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It's a Whole New Ball Game: The Mitchell Report, Performance Enhancing Drugs,
and Professional Sports

A Dissertation

Presented to

The Faculty of Arts and Humanities

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In Partial Fulfillment

Of the Requirements for the Degree

Doctor of Philosophy

by

Brian J. Schrader

June 2016

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Title: It's a Whole New Ball Game: The Mitchell Report, Performance Enhancing Drugs, and Professional Sports

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Abstract

This dissertation investigates the findings of a congressional investigation into the use of performance enhancing drugs (PEDs) in Major League Baseball, known as the Mitchell Report. It analyzes the primary arguments presented in the report, the argument for integrity, role models, and apology specifically, through the lens of governmentality and moral regulation. It argues that the report represents a distinct mode of governance that seeks to condemn PED use in a moralizing way. This mode of governance is characterized by its emergence from a variety of locations as opposed to the relatively simple use of the state and its legal apparatus. Importantly, one of those locations includes the individual subject who is urged to self-govern without the need of external threat or recourse. The dissertation also suggests that this mode of governance is inextricable linked to rhetoric and communication.

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Chapter 1 - Who's on first: The Mitchell Report's historical and rhetorical significance

Since 2005, 92 players have been suspended from professional baseball in the United States as a result of using performance-enhancing drugs or PEDs (“Steroid suspensions”, n.p.). Five of those suspensions occurred during the 2016 season. In what follows, I perform a rhetorical analysis of the controversy over the use of performance-enhancing drugs in professional sports through an investigation of the Mitchell Report, the US Senate's investigation into the use of performance-enhancing drugs in Major League Baseball. In short, this dissertation explores the nexus of sports, politics, and popular culture. Throughout, I use the arguments contained within the Mitchell Report and the debates surrounding its publication as a lens to reveal the contours of moral regulation within contemporary governance.

I will begin this chapter with a summary of the issue of performance-enhancing drugs in Major League Baseball (MLB) as well as a timeline of events that led up to the investigation and publishing of the Mitchell Report. Included is a preliminary description my object of analysis, the Mitchell Report, as well as arguments indented to justify it as a worthy object of study. Following that section I will offer a brief overview of sports oriented research from the field of communication and rhetorical studies and make an

argument for the value of sports focused research. Finally, I will preview and briefly summarize the primary arguments made in the dissertation.

The Mitchell Report and Performance Enhancing Drugs in Baseball

On December 17, 2007 former Senator George Mitchell released a report detailing the findings of his nearly one-year investigation into steroid use in professional baseball. Senator Mitchell initiated his investigation at the request of Major League Baseball and its then commissioner Bud Selig¹ after revelations of possible steroid use by some of the MLB's highest profile players. Mitchell was granted unprecedented access to Major League Baseball and produced a report that represents the largest and most comprehensive investigation into steroid use in professional sports. Despite suspicions about widespread use of performance enhancing drugs (PEDs)², it took some time for the steroid discussion to gain momentum. Beginning with Mark McGuire, after a report surfaced claiming that the anabolic steroid androstenedione was seen in the star's locker after a game, Major League Baseball was suffering a crisis of confidence as big time baseball stars had their name added to the ever growing list of suspected cheaters ("McGwire uses nutritional," 1998).

¹ Bud Selig has since retired. Rob Manfred has been the MLB commissioner since 2015.

² I use the term performance enhancing drugs (PEDs) to refer to the somewhat broad category of substances that are used to boost athletic performance. PEDs include several categories including steroids, specifically anabolic steroids which refers most often to substances that aid in the production of testosterone or "synthetic steroid hormones made to resemble testosterone", stimulants like ephedrine which can "increase endurance" and "reduce fatigue", beta blockers which can help reduce the symptoms of anxiety, and dietetics which function as masking agents. PEDs also includes things like synthetic human growth hormone which aids in muscle growth and erythropoietin which increases endurance by stimulating the production of white blood cells (Harris DATE?). Importantly, not all PEDs are illegal or even banned in all athletic competitions. When important, I will refer to a specific substance by name or category.

The Mitchell Report, officially the "Report to the Commissioner of baseball of an independent investigation into the illegal use of steroids and other performance enhancing substances by players in Major League Baseball", represented an historically rare moment of transparency where the curtain that has for so long blocked the view into what was really happening in baseball clubhouses and training rooms was finally pulled back and the ugly truth exposed. That truth: Baseball was infected. Like used hypodermic needles, baseball was dirty with athletes who were using artificial means to boost performance and gain a competitive edge, dirty with coaches and trainers who supported athletes either by procuring and administering banned substances or by turning a blind eye to their use, and dirty with ownership and management who were more than that willing to pretend that PEDs were not a problem despite compelling and overwhelming evidence to the contrary. The Mitchell Report implicated eighty-nine players as having purchased and or taken steroids that violated Major League Baseball's rules and in some cases Federal and State law (Bloom, 2007). And perhaps more importantly, the report validated the suspicions and rumors about professional baseball and cast a lingering doubt over the whole of professional sports. "The smear of the Mitchell Report changed the game of baseball for the fans just as much, if not more, than the players themselves" ("Cloud of suspicion," 2013).

For many, the Mitchell Report was shocking. For others, it only confirmed what they had already suspected. Despite this mixed reaction, the goal of the report was to put an end to what had been dubbed, baseball's "Steroid Era." Whether that is the case is a matter of some controversy. Then executive vice president for labor relations and human resources for Major League Baseball and current Commissioner of the MLB, Robert

Manfred, suggested that the Mitchell Report was “instrumental in focusing baseball's attention on the entire issue of drug use in the sport” and that it provided the MLB “a chance to deal with a difficult part of history and bring closure to that history and provided a road map to improving our overall approach to drugs” (Schmidt, 2008). This view of the Mitchell Report was widespread. Many sports fans and journalists seemed to agree that the Mitchell Report represented a kind of salvation because, now that the curtain had been pulled back, it seemed impossible for sports organizations and player's unions to block reforms by refusing to dramatically strengthen testing and enforcement programs. In addition, the common view was that athletes were unlikely to risk PED use because the report demonstrated that no matter how well you thought you covered your tracks, there was always some kind of trail that might lead to your name being added to the list.

While many agreed with Manfred's assessment, there was disagreement. Only a year after the report was released, prominent baseball writer Tom Verducci argued that while

[t]he Mitchell Report changed the dialogue about steroids in baseball, moving it away from a living problem to more of a history lesson, it really did nothing to slow or stop steroid use by athletes in Baseball or any other sport for that matter. (2008, n.p.)

Instead, the Mitchell Report was valuable only insofar as it demonstrated the lack of transparency that has historically plagued Major League Baseball but continues unabated to this day. Instead of creating a culture where steroid use would not be tolerated and athletes were effectively deterred from using, the report merely served to demonstrate

that the root of the problem lay with the culture of secrecy and insularity that defined the MLB.

Verducci's argument seems sound because even though the Mitchell Report proved to be the catalyst for Major League Baseball and the players union to agree to a more rigorous testing regime and harsher penalties for positive tests, neither the Mitchell Report nor the new regulations it inspired did anything to deter steroid use. High profile athletes are, to this day, being implicated in PED use either by positive drug tests or by other investigatory means. The 2016 season has already seen 5 suspensions and we are less than two months into the regular season as I complete this dissertation.

Beyond players who have been sanctioned by baseball for steroid use and those whose names have been tied to investigations into suspected steroid depots, one powerfully telling element of the post-Mitchell Report era is the frequency with which athletes, in baseball and beyond, have their accomplishments questioned due to unsubstantiated suspicions that they used PEDs. In other words, the Mitchell Report did not make sports fans less suspicious about players using steroids, it made them hyper-suspicious to the point that any and all athletes and athletic accomplishments are subject to scrutiny without need of any evidence whatsoever. Worse still, each positive steroid test adds to this culture of suspicion. For example, Chris Davis, first baseman for the Baltimore Orioles drew attention by surpassing his somewhat moderate 2012 home run total around the halfway point of the 2013 season and eventually finishing the season with a career high 53 home runs, 20 more than the previous year ("Chris Davis Player..." n.d.). "One look at Davis and you realize he fits the mold—a big, muscular bodybuilding type; cut from the same cloth as the late 90's Barry Bonds and Mark McGwire" and

"because the PED stigma is tied so tightly to home runs, Davis is screaming for our attention" ("Cloud of suspicion", 2013).

The 2013 Hall of Fame vote provides another telling example of how the mere suspicion of steroid use can affect a player's reputation and legacy. Specifically, it has been suggested that some voters chose not to vote for former New York Mets' catching great Mike Piazza because it was unclear if he used PEDs. Doubt about the authenticity of Piazza's on field accomplishments are magnified because he played at a time when the steroid issue was coming to a head and becoming more public. According to Ken Davidoff it is clear that "suspicions concerning whether he [Piazza] used illegal PEDs" have "influenced his inability to get in so far" (2014, n.p.). Clearly the "cloud of suspicion" created by the steroid era is a threat to both on the field accomplishments, and off the field honors (Mitchell 2007, p. SR-4).

Despite the debate over the effectiveness of the Mitchell Report as a tool for stopping steroid use it undeniably represents a watershed moment in the history of the steroid debate.³ Prior to its release, discussions about steroids were limited to speculation and conjecture. Rumors of steroid use were certainly common, but not conclusive enough to provide a basis for any radical decisions or sweeping policy changes. Even in the face of what seemed like obvious signs of steroid use by major league athletes, there was little evidence that conclusively linked specific players to PEDs. Even if steroids are still a problem in professional sports, and there should be little doubt of that considering

³ The stated purpose of the Mitchell Report was to "fix" the problem of PED use in professional baseball. Senator Mitchell, in describing the goals of the investigation and report quotes former professional baseball player Jeff Kent who said, "Major League Baseball is trying to investigate the past so they can fix the future" (Mitchell Report , SR-4).

the 2013 season saw the highest number of suspensions since 2005 ("Steroid suspensions"),⁴ the Mitchell Report was still one of the first and certainly the most comprehensive investigations that confirmed what so many had already suspected: steroids were a growing problem.

The significance of the Mitchell Report is not limited to baseball. Senator Mitchell's investigation and subsequent report incited a much broader discussion about steroids in professional sports and beyond. While one positive steroid test or a suspension might be of interest to certain sports fans, the Mitchell Report is indicative of and contributed to a larger societal awareness of and discussion about the PED problem. It is for this reason that Mitchell's seminal report goes beyond simply listing professional baseball players who had some demonstrable link to steroid use. Instead, Senator Mitchell and his team dedicated considerable time and effort into detailing why they believe the steroid issue is one that requires attention. What effect do steroids have on young athletes? Do steroids create an unfair playing field? What does steroid use by some players do to the history and integrity of the game? What is the responsibility of athletes who are expected to act as role models? What is the role of the government in regulating sport? These and other questions animate the debate about the harms and risks associated with steroid use. And, it is precisely the discursive framing and maneuvering over these issues that are the focus of this dissertation.

While there will be some question about the veracity of many of the common claims leveled against steroids and steroid use, I am not primarily invested in their

⁴ 12 players we suspended in 2013 for violating the League's PED policy. Between 2006-2012 there were only 26 suspensions for PED use which is roughly 4 suspensions per year. 2013 saw more suspensions than the 3 previous years combined ("Steroid Suspensions").

essential accuracy. Rather, I focus on how these common discursive and argumentative nodes embedded in the controversy surrounding the PED problem are rhetorically constituted and historically situated. I ultimately suggest that while the focus of these discussions tends to be more practical, there is a sense in which these admonishments constitute a moral judgment and that, like historical examples of regulation of excess, including things like drugs, alcohol, and food, the current rhetoric about and regulation of PEDs implicates our understanding of how people are governed. In addition, the attendant issues of power and control that underlie this discussion make it an important and worthy site of inquiry.

In the previous section I gave a brief history and summary of the Mitchell Report, its central findings, and the effect that it has had on both PED use and broader discussions about steroids in sports. I will move now to a discussion of sports oriented research by communication and rhetoric scholars and make some arguments to support research into sport generally.

Communication, Rhetoric, and Sport

Despite the relatively new uptake of sports as a specific area of communication research, much has been written about sports from a diversity of perspectives. One of the more common of those perspectives is that of race. This makes sense given the complex history of racial segregation and bias that occurred during the initial development of many American sports organizations and in many cases still continues today. Analyses of significant historical events in sports make up some interesting and insightful contributions to sports communication research (Butterworth, 2011; Bass, 2002).

Similarly more contemporary sports/race issues have garnered scholarly attention. One such analysis looked at the home run race between Mark McGuire and Sammy Sosa, and argued, “sports media produce and perpetuate a discourse that privilege whiteness” (Butterworth, 2007, p. 229). Other analyses approach race by focusing on things like the media coverage of sports, gun possession in the NBA (Leonard, 2010), and street culture and dress in the NBA and NFL (Cunningam, 2009).

In addition to race, scholars have raised questions about gender and sexuality as they relate to sport. For many, sports are often associated with masculinity and heteronormativity (Trujillo, 1991; Butterworth, 2006; 2008). Others have argued that while historically many sports have been marred with masculinist and heteronormative traits, they are becoming more progressive in terms of gender and sexuality issues (Miller, 2001).

Interesting research has been done that looks at sports from a rhetorical perspective. Michael Butterworth (2011) analyzes the rhetoric of Muhammad Ali and its potential value in terms of reconciling nonviolent and militant resistance movements during the civil rights era. Also Von Burg and Johnson (2009) use Kenneth Burke's theory of nostalgia to discuss the issue of steroids in professional baseball.

Most would agree that sport plays a unique role both in society and communication. Not all people are sports fans or even follow sports, but this does not make them immune to the reach that sport has in society. Independent of one's interest or participation is sports culture, most if not all people are familiar with major sports events and news stories. The digital and information age has brought with it, for better or worse, the total saturation of information best exemplified by the twenty-four hour news cycle

that brings people up to the second updates about politics, popular culture, gossip, etc. Sport is no exception. Instead of sports programs and journalism that reports scores and injury updates, we are now subject to news coverage that provides inside information about athletes, teams, and sports organizations. The rhetoric of sports has evolved to include discussions of race gender, class, and religion both within and beyond academic inquiry. This heightened level of detail and information overload in part explains why sport is no longer just for sports fans. In fact, the amount of sports news that is not about sport per se (scores, etc.) has in all likelihood surpassed the latter. It is for this reason that sport has taken on the form of social currency. Like politics and the weather before it, sport represents a means for social interaction that cannot be underestimated. Not only does this represent a new area for sport research, it serves as an independent justification for further theorization of communication and sport.

I have only scratched the surface in my brief summary of sports research above. That being said, it should be clear that the relationship between sport, communication, and the political (including governance) needs more investigation. I have suggested that there is a tension in the way that sport is considered and discussed. For many, sport is relegated to mere recreation, both for participants as well as consumers. In other words, sport is not serious. This may seem like a valid view. After all, sport is a collection of games and, as we all know, games are for fun and by definition not serious. For many, this simple assumption colors their view of not only sport, but sports fans, writers and likely sports academics. For example, there are those who would and do argue that government intervention in the steroids issue in professional sports is not only unnecessary but also improper (doesn't the government have more important things to be

doing?). There is a fair amount of research that suggests that sport need not be relegated to the category of mere game (e.g., not serious, fun, etc.), that it might enter into the realm of the political (Wang, 2009; Manzenreiter, 2010; Champion & Norris, 2010; McKay & Miller, 1991; Butterworth, 2005; 2007; Stempel 2006). This, however, does not mean that this movement of sport into the political is not met with resistance and discipline. I would argue in fact that the nature of sport makes it an invaluable tool in addressing socio-political issues. Due to its popularity and widespread appeal, sport represents a platform for individual actors that they might otherwise never be able to access. Butterworth, discussing baseball, makes the same point: “Indeed, being hailed as the “National Pastime” assigns baseball a status that *depends* on sports socio-political value” (Butterworth, 2007, p. 229). The issue that remains to be explored and theorized is the tension between sport and the political. What does it mean when sport encroaches into the political realm? What does it mean when the political encroaches into the realm of sport? What are the implications of an interpretation of sport that limits it to the arena of leisure/recreation? At stake in these questions and others is both the meaning and function of sport, both what it is/how it is conceptualized and what it should be/how it should be conceptualized. This avenue for research, and I see this dissertation as part of that, can contribute greatly to the study of communication.

Chapter Summaries

Chapter two introduces the theoretical lens and analytical vocabulary guiding this dissertation. Throughout, I focus on particular rhetorical strategies and argumentative nodes--the contours of the controversy, the framing devices, and the cogency of the reasons offered—on which this analysis relies. Ultimately, this work is intended to inform the broader theory of governmentality.

Importantly, the study of governmentality seeks to describe the ways that strategies for governing have transformed historically. The move toward governmentality represented a departure from traditional notions of power relations and ushered in an era where power, instead of emanating consistently from the top (state, church, etc.) became a function of multiple institutions, projects, and techniques. In chapter two I argue that what is at stake in the Mitchell Report is a struggle over who governs, what can be governed, and through whose authority. Moreover, I argue that the Mitchell Report is a site whereby we can see the governmentalization of the state at work.

I focus on the Mitchell Report to illustrate the governmentalization of the state for two purposes. First, the extended debate over the proper role of the state that takes place within the pages of the Mitchell Report, specifically, the ways that the report justifies its involvement in professional sports, provides important content linking sports, politics, and governmentality. Secondly I define and contextualize the relevant terms, concepts, and theories from the scholarly traditions surrounding governmentality and moral regulation that inform my reading of the Mitchell Report's primary arguments. That is, I work to explore the ways in which the Mitchell report, as an exemplar of the kinds of discourses that have circulated ever since the beginning of the PED controversy, situates

the question of PED use, what that framing says about steroid users, and the underlying justifications for those moves. Ultimately, I suggest that PED rhetoric goes far beyond the scope of professional sports and functions to normalize values and govern behavior while condemning arguably valid perspectives as moral hazards. What follows is a more detailed account of how.

Chapter three investigates one of the primary arguments found in the Mitchell Report and made about steroids generally, that professional athletes are role models, especially to young people, and have a responsibility to behave in appropriate ways. Moreover, athletes who choose to use PEDs abdicate their responsibility to the kids who might emulate their behavior. One of the more common arguments used to decry the harms of steroid use, specifically steroid use by professional athletes, suggests that it sends a signal to impressionable young people that PED use is acceptable.

This argument operates on the back of several critical assumptions. First, it assumes that athletes are in fact role models. Second, it assumes that impressionable kids will model their behavior. Third and perhaps most importantly, it assumes that PEDs are bad for the user's health. These assumptions and other questions about the veracity and legitimacy of this primary argument in the war on PEDs will be investigated here.

In addition, to better understand the implications of this rhetorical framing I compare it with historical examples of the moralization of health and attempt to situate role model rhetoric within the field of moral regulation. Here I will suggest that role model discourses function to project responsibility for both the increase in steroid use by young people as well as the resulting implications of that use (i.e. violence associated with "roid rage", depression, and suicide) onto athletes who use steroids. Furthermore,

this particular form of scapegoating suggests questions about these players' moral character including their will power, sense of fair play, and notions of responsibility.

Chapter 4 addresses another primary argument from the Mitchell Report, that PED use by professional baseball players constitutes a threat to the integrity and historical importance of baseball as America's pastime. The Mitchell Report advances this argument using the criteria of fairness and suggests PED use is problematic because it creates an unequal playing field. This conflicts with the ideals of competition and threatens the integrity of sports. This argument relies on the basic premise that if some athletes are using steroids and others are not, those who do have an unfair advantage. It is easy to think of this argument in a simple way: player A (a pitcher for example) has taken PEDs and player B (the hitter) has not; this makes the game unfair. But, many have argued that the imbalance is really an issue of history. For example, when former hitting great Barry Bonds broke the all time home run record, it was argued that his achievement was not as impressive as that of Hank Aaron because of Bond's alleged PED use. This argument was extrapolated to the extent that many refer to the current era of baseball as the "Steroid Era"⁵ with the implication being the following: all things that happen during this era should be considered as separate from or at least not comparable with important moments and statistics in baseball history. There was a debate about what should happen to Bond's record breaking baseball and it was suggested that his statistics should include an asterisk to symbolize the lack of a level playing field. In many ways

⁵ This term is used commonly to identify the period in baseball with prevalent PED use. Typically the era is thought to be between the late 1980s and the early to mid-2000s. The term is primarily used to contextualize the statistics and records that were set during that time period. Mitchell actually uses this term in the Mitchell Report (see SR-1).

the asterisk has become the metaphor for the "Steroid Era" in that all achievements, even including those that may not have been aided by steroids, will always be considered suspect.

While this was a common feeling among sports fans for a time, for many the PED problem is one that they would like to see go away. For a time, every announcement that a famous athlete was suspected of taking PEDs or tested positive for a PED came as a blow to people who were emotionally invested in sports like baseball. But, over time, many fans began to hear those announcements with passing indifference. If Mitchell is correct that PED use threatens the history and legacy of professional sports, namely the great American pastime, baseball, how can people have lost interest? While there were once impassioned cries to get steroids the hell out of baseball, there are now whispers by those who see steroids as both the reality of modern sports and also as the great equalizer.

Chapter four argues that implicit in the argument for integrity is a longing for some nostalgic view of baseball that likely never existed. Like much of history, the annals of baseball have been whitewashed over time. We forget that Babe Ruth was a drunk and Ty Cobb was racist. We downplay the time in baseball's storied past when only white players were allowed to play in the major leagues. We choose to ignore the Black Sox scandal that saw baseball, on its grandest stage, turned from competition to betting scandal. Instead of remembering these things, we often choose to remember baseball as pure and, most importantly, fair. But these memories of baseball as pure and fair are not simply inaccurate; they are also the foundation upon which criticism of modern baseball and the PED scandal rest. I argue that this use of false history to vilify

behavior is a common feature of moral regulation that ties debates about PED use to other projects of moralization.

Chapter five examines the aftermath of the Mitchell Report, particularly the spate of players' public apologies in response to the report's demand for contrition. While most of what has been said and written about the Mitchell Report focuses on the players named in connection with PED use, it is important to remember that the reason MLB asked for the assistance of the government was both to assess the degree to which PED use had infiltrated and corrupted baseball and to recommend steps that could help reduce or eradicate PED use from the sport. In fact, much of the report was dedicated to outlining a relatively detailed program designed to educate players at a variety of levels (youth, high school, college and professional) about the potential risks of steroid use. Importantly, throughout the report, there are consistent themes about protecting potential PED users from being tempted to try banned performance enhancers. Congruent with this thematic recurrence is another that is directed toward players who have been in some way linked to PED use. Specifically, what should be done with players who violate the PED policy? The report suggested that MLB strengthen its testing program as well as increase suspensions for players who are found to be in violation of PED policies. But, what about the (sports) cultural acceptance of players who have used PEDs? How do organizations, fellow players, and fans react after a player has been accused of using or suspended for using PEDs? What steps are players expected to take in order to be forgiven for their transgressions?

In baseball and beyond, athletes implicated in the PED controversy have faced broad criticism not only for their behavior and choices, but also for how they responded

to claims that they were involved. Be it denial, befuddlement, acceptance of responsibility, or apology, this pattern suggests that there is an expectation that athletes respond and anecdotal evidence would suggest that those responses are more widely accepted if they include what is judged to be a complete and genuine apology. I suggest that there are elements of this problematic at work in the Mitchell Report. In this chapter I argue that the apology is functionally the modern version of the confession, which Michel Foucault (1978) argues has been used historically as one technique for self-governance. The evolution of the confessional from a relatively private exchange between priest and sinner to a more public form that compels the sinner to accept and internalize their transgression publically functions to ensure that the quality (genuineness, sincerity, authenticity, etc.) of that apology can be judged by a public that bears witness to that act of contrition. This strategy, I contend, is compatible with the larger strategy of governance articulated throughout this dissertation.

In Chapter six, my concluding chapter, I review the primary arguments set out in the preceding chapters, situate those arguments within the broader disciplinary context of sports communication, and explore the implications of those arguments for what it means to govern. I also discuss some limitations of my analysis including some areas for future research in the area of PEDs and sports communication.

Conclusion

This chapter briefly introduced my object of analysis, the Mitchell Report, as well as the theoretical approach I use to analyze its arguments. With this in place, I turn my attention to chapter two where I offer a more in depth look at governmentality, moral regulation, and the specific concepts from those theories that inform my analysis.

Chapter 2 - “Inside Baseball”: State Intervention and the Governmentalization of Sport

In this chapter I establish and develop the conceptual and theoretical framework on which the rest of this dissertation relies. Specifically, I unpack some elements of governmentality and moral regulation that are central to this project. Moreover, this chapter serves to set up some of the object analysis that is further developed in the following chapters.

The discussion that follows serves as a primer for concepts that are further developed throughout the rest of the dissertation. It is not meant to be an exhaustive exploration of governmentality or moral regulation but rather sets up a foundation. Also, while I use examples to explain some of these foundational concepts, the majority of the content analysis can be found in chapters three, four, and five.

This chapter begins with a brief introduction to the concepts of governmentality and moral regulation. I then turn to exploring some specific concepts from each that are central to this dissertation. First, I explain how traditional conceptions of morality function within the theory of moral regulation. Next, I unpack the hybrid discourses of risk and responsibility. I follow this with a section dedicated to a discussion of self-governance. I then move on to a discussion about the role of nostalgia.

Finally, I conclude with a section that focuses on the case for communication research in moral regulation and a summary of the most important themes and concepts that emerge throughout the chapter.

History is filled with instances of regulation of consumption, excess, and improper behavior. Examples include the prohibition of alcohol in the early part of the 20th century and the continued debate over a variety of regulatory issues including: the proper regulation of the consumption of alcohol, the drinking age, the marketing of alcohol, and laws and punishment for drinking and driving (Valverde, 1997). Similar regulatory strategies can be seen in current debates over the legalization of marijuana either for medical purposes or recreational use (Hathaway et al., 2011). A more recent example is the dramatic rise in discourses surrounding the "obesity epidemic" (Wright & Harwood, 2012; Mitchell & McTigue, 2007; Griffin, n.d.) in the United States and the attendant discussions about lifestyle choice and issues about dieting and fast food. For many, food, alcohol, and even some drugs are considered acceptable so long as they are used in moderation (e.g., the mindful eater, the social drinker, and the recreational drug user). Despite their relatively broad acceptance, food, alcohol, and marijuana have all arguably been subtly regulated in suspiciously moral ways. On their face, it may seem that the consumption of alcohol, drugs, and food have nothing to do with morality, at least in a traditional sense; however, common rhetorical strategies used in the discussion of these issues often function to establish or codify moral justifications (or de-justifications) for certain policies and practices associated with these acts of consumption.

Thinking first about the historical regulation and one time prohibition of alcohol, one can clearly identify the suggested relationship between alcohol and deviance. In the 1800s, alcoholism was considered a "defect" that demonstrated a problem with one's "moral faculties", particularly one's will power (Valverde, 1997, p. 258). Early propaganda films like *Reefer Madness* suggested that marijuana use could risk turning well-adjusted, well-intentioned teenagers into deviants and violent criminals almost instantly (Kobel, 2010). Current discourses about the "obesity epidemic" seems to suggest that one's body mass communicates much about not only a person's ambition and drive but also their character, i.e. that they lack will power or are gluttonous. In many ways the regulation of alcohol and marijuana consumption was not so subtle. Claims about drinkers and drug users were not shrouded behind any veil of secrecy; rather an explicitly moral and regulatory rhetoric was used as the basis for federal and state policies that led to prohibition and the laws that even today regulate alcohol possession and make it illegal to possess many different drugs in the United States.

An important feature of these examples of regulation is that they assume some level of governance on the part of the subject. There are laws that criminalize specific behaviors after one has consumed alcohol (driving, obnoxious and/or disruptive behavior in public, etc.) but there are also widespread campaigns that target would-be lawbreakers and encourage them to limit their consumption and/or make arrangements to avoid things like driving while intoxicated (e.g. designated drivers). Advertisements for alcohol tend to include the ubiquitous phrase "enjoy responsibly" which asks consumers of alcohol to moderate their intake and avoid dangerous activities while drinking. And, there are

several nongovernmental organizations whose mission is to combat drunk driving (e.g., Mothers Against Drunk Driving or MADD).

Similarly, most states have laws that criminalize possession of even small (i.e., personal use) amounts of marijuana. Perhaps more interesting are campaigns designed to communicate the potential damage that marijuana use can do to one's character, intelligence, personality, and appearance. While there is likely disagreement about the efficacy of both the legal and social strategies for combating irresponsible alcohol and marijuana use, there is something interesting about how the government and social custom work together to establish specific norms of behavior (Rimke & Hunt 2002; Hoy 2004). Both power and control are present in these efforts and need to be analyzed and explained.

Governmentality and Moral Regulation

The examples that I talk about in the previous section should suggest the importance of thinking about modes of governance. This is because they are illustrative of the complex evolution of governance that informs much of Foucault's theory of governmentality. As opposed to relying on norms codified into law, governance has taken on a more nuanced form and I would argue may be much more difficult to identify and therefore recognize and understand. I now turn to a theoretical discussion of governmentality and moral regulation that should give a better understanding of the above examples and a more complete view of the modern version of governance.

As I have suggested above and shall explain further (chapters 3 and 4 specifically), regulation is not static. The ways that drugs and alcohol were regulated in the past are important and provide insight into the ways that regulation functions, but they are not identical to modern projects of regulation. The effect of this change in techniques of regulation is that instead of regulation emerging or beginning consistently from the top (as in government policy) or from below (as in custom, social practice, or social pressure), there are now examples of regulation that come from both and work in conjunction to manage behavior and populations.

This change or evolution in regulatory technique is the primary focus of Michel Foucault's theory of governmentality, which he describes as:

[t]he ensemble formed by the institutions, procedures, analyses and reflections, he calculations and tactics that allow the exercise of this very specific albeit complex form of power, which has as its target population, as its principal form of knowledge political economy, and as its essential technical means apparatuses of security. (1978, p. 244)

The study of governmentality seeks to describe the ways that strategies for governing have transformed historically. Government, as a form of power, has gained "preeminence" over other historic versions of power, sovereignty and discipline (Foucault 1978, p. 244). The move toward governmentality represented a departure from traditional notions of power relations and ushered in an era where power, instead of emanating consistently from the top (state, church, etc.) became a function of multiple institutions, projects, and techniques. In other words, "a whole variety of authorities govern in different sites, in relation to different objectives" (Rose, O'Malley, & Valverde, 2006, p. 85). The transition then, from the disciplinary state to the art of governance, is marked by a reduced emphasis on the administration of control and power from the state

and a move toward a strategy of managing populations and regulating behavior through less disciplinary means (Foucault, 2009).

Drawing heavily from theories of governmentality and self-governance, moral regulation seeks to understand and describe moves to moralize specific populations and individuals on a number of levels including the state, non-governmental organizations, and the individual. Moral regulation is a “form of politics in which some people act to problematise the conduct, values or culture of others and seek to impose regulation upon them” (Hunt, 1999, p. 1). There are three reasons that we should study moral regulation. The first is that projects of moral regulation are often initiated from below, that is, by those with no institutional power. Second, projects of moralization “provide classic instances of an intimate link between the ‘governance of others’ and the ‘governance of the self’” (Hunt, 1999, p. 2), i.e. projects of moralization often stimulate self-governance. And third, moral regulation is a significant political formation in contemporary society and is becoming more visible. While the past several centuries have seen the emergence of new or more visible projects of moral regulation, an important feature of moral regulation is its enduring nature. Certain themes have historically been involved in moralizing projects, for example health, sexuality, consumption including alcohol and drugs, and obscenity. Despite the relative consistency of the themes I just mentioned, there is also a sense that historically projects of moralization have changed and evolved. In fact, “[t]he similarities and dissimilarities between the multiple intersecting instances of moral regulation across time suggest a pressing need to grapple with the field of moral politics” (Hunt, 1999, p. 3). Because of their ability to evolve it is therefore necessary

that scholars continue to track and analyze projects of moralization and should serve to validate this specific investigation.

A central part of both governmentality and, as I will show, moral regulation, is the location of power. For theories of social control, power is assumed to emanate from a central body, in many cases the state. For Foucault, the transition away from power as conceptualized by theorists of social control marked the beginning of the art of governance. More specifically, when the state recognized that it was more efficient to manage populations as opposed to individuals, governmentality was born. With this transition came the movement away from centralized power structures as a means of creating norms for behavior, in part because of the inefficiency that I mention above, but also because of the effectiveness of governing from multiple positions. Put differently,

[I]nstead of seeing any single body—such as the state—as responsible for managing the conduct of citizens, this perspective recognizes that a whole variety of authorities govern in different sites, in relation to different objectives. Hence, a second set of questions emerges: Who governs what? According to what logics? With what techniques? Toward what ends? As an analytical perspective, then, governmentality is far from a theory of power, authority, or even of governance. Rather, it asks particular questions of the phenomena that it seeks to understand, questions amenable to precise answers through empirical inquiry. (Rose et al., 2006, p. 85).

The state then, is not the lone source of power that is used to govern through the passage of laws; rather, power emanates from multiple sources and likely looks different depending on the phenomena being studied.

Beyond representing a break with more traditional theories of power and social control that see the state or some other powerful institutions as exercising power over individuals or populations, governmentality is unique in the sense that the form power takes can be unpredictable. According to Rimke and Hunt (2002),

Moral regulation may operate through the external action of agents and institutions upon subjects and it may stimulate subjects to act upon their own conduct. So pervasive have such projects been that it is unwise to seek to pronounce any general sequence of forms of moral governance. Nevertheless certain important shifts are identifiable. (p. 60).

For some this might be seen as a limitation or at least creates a sense of uneasiness regarding governmentality. Specifically, if power is emanating from a variety of sources, and those sources differ based on the phenomena being studied, how can one effectively draw conclusions about power used in this way? However, that the source of power is unclear and/or constantly changing does not prevent effective analysis of this mode of governance. As opposed to focusing on institutions, one can instead focus on other manifestations of its presence. Walters (2012) explains governmentality as:

a cluster of concepts that can be said to enhance the think-ability and criticize-ability of past and present forms of governance. This toolbox equips us to do something important and quite novel: to understand governance not as a set of institutions, nor in terms of certain ideologies, but as an eminently practical activity that can be studied, historicized, and specified at the level of the rationalities, programmes, techniques, and subjectivities, which underpin it and give it form and effect. Research using this toolbox has also underscored the fact that governance is... in no way confined to the formal apparatuses of politics and government. (p. 2)

By focusing on rationalities, programs, techniques, and subjectivities, instances of governmentality can be effectively identified, their existence historically mapped and used as a basis to further understand the evolution of power and its ability to create and shape norms that impact the way that people think and behave. As Rose et al. (2006) argue, recognizing how we are governed demands that we move away from state centric critique and acknowledge the role that other, less obvious sources of power have and the role they play in governing. Rose et al. (2006) explain:

What remains salient and challenging about this approach is its insistence that to understand how we are governed in the present, individually and collectively, in our homes, workplaces, schools, and hospitals, in our towns, regions, and nations, and by our national and transnational governing bodies requires us to turn away from grand theory, the state, globalization, reflexive individualization, and the like. Instead, we need to investigate the role of the gray sciences, the minor professions, the accountants and insurers, the managers and psychologists, in the mundane business of governing everyday economic and social life, in the shaping of governable domains and governable persons, in the new forms of power, authority, and subjectivity being formed within these mundane practices. Every practice for the conduct of conduct involves authorities, aspirations, programmatic thinking, the invention or redeployment of techniques and technologies. (p. 101)

Now that I have explained the nuanced relationship between governmentality and the state, I turn my attention to some specific examples of governmentality and techniques of moral regulation. I mention above that depending on the phenomena being studied, both governmentality and, by extension, moral regulation, can take on many different forms. For this reason, understanding moral regulation requires unpacking the term “moral” and its special meaning in this context.

Rhetoric and Governmentality

The theory of governmentality has been used extensively in their field of rhetoric. Essays that have used rhetoric to discuss governmentality have delved into a range of topics including the use of film as a tool for shaping conduct (Greene 2005), academic debate as a training ground of liberalism and formation of the critical subject (Greene & Hicks 2005), disease awareness (Thornton 2010), European football fan culture (Woodward 2007), and public health campaigns (Davies & Burns 2014). These and others offer insight not only into governmentality but more importantly into the

intersection of governmentality and rhetoric and help establish the important role(s) that communication can play in modern governance.

First, communication plays an important role in governance as a medium through which information can be disseminated. Ronald Greene, in his analysis of movies displayed at the YMCA in the early 20th century argues that those films constitutes an attraction effect which functioned as a cultural technology that shaped the conduct of those who attended the film showings. He argued that the films and "the particular importance of communication technologies and practices for governance, in general, and liberalism, in particular, is the ability of communication to transform the spatial and temporal coordinates of everyday life" (Greene 2005, p. 21). Furthermore, he suggests that the films were a kind of "technology of attraction" that "makes possible the movement between the concrete and the abstract is the circulation of pastoral power that allows the liberal state to govern at a distance by instilling intimate pedagogical relationships between spiritual guides (experts) and a population." (Greene 2005, p.21). Davis and Burns (2014) would seem to agree, they argued that the "media is instrumental in producing, upholding, and contesting norms and practices of healthy citizenship in the current era of neoliberal government". (p. 713). Governance in this way can be seen as essentially discursive and as "generative of specific identities which re-form, resist and accommodate as well as comply" (Woodward 2007, p. 774).

Rhetoricians have also contributed to the evolution and conceptualization of the study of rhetoric as something other than simply practice or representation. Instead, work

on governmentality and rhetoric sees the later as the investigation of a process. Greene (2013) explains,

[R]hetoric shape shifts from a practice (a presidential speech) into a perspective/method (a mode of inquiry), into a discipline (rhetorical studies), and, finally, into a process (power). Yet, rhetoric's monstrous morphology allows it to keep on keeping on, long after the thrill is gone. (p. 261).

This conceptualization is important because it changed the role of the rhetorical critic from one who describes the relationship between rhetoric and the world to agents from social change. In other words, "institutions, organizations, and social movements, inclusive of rhetorical studies, participate in social change by isolating the techniques and technologies of communication as a site for intervention and of change" (Greene 2013, p. 262).

Communication and rhetoric in this sense have real implications on the way that individuals are governed. Discourses, be they in mediated form like film for example, or otherwise, have the capacity to effect self-governance on the part of individuals. For example in a study on European Football (soccer) fans, Woodward (2007) argued that modern governance has the ability to transform "football supporters from disruptive 'hooligans' to responsible citizens" (p. 774) and that they become a part of a larger "social transformation" (p. 774). Importantly, this mode of governance demands that citizens take responsibility for their own governance. Put differently,

[A]n under-appreciated aspect of the productive power of cultural governance resides in the generation of subjects who come to understand themselves as speaking subjects willing to regulate and transform their communicative behaviours for the purpose of improving their political, economic, cultural and affective relationships" (Greene & Hicks 2005, p. 101).

Importantly, the management of discourse is one of the primary ways that self-

governance is affected. As I have mentioned, the art of governance is characterized by a decentralization of power whereby,

[c]ontrol is not direct, but works “at a distance” through the “soft powers” of rhetoric. Thus, government is more a matter of disseminating shared vocabularies that create alliances and affiliations amongst diverse agents, and enrolling individuals and organizations to actively and voluntarily participate in programs out of their own articulated desires and interests” (Thornton 2010, p. 315).

That the ability to transform discourse "operate[s] as new techniques of control" (Woodward 2007, p. 774) should underscore the importance and the impact that discourse can have in governance.

Putting the ‘Moral’ in Moral Regulation

It is critically important to unpack the relationship between morality as it is generally conceived and the meaning or function of the term within moral regulation theory. While the idea of morality may invoke religious notions of right and wrong, that is not strictly the implication here. Instead, the word moral here refers more generally to a normative claim or judgment regarding behavior or “a social action that attempts to influence the conduct of human agents” (Hunt, 1999, p. 4). Hunt (1999) explains further that,

[t]he implication of this conceptualization (sic) of moral regulation is that ‘the moral’ dimension is not an intrinsic character of the regulatory target, since there is no set of moral issue that are necessarily moral issues; rather the moral dimension is the result of the linkage pointed between subject, object, knowledge, discourse, practices and their projected social consequences. (p. 7).

Additionally, there is a distinction that can be drawn between moralization and morality that suggests the former is relational and involves condemning some specific behavior or action as wrong. Moreover, moralization differs from morality in the sense that the

behavior can be seen as wrong in one context but not the other. For example, the use of steroids by athletes can be seen as problematic while their use in what are seen as legitimate medical treatments or procedures can be interpreted as neutral or even good.

It has also been observed that the objects of projects of moralization have not remained static over time and, while historically moralization was directed at acts of consumption, it is becoming more common for projects to target health issues which are less likely to be thought of as moral:

Alongside persistent themes the current agenda features a set of issues that are at one and the same time old and new: probably the best example is provided by the moral regulation of consumption. Common items of daily consumption – tea, coffee, and tobacco being prime examples – have long been moralised (sic), but there have been profound transformations in the moral discourses within which they are located. The discourse of health now play a disproportionate role; this is significant because to locate grounds for not drinking coffee as a response to the presence of caffeine at first glance appears to take the issue outside the sphere of moral regulation. But closer inspection reveals a strange persistence of the status dimensions of consumption patterns: located within a medical discourse, abstention now signifies a responsible care for the self, evidence of mastery over the simple pleasures in the name of health and longevity. (Hunt, 1999, p. 3)

Similarly, discourses surrounding performance enhancing drugs (PEDs) use by professional athletes may not seem at first to have anything to do with morality, but, like in the case of caffeine, particularly when combined with a medical discourse about the health risks associated with PED use, these discourses can be seen as stimulating a productive care of the self. This argument will be explored in more depth in chapter 3.

Now that I have described the primary meaning and application of the term “moral” in the context of moral regulation, I am now in a position to more fully articulate three concepts I view as central to my critical evaluation of its circulation in the context

of steroid and PED use by major league baseball players: hybridity, self-governance, and nostalgia.

Hybridity (Risk and responsibility):

A discursive strategy often employed in projects of moral regulation, hybridity refers to the power of complimentary discourses to affect the behavior of specific populations or the opinions of the population more broadly. Often, such projects of moral regulation are articulated in conjunction with discourses about risk and responsibility (Connell and Hunt, 2010; Hunt, 2003) that focus on particular populations as opposed to society at large. However, such projects tend to articulate a risk or harm that transcends those particular populations. In other words, moralizing discourse understands the implications of the behavior of a certain population not only as a risk to that population but also a risk to a broader population. In addition to risk discourse, projects of moral regulation include discourses about responsibility that frame the risks to a larger population as the responsibility of a smaller population that becomes the target of a project of moralization. The effect of these discourses are the “expansion and intensification” of moralization (Hunt, 1999; Connell & Hunt, 2010; Hunt, 2003).

Understanding risk and responsibility is essential to unpacking the workings of hybridity in the context of this study. In addition, the distinction between moral regulation and another major theory, social control, can help to further define and situate moral regulation and its application to steroid use in major league baseball. First, moral regulation is distinct from social control theory. Social control theory importantly understands discipline as a function of singular discourses, typically from institutions of

power like federal or state governments, affecting or attempting to affect change on society as a whole. Moral regulation, as suggested above, tends to focus its attention on particular populations while articulating risk to larger populations or society as a whole. Perhaps more importantly, moral regulation does not assume that singular discourses are responsible for articulating risk and responsibility, but rather that a combination of discourses come together in a hybrid discourse. “[M]oral regulation movements form an interconnected web of discourses, symbols, and practices exhibiting persistent continuities that stretch across time and place” (Hunt, 1999, p. 9).

Beyond its connection to risk and responsibility and its differences from social control theory, it is also important to understand that hybridity often functions in very specific arenas of human activity. Hybrid discourses have been used most often in projects of moralization that deal with health related issues. In such cases, the risk and responsibility dynamic has been used to associate the behavior of a specific population with a risk to a larger population. For example, it has been argued that elements of governmentality and moral regulation can be seen in anti-smoking campaigns (see Hunt, 1999). The combination of anti-smoking discourses from the government (usually in the form of smoking limitations like bans on smoking in public places), nongovernmental organizations and institutions (e.g. anti-smoking campaigns and smoking bans on university campuses), and individual discourses combine into a hybrid discourse. This discourse rhetorically situates smoking as low class, thus demonstrating a “lack of cultural sophistication,” unhealthy, thus indicating “defective self-care”, and a threat to larger populations - e.g. second hand smoke, cancer epidemics, negative influence on young people, etc. (Hunt, 1999, p. 199).

Another salient example is the use of hybrid discourses in the push for vaccines, specifically the HPV vaccine for young women (Connell & Hunt, 2010). While much of the discourse in favor of HPV vaccination is in the context of cancer prevention, there is also a part of that discourse that focuses on sexuality, specifically that HPV vaccinations also prevent certain sexually transmitted diseases. While it may seem that pro-HPV vaccination discourses are interested in slowing the spread of HPV and related diseases like cervical cancer and genital warts, these discourses also rhetorically situate abstinence as an important option in the fight against HPV. The “convergence of the regulatory discourses” (Connell et al, 2010, p. 64) surrounding HPV vaccinations frame cancer as a looming threat for women and, as such, establish HPV vaccination as the right thing to do. In addition, the emphasis on mothers and daughters in pro-HPV vaccination discourse effectively places the burden of responsibility on women (even though men can also contract and spread HPV), and encourages self-governance on the part of mothers and daughters whereby the decision to prevent the spread of HPV and cervical cancer is up to them.

Importantly, projects of moral regulation do not focus on the disciplining of activities/behaviors in terms of legal bans but rather stimulate self-governance or self-formulation on the part of individuals through the use of risk and responsibility. In terms of smoking, a good example would be social support and quitting groups. In this sense social control theories ignore the complex and hybrid nature of moralizing discourses and instead focus on only one aspect of discipline. In the next section, I more fully explain the important role of self-governance in the context of moral regulation.

Self-Governance (Technologies of the Self)

Another common theme in projects of moralization that is alluded to in the preceding section is what has been called self-governance, self-care, or technologies of the self.

Foucault (1982) defines technologies of the self as those:

... which permit individuals to effect by their own means, or with the help of others, a certain number of operations on their own bodies and souls, thoughts, conduct, and way of being, so as to transform, themselves in order to attain a certain state of happiness, purity, wisdom, perfection, or immortality. (p. 146)

In the lecture from which this definition originates, Foucault traces the history of self-care and self-formation. He argues that historically there have been many versions of self-care that include things like journaling, confession, and introspective meditation, among others. While some of these were historically tied to religious and cultural norms, techniques of the self are usually “associated with a certain type of domination” and “impl[y] certain modes of training and modification of individuals, not only for the obvious sense of acquiring certain attitudes” (Foucault, 1982, p. 147).

I offer two examples of moral regulation resulting in self-governance in the introduction that I will review here. The first is that of anti-smoking campaigns whereby smokers may have felt compelled to abstain from smoking because of moralizing projects that rhetorically situated smoking as low class. The second example from the introduction dealt with alcohol consumption. Like in the case of smoking, heavy drinkers may have felt compelled to abstain from heavy drinking because it was situated as a defect of self control meaning heavy drinkers were viewed as having an inability to abstain that was used as the basis to impugn their character more generally (Valverde, 1997). What is important about each of these examples is that subjects were encouraged

to be introspective about their behavior and make a decision about their consumption. Certainly it is true that there could have been other forces at work like legal structures that criminalized their behavior, but a critical part of moral regulation is that those forces work in conjunction with one another.

Not all instances of technologies of the self deal with consumption and abstention. In fact, as Foucault's history points out there were many manifestations of self-governance. One of these was self-exploration that historically took many forms including meditation, confession (which I explore in great depth in chapter 4), and writing. For Foucault this kind of self-governance was associated with the more Christian edict to know oneself. As opposed to changing ones behavior or lifestyle, as in choosing to abstain from drinking or smoking, writing was a way for a subject to introspectively investigate their thoughts, attitudes, beliefs, and character. While journaling may be less popular than it once was, there are those that argue that it still exists, though in a slightly augmented form, as a kind of modern day self-governance. Here, I am specifically talking about Internet writing using tools like online blogs (Siles, 2012) and even social media and the posting of "selfies" (Hall, 2015). Siles (2012) explains further,

early bloggers proposed a model for developing a relationship with the self based on the creation and annotation of hyperlinks to other sources of content on the Web. Practitioners argued that these techniques could lead to self-discovery, self-transformation, and the revelation of the user's personality to readers of their sites. Users tied the blogger identity to central notions of liberal subjectivity that conceive the self as intrinsically stable, free, creative, and unique. (p. 415)

The Internet can constitute a site for self-exploration and identity formation. It offers users a similar opportunity for self-governance that confession, introspection, and journaling offered subjects in the past.

Moral regulation relies on technologies of the self as a mechanism for the creation of norms of behavior. According to Hunt (2004), “a significant dimension of moral regulation projects is that they are projects directed at governing others while at the same time result in self-governing effects” (p. 16).

Nostalgia or Retraditionalization

A third and final common element of projects of moral regulation is the use of nostalgia as a justification for the norms that projects, for example those targeting consumption or sexual purity, seek to establish. Using nostalgia to invoke images of a past that was in some specific way better than the present has the effect of conveying moral force and authority or what Hunt (2004) calls the “authority of tradition” (p. 194). “Ideological retraditionalization” is an effective technique within projects of moralization because it can “provide fresh grounds and justifications for projects” while simultaneously advancing “a new configuration of social values” (Hunt, 2004, p. 195).

A good example of ideological retraditionalization can be seen in the presidential campaign of Donald Trump. His campaign slogan is “Make American Great Again” and his platform consists of vague claims about returning America to greatness in areas like global trade and economic growth. Trump’s invocation of a past where Americans were generally happier due to lower unemployment and a greater industrial and manufacturing presence in the US has to be reconciled with the things that he represents that do not

conform with that vision. For example, his stance on immigration and attack on PC culture stand in stark contrast to other elements of his campaign. Despite these contradictions, the “plausibility and legitimacy of moral discourses” rooted in nostalgia allow Trump to gloss over any perceived inconsistencies (Hunt, 2004, p. 195).

Trump aside, nostalgia and retraditionalization was at the heart of a number of projects of moral regulation particularly in the early 20th century that included movements toward more conservative views on sexuality, decorum, and censorship, all of which were considered traditional values of the past and were perceived as being lost to progress (Hunt, 2004). The effectiveness of these and other projects was in part due to the moral force associated with “a nostalgic ‘good old days’ of class difference, religious conformity, gender certainty, and bourgeois respectability” (Hunt, 2004, p. 192).

Governmentality, Moral Regulation, and Communication

In this section, I bring the previous elements of this chapter together into a single vision for the analysis I undertake throughout the rest of this dissertation. As I mentioned in the first chapter, there were many years when it was assumed that professional baseball players, as well as athletes in other professional sports, were using PEDs. The steroid era, a term that I use throughout this dissertation, refers more to the period when there was evidence linking players to PED usage. This distinction may seem academic but it is in fact both important and instructive, particularly when considering the connection between my method and communication theory generally. What I mean by this is that it was not until there was convincing evidence tying players to PED use that the broader anti-steroid movement began to gain traction. It inspired things like the investigation into

BALCO, which eventually linked super-star Barry Bonds to PEDs, and the congressional investigation into PED use in the MLB, which in turn brought about the investigation that led to the Mitchell Report. In other words the steroid era is defined more about the investigation into and discourses about PEDs in sports than it is about the increased use of PEDs in professional sports. While there is no evidence to support this idea, I suspect that, because the steroid era was a reaction to the suspicion of PED use in the MLB, there was likely more PED use before the era actually began. The idea that PED use was well known but that organizations and the league turned a blind eye supports this conclusion. In other words, during that time there was relatively little risk in using PEDs, but the beginning of the steroid era certainly changed all of that.

Another way to think about the transition to the steroid era is to say that it ushered in an “incitement to discourse” (Foucault, 1978). By this I mean that the steroid era was less about high rates of PED use and more about a cultural shift toward talking about PEDs. The investigations mentioned above represent a larger move toward exposing PED use and the mechanism for that exposure was knowledge and discourse. There was pressure from news sources, the government, and even fans to know and speak about PED usage, risks, and solutions. Foucault (1978) describes this incitement to discourse in the following way:

At the level of discourse and their domains, however, practically the opposite occurred. There was a steady proliferation of discourses concerned with sex – specific discourses, different from one another both by their form and by their object: a discursive ferment that gathered momentum from the eighteenth century onward. Here I am not talking about much of the probable increase in “illicit” discourses, that is, discourses of infraction that crudely named sex by way of insult or mockery of the new code of decency; the tightening up of the rules of decorum likely did produce, as a counter effect, a valorization and intensification, of indecent speech. But more important was the multiplication of discourses

concerning sex in the field of exercising power itself: an institutional incitement to speak about it, and to do so more and more, a determination on the part of the agencies of power to hear it spoken about, and to cause it to speak through explicit articulation and endlessly accumulated detail. (p. 18)

Foucault is making two important points here. First, he argues that the institution of norms of sexual decorum and laws grounded in similar motivations unleashed more discourse on the topic of sexuality and sex generally. Second, he notes that this discourse was in the context of exercising power over sex. While Foucault is not talking about PEDs in baseball, his description of the “incitement to discourse” applies equally well. The steroid era saw exactly the same move to discourse about PEDs and the same “institutional incitement to speak” (Foucault, 1978, p. 18). Ultimately, the argument that I make in this dissertation, and one that is developed in subsequent chapters and analysis, is that the Mitchell Report exemplifies the “incitement to discourse” that Foucault identifies. It also represents the “determination” to hear PEDs spoken about. The result in a widespread discourse that was spoken (and called upon to be spoken) from a variety of power locations that ultimately stimulated self-governance.

The incitement to discourse that I just described relates directly to the critical elements of governmentality and moral regulation outlined earlier in the chapter. Discourses of risk and responsibility exemplify this incitement to discourse and it is my suggestion that the Mitchell Report and the steroid era generally were animated by these kinds of discourses precisely because of the “incitement to discourse.” The government, non-governmental organizations, non-profits, sports media and individuals were compelled to speak about the risk of PED use is the same "endlessly accumulated detail" that Foucault talks about (1978, p. 18). Similarly, technologies of the self involve

compelling the subject to investigate themselves, and in many cases report on that investigation through writing or confession, literally they are incited to talk about their introspection. The same is true for discourses of nostalgia. I argue that the discourses that rely on invocations of the past as better are a manifestation of the incitement that Foucault describes.

Conclusion

This chapter set out to establish a framework for thinking about the discourses of PED use in professional sports and the in the Mitchell Report specifically. That framework relies on the theories of governmentality and moral regulation. It should now be clear that moral regulation is a technique of governance whereby power and discourse emerge from a variety of social locations as opposed to simply from the state in the form of laws and codes. That power is not conceived of as centrally located or as functioning in a top-down way is critical to this modern form of governance. Instead of being governed externally, subjects are called upon to govern themselves either through a form of self-inspection (writing, confession, etc.) or through abstention and renunciation. Further, I have highlighted and given examples of three relatively common elements of this form of governance and moral regulation: hybridity, technologies of the self, and nostalgia. Each of these will inform a more specific analysis of the Mitchell Report in the following chapters. Finally, I have laid the groundwork for the argument that I make throughout this project as a whole, that governmentality and moral regulation are fundamentally tied to communication. That the “incitement to discourse” that results from projects of moralization functionally govern through the creation of discursive

norms. In the next chapter I will move to a more specific discussion of the Mitchell Report and analyze one of the central arguments made in that artifact: that professional athletes are role models and, as such, their PED use sends a troubling message to impressionable youths across the globe.

Chapter 3 - Governmentality and Rhetorical Constructions of *Health Risk*: The Professional Athlete as “Role Model”

In September of 2004, 19 year old Efrain Marrero was found dead of a self-inflicted gunshot wound. Just weeks before, Efrain's parents discovered that their son had been using steroids. Marrero was reportedly surrounded by steroid use at his local gym, by coworkers at the local mall, and by other players on his college football team. Marrero, like many others, used the Internet to procure steroids. Despite being found out by his parents and urged to stop, Marrero continued to use steroids and eventually took his own life. Marrero's parents have argued that the steroids were the main contributing factor leading to their son's death (Wilson, 2005).

Less than three years later, Tayler Hooton, a promising high school baseball player, took his own life after using steroids. Hooton's parents attribute his steroid use to the pressures of being a high school athlete from a prominent baseball family. In addition, it was reported that Hooton's baseball coaches told him that he would need to get bigger if he wanted to play baseball at more advanced levels (i.e., college, professional, etc.). Hooton's friends have suggested his steroid use was affecting his personality and that he was suffering from "roid rage", a common term that usually refers to aggressive and angry emotional outbursts associated with steroid use (Leung, 2007). This differs dramatically from the picture of Hooton as painted by the Taylor Hooton Foundation website:

Taylor Hooton was your typical teenage boy growing up in the suburbs of Dallas. He loved spending time with his friends, loved participating in church activities, loved having fun, loved cruising in his black Dodge truck with his girlfriend, and loved listening to music. ("Taylor's story," n.d.).

In both Marrero and Hooton's cases, there was speculation that steroids contributed to depression and eventual suicide. Specifically, it was suggested that that withdrawals from the steroids prompted their decision to end their lives. This speculation relies on the theory that because many steroids artificially stimulate the body's natural production of testosterone (which aids in the development of muscle mass), when a person stops taking steroids it takes time for the body to return to its normal level of natural testosterone production. The resulting hormonal imbalance can cause severe depression and potentially suicide (Wilson, 2005).

This conceptualization of the risks of steroid use has animated one of the primary arguments in the robust debate over PED use including the potential health risks (both physical and psychological) that may result. While this explanation of how steroids cause severe depression and suicidal thoughts may seem reasonable and is grounded in scientific research, it is only one example of the kind of rhetorical deployments commonly used to deter *would be* steroid users: linking their use to potential health consequences. In fact, steroid use has been associated with a variety of negative side effects ranging from damage to male reproductive organs (hypogonadism, i.e., shrinking testicles), the excessive and unnatural development of breast tissue for male users also known as gynecomastia, and other physical and psychological ailments (Kanayama, Hudson, & Pope, 2008; Maravelias, Dona, Stefanidou, & Spiliopoulou, 2005; Pope et al., 2014).

Many of these risk associations are common in media and popular culture representations of steroid users (see e.g., *Son in Law & Fight Club*). The important question has less to do with the scientific basis of these potential health risks, though this will be discussed, but rather with the way that these risks seem to situate both steroid users and would be steroid users rhetorically. In addition, the irony of shrinking testicles (given their use is meant to bulk up the body), the development of breasts by athletes looking for a competitive physical advantage over their opponents, and the ultimate health problems that may arise for body builders seeking the perfect physical image cannot be overlooked. Given that sports "tropes exaggerate and celebrate differences between men and women" and that "these tropes also lionize and make heroes of strong and aggressive men, and marginalize and emasculate men who appear to be weak, passive, or pacifist" (Jansen & Sabo, 1994, p. 9), the suggestion that steroid use could threaten to emasculate the user becomes all the more important and demands critical attention. Thus, even if these kinds of side effects are possible/common, the attempt to establish a link between steroid use and what seem like devastatingly counterproductive side effects is rhetorically significant.

Moreover, common arguments about the risks associated with PEDs are often made in conjunction with arguments about why young athletes decide to take PEDs (e.g., that they are inspired to do so by role models). While there has been difficulty establishing a link between high profile athletes' steroid use and the increase in steroid use by young athletes, the connection has been rhetorically cultivated and reproduced time and again in popular culture and by policy-makers. Because of the ubiquity of this rhetorical trope (i.e., athletes framed as role models), several crucial questions can and

should be raised. Are high profile athletes responsible for the behavior of young athletes who may look up to them? Should high profile athletes be held to a higher standard than the average person in terms of their behavior off the field of play, or, like other professionals, should they be free to do what they want during their free time? The reality is that athletes are more visible because of the platforms that they occupy, and there is no question that they are held to higher standards. Perhaps the most important question is: what is the extent of these professionals' responsibility, especially to young people who might emulate their actions and behavior?

This chapter focuses primarily on the psychological health risks rhetorically associated with PED use and explores the ways that these risks are communicated to the general public. My focus on psychological health risks here is rooted in the Mitchell Report's (MR) focus on these as the most compelling and important consequences of PED use. These rhetorical constructions of psychological *health risk* represent a strategy to buttress and amplify the stakes associated with the "athletes-as-role-models trope" (Marcotti, 2014, n.p.) identified above, especially given the clear connection between psychology and character. Next, I turn my attention to the ways in which high profile professional athletes and public figures have been rhetorically situated as responsible for the actions and behaviors of young people through the circulation of the "athletes-as-role-models trope" (Marcotti, 2014, n.p.) both in public discourse about PEDs and the Mitchell Report (MR) specifically. My analysis throughout is informed by moral regulation theory, specifically what Hunt (1999) calls the risk/responsibility problematic.

Rhetorical Constructions of Steroids and Their Psychological Implications in Popular Discourse

There is no denying that PEDs have been linked with numerous health problems including the psychological disorders I discuss below. My point in the following sections is not to suggest that PEDs are somehow safe (although there is much to be said about their being as safe in many circumstances as other substances that are legal and far less implicated by the devices of moral regulation). Instead, I argue here and throughout the rest of this chapter that public constructions of the steroid controversy tend to circulate *clear-cut* cases of PEDs leading to negative health outcomes even when there is little or no evidence that PEDs were the primary cause. Hence, while scientists and medical researchers should continue to investigate the consequences of PEDs and have already made important discoveries, this process has little bearing on how public debates about steroid use are configured. Thus, the *health risks* strategy is, on my account, less about having incontrovertible scientific evidence and more about a “confirmation bias” (i.e., PEDs are bad so any negative outcome associated with a user must be related to the PEDs they are using as opposed to some other proximate cause) at the core of anti-PEDs discourse.

While there are many examples of the *health risks* strategy in public discourse, several stand out as the most dominant. The first of these is depression. The link between steroid use and depression and suicide has been investigated by scientists and medical experts for some time (Kanayama et al., 2008; Maravelias et al., 2005; Pope et al., 2014) and continues to be bolstered by stories about athletes who have suffered psychological harm after using PEDs (see the vignettes at the beginning of this chapter).

However, there is as yet no clear consensus about the relationship and its consequences in the medical literature given a lack of adequate data (Kanayama, et al., 2008). Despite this uncertainty, there are a number of nonprofit organizations that rely on this connection as the basis of their public service (see e.g, Taylor Hooton Foundation).

The next dominant example of the *health risks* strategy in public discourse is "roid rage" a construction which suggests that steroid users, particularly chronic users, can lose control and commit aggressive and violent acts that are outside their known character. In one telling example, professional wrestler Chris Benoit took his own life after murdering both his wife and young son in 2007. It was reported that legally prescribed anabolic steroids were found in his home by police. There was some speculation that Benoit may have snapped due to repeated untreated concussions. However, the most commonly reported theory was that Benoit was suffering from "roid rage" (Goodman, 2007). Whatever the actual reason for Benoit's terrible crimes, he became a central example in the war against steroid use. The likely explanation for this is that unlike Hooton or Marrero, Benoit took not only his life but also the lives of two others.

Importantly, all three examples fit into the narrative of a stable, likable person who, after taking steroids, does something out of character, something so unthinkable that there must be some external explanation. In addition, they all rely on the presupposition that steroids negatively affect a persons' psychology and cause disassociation, depression, aggressive behavior, etc. The basic theory is that, "[w]hen someone takes steroids, the body suppresses its natural production of testosterone. After a person stops, it takes

weeks or months to produce normal levels again, leaving some but not all people vulnerable to profound mood changes" (Wilson 2005, p. online).

Variations of this explanation have been used in the war against steroids for many years; however, it is important to note that there is little to no scientific evidence that definitively links steroid use to depression and suicidal ideation, particularly as it relates to young people. Wilson (2005) goes on to explain, "Many medical experts suspect that other teenage suicides have been connected to the cessation of steroid use, because adolescents are especially vulnerable to hormonal swings. But the link has not been proved" (n.p.). The reason that there is little scientific evidence on the link between steroid use and depression in adolescents is that the guidelines governing ethical medical research prohibit this kind of research on minors (Wilson 2005). Despite the lack of scientific evidence, this theory is represented as scientific fact and the prevalence of this explanation has resulted in governmental inquiries. Dr. Jack Darkes explains,

Discussions of the potential role of anabolic-androgenic steroids (AAS) in suicide surfaced recently when AAS and their use among professional athletes were blamed for several suicides of young adult males. These allegations inspired a congressional investigation and renewed anti-steroid rhetoric, but little dispassionate evaluation. The testimony of experts and grieving parents notwithstanding, the role of AAS in suicide is not clear. (Darkes, n.d., n.p.)

Despite the lack of scientific evidence, claims that steroid use, particularly by adolescents, causes suicide have been used as fuel in the war against steroids and have animated much of the public discussion about the steroid controversy. While the absence of scientific evidence on what seems to be an obviously scientific claim should be surprising, it is clear that the association between steroid use and depression/suicide is ubiquitous.

The Mitchell Report and the discursive construction of health risk and role models

Beyond the frequency with which these discourses are circulated among the general public, there is also pretty compelling evidence that suggests that this same logic played a critical role in motivating the federal government's investigation into PED use in professional baseball. In fact, the government's investigation was motivated in large part by the high profile congressional hearing in 2005 that saw testimony from government officials, family members of young athletes who used steroids, and a handful of professional baseball players. In the opening statement of the hearing, then congressman and ranking minority member of the committee, Henry Waxman, explained,

Today's hearing is about steroid use in professional baseball, its impact on steroid use by teenagers and the implications for Federal policy. These are important questions for baseball, its fans and for this Nation. Major League Baseball and the Players Association say that this is the subject that should be left to the bargaining table. They are wrong. This is an issue that needs debate in Congress and around the dinner table of American families. Steroids are a drug problem that affects not only elite athletes, but also the neighborhood kids who idolize them. And this issue is challenging not just for baseball, but for our whole society. More than 500,000 teenagers across the country have taken illegal steroids, risking serious and sometimes deadly consequences... There is an absolute correlation between the culture of steroids in high school and the culture of steroids in Major League club houses. Kids get the message when it appears it's OK for professional athletes to use steroids. If the pros do it, college athletes will do it. If it is an edge in college, high school students want that edge, too. There is a pyramid of steroid use in society, and today our investigation starts where it should, with the owners and players at the top of that pyramid. (Waxman 2005, p. 9)

It is telling that Waxman is unwavering in his assertion that the influence afforded professional athletes is a central factor motivating young athletes to take PEDs, and that their decision to do so is correlated with negative consequences like depression and suicide. Waxman's position is echoed many times over throughout the congressional

hearing, perhaps most vociferously by Donald Hooton, father of Taylor Hooton, whose story is told in the introduction above. He argues,

I believe the poor example being set by professional athletes is a major catalyst fueling the high usage of steroids amongst our kids. Our kids look up to these guys. They want to do the things the pros do to be successful... I am sick and tired of having you tell us that you don't want to be considered role models. If you haven't figured it out yet, let me break the news to you that whether you like it or not, you are role models, and parents across America should hold you accountable for behavior that inspires our kids to do things that put their health at risk and that teaches them that the ethics we try to teach them around the kitchen table somehow don't apply to them. (Hooton 2005, p. 118)

Like Waxman, Donald Hooton reaffirms the rhetorical trope of the *athlete as role model* by suggesting that young athletes make choices based on the example of professional athletes. In addition, Hooton goes beyond the commitments voiced by Waxman, suggesting that athletes who do not effectively manage their role model status pose a threat to effective parenting specifically regarding ethical behavior.

While I have suggested that the congressional hearing was a motivating factor that led the government to proceed with the investigation that resulted in the MR, it is important to note that the same rhetoric animates those findings. Senator Mitchell (2007) argues,

[B]eyond the dangerous effects on players themselves, the public perception that players in Major League Baseball use these substances contributes to their use by young athletes, who in turn cause themselves great physical harm. Adolescents might be at even greater risk of harm than adult athletes from the use of these substances because the intense hormonal changes of adolescence can exacerbate their adverse psychiatric side effects. (p.4)

That athletes *are* role models is anything but certain. Many athletes have rejected the idea that they have any responsibility to their fans. One telling example shows Hall of Fame basketball player Charles Barkley narrating a popular *Nike* commercial where he

somewhat famously utters the following: "I am not a role model. I am not paid to be a role model. I am paid to wreak havoc on the basketball court. Parents should be role models. Just because I dunk a basketball, doesn't mean I should raise your kids" (DaniBoxx, 2007, p. online). While many heard Barkley's words as a challenge to parents to take responsibility for their children, others saw it as an attempt by Barkley to evade any responsibility for his on-court antics which included several altercations with other players and another incident where he spat at a fan. Despite Barkley's claim, there are many who take the opposite view as seen in Newsweek after the Nike commercial aired:

Celebrities like Barkley may decline the honor, but [athletes'] high visibility obliges them to behave with at least an awareness that they are being watched by millions. Like it or not, they have a power of influence on worshipful young fans multiplied by the huge factor of television-perhaps even more so among the minority poor, who have few other avatars of success to excite their hopes. (1993, n.p.)

While the line between professional athlete and role model may be continually renegotiated, that young kids look up to star athletes is undeniable. This argument is exemplified by Karl Malone, formerly of the Utah Jazz, who spoke out against Barkley's Nike Commercial. Malone, writing for Sports Illustrated, argues, "[Y]ou can deny being a role model all you want, but I don't think it's your decision to make. We don't choose to be role models, we are chosen. Our only choice is whether to be a good role model or a bad one" (Malone, 1993, p. online). Senator Mitchell echoes this sentiment in the Mitchell Report when arguing that "[Mark] McGwire may not have wanted to be a role model, but he was" (2007, p. 17). The question then becomes, what is the responsibility of role models who wish that they weren't? Should athletes and movie stars be held to a

higher standard because they are constantly being watched and potentially emulated by young kids? Or is Barkley right when he says that his job is to play his sport, not to worry about what others who watch him might do?

Barkley has since moved from the basketball court to a career behind the microphone, but the question of role models and the responsibility of athletes has raged on and moved into what many consider a more dangerous era because of the rise of steroid use. Are current athletes responsible for the rise in PED use by young athletes across the United States, or is it the sports consuming public that put athletes in a position where they have no choice when it comes to getting an edge on the competition? Additionally, the argument for role models assumes as one of its premises that steroid use poses a threat to the physical and psychological health of its users, a risk that is magnified when those users are younger and are still growing and developing. George Mitchell argues in the Mitchell Report,

Apart from the dangers posed to the major league player himself, however, his use of performance enhancing substances encourages young athletes to use those substances. Young Americans are placing themselves at risk of serious harm. Because adolescents are already subject to significant hormonal changes, the abuse of steroids and other performance enhancing substances can have more serious effects on them than they have on adults. (2007, SR-9)

The rhetorical construction of the threat posed by PEDs, and the magnification of that threat when they are used by high profile *role model* athletes should by this point be clear. To better understand the implications of their rhetorical framing, it is necessary to consider the implications that they may have, and, more specifically, how they might figure into a larger understanding of neo-liberal governance. Moreover, the role model trope, and the discourses in the steroid debate that rely on it, function to place

responsibility for both the increase in steroid use by young people as well as the resulting implications of that use (i.e. violence associated with "roid rage", depression, and suicide) onto athletes who use steroids. Furthermore, this projection of responsibility constitutes a kind of medico-moralization that seeks to elicit a form of self-governance not only on the athletes who have been implicated in steroid use, but also in the larger population of would-be steroid users.

Moral regulation, Biopolitics and the governing of role model responsibility

Moral Regulation "involves the deployment of distinctively moral discourses which construct a moralised (sic) subject and object or target which is acted upon by means of moralising (sic) practices" (Hunt, 1999, pp. 6-7) and is a specific subcategory of biopolitical control which is characterized by "a movement in which the 'right' is more and more displaced by the 'norm.' The absolute right of the sovereign tends to be replaced by a relative logic of calculating, measuring, comparing" (Lemke, 2011, p. 39).

Importantly, biopolitics "involves regulatory rather than legislative or disciplinary procedures" (Connel & Hunt, 2010, p. 65). Projects of moral regulation, tend to rely on one or more of three general strategies with the aim of eliciting self governance on the part of individuals: the rhetorical construction of risk and responsibility narratives, the use of expert discourses, and the use of hybrid discourses. I will briefly explain these three strategies and then return to the above discussion about PEDs and baseball.

The rhetorical construction of risk and responsibility discourses are central to projects of moralization and involve articulating a broad risk of some kind of social ill and placing responsibility for that ill on a specific population (Hier, 2002, Hunt, 1999,

Connel & Hunt, 2010, Lemke, 2001). In this way a moral panic is discursively incited by "attempting to tap into the fears and concerns which are overwhelmingly associated with the vulnerability of at risk groups" (Hier, 2002, p. 36). Moreover,

The strategy of rendering individual subjects 'responsible' (and also collectives, such as families, associations, etc.) entails shifting the responsibility for social risks such as illness, unemployment, poverty etc., and for life in society into the domain for which the individual is responsible and transforming it into a problem of 'self care'... As the choice of options for action is... the expression of free will on the basis of a self-determined decision, the consequences of the action are borne by the subject alone, who is also solely responsible for them. (Lemke, 2001, p. 201)

Importantly, Lemke notes that for Foucault "'individual' and 'mass' are not extremes but rather two sides of a global political technology" (2001, p.38). The focus on an individual who has been rhetorically situated as responsible for a social ill or harm not only constitutes individual discipline but also communicates a norm for behavior to a wider population.

Discourses of risk and responsibility do not alone define projects of moralization. Instead, those projects often include the use of expert discourses whose presence adds credibility, usually because they are understood to be scientific or objective in some sense. Hunt (1999) explains, "These techniques of the expert governance of the self are reinforced by claims of scientific justification" (p.198). However, while historically these discourses were often comprised of scientific or similar discourses, the emergence of modern (neo-liberal/biopolitical) governance has seen the rise of expert discourses without the benefit of scientific credential. Put differently,

"biopolitical projects characteristically harness expert knowledge and its associated discourses . . . In association with the rise of liberal forms of government there has been a shift in which authoritative discourses have come to

stimulate a powerful current towards the discourses of self-regulation" (Connel & Hunt, 2010, p. 65).

While expert discourses historically were typically limited to medical experts, in the case of the steroid debate we see a confluence of discourses superseding established medical knowledge as a means for controlling the discussion about PEDs.

Furthermore, moral regulation is often characterized by the presence of hybrid discourses (see e.g., Hunt 1999; Connel & Hunt 2010) whereby the confluence of risk and responsibility discourses combine with moralizing ones to create a "powerful new force" (Connel & Hunt, 2010, p. 67). Together, and supported by expert discourses, hybrid discourses function to effect self-governance on the part of larger populations.

What I am suggesting (here and throughout this dissertation) is that the discourses of the PED debate and those seen in the congressional hearings and Mitchell Report mentioned above, in particular, represent a project of moralization. First and foremost, these discourses utilize the risk/responsibility dynamic outlined above. As opposed to attacking the problem of PED use by young athletes at the disciplinary level (i.e., using the police and judiciary to investigate, arrest and prosecute individuals for violating state and federal law that prohibits the possession of anabolic steroids without a doctor's prescription), the Mitchell Report vilifies professional athletes for using PEDs and setting a bad example for young athletes. Put differently, the Mitchell report contains many instances of discourses that place the responsibility for PED use generally on a few individuals and asks them to shoulder the burden of the associated risk. The risk is characterized as the potential for physical (deformation) and (primarily) psychological damage (aggression, depression, suicide, etc.) that has been associated with PED use. In

addition to the physical and psychological risks, the report also contains discourses that suggest that PED use by young athletes risks moral and ethical corruption by disrupting their sense of fair play, right and wrong, and the value of sports to American culture (see Chapter 4). Importantly, a common feature of projects of moral regulation is the rhetorical invocation of a threat to vulnerable youth (Hier, 2002; Connel & Hunt, 2010).

Likewise, "very commonly, moral regulation invokes concern with health" (Connel & Hunt, 2010, p. 68) and this "moralization of health" represents "a convergence of the regulatory discourses of moralization and medicalization in an era of biopolitics" (Connel & Hunt, 2010, p. 64). This focus on health is important because "each step towards advancing the health of populations also empowers and expands institutional mechanisms of control" (Connel & Hunt, 2010, p. 66). Thus, this medico-moralization effectively communicates norms of behavior, in this case behavior regarding the use of PEDs, to a larger population through the invocation of risk. Importantly this form of biopolitical governance uses regulatory power (as opposed to legislative or disciplinary) and hence relies on subjects to self-govern by making the correct choice regarding personal conduct.

The effectiveness of this form of regulation relies in no small part of the credibility of expert discourses. As discussed above, the MR contains multiple references to seemingly scientific reasons why PED use, and PED use by minors in particular, as a means to establish the risk element of the risk and responsibility dynamic. However, the validity of those claims is at the very least questionable. Again, this is not to suggest that there is no potential risk associated with PED use, but rather to suggest the rhetorical framing of the risk as expert and scientifically confirmed serves a more important

discursive function, namely to create a legitimate base from which to establish a norm regarding PED use and to criticize their use by role models, in this case professional baseball players.

Finally, it is important to note that these individual elements act in concert to create a hybrid discourse that is capable of effectively communicating a norm of behavior with regard to PED use that elicits self-governance on the part of individuals. Specifically the articulation of a risk (young athletes using PEDs and risking physical/psychological harm), a responsible population (professional athletes who are understood to be role models), expert discourses (the appeal to scientific validity regarding the claim that PED use is *worse* for developing bodies and minds) come together to form a totalizing discourse about PED use. Ultimately, the regulatory effect of this hybrid discourse is the establishment of a particular vision for the norm of behavior that is consistent with forms of biopolitical control and neoliberal governance.

Conclusion

In the final analysis, it should be clear that the MR and related congressional hearings contain discourses that support the idea that athletes are both role models (whether they choose to be or not) and as such are responsible for the messages that their behavior communicates to the fans that look up to them. Additionally, the discourses prevalent in the report are consistent with strategies of biopolitical control that are as much about managing populations by effecting self-governance than they are about ending the steroid epidemic in the United States. The articulation of risk associated with the example set by professional baseball players implicated in steroid use is an attempt to

place responsibility for a broader social harm on a specific population in such a way as to communicate a regulatory vision of correct and moral behavior for the population at large.

The idea that individuals can self-govern and make the correct decision about behavior is a core idea in the theory of biopolitics and governmentality that understands the management of populations as the object of governance as opposed to the use of sovereign power including legislative and disciplinary tactics. This analysis of the MR has hopefully unveiled a specific rationality of governance that, for Foucault, is critical to undertaking the complex ways that power functions. Although the MR is only one specific instance of biopolitical governance and moral regulation, the rationalities that underpin this strategy of normalization and regulation should be understood as meaningful in terms of thinking about power generally.

Chapter 4 - For the love of the game: Nostalgia Integrity, and Fairness

In the Mitchell Report, Senator Mitchell, quoting former commissioner for MLB Bud Selig, argues that baseball is “America’s Pastime” only because it has the “trust” of its fans (MR, 2007, p. 11). He also argues that the use of PEDs in baseball threatens that trust and is a “matter of integrity” (MR, 2007, p. 11). These ideas nicely illustrate the foundational premise of one of the primary arguments forwarded in the Mitchell Report. In this chapter I analyze this specific line of argumentation, specifically the argument that PED use in Major League Baseball must be addressed because it poses a threat to the integrity and history of baseball. I begin with a detailed account of the argument presented in the Mitchell report and then move to some analysis where I suggest that the report’s invocation of baseball’s history and themes of integrity contribute to a moral discourse and communicate a particular vision for self-formation.

The argument in the Mitchell Report

Section II, subsection B of the Mitchell Report, titled "Threat to the Integrity of Baseball Posed by the Illegal Use of Performance Enhancing Substances", contains arguments included presumably to justify the "why" of the Report overall. Here, Mitchell and his team set out to validate the need for a government investigation and in a sense justify their findings and conclusions. The section begins with a discussion of baseball’s rules, specifically rule 21 which "prohibits gambling on and other acts (such as

rewarding opponents) that, since the 'Chicago Black Sox' scandal of 1919, have been recognized as 'cheating' that can affect the integrity of the game" (MR, 2007, pp. 11-12). The report goes on to clarify what constitutes cheating and argues that PED use fits that definition because it involves players who "act in secret" (MR, 2007, p. 12) and seek to "gain advantage over other players" (MR, 2007, p. 12). Quoting Pulitzer Prize winning journalist and author George Will, the report argues that PEDs "alter the conditions of competition" (MR, 2007, p. 12) and devalue the game because, unlike other legal methods for boosting performance like nutrition and training, they are artificial. Here, there is a distinction drawn between legitimate and illegitimate methods for maximizing performance that rests on the premise that the value of athletics is found in hard work and determination as opposed to technology and science. To use Will's language, athletes' "achievements are admirable primarily because they are the products of a lonely submission to a sustained discipline of exertion" (MR, 2007, p. 13). For Will, and by extension Mitchell, an athlete who chooses chemical means over natural ones to maximize their performance demonstrates a fundamental lack of character.

Beyond the question of cheating, the Mitchell Report argues that the prevalence of PED use threatens the integrity of the game of baseball. The report evidences this claim through a discussion of baseball's drug problem in the 1980s. Quoting former commissioner of MLB, Peter Ueberroth, the report argues that the widespread use of cocaine risked exposing the sport to the attendant problems and people that accompany illegal drugs. The fear was that players that purchased illegal drugs inevitably came in contact with criminals who were moving and selling those drugs. In terms of cocaine there was concern that players were, based on dependency or their knowledge that certain

players were using drugs and violating league policy, at the mercy of their drugs dealers. A second concern was that the criminal element that was providing drugs to players might alter the drugs in some way in an attempt to manipulate the results of games.

The Mitchell Report suggests, albeit in a very general way, that PEDs pose a similar risk to modern baseball. Specifically, players who are purchasing performance enhancing drugs are in contact with and in some sense beholden to a criminal element who might attempt to affect the outcomes of games. This could be done by applying pressure to players to do something on the field to alter the conditions for betting purposes. Or, they might manipulate the substances being sold to players in an attempt to alter their performance, presumably for gambling purposes. The report states,

The public outcry over the use of performance enhancing substances in professional sports has provided the substance dealer with an opportunity to exploit his relationship with a player. The Commissioner's Office has been concerned for decades that drug dealers could blackmail a player to alter the outcome of a game in exchange for maintaining the secrecy of the player's substance use. Such threats to the integrity of the game are as serious as gambling. (MR, 2007, p. 301)

The comparison to gambling here is interesting because it was long thought to be one of the more serious threats to baseball. Two of the more prominent scandals in baseball's history are: (1) the Black Sox gambling scandal during the 1919 World Series where gamblers bribed members of the Chicago White Sox to intentionally lose games, and (2) the notorious betting activities of Pete Rose, a former major league player and manager. Known for his lack of athleticism and aggressive style of play, Rose was banned from baseball for life after it was revealed that he was betting on MLB games while managing the Cincinnati Reds baseball team. So, the suggestion that PED use, and its potential to

expose the game to a criminal element, constitutes a threat to baseball similar to gambling is rhetorically compelling, even if logically dubious.

The third line of argument forwarded in this section of the report deals with the effect that the presence of PED users has on those who choose not to use PEDs, often referred to as "clean" players (MR, 2007, p. 14). "[T]he illegal use in baseball of steroids and other performance enhancing substances victimizes the majority of players who do not use those substances" (MR, 2007, p. 14). The report also argues that as a result of those players who choose to use PEDs, "clean" athletes are forced into a corner where their only options are to compete at a disadvantage without the benefit of PEDs, quit playing, or choose to use steroids. So, instead of simply affecting players who choose to use PEDs, the presence of any PED use creates unfair pressure on clean players. The report, citing a USA Today poll, suggests that, in response to the pressure and environment created by the presence of PEDs, most players object to PED use and believe that it directly affected them and their ability to be successful in baseball (MR, 2007, p. 14). That same poll, which included 556 of the 750 players on major league rosters, suggests that the majority of player's supported PED testing and that nearly half of the players polled felt pressure to use PEDs to stay competitive (Antonen, 2002).

The final part of this section cultivates arguments about cheating and integrity. It is clear from this section of the report that Mitchell sees the threat posed by PEDs in baseball as a moral one. Quoting a former commissioner of MLB Fay Vincent, the report argues that in the face of widespread PED use in baseball it is important that "Major League Baseball 'capture the moral high ground on the issue" (MR, 2007, p. 13). Additionally, the report quotes Don Fehr, executive director of the MLB Players

Association who states that "[t]he use of any illegal substance is wrong" (MR, 2007, p. 13). Mitchell himself describes the prevalence of PED use in baseball as a "moral dilemma" (MR, 2007, p. 13). Finally the report cites former player Todd Zeile who argues that PED use is cheating and that it is first and foremost a moral and ethical question.

The sad part is that the issues I hear discussed are whether (using steroids) is taking away from the level playing field or whether there are long-term effects to this stuff... I never hear anybody talking about the morality or the ethics or the integrity of the game. It's cheating in every sense. (Antonen, 2002)

This framing is interesting because it seems to suggest that PED use in baseball has risen above other kinds of administrative or disciplinary issues to the level of moral controversy. Put differently, the Mitchell Report is suggesting that PED issue in professional baseball is one that requires special consideration and attention because, unlike other quotidian problems that sports organizations are equipped to handle, the scope and weight of this issue justify a unique and significant response.

Nostalgia

Prominent sports communication researcher Michael Butterworth has argued that "[b]ecause baseball's history is deeply connected to the nation's history, it possesses a capacity for a nostalgic idealization of American society" (2005, p. 113). I suspect that this explains why this argumentative theme resonates with many people. Even if you did not grow up playing baseball or attending baseball games, it is hard to argue with the premise that baseball occupies a central place in the collective consciousness of Americans. This might be a result of a decades long campaign to associate baseball with

positive moments and memories of the past. Examples can be seen in most forms of media including television, film, advertising, etc. I believe this point needs little evidence but let me provide two telling examples.

One interesting example that demonstrates the cultural centrality of baseball as the national pastime is the song *Right Field* written by Willie Welch in 1986 (Right Field). The song tells the story of a child who is picked last in a weekly summer pickup baseball game and as a result is forced to play right field because it was considered the easiest defensive position, thus requiring the least amount of skill and athleticism. As a result the child spends his time, as the chorus suggests, "just watching the dandelions grow" (Right Field). Eventually a ball is hit to right and the child makes a great catch and we realize that even though he was exiled to left field, he still got a chance to make a play and help the team. This song was popularized by the folk trio Peter, Paul, and Mary and for years was a mainstay and crowd favorite of their performances.

Later, *Right Field* was featured in a Pizza Hut commercial on the home video version of the 1990 movie *Teenage Mutant Ninja Turtles*. The commercial, which included the song as the only audio, showed a young boy stranded in right field until a ball is eventually hit his way. After making the game winning catch, the young boy and his teammates are seen celebrating at a local Pizza Hut restaurant. Despite its relatively limited release and audience, the commercial introduced the song to a young audience and is something that many millennials remember today. This song is important because its resonance was trans-generational. From Peter, Paul, and Mary fans, comprised primarily of middle-aged people when the song was released to the middle-school aged kids who watched and re-watched their TMNT VHS in the 90s, both the theme and

message of the song were relevant and meaningful for each audience. Joseph Williams explains,

It's a commercial that embedded itself in my memory. Over the past 22 years of life, the song from it would occasionally pop into my head, the lyrics would occasionally cross my mind, and the images are forever ingrained into my subconscious. The lessons, the fear, the joy, the magic. Some commercials capture your childhood. This is the one that captures mine. It's my favorite commercial of all time. It captures so many great things from my childhood: dog days of summer, little league baseball (that wasn't uber-competitive), celebrations like the pros do even if it's not really warranted, Pizza Hut lunch buffet, and everyone having that special moment. ("Great Commercial? OR GREATEST," 2012, n.p.)

Both song and commercial, though simple, represent a particular understanding of both the value and the history of baseball that was powerful even if it does not represent your experience. Moreover, this example demonstrates the importance of children and childhood experience that is central to the mythos of baseball. According to Michael Butterworth, "baseball nostalgia is inextricably linked to the idea of childhood" (2008, p. 151). Children then can be seen as a symbol of innocence and purity that is used to represent baseball and, more specifically, baseball's history.

A second brief example: In 1975, Chevrolet debuted a series of commercials that all featured a jingle written by Ed Labunski that promoted the Chevrolet brand by equating it with things that defined or represented American-ness. The jingle went like this,

In the years that I've been livin', a lot of things have surely changed. A lot of things have come and gone, some even came back again. But through all the many changes, some things are for sure. And you know that's a mighty fine feelin', kinda makes me feel secure. Cause I love baseball, hotdogs, apple pie and Chevrolet. Baseball, hotdogs, apple pie and Chevrolet. They go together in the good 'ol USA. Baseball, hot dogs, apple pie, and Chevrolet. (Hartzel, n.d.)

This incredibly simple commercial sought to connect in the mind of viewers/consumers the cultural importance of things like apple pie and baseball to Chevrolet and, in this case, their trucks. Moreover, the theme of the song is that while change is inevitable, there are some things that are impervious to that change, namely baseball and Chevy. Importantly, the commercial relied on the implicit understanding that those things were in some way representative of American values. In other words, the commercial does not suggest that baseball is in some way an exemplar of the American experience, rather, it assumes it as the basis of its comparison. Jeremy Butler (2001) explains that in the Chevrolet truck commercial,

...small-town, folk, values are blended with patriotism and nostalgia for a bygone era. Baseball ("America's Pastime") and hot dogs connote the positive values of team sport (athletic prowess, cooperation, loyalty, courage in the face of adversity) while apple pie carries implications of motherly nurturing and down home nutrition. (p. 327)

Like the song *Right Field*, the Chevrolet ad campaign spanned multiple generations. The original commercial series aired from 1975-1979 and while there were several versions, they all contained the same jingle and general theme.

In addition to this original series of ads, Chevrolet also produced updated spinoffs in the 2000s. These spinoffs paid homage to the original ad campaign by incorporating elements and footage from the original commercials but with a modern twist. For example, in 2006 Chevrolet released a commercial in which the lyrics "Baseball, hot dogs, apple pie and Chevrolet" were modified to reflect modern baseball and society and included things like "stolen bases", "goat cheese pizza", and "bottled water" (Kimbrough, 2012). The most recent incarnation, airing in 2012, shows a variety of people singing the song from the original ad campaign including an older man lining a dirt baseball field,

some kids playing stickball on an urban street, a guy jogging on a suburban sidewalk, and MLB players Justin Verlander and Prince Fielder singing the song during a big league game. The ad ends with the narration, "From small towns to big leagues, Chevy runs deep". The commercial is suggesting that no matter your age, connection to the game, social location, etc., there is something universal about the appeal and value of baseball that transcends other things that might separate people.

While these examples only deal with baseball in the abstract, the literal history of baseball is something that is celebrated and protected as much as it is displayed for fans to see. The baseball hall of fame, located in Cooperstown New York, is

dedicated to fostering an appreciation of the historical development of baseball and its impact on our culture by collecting, preserving, exhibiting and interpreting its collections for a global audience as well as honoring those who have made outstanding contributions to our national pastime. (Museum, n.d.)

It is in this way that the history of baseball should be understood as more than simple mythology. Instead, baseball history is something that is literally curated and guarded for the expressed purpose of preserving it for future generations. In fact, the motto of the baseball hall of fame is "Preserving History. Honoring Excellence. Connecting Generations" (Museum, n.d.).

There are countless examples of this same kind of framing of baseball as America's pastime; however, these should provide ample evidence of the framing that I am trying to describe. But, as I think about those other examples, there is a common theme among them in that they tend to rely on a historic vision of baseball, or in other words, they show how important baseball was to our past as a method of showing why it does or should occupy a central place today (and presumably in the future). Does it

matter then if these representations of baseball are accurate? It seems like there were probably many kids who suffered when chosen last at baseball who never experienced the joy of making a game winning catch like the protagonist from *Right Field*, and instead continued living a solitary, maybe even, bullied and tortured existence. Similarly, I would wager that despite the sepia toned images of baseball seen in those Chevrolet commercials, there are many who look back on their baseball playing days with disdain. Instead of warm summer evenings and the joy of competition, maybe they experienced oppressive heat and unfriendly jeering from players on the other team or unruly parents in the bleachers. Certainly the examples that I explored do not claim to be perfect or universal representations of experience, but the point is that they do not even have to make that claim. Because they work in concert with a broader understanding of baseball as “America’s Pastime”, they are free to utilize a nostalgic view of baseball to create associations with other things (e.g., trucks and pizza) without the need of justification or explanation. In the context of advertising, this is probably not all that dangerous or even uncommon. But what happens when the government employs the same strategy, not to sell products but a lifestyle?

Like the examples already discussed, many of the arguments in the Mitchell report, perhaps less explicitly, rely on the same sense of nostalgia for baseball. For example, I would argue that the simple invocation of the idea of baseball as “America’s Pastime” calls to mind the kinds of images shown and feelings evoked in the examples above. Additionally, when Mitchell argues that PED use is a threat to the integrity of baseball because it poses a threat to the “trust” (MR, 2007, p. 11) that baseball has with its fans, he is suggesting a relationship that looks a lot more like the examples discussed

above than the realities of baseball's relationship with its fans (which could be described as tenuous at best). The Report also advances the claim that PEDs threaten the integrity of baseball because their use constitutes cheating. The implication: any instance of cheating makes games unfair, seasons tainted, and records invalid.

Finally, Mitchell makes the argument that PED use is problematic in baseball because it undermines what fans appreciate in star athletes in the first place. Is it simply the feat that fans are interested in; the long home run, the lightning-quick steal of second base, the 95 mile per hour fastball. Or, has it more to do with how such feats are accomplished by a person who, biologically, is the same as you (and me). Quoting George Will, the Report argues that PED use transforms the object of fans affection and admiration from "products of a lonely submission to a sustained discipline of exertion" (MR, 13) to science and technology. Put another way,

By submitting to the chemists, we become mere placeholders for the tainted records that might one day attach to our name. For what could be more in conflict with athletic excellence, with the body gracefully at work fulfilling its full potential, than the image of the passive patient, chemically dependent on the technological cleverness of others, coveting feats that he can never truly claim as his own and adulation that he does not really deserve? Even should the enhancements of tomorrow prove safe and legal, the shame that now attaches to steroid use would still remain--at least in any honorable society and before any worthy fans. (Cass & Cohen, 2008, n.p.)

In this case some of the things that we likely associate with baseball's history and tradition like "athletic excellence" and the body "fulfilling its full potential" are sacrificed on the altar of technology and spectacle. And it is this move away from hard work and dedication that, more so than a lot of the other justifications we see in the Mitchell Report, has resulted in the demystification and disillusionment of fans.

The trope explored above takes on new meaning when thought about in the context of hegemonic masculinity. In many ways, the fear of technological takeover mirrors a common theme in science fiction called the "Frankenstein Complex" (Rushing & Frenz, 1989, p. 63) which is characterized by a rise in technological dependence usually correlated with a character losing a sense of who they are. Through the Frankenstein complex we can see that, "technology is making over the human agent... in its own image, systematically restructuring its scene and emptying it of moral purpose" (Rushing & Frenz, 1989, p. 66). Similarly, the fear that technology is reshaping the game and robbing it of its essential character and history is paired with a more literal fear that players are sacrificing their morals when they choose technology over hard work. Rushing and Frenz argue that the technology/nature dynamic at work in this trope is really all about hegemonic masculinity with technology representing the masculinity and nature representing femininity. It is in this way that analysis of this trope can expose "the general patriarchal bias of technology within our culture (Rushing & Ferentz, 1989, p. 62).

As with the broader mythos of baseball, there is a sense in which the nostalgic view of baseball that is used as the foundation for many of the Mitchell Report's arguments is not entirely accurate. Instead, nostalgic representations of baseball tend to romanticize baseball's history and deemphasize historical events that contradict with that image.

Our nostalgia, of course, is something of a distortion, if a noble one. Our ignorance of the sporting past--the vanity of the original Greek Olympians, the base passions of the original Roman fans, the tawdry character of many early twentieth-century baseball stars, the point-shaving and other gambling-related

scandals--allows us to forget that much of what we lament about the present is not at all novel. (Cass & Cohen, 2008, n.p.)

Mitchell, in fact, makes mention of several events in baseball's history that might serve to undermine the picturesque image of baseball that is presented in the examples discussed above. Those events include the prevalence of illegal drug use, primarily amphetamines and cocaine, by MLB players in the 70s and 80s. Another example that Mitchell references is baseball's most notorious gambling scandal that has come to be known as the Black Sox scandal. The Black Sox scandal involved eight members of the Chicago White Sox who conspired to intentionally lose games during the 1919 World Series after being bribed by gamblers. The Mitchell Report does not mention, however, that until the 1950's, baseball was segregated and non-white players were prohibited from playing major league baseball. Baseball, like sport generally, is often seen as occupying space outside the realm of politics or the real world. It is this vision of baseball that imparts its almost mythic feel. But baseball's color line, among other things, highlights an important contradiction between the nostalgic images of baseball and the realities of its actual history.

Importantly, there are a number of historical events that contradict the image of baseball that animates our collective consciousness and helps form the foundation for many of the arguments in the Mitchell Report. Moreover, these examples relate to some of the core issues in which Mitchell seems primarily invested like fairness, cheating, and baseball's legacy.

Retraditionalization and the Moralization of America's Pastime

I have written about the nostalgia that is associated with baseball only generally. But, the specific parts of baseball that are celebrated and remembered that animate those feelings of nostalgia are worth considering. Von Berg and Johnson argue that central to the narrative of baseball as America's pastime are ideas of "individualism, Puritan work ethic, humility, and an appreciation for baseball history" (2009, p. 352). Furthermore, they argue that the "steroid era" demonstrated the difference between baseball as we want to remember it and baseball in its current form. While Von Berg and Johnson (2009) suggest that the steroid era itself was a cleansing mechanism that allowed people to reconcile the contradiction between the nostalgic image of baseball and current realities of PED use, I wish to suggest that baseball nostalgia has been employed as a rhetorical strategy to moralize and normalize behavior, both within and outside of baseball.

One important feature of moral regulation, and modern projects of moralization specifically, is the use of nostalgia or what Alan Hunt (1999) calls the "authority of tradition" (p. 195). For Hunt, this modern version of moral regulation was a result of the regulation and prohibition of alcohol. He argues that,

The focus on alcohol significantly deflected personnel and resources away from other moral reform projects, such that, when the prohibition experiment floundered in the 1920s and was ended in 1933, moral regulation had become increasingly conservative, concerned with a nostalgic 'good old days' of class deference, religious conformity, gender certainty, and bourgeois respectability. (Hunt, 1999, p. 192)

The conservative turn in moral regulation was exemplified by the use of nostalgia as a justification for normalizing particular types of behavior. This "ideological

retraditionalization” (Hunt, 2009) was and is a mechanism for grounding a belief in or preference for a particular type of behavior in something historical. Additionally, retraditionalization involves folding discourses about the way that things used to be into a new vision for how things ought to be.

The tendency... involved an enfolding of new content within traditional discourses, thereby adding, I suggest, an important component to our understanding of the mechanisms of ‘ideological retraditionalisation’. Its importance is that the plausibility and legitimacy of moral discourses were powerfully augmented by the admixture of ‘new’ and ‘old’ elements in such a way as to paper over tensions and contradictions... This tendency of recent moral reform projects to combine ‘old’ and ‘new’ elements that are ultimately incompatible makes it unwise, if not impossible, to impose unidimensional categories... on those movements. (Hunt, 1999, p. 195).

So, in the case of the Mitchell Report, it could be argued that the rhetorical reliance on the “good old days” (Hunt, 1999, p. 192) of baseball as a justification for both the government’s intervention in the MLB’s PED issue and its recommendations of regulation on behalf of an at risk public match up nicely with modern examples of moral regulation. This combination is used to mask critical contradictions in the overall message of the Mitchell Report. Much of this chapter has been dedicated to pointing out some of the inconsistencies within the nostalgic vision of baseball and its history both in the Mitchell Report and as part of our collective consciousness. The strategy of combining old and new in an effort to hide inconsistencies had the ancillary effect of limiting the ability to categorize those movements in meaningful ways.

Moreover, not only is the mythos of baseball’s storied past used as the justification for vilifying PED use generally, the Mitchell Report also includes

suggestions for how to eradicate PED use from baseball (education policies, strengthened testing, etc.).

Most projects of moral regulation... are articulated within a language of decline or degeneration; 'things' are represented as not being what they used to be and this change is articulated within a moral discourse. One common form invokes an imagined golden age of community or national greatness and moral rectitude that is confronted by a 'present danger' that threatens future social ills of decline, degeneration and social order – often, but not always, a fear of the insubordination of the poor or of laboring classes, or – occasionally – of the dissoluteness of some dominant section. The proposed moral reform is presented as necessary to overcome the decline and generally has a dual thrust: a specific cure for the identified ill and an expanded or symbolic dimension. (Hunt, 1999. p. 11).

This model seems to fit the Mitchell Report quite well. In terms of the “identified ill”, the report suggests that PED use is harmful to player who choose to use, players who do not, and the kids that look up to those players from outside of baseball. The “symbolic dimension” is the broader mythos of baseball that the report both relies on and constitutes.

At the very least, the Mitchell report's use of nostalgia to explain why the government was getting involved in professional sports and as an attempt to justify their findings and recommendations is interesting. Another interpretation is that that the report's rhetorical deployment of baseball's past is part of a broader project of moral regulation that, as I have suggested, is more about normalizing specific kinds of behavior not only for baseball players but also for the larger population outside of baseball.

Integrity and Self-Help

It is not simply the reliance on a nostalgic conceptualization of baseball's past that is suggestive of a relationship between the Mitchell Report and moral regulation; it also has to do with how that conceptualization is deployed and what the desired ends of the report are. In this case, the Mitchell Report relies on an idea about how baseball used to be, and more specifically about what baseball players used to be like, as a method and justification for the suggestion that baseball players today should emulate the values and behavior that defined players from the "golden age" of baseball.

In a general sense, this means that players should approach the game with things like fairness, character, and integrity in mind. Specifically, the report suggests that players need to be dedicated, hardworking, and demonstrate a willingness to sacrifice because that is how baseball used to be and by extension, how baseball players used to do it. I am talking primarily here about the ways that players practice, prepare and develop their athletic ability and skills including their diet, exercise and workout programs, and their dedication to honing their craft. As mentioned above, the Mitchell Report constructs a vision for the ways that players should train primarily as one that does not include the use of chemical or technical assistance like steroids or other PEDs. Instead, players' skills should be the result of "a lonely submission to a sustained discipline of exertion" (MR, 13). In other words, athletic ability is something that should be developed through sustained effort and dedication to hard work by an individual with limited assistance from sources outside the body. The result is that a player's successes are then attributable to the self alone and not realized through the application of scientific and technological interventions into the biological materials of the body.

This framing is interesting because it begs the question about what constitutes legitimate as opposed to illegitimate performance enhancement. If it is science and technology that are the markers of illegitimate performance aids then why has there not been a federal investigation into legal nutritional supplements and muscle building products? Butterworth echoes this concern when he states,

...MLB and the writers who cover the game largely ignored the many other ways in which the national pastime has tacitly endorsed cheating. Additionally, they have accepted baseball's various permissible augmentations, including contact lenses, surgery, approved steroids such as cortisone, and improved equipment. In short, the crusade against illegal steroids in baseball is not about cheating or performance enhancement per se; rather, it is about a particular kind of contamination that articulates with the political anxieties of our time. (2008, p. 151)

In addition to introducing some interesting examples of permitted substances and performance enhancers, Butterworth here makes an interesting argument about why, in the face of clear logical inconsistencies, the MLB, the government, and/or fans would be upset about PED use. I think that there is one compelling argument that creates a meaningful distinction between PEDs and the substances that Butterworth is talking about, namely, the latter are all currently not on the list of banned substances. Therefore, one could understand the outcry as having nothing to do with why substances are banned but rather the simple fact that they are banned. But, what Butterworth is pointing out is that there is a perhaps more complex interpretation that suggests that the nature of the responses to the PED controversy had less to do with the substances being used or even their relationship to sport and were more about "political anxieties".

Beyond these inconsistencies, it is important that through the Mitchell Report we can see the narrative of the American dream extending into the realm of baseball,

specifically the idea that anyone can achieve success if they are willing to work for it (i.e., pull themselves up by the bootstraps). This theme is a mainstay of sports in pop culture. The common narrative is of an excluded or overlooked person (because of size, gender, class, (dis)ability, class, whatever) who is able to find success only through hard work and dedication (think montage here). These stories are celebrated because we get to see all the work this person had to do to overcome their barriers and achieve success. Or, almost as popular, they fail, but the hard work was worth it even without the spoils of victory. The point is that the reiteration of the rags to riches narrative prevalent in popular culture in the domain of sports reifies the notion that hard work will set you free and that the only, or at least primary, limitation on success is the unwillingness to work for it.

This same narrative is popular in real world sport as well. This narrative usually involves a player that comes from a disadvantaged situation (e.g. from a single parent household, grew up in a dangerous part of town, came from poverty, etc.) and works hard to make it to the big leagues of their sport. In this way these narratives frame the value of hard work not only in the context of competitive success and winning but more importantly in terms of what it says about a person's character. The victory does not necessarily have to come on the field of play, but it always comes in the form of the discipline demonstrated by the hard work and dedication of the player.

A great example of these kinds of narratives can be seen in the story of current NFL player Michael Oher. Oher, whose story was popularized by the movie, *The Blind Side*, is based on a book of the same name. Both tell the story of a promising but poor young black athlete who is taken in by an affluent white family. With the help of his

adopted family, Oher improves his academic standing and becomes a star football player who goes on to play football at the collegiate and professional level. While Oher does achieve on-field success, the story is more about his self-actualization both academically and socially that is a product of his hard work.

The conceptualization of good work that is presented in the Mitchell Report is similar to Foucault's notion of "techniques of the self." These can be separated into two distinct categories, "the injunction to know oneself and the demand to care for one's self." Here I will focus on the latter. Historically the kind of training that was associated with care of the self took the form of "abstinences, memorizations, examinations, and listening to others" (Foucault, 1984, p. 364). While modern techniques of the self, training in the case of baseball, can take on different forms, they importantly are still principally about "training of oneself by oneself" (Foucault, 1984, p. 364).

Importantly, for Foucault, "techniques of the self" were at least in part a moral question and the "government of oneself... falls under morality" (Foucault, 2009, p. 93). Historically, the care of the self can be traced in part to Christian ideas of asceticism which were characterized by renunciation and abstinence. Moreover, projects of moral regulation are often characterized by "projects of self-formation, manifest in ubiquitous incitements to 'self-control'" (Hunt, 1999, p. 16). Moral regulation then can be understood as trying to understand how the "self comes to be induced to act upon itself" (Hunt, 1999, p. 16).

While the care of the self is all about how one acts "upon itself", it is done so with others in mind. Put differently, "The care of the self involves one in the government of the self in conjunction with the government of others" (White & Hunt, 2000, p. 94).

There are two clear examples of this idea in the Mitchell Report. The first is mentioned above in terms of how the report conceptualizes the ways that athletes should train and prepare. The second and perhaps more telling example can be seen in the argument that the choice of some athletes to use PEDs puts all other athletes in an unfair position, specifically one where they are more likely to use steroids so as to not fall behind competitively. In other words the rhetoric of the Mitchell Report valorizes a specific conception of preparation and training while vilifying those who choose to deviate from that conception and use PEDs. The effect of this rhetorical strategy is to incite a particular kind of care of the self for individual athletes, one that signals that private decisions can spill over and affect others.

At stake when talking about the care of the self is not simply competing visions for how athletes prepare and train for sports, but instead a broader valuation of one's character. This means that the rhetorical work of the Mitchell Report rises beyond the level of suggestion or preference and instead renders a moral judgment about athletes based on how they choose to care for themselves. In this sense,

The care of the self, viewed as the 'cultivation of the self', has as its prime feature the idea that practices of the self consist of axioms which inform one's conduct. The ethics of the self becomes a continual practice on, and activity of, the self. It is what forms the ethos of one's being. (White & Hunt, 2000, p. 98).

Beyond the simple act of using PEDs or not, the way that one cares for the self forms the basis for judgments about one's conduct and character in a broader sense. So the athlete who is dedicated to working hard and perfecting their technique in their respective sport is thought to have good character and to be ethical in her/his conduct. Athletes who abandon the care of the self in favor of artificial or technological means for performance

enhancement exhibit a flawed character, do not treat their fellow competitors ethically or with respect, and are not “recognized to be competent members of a political community” (White & Hunt, 2000, p. 95).

Conclusion

This chapter makes the argument that the Mitchell Report justifies its investigation into PED use in Major League Baseball and its recommendations ("how do we fix baseball") at least in part on the idea that PED use is unethical because it creates an unfair playing field and that it threatens the history of baseball. This former justification obviously relies on an image of baseball's history as pure, fair, and ethical. There are some telling examples that demonstrate why this vision of baseball's past is, in the very least, misguided and, at its worst, a problematic and revisionist reading of baseball history. This use of the past to justify regulation fits the pattern of historical programs of moral regulation. This comparison is useful in exposing how power might be operating in this instance to normalize behavior.

In addition, this chapter has made the argument that the Mitchell Report has used nostalgia as a mechanism to illicit self-governance on the part of players and the general population. Unlike historical examples of self-formation, the report forwards a specific vision for how athletes should prepare, specifically that they should be dedicated and hardworking and also that they should abstain from any illegitimate performance enhancing substances like steroids and human growth hormone. At stake here is not only the reputation of baseball but also the character of individuals. I have also demonstrated

the link between the fear of technology trope and the history of hegemonic masculinity that animates the annals of baseball history.

These two elements of the Mitchell Report constitute a part of what I argue is a larger project of Moral Regulation that extends beyond baseball and even beyond sport. While the focus of the Mitchell Report is baseball, the rhetorical framing, in this case the use of nostalgia and the discussion of how athletes should prepare, bears on a larger conversation about correct behavior.

“Thus modern moral regulation can be understood as a combination of two general strategies, that of retraditionalisation and that of self-help. It is not that one form is superior to or more modern than the other, but rather that they exhibit different modalities of governance” (Hunt, 1999, p. 219).

While there is more to the report than these two elements, they are part of a larger project of moral regulation that fundamentally implicates how we should think about modern forms of governance and power.

Chapter 5- “I believe in the church of baseball”: Apology and the modern day confessional or From Apologia to Public Confession

In 2011, MVP award winner Ryan Braun tested positive for Performance Enhancing Drugs (PEDs). After learning of his positive test, Braun asserted his innocence in the matter and suggested that the MLB testing protocol had been violated because the tester delayed shipping Braun's sample to the testing center. Based on this claim, Braun became the first player to successfully defend himself against a positive result on a PED screening. This victory was short lived because early in the next season Braun (along with several other high profile Major League Baseball (MLB) players) was suspended for PED use based on information recovered during a raid of an "anti-aging" clinic in Florida called Biogenesis. Information found in the raid confirmed what many suspected, that the Biogenesis clinic was being used as a front to distribute PEDs to professional athletes (Rosiak, 2013). Braun responded to this new evidence by cooperating with the MLB, accepting his suspension, and waiving his right to appeal. Braun also issued a public statement of apology.

Braun was not the first athlete to throw himself on the mercy of the court of public opinion by issuing an apology after being caught using PEDs. In fact, apologies by high profile athletes have become commonplace, part of the already recognized circulation of public apologies that have attained the status of genre (Ware & Linkugel,

1973). In fact, due in large part to public responses to high profile apologies, the genre has evolved to include elements that make it more likely that the apology will be received well. In the context of athletes, this includes demonstrating genuine remorse, authenticity in the admission of wrong doing, and trustworthiness when making the claim that they have reformed and will not use PEDs again. This is not to say that all apologies are perfect and accepted by the public, but rather that there are numerous examples available to articulate what constitutes a thoughtful and genuine apology.

Numerous scholars have analyzed public apologies in an attempt to understand the nuances of the genre (see Benoit & Brinson 1999; Simmons, 2000; Mazer, 2013). Understanding what makes apologies rhetorically effective and how/what those strategies communicate to an audience in a public forum is crucial given the important status of such apologies in public discourse. Applying this research to apologies by high profile athletes may shed light on the rhetorical dynamics at play in their specific contexts and in the broader controversy about PEDs. To this end, in this chapter, I provide an overview of public apologies as a speech genre and then apply it to several specific examples of apologies by high profile athletes.

Most importantly, this chapter focuses not only on the elements of an effective and persuasive apology but also on what compels athletes to apologize and what the rhetorical value or function of these apologies is within a larger conversation about governmentality and discipline (see Chapter 2). It could be argued that athletes apologize on behalf of their brand, meaning they feel like the apology is the best way to remain in good standing with fans which usually translates into their marketability (e.g. their ability to sign big contracts with teams and get signed to endorsement deals with companies

outside of baseball). It would also be reasonable to assume that athletes who have apologized for transgressions do so to show their contrition and to maintain their standing within the organizations for which they play. In other words, they apologize to avoid or minimize any administrative punishment (suspensions) they might receive for violating their league rules about PED use.

These explanations and others probably do factor into the decision to issue a public apology; however, I will argue that apologies are motivated by more than simply self-interest and, even when they do not reflect true contrition on the part of individual athletes, have a broader rhetorical impact that communicates norms of behavior and signals moral codes that extend beyond the context of sports. In particular, *apologia* reflects the normative behavior of the public confession, a rhetorical genre that is more responsive to power and social moral codes than to the specific issue of rhetorical effectiveness for any particular audience. To develop this specific thesis, I first explore and unpack the theoretical underpinnings of *apologia* and confession with the goal of articulating a theoretical overlap that may help explain the motivation behind and function of modern day apologies by professional athletes with particular focus on athletes who have been caught using PEDs. I will then point to some specific ideas from the Mitchell Report and the subsequent congressional hearing on that report that give context for the theoretical insights I deliver. Ultimately I provide both an account of professional athletes' apologies that reflects the complex factors that motivate athletes to offer them and articulate the broader implication of apology for the theories of power discussed in Chapter 2.

Apologia

The ancient Greeks developed the rhetorical genre of *apologia* that provides one foundation for contemporary understandings and practices of apology (though there are major differences between the Greek conception and our own). *Apologia* is defined as "the speech of self-defense" (Ware & Linkugel, 1973, p. 273). More specifically, *apologia* involves "those statements of self-defense produced by individuals whose conduct has led society to judge them as immoral or unethical" (Kruse, 1981, p. 270). This judgment can be the result of the violation of some juridical standard or law, or it could be that a person has violated a cultural norm of behavior or standard of decorum. In either case, the apologetic discourse is issued in an attempt to maintain or restore one's image in the view of a public audience in the wake of some legal or norm-based violation. It is important to draw a distinction between *apologia* and apology. While the former is a speech of self-defense animated by a variety of strategies or forms that will be illustrated below, the latter is most often limited to the mortification strategy whereby a speaker admits guilt and accepts responsibility with no attempt to deny, diminish, or transcend the behavior that is being questioned (Stein, 2008, p. 19). Ultimately, most of the scholarship that is dedicated to analyzing *apologia* is limited to identifying the strategies used by a particular speaker and if/why those strategies were effective in the eyes of that researcher. There is, however, some research that is interested in the public uptake of and response to the apologetic discourse. Such research focuses on the response of a public that, in most cases, was the driving force compelling the speaker to issue a statement of apology in the first place (*kategoria*). In situations where the public feels

like there was some important flaw or limitation in the apology, they often issue a rebuttal called the *antapologia* or the response to the apologia (Stein, 2008).

There is substantial scholarship that has set out to analyze speeches of *apologia* and the related “image repair” strategy (see e.g., Benoit & Brinson, 1999) by high profile individuals including: Bill Clinton's speeches of apology following the Monica Lewinsky scandal (Simmons, 2000) and for the Tuskegee Syphilis Study (Boyer, 2011); Queen Elizabeth's apologia following the death of Princess Dianna (Benoit & Brinson, 1999); and entertainment personalities like Dan Rather's speech following "Memogate" (Mazer, 2013). There have also been analyses focused on *apologia* in sport including: a discussion of Tonya Harding's apologetic discourse after the Nancy Kerrigan attack (Benoit & Hanczor, 1994); an analysis of Billie Jean King's statement after news of her lesbian relationship became public (Nelson, 1984); and Noreen Kruse's (1981) more general analysis of *apologia* in American team sport.

Much of the scholarship produced on *apologia*, including many of the above-mentioned investigations, set out to determine what makes for an effectively persuasive speech of self-defense (e.g., what are some common strategies or techniques used by people who have been compelled to deliver an apologetic address and how successful are those techniques at securing public acceptance?). While there is some disagreement about how best to break down the most common elements of apologetic discourse, most scholars seem to agree that there are at least four common factors that we commonly see in speeches of self-defense. The first of those factors is denial including denying that any transgression took place or denial through blame shifting. A good example of denial through shifting blame is denying intent, a strategy in which a speaker admits to

committing a transgression but does so by explaining that they had not intended to or had no knowledge that they were committing said transgression. The second common factor in *apologia* is known as bolstering and is understood as an attempt by a speaker to associate herself with something that her audience might view in a favorable light. Both denial and bolstering are usually talked about as reformatory in that they "do not attempt to change the audience's meaning or affect for whatever is in question" (Ware & Linkugel, 1973 p. 275-276). The third factor of *apologia* is differentiation or an attempt by the speaker to separate "some fact, sentiment, object, or relationship from some larger context within which the audience presently views that attribute" (Ware & Linkugel, 1973, p. 278). The final factor seen in *apologia* is transcendence whereby the speaker tries to re-contextualize the transgression by connecting it to some outside idea or value. Unlike denial and bolstering which are reformatory, differentiation and transcendence are both considered transformative meaning that they are an attempt to reframe the associations the audience has with the transgression in question (see Ware & Linkugel, 1973; Nelson, 1984).

These strategies are certainly evident in apologies offered by athletes found to have used PEDs. Returning to the case of Ryan Braun, soon after he won the appeal of his 50 game suspension (for a failed urine analysis test that indicated abnormally high levels of testosterone), Braun issued a statement that utilized a denial strategy:

If I had done this [taken PEDs] intentionally or unintentionally, I'd be the first one to step up and say, 'I did it.' By no means am I perfect, but if I've ever made any mistakes in my life I've taken responsibility for my actions. I truly believe in my heart, and I would bet my life, that this substance never entered my body at any point. ("Transcript of Ryan Braun's," 2012).

In addition to denying that he had ever used any PEDs, Braun's statement also included elements of blame shifting (a variation of denial) by suggesting again that there may have been some attempt on the part of the tester to alter his sample.

As motioned above, Braun was able to revel in the success of his appeal for only a short time because he was eventually linked to another steroid controversy in the Biogenesis clinic scandal. After being linked to this PED source by financial documents, Braun was forced to issue a second statement where he admitted his PED use and issued a public statement. Braun admits guilt and accepts responsibility when he states, "It was a huge mistake, for which I am deeply ashamed" (Nightengale, 2013, n.p.); however, there are some elements of his statement that point to other strategies. In addition to his admission of guilt, Braun suggests that he only took steroids to get over a nagging injury, as opposed to gaining a competitive advantage. This attempt by Braun to transform the way that the audience might have thought about his PED use is a good example of the differentiation strategy. While Braun seems to apologize and accept responsibility, he does so with a qualifier. By stating that he only took PEDs to recover from injury, Braun is attempting to differentiate his behavior from some worse version in the view of the audience. The goal of this kind of strategy is to suggest that while he took PEDs, he did so not to cheat, or gain competitive advantage, but simply to return to the lineup from injury as quickly as possible. And, as a high profile player, this behavior is actually for the benefit of fans who would obviously rather see him on the field playing than on the disabled list. Whether or not this was effective is hard to say. There were certainly some pundits who believed Braun's statement to be genuine while others suggested that it was really his only option after his first denial. What is clear is that Braun is one of many

who have used differentiation as a means to transform the way the audience thinks and feels about their transgression as opposed to their behavior.

As this example demonstrates, there is not necessarily anything unique about the *apologia* offered by professional athletes (though there may be such examples, I do not investigate them here). Such *apologia* seem to adhere to the same structure and utilize the same rhetorical tactics; however, the function of *apologia* as it relates to sport is certainly unique and interesting. This is the case due in large part to the status of sport in society today. As opposed to simply offering entertainment value, sport transcends this role and "exists for the fans as a kind of secular religion" allowing discrete competitions to achieve the status of "mythoreligious sites" (Kruse, 1981, p. 283). In terms of the *apologia*, this means that athletes do not feel compelled to demonstrate contrition after a transgression only to maintain their role as entertainers. Instead, *apologia* serves to allow athletes to demonstrate their "moral value" and that they are "worthy of participation in the rite of the game" (Kruse, 1981, p. 283). It is in this sense that the analysis of athletes' speeches of apology and the factors that motivate and compel players to offer them can provide some unique and interesting value to the discussion of the genre. Put differently, it is not simply the speech of *apologia*, but rather the institution of sport and the space that it occupies in American culture that makes PEDs, the Mitchell Report, the subsequent speeches of apology, and the relationship between all of those things critically salient. While a look at individual apologies might be interesting and would likely confirm what we already know about *apologia* as a genre, it is limited in the sense that it does not ask what forces are at work that lead individuals to choose to issue *apologia* in the first place. It is with this question in mind that I now transition to a discussion about

apologia in terms of another important term that underscores the role of power in normative public behaviors: the public confession. By turn to the public confession, I articulate how power frames (even calls for) apologetic utterances at discrete moments of time and for particular purposes.

Confession

While understood primarily as a Christian religious rite, confession has been used historically as a method of self-formation and personal growth. Theoretically, confession was effective at facilitating a confrontation on the part of a sinner with their transgressions and it was thought that this confrontation was valuable insofar as it prevented an individual from ignoring their behavior problems or character flaws. Thought of strictly as a personal choice or religious rite, the practice may seem pretty innocuous. When thought of as a technique of governance however, the practice takes on an entirely different meaning (Holland, 2002). Here I will first outline some important historical points that relate to confession and its relationship to power and then discuss confession as it relates to modern speeches of apology by professional athletes and the Mitchell Report.

Historically, acknowledging ones flaws or transgressions was both a personal and private event and also one that was understood as an element of the “care of the self” (Foucault, 1978; 2003; Holland, 2002). From this point of view, an individual recognizing their flaws was useful insofar as it allowed them to have deeper self-understanding. The Christian uptake of this process added the element of confessing to another person and instead of being useful as a way of knowing oneself, it became

necessary to have another person present to hear the confession, to forgive and offer absolution, and in some cases prescribe penance (Holland, 2002). The addition of someone to hear the confession and deliver the penance is illustrative of the evolution from the Greek notion of knowing oneself for the purposes of self-care to the Christian version whereby confession was a necessary practice to secure or maintain one's position within the faith. In other words, "penance was not seen as an act but as a status given those who sought to avoid expulsion from the community for major sins" (Holland, 2002, p. 82).

A second important indication of this historical transition came in the form of the medium. For the Greeks, "taking care of oneself became linked to constant writing activity" (Foucault, 2003, p. 153). It was not until the practice was adopted and changed by Christianity that we see the move from writing to discourse as the primary means of confession. It is, in no small part due to this aspect of the evolution of confession that we tend to conceptualize it as a ritual of discourse (Foucault, 1978, p. 61). The initial move from written to verbal apologies, however, was not the end of the line. Historically, the Christian confession was done in private to some authority figure, in most cases a priest. But, the evolution of confession historically included a turn toward "medialized confession" whereby the virtual other is no longer a journal (in that case the confession is all about the truth and care of the self - it makes no difference who or what is hearing the confession, the mere fact that the subject is verbalizing truth is all that matters) but rather the virtual other becomes multiple and anonymous in the form of media consumers (Feges & Dahlstedt, 2013).

Applying the notion of virtual confession as adumbrated above to the context of athletes' public statements of apology is instructive. While athletes are in a sense coming clean to their respective sports organization (NHL, MLB, etc.), they are doing so in a public way (TV coverage most commonly) to a virtual other. This evolution is important, specifically in terms of linking *apologia*, confession, and the workings of power, because: 1) The verbalization is literal indicating that the transgression goes from internal (I know I did something wrong) to a discursive formation (I am communicating to a virtual other my transgressions); and 2) The effect of the confession is not just to utter truth or recognize truth on the part of the subject, but rather to communicate that to the virtual other(s) (which has a norming effect when we think about correct behavior). In other words, the historical function of the confession was to disclose the truth of the self and connect "with the wider politics of governance that seek to govern and shape citizens" (Fejes & Dahlstedt, 2013, p. 6). In short, public displays of self truth or self disclosure seen in public apologies by sports stars discursively signals to the virtual other a specific vision of appropriate behavior.

A third important part of this transition was the move from the Greek call of care of the self to the Christian call to know oneself. This emphasis on knowledge and truth as opposed to care in part necessitated the need to have some other person listen to and interpret, analyze and evaluate one's confession. And, this is why "Western societies have established the confession as one of the main rituals we rely on for the production of truth" (Foucault, 1978, p. 58). That confession is about the production of truth is important because of how it relates to conceptualizations of the subject. For the Greeks, care of the self was not about transforming the self. But the move to the production of

truth, or confessing to know the truth of oneself, marked the move to confession for the sake of self-improvement. Taylor (2008) explains,

By describing confession as subject-forming, Foucault intended that we understand how we came to be what we are, but also, more importantly, to recognize the contingency of this being and the manner of subject-formation, and the treasury of historical alternatives that exist and which can be drawn upon, invented and reinvented, such that rather than confessing to what we are, we can make ourselves other than we are. (p. 9)

This move from self-care to subject formation is critical because, for Foucault, it took the relatively personal and private imperative to care for oneself and made it less personal, in some cases public, thus linking the process to the political and systems of power. This is why he refers to confession as a "ritual which unfolds in a relation of power" (1978, p. 61). The relation of power is a result of the inclusion of a partner who is "the authority who requires confession" (1978, p. 61). The fact that the confession is being judged and evaluated indicates that the partner receiving the confession holds the power in the confessional relationship. Importantly, confession and its relationship to power explains why Foucault thinks of it as a technique of the self or "the procedures, which no doubt exist in every civilization, suggested or prescribed to individuals in order to determine their identity, maintain it, or transform it in terms of a certain number of ends, through relations of self-mastery or self-knowledge" (1978, p. 88).

The final important element of modern confession is that it does not have to be, and rarely is, voluntary. This may seem at odds with the early history of technologies of the self that Foucault develops and also with a more modern understanding of confession, but, this fact is consistent with history where "when it is not spontaneous or dictated by some internal imperative, the confession is wrung from a person by violence or threat; it

is driven from its hiding place in the soul, or extracted from the body" (Foucault, 1978, p. 58). However, modern confession cannot be compelled by a "sovereign master" from above, but rather is "an obligatory act of speech which, under some imperious compulsion, breaks the bonds of discretion or forgetfulness" (Foucault, 1978, p. 62). So while the confession of a professional athlete may seem coerced under the threat of a harsher punishment, this does not disqualify it as a technology of the self in Foucault's estimation.

Importantly, there is a close relationship between confession and "pastoral power" (i.e., extrinsic power), which is most clearly illustrated through the traditional private Catholic confession where a priest took on an active role in the formation of individual subjects (Kaylor, 2011). The rite of confession was critical to the shepherd/flock dynamic that permeated this process because it allowed the subject to be knowable to the priest. One important implication of pastoral power specifically as it relates to Christianity's version of confession is that it situated dissent as heretical, meaning that to call into question your priest/shepherd was to call God into question (Kaylor, 2011). In this sense the priest took on a gate-keeping function whereby one's confession was compelled under threat of exclusion or to use the Catholic term, excommunication. Excommunication, or the threat thereof, functioned as a mechanism of power, the alternative to which was submission, "which would serve as a public confession" (Kaylor, 2011, p. 160).

While modern confession is not identical to the more traditional, Catholic version, the shepherd/flock metaphor, excommunication, and submission dynamic is a valuable tool for thinking about modern confession and for analyzing the PED controversy in baseball specifically. Baseball players who were found to be using PEDs very often felt

compelled to issue statements of public apology by the threat of suspension from baseball (excommunication). While not a requirement for their literal readmission into baseball, athletes' apologies are often viewed as a requirement to regain the trust and approval of baseball fans and the public generally (the PED issue certainly transcended sport - see Chapter 2). Their apologies then, constituted both an act of submission, to baseball and public opinion, and a kind of confession as genuineness of the apology was a critical deciding factor in the decision to end their metaphorical excommunications. While athlete's statements of apology were met with varying degrees of acceptance by fans, sports writers, and officials in sport, most of them were ultimately allowed to return to the playing field, and for good reason.

Confession sits at the heart of pastoral power. Yet, with . . . demands for public submission as confession, this power is significantly altered. The individuals are no longer chastised. Fear of public admonition might discourage other sheep from dissenting . . . [T]he actual audience . . . may actually have been the sheep who were still faithful as he was warning them not to question his authority. (Kaylor, 2011, p. 165)

While it makes sense to suggest that when it comes to confession the object of power is the sinner, the public nature of the apology has far reaching effects. In other words, the power associated with the rite of modern public confession, based on a public threat of excommunication, is not limited to the sinner and priest, but rather extends to other potential sinners. In the case of baseball this could be other professional athletes, as well as the next generation of potential professional athletes.

Kaylor (2011) concludes that this break from traditional patterns of pastoral power and the historical function and rite of confession prevented "the uniting of 'shepherd' and 'flock' from completely occurring" (p. 166), however, it is unclear if he

means this as a negative.⁶ I would argue that this demonstrates not a limitation on pastoral power, but rather an example of the necessary move from disciplinary power to the art of governance. Managing individuals, Foucault suggests (see e.g., Foucault, “Security, Territory, Population,” 2003), had to give way to different strategies of governance aimed at managing populations. This evolution was in part due to practicality, managing populations makes more sense than trying to manage individuals, but more importantly because it created a decentralization of power. Instead of relying on individual shepherds levying the power of individuals, individuals could demonstrate the same intended result of that power (behavior, values, beliefs, etc.) to numerous others without the need for individual contact (e.g. confession) and each of those numerous others could do the same. This decentralization essentially requires the shift from private confession to public apology because it can both allow for introspection and self-investigation on the part of the subject as well as demonstrate public submission to power through ideology to a broader public who might internalize the end of that power (again, behavior, value, belief, etc.).

Clarifying this relationship between apology, confession, and power provides a new way to read the primary artifact under analysis in this dissertation: the Mitchell Report (MR). Instead of viewing the public apologies of athletes and the report as separate rhetorical artifacts, a Foucauldian re-visioning of *apologia* in the context of his larger “care of the self” project elucidates the deep intertwining of Mitchell’s report and

⁶ In his analysis of Archbishop Burke, Kaylor (2011) argues that Burke’s demand for a public submission on the part of specific pro-choice, catholic, politicians demonstrates a violation of his role as shepherd. What is unclear is if he thinks this is a good or bad thing. He certainly does not go so far as to argue that it is in any sense transgressive but he also does not really situate it in terms of a theoretical challenge to pastoral power or governmentality generally.

the apologies that happened after its release. Such apologies were in a sense called into being by the report and represent not simply a way to manage public expectations but also to demonstrate normative behaviors for a public audience (the confessional mode). In the next section, I highlight this crucial turn in my reading of the public apologies of athletes and its consequences for our understanding of a critical rhetorical artifact in the context of sport (the MR). I conclude with some initial insights into how synthesizing public apology and public confession may enliven the study of public apologies in communication and rhetorical studies.

Rereading the Mitchell Report as a call for Confession:

In his report, Mitchell repeatedly stresses that his investigation was hindered at least in part by the unwillingness of players (some named in the report and others not) to be interviewed by him. He also points out that he gave/would give serious consideration to the explanations offered by those players who chose to be interviewed for the MR. Mitchell says he wanted to meet with players "so that I could provide him with information about the allegations against him and give him the opportunity to respond" (Mitchell, 2007, p. 148). He certainly does not say that he is giving them a chance to admit what they did, or apologize for their choices and behavior but I think that there is a reasonable cause to speculate that is what he had in mind. For most if not all of the players named in the report, there was pretty compelling evidence to suggest that they had taken some kind of steroid. In many cases that evidence came in the form of testimony on the part of the person who provided them with the PEDs, for others it was some kind of documentation that linked them to PED use, for example a check written

out to a known PED distributor. This to me suggests that while Mitchell signaled that he would give all players a chance to respond, the nature of that response would clearly be limited based on the evidence Mitchell had gathered against each player. Put differently, players who chose to meet with Mitchell were probably limited to admitting guilt and offering some kind of justification for their decision to use.

Another telling point related to this question is that Mitchell was asked to investigate PED use not so that users could be caught and then disciplined, but rather to determine the scope of the PED problem. In fact, Mitchell is clear on this point. He says many times, most notably in the conclusion of his report, that he was on a fact-finding mission with the explicit goal of determining the extent of PED use in major league baseball. Moreover, he even goes as far as to caution against using the report as the basis of disciplinary action on the part of the commissioner and the MLB because in his opinion and experience that would be a hindrance to leaving of the steroid era in the past. Mitchell (2007) states,

I urge the Commissioner to forego imposing discipline on players for past violations of baseball's rules on performance enhancing substances, including the players named in this report, except in those cases where he determines that the conduct is so serious that discipline is necessary to maintain the integrity of the game. I make this recommendation fully aware that there are valid arguments both for and against it; but I believe that those in favor are compelling... The Commissioner should give the players the chance to make a fresh start, except where the conduct is so serious that he must act to protect the integrity of the game. This would be a tangible and positive way for him to demonstrate to the players, to the clubs, to the fans, and to the general public his desire for the cooperative effort that baseball needs to deal effectively with this problem. It also would give him a clear and convincing basis for imposing meaningful discipline for future violations. (p. 307-309)

For me this provides a lens through which to think about Mitchell's invitation to let players named in the report respond to his accusations. Since the end goal of the

investigation was not to identify players who used PEDs and subsequently punish those players, there was seemingly no need for them to respond. It was not as if they needed to convince Mitchell that he had been misled by his witnesses, or that there was some other explanation for whatever evidence he had found linking them to PED use in order to avoid a suspension or some other discipline. Why then would Mitchell extend this invitation to players to respond to his accusations? It is possible that players might take Mitchell up on his offer in some attempt to clear their names, but even if that was their motivation, it certainly does not explain Mitchell's motivations.

It could be argued that Mitchell was genuinely interested in the accuracy of his report and that confronting players with the evidence against them and letting them respond would be an effective way of validating the integrity of his investigation. However, there are some compelling reasons to believe that this was not what motivated Mitchell's invitation to name players. Most notably, in a congressional hearing that took place after the release of the MR (The Hearing before the committee on oversight and government reform in the House of Representatives, Jan. 15, 2008) Mitchell states that players would only be allowed to view the evidence against them if they agreed to be interviewed by Mitchell. If the quality of the investigation was the only motivating factor for Mitchell, why not just send the players the evidence against them and then let them decide if they would like to be interviewed or respond? Mitchell instead chose to compel players to submit to an interview by holding hostage some kind of evidence against them and threatening to tarnish their reputations by naming them in his report.

Even if you think that Senator Mitchell did not attempt to compel a kind of confession on the part of athletes accused to PED use, it is undeniable that the refusal to

confess was the driving force behind the government's investigation into baseball's PED problem. Shortly after the BALCO scandal (see Chapter 1), the US congress invited higher ups from the MLB, the Player's Association, and several high profile players to discuss the PED issue before congress. This televised hearing produced a number of memorable sound bites that helped ring in the steroid era including Mark McGuire's repetitious use of the phrase "I am not here to discuss the past" and Raphael Palmeiro's finger wagging proclamation that he "never used steroids, period" (Arangure, 2005). Less than six months later Palmeiro tested positive for PEDs and was suspended for 10 days. In light of Palmeiro's testimony to congress, he was widely seen as dishonest. Moreover, Palmeiro continued to claim innocence on the matter claiming that he did not know how the steroids got into his system and suggesting that it was some kind of an accident. Whether you believe Palmeiro or not, he was widely viewed as a dishonest and as having lied to a governmental body. Palmeiro in a sense set the standard for what not to do when it comes to publically addressing even the suspicion that you may have taken steroids. Ultimately the resistance that congress felt from Palmeiro and some of the other players who testified, coupled with Palmeiro's positive PED test certainly contributed to the government's interest in investigating baseball's steroid issue which ultimately resulted in Senator Mitchell's investigation and report.

Conclusion

It should be clear that the Mitchell report and statements by Senator Mitchell establish a norm that I believe functions to moralize subjects of his investigation. There are overriding themes of transgression in the form of fairness violations on the part of

PED users and, perhaps more clearly, themes of atonement that serve to compel acts of contrition on the part of guilty players. I also point to the language of worthiness as a moralizing theme in this chapter which situates players who have used PEDs as unfit for participation. I see this as relating closely to the integrity argument that I discuss in detail in chapter 4. When thought about in relation to the confession discussion above, the pressure to apologize to regain the worthiness to participate should be seen as an effectively moralizing strategy.

The demand for public statements of apology by professional athletes accused of using PEDs constitute an important site of discourse in the broader rhetoric of steroids in baseball and the Mitchell report. At least in the examples I have discussed above, these apologies conform to the relatively standard set of strategies used by high profile persons issuing public statements of apology. What is missing is an analysis of those statements of apology that factors in the element of power. A potential limitation of *apologia* scholarship is that it assumes that power is held not by the rhetor based on their ability to effectively frame their relationship to the transgression they are accused of committing through the use of reformative or transformative rhetorical tactics, but rather with the audience who can choose to accept or reject the statement of apology issued. I have argued here that this assumption is problematic because it ignores the potential effect that the statement of apology can have on an audience beyond the acceptance or rejection of the apology. By this I mean, the decision to submit to the pressure to apologize and the apology itself communicate much more to the audience about ethics, correct behavior, and morality than current *apologia* scholarship takes into account.

Furthermore, I have argued that the demand for an issuance of statements of apology by professional athletes bears a striking resemblance to the rite of confession and that, analyzing them in this way reveals much about the power structures at play in this discursive dynamic. Translating this argument into the larger scope of the dissertation, it is possible to argue that the Mitchell Report played an important, if not central, role in compelling the statements of apology by athletes who were found to have used PEDs. I have also shown that those statements function not only to determine the status of the athletes offering them, but also communicate a particular moral vision about sports specifically and society generally, a vision animated in large part by a very traditional and conservative conceptualization of morality. Finally, I have suggested that the confession itself is not the only place where we see the technology of the self, and rather that, much in the same way that athletes may have felt compelled to issue public apologies, that the young athletes who look up to those pros are likely to internalize that example in the form of ethical self formation that privileges moral calculations over instrumental or economic ones.

Chapter Six - Freak of Nature Science

In the preceding chapters, I have made the case that the arguments that permeate and animate the Mitchell Report should not be thought of as benign attempts to preserve the value of sport and to protect young athletes. Instead, as I have suggested, they should be seen as illustrative of a broader project of moral regulation that seeks to exert power. In this, the concluding chapter of this dissertation, I briefly summarize the important elements of my argument, talk about some limitations and areas for future development of this project and for sports scholarship generally, and finally, offer some concluding remarks.

The Mitchell Report and the preceding investigation were representative both of a major intervention into the world of sport by the government and also a seismic shift in the culture of sports. Once conceived of as an enterprise free from government scrutiny and the pull of public opinion, the post-Mitchell Report sporting world is wildly different. The ability of sports organizations and teams to sweep things like PED use under the rug is now a thing of the past. Moreover, the report set the stage for a broader societal discussion about the risks of steroid use that is still raging.

As suggested in the previous chapters, the three primary lines of argument that animate the Mitchell Report are the following: (1) that PED use sets a bad example for impressionable young people who look up to professional athletes as role models; (2) that the report's condemnation of PED use by athletes is imbued with nostalgic invocations of

baseball's history (and that those invocations create a context where PED use is seen as a threat to the integrity of baseball that is rooted in that history); and (3) that athletes should come forward and publicly acknowledge their steroid use, and that to do so is a meaningful step in the right direction. The ultimate point of these arguments is to inspire a shift into a post-steroid use era.

I have suggested that these arguments are part of a project of moral regulation that seeks to govern by way of creating a normalized view of correct behavior. What may appear as distinct lines of argument come together to inform a more general project of regulation. It is clear then that "[t]he deep anxieties that are roused and stirred in moral politics involve the condensation of a number of different discourses, different fears, within a single image" (Hunt, 1999, p. 9). And, unlike other theories of social control, moral regulation posits that power emanates from a variety of social locations as opposed to simply from the government in the form of laws that criminalize undesirable behavior. This explains why the Mitchell Report expressly recommended that players, who over the course of the investigation were found to have used PEDs, ought not be punished by Major League Baseball or by the government. Instead, the arguments forwarded in the report and ensuing discourses served to establish an anti-PED norm in sport and throughout society.

That norm was based on three different rhetorical tactics that I discuss in the content chapters of this dissertation. First, I described arguments about athletes as role models that rely on risk and responsibility discourses, situating PED use as threat to one's health and placing the responsibility for those negative health effects primarily on professional athletes. Second, I highlighted invocations of the integrity of baseball that

rely on a whitewashed vision of baseball's history and place the tarnishing of that history on PED users. Finally, I provided evidence for the existence of arguments that put pressure on athletes to confess in the form of a public acknowledgement of (and apology for) PED use. I showed how, in this last category, such forms of public acknowledgement are illustrative of the broader pressure to self-care that this form of governance, moral regulation and self-care specifically, privileges.

Limitations and areas for further development

The primary focus of this inquiry into PEDs and sports is on broader regulatory strategies and techniques of governance, it would be fair to offer a critique that says I do not entertain sufficiently the question of race. For my part I would suggest that my project lays the groundwork for a more specific discussion about how issues of race factor into the PED issue in professional sports within the context of governance. It should be clear from earlier parts of this dissertation that I am cognizant of the important role that race has played in both the past and present of sport. I talk about the historic "color line" that existed in baseball and specifically argue that it constitutes one of many examples of baseballs past that nostalgic discourses of baseball serve to gloss-over. Additionally, I agree with Michael Butterworth (2008) that there were racial motivations in the targeting of Rafael Palmeiro in the original congressional hearings into PED use in baseball that functioned as a mechanism to scapegoat the PED problem in a racialized way.

Moreover, I believe that discussion of those issues and others could be expanded upon to develop a more robust rhetorical investigation into race, PEDs, and sport.

Specifically, it has been suggested that the rhetoric of invasion that has been criticized in immigration discourse (see Santa Ana, 2002) could be used to think about the rise in Latino players in Major League Baseball and to the issue of PED use in baseball.

Without drawing any conclusions I suspect that it would be interesting to look at the discourses surrounding failed PED tests and suspensions (or just even suspicion of PED use) for people of color versus their white counterparts.

Even without venturing too far from the scope of this project, there could more work done that looks at the intersection of race, governance, and sport. While Foucault did not make race a primary focus of his writing, there are places where he nods to the aforementioned intersection. For example, when talking about discourses of sex he notes that,

...it [discourses on sex] claimed to ensure the physical vigor and moral cleanliness of the social body; it promised to eliminate defective individuals, degenerate and bastardized populations. In the name of a biological and historical urgency, it justified the racisms of the state, which at the time were on the horizon. It grounded them in 'truth'. (1978, p.54)

Here Foucault is talking about discourses about sex that were seen as neutral and scientific. This is important because it is the same rhetorical ethos that I identify in discourses about the risks associated with PED use and criticize in this dissertation.

Importantly, the neutral and scientific discourses that were used to normalize acceptable sexual practice, Foucault argues, were used to justify racism on the part of the state. Here he is suggesting that the same association between specific sexual practices and impurity / moral uncleanliness could and has been made in the context of groups marginalized based on prevalent conceptions of race. Governance then, can be seen as an interesting and important way to think about race and sport as an extension of this project.

In addition to the important role that race plays in sport generally and the PED controversy specifically, there is another avenue for future research that I think would be both an interesting and meaningful companion to this project. Here I am referring to the idea of body image and the role that it plays in the coding of the PED user's body. In the introduction, I briefly discussed the cloud of suspicion that has been cast over baseball and perhaps more accurately over the whole of sports. It serves to cast doubt over the potentially legitimate accomplishments of professional athletes by suggesting that their performances may have been aided by some kind of performance enhancer. This is a trope we see play out over and over. In the introduction I talked about professional baseball players Chris Davis and Rafael Palmeiro as good examples of this phenomena. As I conclude this dissertation the same could be said of Cubs pitcher Jake Arrieta whose successful start to this 2016 season, including a perfect game, has been questioned.

These players, and many others participating in a range of other sports have been forced to defend their athletic ability amid suspicion and in some cases accusations which put them in the precarious position of either denying they used any performance enhancing substances or simply ignoring the aspersions cast their way. The problem is that either of these legitimate responses could be interpreted as the actions of a guilty person. And these suspicions would not be totally unfair, there have been examples of players who we later found had actually had been using steroids that employed both strategies.

Here, I am less interested in the nature of the athletes' responses, and I am not particularly intrigued by the way that such responses are coded by an eager audience. Rather, I am curious about the evidence that is used to fuel the suspicions that I have

outlined above. As I mentioned, sometimes it is simply success that brings on the whispers of PED use. Other times though it is more a question of the athlete's body. Do they appear stronger? Have they put on more muscle? Is there more tone and definition to that muscle? These and other observations about an athlete's physique can drive suspicion as much as improved performance on the playing field. It is interesting that this same logic is applied to the regulation of other kinds of drugs. Campaigns that look to deter the use of methamphetamines, for example, rely heavily on a particular vision of the drug users body to create a negative image of what might happen if you were to become a heavy user and also to represent and identify current meth users. I also think that those representations present a meaningful point of contrast for thinking about a specific version of regulation and governance, that of the body. This, to me, represents an interesting area for future exploration and analysis.

Perhaps the most important limitation and area for future development of this project deals with the issue of resistance or freedom. The bulk of this dissertation has been dedicated to analyzing the arguments made in the Mitchell Report, as representative and illustrative of the larger discourse on PED use in professional sports, with the goal of pointing at what I see as an example of a form on governance: governmentality and moral regulation. If I have been successful it should be clear that the discourses decrying PED use by professional baseball players constitute a moral and regulatory discourse that effects self governance on the part of those players. What remains unclear or at least unanswered in this project is what opportunities for freedom are available. Put differently, what is the role of rhetorical inquiry in not simply pointing out instances of the use of power but theorizing possibilities for resistance?

The above questions inform an important and interesting debate about the relationship between Foucault's work and rhetoric that has been debated for over twenty years. In an attempt to rescue rhetoric from the periphery, and reconcile the mainstream acceptance of post-structuralism and postmodernism's impact on rhetoric, Rayme McKerrow proposed the theory of critical rhetoric that suggested critique could serve a revelatory function and "unmask or demystify the discourse of power" (1989, p.91). For McKerrow, critique should not be conceptualized as merely capable of pointing to instances of the use of power but rather, because of the relationship between discourse and power, the demonstration of the "silent and often non-deliberate ways in which rhetoric conceals as much as it reveals" (McKerrow 1989, p.92) are a practice of freedom. This conceptualization of rhetoric was met with some resistance. Some argued that it reifies the polarization of power and resistance and that this theory of resistance/freedom is rooted in the notion that knowledge and speech are critical to liberation (Biesecker, 1992).

This disagreement comes, at least in part, from Foucault's discussion of discourse (see chapter two). When talking about the emergence of discourse about sexuality, Foucault makes the point that the assumption that discourse is synonymous with or indicative of openness to something is dubious, and that a discourse can be compelled while still being limited by the types of discourses that are acceptable. Specifically, he says that the emergence of health and medical discourses in the in the 18th and 19th centuries were not indicative of any shift toward sexual acceptance, but instead were a move to clamp down on previously held views of deviant sexual practices (Foucault, 1978).

It is on this question, the role of rhetoric in the theorization of freedom from and / or resistance to power that I suggest there could be more development and future work building on the ideas of this project. It could represent an opportunity for a different conversation about the relationship between moral regulation, governmentality, and communication/rhetoric, in addition to the role and value of critique.

Final Thoughts

Recently, while listening to a sports podcast, one of the hosts made a joke about PED use that is both funny and instructive about the steroid controversy. Talking about some weekly sports news the host referred to an athlete by the oft-heard phrase, “freak of nature” but quickly amended the statement to "freak of science". Since jokes are always funnier when someone explains them (sarcasm), allow me to unpack this a bit. The phrase freak of nature is usually used when someone performs some feat; usually physical can often times within the context of athletics that is deemed super human. An act so incomprehensible that it is difficult to see how a human being, a person who shares with you a basic anatomic and physical commonality, could have possibly accomplished. For many, these feats, that on their face seem impossible, are precisely why sports are compelling to watch.

It is the loss of wonder, in the accomplishment of what seems impossible, that cultivates fears about and condemnation of PED use. Not the potential loss of the game as we once knew it, nor the souls of our role models and bodies of the kids who idolize them, but rather the loss of wonder in witnessing great and unexplainable things. Of

having those moments reduced to a technical or scientific formula. Ultimately the steroid era is one where fans are compelled to,

. . . assume that everything fine is really fake; that human excellence is always compromised; that the greatest performances are always an illusion; that the curtain will inevitably be lifted to reveal the chemist lurking in the shadows. A culture that degrades its heroes, especially the heroes of the young, will destroy the very idea of heroism. A society that gets used to steroids in sport will become even more cynical than it already is. A civilization shaped by the possibilities of biotechnical enhancement will erode the twin possibilities of gratitude and excellence. All that will remain are cartoon heroes and high-tech magic acts, and a life devoted to their soul-deforming amusements. (Cass et al., 2008)

What once was a freak of nature has become a freak of science or at least the risk that science had a hand in feats now rendered understandable. So it is in this quick aside in a sports podcast that we find a very clear expression of the frustration felt by sports fans whose relationship to sport, at least in their estimation, has been compromised, or at worst irrevocably changed for the worse.

This frustration can manifest itself in a variety of ways. I think that I have pointed at one such possibility. Rather than stand for this fundamental alteration in what makes sports meaningful, social forces can coalesce to exert power and a different mode of governance. As I have explained, power is not external to, but rather intimately tied to the people who watch sports and the people who play sports. The people who make up the government and the people they govern.

What is at stake in the Mitchell Report is a struggle over who governs, what can be governed, and through whose authority. Or as Foucault (2003) puts it,

[T]he techniques of government have really become the only political stake and the only real space of political struggle and contestation, the governmentalization of the state has nonetheless been what has allowed the state to survive. And it is

likely that if the state is what it is today, it is precisely thanks to this governmentality that is at the same time both external and internal to the state, since it is the tactics of government that allow the continual definition of what should or should not fall within the state's domain, what is public and what private, what is and is not within the state's competence, and so on. (p. 109)

If Foucault is correct that modern governance is the central space for political contestation, the importance of the discursive framing of PEDs in sports should have been made clear through this investigation.

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