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I am submitting herewith a dissertation written by Peter Francis Hager entitled "Practical Rationality and Sport Practices: A MacIntyrean Theory of Sport." I have examined the final paper copy of this dissertation for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Doctor of Philosophy, with a major in Education.

William J. Morgan, Major Professor

We have read this dissertation
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Graduate Studies

PRACTICAL RATIONALITY AND SPORT PRACTICES: A MACINTYREAN THEORY OF SPORT

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DEDICATION

I dedicate this dissertation to my parents,
William and Katherine Hager,
whose ever-present support and encouragement
have made it possible for me to follow my own path,
and to God,
who continues to reveal that path to me
in so many beautiful ways.

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that love and laughter are two of the most beautiful things in life. I am eternally grateful to them for all of their efforts on my behalf.

ABSTRACT

The purpose of this study was to develop an account of sport to assist sporting communities in improving the normative conditions of their sports. The examination begins with a look at the moral problems plaguing elite sport today. At the root of these is the instrumental reasoning used by athletes, coaches, owners and administrators to justify the use of sports as vehicles to fame and fortune and the failure of these community members to act on behalf of their sports as social practices. Three accounts of sport from the sport philosophy literature—formalism, conventionalism and anti-formalism—lack the normative strength to protect sports from corruption because they do not give community members guidance concerning which changes or actions will be beneficial or harmful to their sports. A fourth theory, broad internalism, provides internal principles or criteria that offer such guidance, but does not give community members a deliberative space in which to discuss and debate the best interests and problems of their sport.

As a theory that creates just such a space, Alasdair MacIntyre's theory of practical reasoning is a strong candidate to be fashioned into a more complete version of broad internalism. This Aristotelian theory establishes the internal goods of social practices like sport as their ultimate ends or *teloi*. In sports, these goods are the skills, strategies and challenges set forth by the rules, the standards of excellence attained within a particular sport, and the significant traditions that make the sport a meaningful activity. A sport's internal goods thus form a foundation from which community members can deduce the virtues and actions that are best for that sport.

Finally, the normative strength of the MacIntyrean theory of sport is established through its application to two contemporary scenarios from elite golf and figure skating. In both of these cases, the deliberative space and normative guidance of the MacIntyrean approach offer assistance to community members in solving problems within their sport that formalism, conventionalism and anti-formalism cannot offer. In the final analysis, the theory requires sporting communities to be communities of inquiry, in which members act as vigilant caretakers who critically examine their own actions and the goods and virtues in which they are grounded to insure that they are reasoning in the best interests of their sports.

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Chapter I
Introduction

As I sit down to write this introduction on the fifteenth day of September, 2001, I find myself somewhat at a loss for words. The horrific events of four days ago, in which thousands perished in the bombings of the World Trade Centers in New York City (my hometown) and the Pentagon in Washington D.C. have left the people of the United States of America in pain and fearful of what lies ahead. As citizens of this country, it is a time to reflect on the true value of human life and human freedom, and the price many have paid for it. In the wake of the atrocities of September 11th, the topic and subject matter of this dissertation and of my Doctoral studies seem utterly trivial. As a man who has spent his days considering ethical matters within the world of sport, I find myself searching for the value of sport philosophy and any lessons it may have to offer during this time of fear and doubt.

I begin this search by asking myself questions that I have often asked: Why have I chosen this topic? Why have I chosen to relate the value theory of philosopher Alasdair MacIntyre to the moral issues that plague sport at its elite level today? What possible value can be gleaned from this academic exercise? How can it improve the lives of those who participate, coach and organize sports in the United States and around the world?

Facing this axiological inquisition, my first response is to run and hide. What, after all, could be so earth-shatteringly important about this theoretical piece I am writing? What could it possibly offer to my fellow Americans at this time of crisis in

our country? And then I remember that phrase; that phrase spoken by so many, so often in relation to sport: "The good of the game." This is a phrase of vague meaning used frequently by those within elite sport and many outside of it to convey the idea that sports are things that have interests that need to be recognized, assessed, and attended to. But what are these interests and how are they best looked after by those who govern and participate in elite sports? What do people mean when they say that their actions are "for the good of the game," or that the actions of others are "not in the best interests of the sport?" As I have considered "the good of the game" over the last few years, I have found it to be a phrase that is at best ambiguous, and, at worst, has little or nothing to do with the best interests of sports as unique, culturally meaningful activities.

The phrase seems to be invoked most often by the members of two opposing groups. The first group is made up of the owners of professional sport franchises, the athletic directors and presidents of universities with elite football or basketball programs, and those who govern professional leagues, intercollegiate athletics and international sporting events. These individuals have a tendency to identify "the good of the game" with the economic good of the game, often basing their decisions on economic factors and, thus, endorsing changes that will improve the financial standing of leagues, governing bodies and those associated with them. When these individuals believe it is necessary to justify changes in the rules or regulations that govern a sport or alterations in the traditional league or playoff structures that have framed excellence within that sport over time, they often state that the impending adjustments are "for the

good of the game." Some do this to give their economically-based decisions more credibility with the fans of the sport; others truly believe the decisions that bring the most money to a sport are always in its best interests. Whatever their reasons, this group of individuals is primarily interested in sports as commodities, and is not necessarily concerned with the interests or goods of sports apart from their commercial value.

This economic group is often countered by a group of journalists, idealists and knowledgeable fans who believe that many of the economically-driven changes that are made to the formal and traditional frameworks of sports go against "the good of the game." They contend that such changes only herald the further degradation of elite sports and the subjugation of these sports to the individual financial interests of those who govern and participate in them. When this group speaks of "the good of the game," they speak not of sport's financial standing, but of an almost mythical state of wellness that elite sports enjoyed during "the Golden Age"—an indeterminate period of time before the 1970's when sports were allegedly played by athletes who respected their rules and traditions and money was not the only object of those who watched over them.

While those with a strong understanding of sport history and of the socio-cultural factors that have influenced sport recognize this second view as a romanticized one, we should be careful not to trivialize it, since it points to an idea that has yet to be sufficiently developed within the world of sport. What indeed is the "good" of the game? What are the elements of sports that make them unique and

culturally meaningful activities? Can the members of elite sporting communities identify these elements? And, if so, how can they either protect them from those economically-minded egoists who would ransom them for personal or institutional fame and fortune, or make changes to them that would enhance traditional forms of sport and preserve or reestablish their moral integrity?

The failure of those who govern and participate in elite sport to address the above questions in any substantive manner has left the members of elite sporting communities without a rational and moral framework to guide their decision making. What directs their reasoning in its place are often their own individual economic interests or the financial interests of the team, university, league or governing body they represent. The focus in elite sport is thus on what one can get from a sport rather than on what one can give back to it. Many in American politics, business, education, law, media and other institutions are similarly focused on the personal and material goods they might gain from these practices rather than the contributions they might make to them and to those they serve. "What's in it for me?" is the first question that such individuals ask, not "What is best for my constituents, my customers, my students, my country or my planet?"

In my opinion, it is time that individuals and groups begin to address questions of this second type, and elite sport is one area in which such a process of inquiry should be carried out. Although not one of the institutional pillars of American society, elite sports are highly valued by many in this country. Those who are successful within this realm are handsomely rewarded with fame and fortune. Now is

the time for those who have reaped the benefits of their sport's popularity to consider ways in which to give back to that sport. It is time for athletes, coaches, owners and administrators to determine what the best interests of their sports are and how they can best achieve those interests.

Sadly, those who govern and participate in elite sport seem to be at a loss as to how to carry out such a task. They seem incapable of coming together over the issues and questions that are of the greatest concern to their sports. Some are simply too selfish to take the time to address such issues. Others are unsure of how to bring opposing sides together to productively discuss and debate these issues as members of a single sporting community. It seems, then, that these individuals are in need of some kind of framework that will help them identify and emphasize the goods and interests of their sports and deliberate how best to protect these or how to modify them in ways that preserve the sport as a unique form of activity.

It is my belief that, if adapted and applied to sport, Alasdair MacIntyre's theory of practical reasoning may provide us with just such a normative framework. The primary objectives of this dissertation were to develop an account of sport from MacIntyre's work, and to analyze its possible applications within the context of elite sport. This process begins in chapter one, where the moral integrity of elite sports is questioned through examples that demonstrate the popularization, commodification and commercialization of sport at this level. These socio-cultural factors have influenced many athletes, owners and organizers to view sport instrumentally, as a means to their own private ends. These individuals have come to see sports primarily

as avenues to fame and fortune rather than as activities that are valuable in themselves. Thus, they come to primarily accept a form of instrumental reasoning in relation to sport; a brand of reasoning in which sports are viewed as means to the end of winning and as providers of economic, political and social wants rather than as cultural activities with unique goods and interests, moral and otherwise, that need to be looked after.

For the purposes of this examination, "elite sports" include (a) professional sports as played in the National Football League (NFL), National Basketball Association (NBA), National Hockey League (NHL) and Major League Baseball (MLB); (b) men's intercollegiate football and basketball at the National Collegiate Athletic Association's (NCAA) Division I level; and (c) elite professional and amateur international athletic competitions, including the Olympic Games. The athletes, coaches, administrators and owners who participate in and govern sport constitute what I refer to as "sporting communities." The reader will note that I have focused this examination primarily upon elite sporting communities of men's sports. This should not be taken to mean that the MacIntyrean view of sport has nothing to offer women's sport. On the contrary, as I demonstrate in my discussion of the plight of figure skating's elite community in chapter four, the deliberative framework and moral and rational guidance that this view offers can assist women's sporting communities as much as men's. I have chosen to concentrate most of my efforts upon the current problems within men's athletics because it is there that instrumental reasoning is most prevalent and the assistance of the MacIntyrean view is most needed.

After demonstrating the manner in which instrumental reasoning has come to dominate and corrupt elite sport in chapter one, I turn, in chapter, two to the philosophy of sport literature to see if any of the four main accounts of sport developed within it are normatively strong theories that could help the members of sporting communities in reestablishing and protecting the moral integrity and meaningfulness of their sports. The normative strength of a theory is measured in terms of its ability to provide communities with (a) a public space in which to discuss their sport and the issues and problems plaguing it, and (b) a framework to guide the reasoning of members in their efforts to improve their sport's moral condition and maintain its uniqueness.

The four accounts of sport normatively tested in chapter two are formalism, conventionalism, anti-formalism and broad internalism. The first three of these theories all suffer from flaws that directly affect their normative strength. Formalism—the view that sports are primarily defined by their formal rules—invests too much in the rules of sport and, thus, cannot help community members to alter them in ways that will morally and rationally improve the sport. Both conventionalism—the theory that asserts that the contexts and conventions of sports play an important role in defining them—and anti-formalism—the view that the unique actions of individual athletes are constantly redefining and recreating sports—fail to give the members of sporting communities any way to mediate between those actions that are good for their sports and those that are harmful.

Only broad internalism—the view that there are internal principles or criteria that can provide community members with moral and rational guidance concerning the welfare of their sports—provides community members with a basic framework and some guidance regarding the best interests of their sports. The only normative weakness of this view is that no version of it has been developed that creates a deliberative space in which community members may dialogue about their sport's interests and problems. In chapter three, I present an account of sport fashioned from Alasdair MacIntyre's theory of practical reasoning; a broad internalist account that gives sport community members just such a deliberative space. MacIntyre's form of Aristotelian practical reasoning presents rationality as something that belongs to a person as a member of a practice. On this view, the rationality of practices like sports is determined by their internal goods. In the case of sports, these goods would include the skills, strategies and challenges set forth by the formal rules of the sport, the standards of excellence that have been attained within it, and the traditions that have come to add to the uniqueness and cultural meaningfulness of the sport. The virtues and actions that facilitate the achievement of these goods and standards are considered "moral" and "rational"; those that hinder their achievement are "unethical" or "irrational". In the MacIntyrean theory, unlike instrumental theories of reasoning, what is moral or rational is not a function of individual or institutional interests, but of the goods of the sport.

Another important advantage that MacIntyre's view has over the four accounts of sport examined here is that it provides the members of elite sporting communities

with a way to recognize and address the normative problems that have accrued within their sports. The theory requires community members to be prepared to reexamine the ultimate ends (*teloi*) and internal goods of the practice, as well as its virtues, actions and reasoning, in light of challenges brought forth by dissenters within or outside of the community. It is through such challenges and their own examination of the sport's practical reasoning that these members are able to recognize existing flaws within it and, with guidance from the internal goods and virtues of the sport, make the alterations to the sport's rules, policies or conventions that will improve it morally and rationally as the special kind of activity it is. This ability to reexamine their reasoning regarding the sporting practice—a skill that MacIntyre refers to as independent practical reasoning—is thus another important element that can help sporting communities to police themselves and reduce or eliminate corruptive actions within their practice.

All in all, the MacIntyrean account of sport presented in chapter three gives us a theory of sport that appears to be normatively stronger than its predecessors. But is it? In chapter four, I apply the MacIntyrean theory to two specific instances in contemporary elite sport to see if it can assist communities in devising solutions for the issues facing them. The first case is that of Casey Martin, a disabled golfer recently granted an exemption to the Professional Golfing Association (PGA) Tour's walking rule. The Supreme Court's decision to allow Martin, whose diseased right leg makes it dangerous for him to walk in tournaments, to ride a cart countered claims by PGA officials that walking was an "integral part" of PGA golf. The second example

comes from the context of international figure skating, where the fairness and honesty of judging and the adequacy of the current scoring system are in question after "Skategate"—the judging scandal that made headlines during the 2002 Winter Olympic Games, in which bloc judging and vote trading appeared to have affected the initial outcome of the pairs competition. The effects of political practices and of cultural and personal bias upon the scoring and ranking of skaters have been known for some time, and have brought the moral integrity of figure skating and even its standing as a sport into question within the international sporting community.

The MacIntyrean theory proves to be useful in helping community members in working out their various issues because it provides them with the opportunity to discuss and debate the ultimate ends and shared internal goods of their sports and the virtues that make it possible to achieve them. From such discussions, the decisions that will improve their sports as unique moral and social practices are clarified. In the Casey Martin case, I contend that the *telos* and internal goods of golf are related to the primary activity of shot-making. Martin's cart riding gives him no unfair advantage over walking professionals in shot-making. Hence, no harm would befall the sport if he was granted an exemption to the walking rule. On the contrary, the officials and playing professionals of the PGA would be granting Martin access to the internal goods of his sport at its highest level and giving him the opportunity to vie for the prize money and status available to the best players at that level.

In the case of figure skating, the MacIntyrean approach can help community members to settle the question of what the *telos* and internal goods of the sport should

be. In examining the two sides of this issue, it becomes evident that the *telos* of figure skating should be a balance between athleticism and artistry, and its internal goods should be those associated with the athletic and aesthetic movements that make skating a unique form of competitive activity. From this conclusion, I contend that community members would, based on the virtues of honesty, fairness and compassion, reason that it would be in the best interests of the sport to eliminate political games and the judging of skaters on reputation or appearance from the sport. I also argue that members would move to limit or minimize the influence of judges' cultural and personal preferences on the scoring and ranking of skaters based on the virtue of fairness and the good of artistic freedom.

At the end of my analysis of each case, I briefly demonstrate how the solutions offered by the MacIntyrean approach to sport compare to those that formalist conventionalist and anti-formalist accounts might offer. The normative weaknesses of these theories are clearly displayed in this process. Formalism privileges the rules of sport above other elements and, hence, is unable to help us in deciding when rule exemptions are in order or what kinds of rule changes would improve a sport. Conventionalism protects the conventions of the sport from criticism. Conventionalists would, without just cause, overtly favor walking in golf and the acceptance of subjective judging criteria like cultural and personal preferences and the appearance of skaters as "part of the sport," and, thus, would not help us when the value of these elements of golf and figure skating are questioned. Finally, the anti-formalist account of sport fails in both cases to give us any way to figure out what

types of individual actions should be accepted within golf and figure skating respectively, and, therefore, gives us no way to stop corruptive actions from becoming part of these sports.

On the basis of the above evidence, I conclude that the MacIntyrean account of sport is the strongest normative theory examined here. It is the only one that gives the members of sport practice communities a space in which to deliberate about the ultimate ends, internal goods and virtues of their sports, and establishes these as guides from which members can deduce which actions are in the best interests of their sport and which are not. The MacIntyrean theory is also the only one that requires communities to act as communities of inquiry, in which members are vigilant in watching over their sports and in critically examining their reasoning and the goods and virtues of the sport in light of either sound challenges brought forth by outside dissenters or of problems and issues recognized by community members themselves. The theory as a whole emphasizes the responsibilities of community members as caretakers of their sports to understand what the best interests of those sports are and to protect those interests from the corruptive practices of individuals. It is in carrying out these responsibilities that athletes, coaches, owners and administrators come to know and value "the good of the game," and it is in acting together as a reflective community for that good that they can begin to bring moral integrity and meaning back to sport at the elite level.

Chapter II
Instrumental Rationality and the World of Elite Sport

Elite sport enters the Twenty-first Century cloaked in corporate logos and dollar signs. Organizers and owners, athletes and agents, networks and sponsors all emphasize the economic aspects of sport as they collaborate in the generation of once unfathomable riches. The language of sport has become that of business as profits and salaries have merged with stories and statistics in the media. One particular medium, television, is largely responsible for the sound economic health of elite sport today. Television coverage has increased the popularity of a variety of professional and intercollegiate sports and international sporting events, transforming them from sporting ventures into athletic dramas and larger-than-life entertainment spectacles.

The following chapter is an examination of the effects of popularization, commercialization and commodification on elite sport organization and participation. Its purpose is to demonstrate how these effects are indicative of the instrumental reasoning that dominates contemporary sport and society. It is this form of reasoning owners, administrators, coaches and athletes use to pursue wealth, power and prestige through sport by emphasizing winning and financial gain over the moral integrity and internal values of sport competition.

The Commercialization and Commodification of Elite Sport

The mutually beneficial relationship between sport, the media and the economy facilitates the commercialization and commodification of elite sport today.

As television coverage has increased sport's popularity, corporations have competed with one another for the privilege of associating their names and products with leagues, universities, teams and athletes. The increased demand for advertising time has led to increases in both the advertising fees networks charge their sponsors and the broadcast rights fees that professional leagues and franchises, amateur governing bodies and universities charge the networks.

Astronomical increases in the prices of broadcast rights fees are particularly noteworthy. The price for the American rights to the Summer Olympic Games has risen from 225 million dollars in 1984 to 894 million dollars for the 2008 Beijing Games (Senn 16). In 2001, the Columbia Broadcasting System (CBS) paid the National Collegiate Athletic Association (NCAA) 545 million dollars for the rights to its Men's Basketball Tournament—an increase of approximately sixty percent over the 215.6 million stipulated in the previous contract (Martzke 3C). And four different networks paid the National Football League (NFL) a total of 2.2 billion dollars per year to broadcast its games in 2001 (Martzke 3C)—an increase of over 1.8 million dollars over the 378 million the league received in 1986 (Coakley 378).

As an abundance of television exposure has popularized sport, those in charge have harvested more than broadcast fees. Owners of professional franchises have tapped a variety of revenue sources in an effort to capitalize on the increased acclaim of their sports. In 1996, gate, merchandising, media and stadium revenues[1] added up to total revenues averaging 77.7 million dollars for NFL teams, 66 million dollars for

[1] Stadium revenues include the money teams receive from concessions, stadium advertising and naming rights, parking, luxury box leases and other stadium-related profits.

Major League Baseball (MLB) teams, and 57.4 million dollars for National Basketball Association (NBA) teams (Coakley 346). Increased popularity has also helped owners convince local governments and taxpayers to build new entertainment "sportplexes" for their teams. As team identities have taken root and fan bases have experienced exponential growth, owners have found it easier to cajole or, if necessary, blackmail taxpayers into allocating funds that might be better spent on education or other public concerns to the construction or renovation of stadiums or arenas (Coakley 346-47).

Universities with elite football and/or basketball programs have also benefited from increased television exposure. These schools have not only received revenues from conference television contracts, but have collected gate, stadium and merchandising revenues in a manner similar to professional organizations. Strong programs have traditionally received the most national television exposure, which has allowed them to maintain their strength by signing the best available high school recruits. These perennial winners have also received money for their appearances and performances in football bowl games and the NCAA Men's Basketball Tournament. Over the years, bowl and tournament payouts have increased so significantly that a key loss can cost a university millions of dollars. In 1996, for example, The University of Notre Dame missed an extra point and an Alliance Bowl bid worth eight million dollars in the season's final game against the University of Southern California (Zimbalist 3).

Universities, owners and organizers are not the only ones who have exploited the commercial success of sport. Professional athletes have also benefited

handsomely from the growth of the sports industry. The salaries of NFL, NBA, NHL (National Hockey League) and MLB players have increased dramatically in conjunction with revenues and media exposure over the last 50 years. Lavoie calculated that the average MLB player made over 1.1 million dollars in 1996—fifteen times more than the 77 thousand inflation-adjusted dollars their counterparts collected during the 1950s. In that same year, the average NHL player's salary (760 thousand dollars) was seventeen times greater than that of the average 1950s player (45 thousand inflation-adjusted dollars) (qtd. in Coakley 354).

In addition to their high salaries, some professional athletes have received endorsement moneys from corporations wishing to associate their names and products or services with the athlete. Superstars like golfer Tiger Woods and NBA player Michael Jordan have received lucrative endorsement deals from a variety of companies that have supplemented and, at times, surpassed their earnings from playing their sports. Although deals of this stature are not the norm, endorsement opportunities are available to prominent professional athletes whom sponsors believe can boost the appeal and sales of their products or services.

Although intercollegiate football and basketball players have not received salaries or money from bowl or tournament payouts or endorsements, they have garnered the increased recognition that accompanies school success. As mentioned previously, winning programs are televised more often than weaker ones. Athletes who have taken advantage of this extra exposure with strong individual performances have improved their odds of playing at the professional level. Others already

earmarked for professional stardom, like former Virginia Tech quarterback Michael Vick and former Duke University forward Shane Battier, have increased their value in the NFL or NBA drafts and secured larger salaries and more lucrative endorsement deals through excellent performance.

The above examples demonstrate the many ways in which athletes, universities, organizers and owners have profited from the abundant acclaim sport has derived as television entertainment. These groups, however, have further assisted in the commodification and commercialization of sports by modifying them for mass consumption. Elite sports rely upon spectator appeal for commercial success. In order to facilitate the achievement of such success, sporting communities have altered rules to improve sports as media productions and commodities and maximize spectator interest. These rule changes have been instituted to speed up games, balance competition, and maximize action, scoring and excitement (Coakley 334-35). The NBA provides us with a recent example of this process. The league implemented new rules designed to increase scoring for its 1999-2000 season, with the hope of regaining or replacing some of the fans lost during the 1998 player lockout.

Rules are not the only features organizers have modified in search of commercial appeal. Over the years, both professional leagues and the NCAA have altered playoff and tournament formats in order to include more teams and increase both the number of games played and, most importantly, post-season revenues. The NCAA has increased the number of football bowl games and the number of teams involved in its Men's and Women's Basketball Tournaments in the last twenty years,

while the NFL, NBA, NHL and MLB have all consistently added series and games to their playoff agendas over the last three decades.

Catering to the masses by restructuring playoff formats and revising rules can be economically beneficial for elite sport organizers and participants. In many cases, however, there is a Faustian price to be paid for commercial success of great magnitude. Athletes, owners and administrators who become mesmerized by the great wealth and power available to them through sport may participate in morally questionable practices or allow such practices to continue for their own gain. Players may resort to cheating or even violence in order to gain advantage over opponents and improve their chances of winning. Coaches may condone or authorize such actions or violate league or conference regulations for the same reason. And owners and administrators may make allowances for many such behaviors because they, like the players and coaches, believe that these trespasses are part of "business as usual" and may even increase the appeal of sports by making them more exciting and intriguing to the common fan. A brief examination of noteworthy cases from professional, intercollegiate and international sport illustrates that morally questionable practices are prominent yet dubious features of elite sports today.

Our first morally questionable practice can be found in the National Hockey League, where players, owners and the commissioner's office continue to accept fighting as a part of NHL hockey. Why do these groups condone such violence when a few simple rule changes could eliminate it from the sport? Some players contend that fighting is a safety valve that allows them to release frustrations face-to-face so they

will not lose control and "cheap shot" one another with cross checks or stick slashes. I will not speak to the validity of this argument within the context of NHL hockey. I will only point out that I have watched many Olympic hockey tournaments in which fighting is forbidden and have seen no players physically scarred from having to control their tempers. NHL owners and league officials have thus far chosen to ignore examples such as this and to parrot the argument of their players. Why? Because fighting and violent acts have mass appeal; they attract more fans who are primarily interested in hockey as a form of entertainment and allow owners and organizers to capture a higher percentage of television ratings and available entertainment dollars. Thus we see how the lure of commercial success can help to maintain morally questionable practices within a given sport.

Professional hockey, however, is not the only sport context that harbors such practices. Athletic and economic success are so highly valued within men's NCAA Division I football and basketball that athletes, coaches and athletic directors are often enticed to break rules and regulations designed to ensure fair competition and quality educational experiences for student-athletes. According to its 1997-98 Manual, the basic purpose of the National Collegiate Athletic Association is

> [t]o maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body and, by doing so, retain a clear line of demarcation between intercollegiate athletics and professional sports (qtd. in Zimbalist 3).

As Zimbalist points out, however, the "watchdogs" of this governing body have done little more than increase the size of their manual over years. They have consistently failed to enforce many of the regulations in this tome, and those they have chosen to enforce have seldom deterred those bent on breaking the rules (Zimbalist, 4-5). For instance, NCAA rules makers and investigators have often looked the other way as universities have flouted eligibility rules and coaches have increased the time requirements they place on their athletes.

The increase in athletic requirements is of grave concern to those who believe that universities are failing to emphasize academics in men's Division I football and basketball programs. Such critics fear that as student-athletes spend more and more time training, lifting weights and analyzing game films, they will devote less and less time to their studies. In Backbaords and Blackboards: College Athletes and Role Engulfment, Adler and Adler note that athletes, coaches and athletic directors often treat academics as secondary, if not marginal, endeavors at this level. Their nine-year study demonstrates a lack of balance between athletics and academics in high-profile men's basketball programs and concludes that it is the structure of these programs that is largely responsible for the lack of academic emphasis.

Finally, Olympic athletes and organizers have so immersed themselves in the quest for wealth, status and success that they have brought the very integrity of the Games into question. Although the percentage of athletes that have added illegal

performance-enhancing drugs and techniques to their training routines is unclear,[2] the general increase in usage of these substances gives us an indication of what Olympic nations, coaches and athletes are willing to do to gain advantage over or keep pace with the opposition. Due to scientific advances, performance-enhancing technologies like steroids, creatine, human growth hormones, amphetamines and blood doping are more accessible to elite athletes than ever before. Many of these, however, have been declared illegal by the International Olympic Committee (IOC) and/or the international governing bodies of sports because they may be harmful to athletes and may give those who use them an unfair advantage over those who do not. The issues and arguments of doping in international sport are far too numerous and complex to examine here.[3] Suffice to say that, until we have a better understanding of how these technologies affect health and the balance of competition, athletes' use of them in international competition will remain both physically and morally questionable.

Is the commercial success of the Olympic Games responsible for the increased use of performance-enhancing techniques? Coakley contends that we should not blame the media or the popularity sport has attained through television for the increased usage of these technologies, since athletes were using many of these before the advent of television (168). However, he does believe that the increased popularity and media exposure have led the IOC to turn a blind eye toward some athletes'

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[2] For more on this topic, see Charles E. Yesalis, Andrea N. Kopstein and Michael S. Bahrke, "Difficulties in Estimating the Prevalence of Drug Use Among Athletes," Doping in Elite Sport, eds. Wayne Wilson and Edward Derse (Champaign, IL: Human Kinetics, 2001) 43-62.

[3] For more on the issues concerning performance-enhancing drugs, see Wilson and Drese, Doping in Elite Sport.

transgressions. He cites Jennings, who contends that during the 1984 Los Angeles Summer Games, organizers ignored the positive drug tests of several competitors to protect the image of the Olympic Movement; an image already tainted by the 1984 boycotts of the U.S.S.R. and many Eastern Bloc countries and the United States' boycott of the 1980 Moscow Games (qtd. in Coakley 172).

Incidents such as this one have led many to question the credibility of an IOC-led World Anti-Doping Agency (WADA). At the IOC's World Conference on Doping in Sport in February, 1999, General Barry McCaffery, Director of the U.S. Office of National Drug Control, led a failed campaign to make WADA an independent testing agency. McCaffery and others believed that, in light of the 1998-99 Salt Lake bid scandal, it would be a conflict of interest for the IOC to lead an agency whose findings could further diminish the image, appeal and immense commercial value of the Olympic Games (Patrick 3C).

The Salt Lake scandal itself is a vivid example of how the recent mega-commercialization of the Olympic Games has led organizers to act in morally questionable ways in pursuit of power wealth and status. Investigations by the internal ethics committees of the IOC and the Salt Lake Organizing Committee (SLOC), the United States Olympic Committee (USOC), and the Federal Bureau of Investigation (FBI) and the United States Congress revealed how Salt Lake Bid Committee members attempted to influence the votes of IOC members with over a million dollars in gifts, scholarships, trips and other assistance. As a result of these investigations, six IOC members were expelled, four resigned, and many others were officially

reprimanded ("A Time of Turmoil" 10C). The remaining members of the IOC voted to eliminate future full membership visits to bid cities in December, 1999 (Dodd 1C). This, however, does nothing to guarantee that bid committees will cease their attempts to sway the votes of IOC site selection committee members, or that these IOC members will remain vigilant and uninfluenced in the face of future bribes.

To sum up my argument, the generous exposure elite sport has received through television has increased its popularity manifold. As a result, sports have developed into entertainment and economic juggernauts, to which owners, organizers, institutions and athletes are beholden. To aid in the further commodification and commercialization of sport, these individuals and organizations have modified their particular sports to make them more appealing to mass audiences, and have allowed morally questionable practices to become established within them.

Having said this, the question that now arises is "so what?" Why should we be concerned that elite sports are being marketed to a mass audience or that controversial practices have become enmeshed within these sports as individuals have pursued fame and fortune through them? In the following section, I will discuss why the above facts should concern all of us, especially those interested in reestablishing the integrity of elite sports and protecting them from potentially corruptive forces.

Instrumental Rationality and the Problems of Elite Sport

The moral apathy and commercial kowtowing that permeate elite sports are heralds of a far more insidious phenomenon. The aforementioned stances are usually

justified by win- or profit-at-all-costs arguments that members of sporting communities offer in defense of their actions and decisions. Such arguments rely on a specific mode of reasoning that places the interests of a particular individual or organization ahead of the "best interests of the sport"—the challenges, traditions and standards that make a sport the particular type of activity it is.[4] I will refer to this manner of thought as instrumental reasoning because those who reason in this way use the practices they are involved in as means toward the gratification of their own personal ends rather than attempting to further the ends of the practices themselves.

Examples of instrumental reasoning in American society are abundant. Businesses often attempt to embellish claims about their products or to sell substandard or potentially harmful products to consumers who believe they are buying reputable goods. University presidents and boards of trustees continue to increase admissions (and tuition revenues), ignoring the impact that larger class size has upon the quality of a student's education. Politicians make policy decisions that benefit them financially or augment their reelection campaigns rather than those that help their constituencies. And, as previously demonstrated, owners, administrators, universities and athletes modify and manipulate the rules and traditions of elite sports and allow morally questionable practices to become part of their sports in order to capitalize on their value as commodities.

Since it is the challenges, standards and traditions of sports that make them

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[4] For the purpose of this work, I am accepting Aristotle's claims that the good of a thing has to do with its function, and that its function is essentially what it does that makes it the particular type of thing it is.

unique and meaningful, one might ask if questionable actions simply change sports into different kinds of activities. This, in fact, is not the case. When athletes, coaches, owners and administrators violate the rules or regulations of a sport in order to gain a competitive advantage, they are, to varying degrees, purposely altering the challenges that define sport contests. By doing this, these community members are doing more than changing the type of activity in which they are involved; they are abandoning the agreed-upon challenges of the sport that have been established through its rules and their interpretation, and placing their opponents at the horns of a dilemma. The opponents must choose whether (a) to honor the formal and traditional challenges of the sport and allow the violators to gain an unfair advantage, or (b) to take part in equivalent or similar rule breaking behaviors that will put them on equal footing with the original violators but will forsake the sport's challenges. Furthermore, rule violators alter challenges without thought of whether the changes they are making will have negative consequences for the sport. Thus, I contend that those who use questionable actions do more than change sports as activities; they change sports without consideration of the negative effects of their actions and without any dialogue about whether the historically-established, agreed-upon challenges of the sport should be altered.

Many elite sport organizers and participants would object to the claim that they act selfishly and without regard for their sport. Commissioner Bud Selig and owners of Major League Baseball franchises, for example, would balk at the accusation that recent changes to the sport's league and playoff structures were instituted primarily for

their own benefit and not for the good of baseball. They might contend that the realignment of the American and National Leagues and the addition of another round of playoff series not only aided in the game's economic recovery from the 1994 labor strike, but helped increase fan interest by recasting Major League Baseball in a more exciting form. On the basis of evidence that the above changes brought more fans, media attention and, yes, money to the sport, MLB owners and organizers might well conclude that they neither ignored the best interests of the game of baseball nor used the sport as an instrument for their own individual or group purposes.

The above argument, however, still implies that baseball is predominantly an economic entity; a media-driven product to be consumed by the masses for its entertainment value. While a certain level of economic success is required to sustain the sport, a lust for greater profits can lead its community members to covet wealth in place of the goods, values, standards and traditions of the sport. Furthermore, if we accept that baseball's primary value is commercial and economic in nature, we must also accept that the actions and decisions that increase the commercial or economic value of Major League Baseball will be in its own best interests. This means that if league or playoff restructuring increases revenues throughout the league, we should, according to this argument, view the restructuring as a positive process carried out for "the good of the game" rather than an attempt by owners to increase their teams' profits.

Unfortunately, what the owners, organizers and players of Major League Baseball tend to forget is that its value extends beyond its abilities to entertain crowds

and produce revenue. Baseball, like other sports, is a social practice, a mosaic of the actions facilitated by its rules and the customs and traditions nurtured by its practitioners. These internal elements play an important role in making baseball the type of game that it is. The formal rules allow for the display of certain skills like hitting and pitching and for the occurrence of certain events like home runs and strikeouts. These rules establish the challenges of baseball that teams must overcome to win and the ways in which individuals can meet the sport's standards of excellence; they give meaning to these successes within the sport. Baseball's traditions have grown up intertwined with these rules, sometimes challenging their formal framework (as when pitchers scuff or "load up" baseballs with foreign substances to gain advantages over hitters), other times enhancing it (as when umpires help second basemen and shortstops to avoid injury by allowing them to put runners out on double plays by "phantom tagging" second base rather than touching it).

The skills, events and traditions that make up the game of baseball are cherished by many of its players and more knowledgeable fans. These individuals believe that these internal aspects of the sport are its most valuable assets, and, hence, that the owners and organizers of Major League Baseball must account for these when making commercial and economic decisions that would alter them in any significant fashion. The owners and Commissioner of Major League Baseball might well contend that they are aware of the importance of the rules and traditions of the sport, and that they work to protect them any time they are considering making changes to the sport. They might point out, for example, that they have preserved the unique skills and

events that are part of the sport by avoiding extensive rule changes over the years. While this may be so, a critic could certainly argue that the owners and commissioner have significantly altered the traditional structure of Major League Baseball by realigning its leagues and modifying its playoff structure. Alterations of this kind, I would argue, have considerably changed the meaning and inherent value of winning the regular season championships of the American and National Leagues and the appreciation that people have of those accomplishments.

Some historical background is necessary if we are to fully understand the effects of these changes. Until 1969, neither the American nor the National League was split into divisions. At the conclusion of each season, the first place teams from both leagues met in the World Series, which has remained a best-of-seven series since the early 1920's. In 1969, each league was split into two divisions whose winners met in a best-of-five League Championship Series for the right to go to the World Series. These Championship Series became best-of-seven series in 1985. Finally, in 1995, Divisional Championship Series were added to the format. In this new round of playoffs, the winners from each league's newly-realigned three divisions and the "wild card team"—the best remaining team from each league—are matched up to play best-of-five series within their leagues. The winners of these Divisional Series earn the right to face one another in their league's best-of-seven Championship Series for the honor of playing in the World Series.

As new rounds of playoffs have been added, the meaning of regular season games has been altered. Whereas these games used to determine which two teams

would meet in the World Series, now they determine which four teams from each league will vie for that honor. Baseball fans, writers, organizers, owners and players disagree about which format is better. Some believe the enhanced playoff format is an improvement over the old system because it gives more successful teams, who have worked hard over 162 games, opportunities to win their league's championship. Others question whether these teams have earned such opportunities, since they could not catch the best teams by the end of a long season.

In cases such as this, however, we must consider more than which format is better. As we have just seen, each format has its own merits and values. Given these, it is important to ask what are sound reasons for replacing a traditionally-valued playoff format that is "part of the sport" and has helped to set the standards of excellence within it? As Major League Baseball and other professional sports have become more and more commercialized, people have begun to readily accept economic reasons as sufficient justifications for reconfiguring leagues and playoff structures and changing the rules of sports. I contend, however, that to do so without accounting for these sports' internal values and traditions is to fail to recognize their integral aspects and to short-change those individuals who value them.

All this is not to imply that traditions should be shielded from criticism because they are naturally superior to proposed improvements. On the contrary, these traditions *should* be critically evaluated to ensure they are good for the sport. However, the responsibility should also lie with those proposing changes to show that their modifications do more than line the pocketbooks of community members within

the sport. They must demonstrate that their changes would improve the sport as the special type of activity that it is—as a competitive venture involving physical skills and strategies that outline a particular form of athletic excellence to which members of sporting communities commit themselves. The standards of excellence of the sport have been set within these boundaries. Hence, members of sporting communities have the responsibility to explain proposed changes to their sport in relation to its challenges, standards and traditions, and are accountable to them insofar as they are the best elements that the community has developed to date.

The above example demonstrates the negative consequences that instrumental reasoning can have for sporting communities. If the members of these communities are primarily concerned with their own individual interests, they may forsake the traditions, conventions and rules of their sport without any thought for those who value them or for the sport as social practice. For the organizers and players of Major League Baseball and other professional sports, this has meant discarding traditional league alignments and playoff configurations that had played meaningful roles in setting the standards of excellence for the sport, and adopting new ones in hopes of improving league and personal economic status. The problem with instrumental reasoning in this case is not that it allows the leaders of sporting communities to replace traditional playoff formats with new ones. The problem is that it allows them to do so without recognizing their responsibilities to their sports as social practices and to their fellow community members who valued the post-season frameworks that traditionally determined how league champions would be crowned. Thus we see how,

under the guise of economic responsibility, powerful groups and individuals within sport are able to consistently ignore chosen internal values and traditions in their efforts to improve institutional and personal economic, social and political status.

Just as participants and organizers can use instrumental reasoning to justify any changes they make to sports, they can use it to justify the morally questionable practices they accept as part of sports. These individuals often claim (implicitly if not explicitly) that winning and profit-making are the ultimate ends of sports and, as such, validate practices from fighting in professional hockey, to fudging grades for intercollegiate athletes, to taking illegal performance-enhancing drugs in international competition. Even the Salt Lake Bid Committee members used instrumental reasoning to excuse their attempts to bribe IOC members. They believed the wealth, status and power Salt Lake City would attain from hosting the Olympic Games justified their actions, and that they had done nothing wrong because they were just doing what they had seen other cities do to win their bids ("Blame on Welch Unfair" 5C).

The above also exemplifies how instrumental reasoning has adversely affected the manner in which elite organizers, teams and athletes view competition. To many at this level, competition is merely a means to the ultimate end of winning. These individuals demonstrate this attitude toward competition through both their words and their actions. Athletes and their coaches, for example, often refer to opponents as "enemies" to be "conquered" or "obstacles" to be "overcome". Athletes may also be taught to use illegal tactics (e.g., discretely holding an opponent's jersey in football or

basketball) and, in some cases, violence against opponents to improve their team's odds of winning. From the above observations, it is clear that opponents are not being spoken of or treated as valuable human beings who are helping their opponents test their mettle, but, rather, as mere "things", "others" or "impediments" that lie in the road to fame and fortune.

In some contexts, winning has been so strongly emphasized and competition and the good opponent have been so devalued that coaches and athletes would rather handily defeat an inferior opponent than risk losing to a stronger one that would better test their skills in the sport. Recently, a trend of scheduling weaker opponents has developed in NCAA Division I intercollegiate football. Stronger programs look at the resulting contests as opportunities to pad their records and improve their odds of landing bids to prestigious bowl games. This practice of instrumental scheduling has become so commonplace that the Bowl Championship Series (BCS) had to include strength of schedule as a factor within its ranking system to account for it. Now, other things being equal, teams with stronger schedules are ranked ahead of those with weaker schedules in the race for the National Championship. Even with this adjustment, however, most successful programs are still scheduling some inferior teams, depriving both players and fans of more challenging and exciting contests.

To sum up, the instrumental rationality that pervades elite sport is problematic because it is used by the members of sport communities to justify a variety of morally questionable stances and practices that have become accepted within them. Individuals and organizations utilize instrumental reasoning to emphasize their own

interests through win- or profit- at-all-costs arguments that justify the morally questionable decisions and actions that benefit them. In doing this, these individuals are conveniently able to hide the fact that they are ignoring responsibilities they have, as members of a sport community, to the traditions and internal values of that sport and the people who value them. Finally, coaches and athletes can use instrumental reasoning in an effort to demonize or devalue opponents or to present the process of sport competition solely as a means to the ends of winning and profit-making.

Instrumental reasoning has become so much a part of sports at the elite level that those involved with them readily accept it as the principal way to reason within these contexts. There are, however, other ways of thinking about sports that may have greater normative value for these organizers and participants. The chapter that follows demonstrates the importance of values and principles that are internal factors of elite sports as socially constructed practices. The significance of these is established through an examination of four accounts of sport. As each of these accounts highlights different aspects of elite sports, a more complex and complete picture of these sports emerges; one that shows us not only what they are, but also what they can become.

Chapter III
Normative Value and Accounts of Sports

What features and values make sports the kinds of activities they are? Do these features and values simply disclose to us how sports operate, or do they also give us revealing glimpses into their potentiality that show us what they can be at their best? Do they merely describe the various economic, political and social factors influencing the functioning of institutionalized sports? Or can they also lend normative guidance to the members of sporting communities as they determine how to best structure and play their sports?

Over the last 30 years, the philosophy of sport literature has produced four distinctive accounts of sport that offer answers to the above questions: *Formalism*, which contends that sports are defined and characterized exclusively by their formal rules; *conventionalism*, which argues that sports are social constructions that are primarily defined by their social and historical contexts and conventions; *anti-formalism*, which portrays sports as ever-changing, pliable activities that are constantly being redefined and remade through the unique actions of individual athletes; and *broad internalism*,[1] which asserts that sports contain socially grounded, internal principles that can assist practice communities in determining which actions, values and decisions are in the best interests of their sports.

In the following chapter, I examine these four accounts of sport to

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[1] "Broad Internalism" is the term coined by Robert L. Simon to describe theories of this kind. See his article "Internalism and Internal Values in Sport," Journal of the Philosophy of Sport 27 (2000): 6-15 for a thorough description of this account of sport.

ascertain the normative value of each for the members of sporting communities. I contend that the strongest normative accounts are those offering members a normative framework that permits them to deliberate about the best interests of their sport and gives them guidance in the determination of those interests. More precisely, this framework (a) provides the members of a sporting community a "space" within which to discuss and debate issues concerning the welfare of their sport; (b) guides these members in determining what the best interests of their sport are and which values, actions and decisions best facilitate their achievement; (c) assists members in recognizing sound challenges to the status quo that often reveal potential threats to or problems within their sport and community; and (d) guides them through the process of altering the rules, conventions and policies of their sport in a manner that preserves or re-establishes its moral integrity while maintaining or reemphasizing the facets of the sport that make it the unique activity that it is.

I present the above framework not as *the* single indicator of normative strength, but as an essential feature of it, without which any theory of sport would be ill-equipped to assist members in the process of protecting their sport and community from corruptive influences. As my examination demonstrates, any theory that does not allow the members of a sporting community to substantially weigh the positive and negative consequences of particular rules, traditions or policies, or does not guide them in how to weigh these different factors in relation to one another, cannot help them patrol the normative borders of their sport. In other words, such a theory does not help them to recognize the difference between actions, values and decisions that

are good for their sport and those that may be harmful to it. For this reason, I conclude that any account of sport that does not provide the members of a sporting community with a sound normative framework as described above lacks the normative strength to assist them in protecting the best interests of their sports. Having established the importance of a strong normative framework, I now proceed with my investigation to determine if any of the aforementioned theories of sport can provide such a framework to sporting communities.

Formalism and Conventionalism

According to Simon, formalism is "a family of positions that characterize games and game derivative notions primarily in terms of their formal structures (Internalism 2). He contends that we can look at this family of viewpoints from either a broad or narrow perspective. From a broader perspective, formalism is the view that sports are primarily defined by their constitutive rules—the rules that set out the skills and strategies that may and may not be used within the game—and the obstacles or challenges these rules establish for the participants. The constitutive rules of soccer, for example, define it as a sport in which players are challenged to control and advance the ball and score with only their feet, legs, torso and head. These rules also forbid the use of hands by players other than goalkeepers to create this specific challenge for players and, thus, make soccer the unique kind of activity it is; the kind in which players forsake a more accurate and efficient way of moving the ball (i.e.,

using hands and arms to throw it) in favor of less accurate and efficient ways of moving it (e.g., kicking or heading it) (Suits, Grasshopper 37-38).

In a narrower sense, formalism is the view that "game derivative notions" such as "winning a game" and "a move or play within a game" can be defined only in relation to the constitutive rule of the game (Simon, Internalism 2). Morgan presents this perspective clearly in stating that

> what it means to engage in a game, to count as a legitimate instance of a game, to qualify as a bona fide action of a game, and to win a game is to act in accordance with the appropriate rules of the game. All instances that fall outside the rules of the game, therefore, do not count as legitimate instance or actions of a game (Logical Incompatibility 1).

Thus formalists believe that it is our knowledge of the rules of soccer that tells us whether participants are playing a game of soccer or another type of game (e.g., kickball), and whether a player is executing a pass or taking a shot in soccer. This knowledge also tells us if the team we are rooting for is the winner of the soccer match when it has ended. Hence we see that unless we are at least minimally acquainted with the rules that govern soccer or other sports, we would not be able to understand what the athletes are doing, why they are doing it, whether they are doing it fairly and whether they have won or lost.

The formalist position is often represented in the literature by the logical incompatibility thesis, which asserts that those who intentionally violate the defining

constitutive rules of a sport fail to compete in that sport and, therefore, are precluded from winning. According to this thesis, if a soccer forward was to purposely pick up the ball and throw it to a teammate every time she received a pass, players on both teams would recognize that she was not executing a pass in the manner stated by the rules of soccer and, hence, was not playing soccer. Her disruptive style of play would prompt her coach to substitute her out so that the two teams could resume their game of soccer and her team would be recognized as the winner should they have scored the most goals by game's end.

The above instance clearly displays how those who consistently and irrationally violate the constitutive rules of a sport fail to compete at that sport. But what if our forward was more discrete about her rule breaking? What if she played by the rules most of the time, but attempted to deflect the ball into the goal with her hand whenever she believed that opponents and officials would not notice? Would the other participants still say she was failing to play the game? Or would they instead contend that she was playing the game, but doing so unfairly?

This second scenario can be used to draw out the normative implications that arise from the acceptance of the logical incompatibility thesis. Theorists like Pearson and Fraleigh contend that the formal rules of a sport are an implicit if not explicit agreement between participants about how their sport is to be played.[2] Applying this understanding of formal rules to our second example, formalists might argue that, by

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[2] See Kathleen M. Pearson, "Deception, Sportsmanship, and Ethics" and Warren Fraleigh, "Why the Good Foul Is Not Good," Philosophic Inquiry in Sport, eds. William J. Morgan and Klaus V. Meier, 2nd ed. (Champaign, IL: Human Kinetics, 1995) 183-87.

breaking the rules, our deceitful forward has broken the agreement between teams and is therefore not playing the sport of soccer.

More strict versions of formalism, such as the one endorsed by Pearson, suffer from a fatal flaw: They fail to recognize the difference between the two types of rule breaking presented above. In the first scenario, our irrational passer fails to compete in the sport of soccer because she consistently fails to receive and make passes in accordance with the constitutive rules of soccer. In the second scenario, our deceitful forward attempts to gain unfair advantage over her opponents and elude penalty by punching the ball into the goal when she believes she will not be caught. Strict formalists contend that, in both instances, the forwards are breaking the formal rules of the sport and, thus, are failing to play the sport of soccer. More moderate formalist theories, such as the one set out by Morgan (Logical Incompatibility 2-4), recognize that whereas the irrational passer of our first scenario is violating a constitutive rule stating that she cannot pick up the ball and throw it to her teammates, the deceitful forward of our second scenario is violating a regulative rule—a rule that proscribes an action (i.e., using her hands) and ascribes a penalty to the player who uses them.

This distinction between constitutive and regulative rules allows moderate formalists to explain the differences between these two types of violations in a way that strict formalists cannot. As Lehman points out, strict formalists have no way to distinguish failing to compete from competing unfairly (283). They see the violations of the deceitful forward and the irrational passer both as failures to compete in the sport of soccer. Moderate formalists, however, can use the constitutive/regulative rule

distinction to distinguish between unfair play and a failure to participate in a sport. Thus, they can argue that (a) the irrational passer fails to compete in the sport of soccer because she consistently violates the constitutive rules of soccer, and (b) the deceitful forward is competing in the sport of soccer but is doing so unfairly when she chooses to violate the regulative rule prohibiting the use of hands in scoring. The capacity to distinguish between different types of rule violations and, in turn, the difference between unfair competition and the failure to compete give moderate formalism an advantage over strict formalism as a potentially strong normative account of sport.

Because they honor and respect the constitutive rules of sports and the challenges they present to athletes, moderate formalists may use these primary elements of sport to assess the regulative rules and policies established to protect them. By referring to the constitutive rules and the fundamental skills and strategies that they believe define the sport, they can determine when the penalties associated with such rules are too weak to dissuade athletes from violating them. Moderate formalists thus may recognize, for instance, that the penalties accompanying fighting in NHL hockey and those accompanying fouling to regain possession late in NBA and NCAA basketball games are too weak to stop athletes from resorting to such tactics when they believe it to be necessary.

While moderate formalism may be able to help us regulate sports to some extent, the theory, as Hardman has noted, is incapable of helping community members assess possible changes to the constitutive rules of their sport. When such changes are

proposed, moderate formalists have only the rules in question to refer to; hence, unless they would be willing to move beyond the constitutive rules of the sport, moderate formalists would find no reasons to change these rules and would maintain them *ad infinitum* (qtd. in Simon, Internalism 4).

The sport of cricket provides us with an interesting example of how a sport can radically change its constitutive rules over time and still be considered essentially the same sport by its practitioners and caretakers. Roberts' portrayal of the history of cricket displays how the skill of bowling, which was once executed with an underarm throw, has evolved to the point that it is now executed with an overarm throw ("It's Just Not Cricket" 71-75). While this evolution took place in many stages over a 200-year period, it could not have occurred without the eventual changes in constitutive rules that accompanied the acceptance of previously illegal, or at least unconventional, types of bowling. These changes, in turn, could not have been made unless the sport's caretakers and practitioners were willing to look beyond the constitutive rules stating what a proper bowl was to find reasons for altering the skill. If the members of the cricketing community had only had the sport's constitutive rules from which to work, they would have chosen to maintain those rules and bowling would have remained an underarm skill to this day.

Moderate formalists might object that I have limited their resources too severely in the above example. They could claim that they *do* have something beyond a sport's constitutive rules that they can refer to when assessing possible changes to them. These are the challenges and obstacles that make a sport the particular type of

activity that it is. Although these are also established by the constitutive rules, principles could be developed from them that would help the members of sporting communities determine if a particular change to the constitutive rules of their sport would be in its best interests.

Although this objection is not without merit (in fact, it forms the foundation upon which we find the broad internalists standing later in this chapter), Simon has argued (and I agree) that the moderate formalists *are* extending their theory beyond the constitutive rules of sports here (Internalism 6-7). They are referring to principles that can only be developed through a substantive dialogue about the internal goods and standards of excellence of a particular sport. Moderate formalism, however, does not make space available for this kind of dialogue; it does not provide the members of a sporting community with a process by which to come together and formulate the normative principles necessary to properly assess possible changes to their sport's constitutive rules. To produce such a space or such principles, moderate formalists would have to extend their theory beyond the formal rules—the only resources available to them on their view. Hence, unless formalists are willing to drop their claim that the formal rules are the only defining elements of sports, they would not be capable of devising a deliberative framework to guide them in evaluating possible modifications to their sports. Such a deliberative process is also vital if these members are to develop normative principles to help them protect their sport from corruption. Without a deliberative framework of some kind, they would have little to guide them in creating or altering policies that would minimize or end the use of morally

questionable practices on and off the field of sport. The constitutive rules of sports cannot, for example, help IOC members prevent vote buying from infecting the bid process for cities that wish to host the Olympic Games, and cannot aid in increasing the emphasis on academics in men's Division I intercollegiate football and basketball programs.

The failure of formalism as a strong normative theory of sport leads us to a second group of positions that make up what Simon refers to as the conventionalist point of view (Internalism 4). Conventionalism asserts that any complete definition of a sport must account for the social context in which that sport is played. In normative terms, this requires anyone who would pass ethical judgment on athletes' actions to take into consideration the customs and conventions of a particular sport in addition its formal rules. Conventionalists contend that while rules may govern play to an extent, they must be interpreted within the context of the sport. Hence, if we are to give a full account of a sport, we must include the influence that this context has on the participants of the sport.

Although several theorists have contributed to the conventionalist attack against formalism, it is D'Agostino's *ethos* account of games that presents the most comprehensive case for conventionalism within the sport philosophy literature.[3] D'Agostino defines the *ethos* of a game as "those conventions determining how the formal rules of that game are applied in concrete circumstances" (42). These

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[3] See Oliver Leaman, "Cheating and Fair Play in Sport," Philosophic Inquiry In Sport, eds. Morgan and Meier, 2nd ed., 193-197, and Craig K. Lehman, "Can Cheaters Play the Game?," Journal of the Philosohy of Sport 8 (1981): 41-46.

conventions influence the manner in which officials and athletes interpret the rules of a sport and, to some extent, determine the way that sport is played within a particular context. In a basketball game, for example, the way that officials interpret the rules of the sport determines which actions they perceive to be fouls and which they perceive to be permissible moves. These perceptions, in turn, help players determine which maneuvers they will use in playing the game and which they will desist from using to avoid fouls.

For D'Agostino, however, the power of convention goes far beyond rule interpretation. D'Agostino contends that the conventions and customs of a particular sport authorize officials to ignore or suspend specific rules and, thus, call only those fouls deemed significant under the given circumstances. Turning to professional basketball, he offers the following explanation of this "interpretation" process:

> players and officials have, in effect, conspired to ignore certain rules of basketball, at least in certain situations, in order to promote certain interests, which they share, for instance, with team owners and spectators—e.g., to make the game more exciting than it would be if the rules were more strictly enforced (47).

While we should be grateful to D'Agostino for bringing important issues like rule interpretation and the relationships between players, officials, owners and fans into the dialogue about fair play and sport, we must be careful not to mistake the descriptive strength of his account of games for normative strength. Theorists like Morgan (Logical Incompatibility 11-12) and Simon (Internalism 5) contend that

although D'Agostino's account gives a sound description of what *is* happening in elite sport contests, it lacks the normative strength to tell the members of sporting communities what *should be* happening in such contests.

The normative flaws of this account stem from the strength D'Agostino attributes to the customs and conventions of particular sports. In granting the *ethos* the power to ignore and override the formal rules of sports, and by not limiting its power in any appreciable way, he fails to provide sporting communities with a method by which to determine if certain rules *should be* ignored or overridden. Morgan argues that D'Agostino creates this problem for himself by denying the validity of the constitutive/regulative rule distinction. This move theoretically leaves officials, athletes and owners free to circumvent any rules of a sport that it would benefit them to violate (Logical Incompatibility 4).

D'Agostino might contend that the *ethos* would not allow the formal rules of a sport to be violated in a manner that would harm the sport or promote anarchy within it. However, as Morgan notes, he gives us no indication of how the *ethos* of contemporary elite sport—an *ethos* today guided primarily by a profit- and win-at-all-cost philosophy that endorses a variety of rules violations in the pursuit of fame, fortune and victory—could avoid these potential problems (Logical Incompatibility 13-14). Thus, if his account of games is to carry any normative weight at all, D'Agostino must explain how the *ethos* of elite sport can police itself and protect sports from potentially corruptive influences.

D'Agostino's failure to restrict the power of the *ethos* also makes room for morally questionable practices to flourish within the context of elite sport. Examples from chapter one demonstrate that many such practices are conventionally accepted in contemporary sports. Fighting is "part of the game" of NHL hockey; vote buying has been "the way of doing business" with the IOC; de-emphasizing academics within men's intercollegiate football and basketball is "business as usual" for coaches and athletic directors at the Division I level; and using illegal performance-enhancing drugs is "keeping up with the Jonses" for international athletes. D'Agostino's account of games gives the members of sporting communities no method by which to weigh the moral and rational implications of accepting these and other morally problematic actions into sport. Moreover, there is no way for those who disagree with the above practices to voice their opinion against them. Hence, he is unable to assure those members that the win- and profit-at-all-cost *ethos* of elite sport would eliminate the corruptive influences that already permeate their sports or stop other such influences from taking root within them.

Finally, by attributing so much power to the conventions and customs of sports, D'Agostino has also placed economic, political and social concerns of individuals and institutions on at least equal footing with the formal rules and structures of sports. His *ethos* account of sport is therefore vulnerable to Simon's objection that conventionalists immunize conventions and customs from criticism and, thus, isolate them from possible changes. Simon argues that "conventionalism in sport, when taken as a normative theory, implies that existing conventions are in effect

immune from criticism, since it is precisely those conventions which are determinative to begin with" (Internalism 5).

It thus appears that D'Agostino's *ethos* account of games is one that both endorses the maintenance of the *status quo* and fails to give the members of sporting communities any space in which to discuss and debate the pros and cons of accepting particular practices within their sports. Hence, it appears that, like moderate formalism, D'Agostino's version of conventionalism has normative weaknesses that hinder it as a theory of sport.

To sum up, neither formalist nor conventionalist accounts of sport are normatively strong enough to help guide the moral decision making of sporting communities. Both theories fail to adequately account for the possibility of morally reforming sports by altering their existing formal structures or conventions, and neither gives members any framework for dealing with the substantive challenges that could be advanced by knowledgeable dissenters. Thus as Simon notes, "it is hard to see how emphasis either on existing formal rules of sport or social conventions can provide a basis for the resolution of some fundamental moral issues that arise in sport" (Internalism 5). With this determined, I now turn to another account of sport; one that emphasizes the unconventional acts of individuals over social conventions and formal rules.

Anti-formalism

The anti-formalist position focuses primarily on the individual interests and desires of athletes within the sporting context, contending that these should take precedence over the formal rules, social conventions and moral principles that might limit them. Two endorsers of this position, Gunter Gebauer and Terence Roberts, contend that the codified rules and principles of sports and the social traditions and conventions accepted by sporting communities do not give us a clear representation of the potential of sports. These elements do not reveal what sports *could* be if the members of sporting communities would free their minds from conventional thinking and grant athletes the freedom to redefine or recreate sports through their unique individual actions. For Gebauer and Roberts, it is these actions rather than those in accord with the rules and traditions of sports that have the power to recast sports and bring new life to them. Hence, the primary question for these theorists is not how to protect the formal structures and traditions of sports or how to reestablish their moral integrity, but how to maximize the space in which athletes may remake sports through the pursuit of their own individual interests.

Gebauer believes that it is the "quest for one's chance," the attempt to gain advantage over opponents through individual ingenuity, that allows athletes to redefine their sports by raising the standards by which they and others will be judged within a particular sport. This quest, he contends, is a continuous obsession for athletes, who constantly seek to establish even a slight edge over one another both in

training and in competition. Gebauer describes this process of advantage seeking as follows:

> Gaining the advantage is of central interest to all athletes. They pursue this objective to the finest detail in their preparation for competition by enduring extensive physical conditioning, acquiring proper attitudes, learning and acting on experience, applying knowledge, and, in the competitive situation itself, mobilizing all their physical and mental energies and abilities (468).

The "quest for one's chance" is the primary feature of what Gebauer calls the "internal perspective" of the athlete. This perspective is essentially the view of the athlete as advantage-seeker. It is a view that varies according to the individual athlete and sporting context in question, and, thus, is not one that can be captured by any set of normative rules or principles of action. Gebauer does, however, attribute normative power to this "internal perspective", arguing that athletes can define and redefine their sports through individual advantage-seeking actions. He contends that it is the primary task of the athletes to enhance their sports by establishing new standards of excellence through their individual efforts to gain advantage. From this claim, he further surmises that athletes and their actions should not be subjected to external moral codes that sport journalists and ideologists often force upon them. Such codes inhibit the vital advantage-seeking efforts of athletes and stifle their creative impulses both mentally and physically. Gebauer thus concludes that in order to preserve athletic creativity and facilitate the advancement of sport, the "internal perspective" of

athletes and their quest for advantage must play a decisive role in determining which actions are morally acceptable and unacceptable within particular sporting contexts (469-70).

Gebauer further argues that "[a]side from a few constitutive rules and regulations dealing with material conditions, [the formal rules of sport] simply draw a line between what is allowed and what is not" (Gebauer 468-69). He contends that, because the formal rules only mark this boundary, they can neither regulate what happens within sports nor tell athletes what can happen within them (469). Hence, Gebauer appears to grant the "internal perspective" and the "quest for chance" preemptive power over both the means established by the formal rules and the challenges and internal goods they make possible.

While Gebauer's view is not without value, it suffers from normative inadequacies similar to those that plagued conventionalism. As you will recall, Morgan argued that the *ethos* account of games was normatively weak because it did not sufficiently regulate the preemptive power of the win- and profit-at-all-cost *ethos* of elite sports (Logical Incompatible 13-14). By endorsing the "quest for one's chance" as the main point of sports, Gebauer, like D'Agostino, has licensed athletes to violate any rules and conventions they wish in pursuit of a competitive edge. It appears, then, that Gebauer grants preemptive power to the "internal perspective" of the athlete that is similar to that which D'Agostino grants to the *ethos* of elite sport. He thus finds himself in a dilemma akin to the one D'Agostino found himself in with regard to the *ethos*: He must either explain how advantage seeking within sport is to

be regulated, or admit that his account of sport gives the members of sporting communities precious little in the way of moral guidance—unless of course moral guidance never endorses actions that run counter to each individual athlete's own interests.

Gebauer, however, seems perfectly comfortable with accepting what I have called "morally questionable practices" into sport. On his view, such practices are simply ways in which athletes can gain advantage, and, thus, are morally acceptable according to the "internal perspective" of the athlete. It is this perspective that Gebauer believes is the true measure of moral acceptability within sport practices. Hence, he might conclude here that members of sporting communities should ignore my above objection because I have externally imposed my own code of ethics on athletes and, in doing so, have failed to account for the primacy of their own "internal perspective."

In attributing so much power to the "internal perspective," however, Gebauer has failed to account for the likelihood that not all community members would agree to accept particular advantage-seeking actions into their sports. Since the "internal perspective" grants athletes the freedom to pursue whatever advantages they can secure, there is no reason to presume that community members would come to any consensus regarding what is permissible in training and competition and what is not—indeed, such consensus seems besides the point. Lacking such a consensus, community members would require some sort of deliberative framework through which to discuss their various differences. Gebauer, however, fails to provide such a

framework, thus effectively silencing the voices of those who object to particular advantage-seeking actions. Without a deliberative framework, NHL players, coaches and officials who believe that sticks should not be used to injure or painfully intimidate opponents have no way of voicing their opinions against those who believe such actions are acceptable within the context of NHL hockey. Individuals who are against the use of steroids for performance enhancement are in an equally weak position relative to those who believe steroid use is acceptable. From the above argument, then, I conclude that unless Gebauer develops a deliberative framework for the members of sporting communities, he would consistently ignore any moral objections to particular actions and would privilege advantage-seeking actions over conventional and rule-following actions in any and all situations.

Furthermore, Gebauer's view is not only lacking a deliberative framework, it is lacking *any* moral point at all, unless of course we are willing to accept the idea that only self-interested actions can be moral actions. Since such an idea is simply unacceptable to those who value sports as more than a means to the end of winning, I contend that Gebauer's version of anti-formalism fails to provide the members of sporting communities with any moral guidance whatsoever with regard to the advantage-seeking actions of athletes. Hence, his theory of sport cannot be considered a normatively strong one because it endorses an amoral, egoistic view of sports.

Having found Gebauer's view to be normatively lacking, I now turn to another anti-formalist account of sport recently presented by Terence Roberts. Like Gebauer, Roberts contends that it is the actions of individual athletes that primarily determine

what sports are and should be. Roberts, however, believes that these defining actions extend beyond the ones athletes use to gain advantage over opponents or raise the standards of excellence of their sport, to creative actions that aesthetically and/or stylistically alter sports in a variety of ways. Moreover, Roberts contends that if any of these individual actions happen to also meet public needs, these "strong poet-athletes" would be "redescribing" or remaking their sports as well as themselves (Sport and Strong Poetry 103). As examples of such instances, he offers us the innovations of cricket bowlers that, over time, changed bowling from a skill that was executed with an underarm throw to one that is currently executed with an overarm throw ("It's Just Not Cricket" 71-75). One might also add Dick Fosbury's once-unorthodox style of high jumping, the "Fosbury Flop", as another unique aesthetic and stylistic action that has revolutionized the way a sport is contested.

To convey the significance that individual actions such as these can have for elite sports, Roberts adapts the arguments of Richard Rorty, the most crucial of which, for Roberts' purpose, is the distinction between the individual private sphere and the regulative public sphere of social practices and societies. Roberts contends that the private sphere of sporting practices, which consists of the unique, redefining actions of individual athletes, should take precedence over the moral and political public sphere which seeks to limit the scope of such actions.

Further explanation is necessary to clarify Rorty's and Roberts' views on the relationship between the private and the public. According to Rorty, the public sphere consists of shared beliefs, values, actions and language that constitute the moral

identity of a practice community and its members (Postmodernist 200). The private sphere, on the other hand, consists of the beliefs, values, actions and language that individuals do not share with others in the community (Rorty, Moral Identity 194). It is these individualistic, idiosyncratic elements that Rorty and Roberts believe play a vital role in the private efforts of redescription through which individuals recreate themselves and, if conditions are right, their practices. Due to the primacy of these individual actions, the two conclude that such actions should be privileged over any public efforts to regulate them, and that the public sphere should be limited to the negotiation of political compromises that maximize individual freedom while insuring that members neither harm one another nor infringe upon one another's individual liberties.

Applying Rorty's public / private distinction to sport, Roberts claims that private efforts to creatively seek advantage, to extend a sport's standards of excellence or to buck convention and pursue individual experiments in style and skill are of primary importance in sport. This being so, the only task remaining for the public sphere is to address issues of fairness and justice by establishing compromises between individual athletes that would allow them the greatest possible freedom in their endeavors and would protect these personal endeavors from the possible infringements of others (Private Autonomy 252-53).

Roberts' acceptance of Rorty's weak public and strong private spheres, however, leads to a variety of problems for his theory of sport. For by limiting public discourse to questions about what is fair or just, Roberts, like Gebauer and

D'Agostino, denies the members of sporting communities the opportunity to discuss and debate individual actions that conflict either with one another or with the formal structures or social conventions of their sports. As Morgan notes, Roberts' application of the Rortian weak public to sport practices precludes any discussion by community members of the internal goods, standards of excellence or traditions and conventions of the sport in relation to the unique individual actions of athletes. Sporting communities are therefore essentially barred from taking up issues concerning the best interests of their sports, including those that affect its moral integrity. The weak public sphere thus not only leaves the members of these communities speechless regarding the general moral welfare of their sports, but leaves them unable to protect themselves from the corruptive influences that often accompany the egoistic initiatives of individual athletes (Private or Public 25-26).

Morgan contends that Roberts' adaptation of Rorty's public / private distinction leads him to gloss over the fact that the public space in which we spend much of our lives in and outside of sports is not Rorty's weak public sphere, but a "social patchwork of associations" that includes schools, professional organizations, self-help groups and sports (Private or Public 23-24). Morgan claims that

> social practices like sports are first and foremost associations founded on common substantive conceptions of the good that inform the collective aims, values, and standards of judgment of their members, of the practice communities formed in their name (Private or Public 24).

If sports are associations as defined here, then, Morgan contends, Roberts is shortchanging them by limiting the public sphere to the role of mediator. By allowing members of sporting communities to discuss and debate only issues pertaining to fairness and justice, Roberts precludes them from deliberating about the internal goods of their sports—those skills, strategies, challenges, standards of excellence and traditions that make sports the particular types of activities they are. Unless community members have an opportunity to reach a common understanding regarding what these goods are, and, in turn, are able to discuss how they should comport themselves with respect to them, they would, according to Morgan, have no way of deciding which individual actions should be accepted within their sport. In other words, if the members of a sporting community are only allowed to negotiate what is fair between athletes, they would be unable to rationally and morally weigh the acts of individuals against one another or against their agreed-upon conception of "the good of the game" to determine whether these actions should be accepted within the community or not. Hence, by limiting public discourse to the art of political compromise, Roberts denies the members of sporting communities the opportunity as members of associations to develop and utilize a common conception of the good for their sport (Private or Public 26-27). In summary, Morgan states that:

> [w]hat passes for the public side of sports on Roberts' account is only a simulacrum, only the shell of a substantial effective public (defined as one that takes it marching orders from the good), and so, one that

> hardly serves as a bulwark, if needed, against overarching individual athletic initiatives (Private or Public 26).

It is not clear to Morgan or me why Roberts would believe that a Rortian weak public would be able to defend sports against corruption in the first place. The individual athletes he has in mind are only concerned with their own private welfare. Furthermore, Roberts' endorsement of Gebauer's "quest for one's chance" and his claim that strong poet-athletes must violate the rules and traditions of their sports in order to accomplish their individual initiatives, leave the impression that athletes should be free to do as they wish as long as they do not inordinately harm or hinder others in their pursuits (Morgan, Private or Public 20-21). Thus, it appears that by strongly privileging the private sphere of sports over a public sphere that is too weak to protect them from corruption, Roberts is advocating a form of institutional anarchy within sport that, as Morgan points out, bears a clear resemblance to the context of elite sport examined in the first chapter:

> the ideal of aesthetic freedom that drives strong poet-athletes and the economic freedom that drives many contemporary elite athletes, both give individuals the license to do as they please in sports without regard for their social value, to disregard the beliefs and values of others in the practice community as they seek their particular ends in sports (Private or Public 32).

Roberts makes two attempts to reassure us that the Rortian weak public *is* capable of keeping individual pursuits from leaving sports in ruin. In the first, he

contends that a "continuous tension" between the private and public spheres of a sport will stop the rational and moral frameworks of that sport from disintegrating in the wake of the rampant individuality he endorses (Private Autonomy 254). In the second, Roberts claims that sports are protected from overzealous practitioners because, even as these mavericks attempt to radically alter them, the public belief system of the sporting community remains largely the same. With this system of rationality and morality in place, he argues, the members of the community are able to "rationally respond to new beliefs" offered up by individual athletes and, thus, are able to protect the sport from irrational and immoral actions (Roberts, Sport and Strong Poetry 76).

Morgan, however, disagrees with this assessment of the relationship between the private and public spheres of sport. He contends that because both of Roberts' claims assume the existence of a stronger, associational public, they both fall short of reassuring the members of sporting communities that their sports will not be undermined by the actions of egoistically motivated innovators. The kind of public sphere Roberts refers to in his reassurances would permit sporting communities to rationally weigh the actions of individual athletes against one another or against some common understanding of how athletes should participate in particular sports. It is, however, precisely this kind of strong public that Roberts rules out in his original account; the kind that would allow the members of sporting communities to publicly discuss matters pertaining to the welfare of their sports. As it stands, then, Roberts has given us no reason to believe that his weak public could either maintain the belief

systems or rationalities of sports or, together with the private sphere, provide a "continuous tension" that would keep irrational or immoral actions from becoming part of sports. Morgan thus concludes that Roberts' reassurances are both inconsistent with his acceptance of the Rortian weak public and that, to escape inconsistency, he must either replace the weak public with the stronger, associational one just alluded to or devise other arguments to explain how the weak public could protect sports from the corruptive influences of overzealous athletes (Private or Public 30-31).

It appears then that, like Gebauer, Roberts has not provided us with an anti-formalist account of sport that is capable of lending normative guidance to sporting communities. Both of these accounts fail to adequately explain how a sport can be protected from the morally questionable practices that are prevalent at the elite level today, and, hence, do not provide sufficient normative strength to assist athletes, coaches, owners and administrators in a quest to maintain, establish or reestablish the moral integrity of their sports. The question thus remains, is there an account of sport that the members of sporting communities could employ in such a quest?

Broad Internalism

According to Simon, internalists believe that "sport has a significant degree of autonomy from the wider society and supports, stands for, or expresses a set of values of its own which may run counter to the values dominant in the culture" (Internalism 2). Sport philosophers like Morgan, Butcher and Schneider, Russell and Simon himself have recently formulated what the latter refers to as a "broad internalist"

theory of sport. These theorists seek to avoid the normative flaws of more narrow internalist accounts, such as those presented by formalism, by revealing internal features and principles within sports that have normative value for members of sporting communities. Simon contends that these features and principles are not part of the constitutive rules of sports, but are internal "resources" that "can be used to adjudicate moral issues in sports and athletics" (Internalism 7). Since, in my estimation, Morgan, Russell and Simon have offered the most compelling and complete broad internalist accounts to date, it is their work I chose to develop and critique in the final section of this chapter, beginning with Morgan's views on the internal logic of sport.[4]

Following Michael Walzer's lead, Morgan sets out in Leftist Theories of Sport to distinguish sports from other types of social practices and to show that what is rational and moral within sports differs from what is rational and moral within larger society.[5] In order to accomplish this task, he believes it is necessary "to locate internal principles of differentiation, that is, principles that derive from the structural and historical core of practices themselves" (210). According to Morgan, what distinguishes sports from all other social practices is an internal "gratuitous logic," which Suits captures in his claim that sports, as games, are "voluntary attempt[s] to overcome unnecessary obstacles" (Grasshopper 41). Morgan contends that all modern Western sports are games of this kind, since all of them have constitutive rules

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[4] For another version of broad internalism, see Robert Butcher and Angela Schneider, "Fair Play as Respect for the Game," Journal of the Philosophy of Sport 25 (1998): 1-22.

[5] Micheal Walzer, Spheres of Justice (New York: Basic Books, 1983) 9.

that "prohibit the simplest, easiest, most direct ways to achieve the goal of the game in favor of more complex, more difficult, more indirect ways to achieve it" (Morgan, Leftist Theories 211).[6]

It is the constitutive rules that determine how the gratuitous logic is manifested within particular sports. In basketball, for example, the constitutive rules prohibit players from dropping the ball through the hoop after climbing up a ladder or being lowered from the ceiling, but permit them to jump and propel the ball toward the basket with their hands. These rules thus provide the gratuitous logic with "the most basic layer of its complex social construction" by establishing the means that basketball players may or may not use in a contest. The gratuitous logic in turn informs these means, the obstacles and challenges they arrange, and the internal goods and experiences that these challenges make available to athletes (Morgan, Leftist Theories 211).

Although the gratuitous logic is closely connected with the constitutive rules of sports, Morgan reminds us that it is not identical to them. The logic, he contends, is a socially grounded, universal feature of modern Western sports.[7] Over the last 150 years, these primarily English and American sports and their characteristics have not only been introduced to a variety of cultures, but have become valued parts of these cultures as people have integrated them into their ways of life.[8] Morgan further

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[6] For a thorough description of games, See Suits, Grasshopper 22-41.

[7] For more on the characteristics of modern sports, see Allen Guttmann, From Ritual to Record (New York: Columbia University Press, 1978).

[8] Guttmann thoroughly examines this process of diffusion in Games and Empires (New York: Columbia University Press, 1994).

argues, however, that the gratuitous logic that informs modern Western sports has become rooted within each of these cultures, and that it will continue to exist within them as long as they continue to value and participate in these sports. Thus, Morgan concludes that the gratuitous logic is both a culturally grounded and universal feature of modern Western sports (i.e., sports as we know them today) (Morgan, Ethnocentrism 86).

Having established what the gratuitous logic is and the manner in which it functions, we must now ask if and how the members of sporting communities can derive moral guidance from it. Can a socially grounded, universal logic of sport lend athletes, coaches and administrators normative guidance that will inform their actions and decision-making? Can it assist them in their deliberations about what is best for their sports? If Morgan is correct, the gratuitous logic can normatively assist sporting communities in two ways. First, it can act as a regulating principle for athletes, coaches and organizers as they deliberate about the means and internal goods that are appropriate to their sports. Second, it can help these community members determine whether the means of their sports should be modified and what types of modifications would be acceptable given the historical structures and social conventions of the sports and communities in question.

Because the logic of modern Western sport favors the use of less efficient means in pursuit of goals, the members of sporting communities can look to it for assistance in changing or maintaining the obstacles that athletes must overcome in competition and, consequently, the internal goods and excellences that these make

possible. As mentioned previously, these goods and obstacles are formally established through athletes', officials', coaches' and administrators' adherence to the constitutive rules of sports. However, they are maintained or altered through the interplay of athletes and officials on the field of play and the decisions of sport organizers off of it. The interactions of these individuals therefore play an important role in determining how sports are played by socially establishing the means that may be used within them.

The members of sporting communities thus find themselves in a situation analogous to that of Suits' gamewright. In applying his craft, the gamewright must remember that the ways in which she limits permissible means will determine the range and quality of experiences available to participants by establishing the types of challenges they will face. She must, therefore, adeptly set these means so that they are neither too restrictive nor too lax. Should she fail to accomplish this task, her game will either disintegrate into chaos due to a lack of proscribed means or be "squeezed out of existence" by a wealth of them (Suits, Grasshopper 30). Similarly, the members of sporting communities should recognize a responsibility to protect the means, obstacles and internal goods of their sports, and should not flout this responsibility for individual or institutional profit as many in elite sport do today. This responsibility requires them to uphold the rules and conventions of sports by using the prescribed less efficient means to attain game goals. It also requires them not to change rules or conventional interpretations of them without reasons that

explain how the changes preserve or enhance the established obstacles that athletes face and the accompanying excellences they experience.

It appears, then, that Morgan's gratuitous logic of modern Western sports can provide normative guidance to those wishing to preserve or reestablish the moral integrity of sport. We must note, however, that Morgan's brand of broad internalism is not the only one available to sporting communities. Another version of this view put forth by J. S. Russell takes a different approach in attempting to provide normative and deliberative assistance to the members of sporting communities. Russell's view states that sports have internal principles—principles that are not a part of the formal rules, but are capable of helping the members of sporting communities to better understand and interpret them.

Russell's theory is based on an analogous view that Ronald Dworkin has advanced in the area of jurisprudence. Dworkin contends that there are principles at work within legal systems that are not laws, but *do* help individuals understand how laws function and should be interpreted within particular systems. These principles are thus internal aspects of the legal system that, when recognized, can guide the actions and decisions of those interpreting laws or devising legal policies.[9]

Russell applies Dworkin's ideas to complex scenarios from the history of professional baseball in hopes of distilling internal principles that are a part of sports in general. In these scenarios, the letter and spirit of the rules of baseball clash considerably and the presiding umpires are required to look beyond the rules of the

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[9] For more on Dworkin's view, Law's Empire (Cambridge: Harvard University Press, 1986), and Taking Rights Seriously, (Cambridge: Harvard University Press, 1977).

game for assistance in making just and appropriate calls. Russell contends that when umpires are faced with such situations, they may look to Dworkin's view of jurisprudence "as a rough framework for a theory of umpire discretion" that can help them weigh the relevant facts and make calls that are fair and appropriate under the circumstances (Russell 34).

The general principles that constitute this framework are what facilitate the above process. Russell draws one of these principles from Suits' previously mentioned claim that sports, as games, are activities in which rules establish obstacles that provide specific types of challenges, experiences and internal goods to athletes. If the members of sporting communities value this claim, they should also recognize and value a more specific principle which states that "Rules should be interpreted in such a manner that the excellences embodied in achieving the [. . .] goal of the game are not undermined but are maintained and fostered" (Russell 34). Russell thus concludes that principles like this are identifiable parts of sports and are of normative value because they may be invoked by athletes, officials and organizers to protect sports and the challenges that define them.

But why should we accept Russell's principles of sport as normative principles? Why should members of sporting communities refer to them when they have questions about what is good or right within their sports? In discussing Russell's view, Simon contends that "[w]hat gives moral force to the virtues and excellences required in sport is their connection within the practice to respect for certain qualities of human beings" (Internalism 10). Principles like those advanced by Russell can

thus help us recognize, for example, the value of competing against good and worthy opponents. In establishing the importance of such adversaries, Simon reminds us that the obstacles of sports are actually presented to athletes by opponents who challenge their abilities. By providing each other with strong challenges, skilled, well-matched opponents can also make available to one another the internal goods and excellences that come with close, well-played contests (e.g., the experience of applying specific skills and strategies under pressure) (Internalism 10-11). Hence, on Simon's account, those athletes and coaches interested in the excellences and internal goods of their sports should value worthy adversaries and act in a manner that demonstrates their respect for them.

What does it mean for athletes to show respect for opponents? For Simon, it means that athletes must at least adhere to the rules and conventions of their sports. Beyond that, Simon also suggests that respectful athletes will facilitate the good play of opponents by establishing conditions of competition that will allow each competitor to present the others with the strongest possible challenges. This means he or she will, for example, avoid cheating and the use of unsportsmanlike actions like trash-talking or unnecessary physical intimidation that might throw a particular opponent off his or her game. Simon thus concludes that those athletes, coaches and organizers who value the internal goods of their sports will seek out strong, worthy opponents to challenge them, while those primarily interested with external goods (e.g., fame and fortune) may forsake such opponents in favor of lesser ones or sink to dubious means in order to win (Internalism 11).

The broad internalist viewpoints offered by Simon, Russell and Morgan meet several of the criteria necessary for a strong normative framework of sport. They offer principles (in Russell's case) or a "gratuitous logic" (in Morgan's case) that members of sporting communities may use to determine which values, actions and decisions would best facilitate the achievement of the internal goods of their sport. These key normative elements may help members to recognize sound challenges to their accepted ways of thinking and potential threats to or problems within their sport or community that need to be addressed. Finally, members may utilize these same principles and logic in the process of maintaining or altering rules, conventions and policies in order to protect the moral integrity of their sport and the standards and traditions that make a sport the unique type of activity it is.

There is, however, one criterion of a strong normative framework that the aforementioned broad internalist theories do not provide: a forum within which the members of sporting communities may discuss and debate issues pertaining to the welfare of their sport. Although all the broad internalists mentioned here allude to the importance of such a deliberative framework, none of them draw out exactly what this framework is or how it is to function. While these theories might be extended so that they create deliberative space for communities, there may be other philosophical theories from outside of sport that can do this work more effectively if applied to sport.

In chapter three, I examine an account of sport fashioned from the virtue theory of philosopher Alisdair MacIntyre. This new version of broad internalism is

intended to supply the members of sporting communities with a clear deliberative framework that rephrases all discourse concerning the sport in terms of its internal goods and standards of excellence and helps members remain vigilant *and* openminded when discussing how their sport is to be played and regulated.

Chapter IV
A MacIntyrean Theory of Sport

As I have argued, the realm of elite sport is dominated by a win- and profit-at-all-costs *ethos* that is grounded in instrumental rationality. Athletes, owners and administrators reason instrumentally in order to justify placing their own interests ahead of the internal goods, standards of excellence, valued traditions and moral integrity of their sport and sporting community. Those who accept this manner of reasoning seem unaware that there are other ways to think about sport; ways that appear foreign to them because of the pervasive nature of instrumental reasoning and the belief that it is their individual interests and the economic or political interests of their team, league or governing body that are most important within the context of elite sport.

In this chapter, I present a different method of reasoning that the members of elite sporting communities could apply to the problems and issues facing their sports. This *other* form of reasoning—the Aristotelian form of practical reasoning endorsed by Alasdair MacIntyre—focuses upon those skills, strategies, standards and traditions that may be valued over personal or institutional interests by the members of sporting communities. I begin the chapter by briefly contrasting MacIntyre's view of practical reasoning with instrumental forms of practical reasoning. I attempt to show the differences between practical and instrumental reasoning by examining MacIntyre's distinction between social practices and institutions. In this regard, I analyze how institutions, including governing bodies like the NCAA, IOC and professional leagues

like the NFL and MLB, emphasize the instrumental reasoning that leads individuals to pursue their own interests through sport. In contrast, I then show how the members of practice communities can use practical reasoning to emphasize the best interests of the sport over individual or institutional pursuits of wealth, power and status.

Once the practice / institution distinction is established, I assess the process by which MacIntyre believes apprentices come to understand the reasoning of their chosen practice and to transform their own interests into those of the practice community. In sport, this process requires apprentices to not only understand the traditional reasoning used by veteran members of the sporting community, but, at least initially, to accept this reasoning and the internal goods and standards of excellence in which it is grounded as their own.

Finally, I demonstrate how the members of sport practice communities avoid charges of ethnocentrism and normative ethical relativism by developing the skills of MacIntyrean "independent practical reasoning." In developing these skills, the members of a sport practice community learn to recognize salient challenges to their community's way of reasoning and to question that reasoning themselves in order to reveal and solve moral and rational problems within their sports. Before beginning the examination, however, it would be beneficial to have a better understanding of practical reasoning in general and of MacIntyre's Aristotelian brand of practical reasoning in particular.

Practical and Instrumental Reasoning

According to Audi's simple definition, practical reasoning is "reasoning undertaken to determine what to do" (25). Through such reasoning, we arrive at those actions we have good reasons to do. We use practical reasoning to make everyday decisions about what we should eat, how we should work, and about which actions are morally right in given situations. To use practical reasoning effectively, however, we must understand what a good reason for action is. Philosophers have developed theories of practical reasoning to help us better comprehend the difference between good and bad reasons for action. Postow refers to such theories as "reason theories"—theories that attempt to explain "what, ultimately, there is reason to do" or "what considerations we ought to be guided by" when we act (1).

Practical reasoning is to be contrasted with what Audi calls "theoretical reasoning," or "reasoning undertaken to determine what is the case" (25). This latter type of reasoning is the reasoning of science; reasoning that is used to determine what is true about the world. Although practical reasoning theories, like scientific theories, are typically cognitivist in nature, they differ in that they attempt to objectively ground morality in the practical reasoning of human beings rather than the theoretical reasoning of science (Darwall et al. 131). Over the centuries, a variety of practical reasoning theories have been developed, each with its own idea of what a sound reason for action is. Darwall, Gibbard and Railton have categorized the most influential contemporary theories as being either Hobbesian or Kantian, according to whether they view practical reasoning as, to use Postow's words, a more "agent-

dependent" or "agent-independent" enterprise. Hobbesian theorists, such as David Gauthier and Kurt Baier, believe that sound reasons for action are those that give individual agents the best potential of achieving their interests.[1] In Hobbesian theories, the desires and goals of the individual are thus the "touchstone of practical reasons"; the things from which agents must reason if they are to be considered rational. To risk the fulfillment of these is irrational according to Hobbesian theorists (Darwall et al. 132). Kantian views, such as those advanced by Thomas Nagel and Alan Gewirth, seek to objectively ground moral reasoning in more "agent-independent" principles of practical reasoning, rather than in the "agent-dependent" interests emphasized by Hobbesian theorists (Darwall et al. 137).[2]

While the above distinction is a useful one for those categorizing contemporary theories, it is of limited use to those studying practical reasoning in elite sport. From the examination of this context in chapter one, we know that individuals in elite sport tend to reason instrumentally; that is, they tend to prioritize their individual interests ahead of the goods that represent their sport's best interests. They are thus agent-dependent reasoners, but can only loosely be termed Hobbesian practical reasoners because, in the absence of strong authority, many are willing to risk severe sanctions to secure advantages over competitors and to gamble lesser but substantial economic gains in search of greater ones. In intercollegiate athletics, administrators and coaches

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[1] See Kurt Baier, The Moral Point of View (Ithaca, NY: Cornell University Press, 1958) and David Gauthier, Morals by Agreement (Oxford: Oxford University Press, 1986) and "Reason and Maximization," Canadian Journal of Philosophy 4 (1975): 411-34.

[2] See Thomas Nagel, The View from Nowhere (New York: Oxford University Press, 1986) and Alan Gewirth, Reason and Morality (Chicago: University of Chicago Press, 1978).

are willing to risk violating NCAA recruiting regulations in order to sign talented high school players. In professional sport, player's unions and owners are not content to share the wealth available to them through the sport. Instead, of negotiating equitably, each group schemes and fights to secure the largest economic gains possible without regard for the opposing side. Practical reasoning in elite sport is, therefore, not based on Hobbesian agreements, but on doing what is necessary to win or maximize profits.

MacIntyre presents a model of this kind of instrumental reasoning in his portrayal of the "liberal individualist" tradition of practical reasoning (Practical Rationalities 129-30; Whose Justice? Which Rationality 326-48). He contends that contemporary philosophers from this tradition, including Paul Churchland and Alvin Goldman, view rationality as something to be attributed to persons as individuals—as agents who seek to attain their own interests separate from a specific social order—and that practical rationality can be achieved by agents "only in so far as they are able to implement their own preferences" (Practical Rationalities 129).[3] Such thinkers also tend to view practical reasoning theories as ahistorical theories that may be applied to moral issues without reference to the particular socio-historical context in which they were developed (Practical Rationalities 120). Consequently, in their own theories, they present us with agents who are detached from any particular context and introduce them to us at the very moment they are about to make practical judgments. By doing so, these theorists present practical reasoners to us "as if [they were]

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[3] See Paul M. Churchland, "The Logical Character of Action Explanations," Philosophical Review 79 (1970) 214-36, and Alvin Goldman, A Theory of Human Action (Englewood Cliffs, NJ: Prentic-Hall, 1970.

detached from any conception of or perception of the good or goods" (Practical Rationality 129). Accordingly, MacIntyre argues that such views permit individual agents in "liberal individualist societies" like America to seek their preferences without reference to any set of common goods that they share with others in their societies. In such societies,

> each person is entitled to express his or her preferences and the institutions which determine public discourse and decision-making are committed to taking no account of how preferences are arrived at. [. . .] All preferences of all individuals are to be weighed in the same balance and accorded the same respect no matter whose they are or what their grounding (MacIntyre, Practical Rationalities 129).

Although the above may not be an accurate description of liberal societies, it *is* an accurate description of the situation in elite sport today. Players, owners and organizers consistently pursue individual preferences through their sport, indifferent as to whether their actions are or are not good for the sport or sporting community. Public discourse within particular communities takes little account of whether an individual's or franchise's preferences are in the best interest of the sport, except in cases where the best economic interests of the sport are at stake. In these cases, most would primarily contest for a greater share of the wealth made available by the sport's commercial standing, giving only secondary consideration to the interests of the sport itself. A clear example of this process occurs in labor negotiations and disputes, when athletes and owners strive to improve their own financial positions without

considering the validity of the other side's point of view or the effects that a lockout or strike might have on their sports. Thus we see how the members of elite sporting communities use the instrumental forms of practical reasoning MacIntyre attributes to the liberal individualist tradition to further their own interests without regard for the good of their sport or sporting community.

What is most alarming about the above observations is not that elite athletes, coaches, owners and administrators are reasoning instrumentally with regard to their sports, but, rather, that they fail to recognize the existence of other valid forms of practical reasoning. These theories are generally dismissed by them as being too idealistic or as being inadequate for or unnecessary within the context of elite sport. To accept these kind of claims, however, is to also accept that (a) one need only look to one's preferences as guides to moral action, and (b) the action that is most advantageous for one will be the morally right action in any given situation. I have already established in my critique of conventionalist and anti-formalist theories, however, that the prudent action is not always a moral action, and that the advantageous action is not necessarily one that is fair or just or honest. Hence, it seems we must look to something beyond our individual preferences if we are to establish, maintain or reestablish the moral integrity of our social practices, including sport. In addition, if a theory of practical rationality is to help us understand why we morally ought to act in a specific manner, it must be more than simply a theory of instrumental rationality. In other words, if a theory of practical rationality is going to

tell us what normatively *should* be done, it must do more than describe what *is* being done or prescribe what is most beneficial to us.

But what is the normative strength of MacIntyre's theory of practical reasoning? Can it help the members of sporting communities and other social practice communities to protect or reestablish the moral integrity of their practices? MacIntyre's process of practical reasoning is quite different from the instrumental reasoning processes of contemporary practical reasoning theories. MacIntyre subscribes to an Aristotelian form of practical reasoning that emphasizes the importance of the internal goods of excellence of practices—the things that make social practices like sports unique—rather than the individual or institutional interests of the members of practice communities. Unlike its instrumental counterpart, MacIntyre's brand of Aristotelian practical reasoning accounts for what Morgan has referred to as the "associational character and content" of social practices like sports and the human relationships within them (Private or Public 24). So understood, rationality is not something to be achieved individually, but something that can only be achieved in conjunction with the other members of a practice community. Put another way, MacIntyre's Aristotelian practical rationality is a concept grounded in community rather than individuality (Practical Rationalities 121).

Unlike many of his contemporaries, MacIntyre believes theories of practical reasoning are historical in character. He contends that they vary with the values of people, which, in turn, vary according to time and place. Hence, these theories should not be thoughtlessly decontextualized and applied willy-nilly. On the contrary, they

should be recognized as ways of thinking that developed out of and flourished within specific socio-historical contexts and that can flourish once again under similar conditions (Practical Rationalities 120, 131-33). These ways of reasoning are partially constitutive of what MacIntyre refers to as "traditions." He defines a tradition as a "historically extended, socially embodied argument [...] in part about the goods which constitute that tradition" (After Virtue 222). This argument changes over time as the reasoning of the practitioners is challenged and modified. It is through a tradition that a specific understanding of a practice and its reasoning about the goods that should be pursued through it are conveyed to new generations of practitioners. Hence, it is by this process of transmission that practices themselves are sustained or, if well sustained, come to flourish (After Virtue 221-22).

The Aristotelian tradition of practical reasoning is one historical tradition of thought. In MacIntyre's eyes, Aristotelianism is "*the* tradition of practical rationality" (Knight 12). It is "the tradition that articulates the kind of teleological reasoning exemplified by those who act in pursuit of goods of excellence internal to social practices" (Knight 12). Aristotelian practical reasoning flourished within the *polis* of Ancient Greece. Like all practical reasoning theories, it carries out two primary social functions: (a) it guides and directs the actions of the members of a community, and (b) it enables these members to interpret the actions of others within the community.

The importance of the interpretive function of practical reasoning should not be underestimated. It allows us to determine when others have reasoned well or poorly, when they have acted upon good reasons and when they have not, within the

context of the practice. MacIntyre sums up the significance of this interpretive aspect as follows:

> Every mode of practical reasoning is also a mode of social interpretation. For an individual either to be or to appear rational is then for that individual to participate in the norm-governed transactions and relationships of a particular institutionalized social order. Hence 'rational' is not a predicate to be applied to individuals *qua* individuals, but only as individuals *qua* participants of particular social orders embodying particular conceptions of rationality. It is only in so far as social orders embody conceptions of what it is to be rational that individuals are able to evaluate themselves and others as more or less rational (Practical Rationalities 120-21).

MacIntyre further notes that Aristotelian practical reasoning is only possible in so far as actions within social practices like architecture, farming, painting and sports are directed toward the internal goods of excellence of these practices. As I have established in the case of sport, these internal goods of excellence include the skills, strategies, standards and traditions that make each sport a unique form of athletic competition. Members of practice communities should recognize such goods as the common or shared goods of their practices; as the ultimate goods of these practices that should guide their reasoning and "provide both activity and enquiry within each practice with their *telos*" (Practical Rationalities 123). Knight nicely sums up Aristotle's and MacIntyre's views of practical rationality as follows:

> To be human is to act rationally in a society with others. This involves identifying a good to be pursued, identifying the action most likely to secure that good under present conditions, and therefore acting accordingly (13).

The above explanation of MacIntyre's form of Aristotelian practical reasoning gives us a basic understanding of how it differs from instrumental brands of reasoning. To better comprehend how a person reasons and acts rationally within a practice, however, it is necessary to examine the process of practical reasoning more closely. Learning to reason soundly within a practice requires that one be introduced to the best standards of the community's reasoning by those who are well versed in it. As an apprentice, a novice discovers the internal goods and standards of excellence of the practice and, according to MacIntyre, first subjugates and then attunes his or her interests to these goods and standards. It is through this transformative process that apprentices learn the actions that are rational and irrational within the practice. On MacIntyre's view, then,

> to learn to be rational is to be initiated into and trained in the habits of action and judgment which dispose one to be so moved. So also to be rational as a member of a particular social order is to participate in some particular community in the relevant ways and to be moved by the acknowledged or to be acknowledged good reasons of that particular social order (Practical Rationalities 121).

While the development of an appreciation and understanding of a practice's internal goods of excellence is an important step in learning to reason practically, it is not the only one that is necessary. MacIntyre believes that the members of a practice community should not blindly accept these goods, the virtues that facilitate their attainment, or the actions to be done in their name. Moreover, they should not take for granted that the reasoning of the practice is as strong as it can be. On the contrary, community members must develop the abilities to criticize the goods, actions, values and reasoning of the practice and to recognize the valid criticisms of these made by others if they are to be capable of recognizing and solving moral and rational problems within their sport. In MacIntyre's words, they must develop the skills of "independent practical reasoning, which he describes as

> the ability and the willingness to evaluate the reasons for action advanced to one by others, so that one makes oneself accountable for one's endorsements of the practical conclusions of others as well as one's own conclusions (Dependent Rational Animals 105).

It is the development of independent practical reasoning skills that keeps the members of a practice community from, to use Simon's term, "immunizing" the ends, means, values and reasoning of the community from either internal or external criticism (Internalism 5). Independent practical reasoners consistently monitor their own reasoning as well as the reasoning of others within the community to ensure that these are practically sound. They also examine the internal goods and standards of

excellence accepted by the practice community to ensure that the practice's ultimate ends or *teloi* are the ones the community should be pursuing.

In summary, Alasdair MacIntyre's Aristotelian view of practical reasoning presents rationality as something belonging to individuals as members of social practice communities. Through the recognition of the internal goods of excellence and the virtues shared by members of the practice community and the transformative process through which individuals come to accept these goods and virtues as their own, apprentices learn not only to understand the reasoning of the community, but to act upon it. By further acquiring the skills of an independent practical reasoner, members learn to critically assess the rationality of the community rather than obediently accepting its reasoning when it is inconsistent, unsound or does not represent the best interests of the practice. MacIntyre's Aristotelian practical reasoning thus differs from instrumental forms of practical reasoning in that it stresses the importance of public discourse regarding the ends for which actions are undertaken as well as the actions carried out in pursuit of these ends. For MacIntyre, these ends are not individual but shared ends and are pursued as the goods of the practice rather than as individual goods. He thus endorses a type of public discourse regarding the internal goods of excellence of practices that could not take place within communities emphasizing instrumental rationality; communities in which individual preferences trump collective deliberations of the good (Practical Rationalities 129). In communities accepting the Aristotelian form of practical rationality, such discourse plays a necessary role in the deliberative process through which the rationality of the

practice and the internal goods of excellence that are its *teloi* are formulated, altered and accepted.

Having demonstrated the difference between MacIntyre's form of Aristotelian practical reasoning and instrumental reasoning, it is now necessary to develop the former into a detailed account of sport, to see if it will provide us with the strong normative framework for sporting practices that other theories have not.

Sports, Social Practices and Institutions

The potential normative strength of a MacIntyrean theory of sport is rooted in the distinction he recognizes between social practices and their internal goods of excellence, on the one hand, and, on the other hand, social institutions and the external goods of power, wealth and status, which ideally support but often end up corrupting practices like sports. As I intend to demonstrate, this distinction is common to the context of elite sport, and can help the members of a particular sporting community to comprehend, discuss and solve the moral and rational problems they recognize within the sport or community. If this examination proves successful, it should also provide us with a stronger understanding and appreciation of the explanatory and normative power of a MacIntyrean account of sport.

As we have already seen, MacIntyre conceives of practices as consisting of both the social relationships existing within "networks of giving and receiving" (Dependent Rational Animals 99) and the internal goods and standards of excellence that, as the foci of these relationships, "provide both activity and enquiry within each

practice with their *telos*" (Practical Rationalities 123). This view is captured in MacIntyre's earlier account of social practices in After Virtue, in which he defines a social practice as

> any coherent and complex form of socially established cooperative human activity through which goods internal to that form of activity are realized in the course of trying to achieve those standards of excellence which are appropriate to, and partially definitive of, that form of activity (187).

MacIntyre seems to recognize sports as just such activities. In After Virtue, he presents football (187) and cricket (191) as examples of social practices. It is thus safe to assume that he would accept any of the sports we have previously mentioned as social practices as well. Like football and cricket, all of these sports, including the events of international athletic festivals such as the Olympic Games, have their own internal goods of excellence—their own skills, strategies, standards of excellence and traditions that make them unique. These goods are the ultimate ends of sports as social practices; the historically established "goods of the game" that athletes, coaches, owners and administrators must either commit themselves to or debate in their efforts to maintain the moral integrity of their sports. It is these internal goods of excellence, according to MacIntyre, that the members of a practice community must subordinate themselves to if they are to transform their own interests into those of the practice; and it is these goods they must learn to scrutinize if they are to improve the moral and rational standing of that practice. I expand upon the transformative and deliberative

processes of MacIntyre's theory later in this chapter. First, however, it is necessary to attain a clearer understanding of these internal goods of excellence that are so pivotal to the development of a MacIntyrean theory of sport.

MacIntyre recognizes two types of goods that are associated with social practices like sports. *External goods* are goods like money, power and prestige that are only contingently associated with specific practices and can be secured through a variety of activities. *Internal goods* are those goods that are inherently parts of practices as they are formally organized and participated in. MacIntyre refers to these inherent goods as "internal" because he contends that they can only be specified in terms of the particular practice of which they are a part and are only available to participants in the practice or to those well acquainted with it (After Virtue 188-89). The validity of this second claim is in question and will be examined further once the distinction between internal and external goods has been clarified. I now turn to an example presented by MacIntyre that also demonstrates the importance of these two types of goods for sport practices and practitioners.

In After Virtue, MacIntyre develops his distinction between internal and external goods through the example of a young boy learning to play chess. This hypothetical youngster is ambivalent about learning to play, but has quite a sweet tooth and no way to obtain candy. MacIntyre bribes the boy into learning the game by guaranteeing him fifty cents worth of candy each week he plays with him, and offering to double this windfall if the boy should achieve the difficult task of defeating him. The candy in this instance is an external good; it is not something that is essentially

part of chess, but, rather, a contingent part of an agreement that might have been made in conjunction with other practices like bridge or tennis (After Virtue 188).

With candy as incentive, the boy not only plays chess with MacIntyre, but plays it competitively. However, there is nothing in this example to persuade the boy not to cheat if he knows he will not be caught; that is, there are no internal reasons for him to obey the rules of the game. Such reasons are only available to those pursuing the internal goods of a practice through its standards of excellence, and, hence, are not yet available to this young man because he is playing only for the instrumental purpose of obtaining candy. As MacIntyre notes, however, this boy's appreciation of the internal goods of chess may develop with the passage of time:

> [Hopefully,] there will come a time when the child will find in these goods specific to chess, in the achievement of a certain highly particular kind of analytical skill, strategic imagination and competitive intensity, a new set of reasons, reasons now not just for winning on a particular occasion, but for trying to excel in whatever way the game of chess demands (After Virtue 188).

We can certainly imagine an example similar to this one involving a hypothetical young girl whose father is trying to teach her the game of baseball. The father has signed his daughter up for pee-wee league, but finds her to be apathetic about playing baseball. Rather than giving in to her right away, the father strikes a deal with her. After each game in which she tries her best, they will go to her favorite restaurant, Punchy's Pizza. At first, this obvious bribe prompts the child to put forth

her best effort in games to earn her slice of Punchy's pepperoni—an external good only contingently associated with the sport of baseball. As time passes, however, the little girl grows to love baseball. She can't wait to get to the park on Saturdays and practices as often as she can. She aspires to become as good as the best players in the league, whose batting and fielding skills she has come to admire. She even asks her dad to take her to a minor league baseball game instead of Punchy's, where she watches every pitch of the game instead of playing with the other children under the bleachers. She focuses primarily on the second basemen to learn how to play her chosen position "like a pro." Thus, she has come to appreciate the internal goods and standards of excellence that baseball has to offer rather than the external goods that her dad used to interest her in the game. Although she still enjoys a good slice of Punchy's pepperoni now and then, she now enjoys the sport of baseball on its own merits.

From the above examples, we can see why MacIntyre would claim that the unique and highly specific internal goods of excellence of practices must be experienced within the contexts of their practices to be completely understood. One could object, however, that the concept of checkmate and the skills of fielding and hitting a baseball can be understood and appreciated to some extent by those only marginally acquainted with the games of chess and baseball respectively. Although they may be able to generally appreciate the experience of receiving hard-earned rewards or using strategies to accomplish a goal, these individuals would not know the experience of putting an opponent into checkmate after a grueling four-hour match or

be able to appreciate the strategy used to achieve checkmate. Likewise, those who know little about baseball might recognize the difficulty of hitting a good curve ball or turning a double play at second base, but, lacking playing experience or a strong spectator's knowledge, would not have a full understanding of what is physically and mentally required to accomplish these tasks in competition. It is in this way that participants in practices like baseball and chess or those well acquainted with such practices are in a somewhat privileged position with regard to the understanding of the internal goods of excellence of specific practices.

Does this mean that those lacking such "strong" knowledge of a practice cannot make valid observations about the rationality or morality of the actions endorsed by a practice community? Although veteran participants and others who are well acquainted with a sport and its context certainly have an advantage over less familiar observers, the latter group may still have sound observations to make regarding the actions and decisions made within a sporting community. Some people may lack knowledge about the sport of hockey, for example, but still recognize that players who use their sticks to injure opponents are acting in a morally reprehensible manner within that sport. Others may successfully draw an analogy between hockey and sports they are well acquainted with and conclude that, since it is unethical to use injurious tactics in sports like soccer and basketball, it will also be unethical to utilize such tactics in hockey. Thus, we see that it is possible for those with less than extensive knowledge about a sport practice to make valid judgments concerning that practice and the rationality and morality of actions endorsed within it.

Returning once again to MacIntyre's distinction between internal and external goods, it is necessary to develop a stronger understanding of the latter and their value and attraction for the members of sport practice communities. While internal goods of excellence are what give sport practices their intrinsic worth, MacIntyre contends that external goods like wealth, status and power are merely contingent additions to practices that, at best, help sustain them and, at worst, corrupt the practices they were created to serve (After Virtue 188). He further notes that external goods are goods that, when achieved, belong to an individual or group (After Virtue 190). In sport, external goods are more often than not tied to the goods that only winners are awarded; that is, to the goods that only one individual or team can attain in a game or a season. When we take into account the number of teams and individual athletes that are involved in elite sport, it is clear that the external goods that accompany winning are scarce goods that many desire but few attain. And when we consider that these goods are the primary focus of the instrumental reasoning used almost exclusively by today's athletes, coaches, owners and administrators, it becomes clear that external goods are not only scarce, but also dominant forces within contemporary elite sport.

Here, MacIntyre recognizes a key difference between external and internal goods, which he expresses in the following manner:

> External goods are [. . .] characteristically objects of competition in which there must be losers as well as winners. Internal goods are indeed the outcome of competition to excel, but it is characteristic of them that their achievement is good for the whole community who

> participate in the practice. So when Turner transformed the seascape in painting or W.G. Grace advanced the art of batting in cricket in quite a new way, their achievement enriched the whole relevant community (After Virtue 190-91).

In other words, the pursuit of internal goods of excellence, although competitive, can benefit a whole practice community by raising the standards of excellence within their particular practice. Thus, when Dick Fosbury revolutionized high jumping with his controversial but more efficient "Fosbury Flop," and when Nolan Ryan broke the single-season and all-time records for strikeouts for a baseball pitcher, each altered the standards by which high jumpers and pitchers would be measured and, in so doing, significantly improved their respective sporting practices for contemporary and future participants alike.

Must external goods influence the members of sporting communities negatively? MacIntyre does not believe that such goods necessarily drive individuals to do what is in their own best interests rather than the game's. However, because wealth, power and prestige are all scarce and dominant goods within the context of elite sport, individuals are often willing to forsake the internal goods of the practice in their decision-making in order to attain them. Owners and administrators, for example, are willing to change rules or traditional league or playoff structures to attract more money to their sports. As I observed in chapter one, governing bodies like the NCAA and IOC, and professional leagues like the NFL, NBA, NHL and MLB use instrumental reasoning to justify the accumulation of external goods, often without

strong consideration for the internal goods, standards of excellence and traditions that make their sports unique and meaningful practices.

MacIntyre recognizes the relationship between external goods and institutions in After Virtue. He contends that institutions are primarily concerned with the acquisition of external goods that ideally should support social practices and their internal goods of excellence. It is the task of institutions to acquire wealth and resources for practices, and to develop programs of rewards through which to distribute external goods like money, prestige and power. However, the lure of these scarce goods can and often does compel participants to forsake their practice's rules, standards of excellence and traditions. To quote MacIntyre:

> Indeed so intimate is the relationship of practices to institutions—and consequently of the goods external to the goods internal to the practice in question—that institutions and practices characteristically form a single causal order in which the ideals and the creativity of the practice are always vulnerable to the acquisitiveness of the institution, in which the cooperative care for common goods of the practice is always vulnerable to the competitiveness of the institution (After Virtue 194).

The relationship between sporting practices and their institutions is a pivotal one for those who would help protect the former from the potentially corruptive influences of the latter. On MacIntyre's view, the institutions of sport should support sporting practices rather than coopt them; they should give them the economic, social and political support necessary for their flourishing rather than overemphasizing

wealth, power, status and other institutional concerns to the point that they degrade them.

Now that a clear distinction has been made between the internal goods of sport practices and the external goods that sporting institutions favor, I shift the focus to the transformative and deliberative processes of MacIntyre's theory of practical reasoning. A thorough examination of these processes demonstrates the manner in which practical reasoning is learned and carried out by members of a sport practice community and elucidates the skills of independent practical reasoning that allow these members to soundly critique inappropriate forms of reasoning within a community.

Transformation and Deliberation within Sport Practice Communities

According to MacIntyre, practices are dependent upon new practitioners (apprentices) for their flourishing. It is these individuals to whom community members must transmit the shared goods and values of the practice and who, in turn, must learn not only to recognize such goods, but to subjugate their own interests, attitudes and desires to them in order to learn to act rationally within the practice. In learning to reason as members of a specific practice community, apprentices acquire new "habits of action and judgment" as part of the transformative process through which the internal interests and values of the sport become those of the apprentices. MacIntyre describes the general process of transformation as follows:

> It is in so far as [apprentices'] desires are thus reworked that in the realm of the practice at least they are moved only by those reasons for action which direct them toward the goods of the practice. Hence, the question of whether or not something is a good reason for action is and comes to be understood as independent of the will or preferences of any particular individual (Practical Rationalities 121).

As this transformation progresses, the shared internal goods of a sport are not simply accepted by new participants and prioritized ahead of their individual desires. The interests of the practice literally become those of the individuals, so that any actions undertaken by apprentices within the practice would initiate from its internal goods of excellence and would thus be in the best interests of the sport as interpreted by its practice community. When this transformation is complete, administrators, for example, would refer to the internal goods, standards of excellence and traditions of their sports as their own interests, and would refer to them when making decisions concerning the welfare of the sport. They would hence look more closely at any proposed changes, such as changes to the rules of the sport or to its traditional playoff structure, to determine how they might affect the sport and its historical standards of excellence; how they might, for instance, affect the ways in which the game is played or a champion is decided. In other words, these organizers would no longer view sports primarily as commodities, but as socially and historically grounded practices to be valued for their own particular goods and standards of excellence.

According to MacIntyre, however, apprentices cannot become independent practical reasoners within a practice community unless they can explain why the actions endorsed by its members are rational within the community (Dependent Rational Animals 105). But why, he asks, is it necessary for members to develop "chain[s] of justificatory reasoning," when members of the community are seldom called upon to produce the presupposed reasons for their virtuous actions within the practice? Because practical reasoning is the reasoning of the group, there will be conflicts within the community concerning how members can best conceive of and achieve its internal goods. MacIntyre contends that it is these chains of reasoning that clarify the positions of those involved in the dispute, so that a rational consensus can be reached. He also points out that it is these attempts to deduce rational actions from the shared goods of the practice that demonstrate the importance of common ends for Aristotelian practical reasoners. For if discourse between practice community members is to be fruitful, these individuals must fundamentally agree upon the internal goods of the practice. Without at least a basic agreement of what these goods are, questions concerning the rationality of actions cannot be coherently answered because, on MacIntyre's view, actions within a practice can only be judged rational to the extent that they are means to the achievement of the internal goods of excellence of that practice. Hence, if community members are to determine the rationality of actions within their practice, they must first agree upon the common or shared goods that stand as the *teloi* of that practice (Dependent Rational Animals 106-07).

Following MacIntyre's view, then, the members of a sport practice community should look to their sport's constitutive rules and challenges, skills and strategies, and standards and traditions to locate the internal goods of excellence of their practice. It is these goods that represent the common set of ends they share with one another. These are the ultimate ends to which members should order their individual interests.

In order to reproduce a "chain of justificatory reasoning" that is representative of a community's practical reasoning, a member must understand why, given the common goods of the practice, it is rational or irrational to pursue a specific course of action. Such a chain can be presented as an Aristotelian syllogism in which the rational action or set of actions is simply deduced from the internal goods of excellence of the practice. The major premise of the syllogism is a statement pertaining to these common goods as the ultimate goods of the practice. This statement is formulated as a conditional, with the end in question as the antecedent and the means to its attainment as the consequent (e.g., 'If X is the ultimate end of the practice, then it is best for us to do A'). The minor premise of the syllogism simply affirms the antecedent (e.g., 'X is the ultimate end of the practice'), and the conclusion, the act, is the consequent (e.g., 'Do act A') (Dependent Rational Animals 106).

To help clarify how chains of practical reasoning function, let us look at the current plight of professional baseball, in which an economic conflict between players and owners intermittently threatens the well-being of the practice at this elite level. In their pursuit of greater portions of the wealth and power available through the

institution of Major League Baseball, owners and players have been unwilling to negotiate mutually beneficial collective bargaining agreements that would improve conditions of equal competition within the sport. The issue of equal competition has become increasingly important over the last ten years as teams from larger economic markets have come to dominate the game by signing many of the best available players to contracts that teams from smaller markets cannot afford. However, instead of entering into a dialogue about how to help teams from smaller economic markets compete with teams from larger markets (e.g., by capping the amount owners can spend on their teams or by increasing revenue sharing between owners), owners and players continue to seek advantages that would give them the upper hand in the bargaining process. Throughout the last thirty years, both have demonstrated their willingness to respectively use lockouts and strikes to interrupt baseball seasons with no apparent regard for the sport or its fans. In short, it appears that these two factions care more about their own individual interests and the wealth they can secure through the sport of baseball than they do about the practice of baseball at the elite level.

In the above case, the athletes and owners of Major League Baseball tend to utilize the type of reasoning MacIntyre attributes to the liberal individualist tradition of practical reasoning. Using this form of instrumental reasoning, members of both groups deduce which actions are best for them according to their personal interests. In this instance, their desire for wealth guides them to make decisions that secure for them the greatest shares of wealth and power possible, without requiring them to consider whether other goods, including the good of fair competition, should be

accounted for in their reasoning. To put this in MacIntyrean terms, these individuals' preferences for the external goods acquired and distributed through the institution of Major League Baseball prompt them to forsake the best interests of the practice of baseball in pursuit of the wealth and power that have accompanied the sport's increased popularity.

If, however, these individual owners and players were to suddenly recognize that their greed was corrupting baseball and sought different ways of reasoning that would allow them to better care for their sport, they would find MacIntyre's form of Aristotelian practical reasoning to be a strong candidate for the job. By adopting this tradition of reasoning, owners and players would begin to reason not from their individual interests, but from the interests of the practice of baseball. Hence, their focus would shift from the external goods available through baseball to the internal challenges, standards of excellence and traditions that make the game a unique and culturally meaningful form of athletic competition. More specifically, players and owners would seek the shared good of equal competition over the individual goods of wealth and power, and would reason from the former in an effort to improve conditions of fairness within the sport.

What becomes apparent in the above scenario is the important role that virtues play in Aristotelian practical reasoning. Like rationality, MacIntyre defines virtues in terms of social practices:

> *A virtue is an acquired human quality the possession and exercise of which tends to enable us to achieve those goods which are internal to*

practices and the lack of which prevents us from achieving any such goods (After Virtue 191).

Accordingly, if members of a sporting community do not exercise the virtues necessary for the achievement of the common internal goods of the practice, they would not be able to attain those shared goods. Returning to the previous example, for instance, the players and owners of Major League Baseball have been preoccupied with economic matters to the point that they have failed to adequately address the inequalities that have developed between small and large market teams. Both sides have thus far ignored or forgotten the importance of fairness within the sport. By shelving self-interest and moving to solve inequalities in the name of justice, these groups of individuals would be working together toward the internal good of fair competition—a good that is essential for the achievement of other internal goods within the sport. Without fair and equal competition, the attainment of wins, championships and records is an illusory and, at best, self-serving exercise. To be meaningful, these standards of excellence of baseball must be accomplished under conditions of equal competition. Hence, by acting from the virtue of fairness, owners and players can help to facilitate more equal on- and off-field competitions between teams and, in doing so, improve the moral conditions of baseball and keep it from becoming a mere vehicle for economic gain.

MacIntyre contends that the virtues of a practice also provide community members with strong reasons for action within the practice. He claims that any acts

endorsed by a virtue or virtues of a practice are acts that, in the eyes of the community, are intrinsically good:

> at the level of practice we need no reason for some particular action over and above that it is in this situation what one or more of the virtues requires. The acts required by the virtues are each of them worth performing for their own sake. They are indeed always also a means to something further, just because they are constitutive parts of human flourishing. But it is precisely as acts worth performing for their own sake that they are such parts (Dependent Rational Animals 111-12).

To sum up, it is the shared internal goods of excellence of the practice and the virtues that facilitate their attainment that are the primary links in MacIntyrean chains of practical reasoning. The shared internal goods are the common goods of excellence recognized by the practice community, and, as such, are its *teloi* or ultimate ends. The virtues are characteristics that help individuals cultivate and maintain the networks of associations that are practices. Therefore, in order to reproduce a chain of practical reasoning that identify how community members should act under certain circumstances, members must know what the virtues and shared internal goods of the practice are.

We have seen how apprentices can begin to develop accounts of the rationality of actions within their practices. Now it is important to examine the process by which these new community members come to question the soundness of the prevailing reasoning. In the course of learning how to act rationally within specific practices,

apprentices also become acquainted with the deliberative framework through which community members hear grievances and make decisions concerning the morality and rationality of actions within the practice. Actions themselves, however, are not the only elements of practical reasoning they question through this framework. Community members also deliberate about whether the agreed upon common goods of the community are the best ends for the practice, and whether the cultivation of certain virtues would direct members to act in the best interests of the practice. We have noted that deliberation about the shared standards and internal goods of sports is essential because these standards and goods constitute the very foundation upon which communities base their reasoning about the practice. Hence, if these shared goods and standards are not the best ones for a particular sporting community to pursue, the actions deduced from them by its members would not be in the best interests of that practice. Similarly, the virtues cultivated by members of a sporting community must be examined to ensure that they too are directing members to the actions that are best for the practice and, thus, facilitating the achievement of its ultimate ends.

Returning once again to our baseball example, we can imagine a scenario in which owners and players come to realize that their pursuit of wealth through the sport is undercutting it insofar as that pursuit is producing vast economic and competitive inequalities between small and large market teams. Having recognized this problem, the two groups put aside their differences to meet and discuss the best way to rectify the situation. In deliberations, the need to de-emphasize individual interests and re-emphasize equal competition becomes clear. In seeking equal competition, the owners

and players also realize the need to cultivate the virtue of fairness over those of efficiency and self-interest. From the internal good of equal competition and the virtue of fairness, these groups work to arrive at the best way to dissolve the inequalities between teams in small and large markets. In such a manner, owners and players could, at least in theory, come to an agreement about how to alter the ends from which they reason and how to reprioritize their virtues to best eliminate inequalities within Major League Baseball and improve the moral condition of both the sport and its practice community.

This example demonstrates how a MacIntyrean deliberative framework can help sport practice communities maintain or reestablish the moral integrity of their sports. When questionable actions are used by athletes, coaches, owners or organizers, a sporting community must have some rational process by which to examine these actions. This process should include an examination of the chains of reasoning presented by those in favor of the questionable actions and by those opposed to them in relation to the agreed upon internal goods and virtues of the practice, as well as, if necessary, a reexamination of these goods and virtues. The outcomes of this investigation would determine the rationality and morality of the actions within the practice.

Is an action necessarily rational or moral if it is accepted by the members of a practice community? If MacIntyre were to answer this question affirmatively, he would essentially be immunizing the practical reasoning and the shared internal goods and virtues of communities from potential criticisms in much the same way that

D'Agostino immunizes the customs and conventions of sport and Gebauer and Roberts respectively immunize the advantage-seeking actions and unique individual actions from criticism. Such inoculations amount to the acceptance of a version of ethical relativism that would prevent the members of sport practice communities from protecting their sports from corruptive influences. To escape the fate of conventionalist and anti-formalist views, the MacIntyrean theory of sport must not place the reasoning or the reasoned actions of communities beyond criticism, and must stress the willingness to reexamine them in light of problems that arise within a sporting practice.

MacIntyre himself recognizes the need for continued vigilance on the part of practice community members with regard to their practical reasoning and the shared internal goods and virtues of the practice. He contends that if a practice community is to maintain sound standards of rationality and morality, its members must do more than establish a strong deliberative framework through which grievances can be presented and debated. For it is only through the willingness to use such a framework—through a willingness to question the shared internal goods, virtues, and actions of their practice—and a sincere monitoring of the deliberative process itself, that community members, as independent practical reasoners, can identify inadequacies and inconsistencies within their practical reasoning and, through further deliberations, eliminate them (Politics 251). Such vigilance is displayed by the players and owners in our hypothetical baseball scenario. Having recognized the inequalities that their instrumental reasoning has established within Major League

Baseball, these groups resolve together to place fairness and equal competition before salaries and profits in their reasoning. Further vigilance would be necessary to assure that players and owners continue to reason in the best interests of the sport by emphasizing fair competition between teams in the future, while simultaneously working to ensure its financial health for the long run. These community members must work together to emphasize the conditions of equal competition that give the challenges and standards of baseball meaning, and keep them from becoming hollow in the wake of the corruption that can enter the sport.

In recognizing the importance of a continuing process of reevaluation, MacIntyre also recognizes the valuable role that knowledgeable dissenters can play in the deliberative process. It is dissenters who, through their criticisms of the sport, reveal its problems to members of the community. For this reason, the members of a practice community cannot ignore the grievances brought forth against their reasoning by other knowledgeable individuals. As in our example, it is necessary for members to consider such objections and to be open to the possibility that their accepted chains or reasoning might be flawed. Thus, MacIntyre concludes that:

> It will therefore be crucial not only to tolerate dissent, but to enter into rational conversation with it and to cultivate as a political virtue not merely a passive tolerance, but an active and enquiring attitude towards radically dissenting views, a virtue notably absent from the dominant politics of the present (Politics 251).

To sum up, I have presented MacIntyre's form of Aristotelian practical reasoning as an alternative to the instrumental form of reasoning that dominates elite sport today. This type of practical reasoning emphasizes the importance of the internal goods, standards of excellence and traditions that make a sporting practice unique. It does so by requiring community members to deduce the actions that will be accepted as moral or rational within their practice from the ultimate ends of that practice. A MacIntyrean theory of sport places the internal goods of excellence of a sport ahead of the external goods of wealth, power and status that sporting institutions are primarily concerned with acquiring, thus changing the focus of community members from economic and political gain to the improvement of their sport as a unique and meaningful moral and rational practice. As these goods and the virtues that are vital for their attainment are passed down to the apprentices within a sport, these new members become acquainted with the reasoning accepted within their chosen practice and, through a transformation of their individual interests, make the goods, virtues and reasoning of the practice their own. When they have come to understand their sport well, these apprentices would hopefully begin to develop the skills of independent practical reasoners—skills that would, according to MacIntyre, aid them in their vigilant reexaminations of the shared internal goods and virtues of the practice and the actions deduced from them. These skills would not only aid them in critiquing their community's reasoning, but would help them to recognize salient challenges of the *status quo* leveled by knowledgeable dissenters. Through deliberations with other independent reasoners within the practice, the practical

reasoning of the community could thus be maintained or adjusted, and the moral integrity of the sport preserved or reestablished.

The MacIntyrean account of sport, therefore, appears to provide us with the solid normative framework other theories of sport have been lacking. The account meets each of the criteria of normative strength set out in chapter two. By providing a public space in which the members of sporting communities can discuss the goods, values, actions and reasoning of the sport, the MacIntyrean account gives members a venue for deliberations concerning the welfare of their sport. As a teleological theory, the theory focuses community members on their sport's ultimate ends—the shared internal goods of excellence that make the sport a unique form of social practice. These agreed-upon challenges, standards of excellence and traditions in turn help community members determine the virtues they should cultivate and the actions they should choose if they are to act in their sport's best interests. With the internal goods and virtues of their sport secured, members would not only be able to work out what to do in a given situation, they would be capable of examining their reasoning for inconsistencies and inadequacies that may have been accepted within the practice over the years. Moreover, they would be able to recognize sound challenges to the *status quo* that reveal moral or rational problems within the reasoning of the community. Finally, the shared goods and values of the practice would assist community members by guiding them through the process of altering rules, conventions and policies, so that any changes would serve to preserve or reestablish their sport's moral integrity while maintaining or reestablishing those elements that make the sport unique.

As presented, the MacIntyrean theory of sport does meet the established criteria of normative strength. But is it rational for the members of elite sport practice communities to prefer this kind of normative theory to other such theories of sport? Would elite sporting practices and communities be better off if administrators, owners, coaches and athletes utilized a MacIntyrean approach to their sport rather than a formalist, conventionalist or anti-formalist approach? In the final chapter, I closely examine the normative value of the MacIntyrean view in relation to these three views to demonstrate how the former can assist the members of elite sporting communities in solving rational and moral problems within their sport in ways that the latter views cannot. In this demonstration, I further establish the validity of the claim that elite sporting communities must become communities of inquiry if they are to protect their sports from corruptive influences and preserve their uniqueness as sporting practices.

Chapter V
Elite Sporting Practice Communities as Communities of Inquiry

Elite sporting practices face a variety of threats to their moral and rational integrity. As caretakers of a particular sport, it is the responsibility of administrators, owners, coaches and athletes to recognize the problems that arise within their sport and to devise solutions that improve that sport's normative conditions. If this is so, what kind of account of sport would best assist these caretakers in their efforts? Which type of theory would best guide them through the process of deciding which actions could help their sport flourish as a social practice?

In this chapter, I will offer two examples from the context of elite sport to demonstrate that the MacIntyrean account of sport is normatively superior to the accounts given by formalism, conventionalism and anti-formalism. Through this demonstration, I intend to show that the primary strength of the MacIntyrean view is its requirement that sport practice communities become communities of inquiry—that members of these communities come together to discuss and recognize the ultimate ends (*teloi*) and shared goods of the practice and to establish the virtues and actions that best facilitate their achievement. It is as reflective communities that these members can best protect their sports from corruption and preserve them as unique forms of athletic competition. Put another way, it is as communities of inquiry that sport practice communities are capable of both recognizing *and* acting for "the good of the game."

The Casey Martin Case

On May twenty-ninth, 2001, the United States Supreme Court ruled seven to two that disabled golfer Casey Martin could use a golf cart in events sanctioned by the Professional Golf Association (PGA). Martin suffers from Klippel-Trenaunay-Weber Syndrome, a circulatory disorder that makes it painful and risky for him to walk the length of a golf course. He originally sued the PGA Tour in 1997 under the Americans With Disabilities Act (ADA), which requires that "reasonable modifications" be made to allow disabled individuals access to "public accommodations" when these do not "fundamentally alter the nature" of the activity in question (Greenhouse A1). In its appeal of a lower court's decision, the Tour contended that walking the course was an integral part of PGA golf, since it added a substantial endurance factor to the sport. The PGA contended that Martin would gain an unfair advantage over walking pros by riding in a cart, and that this would throw the conditions of equal competition out of balance.

The Supreme Court, however, disagreed with this assessment, siding instead with the trial court's decision which contended that, because Martin must walk a mile or more from cart to ball and back with his disability, he experiences a level of fatigue similar to that of walking professionals (Greenhouse D4). Justice John Paul Stevens further noted in the majority opinion that "[f]rom early on, the essence of the game [of golf] has been shot making," that the walking rule instituted by the PGA was "at best peripheral," and that walking was "not an indispensable feature" of the sport at any level (Greenhouse A1).

Justice Antonin Scalia, who wrote the minority decision, disagreed not only with the logic of the majority decision, but with the sentiment in which it appeared to be based. Scalia argued that the Supreme Court should not have taken it upon itself to attempt to answer the "incredibly difficult and incredibly silly question" of "What Is Golf" (Greenhouse D4). He essentially argued that the PGA's rules and its right to make them should not be undermined, and that the decision would lead down a slippery slope to a point where "[f]airness and the ADA mean that everyone gets to play by individualized rules which will assure that no one's lack of ability... will be a handicap" (Ruibal C3). He claimed, for example, that the parents of Little Leaguers with Attention Deficit Disorder might use such a ruling to have their child granted a fourth strike in allowance for the disorder's effects on his or her play" (Buskupic and Blauvelt A2). He further contended that the majority had acted with "a benevolent compassion that the law does not place it within [the Court's] power to impose" (Greenhouse D4).

Justice Stevens disagreed with Justice Scalia on these points. He contended that the ruling would not force sports organizations in general and the PGA Tour specifically to alter conditions of equal competition in making accommodations for athletes with disabilities (Buskupic & Blauvelt A2). Stevens claimed that sports organizations should "carefully weigh the purpose, as well as the letter of the rule before determining that no accommodation would be tolerable," to make sure that athletes with disabilities would be given opportunities to participate when such allowances did not fundamentally alter the conditions of fairness within the sport

(Ruibal C3). He further pointed out that the Martin case was a special one due to the degree of his disability and his ability as a shot maker, stating that his case thus "differs from one that might be asserted by players with less serious afflictions that make walking the course uncomfortable or difficult, but not beyond their capacity" (Chambers sp13). Such temporary and less serious problems are not covered under the ADA and could not be used to gain an exception from the PGA's walking rule (Chambers sp13).

Reactions within the PGA Tour were mixed with regard to the ruling. PGA Tour Commissioner Tom Fincham believed that, even though the ruling was particular to the Martin case, "the issues involved go well beyond considerations involving an individual player" ("One Issue, Many Views" D4). Fincham and others within the PGA were concerned that other golfers with lesser temporary or permanent disabilities would seek exemption from the walking rule they believe to be an "integral part" of PGA golf. Since back problems plague many on the tour, for instance, some feared players would use the Martin ruling to obtain carts for their ailments in an attempt to gain some advantage over their walking opponents (Brown D4). The ruling thus left many with questions regarding the status of the walking rule. Tour professional Stuart Appleby expressed concern in this area, saying "I'd like to know where this leaves us. We've got to make it clearer and clearer what the rules are" (Brown D4). Hal Sutton, another frustrated pro, exclaimed "We're in a real gray area now," and asked "Who's the governing body of the door that [the Supreme Court] opened?" ("One Issue, Many Views" D4).

The concerns these individuals and others voiced regarding the ruling stemmed from their lament of having the rules of their sport dictated to them by an outside agency. To be sure, the Supreme Court did usurp the PGA's power to set its own rules in this case. It did so, however, while acting as a mediator between Martin and the advocates of the ADA on the one hand, and the PGA and other sport organizations who feared losing the privilege of self-government on the other. As MacIntyre points out, the Court has often carried out such a role in disputes between groups with different conceptions of justice:

> One function of the Supreme Court must be to keep the peace between rival social groups adhering to rival and incompatible principles of justice by displaying a fairness which consists in even-handedness in its adjudications [. . . The Court has often] played the role of a peacekeeping or truce-keeping body by negotiating its way through an impasse of conflict, not by invoking our shared moral first principles, for our society as a whole has none (After Virtue 253).

The Supreme Court acted in this manner in the Martin case. It countered the PGA's claim that walking is an integral part of golf, but limited the scope of the ruling so that it applied only to Martin and to those in similar circumstances. Although the Supreme Court did overrule the PGA in this case, Roy L. Reardon, one of Martin's lawyers, contends that the Court's intervention and the lawsuit that invited it could have been avoided entirely if Fincham and those responsible for the PGA's rules had recognized the unique nature of the case and granted Martin an exemption when he

first requested one in 1997. Reardon claims that Fincham "could have made this a win-win situation a long time ago if he wanted to, by simply agreeing to give Casey a pass" (Brown D4). By refusing to do so, Fincham ultimately put the decision in the hands of an external body (the Supreme Court) rather than putting forth greater effort to resolve the issue from within the PGA. Might there have been another way for Fincham and PGA officials and players to resolve this situation? How might they, as a practice community, have used the internal goods and standards of excellence of the sport of golf and the values that facilitate their achievement, to reason out this dilemma?

On the MacIntyrean view of sport, the playing professionals and officials of the PGA are the caretakers of the sport at the elite level. As such, it is their responsibility to examine the rules and regulations of the sport and their rationale when disagreements arise concerning them. Hence, when Casey Martin requested a special exemption to the PGA Tour's walking rule, it was, according to MacIntyrean theory, the responsibility of the officials and professionals of the PGA to assess the information regarding the extent of Martin's disability to determine whether his condition warranted special consideration. In making this decision, the MacIntyrean view would require these individuals to come together as a community of inquiry to discuss whether or not walking should be viewed as one of the shared internal goods of golf. In order to answer this question well, however, the PGA community would first have to establish what the *telos* or ultimate end of golf is. It was precisely this task that Justice Scalia believed the Supreme Court should not carry out in the Martin

case, and with good reason. For the establishment of the *telos* of the sport should have been the result of thorough discussions amongst the professionals and officials of the PGA; discussions that should have accounted for the primary challenges, standards of excellence and historical precedents and traditions of the sport, all of which play an important part in making golf the sport it is. Instead, the decision on the *telos* was made for the PGA by the Supreme Court majority, who singled out shot-making as the ultimate end of golf.

Since the PGA had already weighed in on this issue, what gave the Supreme Court the right to overrule its decision that walking is an important part of the sport? In its role as mediator, the Court chose to name the *telos* of golf shot-making, and, in doing so, opened up the possibility of using the ADA to keep Casey Martin from being discriminated against. In its ruling, the Supreme Court carried out what MacIntyre refers to as the three functions of law (After Virtue 255): They dealt with the above perceived injustice, defended Martin's freedom to pursue a career in a sport in which he excels, and extended generosity to him as a disabled individual who requires some assistance in the pursuit of his goal.

Was the Supreme Court correct in proclaiming that shot-making is the *telos* of golf? There are several reasons for believing that it was. First, it is the elements of shot-making that make golf a unique form of activity. As a target sport played over a large area, golf requires athletes to hit accurate shots from a variety of distances. To accomplish this task, players choose from a variety of clubs manufactured to allow them to hit the ball certain distances at certain heights. For example, a 3-iron is

designed to hit long, low shots, whereas a 9-iron is made to hit short, high shots. The speed and path of the golfer's swing also help to determine the distance and height of a shot as well as the plane on which the ball travels and the accuracy of the shot. To make matters even more difficult, golfers must play the ball from where it lies on the course. This means they must learn to hit shots from a variety of different lies, including from the high grass of the rough and the sand of the bunker. All of the above elements come together to make the game of golf a special type of sport; one in which participants must hit the ball to a target—the hole—with as few strokes as possible, using clubs made to particular specifications and their own swings and creativity.

The challenges of shot-making are carefully set out by the constitutive rules of golf. These rules establish the means that players may use to meet what Suits refers to as the "pre-lusory goal" of the sport (Grasshopper 36-37). They tell players how they may accomplish the task of getting the ball into the hole. The constitutive rules set specifications for the clubs players may use, and state that players must "play the ball where it lies." They also state the conditions under which players may move objects that impede their shots or drop their ball away from more permanent, human-made obstructions without penalty, as well as the conditions under which players will be penalized (e.g., when they lose balls or hit them out-of-bounds). By prescribing the manner in which players may achieve the pre-lusory goal of golf, the constitutive rules establish not only the skills, strategies and challenges that make up the sport, but the set of conditions under which golfers must play if their results are to be meaningfully

compared with the accomplishments of those who came before them or against whom they currently play.

In MacIntyrean terms, these rules set up many of the shared internal goods and standards of excellence of the sport of golf. The internal goods include such things as hitting a good shot from a difficult lie in the rough or a bunker, hitting a ball on a plane that carries it around an obstacle to a safe landing spot, or sinking a putt on an undulating green. The ability to hit such shots by design is a talent that golfers and knowledgeable spectators alike respect and enjoy. The ability to hit good shots consistently enough to make or break par on an eighteen-hole course or to win a four-day tournament are also internal goods that the members of the golfing community can appreciate.

Par itself is a standard of excellence that is understood and respected by those who play the game. It represents the number of strokes it should take a good golfer to complete a hole or course, and is determined by the distance and difficulty of the hole or holes that make up the course. Achieving or breaking par over eighteen holes or over the four rounds of a tournament is a display not only of consistency, but of mental focus and physical stamina. This achievement is sought after by golfers around the world. Only the best golfers attain this goal consistently enough to become PGA and LPGA (Ladies Professional Golf Association) professionals and regularly challenge strong competitors in tournaments sanctioned by these governing bodies. Those who struggle to make good shots marvel at the abilities of individuals that are able to meet these standards of excellence and play the game of golf at its highest

level. It is in their accomplishments that we discover how the sport can be played when the art and science of shot-making is mastered.

In meeting the challenges and achieving the standards of excellence of golf or any other sport, athletes must follow the rules if their accomplishments are to be more than self-serving. In golf, it is the conditions of equal competition set forth by the rules that allow us to compare the scores of competitors over a particular round or tournament and determine a winner. To the extent that other factors (e.g., equipment technology, course difficulty, etc.) are similar, it also allows us to compare a golfer's performance to performances from the recent past. Due to the different socio-historical factors that have affected golf during different periods, we should not attempt to make exact comparisons between golfers who play decades apart. We should not, for example, attempt to compare the efforts of players using today's technologized clubs and balls to the performances of those who used wooden-shafted clubs and less resilient balls on the same course in the past, because the latter group would be playing a different type of golf than the former; a type that requires longer approach shots into the green rather than the shorter shots today's players have left after their technology-assisted drives.

Since conditions of equal competition play such an important role in relation to the standards of excellence and shared internal goods of the sport, one could argue that they themselves represent a shared internal good of golf. This set of conditions is a good that makes the attainment of the other internal goods related to shot-making both possible and meaningful. It also displays for us the important role that the virtue of

fairness plays both in golf and within sports in general. Gamewrights and governing bodies must act from fairness in establishing and altering the rules of sports if they are to create or maintain conditions of equal competition. If they do not properly assess these conditions or the existing threats to them, they risk the possibility of rendering contests meaningless by unfairly granting unearned advantages to competitors within them.

Having established the *telos* and shared internal goods of golf and the importance that the conditions of equal competition and the virtue of fairness have for them, it is appropriate to ask whether and how walking could be considered an internal good of PGA golf. In its favor, walking is a traditional part of the game in general and of PGA golf in particular. Walking has been a part of the conditions of play since the sport began. It is, therefore, an element of the sport that, until recently, golfers across the ages have shared as part of their experiences. For the average player, walking preserves the leisurely pace of the activity and the condition of the fairways, which may be torn up by careless cart drivers. For professional and amateur competitors, walking adds an endurance factor to the sport that affects their shot-making abilities in the later holes of rounds and the later rounds of tournaments. Golfing masters from Bobby Jones to Ben Hogan to Jack Nicklaus to Tiger Woods have walked courses in winning tournaments and setting the standards by which the best golfers in the world measure themselves.

The above reasons indicate that walking is an important historical link for golfers who have played throughout the ages and, as a factor affecting the shot making

abilities of players, is also part of the conditions of equal competition. On the MacIntyrean view, then, it would seem that walking could be considered a shared internal good of golf insofar as it is a traditional part of the practice that is PGA golf and part of the conditions that affect fairness within the sport. It cannot, however, be considered part of the *telos* of golf because it is only contingently related to the primary activity of the sport: shot-making. While fatigue from walking can detrimentally affect the shot making abilities of players, especially in tournaments played in extreme heat, it is not an essential element of golf as a sport. We can observe this fact at any local golf course where, on a regular basis, tournaments are held in which participants ride in carts and no one questions whether they are playing golf or not. We might also note that golfers turning in scorecards that are used to compute their handicaps are neither required to walk nor asked whether they walked the course or rode in a cart. Even the PGA views the use of carts as acceptable in its Senior Tour and qualifying school events. Reardon believes that it is this lack of consistency concerning the use of carts that contributed to the Supreme Court's decision to allow Martin to ride in PGA Tour events (Brown D4). From the above points, then, it appears that walking is not a necessary element of the sport of golf and, hence, is not a part of the sport's *telos*.

Having established that walking is a contingent part of golf, the question arises as to whether there are conditions under which the PGA should grant an exemption to its walking rule. In MacIntyrean terms, one might ask if there are situations in which PGA officials and professionals should not view walking as one of their sport's

internal goods. The answer to this question can be pieced together from what has already been said about walking and the sport of golf. If walking can be considered an internal good of golf only insofar as it is traditionally part of the game and it affects the sport's conditions of fairness, then it would be permissible to allow Casey Martin or a golfer with a similar disability to ride in a cart if the endurance requirements for the golfer in question were the same or similar to those for walking professionals. For, if the riding and walking golfers experience similar levels of fatigue, the former would gain no appreciable advantage over the latter and the conditions of equal competition would not be compromised.

Are there circumstances in which a riding golfer will experience fatigue similar to that experienced by a walking golfer? If such a situation has ever existed, it would be that of Casey Martin. Martin's case is truly exceptional. Even though he suffers from a disease that keeps him from walking eighteen holes, he has the capacity to be a strong shot maker who, when his condition and court cases are not troubling him, has played PGA-caliber golf. Many look at Martin's capabilities as a shot maker and think that he would gain a significant advantage over professionals who walk if he is given a cart. What these individuals fail to realize is that Martin is not playing under the same conditions as his colleagues. He is playing with a diseased right leg that makes it painful for him even to walk from cart to ball and back, something he must do for nearly every shot he takes during a round. As Sports Illustrated columnist Rick Reilly points out, the cart only helps him when he is in it. It does not stop the pain he feels when hitting balls off uphill or sidehill lies; it does not help him when he is in too

much pain to practice; and it does not help him to sleep when the pain keeps him up at night (Reilly 102). Still, the seriousness of this condition and the severity of the pain that accompanies it seem to be underestimated by PGA members and officials alike. In a Golf Digest interview, Martin noted that

> [a] common perception toward people with disabilities is that you're going to have an advantage, and that's just a gross distortion of the truth. I'm sure a lot of players would love to take a cart, but I guarantee you they would not like to take a cart with my leg (qtd. in Anderson D1).

Martin's comments speak to the fact that many are unaware of what it is like for him to compete at his sport with his disability. Some go so far as to call him a cheater—someone who uses a physical condition to gain an unfair advantage over his peers. What such individuals fail to recognize is that the amount of fatigue Martin experiences due to his condition is comparable to and may exceed that experienced by a walking professional. The trial court's and Supreme Court's decisions recognized this, noting that his mile of walking from and to the cart taxes him to a greater extent than others might believe (Greenhouse D4). If this is indeed true, then it would appear that Martin could ride in a cart without gaining any significant advantage over his peers.

Those who would call Martin a cheater further forget that not all conditions of competition must be equalized in order for a fair contest to take place. Professionals on the PGA and LPGA Tours use different brands of equipment that theoretically give

some a technological advantage over others. Some golfers play in fewer tournaments than others and arrange their playing schedules so they will be fresher for the major tournaments of the Tours. And pros who walk the course with chronic back problems certainly seem to be at a disadvantage in relation to healthier competitors. The PGA accepts these and other inequalities within its brand of golf. Why, then, should it not exempt a disabled golfer, who is under conditions of fatigue similar to those faced by other competitors, from its walking rule? In granting this exemption, the PGA would be treating Martin equitably without favoring him; it would be treating him according to his needs in a manner that neither alters the *telos* of the sport (i.e. shot-making) nor gives him any appreciable advantage over other competitors. It appears then that the PGA could, as the Supreme Court ruled, allow Casey Martin to ride in a cart in its Tour events without affecting the conditions of fairness of those tournaments or rendering his efforts meaningless in relation to the standards of excellence of the sport. To put it in MacIntyrean terms, the PGA should grant Martin an exemption to the walking rule because this would not alter the *telos* or shared internal goods of the sport and would violate neither the virtue of fairness nor the internal good of fair competition.

According to the MacIntyrean view of sport, the PGA community has failed as a reflective community in this case. Officials and professionals were primarily concerned with the rules of the sport, even though the rule at stake was one that could have been sacrificed in this case for a greater good. This good was carried out by the Supreme Court, who utilized the ADA to stop the PGA from discriminating against

Martin and to allow him access to the elite level of his sport. The Court also implicitly recognized in its decision that PGA officials had failed to uphold their responsibility to make the shared internal goods and scarce external goods accessible to Martin and others who, like him, are capable shot makers but cannot walk the course due to disabilities. The validity of this claim was witnessed by USA Today columnist Joe Saraceno, who stated that

> [t]he Martin decision is correct because it reinforces the rights of those whose voices would be muted by an elite majority. That is why we have the Americans With Disabilities Act to protect people from institutionalized customs that unfairly bar the disabled (3C).

What PGA officials failed to assess was whether, by not granting an exemption to the traditional walking rule, they were unreasonably denying Martin access to the highest level of his sport and to the prestige and prize money available at that level. These officials were so concerned with the issues of competitive fairness and of tradition that they did not glance beyond them to see the flaws in their practical reasoning. This ultimately set the scene for the Supreme Court to enter into the dispute as a peacekeeping agent, using the ADA to correct the perceived injustices experienced by Martin while, as best as possible, limiting the effects of the ruling to his particular case.

In its decision, the Supreme Court also implicitly recognized virtues other than fairness that the PGA chose not to. Had they been accounted for, these virtues would have helped PGA officials and professionals to eliminate flaws within their moral

reasoning. What virtues other than fairness need to be considered in this case? In Dependent Rational Animals, MacIntyre reminds us that besides "virtues of independence"—those virtues like honesty, justice and courage that make it possible for us to become independent practical reasoners within a community—there are other virtues without which we would be incapable of fully understanding the "relationships of giving and receiving through which our ends as practical reasoners are to be achieved" (120). MacIntyre calls this second set of virtues the "virtues of acknowledged dependence" (120). These virtues are somewhat difficult to identify. MacIntyre claims that the primary virtue in question is a hybrid of justice and generosity that is not captured within contemporary English language. This virtue is a form of generosity that the members of a particular group owe one another. Should a member fail to extend this owed generosity to another member, he or she would be committing an injustice within the group. The virtue of "just generosity," which is recognized in the works of St. Thomas Aquinas and within the culture of the Lakota, thus requires members "to act from and with a certain kind of affectionate regard" toward others whom we recognize as being in need of such regard (Dependent Rational Animals 120-22). MacIntyre includes disabled individuals, who often need help in carving a niche for themselves and in developing their own potential, as individuals who are owed such. He states that

> [d]ifferent individuals, disabled in different ways and degrees, can have their own peculiar talents and possibilities, and their own difficulties.

> Each therefore needs others to take note of his or her particular condition" (Dependent Rational Animals 73).

In Casey Martin's case, PGA officials and some professionals failed to treat him with the "affectionate regard" required by the virtue of just generosity, and, in doing so, failed to recognize the virtues of acknowledged dependence in their practical reasoning. But does this failure truly reveal a flaw in the practical reasoning of the PGA community? Is a sporting community required to take such virtues into account in the assessment of its practical reasoning? If we follow MacIntyre's argument, it is, for he recognizes "clubs dedicated to games and sports" as the kinds of associations "whose common good is to be served and sustained by the virtues of acknowledged dependence" (Dependent Rational Animals 135). It is in relation to such associations that MacIntyre asks:

> "What kind of place then are those who are temporarily or permanently disabled able to have in such a community? What kind of recognition is the recognition required to sustain respect both for them and for those not disabled, as well as their self-respect? (Dependent Rational Animals 135).

While it remains a question to what extent elite sporting communities can accommodate the needs of disabled athletes without risking the integrity of their sporting practices, we have already established that golf's standing as a unique sport is not at stake in Martin's case. In this instance, PGA officials simply failed to clearly explain what place a disabled golfer has within their community of professionals. And

in not clearly explaining this, they failed to account for the importance of the virtue of just generosity in this case. As a result, PGA officials and professionals had to endure a significant amount of negative press and the further embarrassment of having the Supreme Court decide this issue for them. In stating that there was in fact a place for a golfer who could not walk on the PGA Tour, Justice Stevens and the majority of Supreme Court Justices specifically recognized what MacIntyre has stated generally: That

> We discover [...] in our encounters with the disabled hitherto unrecognized sources of error in our own practical reasoning. And insofar as these derived from the hitherto dominant norms of our social environment, we will have to transform that environment as well as ourselves, if we are to be freed from such errors in our shared deliberative reasoning (Dependent Rational Animals 137).

While the MacIntyrean theory of sport has greatly assisted us in our examination of the Casey Martin case and in answering the difficult questions that arise within it, we must still ask whether any of the theories we examined in chapter two could be equally as helpful. It is cases like this one, however, that reveal the normative weaknesses of formalist, conventionalist and anti-formalist theories of sport. Since formalist theories emphasize the primacy of the rules of sport, they would be of little help to the PGA community in determining whether an exemption to those rules would be in order. Similarly, because conventionalist theories would emphasize the importance of walking as a traditional element of golf, they would tend to

immunize it from compromise and, hence, would be unable to offer us any guidance concerning the conditions under which an exemption to the walking rule might be acceptable. Both conventionalism and formalism would be better able to help PGA community members if they simply placed the onus of proof upon those requesting the exemption in this case. However, these theories go further than this, privileging tradition and formal rules respectively to the point that they present us with no clear conditions under which it is permissible to alter them, thus rendering themselves useless to those seeking such conditions.

In contrast, the MacIntyrean theory of sport does help us to work out the conditions under which an exemption to the walking rule would be permissible. For by establishing the *telos* of golf as shot-making and its shared internal goods as the goods experienced in relation to shot-making, a golfing community can reason that walking is only an internal good of the sport insofar as it is part of its tradition and has influenced the conditions of fair competition and the manner in which the sport's standards of excellence have been set. If someone were to present that community with a case in which a riding golfer would compete under endurance conditions similar to those of his or her walking colleagues, its members would be capable of reasoning that the riding golfer would be competing fairly with those colleagues even though he or she was allowed to use a cart. Having worked this out, the community could then discuss whether there were good reasons to drop the traditional requirement of walking in this instance. Thus we see that by examining challenges to the *status quo* such as requests for rule exemptions, and by clearly establishing what the *telos*

and internal goods of their sport are, a golfing community can utilize the MacIntyrean approach to reason out the conditions under which it would be fair and acceptable for a rule exemption to be granted.

Could an anti-formalist theory of sport give us an equally sound answer to this problem? Using Roberts' anti-formalist account, PGA professionals and officials could conclude that Martin and others like him should be exempt from the walking rule. The reasoning behind this decision, however, would be quite different from that of the MacIntyrean view in that it would not necessarily have the good of the sport of golf in mind. Looking back on Roberts' view, it should be remembered as one in which creativity and individuality are valued over rules and traditions. In utilizing this theory, the PGA community might condone Martin's use of a cart, but would do so only because it was in his best interest and not because it was in the best interest of the sport.

Futhermore, Roberts' approach would advocate the use of carts or other means of transport by any golfer who wanted to use them. To be sure, the use of carts by individuals with temporary injuries or physical conditions less severe than Martin's is a topic worthy of further discussion by the PGA community. The problem here is that Roberts' form of anti-formalism presents us with no criteria by which to determine who should be allowed to ride in a cart and who should not. In accepting this theory, the PGA would not only be accepting individuals' rights to recreate themselves by riding carts, but would be endorsing their rights to recreate themselves through other legal and illegal actions on the course, including actions related to the primary activity

of ball striking. Some of these actions might be good for the game, others might harm it, but that is not the concern of strong poet-golfers. They are concerned primarily with their own self-creation and not necessarily with the good of golf. Such individuals thus may place the ultimate end of shot-making and the skills, challenges, standards and traditions related to it at risk without considering whether their actions are corrupting the sport or its conditions of equal competition in some manner. Thus, in accepting Roberts' anti-formalist approach in this situation, the PGA would have to accept a number of other individualist actions within the sport that could threaten the traditional and formal structures of the sport.

In endorsing the MacIntyrean approach, on the other hand, the PGA would be endorsing a theory that shows respect for the rules and traditions of golf. This approach bases practical reasoning on the *telos* of shot-making and its related internal goods, and measures the validity of challenges to that reasoning in terms of these and the virtues that facilitate their attainment. If actions proposed by individualists are found to have negative effects on these elements, they could be rejected by the PGA community on the grounds that they were not in the best interests of the sport. It is for this reason that the MacIntyrean account of sport is superior to the anti-formalist account offered by Roberts; it simply gives us the normative framework to protect the sport of golf from potentially harmful actions that Roberts' view does not.

To sum up, by using a MacIntyrean approach and reprioritizing the values of the community to reflect a new understanding of its moral responsibility achieved through recognition of the value of just generosity, PGA officials could have reached a

decision that would have allowed Casey Martin to ride a cart in Tour events. Martin, whose play suffered greatly over the 3-4 years in which his lawsuit was contested, would then have been free to concentrate on his game, and the PGA would have avoided the considerable amount of negative press it received during the trials. More importantly, by utilizing a MacIntyrean approach, PGA officials and professionals could have come together to discuss the internal goods of excellence of their sport and to determine how these might be shared with golfers whose physical conditions allow them to take part in the primary activity of ball striking, but restrict them from walking the course. These disabled golfers, I must reemphasize, would not be receiving special treatment that would give them an unacceptable advantage over their fellow competitors. In the language of the ADA, the modifications should not "alter the fundamental nature of the activity," but should open up competition to certain disabled individuals to compete on an equitable, if not equal, basis with their fully-abled colleagues. Thus we see that, through the application of the MacIntyrean theory, a sporting community can improve its practical reasoning and the moral standing of its sport, while also maintaining the primary rules and challenges that make the sport the particular culturally meaningful activity it is.

The Case of Figure Skating

Figure skating's moral integrity and its status as a sport recently came into question during the 2002 Winter Olympic Games in Salt Lake City, Utah. Inquiries stemmed from a well publicized judging scandal that served to reemphasize the

problems that figure skating faces as a sport that includes both (a) elements of artistry that are subject to personal and cultural biases, and (b) a scoring system that is vulnerable to political influences. The scandal, dubbed "Skategate" by the Western media, erupted after the Olympic pairs skating competition, in which the Russian team of Yelena Berezhnaya and Anton Sikharulidze narrowly defeated the popular Canadian pair, Jamie Sale and David Pelletier, for the gold medal. The Canadian pair, the crowd and several Western experts disagreed with the final scoring of the event, which some interpreted as "a sympathy vote" for the Russians, who had overcome many obstacles in becoming one of the elite skating pairs in the world. Although the Canadians skated what many agreed was a technically superior program, the Russians benefited from higher presentation marks that vaulted them to the top step of the medal stand (Roberts, 2/12/02 A1).

There have been controversial decisions in figure skating competitions throughout the history of the Olympics, and this would have been just one more had it not been for the rumors of judging improprieties that tenacious Western journalists refused to let die. In response to the public outcry that followed, the International Skating Union (ISU) announced an investigation into the scoring of the pairs competition (Roberts, 2/13/03 A1, D3). The inquiry focused on French judge Marie Reine Le Gougne. Officials believed Le Gougne had been pressured to vote for the Russians, possibly as part of a deal that would deliver the Russian vote to France's ice dancers in the upcoming Olympic competition (Roberts, 2/14/02 D3). Upon examining the scoring of the pairs competition, the marks of the French, Russian and

Ukranian judges stood out. Each graded the Russians' and Canadians' long programs the same, and each gave the pairs equivalent marks for technical merit, even though the Russians had visible difficulties with certain elements while the Canadians skated flawlessly ("Selection Process" D3). Further suspicions that Cold War political alliances were reforming and had influenced the results of the competition arose from the fact that, besides the French judge, it was the Russian, Ukranian, Polish and Chinese judges that ranked the Russian pair first (Roberts, 2/13/02 A1).

The above rumors and evidence prompted Canadian Olympic officials to appeal the judges' decision in the pairs competition. According to the Olympic Charter, it is the ISU's responsibility as the international federation governing figure skating to oversee its competitions and settle disputes of this kind should they arise (Janofsky C21). Under pressure from the Canadians and the Western media, newly-elected IOC President Jacques Rogge strongly urged ISU President and IOC member Ottavio Cinquanata to resolve the issue expediently (Roberts, 2/14/02 A1). At first, Cinquanata appeared impervious to pressure. He stated that a decision concerning the appeal would be forthcoming only after a full council meeting of the ISU on Monday, February eighteenth, and rejected a proposal to replace LeGougne's scores with those of an alternate judge—a move that would have reversed the decision in the pairs competition (Roberts, 2/15/02 A1). However, when Rogge and the media continued to apply pressure, Cinquanata called an emergency council meeting for late Thursday night, February fourteenth, at which it was decided that there was sufficient evidence that Le Gougne had been pressured by some party to vote for the Russian pair. As a

result, the council decided to suspend Le Gougne, discard her scores from the pairs competition, and award duplicate gold medals to the Canadian pair (Roberts, 2/16/02 A1 & B21).

The IOC concurred with this decision, much to the dismay of Russian officials, who believed that Rogge and Cinquanata had caved to the extreme pressure created by the Western media and had set a dangerous precedent of overturning the results of judged events. The Russian delegation believed their pair had won the competition fairly. They pointed out that the Canadians had fallen at the end of their short program, and that the Russian skaters' newly-choreographed program was more difficult and artistically superior to the Canadians' program, which was the same one they used to win the World Championships nearly a year previous to the 2002 Olympic Games (Schmemann B20). In the end, however, Russian protests blended with a cacophony of others, as the truth of what happened in the judging of the Olympic pairs competition became obscured by conflicting reports from judges and national and international sports officials.

The mystery of what happened that night may never be solved, but no resolution is necessary for us to glean the knowledge needed to view figure skating with a critical eye. The scandal points clearly to the need for reform within the sport. Over the years, the objectivity of its judging has been jeopardized by international politics and the politics of skating; by cultural and personal judging biases concerning the appearance of skaters and the music, costumes and choreography they choose for

their programs; and by differences of opinion concerning the weighting of the athletic and aesthetic elements that are part of the sport.

It is this last issue that has become the focal point of skating's search for increased objectivity. Some ISU members, including Cinquanata, believe that the current six-point scoring system, in which skaters are graded on technical merit and artistic presentation, should be replaced with one that emphasizes the athletic moves of skaters and de-emphasizes aesthetic criteria that are susceptible to the subjective biases of judges. This group believes that, as athletes, skaters should be judged on their abilities to complete jumps, spins and other athletic moves rather than on their abilities to artistically impress judges with beauty and graceful movements. Aesthetic movement and artistic impression are things that are difficult to quantify; athletic jumps and spins may be judged more precisely. Hence, in theory, a scoring system that stresses athleticism over artistry should increase objectivity within the judging and scoring of the sport.

Others within the figure skating community disagrees with this reasoning. They contend that reforms that reduce the importance of aesthetic movement in the name of efficiency and objectivity would damage the sport's identity. These individuals believe that, because of figure skating's long tradition as an aesthetic sport, its caretakers should not seek to strongly de-emphasize its artistic elements. They argue that without these, figure skating would not be the unique and meaningful form of athletic competition that it is—a blend of athleticism and artistry that requires athletes to do more than land their triple jumps in order to win in competition.

Journalist Christine Brennan fashioned an argument similar to this against a new system of judging presented by Cinquanata during the 2002 Winter Olympics. In defense of the sport's artistic heritage, Brennan asked:

> What happens to the artistry of the sport? What happens to the music? And what happens to the very name of the sport? If Cinquanata gets his way, this won't be figure skating anymore. It will be ice jumping. It will be nothing but jumps and other athletic moves. [...] jumps make your heart leap, but if figure skating jettisons its beauty, it's just another sport, and not a very good one ("Skating Scoring" 3D).

In MacIntyrean terms, what Brennan is concerned about is a shift in the traditional *telos* of figure skating; a shift in the ultimate ends of the sporting practice that make the sport what it is. This would not be the first such shift in figure skating's recent history. The compulsory figures, for which the sport was named, were removed from elite competitions after 1990. This change had unforeseen negative consequences which I examine later in this chapter. For now, it is important to recognize that alterations to a sport's *telos* and their effects should not be taken lightly, and, as Brennan points out above, should not be made in haste as a knee-jerk reaction to scandal. The problems that figure skating faces today are not simple; they have grown in variety, complexity and degree over time. These will not be solved through a de-emphasis of the importance of artistry brought about by some quick-and-dirty change in the scoring system of the sport. On the contrary, such complex issues require serious discussions that, as a community of inquiry, the members of figure

skating's elite practice community must carry out for the sake of their sport and its standing within the international sporting community.

It is in this endeavor that the MacIntyrean account of sport may be helpful. As in the Casey Martin example, this approach would first require the members of the figure skating community to come to an agreement about what the *telos* of their sport is and what its shared internal goods are. In figure skating, this would mean working out the artistry/athleticism debate in public space. Through such a dialogue, community members must make decisions concerning the future of their sport. In doing this, members should examine figure skating's present condition and its history in order to determine what elements make it a unique and meaningful sporting practice. As the debate is presented above, it appears to consist of two different visions of what figure skating should be. The first of these posits that its *telos* should be primarily athleticism and that its shared internal goods should consist of the variety of jumps, spins and moves that display a skater's prowess as an athlete. The second claims that the *telos* of figure skating has been and should continue to be a blend of athleticism and artistry, and that its internal goods should include not only athletic movements, but also aesthetic ones that display a skater's grace and artistry.

The general disagreement that separates these two sides leads naturally to their disagreement regarding figure skating's scoring system. At the center of this second conflict is the presentation mark—the score representing the artistic impression of a skater's program. Currently, this score still carries more weight in the ranking of skaters than the score awarded for the technical merit of a skater's program. Those

arguing for the primacy of athleticism within figure skating contend that the presentation mark is too subjective a measure to be weighted so heavily. They contend that this mark should not be the factor determining where a skater is ranked in comparison with other skaters, because it is unclear exactly how it is or should be calculated. It is in the assessment of artistic impression that the cultural and personal biases of judges concerning such things as appearance, costumes, choreography and music creep into the scoring process. Since judges appear to have very different ideas about how or whether the above factors should be weighed in the calculation of the presentation mark, the validity of this mark appears questionable. To quote New York Times reporter Harvey Araton, "How do you quantify the scoring when there is so much focused on the execution of jumps, but where there is always room for a judge to say of a program, "Didn't quite do it for me"" (D1).

One possible solution for this problem of subjectivity would be to eliminate the presentation mark, thus, in theory, eliminating the effects of individual bias upon scoring. However, along with bias, the aesthetic elements that play an important role in defining figure skating as a sport would be at best de-emphasized and, at worst, rendered vacuous within the sport. To accept such a change would be to accept a new form of excellence within figure skating: One that emphasizes the importance of athletic moves that can be judged more objectively, but also ignores valued elements of the sport's traditional structure, like grace and beauty of movement and aesthetic expression. These elements are part of the practice of figure skating and have been a part of its history as a sport. Hence, the group dedicated to preserving the importance

of artistry within the sport would argue that we should not jettison the presentation mark without first discussing what role artistry will play in the re-created sport of figure skating.

A brief look at figure skating's recent history also reveals a hidden relationship between a stronger emphasis on athleticism and the trend of young adolescents competing at the sport's elite level. In Edge of Glory, Brennan explains this phenomenon in some detail. She notes that a dramatic change in the sport of women's figure skating occurred when the compulsory figures were dropped from elite competitions after 1990. These figures required hours of daily ice time to perfect, and, according to skater and commentator Scott Hamilton, essentially focused skaters on practicing skating as a craft. Once they were removed from competition, skaters, coaches began to focus their attention on jumps. Soon judges began to emphasize triple jumps over artistry in scoring programs, and younger, less developed adolescents suddenly gained an advantage within the sport. As judges rewarded the young "jumping beans" for their athletic prowess, they neglected to deduct presentation points for the obvious lack of artistry they displayed. This placed older, more developed skaters not only at a disadvantage, but at risk of physical injury, as they practiced endlessly to add triple jumps to their programs in order to keep up with their new peers (131-33).

As the importance of triple jumps has increased within figure skating, older skaters have also had to endure a struggle against the natural maturation process and their own weight in order to neutralize some of the advantage that their adolescent

colleagues have over them. Since, in journalist Joan Ryan's words, "[t]he less weight a skater has to haul into the air, the better her prospects of completing the jump," it stands to reason that younger, less physically developed skaters will have an initial advantage over more physically mature skaters (103). By having skaters keep their weight down, coaches know they can improve their athletes' chances of successfully completing their jumps and of winning in competition. This is why many skating coaches push their skaters to be as thin as possible.

One coach who preaches the importance of low weight is Evy Scotvold, coach of former Olympian Nancy Kerrigan. Kerrigan won her silver medal at the 1994 Olympic Games when she was 24 years old, an age by which many skaters have turned the sport over to younger competitors. Throughout her training, Scotvold impressed upon her that she would only be able to compete with younger skaters if she could successfully fend off the natural maturation processes of her body. Ryan notes that Scotvold and other coaches had the practice of regularly weighing in skaters and that he in particular "forgave neither puberty nor body type for skaters being anything but rail thin" (Ryan 96). In a telling quote, Scotvold states that

> [a]s soon as it's a woman's body, it's over [...] When [skaters] have lovely figures like the girl on the street, they're probably too heavy [for figure skating]. The older you get trying to do children's athletics, the thinner you must be" (Ryan 96).

Coaches also know that, by staying thin, athletes will garner favor from the majority of judges who prefer thinner skaters. As Scotvold sees it, the development of

a skater is more than simply the development of an athlete; it is also a "packaging process" in which the coach is "trying to create a princess of the ice" (Ryan 97). "[T]he perfect skater," Ryan observes, "is a combination of Twiggy and Barbie, thin enough to perform the difficult jumps and desirable enough to fit skating's cover girl image" (97). This being so, it is easy to see why, as one anonymous former Olympian put it, "[if] you were skating better at a hundred and five pounds but looked better at a hundred, your coach wanted you at a hundred" (Ryan 98).

Thin bodies may impress judges and make the execution of jumps easier, but the objectification and scrutinization female skaters endure in developing them can have damaging effects on their physical health and psychological well-being. Ryan reports that, although many coaches are concerned with their skaters making weight, they are not necessarily as concerned with the methods these athletes use to lose or maintain their weight. Unfortunately, this has led many female skaters to employ unhealthy weight loss techniques and develop eating disorders such as bulimia (Ryan 98-101). She cites former United States ice dancer Susie Wynne as an example of how an athlete can come to risk her well-being for her career. Wynne's coach was obsessive about weight and weighed athletes daily. Wynne began to throw up after each meal to help keep her weight down in order to please him. Even using this tactic, she still struggled. One day, her coach told her she would have to lose ten pounds by the end of the week or he would not take her to the US Nationals. She continued vomiting, took laxatives, and even stopped eating all together in order to make weight. Her coach never asked how she accomplished the feat. Wynne eventually sought and

received help for her problem, but her story and the stories of other skaters formulate an undercurrent to figure skating's narrative that coaches, judges and officials within the sport can ill-afford to ignore (Ryan 98-99).

Mature skaters like Wynne, however, are not the only ones at risk in the sport. Young adolescent girls are being placed under the tremendous physical and psychological pressures that are part of competing at the elite level, all because their lighter, immature bodies allow them to execute demanding jumps more comfortably than their older opponents. This questionable practice has drawn some attention from coaches, but not enough to stop these young girls from being placed in the spotlight (Brennan, Edge of Glory 133). Today, adolescent skaters are a force within women's figure skating, and questions continue to arise concerning whether or not competing at the elite level is in their best interests. Are the pressures they face psychologically harmful to their development as persons? Are their bodies well enough developed to handle the physical demands of regularly practicing a variety of triple jumps? Such questions are ones to which the figure skating community has yet to offer answers, and ones it will need to answer if it is to justify the view of excellence that is currently accepted within the sport.

Our trip back through the last twelve years of women's figure skating history has revealed that an increased emphasis on athleticism within the sport has had unanticipated negative effects upon its participants. We have seen that some mature female skaters have had to pay a high price for the brand of excellence that has become the *telos* of the sport. The increased emphasis on athleticism has privileged

younger skaters over more mature ones and has placed further emphasis on appearance and body weight, pushing some skaters, who could have competed well when a blend of artistry and athleticism was stressed, to take up dangerous weight loss habits in order to continue to compete at the elite level.

Some might argue that the plight of these mature skaters is simply a result of figure skating's progressive evolution as a sport, and, therefore, should not concern the members of the elite practice community. A similar but opposite brand of evolution continues to operate in professional football, where men who once played on the offensive line at a weight of about 250 pounds could not even compete for positions with the full compliment of 300-pound linemen that play the sport today. The question is are these 300-pounders using steroids, human growth hormone or other dangerous banned drugs or supplements to achieve higher weight and greater strength? Moreover, are some athletes having to take these illegal and potentially harmful performance enhancers to continue competing in the sport? If the answers to these questions is yes, it would appear that the NFL community has implicitly chosen to accept a form of athletic excellence that requires linemen to risk their health beyond the inherent risks of the sport. Is this an ethically sound form of excellence? Should the achievement of excellence in football at the elite level require athletes to put themselves further at risk in order to achieve gigantism?

Similarly, should mature figure skaters have to place themselves at risk of developing eating disorders to achieve excellence at the elite level? It is one thing to accept that certain athletes will be better suited to perform particular skills or play

particular positions or sports because of their height, weight and body type. It is quite another to take this to the extent that athletes who are already large in the case of football or already thin in the case of figure skating must take these features to extremes in order to compete at the elite level. It is important for the members of sport practice communities to examine issues of this kind to insure that athletes are protected from unnecessary risk to their physical and mental well-being. Thus, it is important for the figure skating community come together to discuss how to make its sport safer for mature and adolescent competitors alike. And, since it appears that the increased emphasis on athleticism is partially responsible for placing athletes at risk, the community might well conclude that it would be beneficial to return to a *telos* in which artistry and athleticism play a more balanced role within the sport.

Those who contend that athleticism should be emphasized over artistry within the sport would at this point argue that to accept a more balanced *telos* is to accept the political problems and subjectivity that have traditionally plagued the fairness of figure skating competitions. They would argue that as long as aesthetics play a role in how skaters are judged, there will be room for international judging politics and cultural and personal biases to influence the outcomes of competitions. These concerns are ones that must be taken seriously, for, as we will see, they have corrupted the practice of figure skating for some time. However, as we will also see, bias and politics are problems that may be dealt with using a MacIntyrean approach that accounts for these corruptive forces as threats to fairness, honesty, safety and aesthetic freedom. In accepting a balance between athleticism and artistry, community

members need not accept judging politics and overt bias as part of figure skating. On the contrary, by reasoning from a balanced *telos* they may eliminate or at least minimize the effects of such corruptive actions on their practice, thus improving the sport's moral integrity and maintaining that which makes it a historically unique competitive activity. Before demonstrating how the members of figure skating's elite community could go about accomplishing this task, however, it is necessary to briefly explain how politics and bias have affected the sport over the years.

International politics and the politics of judging are believed to have affected the outcomes of many elite competitions, including the pairs competition of the 2002 Winter Olympics and the women's competition of the 1980 Olympic Games. The most notable misuses of power have occurred when judges have abused their power by favoring skaters from their own countries, downgrading skaters from specific countries or taking part in judging blocs influenced by international politics or by politics within the sport itself. In examining the scoring from the men's, women's and pairs figure skating competitions of the 1968-1988 Olympic Games, Seltzer and Glass found that judges scored skaters from their own nation significantly higher than skaters from other nations (189). More recently, Dodd and Michaelis reported from the 2002 Winter Games that the judges they had spoken with admitted to being "favorably disposed" toward skaters from their own country. Some even said they felt "obliged to lobby for them," but all noted that their biases were limited by the sanctions (i.e., probations and suspensions) they could face if they favored their skaters unjustly (2D). Seltzer and Glass also found that some judges tended to

penalize skaters from certain nations. Soviet judges, for example, tended to downgrade American skaters, while American judges tended to favor their own skaters to a greater degree than did Soviet judges (196-97). Finally, they also verified that judges during the period from 1968 to1988 tended to vote in political blocs arranged according to Cold War political alliances. For instance, Eastern block judges tended to favor Czechoslovakian, Hungarian and Polish skaters and to penalize Western skaters in general and American skaters in particular (196-97). As mentioned previously, bloc judging seemed to make a comeback at the 2002 Winter Olympics. This, however, has yet to be confirmed through research.

The politics of reputation can also affect the objectivity and fairness of judging in figure skating. At the international level, judges are required to watch each skater's pre-competition practice sessions to acquaint themselves with his or her program and technique. Many judges and officials contend that this practice is necessary because it allows judges to develop "preconceived notions of skaters' abilities" that will help them avoid scoring early skaters too high and leaving no room for superior performances from later participants (Dodd & Michaelis 2D). However, the expectations judges gain from practices and from past competitions can also lead them to pre-rank skaters before their performances, thus unfairly influencing the outcome of the current competition. In regard to this practice, Ryan notes that "[t]he flaw in the system is clear: the playing field isn't level on the day of competition. Judges leave little room for upstarts to have the performances of their lives, and prop up recognized stars who have an off night" (180-81).

Examples of how the pre-ranking of skaters affects the outcomes of competitions abound. At the 1994 U. S. pairs championships, favorites Karen Courtland and Todd Reynolds skated well in practice, but Courtland fell three times and tripped Reynolds once during the competition. Challengers Natasha Kuchiki and Rocky Marvel skated a clean and beautiful program, but the judges mysteriously ranked Courtland and Reynolds ahead of them. This awkward decision deprived Kuchiki and Marvel of the spot on the 1994 U. S. Olympic team that they appeared to have earned, and allowed Courtland and Reynolds to get by with a sub-par performance (Ryan 181).

In the men's competition at the 1992 Olympic Games in Albertville, France, American Paul Wylie appeared to outskate Russia's Victor Petrenko, but Petrenko received the gold medal. Many believed the judges favored Petrenko over Wylie due to his own consistency and Wylie's inconsistency in previous meets (182). Scotvold, Wylie's coach, contended that it was "unfair" of the judges to pre-judge his skater in this manner, but that this decision and others had to be accepted as simply part of the sport. "We all know how it works," he said,

> So judges have to have an idea of what a person is like before they judge them ... It might sound imperfect, but it's as humanly good as we've been able to come up with, and all of us who have been around know so ... So there is fairness to it in that everybody knows this is how it works. The only thing that would be unfair is if they suddenly

> decided they're going to do it differently and they didn't tell me (Ryan 183).

While Scotvold and others seem resigned to accepting judging on reputation as a fair practice, many other members of the figure skating community are not willing to accept pre-ranking as part of the judging process. These individuals are seeking reforms that will bring fairness and honesty back to their sport. Using a MacIntyrean approach, those who challenge the *status quo* may bring forth their reforms in the name of these virtues, which will play a key role in the practical reasoning of any sporting community. Without fairness and honesty, the practice of figure skating or any other sporting practice would lose its credibility as a sport; for, if an elite sport cannot reliably deliver a fair decision, it is not so much a sport as it is entertainment. In the case of figure skating, it is only by a return to fairness and honesty in judging that the members of the community will be able to reestablish figure skating's integrity as a sporting practice. Hence, contrary to what those in favor of a *telos* of athleticism might think, a community can move to stop political shenanigans like bloc judging, vote trading, or the ranking of skaters according to their reputations or the strength of their pre-competition practice sessions by reasoning practically from a *telos* that is based on a balance of artistry and athleticism.

Can a balanced *telos* also help community members to work out which artistic elements skaters should be graded on? As we have seen, elements such as skaters' appearances and the costumes, music and choreography they choose for their programs are susceptible to the cultural and personal biases of judges and tend to

invite arbitrary judgments. Can the MacIntyrean approach be used in this case to reduce the effects of bias while also helping to integrate elements that may be fairly included in the judgment of skaters into the sport?

To begin, we must recognize that since elite international competitions are judged by individuals from a variety of cultural and personal backgrounds, it is impossible to eliminate all such bias from their judging of skating programs. Efforts have been made to reduce the effects of variables susceptible to subjective bias on the scoring and ranking of skaters. Longman reports, for example, that elite international judges are attending "presentation schools" with programs designed to reduce the effects that a performer's aesthetic choices have upon their scores. He notes that cultural bias does exist with regard to music and choreography and does affect the marks skaters receive from particular judges. Eastern European judges, for instance, often grade programs using classical music and choreography higher than those with a modern theme, while Western judges are more open to modern programs (Longman C19).

Even though subjectivity cannot be eliminated from the judging of figure skating contests, it remains a legitimate question as to whether it is fair that the music to which an athlete wishes to express herself or the choreography that she believes best displays her artistry and athleticism should be factored into her presentation mark. Difficult questions also arise on the opposite side of this issue. Is it really possible to separate the moves of a skater from the music to which she is moving? From the choreography that scripts her movements? Or from the costume in which she is

moving? Are these elements not part of a skater's performance as well as the jumps and spins and stylistic moves? Furthermore, even if it is possible to separate the grace and beauty of a skater's movements from the aesthetic choices she has made, is it really possible to quantify the artistic impression she has made during a given performance? Finally, if costume, music and choreography can be factored into the presentation mark, have we opened the door for appearance to be factored into that mark as well?

While some aesthetic elements may be successfully integrated into figure skating, a skater's appearance cannot and should not be graded by judges. If appearance is weighted into skaters' scores, athletes could be influenced to take up unhealthy eating practices in order to achieve the thinness that would sway judges to award them higher scores and rankings. Moreover, in relation to the fairness issue, why should skaters, as athletes, be rewarded or downgraded by judges because they do not fit the model of femininity that judges accept? In answering this question, perhaps the members of figure skating's elite community should ask themselves what they would do in the following scenario. What if there was an excellent female skater who was facially disfigured in a way that limited her range of expressions and made her difficult to look at. Should her scores be downgraded because she cannot smile or display the emotions for which her music seems to call? Should she be ranked below another skater because her face is distracting or ugly to the judges, even though she performs equally as well as her opponent? Since such scoring decisions would clearly

be unfair, appearance should not be included as a factor in the judging of figure skating contests.

The above questions relating to the inclusion of subjective elements in judging are important ones that, according to the MacIntyrean account of sport, must be examined by the members of the figure skating community if they are to agree upon ways of legitimately integrating these factors into the scoring of the sport while minimizing the effects of factors that threaten the fairness of competitions and the artistic freedom and safety of the athletes. By utilizing a MacIntyrean approach and reasoning from a *telos* that emphasizes a balance between elements of athleticism and artistry, community members could offer strong answers to these questions that would help improve the moral standing of the sport. They would be able to reason that appearance should have minimal to no effect on scoring, because it is unfair to judge athletes upon criteria that have nothing to do with their athletic or artistic performances. Furthermore, if appearance is weighed into the scoring and ranking of skaters, some skaters may feel pressured to adopt unsafe eating habits in order to continue to compete or to win at the elite level. Judges should not favor thin skaters beyond the initial advantage they have in completing their jumps. In this manner, the fairness of skating competitions will increase and a wider variety of skaters will be able to compete more safely without the fear of having to "sell" their bodies to judges.

In relation to the costumes that skaters wear and the music and choreography of their programs, the figure skating community must discuss if and how these aesthetic elements should be factored into scoring. Each of these elements is not only

subject to cultural and personal bias, they are chosen by individual skaters and their coaches to compliment that skater's athletic skills and artistic movements. They are thus of only secondary importance in relation to these skills and movements—the shared internal goods of figure skating—and should be graded as such. Using this logic, judges should not be able to integrate these secondary elements into the scoring of skaters in such a way that they outweigh a skater's performance of jumps, spins and aesthetic movements. By limiting or minimizing the effects that costumes, music, and choreography have on the scoring and ranking of skaters, the figure skating community would take yet another step toward reestablishing fairness within its sport. It would also maximize the artistic freedom of skaters, who would be able to make the aesthetic choices they believe are best for themselves without fearing that judges' preferences would negatively affect their scores.

In summary, the MacIntyrean account of sport can help community members to ensure the fairness of figure skating while also maintaining the sport as a unique type of sporting competition in which both athleticism and artistry play a defining role. By reasoning from a *telos* in which these elements are blended together and from its related internal goods, the community of elite figure skating should, in the name of fairness and honesty, eliminate international political games, including the practices of vote trading and bloc judging that have plagued their sport for years, and should minimize the effects that skaters' reputations and practice routines have on their scores and rankings. Members should also, in the interest of fairness, aesthetic freedom and safety, minimize the influence that appearance has upon judges' scoring. Finally,

members could further ensure aesthetic freedom within skating competitions by limiting the emphasis that judges may place on costumes, music, choreography and other complimentary but secondary elements in their calculations.

The above demonstration reveals how the MacIntyrean account of sport might assist the members of figure skating's elite community in improving their sport's moral condition and its standing within the international sporting community. But are there other theories of sport we have examined that could lead us to an equally strong solution? Neither formalism nor conventionalism is a strong candidate to do so, since each of these theories is biased in favor of the current rules and conventions of sports respectively. Formalists would contend that the current rules of figure skating, including the current scoring system that many believe should be replaced, define the sport and, thus, should not be altered. They would contend that if judges observed the rules of the sport, no rule changes would be necessary and competitions would be fairly contested. Formalism would thus fail to grant the members of the figure skating community the public space to discuss the *telos* of the sport. Finally, it would give the members of the figure skating community no guidance as to which rule changes could be made for the good of their sport and which would not be in the sport's best interests. The formalist account of sport would, therefore, be of little help to the elite figure skating community in this case, because it does not give its members the normative tools to improve their sport either morally or as a unique sporting practice.

Conventionalism would be in an equally weak position when compared with the MacIntyrean account of sport in this instance. A conventionalist would claim that

subjectivity in the form of cultural and personal preference has become "part of the sport" of figure skating, and would view such preferences as the inevitable consequences of human judging. The manner in which judges are influenced by choreography and music is simply a by-product of this, and, hence, should be accepted as a traditional part of figure skating. Thus we see that conventionalism, like formalism, would fail to assist the members of figure skating's elite community in answering questions concerning the *telos* of their sport or the adequacy of the current scoring system. Insofar as it accepts judging preferences or biases as "part of the sport," conventionalism would also fail to question whether these secondary elements of figure skating are influencing judges to a greater extent than they should and, thus, threatening the fairness of competitions. It would also open the door for other subjective factors, such as appearance, to remain a factor in the judging of the sport. Since conventionalism could not assist the members of the figure skating community with the primary problems facing them, it, like formalism, would fail to help them to normatively improve the sport.

The theory that could assist community members to some extent in this instance would be Roberts' version of anti-formalism. This account stresses the importance of creativity and individuality within sport and, thus, would endorse a balance of athleticism and artistry that would permit skaters to use a variety of athletic and aesthetic moves in their efforts to recreate themselves. Robertsian anti-formalists would also be in favor of minimizing cultural and personal biases that could inhibit aesthetic license, so that skaters would be free to use the music, choreography and

costumes they believe best allowed them to express themselves as athletes and artists. Roberts' view would also stand against judging skaters upon their appearance, since this too would place a limitation upon their freedom as aesthetic athletes. Lastly, his theory would prohibit political games in judging contests and the practice of scoring and ranking skaters by reputation, since such actions would also limit the achievements of skaters in an unfair and unreasonable manner.

While Roberts' anti-formalist account might lead the figure skating community to the same answers regarding its sport as the MacIntyrean account, its emphasis on freedom, creativity and individuality would ultimately be its undoing. As you will recall, Roberts' view does not give sporting communities a space within which to publicly discuss the *telos* or shared common goods of the sport (Morgan, Private or Public 26-27). Hence, although it would endorse a balanced *telos* at times, it would also support skaters' rights to emphasize athleticism over artistry in their programs or *vice versa* should they be inclined to do so. In the absence of public discussion concerning the ultimate ends and internal goods of figure skating, skaters would be allowed to "compete" as they pleased, since, on Roberts' view, it would not be proper to limit them in any manner. This inevitably would place judges in a difficult position, forcing them to score and rank programs too dissimilar for comparison. Indeed, when placed in such a spot, judges might well revert back to cultural and personal preference as a way of determining where skaters should be ranked in relation to one another. Thus it appears that if the figure skating community followed Roberts' account of sport, the formal framework of the sport would become quite ambiguous

because of the stronger emphasis placed upon individual freedom and creative expression. As that formal structure became more unstable, figure skating's moral standing and its standing as a sport would become even more tenuous, since there would be no space in which to distinguish individual actions that were good for the sport from those that were not in its best interests.

The MacIntyrean theory, on the other hand, does give the members of the figure skating community a space in which to decide the best way to conduct their practice according to its *telos*. A formal framework of rules and a suitable scoring system that helps judges to accurately measure the performances of skaters could be rationally developed from this *telos*; ones that are true to both the artistic and athletic internal goods of the sport. The MacIntyrean view also would stress the importance of the virtues of fairness and compassion within the decision-making process of the sport, both of which could play an important role in the moral improvement and functioning of the sport and its community. By acting on these virtues, members of figure skating's elite community would be able to make decisions to increase the fairness and safety of competitions. Skaters would be able to skate more freely, knowing that their aesthetic choices, appearances and past or practice performances would only minimally affect their scores and ranks and that they were being judged on the merits of their performances that day. Therefore, I conclude that the MacIntyrean account of sport is normatively stronger than Roberts' version of anti-formalism in this case. It gives the members of the figure skating community a public forum in which to discuss

and debate their sport, and provides them with the guidance necessary to make the decisions that would be in the best interests of figure skating.

Concluding Remarks

The case of figure skating and the Casey Martin case have helped to demonstrate the normative value of the MacIntyrean theory of sport. This account provides the members of practice communities with space in which to clarify what the ultimate ends (*teloi*) and shared internal goods of their sport are, and to decide which virtues best facilitate the attainment of these goods. The theory also guides them to reason from these elements to the actions that would be in the best interests of their sport and, thus, helps them to make decisions that would improve the moral integrity of the sport. As a result, they would make only those changes to its rules and challenges that would maintain its uniqueness and meaningfulness as a particular form of athletic competition. Finally, the MacIntyrean account of sport requires that the members of a sporting community be willing to reexamine their *telos*, internal goods, virtues, actions and reasoning in the face of challenges from dissenters or upon their own recognition of specific problems so that they are able to upgrade their practical reasoning and keep their practice safe from corruption.

The MacIntyrean view of sport thus gives the members of sporting communities the normative space and guidance necessary to determine what is best for their sport. As we have seen, elite sports are not often critical terrain for their community members. This is one important reason why individual and institutional

concerns are allowed to have their way within their confines. Without reflection and criticism, there is a tendency for those who govern and participate in sport to utilize instrumental and egoistic thinking to justify the acquisition of external goods over the pursuit of the internal goods and virtues of the sport.

When the MacIntyrean approach to practical reasoning becomes *the* way of thinking in sporting practices, instrumental concerns diminish in importance and power and wealth are used in the service of the practice, helping it to flourish rather than eroding its moral standing and the meaning it has for those that love it. When sports are treated primarily as culturally valuable practices rather than profit-bearing businesses, community members come to recognize the responsibilities that they have as caretakers of their sports. As such, members must understand their sports as practices; they must understand the skills, strategies, challenges, standards and traditions that make their sports the particular activities they are. They must also work to cultivate the virtues that will guide them to act rationally within the sport so that their actions will meet the best standards of practical reasoning within the sport.

If community members carry out these responsibilities and remain openminded and inquiring toward ideas and criticisms that could improve their practices, they would meet their obligations as vigilant caretakers of their sport. In doing so, these membes would not only be recognizing "the good of the game," but, as members of MacIntyrean reflective communities, they would be reasoning from that good and manifesting it within their sports. Furthermore, they would have formed strong communities of inquiry capable of defending their sports from corruptive forces that

might attack their moral integrity and cultural meaning. It is this type of community that is needed in elite sports today if the tide of instrumental reasoning and self-interested action is to be stemmed. For it is only through the efforts of such communities that sports will be able to stand up as the morally and culturally meaningful practices that many believe them to be in *potentia*.

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Vita

Peter Francis Hager was born in New York City, NY on November 28, 1966. He attended the Rudolf Steiner Elementary and High Schools in New York, graduating from the latter in 1985. He attended Wittenberg University in Springfield, OH for his Bachelor of Arts Degree, graduating *Cum Laude* with majors in philosophy and physical education in 1989.

Peter began his graduate work at the University of South Carolina in Columbia, SC, graduating with a Master of Arts Degree in philosophy from there in 1993. He obtained a second M.A. in physical education from Kent State University in Kent, OH in 1996 before arriving at the University of Tennessee, Knoxville in the fall of 1997 to pursue his Doctoral Degree in Education.

Peter is entering his third year as a Lecturer in the Department of Physical Education and Sport at the State University of New York, College at Brockport. He teaches courses in sport philosophy and sport psychology.

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