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## The Shady Persecution of Doping: Performance Enhancement Drugs and Meaning in Sport

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The Shady Persecution of Doping: Performance Enhancement Drugs and Meaning in Sport

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by  
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## Chapter 1: Fighters in the Ring

### **Intro – Greatness through Competition:**

*“I hated every minute of training, but I said, ‘Don’t quit, suffer now and live the rest of your life as a champion.’”*

- Muhammad Ali, American Professional Boxer

At the mere utterance of names like Michael Jordan, Barry Bonds, Muhammad Ali, Arnold Schwarzenegger, Lance Armstrong, and Bo Jackson, thoughts of dedication, tenacity, and almost transcendent human achievement are sure to enter the minds of those who know the legacy of these great athletes. These athletes represent some of the very best that humankind could offer to show its progress as a species. However, these athletes seemingly represent something broader than themselves, something almost inexplicable yet familiar. These athletes represent the drive in a rubbery-postured toddler to take those extra steps to grasp the toy her parents dangle in front of her, the jealousy of an adolescent boy when he races his friend during recess and loses, and the will of recruits who purposely subject themselves to immense pain and discomfort to be well-equipped to defend their country. These athletes represent such a central aspect to the human experience that their efforts are often captured and preserved for the revel of future humans.

From the cave paintings of Paleolithic wrestling to Odysseus reclaiming his throne via Greek javelin throwing to the immortalization of Michael Jordan’s iconic “Jumpman” pose, athletic or physical competition seems to be a behavior carried across many human societies and eras. Therefore, there should be very little confusion when questioning the arise of philosophy of

sport, the field that is tasked with applying philosophical inquiry and thought to athletic competition. Philosophers of sport are hard pressed to solve problems revolving around sport as an institution and the intersection of sport with other fields of philosophy (e.g., aesthetics, pragmatism, epistemology, etc.). While the intersection segment of philosophy of sport is focused on how the other fields manifest in sport, philosophers who deal with sport as an institution wrestle with very tangible problems such as pinpointing a suitable position for people with disabilities, understanding the role of technology, and anticipating the effects of genetic enhancement in sport.

The dilemma that this project has chosen to venture is the use of performance enhancement drugs (more commonly referred to as “doping”) and the debate surrounding the practice. More specifically, the debate behind performance enhancement drugs is simply whether professional athletes should be able to use the substances without penalization. This issue is so controversial and so heavily informs our notions of athletic greatness that many readers probably questioned the inclusion of Barry Bonds, Lance Armstrong, and Arnold Schwarzenegger (all of whom have admitted to using performance enhancement drugs) in the opening sentence, but their inclusion was meant to challenge repulsive thoughts about the use of performance enhancement drugs (and subtly start the debate of the chapter).

The voices in the performance enhancement drug debate tend to fall into three categories: the vast majority of folks who believe that performance enhancement drugs are largely detrimental to the institution of sport and **should be prohibited** (anti-PED), those who think the use of performance enhancement drugs is acceptable (pro-PED), and those who specifically object to the current enforcement tactics of the prohibition movement (anti-anti-PED). The anti-PED voices tend to cite arguments that promote individual or overall societal health, maintain a

base level of fairness, or uphold an intuitive notion of meaning. The pro-PED camp mostly focuses on recentering the debate from the three anti-PED arguments, focusing on notions of human autonomy, superhuman achievement, and the elimination of genetic advantages. Of course, the anti-anti-PED position has no inherent stance on the use of performance enhancement drugs but objects to the violations of privacy, the poor cost effectiveness of the enforcement, and the unequal application of the rules that come with enforcing anti-PED ideals. This chapter will explore the three schools of thought through an antagonistic lens against the anti-PED position, analyzing if the anti-PED crowd has overcome its burden of proof and hopefully highlighting the fragility of the anti-PED arguments that have been coddled over the years. The analysis will provide a detailed account of the three pillars of the anti-PED position (fairness, health, and meaning) and juxtapose each pillar with its direct opponents in the pro-PED and anti-anti-PED camps.<sup>1</sup>

### **Fairness – Playing on the Same Field:**

*Far from being against the spirit of sport, biological manipulation embodies the human spirit – the capacity to improve ourselves on the basis of reason and judgment. When we exercise our reason, we do what only humans do ... Sport would be less of a genetic lottery. The winner will be the person with a combination of the genetic potential, training, psychology, and judgment.*

– Julian Savulescu, Australian Bioethicist

While many animals can comprehend basic notions of fairness, humans perpetuate fairness on levels that even the smartest nonhuman animals could never understand. Fairness organizes human systems of government, parenting styles, rules of engagement, and even the

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<sup>1</sup> Before moving into the analysis, it seems worth mentioning that, while initially the project was going to use “doping” as the base terminology, “the use of performance enhancement drugs” was ultimately settled upon because the former term has a connotation that unfairly disadvantages the proponents of performance enhancement drugs, a detail that would not be particularly useful if my goal was to show the fragility of the anti-PED pillars.



rules of our games (leading me to suspect that everything is just a game with varying degrees of rewards and penalties). Interestingly enough, the fairness corner of the performance enhancement drug debate centers not on what is fair. Instead, the debate focuses on which unfair aspect of athletic competition should be remedied. This section will explore the three aspects that each PED voice feels should be remedied: the accessibility of the drugs (anti-PED), the enforcement of prohibition (anti-anti-PED), and the genetic lottery (pro-PED).

First, let us present the fairness case for the anti-PED crowd. Some opponents of performance enhancement drugs draw attention to the potential inaccessibility of the drugs and the implications of that inequality. The opponents also highlight that any athletes who do not have access to the drugs will be at a disadvantage, making the sport unfair. Furthermore, the anti-PEDers argue that the race to innovate performance enhancement drugs would corrupt and distract athletic competition from its actual meaning (this specific aspect of the argument will be explored in more depth later). The angle here, though, is that the race to innovate performance enhancement drugs would create an imbalance in the quality of the drugs from athlete-to-athlete. Because some anti-PEDers believe this inaccessibility would cause such rampant corruption in sports, they deduce that these drugs need to be swiftly policed in every instance and by any means necessary. Admittedly, this fairness argument has fallen from grace amongst writers and academia but still seemingly has traction in the general public. Bioethicist Thomas Murray asserts that academia's abandonment of this point probably stems from the realization that the use of PEDs "would not be unfair if all athletes had equal access" (Murray 327).

Critiquing the anti-PED regime, the anti-anti-PEDers object to the anti-PED's fairness claims, claiming that the methods used to police performance enhancement drugs in themselves are unfair to the athletes. Many athletes must constantly report their location and perform

supervised drug tests (i.e., urinating in front of a third party). Furthermore, those officials who enforce the prohibition of performance enhancement drugs are often inconsistent, sometimes giving different sanctions for the same violation (e.g., Lance Armstrong was permanently banned from cycling, while his fellow PED-using teammates were only barred for no more than eight years.) The anti-anti-PED position highlights the hypocrisy of the practices behind the prohibitive powers of sport.

Having outlined the anti-PED position on fairness and its structural hypocrisy, now I will present the pro-PED side of the debate. The factors of one's birth are overwhelmingly unfair. Firstly, we have no volition in the birth itself. Secondly, the genetic phenotypes that we acquire are almost random in its nature. Thirdly, our family's socioeconomic status and geographic location are forced upon us and greatly impact our upbringing. Surely, the genetically disadvantaged and impoverished often cry "unfair." The proponents of performance enhancement drugs hear these cries and propose a bold solution (the use of performance enhancement drugs) to level the playing field. Under a theoretical pro-PED regime centered around fairness, skill levels and training would be further pushed into the forefront of athletic competition, eliminating some genetic advantages (or at least allowing the genetically disadvantaged to compete at higher levels of sport). Furthermore, the proponents of performance enhancement drugs are eliminating more factors than the opponents. While the opponents of PEDs are only eliminating the accessibility of the drugs, the proponents are eliminating many genetic advantages including post-workout muscle repair rate, injury recovery rate, and natural peak muscle mass.

Having highlighted the main positions in this section, I will now offer my thoughts on the fairness angle of the debate. While I think that the anti-PED position here is intuitive to the

general audience, I am not convinced. The anti-PED fairness argument fails to clarify why only performance enhancement drugs warrant regulation to this degree. Bluntly, the anti-PED position seems arbitrary. Anti-PEDers may rebut that the potential inequality of performance enhancement drugs warrants this heavy policing, but I think academia's abandonment of this argument is very telling of its weakness. Furthermore, this angle of the anti-PED position seems to not care about the very thing that it is asserting, unfairness. In my estimation, the anti-anti-PED position seeks to attack the enforcement angle and, at the very least, successfully weakens the anti-PED position. The anti-anti-PED position accomplishes its goal through displaying how anti-PED enforcement is essentially using unfair methods to remedy unfairness. However, even if we turn a blind eye to the systemic challenges, the pro-PED crowd asserts that the anti-PED position is still weak in theory, arguing that the very essence of the anti-PED position is unfair because the anti-PED position completely disregards all of the other unfair aspects of athletic competition (e.g., the genetic lottery, access to training, etc.). However, the pro-PED position takes the argument even further, positing that performance enhancement drugs will instill more fairness in competition via the elimination of genetic advantages. While I think that many will not be completely convinced of the anti-anti-PED and pro-PED positions, I believe that the positions do enough damage to this pillar of the anti-PED argument to label it as the weakest of the three pillars (fairness, health, and meaning).

## **Health – The Cost of Competition:**

*“Die sollen schwimmen, statt singen!”*

- 1976 East German Olympic Swimming Coach<sup>2</sup>

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<sup>2</sup> When questioned about the broad shoulders and deep voices (signs of steroid-use in women) of his teenage girl swimmers, the coach replied loosely, “They came to swim, not sing.”

Public discussions regarding the sacrifice and dedication of an athlete are commonplace, and rightfully so, but discussions on what specifically is being sacrificed are not as prevalent. Some opponents of performance enhancement drugs want to draw attention to that “sacrifice” aspect of athletic competition, arguing that these drugs will drastically increase the long-term effects of the “sacrifices” that athletes must undergo in order to competently perform in their given sport. Even if performance enhancement drugs are removed from the conversation, many athletes subject themselves to irreversible health injuries such as chronic joint pain, concussion-related illnesses, chronic back pain, and even a permanent limit on the range of motion of some body parts.<sup>3</sup> Knowing that, to some extent, athletic competition is already a danger to the health of our society, those in the anti-PED crowd who focus on health usually fall into two positions: those who seek to protect the individual and those who extend the sentiment to the general populace. This section will explore those anti-PED positions and the anti-anti-PED and pro-PED rebuttals about harm prevention via legalization and freedom, respectively.

Decisions often require one to weigh the benefits and drawbacks of the consequences. The decision to use performance enhancement drugs is no different. Using anabolic steroids as a case study, the benefits are that the drug increases muscle mass and helps “athletes recover from a hard workout more quickly by reducing the muscle damage that occurs during the session,” enabling the athletes “to work out harder and more frequently without overtraining.”<sup>4</sup> However, the short-term drawbacks include paranoia, extreme irritability, delusions, and impaired judgment, while the long-term effects include severe acne, swelling, kidney damage or failure,

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<sup>3</sup> Munoz, Kristina. “Sport-Related Injuries Leave Lasting, Painful Effects.” *Recordnet.com*, 12 Aug. 2012.

<sup>4</sup> Mayo Clinic Staff. “Doping: Do You Know the Facts about Performance-Enhancing Drugs?” *Mayo Clinic*, Mayo Foundation for Medical Education and Research, 15 Oct. 2015.

liver damage, and an enlarged heart (and all the complications that are accompanied health effects such as increased risk of heart attack and stroke). Furthermore, anabolic steroids affect different genders and ages differently. Men can experience testicular shrinkage, lowered sperm count, breast development, and increased risk of prostate cancer, while women can develop facial hair, male-pattern baldness, a deeper voice, and a change or complete termination in menstrual cycle.<sup>5</sup> Why endeavor to list all these side effects? It's simple! Onlookers (those who do not feel compelled to use performance enhancement drugs) must realize that, even with staring down the barrel of all these side effects, many athletes still choose to partake in anabolic steroids, meaning that these people are either completely ignorant or have deemed the drawbacks as minimal compared to the desired physical achievement. Anti-PED folks paternalistically intervene on these decisions, saying that the health risks are far too great for any person to undergo and that any person who chooses to ingest performance enhancement drugs is clearly not concerned enough for their own wellbeing.

The eternal conflict of lawmakers and health experts is the balance of dissuading the public from certain health risks while deciding the appropriate amount of freedom that the public should have in partaking in these risky actions. The overconsumption of sugar clearly contributes to obesity, but should there be legal limits on the amount of sugar that one can eat? Cigarette smoking can be linked to lung cancer and many other negative health effects, but should there be a task force ensuring that no one person is buying too many death sticks? Some PED opponents think that strictly policing the use of performance enhancement drugs is the only way to prevent a mass health crisis amongst athletes. Essentially, the argument is saying, upon the allowance of performance enhancement drugs, the highest competing athletes will set the precedent for all the

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<sup>5</sup> NIDA. "Anabolic Steroids." *National Institute on Drug Abuse*, 4 Mar. 2016.

athletes in less competitive and younger arenas, effectively tying any young competitor's hands and forcing them to accept the health risks if they desire to pursue a serious athletic career. The health anti-PEDer considers this scenario a probable future and heavily policies this boundary to prevent the onset of these events.

While the prohibition approach is often the center of debate when discussing performance enhancement drugs, some in the anti-anti-PED crowd offer a slightly more historically-supported approach. This approach involves legalization and regulation. The anti-anti-PEDers believe that, like alcohol in the 1920s, the prohibition of performance enhancement drugs is exacerbating the problem because the crackdown forces PED hungry athletes to deal with shady characters, unsafe environments, and unregulated substances. Conversely, if the systems that enforce the prohibition of performance enhancement drugs instead regulated the market, according to the anti-anti-PEDers, the drugs would fill the need of the athletes while also diminishing the general health risks and the risks that come with misuse.

Those who object to PEDs on its health risks may seek to eliminate the decision at the center of this debate, but some in the pro-PED crowd endeavor to place that decision back in the hands of the athletes. These proponents argue that the anti-PED position is paternalistic and infringes upon the freedom and independence of the athletes. These pro-PEDers believe that athletes have the right and intelligence to make a decision regarding their own health, just as they can make decisions about cigarettes, alcohol, sugar, extreme sports, and other potentially dangerous activities and substances.

Having highlighted the main positions in this section, I will now offer my thoughts on the health angle of the debate. The anti-PED position here is definitely strong, appealing to people's

intuitive fear of health crises and their protective nature of youth wellbeing. The pro-PED position is by far the least effective here in my estimation. I would venture to say that many people are pleased to relinquish some personal freedoms for the safety of the public and the next generation. Conversely, the anti-anti-PED position really is the powerhouse in weakening the health pillar of the anti-PED position, taking the historically-supported approach. Personally, I believe that this rebuttal is one of the strongest rebuttals in this chapter. Repeatedly, history shows us that legalization and regulation greatly decrease the danger of a substance. Overall, the anti-PED health position is strong but problematic in ending the debate. Intuition tells me that the anti-anti-PED potential middle ground may be the key to the entire debate, but where the lines are drawn requires an even deeper analysis.

### **Meaning – The Role of Competition:**

*“Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as “the spirit of sport.” It is the essence of Olympism, the pursuit of human excellence through the dedicated perfection of each person’s natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport.”*

- World Anti-Doping Agency, 2015

In this project, the word “meaning” is used often, so providing a definition for this word is necessary. As it is used in this project, “meaning” refers to the role, goal, or purpose of a given system. Using this word, we ask questions like the following: What is the meaning of democracy? Perhaps, the answer is to represent the people of the governed area. What is the meaning of life? Perhaps, the answer is to serve God or to uncover the mysteries of the cosmos. What is the meaning of art? Perhaps, the answer is to capture the essence of beauty. Finding the

meaning of a system helps determine what aspects of that system can be amended, added, or deleted while still maintaining the notion of the system. For example, a law that relinquishes voting power from the people and to the president intuitively contradicts the meaning of democracy. The imagery in the intro of this chapter sought to capture our intuitive notions of the meaning of sport, describing many manifestations of athletic competition across ages, eras, and societies. This intuitive notion seems to be the meaning lurking behind the anti-PED position, appealing to the *natural* physical achievement, hard work, and prowess. The anti-PED crowd rejects performance enhancement drugs because the use of the substances distracts from this meaning. While they do not contradict the anti-PED form of meaning, the anti-anti-PED crowd seems to be less religious about upholding the anti-PED meaning, seeking more efficient ways of enforcing the meaning. The anti-anti-PEDer simply questions the extent to which the anti-PED meaning can be enforced and whether performance enhancement drugs are completely contradictory to the anti-PED meaning. Conversely, the pro-PED meaning seems to be focused on showmanship and pushing the boundaries of human achievement. This form of meaning seems to relish performance enhancement drugs, touting that these drugs can help humans perform tasks far past our current notions of achievement. To the pro-PEDer, these amazing displays of physical prowess would also serve for better entertainment for the audience. Imagine Usain Bolt's current top speed of about 27 mph being the norm for an Olympic sprinter. Imagine LeBron James being an average player in NBA. Indeed, these images are distant, but the uplifting of average player achievement is not.

While the debates around health and fairness seem weak in providing a definitive answer to our problem and inadequate in supporting the anti-PED position and regime, I estimate that meaning is the key here. Looking through the lens of the anti-anti-PED position, if we had an



established meaning of sport, the anti-PED system would have a better justification for its claims and rules (i.e., there would be less reason to complain about some anti-anti-PED qualms and the practices of the anti-PED system could be argued to be a necessary evil.) Furthermore, an established meaning of sport would guide anti-anti-PEDers in assessing better methods of making the system better. Currently though, because the pro-PED and anti-PED arguments rest on contradictory conceptions of meaning in sport, the pro-PED and anti-PED sides will never come to a consensus on performance enhancement drugs. To find the meaning, we must move past vague intuition and slogans and introduce some concrete ideas and methods into the debate. In the next chapter, we will explore some conceptualizations of meaning in sport and what light they shed on the PED debate.

## Chapter 2: The Hunt for Meaning

Humanity comes together. We hunt together. We seed together. We build together. We persist together. No one human lives a thriving life on this planet without another human. However, the unfortunate underbelly of a community species is that every member has their own goals, repulsions, experiences, and opinions, creating a demand for mutually agreed upon community rules. These rules either aspire to push a system towards an ideal or to impede the spread of cancerous notions within that system. Every rule has a meaning, purpose, or aim hiding behind its enactment. The Nazi Hunger Plan meant to create a society without Jewish people. The Declaration of Independence meant to revolt against monarchy and promote democracy. A gym requiring that patrons clean the equipment after use is meant to create a sanitary, bacteria-free environment. Churches forbidding women from holding leadership positions is/was meant to uphold a patriarchal hierarchy. The people who enact these rules clearly approach the object system (i.e., the system that the person is making rules for) with a preconceived notion of the system's meaning. Naturally, the more pressing problem arises when people disagree about the system's meaning, goal, or purpose, and, therefore, attempt to enact rules that violate each other's individual conceptualization of the system. In my estimation, this scenario is precisely the reality of the performance-enhancement drug debate posed in the first chapter. Furthermore, I propose that tracing different methods of conceptualizing sports will shed light on the debate about the use of performance-enhancement drugs in sports.

This chapter will trace the main arguments for the internalist and externalist approach (along with the more nuanced positions within each) to the conceptualization of sport. On the internalist side, the chapter will explore formalism, the view that only the constitutive rules define sports; conventionalism, the view that conventions and the constitutive rules define sports;

and broad internalism, the view that sport principles and the constitutive rules define sports. On the externalist side, the chapter will explore social functionalism, which asserts that the social function of a sport must be considered in the meaning of the sport. The analysis will also discern between general weaknesses of a given conceptualization and the most substantial weaknesses that make the conceptualization ineffective for navigating moral convictions (i.e., what ought to be allowed in sports), which is the most important feature for our core problem.

The value of these conceptualizations will largely be analyzed on their efficiency **to prescribe moral judgements on rules, practices, and phenomena within sports and to navigate how one should alter those rules, practices, and phenomena.** The conceptualization that is effective and strong in these fields will determine to what extent the notion of meaning can be used to support the anti-PED position. The chapter will ultimately conclude that internalist conceptualizations are inadequate for navigating moral convictions in sport and that externalism provides a robust set of tools to build on an argument from meaning. Both sides of the PED argument employ an argument from meaning, but only the anti-PED camp has reaped any benefits from the argument. An analysis of multiple conceptualizations will underscore how the anti-PED crowd's monopoly on meaning is unmerited, exposing the prohibition stance as arbitrary and leveling the voices in the PED debate. This backfire on anti-PED's weaponized meaning largely stems from the realization that the meaning of sports is fluid and dependent on a wealth of factors inside and outside of the sports themselves, lending to no one interpretation of sports being significantly less reasonable than the other.

### **Internalism vs Externalism - The Convoluting Search for Meaning:**

The internalist-externalist debate poses a rather simple question at its face. What should moral assertions about a system be rooted in? Should the assertions be rooted in the supposed intrinsic nature of the system, that is, its goals, structure, and origin, or should the assertions be rooted in the system's role in society? The former implies that the given system has unique values that are formed irrespective of the larger systems at play, while the latter implies that the values of the given system are simply a reflection of the people within it and the larger systems at play. The two conceptualizations can be labeled as internalism and externalism respectively.

Robert L. Simon summarizes internalism in sport quite effectively, stating that weaker versions of internalism simply “[assert] that some internal features of sport are necessary to understanding and evaluating it” and that stronger versions “[maintain] that it is the internal features of sport alone that are fundamental for conceptual, explanatory, and justificatory purposes.” (Simon admits that weak versions of internalism are compatible with weak versions of externalism; consequently, unless otherwise stated, it should be assumed that I am referring to the stronger or stricter versions of the two conceptualizations in this essay.) The internalist view on sports intuitively draws our attention to a twofold question: What are the “internal features” of any given sport, and are these features an emergent property of the sport itself?

Let us address this question. What are the internal features of any given sport? This question divides the internalist community itself, dividing a large portion of the community into three main camps: formalism, which argues that only the constitutive rules define any given sport; conventionalism, which argues that the constitutive rules cannot stand alone and that the *conventions* of the game (i.e., the socially agreed upon aspects of the game like hand shaking and forcing a foul) are also needed in the conceptualization of sport; and broad internalism, which argues that the constitutive rules define the sport but only when paired with the principles of the

sport. The essay will now explore the strengths and weaknesses of each proposed internalist view: formalism, conventionalism, and broad internalism.

### **Formalism - A Reductionist Conceptualization of Sports:**

Internalism in its simplest conception is formalism. Formalism is the theory that a sport can solely be defined by its constitutive rules and that these rules ultimately determine what is morally permissible in any given sport. The simplicity of formalism aids in its agreeability. The constitutive rules are incredibly easy to track. One does not need to resort to interpretive exercises to derive conceptions of any given sport. Furthermore, this simplicity lends itself to easily handling one of the greatest problems of athletic competition: Why not just cheat?

The problem exists as follows. If the goal of athletic competition is ultimately to win, then why are certain acts considered distasteful (e.g., using performance enhancement drugs, greasing balls in baseball, traveling in basketball, etc.)? The problem would not be a problem if spectators and players did not almost instinctively cringe at the notion of cheating. However, because spectators and players alike do condemn cheating, a proper argument beyond emotional repulsion has to be provided. For formalism, that argument is quite simple (a common theme in this school of thought). The player is not playing the game if she is not following the rules. If the player is not playing the game, then she is inherently not competing and, by definition, cannot win. For formalists (and perhaps most internalists), the goal of any given sport is not only to win but to win under a given set of parameters (or constitutive rules). If a player achieves the goal while acting under another set of parameters, then the player is playing a different game. Richard Morgan first popularized this theory, naming it the ‘Logical Incompatibility Thesis.’ Morgan asserts that the

logical incompatibility thesis holds that one cannot win, let alone compete, in a game if one resorts to cheating. This is so, it argues, because in an important sense the rules of a game are inseparable from its goal. That is, the goal of golf is not simply to put the ball into the hole, but to do so in a quite specified way – by using the fewest number of strokes possible. Hence, if one cannot really win a game unless one plays it, and if one cannot really play a game unless one obeys its rules, then it follows that winning and cheating are logically incompatible.<sup>6</sup>

Admittedly, this anti-cheating argument presents itself as amoral, but when we combine this argument with the fact that winning often comes with an award, the player who is awarded in baseball but follows the rules of baseball<sup>x</sup> (i.e., baseball plus or minus some rules) is essentially stealing, an act that is not so morally neutral.

While the cheating situation is solved with simplicity, that same simplicity also lends to the weaknesses of formalism. Here, we will highlight three main weaknesses. The first weakness is that formalism struggles to explain how every rule change is not creating a different sport. In meaning, if the formalists convince us that the sport is only its constitutive rules, then we should be inclined to think that any rule change in that sport changes that sport into another sport because the constitutive rules are different. That is to say, in June 1979, when the NBA implemented the three-point line (officially known as the “three-point field goal”), NBA players began to participate in a brand new sport with a different set of constitutive rules. Furthermore, this tenet of formalism implies that Major League Baseball and Little League Baseball are fundamentally different sports because their rules allow a different set of people to compete and cater to their target players. While it seems counterintuitive, the strict separation of sports that seem closely related (or even the same, in the previous baseball example) may actually prove to be the cornerstone of the solution to our central problem (i.e., what conceptualization is best for ascribing moral judgment on rules, practices, and phenomena in sports). While formalism has

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<sup>6</sup> Morgan, W. (1987). “The logical incompatibility thesis and rules: A reconsideration of formalism as an account of games,” *Journal of the Philosophy of Sport* XIV, 1–20.

this distinction, the conceptualization fails to fully realize why these strict separations are necessary, turning a blind eye to the wealth of other variables (e.g., conventions, social impact, spectator amusement, societal values, etc.) that should be and are considered when defining any given sport. Furthermore, the conceptualization fails to give convincing, uncontradictory methods to navigating when and why we should change the constitutive rules.

Now, let us explore the second weakness of formalism, which is the externalist nature of the rule changing. As stated previously, formalism prescribes a rather simple view on sports, saying that the sport is only its constitutive rules. However, no sport is the same as when it was first created. Basketball has a three point line and uses a net. Football has more penalties about roughness and celebrating. Baseball has designated hitters now (as opposed to making everyone on the team bat). Sports evolve. Rules are constantly being added, deleted, and changed, but if formalism states that the sport is its constitutive rules, then how exactly is this rule amending process occurring? In my estimation, the concept of rule changing is inherently anti-formalist because the notion of rule drafting seemingly requires outside (or *external*) ideas to function.

Formalists have heard these complaints and sought to rectify them. Dr. Scott Kretchmar, Professor Emeritus of Exercise and Sport Science at Penn State, in a valiant effort to save formalism from persecution, asserted an important rebuttal about the respect of the constitutive rules. Kretchmar very early identifies that many formalists are inclined to appeal to essences and Platonic ideals/forms to address the worries about a formalist approach to changing rules in sports. However, Kretchmar's brief mention of the ideologies and subsequent move to give "an even stronger argument" leads one to believe that, not only does Kretchmar think that essentialism and Platonic idealism are inadequate for formalism, but for any application. Kretchmar's "stronger" rebuttal centers around having "a degree of respect" for the constitutive

rules, calling on athletes and spectators to “respect morally defensible games that have withstood the test of time, honor their constitutive rules and the principles that went into their development, and counsel caution when anyone would tinker with their defining characteristics.” Kretchmar continues, “If these games are to change, they should be modified with care.” At this point, Kretchmar’s argument only gives the formalist *permission* to change rules but not much guidance on *how* to accomplish that task. Kretchmar argues that, if we truly respect the constitutive rules, we can actually look to them and the principles behind them for guidance on how to change rules, implying that rule changes should be an attempt to make the rules closer to the aim of the original constitutive rules. Kretchmar’s replacement of essences with respect and principles also serves to address my worries about the formalist’s insufficiency to either account for all variables that are considered in defining a sport *or* provide an alternative method of understanding how different sports are related to each other. In meaning, the lines between different sports with the same general setup (e.g., the relationship between Major League Baseball and Little League Baseball) and different sport eras (e.g., the relationship between 70’s NBA and 90’s NBA) are better defined and have more continuity if we look to the principles behind their rules (and, assumptively, the governing bodies) as a possible connecting factor.

While Kretchmar’s response does absolve formalism of having externalist tendencies in theory, his rebuttal is vague (to a detriment), conflicts with other internalist conceptualizations, and simply does not align with reality. Kretchmar’s actual definition or description of a principle behind the constitutive rules is, at best, weak and vague and, at worst, virtually nonexistent. Throughout this section of the piece, Kretchmar is using a Ronald Dworkin (modern philosopher of law) article about the principles behind laws and the respect that those laws and principles



deserve,<sup>7</sup> to highlight, in sport, the principles behind the constitutive rules and the respect that those rules and principles deserve. Kretchmar fails, however, to translate what are examples of these principles in philosophy of sport but clearly quotes principles behind laws. Now, if we are being charitable to Kretchmar, we assume either that he meant those principles are the same or that he simply forgot to enlighten the reader. If we assume the former, then the principles would be “obligations in virtue of collective community decisions,” which is very underwhelming and clearly contradictory in my opinion because Kretchmar would be using an external factor to change the rules. If we assume the latter, then the reader is simply left to guess about the nature of these principles. Either way, the reader is left wondering what exactly is a principle behind the constitutive rules. This problem will arise again when we talk about broad internalism because that conceptualization asserts that a sport is defined by its constitutive rules and a set of sport principles that are internal to the idea of sport, which is the exact same thing that Kretchmar is asserting about formalism. Which side is correct? I am inclined to think that Kretchmar is overstepping the boundaries of formalism with his principles. I do, however, think this scramble is indicative of a conceptualization that is very insufficient in prescribing moral judgements on rules, practices, and phenomena within sports and navigating how one should alter those rules, practices, and phenomena.

Furthermore, even if we ignore the faults of Kretchmar’s principles, we know that the principles (or something vaguely related to them) of sports change over the years depending on the context of the society. Let us take the NBA for example. There was originally no three-point line. The officiators of the NBA saw the three-point line as gimmicky and refused to implement the form of scoring. The NBA had been around since 1946, but this new league, the American

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<sup>7</sup> Dworkin, R. (1986). *Law’s Empire*. Cambridge, MA: Harvard University Press.

Basketball Association (ABA) introduced more gimmicky, spectator-oriented aspects into the sport with its inception in 1967. With growing viewership from television deals and a merger with the ABA, the NBA was basically held at gunpoint to introduce more spectator-oriented aspects of the game, most notably, the three-point line. In this case, assuming spectatorship and finesse are principles, the NBA literally evolved with the social climate to include more flashy aspects into basketball, showing how even the principles behind the sport can be transient, mutable, and not internal to the sport.

The final weakness regarding formalism is the lack of guidance on issues outside of the rules (i.e., issues that the rules fail to directly address). With the current popularity of sports and ease of access to information via internet and television, many problems arise that affect the sport itself but are not necessarily outlined in the constitutive rules. I want to explore two examples to highlight the gap between the constitutive rules and the reality of the sport: training practices and advertisements. (While I will not use it as an example here, at one point, the use of performance enhancement drugs definitely fit this description.) On the first case regarding training practices, one finds that, outside of drugs, there are very few stark rules on how one should train, leading to coaches and athletes unnecessarily abusing their players and themselves, respectively. In competitive sports that require flexibility such as cheerleading and gymnastics, some coaches teach the athletes to do a side split with a draconian method where the athlete is literally pushed down (typically by other athletes) into the side split. In 2017, this method saw public controversy when a disturbing video depicted a Denver high school cheerleading coach ordering his cheerleaders to hold down a fellow cheerleader as the 13-year-old screamed in pain. The coach's excuse was that he actually learned the practice from other coaches in two different cities, hinting that this practice is more widespread than what one may think.

Even in mostly adult sports such as competitive bodybuilding and professional wrestling, athletes overtrain or overwork their bodies to the point where many are permanently handicapped or deformed. Ronnie Coleman, who is arguably the greatest professional bodybuilder ever, lifted astoundingly heavy weights so often that his spinal discs and hips could not support him anymore. After many surgeries, Coleman is still often in immense pain and can barely walk, even with assistance. In the professional wrestling world (most notably, the WWE), due to overtraining, nerve damage, and drug abuse, many wrestlers have developed a pectoral disfigurement that has been colloquially dubbed “Steinerism,” after the wrestler Scott Steiner who first showed signs of the disfigurement after an onstage trachea injury (even though many others with the disfigurement did not suffer the same injury). The actual disfigurement can only be described as a large gap between the pectoral (chest) muscles.

On the other side of this debate, most sports, leagues, and athletes have partnerships with different television networks and companies. These companies choose who becomes the face of the sport, the amount of advertisement money that individual teams and athletes receive, which demographics the sports and athletes are advertised to, and many other factors that greatly impact how audiences absorb the sport and how players approach the sport. The underlying point behind all of these examples is that the constitutive rules fail to offer substantial guidance on these issues, despite the issues being integral to the sport. Kretchmar does not really acknowledge this point, but I anticipate the formalist would simply say that these matters are not internal to the sport and, therefore, not of concern to the rules, which is an odd view considering how intimate these factors (training methods and advertising) are to modern sports.

This section traced the rigidity and simplicity of the constitutive rules, relating how these details can contribute to clean cut interpretations of sport and easily answer the problem of

cheating. Three weaknesses about formalism were identified in this section. The first weakness worried about changes in rules disrupting the continuity of sports under formalism. Scott Kretchmar, our formalist voice, assuaged this worry with the assertion that the principles behind a given sport act as the connecting factor between different generations and leagues. The second weakness worried about the seemingly externalist nature of rule changing. Kretchmar's attempt to mitigate this worry centered around having respect for the principles behind a given sport, saying that this respect allows for a certain mission to reconfigure the sport to best echo its original principles. (Kretchmar struggles to use non-Platonic language in this explanation but, ultimately, leaves the reader skeptical that this problem can be solved without that language.) In my estimation, Kretchmar's argument fails to concretely define the principles behind sports, exposes itself as broad internalism (a conceptualization that will be explored later in the chapter), and ignores the history/reality of sports (i.e., does not account for the constant evolution of the possible constitutive principles in/behind a given sport). The last identified weakness worried about formalism's lack of guidance on issues outside of the rules, a weakness that was left unaddressed in Kretchmar's essay. For our larger PED debate, formalism is a great starting point for the search for meaning in sports. An analysis of the constitutive rules grounds the debate, illustrating the gap between the constitutive rules and many aspects of a given sport, inspiring the reader to leave this post in search of a more robust conceptualization. The next section will introduce a foil to the constitutive rules that will integrate more aspects of sports into our debate.

### **Conventionalism - An Athlete-Inspired View on Sports:**

While formalism holds that the constitutive rules alone are reliable in defining a sport and in amending the rules of any given sport, conventionalists take the conceptualization a step

further, asserting that the constitutive rules must be paired with the conventions of the sport to be reliable. The conventions of a sport are the typical or popular practices of players that are not explicitly-outlined in the rules. Conventions generally fall into two main categories: active conventions (the practices that require actual energy) and passive conventions (the practices that players have to purposely not do). Active conventions include shaking the hands of the opposing team, kicking the ball out of bounds to protect an injured player (soccer), slowing one's speed when the leader crashes (cycling), and other practices that are generally encouraged. Passive conventions include not celebrating or watching your homerun (baseball), not aiming for the head or feet when tackling (football), not throwing a match or game for whatever reason, and avoiding other acts that are generally frowned upon.

I will now explain, in great depth, the core differences between conventions and constitutive rules. While conventions may seem like off-the-books rules, the utility and application of conventions stretch beyond the scope of the constitutive rules. Conventions often are prescriptive (active) and prohibitive (passive), while the constitutive rules are usually only prohibitive. This distinction means that conventions offer a firmer stance on given issues, saying not only what is permissible, but what exactly one should do in a given situation. The constitutive rules permit watching your homerun, but convention heavily shuns the action. However, because they are fluid and reliant on the fickle beliefs of society, conventions are harder to follow as a player, requiring players to be more in-sync with the culture and tradition of their sport (as opposed to simply referencing the book of constitutive rules). In my estimation, this required synchronicity through convention allows for a richer understanding of a given sport, incorporating the actions and practices of players that constitutive rules do not address. Perhaps,

as the previous sentence subtly implies, conventions at their core exist because the rules fail to capture all intuitive aspects of the sport.

Another notable difference between the constitutive rules and the conventions of a given sport is the way the two changes. Conventions rely heavily on public and player opinion to change, while the constitutive rules are at the whim of appointed officiators (e.g., committees, boards, team owners, etc.). Analogously, the evolution of conventions follows a more direct or representative democratic process, while the evolution of the constitutive rules follows a more oligarchic process. Consequently, conventions tend to be slow-changing and conservative, often falling victim to traditions, while the yearly reviewed constitutive rules are changed fairly often (even if the changes are sometimes disconnected from the public opinion). Interestingly enough, conventions can actually change rather quickly, but such occurrences often only succeed major public scandals (e.g., people kneeling to protest police brutality during the national anthem after Colin Kaepernick himself employed the tactic).

The interesting point about conventions is, because they are not addressed in the constitutive rules, the consequences of disregarding a convention may seem insignificant. However, convention-based consequences can take many forms from different groups involved with the sport and have great impact. Those groups can be divided into the spectators, the sponsors, the coaches, the teammates, and the opposing teams/players. First, the consequences from the spectators could be low viewership, public protests, and player heckling, which can hurt profits and simply disrupt a player's private life. Secondly, the consequence from the sponsors is simply to withdraw their support. Companies view the players as a reflection of the company itself. If the player is receiving negative public attention, the company could also receive that negative attention, hurting profits. Thirdly, the next set of consequences stems from the coaches,

who are responsible for which players join the team and which players actually play in the game. A player that often breaks convention can be seen as liability and could be played less, which decreases the time the player is allowed to display their ability and more than likely hurts their salary. Next, the consequences from the teammates usually involve decreased communication, ostracism, and other acts that could lead to total drop in team morale, leading to less overall wins for the team. Lastly, the consequence from opposing teams can be targeting a specific player. In meaning, in many contact sports, players will exert unnecessary force when handling unfavorable players on the opposing team. The unfortunate and sloppy feature about these consequences is that, because there is a large disparity between different groups, players can often be put in tough positions where they are forced to side with one of the groups to avoid specific consequences.

While the consequences of conventions can be significant, they can also be inconsistent, applied unfairly, and, frankly speaking, draconian. Depending on the sport and convention, players with more popularity are either (1) expected to follow conventions more strictly (a detail that is very reminiscent of the anti-PED movement) or (2) quickly absolved of the consequences of not following convention (as compared to their lesser known teammates). In short, popular players often experience the extremes of conventions and rarely their moderately consequences. We see the first scenario in the following example. In 2016, the NFL saw a controversy centered around player Colin Kaepernick who kneeled during the national anthem to protest racial injustice and police brutality. This single action astronomically polarized the country and the NFL. Supporters claimed that Kaepernick's cause and protest were brave and an exercise of his First Amendment rights. Detractors claimed that Kaepernick's actions were disrespectful to the American military (despite the overwhelming amount of praise Kaepernick publicly gives to

American armed forces). Kaepernick himself ultimately opted out of a contract with the San Francisco 49ers, becoming a free agent. However, Kaepernick was never signed to another team. Sports Illustrated writer Andrew Brandt echoes the sentiment of the public consensus, saying that “lingering effects of activism” largely hurt Kaepernick’s chances of signing to a new team. Brandt asserts that Kaepernick’s skill was not equal to his “disruption” and that team owners wanted players of lesser skill to “[stick] to the sports.”

The nuances of Kaepernick’s contract and skill, however, are not of importance for our debate. Instead, the questions and conceptual implications of this whole ordeal are where our gazes should be fixed. Do the ceremonial conventions of sport (e.g., standing for the national anthem, shaking hands, etc.) belong to the actual sport? Should these conventions that are seemingly farther away from the core of the sport hold such harsh consequences? Even the most ardent detractor of Kaepernick could admit that, if the national anthem were eliminated from ceremony/itinerary of sports, the actual gameplay would be no different. Furthermore, with this acknowledgement, the very fact that players are being heavily reprimanded for not following these ceremonial conventions means that inconspicuous factors are at play with conventions: factors that may reside outside of conventionalism’s jurisdiction (e.g., societal function and cultural morality).

Having presented the qualities and nuances of conventions, I will now state my main grievance with conventionalism. While conventions have incredible descriptive power in sport, capturing much of the culture of a given sport, conventionalism seems weak in determining which conventions should be retired and what new practices ought to be normalized. William Morgan, a defender of conventionalism, provides an attractive view on the normative power of conventionalism. Morgan claims that “rational dialogue ... can do the normative work for which



we depend on it in sport and other social practices.” His view relies heavily on the notion of rational dialogue being a convention itself. People argue about the conventions of a sport, and the conventions of a sport are changed if enough people adopt a position. Effectively, Morgan is hailing the public as experts on how a sport ought to exist. With the public as the authoritative body constantly critiquing each other’s positions and evolving their collective understandings of a given sport, the conventions that are conjured from this rigorous process should hold intellectually clout, according to Morgan. However, the public has a history of upholding odious conventions. The history of sport, just as the history of the world, has many sexist, racist, ableist, xenophobic, and, frankly, unfair episodes, and Morgan acknowledges this history. His rebuttal, though, is lackluster and where the unattractive aspect of conventionalism’s normative power rears its ugly head. In the words of Morgan, these objectionable episodes in sport are simply when the “the wrong inferences from the premises [were] formulated” and that “we have erred in our inferential judgments and need to correct them by accepting these new conclusions and discarding the old ones.” Morgan’s response fails to capture scale of these episodes. In meaning, as I hinted earlier, the conventions of a sport often emulate the society that surrounds the sport. The MLB had racist conventions because America had racist conventions. The Olympics had sexist conventions because cultures across the world had sexist conventions. The NBA began to influence more aesthetically pleasing conventions because the audience was evolving to value aesthetics in sport. While I agree that argumentation is important to the evolution of conventions, these episodes are not *simply* “wrong inferences” but ripples from the larger waves of society.

This section traversed the nuances of convention, highlighting notions of flexibility, conservatism, inequality, and volatility. Along with building a deeper comprehension of sport conventions, the section also admitted a worry about conventionalism that focused on the

conceptualization's weak normative power. William Morgan's view on conventionalism's normative power successfully exhibited that conventionalism can have a normative process through the convention of argumentation but fails in identifying the engine behind the actual positions in the argument. For the larger PED debate, conventionalism allows the option to conclude that the current public consensus on the issue is the strongest position, and an individual that disagrees must set up shop in the marketplace of ideas, hoping that his position gains traction in the minds of his peers. The next section and conceptualization will delve deeper into this economy and allot more variables to inform our thoughts on the debate around performance-enhancement drugs.

### **Broad Internalism - Stretching the Boundaries of Sports:**

If formalism is the capital of internalism, then broad internalism is the frontier, encapsulating all aspects of sport that the internalists can possibly claim under their jurisdiction. Broad internalism contends that only the constitutive rules and a collection of "sport principles" are integral in defining any given sport. The concept of sport principles has already made a few cameos in this chapter. (Largely, fear of misconstruing other writer's arguments prevented me from deeply delving into the idea of sport principles. Furthermore, because the previous writers did not directly identify as broad internalists and the use of the word "principle" can be multifaceted, I wanted to hold them to their conceptions of "principles"). In the formalism section, Kretchmar appealed to the "principles that went into [a sport's] development" to combat claims about formalism lacking in a consistent rule changing process. The conventionalism section hinted that the values (or principles) of society are informing the conventions in sport. Broad internalists are conscious of the literature and background ideas in the other sections and

confidently approach their conceptualization accordingly. However, before we evaluate broad internalism and its normative process, let us define the term “sport principles.”

While colloquial uses of “principles” (in reference to systems) often are referring to the foundational truths of a system, in broad internalist literature, “sport principles” or the “internal principles of sport” has a slightly different flavor. *These* principles, in the words of J.S. Russell, refer to “the excellences embodied in achieving the lusory goal of the game.” In short, sport principles are the object skills and values of a given sport. Taking baseball as an example, object skills would include proficiency in hitting, throwing, catching, and baserunning, while object values would include strength, accuracy, and speed. Object values can also include conceptual notions such as healthy competition, sportsmanship, and gamesmanship, which seemingly exist behind virtually every sport. With the help of these object skills and values, sport principles inform the rules, the conventions, and much of the culture of sports.

Having outlined the meaning of “sport principles,” we will now discuss how broad internalist Russell L. Simon, after having read last paragraph’s J.S. Russell (excuse the coincidental naming), employs sport principles to provide a normative process for broad internalism. To make his explanation clear, Simon provides the reader with a scenario where the rules failed to provide useful guidance and an officiator had to call upon sport principles to determine the situation. In 1897, during a Major League Baseball game between Louisville and Brooklyn, Simon writes, “Louisville player, Reddy Mack, crossed home plate to score and then apparently reasoned that the rule restricting interference with fielder as worded at the time implied that he was no longer a base-runner since he already had scored. Mack then held the opposing catcher down while his own teammate also scored.” At the time, Mack’s actions were permissible under the constitutive rules *and* the current set of conventions. No one had ever seen

such a thing. The umpire Wesley Curry (the officiator mentioned earlier) was faced with a potentially historically altering decision: introduce a completely new aspect to baseball (non-runners wrestling fielders and catchers) or uphold the sport's current notions. To make this decision, Russell and Simon argue, Curry appealed to the sport principles of baseball, ultimately decreeing that wrestling fielders is not a principle in the sport and that Mack's actions were not allowed. In this example, broad internalism easily outperforms every other internalist conceptualization. A new problem arose and was quelled safely within the boundaries that the conceptualization outlines for itself.

Having painted broad internalism in such a positive light, you rightfully may be wondering what is my gripe with broad internalism? Well, my answer is twofold. Firstly, broad internalism may solve significantly more potential problems than its internalist brethren, but there are some issues where broad internalists can only provide relativistic commentary. Secondly, while broad internalism has impressive scope on which variables to consider in a normative debate, in my estimation, the conceptualization *still* is not expansive enough. On the first part of my gripe, issues where the broad internalist must tread carefully often involve interpretive elements of the "object values" side of sport principles. Who should not be allowed to play which sports? Should transgender athletes be allowed to play with cisgendered athletes? Do performance enhancement drugs really antagonize the principles of the sport? These questions have almost nothing to do with the object skills of the game but they heavily rely on which object values we include in a given sport. I will use our PED issue as an example here because the issue highlights how, firstly, the strongest internalist position is insufficient in solving our main problem and, secondly, the relativistic nature of the object value side of sport principles.

Before I show the relativistic nature of navigating the PED issue, I want to emphasize that the permission of performance-enhancement drugs use does not change which object skills are important in the sport. Barry Bonds injecting steroids did not change which skills were valued in baseball. Moving on, when focusing on which values to focus on in the PED issue, the specificity and wording could have a large effect on which position (pro-PED or anti-PED) is best supported. We could focus on competition (whether the competition is directly through gameplay or indirectly through surpassing past records) and claim that performance enhancement drugs promote competition through eliminating genetic disadvantages and centering the focus of training on developing specific skills (e.g., ball control, accuracy, form, etc.), effectively supporting the pro-PED movement. This position can be easily attacked with the fact that gaining strength, flexibility, speed, and other non-skilled based qualities is a crucible that is essential to the experience of an athlete. In an attempt to support the anti-PED position, one could restrict the competitive notion to just “physical or natural competition” and say that performance-enhancement drugs are in violation of this form of competition, but this specification is problematic because the arguer would have to make many arbitrary decisions about what food, vitamins, drugs, and rituals would give players an acceptable advantage without violating the physical or natural competitive features of sports. Likewise, one could say “hardwork” is an object value and claim that performance-enhancement drugs allow players to exercise less of this value, supporting the anti-PED position again. This focus is just neglectful, though, because anyone who claims that PEDs eliminate the need for hardwork clearly does not understand how the large spectrum of substances works. Athletes still have to train. The drugs usually aid in supplementing some form of training, but the athletes must still work to tear muscle (i.e., the athletes still have to provide enough tension to the muscles to push the limits of

their strength), develop proper form, and foster the skills needed for competitive performance in the sport. I could drone on back-and-forth for pages about which values support each side of the PED debate, but my point about the relativistic nature of broad internalism's commentary on this debate (and debates of this flavor) has clearly been argued. Therefore, I will move to the second part of my earlier gripe.

While I have argued that some broad internalist commentary is relativistic in nature, I do want to clarify that my position is not antagonistic to this nature. I simply think this relativistic nature is worth highlighting for the next part of my gripe, which is that broad internalism just falls short of incorporating a sufficient amount of variables to address some normative issues. Sport principles hold a very microscopic role in the conceptualization of sport, existing within the more obvious aspects of sport (e.g., rules, conventions, gameplay, spectatorship, etc.), and broad internalism deserves praise for identifying this aspect of sport (and for inadvertently identifying the relativistic nature of some issues). However, since some debates are prone to a seemingly hopeless back-and-forth nature, I argue that we should work to include as many factors in those debates as possible, an effort that requires debaters to gaze deeper into their issues.

This section outlined the notion of sport principles, relaying how the term emphasizes the skills and values that are selected for in a given sport. Broad internalism employs sport principles in its normative dilemmas, and the conceptual move is fairly successful (compared to other internalist conceptualizations), as shown in the 1897 case of "wrestling fielders" in baseball. The section mostly commended broad internalism for its employment of such an inclusive concept (sport principles), for its normative process, and its accidental unearthing of the relativistic nature of debates involving the value side of sport principles. For the larger PED debate, broad

internalism introduces an aspect of sport that may add more clarity and definition to the claims that performance enhancement drugs are against the “spirit” of the sport. These people could be attempting to claim PEDs violate some object value of sports. However, as the section explored, the pro-PED crowd may have equal claim to the “spirit” of the sport depending on how the object values are outlined. The next section will complicate this debate but provide more factors to consider.

### **Externalism - Finding Meaning Outside of Sport:**

Up until now, the chapter has dealt with internalist conceptualizations and largely sought to highlight their weaknesses. This section will have a different tone and structure, arguing that externalism is the superior conceptualization. The section will explain externalism, provide historical accounts for the conceptualization, perform a thought experiment about the life cycle of a sport, and ultimately, prepare the project for its conclusion.

While internalist conceptualizations fall victim to a constricting view of sports, externalism evades such traps. Externalism declares that broader societal values inform virtually every aspect of sport. In a sense, societal values analogously act as atoms inside of sports, being the foundation or building blocks of every aspect of a given sport. From the externalist perspective, athletes, officiators, coaches, and spectators enter the realm of sports with an already established (yet constantly evolving) set of beliefs, values, and morals. These conceptual notions about the world initially and ultimately shape the rules, conventions, and principles of a given sport. By this standard, to provide a nuanced moral or normative claim about sports, one must consider the constitutive rules, conventions, and sport principles *along with* the potential pertinent societal values and contexts that inform the three.

While externalism is not as segmented as internalism (because the conceptualization is very expansive), varying degrees of externalism offer slightly different approaches to sport. Stronger versions of externalism will argue that one must *only* consider the societal values and context in moral or normative cases in sport. This version of externalism seems too strict, almost falling into the same trap of formalism or conventionalism. Moderate versions of externalism may maintain that the pertinent societal values should be considered *more than* the constitutive rules, conventions, and sport principles, allowing for the previously discussed internalist notions in moral and normative judgments. Lastly, softer versions of externalism may contend that societal values/context, the constitutive rules, conventions, and sport principles must be considered equally.

Personally, my version of externalism (and the version argued for in this project) is somewhere between soft and moderate. Internalist notions of sport ought not be completely disregarded. Rules, conventions, and sport principles are very useful for tracking the evolution of a given sport in a society. Not to mention, each of these notions can immediately be used to solve a given set of problems respectively. Rules serve as the immediate parameters of gameplay. When a player violates a rule, most times we can easily regurgitate a consequence of that violation (e.g., allowing a free throw after a player is fouled). The conventions of a sport allow for an immediate (while not complete) understanding of a solid portion of a sport's culture, showing the power of social/public agreements in sports. Conventions can also serve as a convenient pool of practices that we should consider writing into the constitutive rules. In a sense, sport principles act as the DNA of sports. These principles allow us to peak into the underworks of a given sport, checking whether the object skills and values that we originally imbued ought to be altered or updated in any way. In the end, however, the society surrounding



the sport ultimately is the engine behind all of these notions and can always be referred to in moral and normative issues. In this sense, even when we refer to the constitutive rules, conventions, and sport principles, we *still* are dealing with societal values and context.

To connect my assertions about societal values with the larger PED debate of the project, I will present some historical examples of societies (Ancient Greece and Viking-age Scandinavia) and their attitudes around substances that were believed to be enhancing athletic performance. While I am sure that humans have always been using substances or tactics to gain an athletic advantage over their opponents, the phenomenon was not well-documented until around the first millennium BCE in Ancient Greece.<sup>8</sup> Greek physician Galen would prescribe a mixture of “the rear hooves of an Abyssinian ass, ground up, boiled in oil, and flavored with rose hips and rose petals.”<sup>9</sup> This mixture supposedly improved an athlete’s performance in any sport. In the same vein, many athletes would consume the testicles, brains, and hearts of revered animals to improve one’s vitality, strength, intelligence, and courage.<sup>10</sup> In a slightly different flavor, some athletes would adopt peculiar diets to increase their performance. Charmis, “the winner of the stade race in the Olympic Games of 668 BCE,” apparently prepared for his race with a diet consisting only of figs.<sup>11</sup> Also, famously, Dromeus of Stymphalos won seven Olympic races, crediting his success to his strictly meat diet, which was apparently unconventional at the time.<sup>12</sup> In my estimation, the fact that these athletes were publicly consuming these substances and following these specific diets lends to the societal values at the

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<sup>8</sup> Newton, David. *Steroids and Doping in Sports. ABC-CLIO, 2014, pgs 5 - 6.*

<sup>9</sup> *Ibid*, pg 6.

<sup>10</sup> *Ibid*, pg. 6.

<sup>11</sup> *Ibid*, pg. 6.

<sup>12</sup> *Ibid*, pg 6.

time. These substances were considered to be as integral to athletic competition as the gameplay itself (or at the very least, the substances were considered a necessary part of athletic success).

In Viking-age Scandinavia, we hear of the legendary Berserkers from ancient Norse tradition. These fierce warriors were known to consume “the drug bufotenin from the *Amanita muscaria mushroom*,” which allegedly increased their strength exponentially.<sup>13</sup> While the source of the word is debated, some etymologists assert that the word “berserker” was derived from “bare chested,” meaning that the warrior would run into battle with little armor.<sup>14</sup> Assumptively an effect of the drugs, the berserkers would experience fits of frenzy where “they howled like wild beasts, foamed at the mouth and gnawed the iron rim of their shields.”<sup>15</sup> In this frenzy, the berserkers were believed to become “proof to steel and fire.”<sup>16</sup> A testament to how feared and valued these warriors were, kings would trade and gift them to each other.<sup>17</sup> While this example does not involve sport necessarily, I think the clear admiration of berserkers hints to this society’s acceptance of the risks (in this case, the berserker’s frenzy) in the pursuit of strength.

Overall, these historical examples relay just how much broader societal values can inform a debate around performance enhancement drugs. In Ancient Greece, lines around what is considered “natural” or not were either not of importance or very inclusive. Likewise, in Viking-age Scandinavia, the paternalistic health stigma around performance enhancement substances was seemingly viewed as a necessary evil. Both instances are in conflict with our consensus. I want to clarify that, while I do not think that arguments about returning to previous eras or maintaining a tradition are inherently correct, in my estimation, many people arguing against

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<sup>13</sup> Newton, David. *Steroids and Doping in Sports*. ABC-CLIO, 2014, pg 7.

<sup>14</sup> Cleasby, Richard and Gudbrand Vigfusson. *An Icelandic-English Dictionary*. Oxford, 1874, pg 61.

<sup>15</sup> *Ibid*, pg. 61.

<sup>16</sup> *Ibid*, pg 61.

<sup>17</sup> *Ibid*, pg 61.

PEDs and supporting the anti-PED regime are subtly hinting that these arguments have some sort of inherent weight. However, in reality, we consistently see athletic competition having an intimate relationship with performance enhancement substances and tactics, which makes one wonder when exactly are they referring to in their “conservative” positions about PEDs?

Having provided historical accounts of externalist notions of sport, as the last move, I will provide a possible account of the societal thought process and evolution behind the inception of a sport. In the beginning, I presume, humans were doing various things to ensure their survival, but hunting seemed like the most necessary. The original athletic competitors were other animals. The test of athletic prowess yielded food or hunger, life or death. Of course, the skills associated with hunting were highly valuable in a small human society: agility, strength, endurance, speed, cunning, etc. These mini societies presumably formed hierarchies and rituals around hunting, providing even more incentive to achieve the skills associated with the practice. Even though the sport of hunting (arguably, the first sport) was disappearing as food became more accessible through farming, humans were already habituated. Conventions and hierarchies based on the object skills and values of hunting were already existent. We needed a way to maintain our deeply rooted values, so we raced, wrestled, lifted, swam, and tested other basic movements against one another. Many of these basic competitions still exist. However, as society grew and new values were introduced into the culture, the process could not be as simple anymore. The sport of running was divided into sprinting and marathon-running then was melded with other movements, creating more complex sports such as triathlons, soccer, and basketball. To some degree though, no matter how complex, sports all share that initial survival principle. Writer Donald Kyle (whose similar project followed humans’ fascination with animals) argues that, in many respects, vestigial figures of the original sport can be seen in

Ancient Greek and modern sport.<sup>18</sup> Kyle highlights that, in Ancient Greece, athletic traditions such as wearing sacred wreaths and playing in the nude are reminiscent of early hunters camouflaging in bushes and masking their scents, respectively.<sup>19</sup> He further asserts that modern team sports' usage of animals (e.g., Rams, Jaguars, Eagles, etc.) and classically fierce warrior group (e.g., Vikings, Redskins, Buccaneers, etc.) names for teams very subtly recreates original hunting scenarios. At the very least, I hope this account emphasized the intimate relationship between broader societal values. At the very most, I hope this recreation successfully argued that societal views and context informs every aspect sport.

This section endeavored to use historical and theoretical accounts to argue for externalism's superiority over the previously stated internalist conceptualizations. After outlining a definition of externalism, varying degrees of the conceptualization were presented, ultimately resting the project on an externalism that exists between soft and moderate degrees. From here, two historical accounts of performance enhancement substance use showed how different societies form different attitudes around the practice, also raising questions about which historical lineages are the anti-PED regimes resting their views on (considering athletes have consistently tried all available substances to increase their athletic performance). The next chapter will consider the arch of the project and provide concluding thoughts about the positions drawn from recounting the voices in the PED debate (chapter 1) and exploring different conceptualizations of sport (chapter 2).

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<sup>18</sup> Kyle, Donald. *Sport and Spectacle in the Ancient World*. Blackwell Publishing, 2007, pg 24.

<sup>19</sup> Ibid, pg 24.

### Chapter 3 - A Call for Nuance:

The opening paragraphs of this project painted vivid pictures of the seemingly intuitive human drive for athletic transcendence, describing the legacy of Michael Jordan and Muhammad Ali in the same breath as an illustration of a toddler taking her first steps. The course of this project has only deepened that fascination and further stoked my belief that philosophical inquiry has much to offer athletic competition and sport. This chapter will be a testament to this belief. To accomplish this task, the chapter will briefly retrace the journey of the first two chapters, reintroduce the terminology from the internalist sections of Chapter 2, and reassert my externalist position. From there, the chapter will further delve into the implications and conclusions of my externalist view, ultimately ending in a reflection of how my thought has evolved over the course of the project.

#### **First Chapter Summary - Revisiting the Fighters in the Ring:**

The first chapter sought to introduce the voices in the PED debate: the anti-PED position, which holds that PEDs are detrimental to society and that the current prohibition status is the correct one; the anti-anti-PED position, which objects to the enforcement methods of the anti-PED regime; and the pro-PED position, which argues that PEDs should be permitted in sport. The structure of the chapter was such that the pillars of the anti-PED position were antagonistically juxtaposed against the anti-anti-PED and pro-PED positions. The first section/pillar on fairness relayed the anti-anti-PED argument that the anti-PED cries about the potential accessibility of the drugs being unfair are hypocritical because the practices of the anti-PED regime are unfair. Likewise, the pro-PED crowd in this section argues that, if anything, the

PEDs would create less inequality through the elimination of advantageous genetic traits. By far, the anti-PED crowd had the weakest showing in this section.

The second section of the first chapter centered on the health pillar of the anti-PED position. Here, the anti-PED crowd had its strongest showing, arguing that banning PEDs is essential to avoiding a potential health crisis. The anti-anti-PED crowd, of course, disagrees with the anti-PED regime's tactic for avoiding this crisis, saying that legalization and regulation of PEDs is a historically supported approach to substances of this nature (e.g., American prohibition and subsequent legalization of alcohol in the 1920s). Meanwhile, the pro-PED crowd argues that athletes are free thinking agents and deserve the right to choose what substances they ingest. Also, the pro-PED crowd asserts that legalization of the drugs would allow innovation, resulting in more effective *and* safer forms of PEDs.

The concluding section of the first chapter introduces the problem of meaning into the project. The arguments in this arena are presented as equally strong. The anti-PED regime seems to hail natural physical achievement in high esteem, while the pro-PED crowd preaches notions of superhuman achievement and pushing the boundaries of human action (with performance enhancement drugs). The anti-anti-PED crowd simply want justification for anti-PED regulations. The project decides that delving deeper into the potential conceptualizations of sport may offer insight on this stalemate on meaning.

## **Second Chapter Summary - Revisiting the Hunt For Meaning:**

The second chapter aimed to find a conceptualization that can effectively prescribe moral judgments on rules, practices, and phenomena within sports and navigate how one should alter those rules, practices, and phenomena. The chapter focuses on four conceptualizations, three of

which employ an internalist conception of sport, while the last one provides an externalist view of sport. Internalism asserts that sports have internal features and that these internal features define a given sport. Conversely, externalism asserts broader societal values inform a sport and, to varying extents, must be considered when defining a sport.

I will now briefly trace the arch of the second chapter. The first section of the second chapter deals with formalism, the view that only the constitutive rules define a sport. The strengths of formalism are that the conceptualization is very tight and easily trackable, allowing it to very easily answer questions about the morality of cheating. The outlined normative process of formalism centers on having respect for the principles behind the sport and using this respect to change rules. This process raises concerns about the principles that it asserts being too vague (because the writer failed to offer examples of these principles). Furthermore, the formalist process fails to assuage worries about formalism being too strict and lacking in normative value on issues that are not explicitly stated in the rules. The second section of the chapter wrestles with conventionalism, the view that the constitutive rules and conventions of a sport define it.<sup>20</sup> This section highlighted the flexible, conservative, unequal, and volatile aspects of the conventions in sport. After tracing these aspects, the second section outlined a normative process within conventionalism, concluding that the convention of argumentation successfully allows for a conventionalist normative process but ultimately fails to recognize underbelly of normative issues. The third section of the chapter focuses on broad internalism, the view that the constitutive rules and sport principles define a given sport.<sup>21</sup> Broad internalism often successfully appeals to sport principles for normative issues, gaining praise for this success and its accidental discovery of the relativistic nature of debates involving the value side of sport principles.

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<sup>20</sup> Conventions - the typical practices of players that are not explicitly-outlined in the rules

<sup>21</sup> Sport principles - the object skills and values of a given sport

However, the section asserts that broad internalism does not offer insight or effective guidance issues of this nature.

After the analysis of the internalist positions, the second chapter shifted in tone and structure. The antagonistic eye became a helpful hand, using historical and theoretical accounts to argue for externalism, which asserts that broader societal values inform virtually every aspect of sport. The section outlined the varying strength of externalism, ultimately upholding a soft-moderate externalist view of sport. The section then talks about the use of performance enhancement substances in Ancient Greek and Viking-age Scandinavia to portray how different societies form different attitudes around the practice and state confusion about which moments in history fit the seemingly conservative views of the anti-PED regime.

### **The Nonexistent Golden Solution - Nuance in the PED Debate:**

As the last section of the project, I want to explore the clarity and precision that my externalist view adds to the PED debate of the project. Under my externalist view, there are many factors to consider in the debate, so I first want to list the factors about the debate that the project has made clear. We know that the anti-PED argument on fairness is weak. We know the negative effects of the substances. We know that the rules prohibit PEDs. We know that the conventions around PEDs are varied. We know that PEDs make an athlete more proficient at the object skills of a sport, which is why some athletes are tempted to utilize the substances. We know that many societies throughout history have permitted PED-like substances. We know that the crux of the debate is centered around the object values of sport. All voices pretty much assert the same object values in a given sport. However, through this project, I have realized that there is one object value that is the key to the debate: natural physical competition/achievement. The



foundation of the anti-PED regime completely crumbles if this object value can be eliminated. The conversation moves from how best to uphold the total ban to what are common sense regulations,.

Under my view of externalism, how can we analyze whether *natural* physical competition/achievement should be an object value (or sport principle)? We look to broader societal values. More specifically, we attempt to fit that object value in the context of society. In my estimation, this is not possible. We, as a society, do not value *natural* physical achievement. Our society champions modern medicine, a field that specializes in fighting the natural aging factors of the human experience. Our society is constantly looking for new ways to make transportation faster and more efficient. Cries to regress to non-automobile transportation are virtually nonexistent. Our buildings are made of unnatural substances. Our indoor air is basically artificial. Our food is genetically modified. We exist in a plastic, cardboard, Styrofoam, and paper world. I want to clarify that my position is not that we should draw harder lines on what *is* natural or not. This push to draw harder natural lines has a problematic history and has often been employed in dog-whistle politics to target and endanger people of color, Jewish people, people in the LGBTQ community, and people with genetic disorders. (This is all ignoring the arduous, almost impossible process of creating a dichotomy between *natural* things that humans make and *non-natural* that humans make.) All in all, though, my position is that we should scrap this idea of *natural* and move to talking about legalization and regulation of performance enhancement drugs in sport, which is what the section will now do.

While I am indeed arguing for the legalization of PEDs in sport, I am not naive. Under the event of legalization, there are many regulatory variables to consider. I will outline my intuitive factors to consider when regulating PEDs. My intuitive factors will be divided into (1)

those sports that warrant a continuance of the current ban and (2) the specific regulations on the sports that will have the ban lifted. On the factors that should warrant a continuance of ban, I can comfortably assert two: the object skills of the sport and the age of the athletes. If the object skills of the sport are such that athletes have incentive to directly impact each other, then in my estimation, we should not allow these athletes to take performance enhancement drugs (or at least not drugs that would dramatically increase the intensity of these collisions). That is to say, all contact sports such as hockey, MMA, boxing, and football would be heavily regulated.

(Obviously, most sports have some sort of contact, but I specifically mean sports with significant contact. I am completely open to debating where the line should be.) This theoretical regulation exists because I fear that introducing more direct violence into these sports could kill the athletes in the middle of gameplay (e.g., a fatal tackle in football or lethal blow in boxing). The next group of sports that would maintain a complete ban on PEDs is any sport that deals mainly with minors. (Once again, I am very willing to debate what constitutes a minor. I would argue that anyone under 21-years-old is a minor but would concede to 18-years-old if pressed.) I think that, in spirit of moderate libertarianism, people can choose to use PEDs but should be informed of the consequences and of stable mind when they do so; therefore, minors should have to wait until they can completely understand the depth of their decision.

Now, I will outline the four core regulations that should be enacted in the ban lifted sports: mandatory physician appointments, specific outlines on type and dosage of the PEDs, equal option for PED/non-PED gameplay in more individual-focused sports, and mandatory allocation of funds to PED research for any PED league. The first theoretical regulation is mandatory physician appointments for any athlete taking PEDs. This regulation is meant to calm fears about a public health crisis. I have hopes that, with expert eyes consistently monitoring the

athletes, the substantial health risks associated with PEDs can be alleviated. These appointments would be all-year round for any athlete participating in a sport that allows PED usage. I fear that this regulation may be too paternalistic, but inclination tells me that any athlete wanting to take PEDs would not mind an expert monitoring their situation. The second theoretical regulation is specific outlines on the dosage and type of PEDs the athlete can use in a given sport. These specific outlines would be in accordance with the sport principles (object skills) of the game. Athletes would only be allowed PEDs that could enhance their gameplay. Sports such as NASCAR driving, pool, curling, darts, ultimate Frisbee, chess, and Esports where super dense muscle mass or composition is not particularly needed will only be allowed drugs that allow for better focus. The third theoretical regulation is the requirement for individual-focused sport associations that allow PEDs to also have non-PED categories and sections. This regulation would require sports associations that center around sports like bodybuilding, swimming, running, and rowing to offer competitive categories for PED and non-PED athletes. This regulation is an attempt to make athletes feel more comfortable with opting out of PEDs. The last theoretical regulation would require all PED allowing sport associations to allocate money towards research for safer forms of performance enhancement drugs, funding the research that will hopefully eliminate the source of many theoretical regulations (i.e., those regulations that mean to ward off a public health crisis).

Having stated how my externalist view fits into the PED debate, I will now offer my concluding thoughts. When I started this project, I was very much against performance enhancement drugs in sport. In fact, despite what I have argued in this project, I live a fairly abstinent lifestyle. I do not drink alcohol or partake in recreational drugs or cigarettes. Not to mention, I exercise with no weights, artificial supplements, and PEDs daily. Furthermore, I still

would not recommend *anyone* use PEDs. However, the reality is that people will use PEDs, prohibition or not (and for good reason). As I realized the weaknesses of the anti-PED position, I really struggled to keep the belief that PEDs were inherently wrong or had no place in sport. In conversation, my skepticism about the anti-PED regime was overwhelmingly met with attack, but the philosophical inquiry constantly pushed me away from the anti-PED position. The second chapter of the project and its deep analysis of the conceptualization of sport really helped gain a nuanced view of the PED debate. I think some aspect of counterarguing one position for such a long time (a year in this case) really gives one clarity of his own beliefs. This clarity has shown me that I disagree with the anti-PED regime, but that, perhaps more importantly, philosophy has much to offer sport. I think that modern philosophers are often painted as unconcerned with sport, and to an extent, this stereotype is true. I had never encountered philosophy of sport until this project. That may be a problem when we consider just how integral sports are to our society. Perhaps, the modern institution of philosophy could benefit from discussing more colloquial topics. We can show people the process and value of removing oneself from the current consensus on an issue and really grappling with the asserted positions. Largely, I think that, at most, this project successfully argued against the anti-PED regime or, at the very least, directed the debate to the most crucial part (meaning, object values, and *natural* physical competition), but the project had another unforeseen conclusion. It identified a flaw about modern society. We are so enveloped in and obsessed with golden solutions. For example, people often want golden solutions like fad diets, TV-advertised exercise equipment, or gimmicky fitness programs when pursuing some version of fitness, but the path of fitness and physical health is much more complicated than what these advertisements would have one believe. Our society's approach to the debate surrounding performance enhancement drugs is that of an anxious person looking to

be “fit.” We are looking to loud voices for fad diets and gimmicky fitness programs, but, similar to achieving fitness, the solution to the PED problem is more nuanced and requires one to gather a fine-toothed comb understanding of the topic. I firmly believe that this project provides a model for bringing this level of complexity and nuance to fitness, philosophy of sport, the performance enhancement drug debate, and all other aspects of our society.

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