



Challenging human and sporting boundaries: The case of Oscar Pistorius

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ABSTRACT

The controversy surrounding Oscar Pistorius's disputed eligibility for Olympic participation serves here as a focal point for a number of debates regarding the ethics of human enhancement, conceptions of ability and disability, and the transformative effects of technology upon the nature of sports competition itself. A world beating Paralympics athlete, Pistorius attempted to gain eligibility to represent South Africa in the Beijing 2008 Olympic Games. An account is given as to the process of his initial rejection, based upon scientific experiments that argued his performance was unacceptably "boosted", and the subsequent successful appeal that undermined the scientific basis of the judgement while leaving unchallenged the deeper question of the role that biotechnology might play in transforming athletic performance. We show how what began as an eligibility dispute in the sports arena, became a political debate that raised fundamental questions about how society at large regarding the place for "technological" and "enhanced" humans, and of performers of exceptional ability.

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1. Introduction: A sports controversy that went beyond the world of sport

At the beginning of the 21st century a man who would have been considered infirm just 50 years ago, challenged widespread social norms and sports law in particular, leading to a lengthy questioning of sports institutions and their rules. In fact, for several years now, Oscar Pistorius, a South African Paralympic athlete, has been the subject of a continuing debate. The so called "Pistorius affair" started with the Athens Paralympic Games (2004) when this athlete reversed the sports order instituted for the first time by winning races against the best paralympic athletes in the category "single tibial amputation" (Paralympic category T44), while he was actually a "double tibial amputation" athlete (Paralympic category T43). This fact has been the subject of less discussion, which is an interesting point in its own right. Nevertheless, more widely covered by the sports and general press¹ is the issue regarding the legitimacy of his taking part in elite able-bodied sports.

Oscar Pistorius was born in 1986 with a physical anomaly, or more precisely a malformation of fibulae and feet, which prevented him from walking. When he was 11 months old the doctors suggested to his parents that a double amputation below the knee would enable him to use prostheses and learn to walk. Equipped with these artificial legs, he led an unremarkable childhood, went to school, played various sports, and when a teenager, started playing organised rugby. His very early experience with motor deficiency and the use of prosthetic limbs significantly reduced the disabilities that might have been the consequence of his deformity. At 17, he took up athletics, and equipped himself for running – like most other similarly disabled athletes – with "Flexfoot" (more generally referred to as "Cheetahs") a high technology racing prostheses incorporating a carbon fibre blade. After training as a high-level athlete, he soon overturned all sprint records established in the Paralympic games, before aspiring to the heights of competing internationally in elite "able-bodied"² 400 m races and claiming admission to "ordinary" sports competitions, as a result of his exceptional ability and dedication.³ Thus it was that a controversy began about his case which was to expand on a remarkable scale.

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¹ According to the Factiva data base, 5909 press articles reporting on Oscar Pistorius were published in various languages from September 2004 to December 2008 (including 5305 between January 2007 and December 2008). In France, over the two years 2007 and 2008, 53 articles were devoted to him in five newspapers, out of 294 press articles on the Paralympic Games, in other words 18% of the total (Figaro, Midi Libre, Libération, Le Monde, Les Echos).

² The term "able-bodied" used here refers to the current terminology used in France in particular, by those having motor disabilities, to designate those without motor disabilities.

³ We also note that during the process of this publication, Pistorius was allowed to compete with able bodied athletes at the 2011 world athletics championships in Daegu, South Korea. He successfully qualified through the first qualifying round but came last in his semi-final. This is clearly a historic achievement.

We examine here the institutional and symbolic imperatives his case raises.

What issues are raised by this athlete's request to take part in "ordinary" sports competitions? What is the peculiarity or singularity of his case compared with other disabled athletes who excel? What are the reactions and arguments put forward and the positions taken by various protagonists in the face of this apparently "disturbing" case? What sense can be made of the sports authorities' response to him? What does his case tell us about our conception(s) of "human boundaries"? In response to these questions we adopt a casuistic approach (Passeron & Revel, 2005), iterating between general norms and the particular case we have chosen to highlight. A casuistic approach rejects the idea of general norms that can be deductively applied in all cases (Jonsen, 1995). It pays particular attention to the specific singularities of the singular case at hand, with the aim of exploring particularities of the "Pistorius case" while moving to and fro between more general impacts on disability, the sports spectacle, and the subject of defining "human boundaries" in contemporary society. Through this case study we intend to bring out the symbolic dimensions of the institution, showing how various rationalisations were constructed and disputed to arrive at a decision regarding Oscar Pistorius. To achieve this, required the bringing together of data from various institutional sources, media reportage, and information published in various scientific literatures.

2. Methods

The institutional sources were mainly documents produced by the Olympic and Paralympic organisations, as well as work (Auberger, 2005; Bailey, 2007) conducted in respect of these sports movements (the Olympic Revue, official Olympic and Paralympic sites⁴ and the report by the Court of Arbitration for Sports/Tribunal Arbitral du Sport (CAS) in Lausanne, Switzerland. Our analysis will concentrate on the practices and the discourse relating to "disabled" athletes and more specifically on the subject of "disabled" athletes taking part in the Olympic Games and the transformation of its organisational method over time.

The press data examined reportage by the French national daily press (Le Monde, Le Figaro, Libération) concerning the controversy created by the Pistorius case, as published from 2004 to 2008. Sports-specific press reporting was eschewed since we were seeking to understand the tenor of this controversy through national press coverage and beyond the specific sports and sports media world. The contents of the press data (30 articles) were analysed in order to bring out the arguments used in the daily press to foster this controversy and disseminate it outside the sports world. Finally, the scientific literature dealing with the Pistorius case is used to illustrate how the scientific world became inextricably linked in the debate. This analysis shows how scientific and ideological currents were marshalled in the controversy.

The analysis situates the "Pistorius case" within the framework of relations between disability sport and the Olympic movement, in order to throw light on his particular case. The examination of this background shows how Olympic institutions controlled, well before the Pistorius case, involvement by athletes with disabilities in the Olympic Games in an organised and progressive campaign. We argue that one reason for the very public nature of this debate is because brought into question the nature and significance of sport and the symbolic representation of the Human Being that

the sporting spectacle, as a theatrical reflection of our society, is staged.

2.1. Case Background: The history of "disabled" sports categories and their mode of participation in Olympic Games⁵

Understanding the controversy raised by Pistorius' desire to participate in able-bodied sporting competitions requires a prior appreciation of the Paralympic movement and its relations with the Olympic movement. Pistorius is far from being the first athlete with a bodily or sensorial deficiency to take part in the Olympic Games. The purpose of these remarks is to situate eligibility debates of athletes with a disability within able-bodied sport. The Pistorius case cannot be seen to have initiated these debates *ab initio*, although a new dialogue emerges because of his particular attributes and the technology he utilises.

Before the Paralympic Games were institutionalised in 1960, it is possible to identify, from the historical records of the Olympic and Paralympic movements, three Olympic athletes who fell into this category (Auberger, 2005; Bailey, 2007). George Eyser is the first figure of renown found in the annals of the International Olympic Committee, a one-legged gymnast who, in the Saint Louis Olympic Games in 1904, won six Olympic medals in gymnastics (parallel bars, horizontal bar, climbing rope, vault and pommel horse, and full competition of four tests), three of them gold. Next, Karoly Takacs (1910–1976), a Hungarian pistol shooter with his right hand amputated, won a gold medal for pistol shooting in the 1948 London Olympic Games, and then took part in the Helsinki Games in 1952. Lastly, the Danish athlete Liz Hartel, paralysed in both legs from the after effects of poliomyelitis, took part in the 1952 Helsinki Games, where she won a silver medal in the individual dressage. It was the first time that the Olympic Equestrian events were open to women riders, and Liz Hartel is remarkable therefore; with an impairment of her lower limbs, she was the first woman to compete in the equitation, and against men. She subsequently participated in the Melbourne Games in 1956.

The physical anomalies of these athletes were anecdotally reported at the time though we now know little of the route they had to follow to enable them to take part in the Olympic Games. Before the 1960s, the idea of "handicap" was seldom used (as it is today, notably in Scandinavian countries) to indicate the "disabled person" describing all those affected by an impairment of any sort.⁶ For this reason, these athletes were not described as "disabled athletes", but simply classified by their physical handicap, in other words their "impairment".

In 1960 the first official Paralympic Games were held in Rome, following various Stoke Mandeville Games – the first sports competitions reserved for those with motor deficiency were held in 1948 at the hospital of the same name (see Jespersen & McNamee, 2008). From this time onward, athletes with motor (and later sight) impairment took part in increasing numbers in the Paralympic Games which were to be held every four years.

In 1984, Neroli Fairhall of New Zealand, a paraplegic athlete, was the first Paralympic athlete in a wheelchair to take part in the Olympic Games in Archery. Beyond her Olympic performance (35th place) it might be said that her greater achievement was in being

⁵ For an extended historical discussion see Marcellini, Vidal, Ferez, and de Léséleuc (2010).

⁶ In France, in 1957 the term "disabled" appeared officially in the designation of a category of the population, that of "disabled workers": Law no. 57-1223 of 23 November 1957 on the employment classification of disabled workers, defined as such in article 1: "Are considered as a disabled worker to benefit from the provisions of this law, is any person whose possibility to acquire, or to retain a job is effectively reduced following an insufficiency or a reduction in their physical or mental abilities."

⁴ The official Internet site of the Olympic movement (French version: www.olympic.org.fr, English version: olympic.org.uk); and the official Paralympic site: www.paralympic.org.

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