

## What is Fair Play in Sport?

Written by Emily Ryall, University of Gloucestershire

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Fair play is central to our notion of good sport. So much so, that the International Council of Sport Science and Physical Education (ICSSPE) declaration on fair play stated that “without fair play sport is no longer sport”<sup>1</sup>. It is one of those concepts that is frequently used yet rarely deconstructed: everyone knows it is important but few are able to adequately define it. At its core, fair play must involve adherence to the rules of the game. This account is called formalism. Yet, fair play is often cited as being much more than following the (constitutive) rules. It also seems to reflect an attitude towards playing the game and towards others involved in the game. As such, fair play can be divided into two strands: *formal fair play* that is related to adherence to the rules and *informal fair play* that is concerned with a ‘spirit’ or ‘ethos’ of the game. Whilst the former is much easier to define and accept within any definitions of fair play, it is the latter that is more problematic and intangible. Heather Sheridan outlined seven conceptions of fair play: ‘fair play’ as; formalism, play, respect, social contract, rational norms, virtue, and ethos.<sup>2</sup> Whilst these concepts differ they are not mutually exclusive and often overlap.

### What is formal fair play?

Formal fair play refers to the written or constitutive rules of the game. These rules must be at the heart of a conception of fair play for without them the game could not exist. The difficulty is whether the formal rules are sufficient for an account of both sport and of fair play. The primary criticism of the formalist approach is that it is so strict it doesn’t account for the realities of the way sport is played. According to a formalist, unless a participant is abiding by the precise rules of the game, they are not playing the game. When it comes to fair play, a formalist would argue that anything goes as long as it does not contravene the formal (i.e. written) rules of the game. This would therefore allow behaviour that many would label as ‘gamesmanship’ or ‘against the spirit of sport’. For instance, imagine a striking and fielding sport whereby one of the teams fields an incredibly talented dog, which is able to run, catch and field balls. If there was nothing in the rules of that sport that stipulated all players must be human, a formalist would argue that the dog is therefore an eligible player. A formalist would argue that if the general consensus is that dogs should not be part of the game, then it is for the rules to reflect this. Until the rules do, the team that includes the incredible fielding dog is playing fairly. A further criticism of the formalist position is that rules are also always going to be open to interpretation. For instance, a rule that states, ‘the referee may allow the game to continue after an infringement if she deems it provides the opposing team with an advantage,’ requires interpretation as to what would constitute an ‘advantage’.

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<sup>1</sup> International Council of Sport and Physical Education (1976) Declaration on Fair Play. *FIEP Bulletin*. 46(2): 10-20.

<sup>2</sup> Sheridan, H. (2003) Conceptualizing ‘fair play’: A review of the literature. *European Physical Education Review*. 9(2): 163-184.

There are many instances of game playing that do not directly contravene the rules of the game but are questioned or frowned upon. In these cases, the formalist maintains that such issues reflect a defect in the rules rather than in the participants' attitude or behaviour. Equally, there are ways of playing a game that may formally break the constitutive rules but are accepted by all the parties involved. For instance, modified games are often played to ensure a greater level of fairness, enjoyment or simply due to practical constraints on time or space. The main criticism levelled against the formalist account of game playing is that it fails to recognise that sport is a human practice with a social and historical framework that changes and develops in different contexts and times. This is reflected in the continual development and alteration of rules, for a whole variety of reasons, not just to plug loopholes or limit deficiencies. Rules may be amended for aesthetic reasons to make the sport more appealing or marketable; for safety reasons; or for reasons that reflect changes in our cultural attitudes. As such, the rules will never be sufficient to account for all the possible ways the game can be, and is, played.

A formal account of fair play therefore, is generally considered necessary but not sufficient for a definition. The concept of fair play is not merely playing in accordance with the rules but is also dependent on the attitude and values that are attached to the game. This leads on to an informal account of fair play.

### **What is informal fair play?**

Informal fair play encompasses the additional aspects of the game that are seen as important but that are not covered by the formal rules. It refers the attitudes that we hold towards the sport and others involved in it, and way in which these attitudes affects our behaviour when playing it. One aspect of this can be represented by Suits' term, the 'lusory attitude'. This attitude is one ultimately of playfulness and is exemplified in the 'amateur ethos' whereby sport is seen as outside 'normal' life and 'non-serious'. Sport, on this conception, is intrinsically valuable for the same reasons that play is of value: because it is enjoyable, is a diversion from 'ordinary' life, allows us to expend superfluous energy, etc. As such, the primary value of sport is one of play, and 'fair play' is when this value is upheld.

The problem with this conception however, is that can be seen as idealistic and not a true representation of (modern) sport. To consider sport as 'non-serious' doesn't account for the seriousness with which many view it, and disregards the elite and professional spheres where playfulness is not at the core.

### **What part does respect play in sport?**

Other conceptions of fair play focus upon the notion of 'respect'. The term 'respect' is often used in relation to fair play and was at the heart of the ICSPE declaration which was written in conjunction with the International Olympic Committee and UNESCO. This declaration explicitly defines fair play as; *self-respect, respect for team colleagues,*

respect for opponents, and respect for the referee. This can be encapsulated as Butcher and Schneider's definition of 'fair play' as 'respect for the game'<sup>3</sup>. However, the issue then becomes that of defining 'respect'.

One way in which respect can be defined is by turning to the work of the German philosopher, Immanuel Kant. Kant maintained that the right way of behaving is one in which is based upon rationality (i.e. logic and consistency). He argued that things ought to be treated (given due respect) according to the type of thing that it is. So whilst it is perfectly appropriate to kick a ball, it is not appropriate to kick a cat or a person. He formulated two categorical imperatives<sup>4</sup>: 'always behave in ways that you can imagine everyone else behaving', and 'always treat people as ends rather than merely a means to an end'<sup>5</sup>. Kant argued that both categorical imperatives meant essentially the same thing. They can be summarised by the saying 'treat others how you would wish to be treated'. In sport, this can be understood by playing in a way that you would want others to play; for instance, not to cheat, not to be abusive, and to play in a way that allows the game to flow in accordance with the rules.<sup>6</sup>

Butcher and Schneider interpret Kant's first categorical imperative to suggest that sport should be treated in accordance with its interests. They state that "Sports are practices and practices are the sorts of things that can have interests"<sup>7</sup> and "Taking the interests of the game seriously means that we ask ourselves whether or not some action we are contemplating would be good for the game concerned, if everyone did it."<sup>8</sup>

The main criticism of Butcher and Schneider's interpretation however, is that they do not actually specify what constitutes the interests of (the) sport. As Sheridan notes, a lack of clarity means that it is impossible to determine what constitutes fair play: for instance, whether proposed technological or technical innovations are in the interests of (that) sport or not.<sup>9</sup>

## Is sport just a social contract?

An alternative approach to fair play is to define it in terms of a social contract. There are various forms of social contract theory but they centre around the idea that people tacitly agree to behave in particular ways or act in accordance with particular norms on the basis that it makes life better for everyone. One of the first proponents of Social Contract theory was the philosopher, Thomas Hobbes, who lived during tumultuous periods of the English Civil War and persecution in France. He believed that man's fundamental nature was 'nasty, brutish and short' and concluded that peace was enabled only through a free and mutual agreement to live by the rule of law. This form of

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<sup>3</sup> Butcher, R. and Schneider, A. (1998) Fair Play as Respect for the Game. *Journal of the Philosophy of Sport*. 25:1–22.

<sup>4</sup> These are actions that ought to be done for reasons of rationality regardless of preferences, motivations or consequences.

<sup>5</sup> The exact translations are: "Act only according to that maxim whereby you can at the same time will that it should become a universal law without contradiction" and "Act in such a way that you treat humanity, whether in your own person or in the person of any other, never merely as a means to an end, but always at the same time as an end." Kant, I. (2012) *Groundwork of the Metaphysics of Morals*. Cambridge: Cambridge University Press.

<sup>6</sup> The Kantian notion of 'respect' is discussed further in Chapter 27.

<sup>7</sup> Ibid. p9.

<sup>8</sup> Ibid. p11.

<sup>9</sup> Sheridan, H. (2003) Conceptualizing 'fair play': A review of the literature. *European Physical Education Review*. 9(2): 163-184.

social contract can be seen as a pragmatic one which produces beneficial consequences that people would rationally choose. When applied to sport, it means that the game is played in the way that we expect it to be played. For instance, I will not cheat on the basis that you will also not cheat, which means that our expectations about how the game is to be played are met. Whilst not cheating may be core to playing the game, social contract theory also takes into account social or tacit norms. For instance, if a player from the opposition is injured, I will kick the ball out of play on the expectation that if one of my players was injured, you would do the same.

A more recent incarnation of Social Contract theory was presented by the American philosopher, John Rawls<sup>10</sup>. He argued that resources should be divided according to what people would choose if they didn't know what proportion of the resource they were going to receive. He called this the 'veil of ignorance'. One way to understand this is to imagine you have the responsibility of dividing a cake but everyone else gets the opportunity to take a slice before you do. If you divided it unequally, you are likely to end up with the smallest slice. By dividing it equally, the slice you receive will be the same as everyone else's regardless of which slice you are left with at the end. In sport, this means that we should act in a way that ensures everyone is treated equally according to what is fair. Therefore, everyone should agree to play according to the rules<sup>11</sup> and officials should be impartial in their application of the rules. It also means that competition in sport should be divided fairly according to certain, relevant, criteria, such as age, weight, sex and ability.

Sheridan criticises this conception however on the basis that it turns it into a negative concept: the absence of unfairness.

'Fair play' is defined as the lack of unfairness, which itself is defined in terms of a breach of contract or agreement. Thus, 'fair play' is to simply do no more or no less than you said you would do.<sup>12</sup>

Sheridan argues that a conception of 'fair play' needs to be more sociologically situated and take into account culture, history and tradition. Such a conception is one based upon a shared system of rational norms.

### **Is 'fair play' a set of shared social norms?**

Loland's conception of fair play as a system of rational norms draws upon Rawls' notion of fairness but also encompasses a shared ethos of the game that is historically and culturally formed. Any given example or instance of fair play is therefore culturally and historically situated and is flexible within certain parameters. This may explain why notions of fair play and sportsmanship are difficult to define. The example that Loland and McNamee provide is from differing expectations of acceptable behaviour following an injury to a player in a football match between Arsenal and Sheffield United:

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<sup>10</sup> Rawls, J. (1971) *A Theory of Justice*. Oxford: Oxford University Press.

<sup>11</sup> Loland, S. (2002) *Fair Play in Sport: A Moral Norm System*. London: Routledge.

<sup>12</sup> Sheridan, H. (2003) Conceptualizing 'fair play': A review of the literature. *European Physical Education Review*. 9(2): 172.

In accordance with the ethos of the game played at that level, a Sheffield United player kicked the ball out of play so that the injured player could receive medical treatment. It is *normal*, once the player has been taken from the field of play (or is able to continue) that the ball is thrown back to the opposition without challenge so that the state of affairs prior to the stoppage of play can be resumed. In this match, an Arsenal player threw the ball back in the direction of the Sheffield defence. Then a new player to the Arsenal team (a recent recruit from an African nation) intercepted the ball, crossed it to one of his team mates who instinctively (so it is said) struck the ball and scored. The referee blew his whistle and indicated a legal goal.<sup>13</sup> [my italics]

This example highlights that there are particular ways the game is played that are outside the formal rules. However, it also shows that these may differ culturally and historically. The word 'normal' was highlighted as this term was culturally situated. Throwing the ball back to the opposition was normal in the British version of the game but is not necessarily normal elsewhere – hence information about the geographical citizenship of the intercepting player. Cultural differences are also not necessarily defined by large groups based on geography or religion. They can also manifest themselves within individual clubs or through the ethos of individual coaches. As such, a coach may say to her players; 'we don't play the game like that'.

Historical changes to expectations about how the game ought to be played can also be seen in the way that in the professional era, it has become less common for games of rugby to be stopped for injury (unless serious or head injuries). Physiotherapists are frequently seen attempting to assess injured players whilst protecting them from further injury caused by the ongoing game. Whilst in previous eras, the game was stopped in order for both teams to get back to full strength; the demands of entertainment for spectators and a fast flowing game mean that this previous example of fair play has now become obsolete and the current ethos has changed.

In addition to the professionalization of sport, the use of technology may have also changed the ethos of the game. If decisions as to whether rules are being followed or broken is seen to be increasingly the responsibility of the officials - including television officials who have access to replays and other officiating technology - then it is less likely that the players themselves will feel a moral duty to own up to an infringement.

'Fair play' therefore can be seen as both adherence to the formal rules of the game but also a set of expectations and norms about how the game ought to be played. These norms demonstrate wider values about the meaning and values we attach to sport and to each other. It is a contested term but at the very least demonstrates that there are normative assumptions about the way that sport is played.

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<sup>13</sup> Loland, S. and McNamee, M. (2000) Fair Play and the Ethos of Sports: An Eclectic Theoretical Framework. *Journal of the Philosophy of Sport*. 27(1):63-80. p63.