
THE ARSHT ETHICS DEBATES AT SPORTSFEST

Cases

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Arsht
Ethics Initiatives

Playing Sports with Both Types of Equipment

Is a transgendered or intersex¹ athlete a male or a female? That is a question in contemporary athletics.

Traditionally, men and women have been separated in many athletic events for obvious reasons: uniformity, privacy, and parity. There are well-documented physical and physiological differences between men and women when it comes to athletic ability.²

What should be the policy for an athlete who is born a male and keeps a masculine form and musculature, but who identifies, lives and has had a surgical procedure to become a woman? Is it permissible to allow this athlete to compete in a woman's athletic event that demands a level of endurance or musculature strength associated with the masculine form?

In 2004, the International Olympic Committee (IOC) adopted the Stockholm Consensus regarding transgendered participation in the Olympic Games, which provides that those who complete their transgender transition before puberty can participate in the category of their chosen gender. Those who complete their transition after puberty can compete in their chosen gender under certain conditions: the entire sex-change procedure must be complete, including a removal of the original primary sexual gonads (ovaries or testes); the athlete must be at least two years post-surgery; and most importantly, each athlete must be evaluated by a special committee on a confidential case-by-case basis to determine their gender for the purpose of the athletic competition at hand.³

The Stockholm Consensus is considered the leading guide on transgender issues for the global sport community. The US Golf Association, USA Track and Field and the Women's Sports Foundation are among the organizations that have adopted the Consensus. However, Stockholm Consensus has also been criticized in certain quarters⁴.

Some argue that the individual case-by-case inspection of transgendered individuals to determine their "gender" is unfair and oppressive. It puts a third party in charge of labeling someone's gender, even if the individual truly feels a different way about their status. Some have argued that certain athletes may not be able to afford or simply choose not to get the expensive and invasive full sex-change operation, even though they still behave, identify and "are" the opposite gender.⁵

On the other hand, some women's groups have argued that the individuals who went through puberty as males but who have transitioned and are allowed to compete as female athletes have a strategic advantage over athletes born female.

¹ "Sports: Transgender Issues" GLBTQ- Encyclopedia of Gay, Lesbian, Bisexual, Transgender and Queer Culture"
http://www.glbtq.com/arts/sports_transgender_issues.html

² Conner, Michael "Understanding the Difference Between Men and Women"
<http://www.oregoncounseling.org/ArticlesPapers/Documents/DifferencesMenWomen.htm>

³ Griffin, Pat "Inclusion of Transgendered Athletes on Sports Teams" Women's Sports Foundation
<http://www.womenssportsfoundation.org/Content/Articles/Issues/Homophobia/I/Inclusion-of-Transgender-Athletes-on-Sports-Teams.aspx>

⁴ "Gender Identity Policy" Copenhagen 2008 worldOutgames
http://www.copenhagen2009.org/Outgames/Registration/Policies/Gender_Identity_Policy.aspx

⁵ "Transgender Athletes Get Into the Game" Transgriot 2007 June 24 <http://transgriot.blogspot.com/2007/06/transgender-athletes-get-into-game.html>

Separation of Church and Sport?

Religion is an important part of the lives of billions of people the world over. Not surprisingly, many star athletes are religious, choosing to pray for success on the playing field in an important game or to use their fame to spread the message of their faith. Certain groups espouse a goal of promoting a particular faith in sport. Even advertising in sport has acquired a religious slant.

Consider, for example, the most famous outwardly religious player, Tim Tebow, champion quarterback for the University of Florida Gators. ¹ Throughout his career, Tebow wore eye-black inscribed with biblical verses, many of which would become “most common searches” on google.com after a game. The Fellowship of Christian Athletes is a group with a self-proclaimed mission to “Present to athletes and coaches and all whom they influence the challenge and adventure of receiving Jesus Christ as Savior and Lord, serving Him in their relationships and in the fellowship of the church.”²

And the Birmingham Steeldogs decided to have biblical passages embroidered on their uniforms, a move that generated both concern and the threat of fines by the NCAA.³ League officials argued that this sanction was not because of the religion, but because athletic teams cannot “modify their jerseys on a whim” and “Promotions can’t spill onto the field of play.”

Some worry that the disparity in the number of athletes who display a Christian message as opposed to other faiths creates a notion of “Christian Privilege” in American sports. They wonder whether “[Tebow], or another player, would be allowed to have “Allahu akbar” (translated, “God is Greatest”) in Arabic on his eye black?”⁴

Sporting events are no stranger to the notion of competition in terms of physical prowess and mental acuity, but is there room for competition between religious ideologies on the playing field?

¹ <http://www.huffingtonpost.com/tag/tim-tebow-eye-black>

² <http://www.fca.org/AboutFCA/>

³ <http://www.buzzle.com/editorials/5-4-2006-95181.asp>

⁴ <http://www.tebowseyebblack.com/2009/12/eye->

Fighting the Fat

Obesity is a growing problem in the United States and college students are no exception to this trend. According to recent scientific studies, the number of children between the ages of 12 and 19 who are overweight is up to 17%, triple the figure in 1980.¹ Obesity is thought to be a leading cause of many other medical problems, including heart disease, hypertension, and diabetes. With increasing awareness of the devastating results of obesity, Americans are taking different approaches to fight the fat.

Four years ago, Lincoln University, located in Pennsylvania, initiated a strict program to address obesity in its student population. It required each student enrolled in the University to be screened for their body mass index (BMI), a measure of body fat based on height and weight, and waist circumference. Any student deemed obese was enrolled in a mandatory fitness class offered by the University. Like any academic requirement, successful completion of this fitness class is required for graduation. The first class affected by this requirement is set to graduate in May, but 25 of the students have not met the fitness class requirement.²

A fitness policy that jeopardizes the potential graduation of students has generated a certain amount of controversy about the rights and responsibilities of a University. Some say the University has invaded students' rights. Historically, many universities had a general physical education requirement; some still do. However, in these cases, everyone had to fulfill this physical education requirement regardless of their weight. Lincoln University, on the other hand, is only imposing its requirement on students whose BMI and waist circumference are above a certain limit. It is interesting to note that Princeton and other universities used to require students to learn how to swim in order to graduate; indeed, Cornell has had this requirement in place since 1919.³ In the past, the swimming requirement was defended as necessary to ensure lifelong survival skills for the population. Administrators at Lincoln University argue that their program is designed to accomplish a similar goal: to improve the lives of those who are at risk for detrimental diseases due to obesity.

¹ Pilkington, Ed "Success at fat-fighting Lincoln University hinges on BMI test"

<http://www.guardian.co.uk/world/2009/dec/04/lincoln-fat-graduate-obesity>

² Child's Trend DataBank "Overweight Children and Youth"

<http://www.childtrendsdatabank.org/indicators/15OverweightChildrenYouth.cfm>

³ Chicago Tribune "Swimming test afloat at few colleges Three in Ivy League are among schools that require students to show aquatic ability"

<http://archives.chicagotribune.com/2007/dec/04/news/chi-swimdec04>

Say It Ain't So, Tiger!!

Athletes, like all people, can break rules and do things of which they are not proud. However, the consequences of that behavior are very different for them than for ordinary people. Even minor misdeeds may be broadcasted to millions of people and may affect the rankings and recognition that come with extraordinary athletic prowess. But the consequences may not be uniform for all athlete celebrities.

Recently, a shocking sex scandal ruined Tiger Woods's formerly squeaky-clean reputation, but members of the Associated Press named him "Athlete of the Decade" after votes were counted on a ballot that included Lance Armstrong, Roger Federer and Michael Phelps.¹ Some have argued that Tiger Woods should not have won that title considering his moral failures in his personal life. Others suggest that, in fact, Wood's sudden notoriety actually helped him win the coveted honor.

Mark McGwire has had to testify and answer many embarrassing questions about how his steroid use may have influenced his place as the baseball player who has hit the most home runs.² Despite this accomplishment, Mark McGwire has not been elected to the Baseball Hall of Fame. Is steroid use³ different from leading a double life?

Finally, consider Michael Vick, who served 23 months in prison for dog-fighting and cruelty to animals. He then was reinstated as a football player for the Philadelphia Eagles. Some have criticized the Eagles for hiring Vick, saying that his crimes were too terrible to allow him to continue playing the role of "champion athlete" in front of the public.⁴

As these three cases demonstrate, athletes who behave badly walk a different line than non-celebrities who behave badly. Unethical behavior for athletes can gain notoriety that can make them even more famous or it can leave them vulnerable to sharper consequences as they become responsible to the public at large.

¹ AP "Tiger Woods voted athlete of the decade by members of the Associated Press"

<http://sports.espn.go.com/golf/news/story?id=4747530>

² Waters, Henry "Mark McGwire: The Man, his record and the game"

<http://www.columbiatribune.com/news/2010/jan/14/mark-mcgwire/>

³ "Home Run Fraud Mark McGwire Finally Admits Steroid Use" Scared Monkeys <http://scaredmonkeys.com/2010/01/12/home-run-fraud-mark-mcguire-finally-admits-steroid-use/>

⁴ Regional Ethics Bowl Cases Case #9 <http://ethics.iit.edu/eb/2009%20Regional%20Cases.pdf>

The Bigger the Better?

At every level, football is getting bigger – much bigger. Over the years, our country’s gladiators of the gridiron have beefed up considerably, especially at the lineman positions. The offensive line of the undefeated 1972 Miami Dolphins, entrusted with protecting Hall of Fame quarterback Bob Griese and opening holes for running back Larry Czonka, weighed an average of 250 pounds. This year’s Dolphins line tips the scales at well over 320 pounds per player. More than ever, both NFL and college coaches demand bulk at the line positions, knowing full well that having a set of immovable objects up front can help to obliterate opposing offenses as well as protect their own men.

This trend at the professional and collegiate level has found its way to America’s high school football teams, as teenage players who aspire to be their generation’s Warren Sapp (303 lbs) or Orlando Pace (325 lbs) pack on the weight in an effort to impress college scouts. "I look at college players and pro players a lot and size them up," says Chad Wilson, a standout high school football player from Iowa. Even though Wilson’s weight currently sits above 250 pounds, he wants to put on another twenty before his senior season to stay competitive. Another player, Thomas Reynolds, insists that linemen like him have to bulk up to survive in his high school conference and have a chance at a college scholarship.

The “bigger is better” movement among high school linemen carries significant risks. Researchers at Iowa State University note that half of the high school linemen in their state qualify as overweight and one in ten fit the requirements for severe obesity. Dr. Joe Eisenmann, an exercise physiologist, suggests that "15- and 16-year-old boys that have a [high] weight and body-mass ... as they enter adulthood [are] at a very adverse health condition," further stating that overweight children and teens face significantly higher risks for heart disease, high blood pressure, diabetes and weight problems throughout adulthood.

Many parents, coaches, administrators, and others believe something must be done. Sportswriter Bob Molinaro of *The Virginian-Pilot* asserts in a recent article that “Congress...or somebody... [should step in] before more husky high school kids decide that the path to success as a lineman begins with multiple trips through the buffet line.”

The situation leaves us with many questions: Should we allow teenage linemen to gain as much weight as they wish? If so, then why? If not, then what should we do? Implement mandatory weight maximums? Ask schools, coaches, or parents to take more responsibility? Would any solution even be enforceable or feasible?

Pros and Cons of "Going Pro"

Depending upon their age and experience, athletes can participate in competitive basketball at several levels. Often, the goal is to be a successful player on one of the thirty National Basketball Association (NBA) teams; one of the most common methods of joining these teams is through the NBA Draft. All U.S. basketball players are automatically eligible to participate in the NBA Draft at the end of college. Through 2005, U.S. players were also allowed to declare eligibility for the draft at any time between high school graduation and completing college. International players could declare eligibility in the calendar year of their 18th birthday, or at any time after that.

Eligibility rules changed with the 2006 NBA Draft. Now, all players must be at least 19 years old during the calendar year of the draft, regardless of whether they are U.S. or international players. In addition, all U.S. players must be at least one year away from high school graduation before becoming eligible for the draft. Accordingly, a player can no longer be drafted directly to the NBA after graduating from high school.

Going directly to the NBA from high school holds substantial appeal for many high school players. Obviously, they can quickly advance their career by eliminating the "unnecessary" step of playing college or league basketball for at least a year after graduation. In addition, consider the financial incentive: men who were the second and third lottery picks in 2006 are making more than \$4 million and \$3.6 million, respectively. "I'm a little disappointed," ESPN NBA Analyst Greg Anthony said, echoing the sentiments of many current and hopeful NBA players. "If you go back in the draft, the high schoolers have more of an impact than the foreign players," he said. "If you are an international (player) you can pursue your goals and dreams and turn professional at an early age." Just three weeks after graduating from high school, basketball superstar LeBron James became the first pick of the 2003 draft, saying, "It was great. This is a longtime dream – to finally accomplish this."

On the other hand, many players and coaches see the advantages behind requiring a year of experience before "going pro." Kevin Durant, a freshman player at the University of Texas, believes he has benefited greatly by the rule change and required college experience. "I'd have struggled, man," he says. "I would have wanted to spend all my money on stupid stuff. I'd have wanted to buy everybody else everything. It would have been a disaster, I think." He is expected to be among the top picks when he decides to enter the draft – though that date may not be as soon as everyone thinks. Initially, he had planned to enter the draft immediately after he became eligible, after his first year of college. However, he now admits that he's enjoying and benefiting from the college experience, and may want to stay another year or more.