Original paper UDC 17:796(045)
doi: 10.21464/sp34209
Received: 12 January 2019

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Bioethics of Sport and Its Place in the Philosophy of Sport

Abstract

In the Routledge Handbook of the Philosophy of Sport *(McNamee, Morgan, 2015) for the first time Bioethics of Sport (BES) was included, and therefore officially acknowledged, as a separate field within the Philosophy of Sport. Starting from that fact, I will raise three issues. Firstly, I will propose the definition for the (new) sub-discipline, briefly present its short history, and indicate the connection to the Bioethics as such. Secondly, I will point out the BES thematic scope in the past and present, and show how and why it is too narrow, insufficient and not comprehensive enough. In that regard, relying on Fritz Jahr's understanding of Bioethics, I will propose the widening of the current scope, and demonstrate that many of the topics were already present in the discourse of the philosophy of sport just were not recognised and considered as bioethical. Thirdly, I will emphasise the issue of the distinction between Ethics and Bioethics of Sport within the Philosophy of Sport. Finally, I will consider some prospects regarding the future of the bioethics of sport.*

Keywords

bioethics, bioethics of sport, philosophy of sport, ethics of sport

Bioethics of Sport – Introduction

The 2009 World Men's Handball Championship took place in Croatia. One of the seven host cities was Varaždin, my hometown. For that purpose, in 2008 near Varaždin a new 'Arena Varaždin' sports hall was built. It was built in the forest just outside of the city, on the very coast of river Drava. For that purpose, more than half of the forest was felled to make enough space for the Arena, parking places, roads and other infrastructure. Such an invasive act against environment brings many ethical, or to be perfectly precise, bioethical questions *of* and *in* sports, but even more *around* sports, as well as a wide range of things influenced *by* sports. Different kinds of scientists can ask questions, such as biologists, ecologists, chemists, agriculturists, foresters, etc., about what has been done to nature, quality of air, soil, water, trees, flora and fauna, and all the animals and plants. The whole biological system was interrupted and changed. More precisely, it is not possible to walk through the mentioned forest anymore; there is almost none left of it, and you can seldom meet animals like you were able to do before. Some activists (groups) can protest against such an encroachment, and civil societies can try to stop that. This example can help us imagine and think about enormous invasions on nature before and during the huge global sports events like the Olympic Games or World Cup. In these cases, all the questions and issues mentioned become much, much bigger. Moreover, such events bring out even more issues regarding wasted energy, produced garbage, pollution, etc.

The presented case is just one among many examples of the presence of bioethical issues in sports. However, Bioethics of Sport started from the point of recognising the cases, topics and the fields of research as bioethical, inside of the frame of the philosophy and ethics of sport. We can detect bioethical issues much earlier, and that sports-philosopher and sports-ethicists were already investigating them and debating their nature. They wrote a significant amount of pages on the topics. Furthermore, it is strikingly obvious that in such sports-bioethical cases, science needs an interdisciplinary approach, and inclusion of different kind of scientists, but also a different kind of narratives, not all of them scientific.

In this paper, I will raise three issues on Bioethics of Sport, which was recently acknowledged as a sub-discipline of the Philosophy of Sport (McNamee & Morgan, 2015). In the first part, I will propose the definition of the sub-discipline and show how and why sport and bioethics are tightly connected. In the second part, I will deal with the problem of the thematic scope of BES and show that so far, it was too narrow, thus insufficient and not comprehensive enough. I will propose that we should widen the current scope. Moreover, I will show that many of the topics are already thematised in the sports-philosophical literature, but that they just were not considered as such. In the third part, I will make an attempt to distinct Ethics of Sport (ES) from Bioethics of Sport (BES) inside of the frames of the Philosophy of Sport (PS). Finally, I will make a few remarks on the future of the new sub-discipline.

1. The definition

In the specific literature that was dedicated to BES so far (A. J. Schneider, T. H. Murray, A. Miah, McNamee & Camporesi), no definition was proposed. Not even in the articles specifically titled *Bioethics of Sport* (T. H. Murray, 1995; A. J. Schneider, 2004, 2014; A. Miah, 2016) in different editions of bioethics encyclopaedias (W. T. Reich, 1995; S. G. Post, 2004; Jennings, 2014; H. ten Have, 2016). Because none of the authors stated their understanding or acceptance of the definition of bioethics, we have to take the one stated by the editors:

> "[Bioethics is] the systematic study of human conduct in the area of the life sciences and healthcare, insofar as this conduct is examined in the light of moral values and principles." (Reich, 1978:XXVIII)

At the beginning of their papers, T. H. Murray and A. J. Schneider merely pointed out that the central topics for BES are "the use of banned substances (doping), genetic enhancement, and gender issues" (Schneider, 2004:2461). A. Miah is much more precise when he is talking about "applied ethical tradition of bioethics and sport from 1970's" (Miah, 2016:2666), and even more when he is making a distinction between sports ethicist and bioethicists, where the latter is "focused on the ethics of science and medicine to approach the same subject" (Miah, 2016:2667). Of course, we can always turn *to* and rely *on* the definitions of bioethics presented in the encyclopaedias, to be able to place BES in the proper scientific context. In that regard, according to W. T. Reich bioethics is:

> "… the systematic study of the moral dimensions – including moral visions, decisions, conduct and policies – of the life sciences and health care, employing a variety of ethical methodologies in an interdisciplinary setting." (Reich, 1995:xxi)

However, in terms of the philosophy of sport, the definition of the bioethics of sport comes easy, and I will call it a 'narrow definition':

"Bioethics of sport is a sub-discipline of the philosophy of sport dedicated to investigate and deal with the bioethical issues in sports." (Škerbić & Radenović, 2018:162–163)

Although it is logically correct, precise, definite and unambiguous, the 'narrow definition' seems insufficient, mostly because it just states or acknowledges the fact that BES is a specific part of PS, and not clarifying what it actually is, or which issues are bioethical precisely. Hence, we need a more comprehensive definition. In that regard, I will use the definition I proposed elsewhere, and I will call it a 'wide definition':

"Bioethics of Sport is an interdisciplinary field where many intersections, encounters and connection occur between the philosophy and ethics of sports with 'sports sciences' such as sociology of sport, sports medicine, sports psychology, kinesiology, and physiotherapy, as well as other sciences relevant in sport such as chemistry, biology, pharmacology etc., in order to deal with various issues related to the *bios* [or life] in sports, from the endangering of life to the achieving, maintaining and enhancing its quality." (Škerbić & Radenović, 2018:163)

It seems that such a 'wide definition' can capture and hold both, on the one hand, different understandings and definitions of bioethics, and on the other hand, the definitions and conceptions of sport presented in the sports-philosophical literature. In terms of bioethics, that means at least three general understandings, captured under three names: 1) 'New-medical Ethics' or a place where ethics meets medical profession, coined in Kennedy Institute of the Georgetown University and Hastings Centre in New York; 2) "Global Bioethics" or the 'bridge-building' science of survival, initiated by Van Rensselaer Potter; and 3) 'European Bioethics' or bioethics based on the European philosophical tradition and the works of Fritz Jahr (Muzur, 2017). In terms of the philosophy of sport, that means at least B. H. Suits 'overcoming unnecessary obstacles' (Suits, 1978), S. Kretchmar's 'testing and contesting' (Kretchmar, 1975) and competitive 'zero-sum logic' (Kretchmar, 2012), W. J. Morgan's 'gratuitous logic of sport' and 'internalism' (Morgan, 1987, 1994), R. L. Simon's 'mutualism' (Simon, 2014), J. Parry's Olympic conception of sport (Parry, 2018) and generally excepted understanding of sport as a 'striving for excellence'.

The key term in a "wide definition" or *differentia specifica* is the term *bios*, which means life, and the wide understanding of it:

"… life as a whole and each of its parts, life in all its forms, shapes, degrees, stages and manifestations." (Jurić, 2017:132)

In such a view, BES captures and respects all understandings of bioethics, as well as conceptions of sport inside the philosophy of sport.

Sport and Bioethics

I claim that sport is a bioethical question *per se*. Sport is always primarily about human beings and their bodies, their health, their lives or *bios*, sometimes pushed to the very extreme or to the edge of physical existence. At the same time, sport is more than just human *bios* – it is about the *bios* perceived in the widest possible range, just as the introductory case to this paper indicates. In such a 'wide BES' view, almost everything we discuss or debate in sports is a bioethical issue, because it is in some way concerned and connected to life or *bios*. Also, almost every discussion on sports has some bioethical elements or features, and bioethics is present and relevant in every sport in some amount (cf. Škerbić, Radenović, 2018:163).

In fact, in in reflecting about sports, the position of bioethics seems to be ontological – before and above philosophical and/or ethical. It seems that the question we should ask is actually: what is ethical in the bioethics of sports? To what extent athletes can exploit their bodies and neglect the care for it, as well as their general health, to achieve sports results? Why any athletes do that in the first place? Why are they willing to trample their *bios*, which is and should always be of primary concern for each human individual?

In BES, we are dealing with the most important issues *of* and *for* contemporary sport. In the bioethical precedent cases of Oscar Pistorious, Markus Rehm, Caster Semenya, among others, problems of contemporary sports become clear. Such cases posit the questions of sports integrity, at the same time changing and modifying our views and understandings *of* sport, competition, and fair play. They are also messing with our conceptions of equality of opportunity, values and virtues in sports. Moreover, such cases are influencing the sports regulations and rules and making pressure on sports institutions and their decisions. It seems apparent that the sport as such depends on the resolution of important bioethical precedent cases.

2. Thematic scope

The Look-Back

If we take a look back into the history of the philosophy and ethics of sport, and I take 1972 and establishing of the *Philosophic Society for the Study of Sport* (PSSS) as the starting point of institutionalising the discipline, we can find different bioethical topics, problems, debates and discussions from the earliest stage of the new discipline. More precisely, in the very first bibliographical effort regarding (institutionalised) philosophy of sport, edited by Ellen W. Gerber (1972), the human body was considered as one of the central problems, together with the questions of nature, metaphysics, and meaningfulness of sport, its value-oriented, and aesthetical character. Thus, the earliest we can talk about bioethical issues in PS is 1972, at its first symposium and in its first publication.

The very first articles titled *Bioethics of/and Sport* can be found in the different editions of *Encyclopedia of Bioethics*: T. H. Murray's article in the 2nd edition (Warren T. Reich ed., 1995), A. J. Schneider's article in the 3rd (Stephen G. Post ed., 2004) and (reprinted) article in the 4th (Bruce Jennings ed., 2014). The thematic scope was very narrow, and it included only three types of issues in sport – doping, genetics, and gender. In 2016 edition of *Encyclopedia of Global Bioethics* (ten Have (ed.), 2016), A. Miah wrote a chapter "Sport, Bioethics of", in which he has broadened the previous division by including issues of biomedical technologies, health, disability, and trans- and post-humanism.

Furthermore, A. Miah wrote the first and currently the only article on BES (Miah, 2007) in both the American *Journal of the Philosophy of Sport* (JPS) and the British *Sport, Ethics and Philosophy* (SEP), attempting to describe, shape and put the BES in proper contours. In the section "Sport and Bioethics: A Familiar Past" he placed the starting point of BES or "bioethical issues in literature on philosophy of sport" (Miah, 2007:149) in the 1980s, when the huge debate on doping and other performance-enhancing methods was started by scholars like T. H. Murray, W. M. Brown, J. Hoberman and others. In it, Miah pointed out that in 1984 Glover has used sport as an exemplar for

"…unethical practice for medical therapy, where, for example, genetic modification in sport would not be acceptable, since sport is too trivial an activity to require the use of such important and expensive technology." (Miah, 2007:150)

Miah pointed out that sport was often used in bioethics as an example of unethical practice, but also as a support for different bioethical conclusions (especially) on dystopic future. The bioethical topics in sport Miah discussed are doping, use of medicine, and genetics and gene-doping. However, as I noted before, the bioethical debate in PS started already in 1972 with the Ellen W. Gerber's edition *Sport and the Body. A Philosophical Symposium*, where a discussion on the human body (1972:127–187) took place, including the parts from the original works of Plato (1972:127–130), R. Descartes (1972:130–133), J. P. Sartre (1972:150–152), and P. Weiss (1972:179–183).

What I will call the 'official acknowledgement' of BES happened in *the Routledge Handbook of the Philosophy of Sport* (McNamee & Morgan, 2015), where BES was included as a sub-discipline like ethics or aesthetics of sport, among others. There, S. Camporesi indicated five sports-bioethical topics: doping, genetics, gender, paralympism and disability, and sports medicine (Camporesi, 2015:81–97). Interestingly, in the same edition, three more articles were included out of five designated topics, dealing with genetics and athletic enhancement (Brown, 2015:351–367), and doping and anti-doping (Murray, 2015:315–332), together with the article on disability and paralympic sport (Edwards & McNamee, 2015:300–315). Curiously, that makes BES, together with ES (and separate chapters on competition, fair play, commerce and market) the only PS sub-disciplines that has four different chapters inside of the capital edition. While the editors did not explicitly say why it is so, I hope that I provided enough arguments in that regard in the previous passage.

Finally, in the book *Bioethics, Genetics and Sport* (2018), probably the very first book with the *bioethics and sport* in its title, S. Camporesi and M. McNamee are using similar thematic spectrum by including issues of genetics and gene-doping, sports medicine, disability, biological race, hyperandrogenism, and doping or enhancements.

I find such a thematic scope to be problematic and too narrow. The core of the problem is most likely in the understanding of bioethics of the authors mentioned above and their usage of (only) applied-(new)-medical-(bio)-ethics approach. For instance, at the several places in the book *Genetically modified athlete. Biomedical ethics, gene doping and Sport* (Routledge, 2004), A. Miah is practically identifying bioethics (of sport) with medical ethics, especially in the foreword (Miah, 2004:8), pointing out genetics as the most important part of it. Furthermore, despite the fact that genetics is undoubtedly extremely important, interesting, incentive and provocative bioethical issue in contemporary sport, especially its future, and that some of the leading scientist in the field of PS are proponents of such a comprehension of bioethics, I want to point out that it is not the only one.

However, my proposal here is that sports-philosophical community, while talking about the BES, should accept different and more comprehensive approaches to bioethics than such a narrow one. In other words, besides applied-new-bio-medical-bio-ethics "as a place at which general interest in ethics meets the medical profession", there are other, much wider understandings of bioethics. On the one hand, Van Rensselaer Potter, who coined the word bioethics in 1970, understood bioethics as "an interdisciplinary founded science of survival, the main aim of which is to build bridges between the hu-

manities and the natural sciences" (Höffe, 1997:28), and he later named it *global bioethics*. He wanted to bring together biology, ecology, medicine, ethics and human values. On the other hand, European bioethics is leaning on rich European philosophical tradition, trying to base bioethics in philosophy.

"The philosophisation of bioethics is at the same time the Europeanisation of bioethics, which is the activation of the potentials of the Euro-continental ethical or philosophical thought within the bioethical framework for bioethics to be able to fulfil its original purpose. (…) This is, on the other hand, also bioethicisation of philosophy. This means bioethically reading the leading authors and works of the Euro-continental philosophical tradition for the purpose of identifying both the footholds of establishing and developing dialogue between bioethics and philosophy, and the incentives to reflect on bioethical problems in partnership." (Jurić, 2017:141)

In that regard, it is leaning on the work of bioethics founding father Fritz Jahr, a German pastor who was the first one in history, as far as we know, to use the notion of *bio-ethics* (*Bio-Ethik*) in 1926, (re-)discovered by Rolf Löther (Löther, 1998:61–68) and Hans Martin Sass (Jahr, Sass, 2010:227–231). More so, F. Jahr stated the new *bioethical imperative*:

"Respect every living being on principle as an end in itself and treat it, if possible, as such!" (Jahr, 1927:2–4; Muzur, Sass, 2012:1–4)

His imperative as well as the origin of human moral obligations towards every form of life, and not just human, has threefold origin: 1) Holy Scripture and Fifth Commandment "Thou shalt not kill!"; 2) confirmation by science that animals and plants deserve our moral concern; and 3) compassion, which at least means avoidance of causing unnecessary suffering to other beings (Zagorac, 2011:143).

'Wide BES' thematic scope

Orienting from the initial scope of bio-medical anthropocentric issues (doping, gender, health and sports-medicine, bio-technologies and genetics, disability, post and transhumanism) towards issues concerning other living beings and nature, to ecology and deep ecology, by adopting the proposed definition of BES and Fritz Jahr's 'bioethical imperative', I propose a new 'wide' thematic scope of BES, which should also include many other problems, questions and issues in sports, concerning life and the quality of living in the most general sense. I present them gathered in groups:

- human body issues: concerning (new) technologies, (un)healthy diets and vitaminisation, dangerous training methods and regimes;
- technology issues: sports equipment, sports requisites;
- environmental issues: ecology and deep ecology, clean environment, nature sports, "green sports", "green games", waste recycling, renewable energy, quality of soil, air and water;
- animal issues in sport: animal usage, animal cloning;
- ethical committees in sports organisations, associations and clubs;
- codes of ethics or ethical codex;
- danger issues: dangerous sports (formula, cars and motorcycle racing, etc.), martial arts, boxing, violence, abuse;
- psychological issues: alienation, vulnerability, addiction (alcohol, drugs, gambling, etc.), indigestion;
- social-political-economic issues: poverty, economy, quality of life, vulnerability;

– olympism and philosophy of life: Olympic games, Olympic sports, Coubertin's philosophy of life.

Furthermore, there is a range of typically 'bioethical sports', in the literature often called 'environmental' and 'green' sports, 'nature sports' (K. Krein), 'nature-oriented sports', 'nature-based sports' (L. Howe), and (in some cases) even 'dangerous sports' (J. S. Russell).

'Wide BES' in Sports-Philosophical Literature

If we examine the two most important journals in the field of philosophy and ethics of sport – JPS and SEP – we can find a huge amount of articles that fit into previously presented groups of topics in a wider view, until now unconsidered as bioethical. The most discussed topics in the field of BES are the ones already perceived as (new medical) bioethical and indicated in the literature as such, but I am not going to outline them in this paper. Instead, I intend to make an overview and point out the topics and the authors dealing with other bioethical topics as present in JPS and SEP.

If we use the initial example, regarding the environment and sport, we can show how rich the scientific production in both journals is. Sigmund Loland was the first one to be writing in JPS on environment and ecology in the context of sport (23 (1), 1996:70–90; 28 (2), 2001:127–139), and Olympics and sustainable development (33 (2), 2006:144–156). Several authors considered relation between nature, movement and sports (Anderson, JPS 28 (2), 2009:140–150), environment and adventure (Zimmermann & Soraia, SEP 11 (2), 2017:155–168), environmental responsibility ethics and outdoor physical practices (Long *et al*., SEP 12 (2), 2018:194–210) and outdoor activities and landscaping (Eichsberg, SEP 3 (2), 2009:193–214), while others risk and self-knowledge (Howe, JPS 35 (1), 2008:1–16) and games in wilderness (Berg, JPS 42 (1), 2015:137–151). Also, there is an interesting study on problems of playing at high places (Torres, 36 (1), 2009:1–21). Some of the authors, on the other hand, placed interest in the nature-based sports (Howe, SEP 6 (3), 2012:353–368) or nature sports "that share a fundamental structure in which human beings and features of the natural world are brought together" (Krein, 2014, 2015).

Connected, there is a group of papers from Scandinavian scholars published in JPS on environmental or 'green sports', mostly 'mountain sports'. Thus, G. Breivik produced Heideggerian analysis of skydiving (3 (1), 2010:29–46) and risk sports (5 (3), 2011:314–330), Loland on biomechanics and meaning of alpine skiing (19 (1), 1992:55–77), while M. Hämäläinen (41 (1), 2014:53–63), and A. Pakaslahti (11 (2), 2017:219–223) debated on the gender issue of equality of chances for female ski-jumpers.

Probably the less considered 'wide' bioethical topic was 'animals and/in sports'. Although W. J. Morgan has included this topic in his very influential anthologies (1988, 1994, 2001), with parts of original work from Peter Singer about animal rights, and Ortega y Gasset about animal hunting, in JPS and SEP the topic seems highly neglected. Moreover, in JPS we can find only a few articles dealing with animal liberation and sport hunting (Wade, 17 (1), 1990:15–27), ecofeminist critique of hunting (Kheel, 23 (1), 1996:30–44), and Ortega y Gasset's philosophy of sportive existence (Inglis, 31 (1), 2004:78–96). Also, J. S. Russell's article on 'dangerous sports' (32 (1), 2005:1–19) is partly relevant because of the inclusion of sports with animals – polo, horse racing and rodeo bronco riding. Besides four articles in JPS, there is only one

article (in two parts) in SEP on the running of the bull (Ilundáin-Agurruza, 1 (3), 2007:325–345; 2 (1), 2008:18–38).[1]

In the last decade or more, M. McNamee has become a key figure in the field of the BES through his edited and authored books, covering striking range of bioethical issues in sports such as doping (2013), health (2006), sports-medicine (2014), genetics (2018), and disability (2012). Moreover, he initiated and edited, together with Jim Parry, Routledge series *Ethics and Sport*, in which different bioethical issues in contemporary sports were discussed: gender (2001, 2017), pain (2003; 2005), genetics (2004, 2005, 2018), health (2006), doping (2009, 2013, 2017, 2018), eating disorders (2010), disability (2012), sports medicine (2012); body ecology (2018), nature sports (2018), and emotions (2018).[2]

In conclusion of this part, I will point out that so far a large amount of bibliographical efforts has been published in sport-philosophical literature on bioethical issues in sports, whether they are bioethical in terms of new-medical (bio)ethics or of so-called European bioethics, despite the crudity of such labels. Moreover, many articles were not even recognised as bioethical. On the other hand, besides the issue of doping, the presence of bioethical issues and topics was a lot richer in SEP than in JPS. Moreover, in SEP four journal issues were dedicated to some of the most important BES problems in modern sport, from the ethics of sport medicine (1 (2), 2007:113–262), ethics of dis/ability in sport (2 (2), 2008:87–270), and bodily democracy as a philosophy of sport for all (3 (2), (3), 2009:105–461) to ethics and neurophilosophy (11 (3) 2017:259–395). Finally, besides a variety of introduced issues, SEP also provided much space for the problems of the relation of genetics in sport and gene doping, while in JPS such topics were considered sporadically.

3. Ethics and Bioethics of Sport

In my previous analysis, I pointed out that in the literature of the field of the ES we can find six huge areas of considerations: competition, cheating, fairness of fair play, doping, gender, and social issues – which involve many different topics, that some of the authors take as a specific fields, like Paralympics and disability, violence, exploitation of (young) athletes, politics, racism etc. (cf. Škerbić, 2017). It is quite obvious that three of the six designated areas are part of the bioethical spectra in sports (doping, gender, social issues), while the others seem connected to it in some degree (competition, cheating). If this is so, the question arises – how can we distinct BES and ES, and how we can divide one from another?

When dealing with such two connected fields, there are always 'muddy waters' in which it is extremely difficult or impossible to measure the amount of something. I do not believe that it is possible to divide the fields clearly or to produce a clear answer to the question why the borderline is here and not there, or why until one point is BES and from another is not any more. Thus, how can we distinguish and divide BES and/from ES? Here, I provide five ways in this regard.

3.1. Sports-bioethicist, sports philosopher and sports ethicist

Even though S. Camporesi in *Routledge Handbook* distinct "bioethicists and sports philosophers" (Camporesi, 2015, 94), it does not seem at all that such a distinction is obvious. Let me propose a question – when J. Gleaves published

a paper on the topic of doping in sports in *American Journal of Bioethics* (18 (6), 2018:20–21), was is it a part of BES or ES? Furthermore, is it a part of BES when an article on doping is published in AJB or some other bioethical journal, while it is a part of ES when a paper on the same topic is published in SEP (4 (3), 2010:269–283)? Also, is S. Loland bioethicist when he is publishing in AJB (18 (6), 2018:8–15) and ethicist when in SEP or JPS? Or P. Sailors (18 (6), 2018:17–18), or H. L. Reid (18 (6), 2018:22–23)? In other words, how can we tell if someone is sports-bioethicist and not sports-philosopher or sports-ethicist? And, can someone be all of the three at the same time?

In my view, we can proclaim someone a sports-bioethicist at least in three ways. Firstly, if one is in scientific work dealing only or mostly with the bioethical topics, problems or issues in sports or they are central to their work. Secondly, if one is using a bioethical methodology and approaches in dealing with the thematic spectre of BES. Thirdly, if one has a specific education to become bioethicist and made a PhD in BES.

However, it seems that the same scholar can be a philosopher, ethicist, and bioethicist of sport at the same time. Even more, it seems that one should be all of the three in some amount if one has the intention of being comprehensive enough in dealing with bioethical issues in sports.

3.2. Philosophical or sports-philosophical discipline

Another important question is the following: if ethics is a philosophical discipline, is it also bioethics? The answer is quite clear – bioethics is not a philosophical discipline. But it is using the philosophical heritage, especially from ethics, for dealing with the bioethical scope of topics or with all of the issues concerning *bios*. In that regard, it is not up to bioethics to deal with the meta-ethical and normative ethical problems. In the same manner, BES stays within the practical horizon of dealing with the bio-medical-technological development and life-centred issues, while ES goes into the metaethical and ontological considerations (both) of its roots and groundings, as well as into other morally questionable appearances in or regarding the sports. The roots, tradition, background, development, and argumentation of general ethics, as well as the ethics of sport, are the BES's vital necessity or *condicio sine qua non*.

Should we count Bioethics of Sport as a part of Philosophy of Sport? And should we place BES into the larger frame of PS? My answer is – yes! Absolutely. In my view, it is obvious that BES is a PS sub-discipline, with the specific thematic scope.

In this context, it is possible to respond to A. Miah's request from 2007 for more dialogue between philosophy/ethics of sport and bioethics because they can both enrich each other by the different solutions, and developed argumentations inside each discipline (Miah, 2007: 154). It has already happened, even in Miah's article, as well as in others alike. More than that, in the first

1 Also, there is a recent addition from R. Cesar Torres and J. F. Lopez Frias with the paper presented at 46th Annual IAPS Conference in Oslo on the case of cloning horses in polo. Abstract is available at: https://www.nih.no/globalassets/final-book-of-aBEStracts-8-17.pdf (accessed on 12. 1. 2019.). See p. 21.

2 The entire list is available at https://www.routledge.com/Ethics-and-Sport/book-series/EANDS.

specialised volume of the *The American Journal of Bioethics* (18 (6), 2018), dedicated to sports, with the T. H. Murray as a guest editor, some of the most prominent sports philosophers like S. Loland, P. Sailors, R. Feezel, H. L. Reid and John Gleaves made their contributions in that regard.

3.3. Bios

In many sports-ethical topics, it is impossible to distinct ES and BES, because they have overlapping content, and even share the same or similar methodology, as well as the same authors, topics, research, and literature. In such a view, ethics of doping in sports, genetics and sport, or sports medicine issues are at the same time a part of ES and BES. The fact that BES is mostly dealing with the future of the sport, while ES is dealing with the future on an equal footing as with the past and present, does not help us much in that regard.

However, there is one distinctive feature – *bios* or life. If a significant amount of importance of *bios* is given in research or publication, this research or publication is (also) bioethical. Here, it is important to indicate that when I was proposing 'wide BES' thematic spectre, I was considering the topics, authors and publications that are dominantly dealing with the *bios*. On the other hand, there will always be research and publications falling in the 'muddy' or 'shady' or 'not clear enough' part of the spectre, where 'grey borderline' just cannot become 'black and white', or BES or/and ES. Instead, we will have to consider them as being both.

In this regard, Hans Jonas work and understanding of *bios* seems decisive. His answer to the question of life lies in the intersection of (evolutionist) biology, (teleological) philosophy and theology. On the one hand, he was developing a 'philosophical biology' (Jonas, 2001) or philosophy of nature which is based both on the empirical research and data from natural sciences, and philosophical and theological reflection. On the other hand, he was trying to build new "ethics for the technological age" based on the 'imperative of responsibility' (Jonas, 1984: Morris, 2013) and the new non-anthropocentric categorical imperative:

> "Act so that the effects of your action are compatible with the permanence of genuine human life." (Jonas, 1984, 11)

Even though Jonas' ethics was already considered in sports-philosophy in the specific context of the environment and outdoor sports (Long *et al*., SEP 12 (2), 2018:194–210) and challenges of biotechnology (Camporesi & McNamee, 2018:101), its rich content provides us with many opportunities and possibilities for usage in different bioethical discussions of sport. Thus, Jonas' insights could be very helpful leastwise in a discussion on genetics and sport, the problem of animals in sport, the relation of sport and environment, ecology and sport, and technology and sport.

3.4. Methodology

Probably the most recognisable inclination of bioethics is seeking for and requiring *interdisciplinarity*, where empirical scientists join the philosophers and ethicists. In the "official" definition of bioethics, it is stated that the content of bioethics should be investigated by "employing a variety of ethical methodologies in an interdisciplinary setting" (Reich, 1995: xxi; cf. Post, 2004: xi; Jennings, 2014: xv). In BES, just like in general bioethics, an interdisciplinary approach is a necessity, and it means bringing together different

sciences, approaches and methods relevant for dealing with the *bios* at the 'crossroads areas' of sports. In that regard, for philosophers/ethicists crucial is to build their normative assumptions and assertions on the well-founded and plausible understanding of empirical facts. Even more, while dealing with 'crossroads' problems in sports, BES needs to be at the same time *interdisciplinary* through the dialogue and collaboration of the different relevant disciplines, *multidisciplinary* through gathering relevant sciences and professions, and *transdisciplinary* in overcoming of the disciplinary differences and building a unique, bioethical viewpoint (Jurić, 2017, 132).

In some BES cases, different non-scientific perspectives and narratives, like the ones from spectators, players and journalists, meet the ones from empirical and natural science, and normative ones from ethical and philosophical disciplines (Čović, 2006, 186). For instance, let us imagine a hypothetical case of Luka Modrić's knee injury that is not allowing him to play. With such a case it will not be possible to deal with only from the medical, as well as only from the ethical point of view, not even only scientific because it lies in the crossroads area of the multiple or pluri-perspectives that should be considered and taken into account:

> "[In Bioethics] There is no clear-cut boundary between the academic and the public discourse. As a bioethicist, one often deals with ethical issues that lie at the heart of broader social contexts and the claims one make in a bioethical article may thereby affect policy- and decision-makers, and the general public." (Atry, Hansson & Kihlbom, 2011, 151)

Thus, in imagined Modrić injury case, we should consider non-scientific perspectives of:

- spectators and fans that want to see their best player on the field playing the games;
- ordinary people for whom the star athlete and his life story is an inspiration, and brings real joy in life;
- teammates and coaches (of the national team and the club) whose performance and success depend on him;
- sponsors, clubs, associations, organisers of the events, and managers that are building their economic gains over his popularity and virtuous playing;
- journalists and media that are forming the public opinion.

3.5. Empirical data

Leaning on empirically gathered data for making ethical and philosophical assumptions is probably the most distinctive feature in strivings for the establishment of the clear distinction(s) between BES and ES. The philosophers and ethicists are reflecting about the data created by the natural and medical scientists in the scientific space and frame of bioethics, whose conclusions and rationales are derived *from* and based *on* empirical research.

Unless two major problems appear in such a perspective. On the one hand, not every bioethical paper is based on empirical research. Hence, this very article is an apparent objection in that regard. For instance, if we are investigating the terminology used, or we are conducting research about the ethical and/or philosophical groundings or perspectives under which we are considering bioethical issues in sport, we do not need empirical data. On the other hand, staying within the empirical borderlines can make ethics (only) a tool which one applies in the way that empirical research needs or require. It seems that

ethics and philosophy are the losing sides in such a scenario, somehow taken from its context, history and tradition of gathered knowledge and development, its profoundness and beauty, its very origin and purpose, just to be reduced to an applied tool for empirical research.

4. Future prospects and 'utopic ideal' of Bioethics of Sport

It seems to be quite obvious that the BES will be of crucial importance for future sports considerations and its development. Key debates on integrity, understanding and defining of sports will occur in the BES discourse through the precedent cases of the athletes like Oscar Pistorius and Markus Rehm. Also, some of the most important issues for sports will be resolving inside of the developing field of biomedical and genetics technologies. The question is, what are we prepared to do with the new technologies, and where this is going to end for sports? In that regard, I believe that the movie *Gattaca* (Niccol, 1997) is the most vivid display and warning towards what kind of possible future we are rushing.

Secondly, the problem of categorisation seems to be of great importance for sports in the near future. BES will help in dealing with the issues in constructing the competition categories because "this construction cannot be informed by sports science or medicine alone" (Camporesi, 2015:92).

Thirdly, BES will have a significant role in providing the ethical "interpretation of the conflict of interest dilemmas (…) of 'unregulated clinical research' (…) [of] the problematic position of the athlete-patient, situated in elite sport" (Camporesi, 2015:92–93).

Fourthly, in terms of gene enhancement, the issue of paternalism in the new light and circumstances will be posed. Is it up to parents to decide on the (unborn) child genes and intervene in their future? Who is to decide to modify genes in children to make preconditions for the future elite athletes?

Fifthly, BES will have to deal with questions such as: should athletes "be allowed to discover new means of performance enhancement to take sport performances to new levels" (Miah, 2016:2675) and to new records that will fascinate and amaze the whole World?

I will argue here for something completely different and opposite to all aforementioned future ideals of sports – I will argue for something I call a 'utopic ideal' of fairness. I will start with the question that we should all think about: what do we measure in sports and what should we be measuring? Instead of looking for an artificialised and technologised body achievements and records, shouldn't we be looking to natural bodies and achievements in sports? Wouldn't it be better to turn to natural biological package that we inherit by birth? Maybe we should be trying to find the ways to measure more precisely actualisation of given biological potential? In that way, we will measure what we should measure in the first place – athletes level of fulfilment of the natural body potential. In terms of the naturally given talent, for instance, a tennis player ATP 101 has maybe fulfilled more of his natural talent than ATP 7? In that regard, maybe being 101st in the world is a much better achievement for one tennis player, and also much more fascinating, then for the other one being 7th. In that way, we would put away all that unfairness and unjustness that biology or nature brings into sports. And then we will be finally fascinated with the essential – achieving the highest possible excellence of one's biologically given potential. Maybe we should turn the technological and scientific development into a different direction, towards

pursuing objectives that will not serve the abnormal and unhealthy goals of achieving the ideals of becoming a 'sport super-humans'. Maybe, we should turn away from the unnatural and unhealthy race for the records in sports, and accept unjust and unfair natural biological packages given to every one of us, and start making new definitions of records and triumphs in a fair and just manner. Of course, in such a way sport would lose some (or most) of the 'David and Goliath' kind of magic, where the smaller, poorer, unprivileged and weaker side (sometimes) wins over the bigger, richer, privileged and stronger one. But if we want to think about real equality and fairness, and build real ethics in sports – then this seems to be the right (if not the only) way to go to in the technologised bio-medical future.

Conclusion

In the first part, I proposed a "wide definition" of bioethics of sport inside the frame of the philosophy of sport. Also, I pointed out why and how bioethics and sport are connected and made a claim that bioethics has a significant if not crucial part in reflecting on contemporary and future sports. In the second part, I proposed a new, wider and comprehensive thematic scope of bioethics of sport, and showed that most of the topics are already present in the philosophy and ethics of sports literature, just wasn't considered in that way. In the third part, I've made some theoretical proposals on how to distinguish and divide ethics and bioethics of sport as two connected sub-disciplines inside of the philosophy of sport. Finally, I gave a few prospects on the future of sub-discipline and presented what I called "utopic ideal" of bioethics of sport.

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Matija Mato Škerbić

Bioetika sporta i njeno mjesto u filozofiji sporta

Sažetak

U Routledge Handbook of the Philosophy of Sport *(McNamee, Morgan, 2015) Bioetika sporta prvi je put uključena, a time i službeno prepoznata, kao posebno područje unutar filozofije sporta. Krenuvši od te činjenice, potičem na tri vrste razmatranja. U prvom dijelu predlažem definiciju za novu pod-disciplinu, sažeto predstavljajući njenu kratku povijest i ukazujući na vezu s bioetikom kao takvom. U drugom dijelu predstavljam prošli i recentni tematski spektar bioetike sporta, pokazujući kako je preuzak odnosno nedovoljno obuhvatan. U tom smislu, oslanjajući se na Fritza Jahra i njegovo shvaćanje bioetike, predlažem proširivanje dosadašnjeg spektra, pokazujući ujedno da je niz tema već obrađeno unutar diskursa filozofije sporta, samo što nisu prepoznate kao bioetičke. U trećem se dijelu posvećujem problemu odnosa i distinkcije između etike i bioetike sporta unutar filozofije sporta. Naposljetku, razmatram neke buduće perspektive bioetike sporta.*

Ključne riječi

bioetika, bioetika sporta, filozofija sporta, etika sporta

Matija Mato Škerbić

Bioethik des Sports und ihr Platz in der Sportphilosophie

Zusammenfassung

Die Bioethik des Sports (BES) wurde erstmals in Routledge Handbook of the Philosophy of Sport *(McNamee, Morgan, 2015) als eigenständiges Gebiet der Philosophie des Sports aufgenommen und demgemäß offiziell anerkannt. Ausgehend von dieser Tatsache werde ich drei Punkte ansprechen. Zunächst werde ich eine Definition für die (neue) Unterdisziplin vorschlagen, ihre kurze Geschichte knapp vorstellen und auf die Verbindung zur Bioethik als solcher hindeuten. Zweitens werde ich auf das thematische Spektrum der BES in Vergangenheit und Gegenwart aufmerksam machen und zeigen, wie und warum es zu eng, unzulänglich und nicht umfassend genug ist. In diesem Zusammenhang werde ich unter Berufung auf Fritz Jahrs Auffassung der Bioethik die Ausweitung des derzeitigen Geltungsbereichs nahelegen und demonstrieren, dass viele der Themen bereits im Diskurs der Sportphilosophie vertreten waren, jedoch schlicht nicht erkannt und als bioethisch eingestuft wurden. Drittens möchte ich auf die Frage der Unterscheidung zwischen Ethik und Bioethik des Sports innerhalb der Philosophie des Sports Gewicht legen. Abschließend werde ich einige Aussichten in Bezug auf die Zukunft der Bioethik des Sports abhandeln.*

Schlüsselwörter

Bioethik, Bioethik des Sports, Philosophie des Sports, Ethik des Sports

Matija Mato Škerbić

La bioéthique du sport et sa place dans la philosophie du sport

Résumé

Dans le Routledge Handbook of the Philosophy of Sport *(McNamee, Morgan, 2015) la bioéthique du sport à été pour la première fois introduite, et ainsi officiellement reconnue en tant que champ distinct à l'intérieur de la philosophie du sport. En partant de ce fait, je vais mettre en avant trois considérations. En premier lieu, je vais proposer une définition pour la (nouvelle) sous-discipline en présentant brièvement sa courte histoire et en indiquant son rapport avec la bioéthique comme telle. Dans la deuxième partie, je vais présenter le domaine d'application passé et récent de la bioéthique du sport, en montrant comment et pourquoi il est trop étroit, insuffisant et pas suffisamment englobant. En ce sens, et en m'appuyant sur la conception bioéthique de Fritz Jahr, je propose d'élargir le domaine d'application actuel en démontrant qu'un certain nombre de thèmes ont déjà été traités au sein du discours philosophique du sport, mais qu'ils n'ont pas été reconnus et considérés comme thèmes bioéthiques. Enfin, je vais mettre en évidence les problèmes liés au rapport et à la distinction entre l'éthique et la bioéthique du sport à l'intérieur de la philosophie du sport. Finalement, je vais examiner quelques perspectives d'avenir de la bioéthique du sport.*

Mots-clés

bioéthique, bioéthique du sport, philosophie du sport, éthique du sport