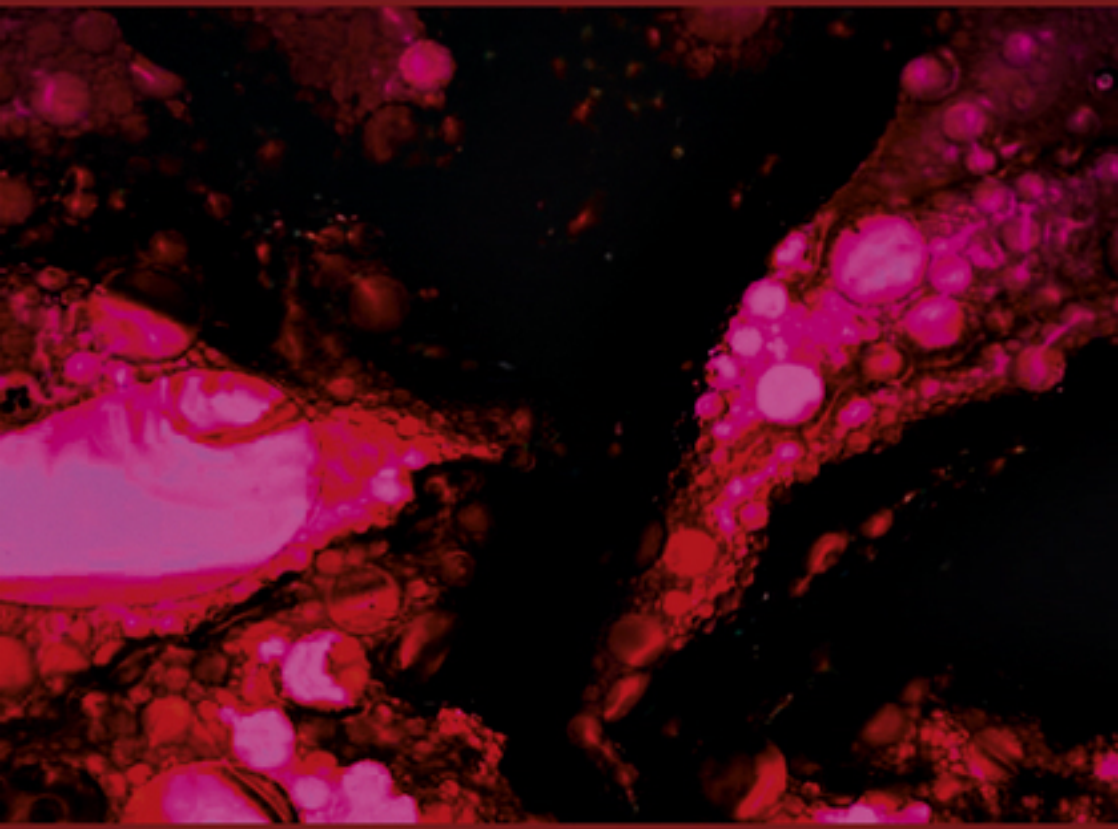
Eike Emrich/Werner Pitsch (eds.)

Sport and Doping

The Analysis of an Antagonistic Symbiosis



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Introduction

In sociology, Max Weber applied the term levels of adequacy. Analysis of these adequacy levels concerns itself in particular with the degree of elective affinity of concrete structural forms of social action with concrete economic forms, that is, "concerning whether and how strongly they mutually favour one another's continuance or, conversely, hinder or exclude one another – are "adequate" or "inadequate" to one another" (Weber, 1968, 341). Elite sport and doping may well be a case in point, since the phenomenon of doping has probably gone hand in hand with modern professional sport – performed for a monetary reward – from its very beginnings to the present day. Olympic sport could arguably only be considered "doping-free" at the time of its modern-day revival, when it was exclusively performed by moneyed aristocrats who could afford to dedicate themselves to practising it – real amateurs in the classic sense of the word. Be that as it may, a multi-perspective approach to the phenomenon of "Doping in elite sport" suggests that different social processes in their mutual interaction, i.e. in a specific figuration (Elias, 1986, 139 ff.), are initially responsible for producing, promoting and supporting this frequently problematically perceived phenomenon, and that social actors both contribute to its existence and profit from it.

In the more recent past, doping studies that take a system- and actor-theoretical approach have examined structural links between the sport system and other systems. The fundamental ethos of sport becomes entwined with that of various other systems, such as economics, the media, politics, and as a result the socially acquired orientations of actors in the sport system take a specific direction. Thus ultimately the social system of sport is primarily impacted by monetary interests of both the economic and the media system, as well as interests of the political system for national representation – which potentially indirectly and directly influences political campaigning.

For athletes and officials alike, this gives rise to a single-dimensional ethos geared towards winning and outperformance and encompassing all central roles, which imposes prescriptive behavioural norms (cf. Bette & Schimank, 2006) upon athletes that impel them to orient their behaviour exclusively towards this ethos. Consequentially, it becomes increasingly unlikely that actors will voluntarily commit to acting contrary to the normative expectations resulting from the ethos, for example in order to comply with the rules of fair play.

The system structures or their sociological interpretation thus become social facts that can significantly influence behaviour and drastically reduce individual freedom of decision. This places the actors in the unusual situation where they are generally expected to conform to the enhancement-oriented imperative to succeed and exceed, while at the same time respecting the normative ideals of the institution of sport. The culturally constructed idea and organized practice –

beset as it is with human weaknesses and egotisms as well as non-intended effects – thus drift apart and produce considerable normative tensions at actor and system level.

At the same time, the positively connotated social functions of professional and elite sport derived from the idea of the institution serve to legitimize the supply of material and nonmaterial resources to national and supranational sports organizations. This also includes the notion of the self-governing amateur, who apart from being norm setter and controller in one person, also lives *for* sport, but not *from* it. Originating in the idea of the institution of elite sport, this "noble amateur" finds a new raison d'être in the classical – inherently desirable – elite sport model by taking on the role of the nobleman of our meritocracy who respects the principles of equality, merit and competition. In this spirit, today's elite athletes should achieve their sporting records exclusively on the basis of talent and effort in a rule-governed competitive environment impacted by no other factors; that at least is the idea anchored in the formal and informal rules of the institution of elite sport.

Doping, as an unobserved breach of the norm, enhances peak performances and records, thus increasing the attraction of and helping to legitimize the use of such substances. Given the basic idea of sport, doping is as a matter of principle dysfunctional; for sports practice, however, this is only the case when it is detected. By the same token, when detected it demonstrates that sport is not a haven of happiness, that deviant behaviour as described by Durkheim (1999, 181) is a normal phenomenon, that cheats do not stop at sport and that bare-faced, vested interests determine behaviour. For its consumers, however, the enthrallment of elite sport today rests on the achievement of peak sporting performances within the rules, and a continued raising of the bar in line with the drive to succeed and exceed. This raising of the bar is inhibited by doping controls and forces not only athletes, but also associations and other (co-)producers of the commodity elite sport into an organized pathology (on the term pathology in the organizational context cf. Türk, 1976; on the divergence of individual and collective goals cf. Etzioni, 1961, 24 f.). Despite the drive to improve and exceed spurred by the cultural sphere of sport, associations and athletes must show restraint by voluntarily abstaining from doping or agreeing to doping tests. However, the more top performances are linked to material income and nonmaterial attention, which is then exchanged for money in the attention market, the more difficult it is to close the gap that exists between the production and legitimization function; this is currently only manifest in cases of doping-related breaches of the norm (on organized hypocrisy, cf. Brunsson, 2002): in the public sphere, there is obviously a clash between ideas and interests. The point is: Wherever individuals engaging in sport have been lured by the attention-enhancing, reputational and financial incentives sport offers, there have always been deviators.

This process is reported and commented on at arm's length by part of the press, at times adopting a clear stance against doping, but at times also by another, in this regard more ambivalent part of the press that is hungry for the kind

of sensations continuously bred by the divide between idea and practice. As a deviation from the norm with high entertainment value, doping is either treated in the media on the grounds of its proliferation as the main scourge of sport, or alternatively they report on the more or less successful efforts in the battle against illicit drug use. In general, once they go beyond a certain level, public debates on the doping issue force sports organizations to react by taking a position on the media coverage in order to "keep the idea of sport alive". This, in turn, in itself gives rise to a self-perpetuating cycle.

The present scientific preoccupation with doping also exhibits lines of tension and a number of associations to doping in elite sport. As applied sciences, disciplines such as biochemistry and pharmacy are expected to solve the problem of the effectiveness of doping controls by developing corresponding testing methods; yet at the same time, precisely these same sciences continuously produce substances that can be consumed for doping purposes which are (as yet) untraceable. The more doping offenders are caught, in other words the more effective the controls are, the more pressing the extent of the problem becomes. In light of the general suspicion, the more dopers are detected, the more widespread testing methods need to become in order to convict a greater number of offenders. The absence of a greater number of doping convictions can then always be attributed to the successful deterrent effect of the conducted tests. As a result of the gap between the development and the dissemination of suitable verification methods, doping controls and discussions about which substances should be banned and how to enforce testing are therefore also part of a perpetuum mobile, since from the perspective of those who promulgate clean sport, the race between the innovative forces in the doping market and the controllers inevitably has to lead to a permanent crisis. In this context, the position of the doping controllers reminds us rather of the fate of Sisyphus, who was compelled to repeat forever the task of rolling a huge boulder up a hill, only to see it roll down again. Whether, as Camus surmised, he was a happy man or not, is beside the point; one thing is certain: his labour was definitely crisis-proof. Contrary to Sisyphus, however, doping controllers have chosen their assignment voluntarily and earn their living from it.

Philosophers, economists, sociologists, psychologists and educationalists also have a fascination with the phenomenon of doping, thus implicitly confirming the controversy in the "Fable of the Bees", according to which "the basest and vilest behaviours (in this case of dopers, eds.) produced positive economic effects" (translated from Mandeville, 1980, 43). Doping offers a whole generation of present-day researchers, including the authors of this book, plenty of opportunity for scientific study. The results of exclusively sociological, economic or educational analyses, which serve as a basis for the discussion on recommendations for reducing doping, do not in essence provide empirically proven measures against doping in the sense of "if A then B" implications. In urging all stakeholders to take concerted action against doping they appear rather lame and, in blunt terms, are a bit like a doctor telling an alcoholic to give up drink-

ing. Indeed, at times the intensity and moral force of the appeal simply obscure the lack of scientifically based interventions. Above all the many educational anti-doping initiatives fall into this category and urgently require evaluation. The constant appeal to athletes to uphold the principles of fair play quite possibly even leads to an erosion of underlying moral values. They exhort individuals in an international competitive environment to maintain ethical standards in competition, where frequently their only defence against the exploitation attempts of others is to bend the rules. On the assumption that athletes live from sport, expecting them to prejudice their own chances of earning a living is in itself highly questionable. But even where individuals are drawn to elite sport and in this context are forced to react to the exploitation attempts of others, they are always faced with the choice of either taking illicit drugs to enable them to pursue a career as a professional athlete, or refusing to consume them and thus saying goodbye to the dream of practising their sport on a professional level.

All in all, doping indeed turns out to be a phenomenon in which – in line with the adequacy levels approach – individual acts of athletes, collective decisions in associations, media exploitation interests, scientific analyses and organized control efforts are intertwined. Given the assumption of rationally behaving actors whose decisions are aimed at maximizing their respective benefit, the balance that emerges from this interaction corresponds to the non-intended effect of many unrelated rational individual decisions, each under given restrictions and each with different opportunities. Beyond this analysis of the situation, a look at (organizational and legal) efforts at regulation shows that these, too, focus on the rational decision-maker. Otherwise any attempt at control via the level of sanctions and via the probability of detection of doping consumers as well as providers would be predisposed to failure. However, even these efforts have not in the past led to doping representing a marginal phenomenon in elite sport, nor being capable of being considered as such.

So what basic parameters in the sense of individual incentives and restrictions are needed to allow individuals to pursue their interests and at the same time not violate the normative expectations of the institution? The answer to this relatively simple question is in fact extremely complex, as it requires a combination of economic and legal analysis.

Doping violates the principle of fair play in sporting competition. The idea of elite sport is eclipsed by the dominant motive of competitors' self-interest. In the economic sense, the social order of sport is a public commodity that for instance in the case of doping is suppressed by inferior commodities, namely a deficient order. The rule violator in the form of the unobserved doper not only violates equal opportunities, he or she also capitalizes on violating the rules. Hence they are the ones who at the same time must have a vested interest in upholding the order, since only if it has validity do they stand to profit from violating it. On the normative level, sporting competition is in this sense per se a zero-sum game in which the personal advantage of one player is based on the opponent's disadvantage. Yet even in this area dilemma structures are increasingly emerging as the

current legal framework and control structures permit individual deviators to impose their will on others and ultimately derive advantages within and outside sporting competition (on this and the following remarks cf. Emrich, 2008; 2006).

What stands out from all this is that basing the ethics of moral desirability exclusively on the idea of sport, especially on Olympic ideals, demands too much both of the IOC as an organization and, obviously, of internationally competing athletes, who are exposed to market-driven competition that is largely dependent on their sporting success. The question about an appropriate social order therefore also encompasses the following considerations:

- How can we prevent individuals in sporting competitions imposing their will on others and, in doing so, systematically undermining fair play in the sense of adherence to the rules (within rules, cf. Brennan & Buchanan, 1985)?
- Does the idea of elite sport lose its credibility if associations are unable to guarantee fairness in sporting competition?
- What marginal ethics can the IOC and the international sports associations afford to espouse in comparison with other sport providers?

A social order in the form of a contract between sports associations and as a contract between athletes and associations must weigh up and constantly rebalance the associated marginal benefit between preserving traditional rules on the one hand and continuous further development of the social order on the other. This gives rise to a fourth question, namely:

- What structure of the social order, i.e. what arrangement of the rules, can ensure that in their mutual interaction both sports associations and athletes accept the binding character of the rules of the social order?

This is only likely to be the case on a sustained basis if it is more in the individual's interest to comply with the rules than to break them. These self-serving interests must therefore be the starting point for applying sanctions to reinforce the rules.

Summing up, the question is therefore how, given the increasing marketability of sport products – including Olympic sport – we can successfully preserve the essential idea of elite sport, and in particular Olympic sport, in a social order that is valid for everyone and upheld by everyone, avoid "sacrificing" its moral fabric to commercial interests, protect sporting competition and its diversity, and at the same time widely permit the IOC, its member associations and athletes to pursue their entrepreneurial interests.

In this, we need to consider whether there is a specific synthesis path between the two apparent extremes market and temple, or rather economics and ethics, and if so, what this might look like. The disciplines most suitable to answering this question are first and foremost law and economics, although their contributions towards addressing the phenomenon are necessarily limited, to the extent that the incidence frequency of doping in the collective, individual doping mo-

tives, and possibilities and limits of detection, including non-intended side effects, are incorporated a priori in the analysis and not inferred a posteriori from empirical analyses. The articles in this volume are therefore mainly recruited from the fields of economics and law, supplemented by other key references from empirical sociology.

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