respect the game itself. They argue that fair play, a practice which includes, *inter alia*, treating sport as a contest, playing by the rules, and respecting one's opponent, amount to respect for the game with 'connotations of honouring, holding in regard, esteeming, or valuing' (Butcher and Schneider 2003, 159), the sport as a whole. Any decision by a player, a team or anyone involved in the game, such as a referee or club official, to influence the result of a match in advance of it being played strikes at the very heart of sport because it undermines the ability to compete that is the essence of sport. Making the distinction between competing and trying to win is important because it addresses the justification often provided for a particular type of fixing, the 'spot fix', which entails agreeing in advance a particular incident in a match, for example, a yellow card in football, which may have little bearing on the outcome of a game, but which still contravenes the ethical injunction to compete. Of course, not competing does not have to relate to match-fixing: it might just be that the player gives up because they are losing anyway. Yet, this behaviour still robs the winner of the true spoils of winning – that is, beating an opponent who has tried her or his hardest, and amounts to a form of disrespect of the other player and the game itself. A distinction here needs to be made between a tactical withdrawal during a game and a 'spot-fix' or 'giving up': in tennis a player may decide not to compete on a particular point (known as 'tanking'), because she or he wishes to conserve energy for a more important battle to come. Such a tactical withdrawal does not offend the injunction to compete since it is done for the purpose of competing better in the overall context of a game, something that cannot be said for a 'spot-fix'.

If a failure or inability to compete is a question of disrespect for an opponent, spectators, and the game, what precise form does this disrespect take? Warren Fraleigh maintains that a failure to compete results in a lack of knowledge of who is best, knowledge of which is the purpose of sport – to decide who is best, arguing that, 'since complete and accurate knowledge cannot be achieved, either by myself or by my opponent, without effective contesting by us together, my pursuit of this value is essential to the realization of the same value as my opponent' (1984, 101). Both players must compete in order for both to achieve the knowledge of who is best or, in the case of a tie or draw to conclude that there is no final difference in ability. Everyone is also better off with the realisation of this knowledge: we know something now which we didn't know before. Scott Kretchmar and Tim Elcombe describe the ethical importance of competing in similar terms, arguing that 'contestants experience a ... complex set of uncertainties and meanings. They ask themselves, "Even if I *can* do this, can I do it better than my opponent?" Or Even though both of us might be able to do this, what exactly is the difference between us?"' (2007, 187). The only way to find out this difference, or to discover that the difference is not able to be finally discerned, is by pitting one's will and abilities against each other in combat: 'any defections in this regard often "leave a bad taste" and once again minimize the experiential potential made possible by the competitive project' (Kretchmar and Elcome 2007, 187).

Although there are arguments that sport has other normative goals, such as character building, being able to recover from setbacks, or striving for excellence amongst others, these are secondary goals that are said to derive from sport rather than being intrinsic to sport itself. Sport could continue even if these so-called valuable effects did not exist.<sup>19</sup> However, to the extent that these goals pertain to sport, there is no doubt that a failure by one contestant to compete would serve to undermine them.

However, for my purposes here, it is a failure to compete that destroys the very purpose of sport which is to decide on relative abilities through a test of those abilities between competitors, with a failure of competition 'leaving a bad taste'. Arguably, it was precisely this 'bad taste' that Muhammad Ali (not to mention spectators and viewers) experienced in his fight against Sonny Liston in May 1965 when Liston fell to the floor following the 'phantom punch' in the second minute of the first round. As Steven Connor states, 'Ali never looked so genuinely enraged as when he looked down in helpless contempt at Sonny Liston' (2010, 179). On this version of events (which is hotly disputed by others, including Ali's biographer David Remnick), Ali had been denied the opportunity to decide who was best. If, as Connor continues, 'sport is driven by the principle of absolute positivity, the principle that whatever happens should really and indubitably have taken place, cheating hollows out this positivity, rendering it an elaborate but absurd sham' (2010, 179). Sport relies on believing what you are seeing and when this is called into question, sport is diminished. Match-fixing hollows out sport completely as it destroys the one aspect of sport that is essential, the uncertainty of outcome. Without this uncertainty there is no sport at all.

How might we think of the injunction to compete, or in other words, not to match-fix, in more formal ethical terms? In the remainder of this paper, I suggest that Kantian imperative duties, Rawlsian/Scanlonian contractualism and Hegelian recognition all offer possible ways to analyse match-fixing from an ethical perspective. To take the Kantian categorical imperative first and the formula of the universal law and the formula of the end in itself. Following Bailey and Martin, a number of questions need to be posed in order to determine whether an action is a categorical imperative.

1. Formulate the maxim of the action. In this case, 'when I am playing sport I will compete and try to win (within the rules and ethos of the game).'
2. Universalise the maxim. In this case, 'when everyone plays sport they will compete and try to win (within the rules and ethos of the game).'
3. Determine whether the universalised maxim *could* be a universal law. In this case, there is no reason why competing and trying to win (within the rules and ethos of the game), cannot be a universal maxim so it passes this test.
4. Could we *will* that the maxim be a universal law? While competing and trying to win *could* be willed as a universal moral law, there are good reasons that we should not will this to be the case as a simple example will show. What if a criminal who has a well-earned reputation for violence tells a player that they must fix a match or they will harm his or her young family? Such scenarios are not unknown. Surely in this case we would realise that the integrity of sport would be of secondary importance to the risk to the lives of other people. This small example should make us wary of formulating deontological rules for sport – it simply is not sufficiently important for that, and in this scenario a consequentialist position is better: it is preferable as an outcome that a young family should not be physically harmed than that sport maintains a degree of integrity. Arguably however, the external threat voids sport from the outset such that the Kantian imperative to compete in sport *qua* sport is retained.

Leaving the last point to one side for the moment, a second Kantian injunction might assist, namely to 'act so as to treat people always as ends in themselves, never as mere means' Bailey and Martin (eds.) 2011, 666). For the purposes of sport, this injunction applies in its more modified formulation that it is acceptable to derive some benefit from the way one treats other people – i.e. to satisfy the desire to compete at sport – but that such a desire should never be at the expense of the other person – i.e. to treat them as means to earn some money with the bookmaker at the expense of their desire to engage in legitimate competition. Match-fixing violates the rule not to treat the innocent participant as a means to an end. However, what if *both* players are in on the fix? Such a scenario may arise in tennis where both players agree to fix a result or a set in order to benefit from bets placed on the game. In such a case, the players are still treating each other as ends (to make some illicit money) but it is still a fix that undermines the sport. In such circumstances it may be necessary to have recourse to Butcher and Schneider's notion of fair play as respect for the game since this lifts the ethical bar above the level of the direct contestants and would disallow such a mutual agreement to fix.

A second ethical framework against match-fixing might be rooted in a contractualist ethics. Basing his analysis on a broadly Rawlsian theory of justice, Sigmund Loland develops a sophisticated ethical framework of fair play, relying heavily on Rawl's statement that:

When a number of persons engage in a mutually advantageous cooperative venture according to certain rules and thus voluntarily restrict their liberty, those who have submitted to these restrictions have a right to a similar acquiescence on the part of those who have benefited from their submission (Rawls, 1971, 343. Cited in Loland, 2002, 42).

Applying that injunction to fair play in sport, Loland contends that:

Parties voluntarily engaged in sport competition ought to act so that all parties concerned have their intentional goals linked to the sport competition realized to the greatest possible extent by:

- Realizing a norm for competitors' playing (according to a shared, just ethos) to win to the greatest possible extent (2002, 144).

Match-fixing violates the mutuality of the enterprise, though this is not known to the innocent parties, thus vitiating any agreement that might be said to exist. The whole idea of a contract has been destroyed as the 'contestants' are, in fact, engaged in different endeavours at least for some part of the match. Loland helpfully supplies a normative goal that sits at the heart of sport, namely the importance of trying to win. However, there remains the problem of duress which Loland does not address and which is important to take into account in match-fixing since it is a distinct possibility. To that end, Scanlon's interpretation of contractualism offers a more flexible approach. He states that:

An act is wrong if its performance under the circumstances would be disallowed by any set of principles for the general regulation of behaviour that no one could reasonably reject as a basis for informed, unforced, general agreement. (Scanlon 1998, 153).<sup>20</sup>

As discussed above, most people would agree that the integrity of a sporting contest is of secondary importance to the safety of a player's family for example, and Scanlon's formula allows for duress or other factors to override the norm against match-fixing.

Although both Kantian ethics and contractualism allow room for a breach of the rule against match-fixing under certain forms of duress, this does not in any way negate the fact that a fix has still taken place. Match-fixing, whether done under duress or not, destroys sport as sport because it undermines the purpose of sport which is to test and determine relative abilities, which is the tacit understanding that players agree upon when taking up the challenge of competing against each other, and which referees agree to enable and officiate fairly, and which people pay good money to watch. For William Sadler, this failure is an existential one since 'competition is ... an intrinsic part of the actualization of the self and the other person' (1973, 183). In what sense does a failure to compete result in this loss to the self and other? An answer to the question might lie in an Hegelian ethics of recognition that changes the optic from the perspective of the perpetrator, as in Kantian and contractualist formulations, and on to the innocent party. In *Phenomenology of Spirit* (1807) and later writings, Hegel proposed that the desire for recognition by another person lies at the core of human subjectivity. While it is tempting to view sport competition through the unadulterated lens of Hegel's Master/Servant dialectic in *Phenomenology* in which the fight for recognition by the other results in one party coming to dominate the other, which is also acknowledged by that other, such a reading fails to comprehend the true purpose of sport competition. As Boxill proposes, 'competitors test their capabilities against each other in a *mutual* challenge to achieve' (2003, 109, my emphasis). In these terms, sport competition is not driven by an urge to destroy (or enslave) one's opponent, but is a mutual test of prowess and a search for excellence that can only be achieved through competition. Of course there is recognition by the loser of the winner's greater prowess, but the loser is not destroyed or enslaved but is free to return to the arena to compete again at a future date.

A more nuanced approach to how sport is rooted in an ethics of recognition may be based on the interpretation of Hegel's *Phenomenology* by Alexandre Kojève, who re-imagined Hegel's Master/Servant dialectic of recognition in terms of mutuality, with each party recognising the other from a position of equal status. In Kojève's analysis, the Master/Servant dialectic is flawed since the servant is stripped of his freedom, and thus of his humanity, and so is unable to confer the recognition that the Master desires. By enslaving his opponent in his quest for recognition, the Master paradoxically destroys his opponent's capacity to recognise him: through being wholly dependent on the Master, 'the relation between master and slave ... is not recognition properly so-called' (1969, 19). Kojève proposes that true recognition can only be achieved in what he calls the 'middle-term' which is characterised by mutuality and reciprocity where there is a need to see each other as 'self-conscious beings representing an autonomous value' (1969, 10). It is precisely in this mutual recognition of autonomous value of two competitors striving to win where the true sporting contest takes place and which is wholly destroyed by match-fixing.

To take this thesis one move forward, Kojève's analysis provides a rebuttal to Connor's claim in *A Philosophy of Sport* (2011) that an alternative ethics of recognition developed by Emmanuel Levinas is not compatible with sport. In his influential formulation, Levinas figures ethics as recognising that one person's place in the world is inevitably at the expense of someone else and that the only ethical stance, that goes beyond mutual recognition, is to be 'for the other' person.<sup>21</sup> Connor maintains that



since winning is always usurping a place that the other person desires, then sport must always be unethical in Levinasian terms, except, of course, on those occasions which result in a draw or a tie. Yet, such an analysis does not capture the sporting contest as a voluntary and consensual trial to strive for excellence by which to discover who, at this time, is best. Being 'for the other' in a properly sporting sense is to provide competition for the other, not to allow the other to win. In their quest to prove their superiority, both parties willingly accept the risk of defeat as a possible consequence of their search for knowledge and thirst for excellence. Furthermore, a match simply determines who is best on one particular occasion: there will often be an opportunity at another time to resume combat and try again to win.<sup>22</sup> Sport is predicated upon a voluntary and consensual agreement to test one's skills and abilities against another who is doing the same. In this sense, the ethics of recognition assumes, for the purpose of the sporting contest, that both parties share this purpose. Alterity is voluntarily put to one side and each contestant comes to the game with the same purpose – to compete and to try to win (or earn a draw), but above all to compete. Crucially, in true Levinasian style, she is doing this for the other competitor as well as for herself.

A match that is fixed in some way fails to recognise the self or the other as contestants thereby wholly undermining the purpose for which the sport is played, hence the sense of being cheated of true victory if a match is fixed. The knowledge that is being sought – who is best – has been denied and the search for excellence corrupted. Another way of putting this might be in terms of recognition of status. In fixing a match or, in not competing to the best of one's ability, the corrupt player fails to recognise the status of himself or opponent as a competitor. If, as Kojève proposes, 'society is human only as a set of Desires mutually desiring one another as Desires' (1969, 6), sport competition embodies this set of mutually desiring desires in its full human plenitude. In fact sport depends upon each player or team desiring that the other desires to compete and to win. This is what is meant when it is said that by failing to compete one is disrespecting ones opponent. Does this ethical formulation work where the players are honest and a match official is corrupt without the knowledge of the players? In this case the match official is not just robbing spectators of witnessing a true contest but is denying all the players, or both teams, from determining who, at that time, is best. A corrupt referee or umpire undermines the purpose of sport for everyone else – participants and spectators alike as she or he manipulates matches in such a way that prevents a true contest taking place. A corrupt referee prevents a true sporting contest from taking place, thereby undermining the honest efforts of the players who are partaking in nothing more than a sham contest. By placing the ethics of match-fixing within an epistemic framework that maintains that manipulation denies the all-important knowledge of 'who is best' it places an ethical injunction on participants to compete, and on referees and other officials to facilitate fair competition.

## **Conclusion**

Match-fixing and manipulation have become prominent threats to sport across the globe. While there is little solid empirical evidence to show that corruption in sport is at higher levels now than in the past, there is a view that the rapid growth and globalisation of gambling markets and the vulnerability of sport to manipulation for the purposes of betting are serious problems that have the potential to undermine the value of sport if not tackled effectively. In response to these threats there has been a greater interest taken in the phenomenon of match-fixing from academics, policy-makers and journalists.

In this article I have strived to take the study of match-fixing into a new domain by sketching out an ethical framework to underpin arguments against match-fixing in sport. The three ethical approaches that I have sketched can be viewed as complementary, rather than in opposition to each other, with the Kantian and contractualist positions focusing on the self supporting the reworked Hegelian emphasis on the 'other'. In doing so I am attempting to place the fight against corruption on solid moral and ethical grounds. I see this attempt as an opening gambit which I hope will draw more detailed and thoughtful responses from the community of scholarly ethicists. I acknowledge that this framework is not all-encompassing. For instance, it does not cover the scenario of sharing sensitive inside information for the purposes of gaining an advantage in the betting markets. However, such behaviour does not undermine the value of sport, since its impact is purely on those involved in gambling on sport. I tentatively suggest that by basing opposition to match-fixing in sport on a Kantian, Hegelian and contractualist ethics, we can give much greater substance to popular phrases such as 'respect for the game', encompassing the value of sport itself and respect for other players, fans, sponsors and organisers. Arguing that match-fixing denies recognition to these 'others' demonstrates how fundamentally match-fixing 'hollows out' sport because a fixed match is of no worth: the whole value of the game has literally been evacuated.

## Notes

<sup>1</sup> For examples of this "tradition" see Maennig (2005), IRIS (2012) and Hill (2014).

<sup>2</sup> See IRIS (2012), p.4.

<sup>3</sup> Europol, "Update – Results from the largest football match-fixing investigation in Europe" <https://www.europol.europa.eu/content/results-largest-football-match-fixing-investigation-europe>, February 6, 2013.

<sup>4</sup> Mid-Day, "Almost all international cricket matches are fixed, alleges whistleblower" <http://www.mid-day.com/articles/almost-all-international-cricket-matches-are-fixed-alleges-whistleblower/15130051>, February 28, 2014.

<sup>5</sup> "Fifa ask Der Spiegel to prove Cameroon match-fixing claims" <http://www.theguardian.com/football/2014/jul/02/fifa-der-spiegel-cameroon-match-fixing>, July 2, 2014.

<sup>6</sup> Badminton World Federation, 1 August 2012.

<sup>7</sup> McGinniss (2000).

<sup>8</sup> Hill (2009).

<sup>9</sup> Searle (1969).

<sup>10</sup> Loland (2002), Morgan (1994), Simon (2003).

<sup>11</sup> "Boris Onishenko" [http://en.wikipedia.org/wiki/Boris\\_Onishchenko](http://en.wikipedia.org/wiki/Boris_Onishchenko)

<sup>12</sup> Simon (2007).

<sup>13</sup> Pearson (2003).

<sup>14</sup> Simon et al, (2014)

<sup>15</sup> "David Beckham comes to Thierry Henry's defence over handball" <http://www.theguardian.com/football/2009/nov/20/thierry-henry-david-beckham-handball>, November 20, 2009.

<sup>16</sup> Suits (1967).

<sup>17</sup> Fraleigh (1984).

<sup>18</sup> Jaideep Vaidya, "Ashes 2009: England script the Great Escape at Cardiff thanks to Collingwood, Anderson and Panesar" <http://www.cricketcountry.com/cricket-articles/Ashes-2009-England-script-the-Great-Escape-at-Cardiff-thanks-to-Collingwood-Anderson-and-Panesar/28884>, July 12, 2013.

<sup>19</sup> In any case it is doubtful to what degree sport in fact helps to produce these effects.

<sup>20</sup> Cited in “Contractualism”, *Stanford Encyclopedia of Philosophy*  
<http://plato.stanford.edu/entries/contractualism/>.

<sup>21</sup> Hutchens (2004).

<sup>22</sup> For a detailed discussion on “playing again” see Kretchmar (2012).

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