

The ethics of safe practice in rural sport

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The economic activity generated in the Australian economy by the sports and recreation industries is enormous. It matches that of the traditional major sectors such as the iron and steel industry, the printing (and services to the printing industry) and the motor vehicles and parts industry. According to the latest figures from the Australian Bureau of Statistics the sports sector employs over 95,000 people, around 44% of this on a full time basis. The volunteer contribution to the sport sector is conservatively valued at \$1.6 billion per annum (Sport, 1998). It is proposed in this paper that this industrial view, often described as the "professionalization" of sport, has changed its nature in fundamental ways. For thousands of participants, players, administrators and spectators alike, sport is no longer a part-time interest played only on weekends, or just on Saturday afternoons for re-creative or leisure purposes. It is now a full-time profession for many of the key participants who, through a combination of skill and years of dedicated training can realize huge monetary rewards. From this perspective it will be further proposed that this shift in focus has increased the necessity for all sectors of the industry to adopt behaviors and practices which have at their foundation a commitment to the highest ethical practice.

Introduction

The economic activity generated in the Australian economy by the sports and recreation industries is enormous. It matches that of the traditional major sectors such as the iron and steel industry, the printing (and services to the printing industry) and the motor vehicles and parts industry. According to the latest figures from the Australian Bureau of Statistics the sports sector employs over 95,000 people, around 44% of this on a full time basis. The volunteer contribution to the sport sector is conservatively valued at \$1.6 billion per annum (Sport, 1998). In Victoria, Netball Victoria has 110,000 members with 60% living in the country. Sport can be a potent medium to carry healthy lifestyle messages to different communities; the Victorian Transport Accident Commission is a major sponsor of an Australian Football League team. In regional Victoria there are very successful alcohol reduction campaigns and quit smoking campaigns linked to the Victorian Country Football League. For thousands of participants, players, administrators and spectators alike, sport is no longer a part-time interest played only on weekends. It is now a full-time profession for many of the key participants who, through a combination of skill and years of dedicated training can realize huge monetary rewards. Sport is also increasingly seen to be a suitable medium to target audiences with specific health messages (VicHealth, 1998). This shift in focus has increased the necessity for all sectors of the industry to adopt behaviors and practices which have at their foundation a commitment to the highest ethical practice.

Why ethics?

Differing interests pressures and demands coalesce in a sporting contest where individuals or teams strive to achieve a specific outcome, the end of winning. Clearly, it is not possible for all participants to achieve this end even if exerting ones best efforts in appropriate, requisite ways, as most team contests can be described as zero sum games with only one winner. In these games the winner takes all. It needs to be stressed to all involved that there are differences between the end of winning, as an objective conditional outcome which is achieved by one team, and the end of contesting or trying to win which is necessary for all participants. All participants in professional, corporate sports - players and non-players in support, should adopt as their personal ethic the end of the good contest in which the rules are abided by and each tries to win.

Fraleigh (1984) established three generalisations as appropriate for the good sports contest: "1. The ends of achieving a specific state of affairs, of winning and trying to win, or contesting are all necessary. 2. All participants must adopt as personal intended ends... the end of *trying to win*. (My emphasis) 3. It is not necessary that all participants adopt the end of winning as their personal intended end".

Spectators will generally react negatively when it becomes apparent that a contest cannot be classified as a "good sporting contest". This can be seen when one team or individual engages in actions, which are broadly unfair by the standards of the day, or deny the teams or contestants an equal opportunity of winning. There are contests where the outcomes such as earning bonus payments, or corporate sponsorships, maintaining a teams position on an external ranking scale, or gaining points towards a season climax where social prestige and prize monies are greatest, predominate over the end of trying to win. These external pressures and constraints may not be conducive to the good sporting contest.

Ethical principles, and the sporting contest

In the absence of a long and pervasive history of ethical debate in professional sport, it appears that the expectation of the right actions emerging in the contest will depend upon the varying perspectives that different participants bring to the sporting contest. These diverse views on appropriate action create the need to establish guidelines applicable to many specific cases. Participants are often faced with situations causing them to ask..."What shall I do?" when faced with a problematic setting, or after performing a certain action... "What should I have done?" or when asked for advice... "What should be done?" The case studies presented underscore the need for the debate to take place as a matter of some urgency, in order to guide participants toward the right choice when confronted with difficult, perplexing or confronting ethical dilemmas.

Case One: The case of the injured player

Players in major team sports such as Australian Football, soccer, netball, or basketball, may find that they have a nagging injury that is not totally debilitating. These injuries can arise through an acute incident, or the wear and tear of constant training and playing over many years. Players learn to live with them, although they would rather not if given the choice as they do reduce the affected player's capacity to contribute to the team's success. It is currently common practice for team doctors and physiotherapists to inject players directly into painful muscles and joints with pain killing medications. This practice may occur before, during or after matches. It is done as the participants have adopted the end of winning, rather than the end of trying to win. It is argued that without these the players would not be able to reach their full match potential and help maximise their team's prospects of winning. The short-term gain or instant reward outweighs the long-term consequences of permanent damage or disability. At no time has enough consideration been given to the ethics of this practice. If it had this practice would have stopped years ago. At the non-humane level no thought is given to the resource implication of joint degeneration for the limited public health budget, as bodies and body parts are pushed beyond their functional capacity. Coaches, officials and other administrators who know what is going on choose to "turn-a-blind-eye" to what is conventional behavior, or customary practice. They avert their gaze from what must be a troubling view.

Case Two: The case of the back-line strategy

Australian Football is, at its best, a fast, exciting and enthralling spectacle where a game can ebb and flow for the best part of three hours. High scores are reasonably common, as are close finishes where two evenly matched teams will strive for the hard fought victory. This portends the right sort of contest. Recently, one AFL team chose to deny their opposition the opportunity to compete for possession of the football by a series of short back-line passes specifically designed to eliminate the possibility of their opponents scoring. In denying the opposition in this way, a strategy of "running-down-the-clock" ensured victory before the match was officially over. Although this practice was not outside the legislative framework of the game, it was a denial of the expectation embodied in the notion of the good sporting contest. It leads to the question, has the perceived value of winning subverted the true nature of the game?

Case Three: The case of the intentional foul

In some sports this practice is occasionally called, euphemistically, and with a hint of grudging admiration the "professional foul". In basketball, a defensive player may find themselves confronted by a fast-breaking opposition forward who may be driving with great speed and skill toward their own basket with a high probability of

scoring. The optional defensive strategy in the good sporting contest, is to attempt to inhibit the opponent's progress within the legislative framework (rules) and in all likelihood see the points scored. Another option is to deliberately and with intent, breach the rules, and in so doing cause the game to be momentarily stopped as a foul is called to the defender. This action breaks the momentum of the play that may have brought about a "certain" score, as it forces the referee to call the fouled player to the free throw line where they may score. A similar scenario is sometimes seen in soccer when a defender, in a way designed to break the flow of progress toward the goal, tackles a forward running player. Rather than be seen as unethical and against the notion of the good contest these actions are, on occasion revered as "professional".

Can ethical theory help to establish reasonable behavioral guidelines, which may help to resolve some of these questions facing professional sports? That ethical guidelines are as appropriate to professional sport as to other spheres of human interaction will be presented using the frames of reference provided by three ethical theories. The first **beneficence-non-maleficence**, the second **utilitarian-consequentialism**, and the third the theory of **respect for persons**.

Beneficence and non-maleficence

Bergland and McNeil (1989) state that these principles, to "do good", and, to "do no harm", underpin the famous Hippocratic Oath of the medical profession. These writers suggest that the medical profession is ethically obligated to its patients to maximize possible benefits and to minimize possible harms. If they applied this ethical dimension to their decision, a team doctor could be confident that their final decision adequately cared for and protected the immediate and specific requirements of an injured player. They would also know that as a consequence of their decision, a player would not be exposed to further risk of exacerbating any injury. A team doctor is ethically obliged to guarantee that the best available treatment is provided even if it conflicts with the wishes of the player. It could be argued that the ethical principle of beneficence should predominate over the principle of autonomy as clause 5 of the Medical Commission of the International Olympic Committee's Principles and Ethical Guidelines of Health Care for Sports Medicine states in part ... "When serving as a team physician it is acknowledged that the sports doctor assumes a responsibility to athletes as well as team administrators and coaches. It is essential that from the outset each athlete is informed of that responsibility..." (IOC, 1991).

Utilitarian-consequentialism

This ethical theory holds that "actions are right or wrong according to the balance of their good and bad consequences" (Beauchamp & Walters, 1989). The theory proposes that the resolution of any issue

needs objective analysis in which equal weight is given to all arguments, the likely outcome following this process is to produce the “maximal balance of positive value over disvalue” (Beauchamp & Walters, 1989). A team doctor may consider a number of propositions on balance, for example, in a team setting what weight should be given to the argument of the greater good or positive value of team success, with an injured player playing? This should be weighed against the “disvalue” of losing a sporting contest, or lesser ‘good’ of aggravating an injury. A question arises for the utilitarian ethicist ... what is the probability of a more serious injury occurring? Is this probability high or is it low? What should be the outcome if expert medical opinion suggests that the chance of further aggravating the injury is low? Beauchamp and Walters (1989) describe a recent development in utilitarian ethical theory that places merit on a number of values other than individual happiness. If these values, “friendship, knowledge, beauty, and health” (Beauchamp & Walters, 1989) do have intrinsic worth, then the outcome which produces the greatest good will include the health of the player as an intrinsic good and this should be unconditional in the short and long terms.

Respect for persons

Bergland and McNeil (1989) describe individual rights to confidentiality and autonomy. With particular emphasis upon autonomy they write, “that autonomy is fundamental to the principle of respect for persons... that the opinions and choices of individuals who have the capacity for directing their own lives should be respected”. From this perspective a team doctor may be faced with a conflicting set of ethical guidelines. On the one hand, the decision to respect the autonomy and confidentiality of the athlete is of fundamental importance in a free society. The ability to make considered judgements and to control one’s own destiny is an important sign of the maturing adult. Its importance to the wider community should not be under-estimated, as it is a sign of the maturity of a society that important decisions can be left to individuals and groups. Self-regulating mechanisms provide an appropriate series of checks and balances on behavior without Governments imposing legislative frameworks that over-ride the individual. Paradoxically, in respecting this value a club or team-doctor may contribute directly to a situation where a player for whom they share a significant responsibility may worsen an injury. So what may appear to be strong ethical argument for respecting the autonomy of the individual may have to be weighed against other ethical positions. The athlete may not be the best person to have the final say as they, quite obviously, have a lot more interest in a particular outcome than someone less subjectively involved. The public interest may lessen the strength of the argument for the autonomy of the athlete. To permit the athlete to play may have additional costs for society in the short and long term. Members of

the medical profession are aware of some of the long-term consequences of the stresses that high level athletes place upon their bones, joints and muscles. It is likely that the player will require a greater share of the public health resource in the future as a result of serious and aggravated injury. There is worrying anecdotal evidence accumulating which indicates a problem of low and moderate levels of osteoarthritis occurring in former Australian Football players. To play when there are risks of further injury is to indirectly argue for a greater share of the scarce public health resource as the need arises in the future.

Conclusion

By not engaging in the debate about ethical guidance to behavior in sport, custom or convention establishes the behavioral precedent. The flaw in this position is that if these behaviors are not already rooted in high ethical standards then current practices will also be ethically flawed, even though they may have been "done for years". It is not a sufficiently strong enough reason to behave in particular ways because that is the way it has always been done. Athletes need a confident ethical basis to their decision making to enable them to ascertain which decision or action best supports the good sporting contest. It should be emphasised that this basis to sport is not inimical to competition of the most intense sort, or to the uncertainty of outcome, or to market (spectator) appeal. Rather, it confirms the integrity of the implied contract between the participant and the spectator, that the outcome of the contest is unknown prior to the commencement of the event. Consideration of ethical reasoning may diminish the power of convention and custom as the arbiters of current practice, it also may disarm that most destructive of forces in sport, unbridled self-interest.

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