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On October 31, the *Chicago Tribune* reported that the two-time Chicago Marathon champion, Rita Jeptoo, tested positive for doping. As a result, the Chicago Marathon organization is withholding her $500,000 prize (Hersh). If the final ruling of the International Association of Athletics Federation finds Jeptoo guilty of steroid use, she will be stripped of her titles and banned from future racing. In professional races, participatory runners, such as Rita Jeptoo, are forbidden from using performance-enhancing drugs. Policies banning steroids were created to protect the health of athletes, as well as to maintain the integrity of the sport. However, John Stuart Mill would have found these reasons to be insufficient to warrant government intervention. Instead, according to Mill’s beliefs expressed in his writing, *On Liberty*, he would argue for the legalization of steroids.

Countless studies have exposed the dangers of performance-enhancing drugs. The severity of the risks associated with steroids has compelled institutions to ban these substances. For example, in San Francisco School District’s athletic participation waiver, it is written, “Steroids can keep youth from growing to their full height; they can also cause heart disease, stroke, and damage liver function.” (“CIF San Francisco Section”). Likewise, as stated by Tom Davis, a representative who supported the Clean Sports Act of 2005, “Steroid use is a national public health crisis. This legislation is aimed at not only getting rid of performance enhancing drugs on the professional level, but also sends a message loud and clear to the young people of America: Steroids are illegal. Steroids are dangerous. They can be deadly.” (Patrick). Similarly, the United States Anti-Doping Agency used the same reasoning to support their ban of steroids. In their mission statement, the administration states: “The negative effects these drugs can have on one’s body make USADA’s mission paramount as to why no athlete should ever have to consider RED use to succeed in sport” (“U.S. Anti-Doping Agency”). The San Francisco School District, the legislative branch of the American government and the USADA all used the same reasoning to justify their ban of steroids: Steroids harm an athlete’s health and thus should not be allowed in sports.

It is undeniable that steroid use puts an individual’s health at risk. However, according to John Stuart Mill’s harm principle, banning steroids because of these dangerous side-effects is not a legitimate exercise of government power. In Mill’s essay, he argues, “The only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others” (Mill 14). The San Francisco School District banned steroids because an individual, as a result of using steroids, may not grow to his or her fullest potential. While an individual’s growth being stopped prematurely harms his or her health, no physical harm is exerted on his or her neighbors’ health. Thus, side-effects of steroid use only affects the user. No matter the depth or length of research that re-affirms steroids to be harmful to the user, Mill asserts, “Over himself, over his own body and mind the individual is sovereign” (Mill 14). According to Mill, since the government controlling of an individual’s actions is “justifiable only for the security of others,” and since the consumption of performance-enhancing drugs affects only the body of the user, health risks are insufficient reasons for an institution to ban steroids.

Instead of health risks, the World Anti-Doping Agency utilized a different reasoning to prohibit performance-enhancing drugs. According to the agency, steroids harm the integrity of the sport. As stated in the World Anti-Doping Code, “Anti-doping programs seek to preserve what is intrinsically valuable about the sport. This intrinsic value is often referred to as the ‘spirit of sport’. It is the essence of Olympism; it s how we play true” (“World Anti-Doping Code” 13). While the physical harm of steroids resides with the user, the World Anti-Doping Agency argues steroids still harm others indirectly. According to the agency, performance-enhancing drugs harm the equality of opportunity of a competing athlete. As a result of this indirect harm, the agency claims government intervention is warranted.

Mill’s harm principle acknowledges the existence of this indirect harm. As written in his essay, “No person is entirely isolated being” (Mill 88). Mill continues, “I fully admit that the mischief that a person does to himself may seriously affect, both through their sympathies and their interest, those nearly connected with him and in a minor degree, society at large” (Mill 90). Mill recognizes that an individual’s actions, such as consuming alcohol or taking steroids, to some degree affects and harms bystanders. However, Mill finds harm an individual inflicts on another citizen by harming his or herself to be insufficient cause for government intervention. Mill asserts that indirect harm is a problem only when “…a person disables himself, by conduct purely self-regarding, from the performance of some definite duty incumbent on him to the public” (Mill 90). If the duty of a runner was to maintain the “integrity of the sport,” then an athlete should abstain from any substance that would give him or herself an unfair advantage. However, as stated in the book *The Case against Perfection*, “If enhancement is troubling because it distorts and overrides natural gifts, the problem is not unique to drugs and genetic alterations” (Sandel 31). Like steroids, running shoes, expensive training facilities, dieting, latex surgeries, and metal joint replacements all generate similar advantages. The reason these substances are used is because the main duty of a professional runner is not to maintain the integrity of the sport, but to compete and compete well. According to Mill’s harm principle, government intervention in an individual’s life is warranted only for the protection of another citizen. Although steroids may harm individuals indirectly, this indirect harm does not impede on an athlete’s civic duty. Thus, the World Anti-Doping Agency’s policy does not provide sufficient reasoning for government regulation of steroids.

The strongest argument for the legalization of steroids proposed by Mills is that the government regulations are often flawed and misguided. Mill explains, “When it [the governing body] does interfere, the odds are that it interferes wrongly, and in the wrong place” (Mill 92). The World Anti-Doping Agency will revoke any title of an athlete who uses performance-enhancing drugs (“World”). However, the agency fails to apprehend every steroid-using athlete. Some athletes, such as Lance Armstrong, used performance-enhancing drugs throughout their careers but were only detected years later. As stated by Chris Smith, in an article from *Forbes* magazine, “Various professional sports leagues have attempted to set a level playing field by testing for drug use and suspending those found guilty. It’s a noble effort, but it’s clearly not working” (Smith). As exemplified by Barry Bonds, Alex Rodriguez or Sammy Sossa (baseball players who were never caught but confessed to drug use), steroid regulatory agencies fail to sufficiently ensure that athletes are competing drug-free (“Ex-Cards Slugger”). As a result, athletes who use steroids and are not caught, put drug-free athletes at a disadvantage. If instead, every athlete was allowed access to the same substances, this unfair advantage would seize to exist. As explained by Mill, often when government chooses to exercise power over an individual’s personal liberty, it does so poorly. The steroid regulatory policy fails to sufficiently prevent steroid infiltrating athletics and thus creates an advantage to individuals who use steroids and are not apprehended.

Because Rita Jeptoo has been accused of doping, the government has intervened and is threatening to revoke her title. However, according to Mill’s Harm Principle, this exercise of power is illegitimate. Since health risks only harm the user, steroid use does not impede on the security of others. Although harm can be inflicted to competing athletes indirectly, this harm is minimal and according to Mill, it does not warrant government intervention (Mill 90). For these reasons, there does not exist sufficient reasoning for the government to exercise power over an athlete’s individual freedom to use steroids. Nonetheless, Rita Jeptoo’s titles will likely be revoked. Consequently, as stated by Jeptoo’s coach in the *Chicago Tribune* article, “This will affect the entire credibility of the Kenyans. People will say that’s why they ran fast” (Hersh). When it is reported that an athlete such as Rita Jeptoo has been caught using steroids, the athlete is consequently regarded as “talentless.” However, as stated by Dr. Norman Fost, Director of the Bioethics program at the University of Wisconsin at Madison, “Steroids do not create athletes, but rather help them to train harder” (Stevens). Not only do anti-steroid agencies infringe on individual rights and create unfair advantages, these laws discredit hard working and talented athletes. Regardless of the final ruling or the illegitimate threats by the anti-steroid agency, Rita Jeptoo deserves to be acknowledged as an excellent runner.

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