

How Not to Use Sport for Virtue: Moral Standing, Self-Conceit, and Principled Exclusions

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To hold moral principles is, normally, to be committed to action in accord with them. There may be many reasons why we do not: apprehension, apathy, *akrasia*, and hypocrisy among them. There are certainly counter-pressures, such as fear of opposition or persecution, a relativist belief that one ought not impose one's own values on others, doubts about whether one knows all that one should in a given case, and so on. Some of these are understandable responses to the fact that we live among many others, who may or may not share our particular convictions, or simply the awareness that it is possible to be wrong. This recognition can lead us to engage in discussion with others in order to clarify our own and the others' positions, to listen to reasons, and weigh arguments, in order to find the best principles of action. Or, as is often the case, we can decide that there is "no debate," we are right and those others need not be heard. It is the latter phenomenon I wish to examine here, particularly as it affects sport.

I shall begin by laying out the kinds of situation we have seen very recently in terms of refusals or, more often, calls for others to refuse to engage with teams or persons on the grounds of a type of moral culpability by association with those who are declared to be in some way morally blameworthy. All of these cases are ones that involve an exclusion of an opponent or the objector(s) from a sporting competition. This can be for reasons directly relevant to sport or those entirely external to it. At least one of these cases has to do with eligibility and more than one concerns fairness. My purpose in considering these examples is not to settle *them* but to explore what could be considered either ethical overreach or a failure to properly respect the moral agency of others in certain instances. These are important cases for sportspeople to consider, but they also serve to illuminate how our convictions and ethical reasoning may part company. If this analysis concludes that the ethical part of the reasoning fails, then attempts at exclusion lose their moral justification as well; if they are to proceed, they will need some other type of justification.

The focus of the following discussion is not strictly the boycotts or protests themselves. The primary concern here is the subject who engages in such actions and their fundamental moral stance, that is, their understanding of themselves and of others *as moral subjects*. Thus, in the first set of examples, which include calls to exclude Israeli or Russian athletes and teams from Olympic competition, it is a question whether the objector fully acknowledges others as having equivalent moral standing to themselves. In the second group, the objectors are demanding that recognition for themselves, as in cases where women refuse to compete

against trans-identifying males¹ in women's sports. Whether boycotts, inclusions, or exclusions are ultimately justified, or even effective, is a different question, but whether we think they are *morally* justified depends to a large extent on whether we think that those whom we boycott, exclude, or include are moral subjects with the right to claim consideration from us, and from whom we too can claim consideration. If this is so, then ethics in the sport context is not only a technical inventory of dis/satisfactions but grounded in our deeper commitments about what matters to us as beings capable of considering these questions.

I: The cases

Group A: In cases such as these, possible participants are to be excluded from competition, not because they themselves have necessarily done anything wrong, but because they are associated with those who are alleged to have done so. This appears as a demand to exclude competitors of a specific nationality, commonly where this is due to political actions of their government. In the first instance, these are often calls for boycotts,² but these are not voluntary boycotts of conscience by individual consumers acting for themselves, but demands that the relevant governments or organisations act as bodies with powers individuals do not have to exclude or refuse to allow competition.³ So, this is not just a campaign of persuasion that you and I ought not to buy certain goods, but rather that those goods should be made unavailable, which means not just that I *should* choose *p* over *q*, but that it should *not be possible* for me to choose *q* at all. There is something different about this latter case as it is less an attempt to engage my conscience, than to override it. If the proposed boycott is enforced, I shall be removed from the moral action loop, as there is no action for me to perform; another has done it “for” me. And if I do not agree, I now have no forum for action: I have been morally

¹I shall here use the term “trans-identified males” or simply “males,” in order to maintain clarity, as the point at issue is the *maleness* of these persons’ *bodies*, not their transness. Note that this is in line with the recent UK Supreme Court ruling that “sex”, “man,” and “woman” refer to biological sex in the Equality Act. (UKSC For Women Scotland v The Scottish Ministers [2025]).

² See Dain and Calder (2007).

³Note that each group has its own expression of *self*-exclusion: In **Group A**, there are those who, as individuals, refuse to compete against opponents whose government is anathema to them (this happens on occasion in various combat sports at the Olympics and elsewhere). In **Group B**, there are those who self-exclude on the grounds of the unfairness of the contest (these will be discussed later on). In both cases, these athletes are taking their own action and are normally punished for doing so by losing their competition place and may also face further disciplinary action.

short-circuited.⁴

One recent example of this **(i)** is the call for exclusion of Israeli athletes from sporting events on account of military action taken in Gaza by the IDF following the massacres committed by Hamas on 7 October 2023.⁵ Thus, objectors insisted that Israeli athletes be banned from competition, not because of anything that those athletes themselves had necessarily done but because of their association by (at least) nationality with the actions of their government, i.e., the actions of others. So that we are clear on the relations involved, this is a case of **O** seeking to exclude **E** because of **G**'s actions, although **O** has no direct causal relation to the events, nor has **E** committed any morally relevant actions with respect to events (whatever views they might have concerning them).⁶

We should distinguish this case from another: **(ii)** the exclusion of Russian athletes from sporting events because of Russia's systematic subversion of doping regulations. This exclusion was done for reasons having to do with the integrity of sport. This blanket measure could very well have the effect of excluding athletes solely because of their association with the Russian programme, regardless of whether they themselves did anything wrong, but it is also the case that many athletes have benefitted directly from this doping programme, in a way that corrupts the principles of sport. A justification of this measure would need to show that this is the only means of preserving the competitive rights of other athletes (fairness), given the necessarily clandestine nature of cheating practices. In other words, that, on balance, this is

⁴I do not intend here to argue against the morality of boycotts altogether. I, like most people, have inconsistent intuitions and allegiances. However, there is a potential ethical cost to such actions, particularly where we respond in some of the more contested situations by, effectively, letting others act as proxy consciences.

⁵For example, Yan (2024), and Rumsby (2024 (b)). And, further, the similar objection to the presence of Israeli contestants at the Eurovision song contest in 2024 and 2025. The converse case is the more recent calls on the England cricket team to withdraw from play against Afghanistan, on account of the Taliban's treatment of women, including their disbanded women's team. This is a slightly different case, as it calls for an England self-exclusion, rather than a ban on the Afghans.

⁶It is a complication in this example that most Israelis are subject to conscription (as are the citizens of many other countries), though it is also true that there is opposition among Israelis to the actions of their government. "Complicity" is a desperately ill-defined term in these debates, and judging the moral character of individuals not by their own actions but by the actions of others remains an ethically fraught enterprise.

the only measure that preserves justice overall.⁷

Group B: While some competitors may refuse to participate against others because they consider it morally compromising in some way to do so (as in **Group A**), others may refuse on the grounds of perceived unfairness of the contest, or demand that others withdraw for the same reason. There are two versions of this latter scenario: **(i)** The demand for the exclusion of others, such as, for example, the exclusion of natal/biological males, regardless of gender identity, from women's sports; and **(ii)** acts of self-exclusion for the same reason, in this case exemplified by the withdrawal of females from women's sports events as a protest in response to the participation of natal/biological males in competition categories designated as women's.⁸

The first thing to notice about **Group B** is that it concerns specific violations of already embedded sporting norms of competitive fairness. Moreover, the objection to a given biological male's participation in a women's event is about that *male's* participation in the *women's* competition, not a general one about male participation in sport *as such*. Nor does it make any significant difference whether that male identifies as something other than male, as how a person thinks about him or herself does not alter their basic ethical responsibilities to others as equally human, any more than one's thinking of oneself as intelligent, as an athlete, or as unusually kind and perceptive. The issue here is straightforward fairness in competition, and the actions of individuals as moral agents, or in other words, how that athlete's participation in a category designed to prevent that particular type of unfairness is held to violate the rights of direct competitors.

II: Recognition and the Second-Person Standpoint

What we need to consider next is the moral conceptions and assumptions underlying these appeals to dissociate in **Group A** and the appeal to be heard in **Group B**, before we can apply such principles to the claims within these groups and assess whether such claims are justifiable. This section thus concentrates on the theoretical ground of any such claims. It will transpire that there is a crucial element of ethical reasoning and justification that is missing in both groups, by the objector in **A** and by the athlete demanding cross-categorical inclusion in **B**. This element is the recognition of the opponent as a being with the right to claim consideration, which is critical to any possibility of ethical exchange between them.

⁷Whether some of these athletes were doped without their knowledge may alter our judgement of their character but not necessarily the imperative to exclude, both for fairness reasons and because of the duty of care, viz. the example of the East German athletes in the 70s and 80s.

⁸See, for example, Morgan (2023), Ziegler (2024), (Crane 2024).

I have elsewhere discussed the importance of recognition to the concept of moral standing and the history of the concept for moral and especially political philosophy (Howe 2020, 2024). Here I will discuss this in terms of Stephen Darwall's "second-person standpoint," which has essentially the same conceptual starting point but presents an extrapolation of recognition that is less about the subsumption of citizens under a rational code of civic or national rights and duties and more about the individual or ground-level intersubjectivity of everyday moral interaction. It emphasises the reciprocity inherent in that interaction, where we claim consideration on explicitly *moral* grounds rather than the entry-level kind of recognition required to see others as equally *human*. The Hegelian framing of the problem, by contrast, has more to do with determining what action between us is rational and, ultimately, most productive in terms of the development of human reason and institutions, given that we are both conscious beings.⁹

Darwall's approach relies instead on Kant and directs the question, not to the world-historical but to the place where ethical decisions are actually made: by individual agents in ordinary personal interaction with other such agents, where you, a particular person, do something and I, another person, ask you not to, or request that you explain why you did something, and so on. Given that we are both moral agents, of equal moral standing, on what basis, what "authority" do we get to make demands of each other and put each other under obligations? Thus framing the question as "second-personal", Darwall moves the question away from the purely abstract and impersonal and focusses on our more concrete experience of determining the scope of our right or "authority" to be heard by those with whom our actions conflict. In effect, Darwall's theory moves recognition to its next practical step.

Darwall's account is of interest for the present discussion because of how it draws out the centrality of equality for our enhanced recognition of each other as beings capable of moral claims and to whom they apply. As Darwall explains, it is because we are each of us free and rational that we are entitled to demand that others treat us in accord with that fundamental moral capacity; this grounds our authority (2004, 44).

As Darwall further argues, this demand is one that occurs *between persons* and not simply by virtue of each of those persons' separate relation to an overriding norm.

A second-personal relation is one whose validity depends on presupposed authority and accountability relations between persons and, therefore, on the possibility of the reason's being addressed person-to-person (2006, 8).¹⁰

⁹Thus, on Hegel's view, a more than possible response is to attempt to destroy the other whom one so recognises although, also on Hegel's view, this is a sub-optimal choice. See *Phenomenology*, ¶174-5, ¶ 180-184.

¹⁰See also, (2004), 51.

So, what we think of as our legitimate authority to insist that others respect our persons and our moral demands (you should not harm me without some more important reason, social goods ought to be distributed fairly, etc.) exist in and by virtue of a network or enmeshment of like authorities and claims on the part of those with whom we interact. We have, if not the same exact claims, the same authority on the basis of which to claim them. This then gives us a framework upon which we can then build up our social obligations, but it begins from the same point for everyone, namely that

Morality as equal accountability conceives of moral relations in terms of equal *respect*. In seeing ourselves as mutually accountable, we accord one another the standing to demand certain conduct of each other as equal members of the moral community....recognition of this authority is an irreducibly second-personal form of respect (2006, 119).¹¹

Again, this is the starting point we have to allow in order to be able to claim any *specific* compliance from others—and that compliance depends upon the like, i.e., reciprocal, recognition of the authority or moral standing of the other. Put bluntly, we all count equally as moral beings. Although we may not have the same substantive claims, we all have the standing from which to make a claim, whether or not that claim can ultimately be justified—and that is because we all have the same authority or standing simply as beings capable of moral reflection and action.¹² From this, one might conclude that anyone who can't recognise that standing is incapable of participating in the moral community as a moral agent, and thus lacks authority for their demands.¹³

¹¹Also: "To be a person just is to have the authority to address demands as a person to other persons, and to be addressed by them, within a community of mutually accountable equals. It follows, I believe, that we respect someone as a person when we accord her this second-personal authority, when, that is, we properly relate to her as a person, second-personally" (2004, 51).

¹²The reciprocity is critical and also remarked upon by Korsgaard: "But as Darwall himself emphasizes, Kant insists that the second-personal obligation must always be accompanied by an obligation to myself. As Kant says, 'I can recognize that I am under obligation to others only insofar as I at the same time put myself under obligation' (6:417)....For when I address a demand to you, I know that you can accept the claim that you are under an obligation to me only insofar as you can put yourself under an obligation to yourself to do what I demand. And it is precisely this fact that forces me to concede that you have the same kind of autonomy and dignity that I do and to constrain my demands accordingly" (Korsgaard 2007, 11).

¹³Such a person may still be a moral patient; it doesn't follow that we can treat them however we like.

Darwall's discussion might not look immediately promising as a means of de-tangling the kinds of exclusion conflicts before us. Exclusions based on boycott type demands are emphatically not second-personal, but are the outcome of assertion of an abstract overriding norm that ignores the concrete relations between actual, much less distinct, individuals. They are blanket exclusions with no regard for individuals as freely acting agents. They are not based on disapproval of what any given individual to be directly affected (excluded) by the boycott has done or failed to do. When **O** demands that **E** be excluded in cases like those in **A**, it is because those with whom **E** is *associated* are taken to be violating someone else's claim.¹⁴ So it would appear that **O** is using **E** for this second-hand purpose of punishing the associate. But to do this is to act as if **E** has no moral standing of their own in this case, and that their claim to moral respect is entirely determined (nullified, even) by their association with others, which association is in most cases accidental and not of their own making. The moral standing of the persons to be excluded is overridden in this use of them as tokens to make points elsewhere.¹⁵

What this suggests is that this kind of exclusionary approach can have some serious ethical failings, particularly in terms of the recognition of other human individuals as agents with moral standing and it may be that we are particularly prone to these failings in the political situation, where we do not have any immediate connection with the people with whom we are engaged, or rather, disengaging. Where we have much more directly second-personal connections with those we oppose, the ethical relationship may be salvageable, and even repairable, whereas remoteness in the modern sense works against the recognition of the other as having a real claim on us.¹⁶

The foregoing is not an argument in defence of a view that such exclusions violate a human right to participate in sport. Sport *itself* isn't in any way something to which one can have a human right. It is a voluntary practice that some people choose to do and many do not; it is the subject of a possible preference with respect to physical movement and/or socialisation. That said, central to the coherence of sport functioning is *fairness*, which *can* be traced back to the fundamental recognition of participants as "citizens" of the sport polity. And, thus, one of the principal ways in which sport practice and governance can fail in this

¹⁴ The picture is complicated by the fact that **O**'s rights are unaffected and **E** is only *associated with* those who are violating the rights of others, on whose behalf **O** campaigns, but let us put this to one side for the moment.

¹⁵ Such actions may be described as "grandstanding" or "virtue-signalling"; see Tosi and Warmke e.g., (2016), (2021), Floweree and Satta (2024), on the former, Levy (2021) on the latter. All of these accounts remain at a largely descriptive level and lack a particularly deep analysis of recognition as a moral category. What remains unclear is whether boycotts can be carried out without this negative result.

¹⁶ See de Beauvoir's discussion of revenge in "An Eye for an Eye" (2004).

regard is to fail to recognise certain of its participants as possessing the authority to make claims, to be either accountable themselves, or as persons to whom others are equally accountable; in short, to fail to admit their standing equally with others despite their participation in the practice. The issue here is equality of standing, and not whether the objector gets the substance of what is demanded. It is a possible cost of standing that one may have a claim justifiably denied because, although one is the sort of being who can make claims, that also means that one is the sort of being whose claims can be both recognised *as claims* and *as ones that must yield to another's greater claim*, which one then has an obligation to respect.

This means that the fairness requirement that is constitutive in sport has a further regulative role, one that is not simply procedural but moral. The central issue in sport, then, that can be framed in human rights terms is simply the recognition that all participants are entitled to the same ethical *consideration* as anyone else, just as citizens are, that (in Darwall's terms) each has the authority to make claims and to be accountable.¹⁷ In practical terms, that means that we must treat *all* participants fairly in respect of their moral standing. That doesn't mean that people will always get what they want—*because everyone else is in the same moral position*.

III: Self-Conceit

Darwall's discussion of Kant on self-conceit provides a way to understand what certain kinds of demand for boycott fail to take into account about those who are so targetted, as well as what goes wrong with the opposite impulse, namely, inappropriate inclusion. In particular, he refers to Kant's distinction between self-love and self-conceit, the former of which is manifested by someone taking "'subjective determining grounds' of the will" as having "objective normative significance" (Darwall 2004, 52; 2006, 135). In other words, it is taking the fact that one desires something to be itself a sufficient source of objective reasons for action, while failing to take account of the singularity of one's own perspective: I *want* it, therefore it *is* (the) good. For Kant, this is the mistake of an immature subjectivity that is corrected by acquaintance with the moral law, as when we explain to a child, "I know you think it's good because you want it but you need to think this through; for example, what if your brother wants it too?"

Self-conceit, on the other hand, entails a considerably higher order of self-centring than mere self-preference. For Kant (as per Darwall), this is a matter of thinking that one's own fundamental worth is independent of the moral law, such that it is one's subjective will that *makes* objective value, not only for oneself but for others as well. Thus, in effect, as if one's

¹⁷Although, as Watson points out (2007, 39-40), if the point has force it *isn't* dependent on actually making any explicit demand—you need to treat me fairly whether I point that out or not.

own subjective will were sufficient to determine universal moral law for all others. This is not reciprocal, however, since this subject's will is held as immune from the will of others, just because it is their own will. In effect, the presumption of a subjective moral autocracy, with which one expects others to comply.

Self-conceit is thus a fantasy about second-personal status. It is the conceit that one has a normative standing that others don't have to dictate reasons just because of who or what one is. The idea is not that one has the kind of authority that an especially good advisor does, that one sees better than others reasons that are there anyway....It is rather the fantasy that one has a fundamental 'lawgiving' standing that others simply don't have—as if one were king or God (Darwall 2006, 135-6).

It might be tempting to describe an individual afflicted with self-conceit as suffering from a cognitive delusion, but this does not appear to be Kant's assessment. It's not that one cannot be so deluded, but the mistake here (and of interest in the present context) is a moral one, namely, the conviction that one's own will carries a greater weight and significance than that of the one upon whom it is imposed. The self-conceited subject imagines himself to have a better, more moral will, presumably because he believes that he has a superior, perhaps purer, insight into moral situations, and, perhaps, a greater duty to act. Against the possibility of such over-estimations of one's own moral significance to the greater good of humanity, the value of the concept of a kingdom of ends is heightened, functioning as the necessary check that the moral law places on "the fantasized despotism of self-conceit" (Darwall 2004, 53 and 2006, 136). Rather, it is in the interaction between persons, in recognising the claims of others on us and fulfilling our duties to them and in claiming our own, in being accountable *to them* as they are to us, that we fulfill our duties to others and to the moral law.

Insofar as the calls for boycott advocated in **Group A** cases are not put forward in aid of mutual dialogue rather than as intransigent instruments of extra-institutional enforcement, they do bear some resemblance to acts motivated by the kind of moral self-certainty described by Darwall and Kant. In this case, it is less a matter of an individual subject falling into this attitude than a self-identified group or movement. This is not to assert that *any* such measures must be the result of self- or group-conceited moral intolerance, but they do offer a possible cover for it, particularly where these are accompanied by public acts of grandstanding or virtue-signalling. When there are social rewards attached to such acts of virtue, it may be worth being clear whether it is the virtue and its practical goal that is aimed at, or the reward.

In the case of **A (ii)**, however, the situation is different in at least one important respect: the exclusion comes from *within* sport, and for reasons of sport. Sport organisations are tasked with ensuring that those who choose to participate are treated fairly, both because they are owed that as humans but also because fairness is a condition of those participants obtaining the goods that sport offers. Sport cannot offer trustworthy tests of ability, development, and achievement without fairness in the conditions of competition. Because doping, and other

forms of cheating in general, are subversions of fair competition, it is a practice that cannot be tolerated within any coherent sport practice, which is why sports normally outlaw such behaviour and exclude those who engage in it. Where the cheating is the product of a state- or federation-sponsored effort, to the point where all or a sufficiently high proportion of participants can be suspected of having been compromised by their organisations, it may well be appropriate to exclude all or most regulated by that organisation. But this ethically grounded decision must come from sport itself and be justified on sporting grounds. In other words, it has to work on some semblance of a second-personal approach, recognising the interpersonal agential authority of those affected; this is what **A (i)** in particular does not do. It may be appropriate to treat at least some athletes as independents, but this will need a framework for implementation that satisfies both ethical and sport-functional imperatives.

IV: Abstract Ideals

The reluctance to recognise the other as a real moral being who is a self-conscious, reflective, and responsible agent with their own legitimate claims on us, symmetrical with our claims and obligations with relation to them, gets a different but equally important analysis in several essays by Simone de Beauvoir. De Beauvoir's concern is our tendency to see morality in terms of abstract ideals, as well as our willingness to turn others into mere objects in our pursuit of material or moral utopias.

In "Pyrrhus and Cineas", for example, de Beauvoir criticises the devotion to great abstract universal ideals such as "Humanity" that ignore the actual situation of individuals as well as their separate agency and responsibility. Allegiances to such ideals, which are then formulated into grand political or moral aims, negate subjectivity and depend upon forming an external identification with the ideal or utopian end state: the *summum bonum* for a species rather than individual free persons or subjects. These universalised ideals require the abolition of the self in their service. There is, however, no such thing as "humanity" (or whatever other abstract ideal is put in its place, such as "the revolution", "liberty", or "the right side of history"), only humans who inevitably disagree. Thus de Beauvoir criticises the "myth of solidarity" as a delusion that has conflict, violence, and failure as its outcomes; humans are not fungible sprockets or some otherwise passive medium to be shaped whether they like it or not into the shining citadel on the hill (de Beauvoir, 2004, 101-109).¹⁸ On the contrary, de Beauvoir emphasises that it is not identification that connects people in some cause, but their action in creating their ties with each other (2004, 93).

She also stresses the role of language and of the direct appeal from one human being to another—in effect, the relation described by Darwall as second-personal: "Language is an appeal to the other's freedom since the sign is only a sign through a consciousness that grasps it again"

¹⁸See also "Moral Idealism and Political Realism".

(2004, 133). In other words, when we speak to another, we do so to connect with the consciousness that we have to assume is present— or else, why speak? In doing so, we perforce assume as well that we are appealing to a being with a freedom to act, since that is what a consciousness is. And so, de Beauvoir concludes, it is vital that we remain able to engage in the making of appeals to others and not be silenced. This question of language and the appeal are central to the ethical view that de Beauvoir develops. But, as she recognises, it cannot be one dictating to the other; it is a mutual exchange, one that is not an ideal hypothetical, but something that we *do*, in time and in relation to *each other*, in engagement.

I want the other to recognise my actions as valid and to make them into his good by taking them up in his name toward the future. But I cannot count on such gratitude if I first contradict the other's project. He will see me only as an obstacle....Respect for the other's freedom is not an abstract rule. It is the first condition of my successful effort. I can only appeal to the other's freedom, not constrain it. I can invent the most urgent appeals, try my best to charm it, but it will remain free to respond to those appeals or not, no matter what I do (2004, 136).

Similarly, in "An Eye for an Eye", de Beauvoir maintains that the "affirmation of the reciprocity of interhuman relations is the metaphysical basis of the idea of justice" and that the negation of this reciprocity between human consciousnesses "constitutes the most fundamental form of injustice." As she continues: "An object for others, each man is a subject for himself, and he insistently demands to be recognised as such" (2004, 249). This is precisely the relation of mutual recognition of each other as subjective consciousness, as free, self-determining agents, that is at the base of the second-personal relationship. The problem that concerns de Beauvoir in this essay, i.e., punishment and vengeance, is the way in which we undercut this relationship by dehumanising those upon whom we seek vengeance for crimes committed against other people than ourselves. The immediate relationship of vengeance is a concretely personal one, but there is a kind of contradiction in the project of the proxy avenger. She says,

[a] stranger can intervene only insofar as he participates in the universal essence of man that has been injured in the victim. He situates the punishment on the level of the universal; he makes it into an exercise of a right. But he is not qualified to defend the universal rights of man. To want to do this is to set himself up as a sovereign consciousness. He becomes himself a tyrant (2004, 251).¹⁹

The basic problem of de Beauvoiran and Sartrean existentialism is how do we live now, here, with other human beings who are also self-conscious subjects and agents, without

¹⁹This discussion foreshadows her investigation in *The Ethics of Ambiguity* of the moral conundrum of intervention in the lives of others to "make them free".

negating that relationship or attempting to bypass its difficulties by adopting values that nullify exactly those qualities of humans that make them capable of moral relationships at all. This means *not* wallowing in subjectivity *or* anaesthetising it in a wholly objectivist materialism. We want the God's eye view, or that of World History, but, she warns, an ethics that tries to put itself outside of time makes itself irrelevant to anyone attempting to act *now* (2004, 178). From this point of view, third-party interventionist moves to change the world without the free action of agents, that is, treating them as objects in order to bring about what we think is right from outside their situation, is fundamentally unjust and tyrannical. That these are inspired by adherence to abstract ideals just makes it worse.

From the de Beauvoiran perspective, no one has licence to remake the world as they alone see fit, ignoring the wills of those actually affected who are equally entitled to self-determine.²⁰ De Beauvoir does admit that violence against another is, at times, the only available option, including relatively prosaic examples such as when we stop someone from committing suicide or confine a patient to hospital (2018, 104, 147-50). But she is also clear that the use of force is, at best, ethically ambiguous and has to be weighed against the increase of freedom gained, including, if possible, those so constrained. What matters here for de Beauvoir are the individuals, their possibilities for freedom, and the particularities of their individual and wider situations, which effectively amount to the second-personal claims and responsibilities generated by our interactions. As she argues,

A freedom which is interested only in denying freedom must be denied. And it is not true that the recognition of the freedom of others limits my own freedom: to be free is not to have the power to do anything you like; it is to be able to surpass the given toward an open future; the existence of others as a freedom defines my situation and is even the condition of my own freedom. I am oppressed if I am thrown into prison, but not if I am kept from throwing my neighbour into prison (2018, 97).

On such a view, the demand for a **Group A (i)** type boycott would be one that denies the existential and ethical obligations we have to advance freedom as such, i.e., not only our own. It would arguably also qualify as an act of bad faith, insofar as we pretend that our actions are compelled by our principles rather than our choices. In the case of **A (ii)** demands, given that (a) sport is entirely voluntary, so that its rules apply only to those who choose to join, and that (b) cheating is a reasonably clear act of treating one's fellow participants as means to purely self-concerning ends, one could conclude that the exclusion is defensible.

²⁰The foregoing would be a reasonable description of the behaviour of the Canadian Centre for Ethics in Sport (CCES) in promoting inclusion as a supreme principle for sport even at the expense of women and sport itself as a coherent practice.

V: Internal Exclusions in Sport

Group B concerns primarily *(i)* the exclusion of males from women's sport, and secondarily *(ii)* the refusal of some women to compete against men who have been included in women's events.

With respect to **B (ii)**, it is often claimed that women should simply refuse to compete (self-exclude) against trans-identifying males²¹ who identify themselves into the women's category. This is rarely an argued position and frequently shows little awareness of the situation of female athletes in terms of their personal investment in their sport or the costs for them in voicing any protest at all. *Unless* the self-exclusion is well publicised, accompanied by a lawsuit, or has a significant rallying effect, such moves are more likely to have a significant harm effect for women in sport in that it, at least, removes from them the various physical and social benefits of sport. There is little reason why women should make this sacrifice and leave all the benefits to those males who take their places. Moreover, simply withdrawing from individual competitions against biological males as an act of protest brings with it further punishments beyond losing placings, etc., which usually include some constellation of suspension, fines, loss of further funding and opportunity, and social vilification.²² Unlike previous and often isolated acts of self-exclusion by female athletes, the sustained protests, and refusals of other teams to participate, against the SJSU volleyball team²³, had a more significant impact in terms of publicising the issues involved, though real practical changes seem, to date, limited.²⁴ Insofar as the aim of such self-exclusions are to enjoin sports administrators and federations to respect the position of women in sport, the rest of this discussion concentrates on the first alternative (the exclusion of males from female sport), as the reasons why this position differs from what we have seen in relation to **Group A** are instructive.

Sport is about the bodies we have and how we can or cannot realise the capabilities of those bodies. Morality is about what we do given that we are subjects; sport is about who we are as objects and what we then do with that aspect of our facticity. If sport is about developing excellence, whether that is conceived of as finding "*the best*" or enabling as many as

²¹As stated earlier, I use the term "trans-identified males" or simply "males," in this context as the issue is the *maleness* of these persons' *bodies*. Neither identity, orientation, nor gender have any relevance to these questions, whether sincerely or deceptively held.

²²See, e.g., Rumsby (2024a).

²³See, e.g., Henson, S. (2024); Macur, J. (2024).

²⁴The point here is not that individuals should not determine their own ethical redlines (obviously), or to deny the value of protest (especially if that protest will be heard) but that if we call for *others* to be martyrs for a cause, we should at least take account of the cost *to them*, and recognise that the choice must be theirs.

possible to achieve *their own* best, sport needs a system that can be epistemically reliable and that can be productive (narrowly or widely) in the development of measurable physical skills. The technical demands of sport practice and development then have an in-built bias toward empirical truth that is also productive of fairness. This is because sport is a sortition process that can only work effectively if it categorises and excludes according to how our bodies are and where this matters for sport execution and performance. Hence our bodies are taken very careful note of, in terms of age, weight, sex, competence level, etc.

Sport is also a voluntary practice that incorporates a fundamental moral principle at its core, namely fairness (along with responsibility), because it gets the best results if it does, whether we approach it as an heuristic exploration of physical abilities, i.e., “who is the best at *x*”, or as a source of subjective satisfaction for its participants. It has a practical prejudice in favour of fairness. Attempts to override this make it inefficient and dysfunctional. Thus, we *could* eliminate all competition categories and run sport as a *melée*-type battle royale, but that would be not only wasteful but tell us very little about the range of human physical skill, provided anyone survived at all. Specialisation and full development of skills require categories, as does competition that challenges rather than destroys. So, sport needs, for its own sake, categories that recognise where advantage occurs and where it is unfair, i.e., where it skews the diagnostic value of competition.²⁵

What all this means is that facts matter in sport and so does unfair advantage. Eliminating fairness in favour of an abstract ideal of “inclusion”, is counter-productive and probably self-contradictory. Consequently, exclusion here is justified because it is required by the practice and is internal to the practice; to eliminate it is to violate exactly the central principle of both morality and sport, namely fairness, and attempts to circumvent fairness involve treating other participants as mere objects secondary in importance to the satisfaction of those thereby included.²⁶ To demand that one be included in a category for which one is not

²⁵On categories, see, e.g., Martínková, I., J. Parry, and M. Imbrišević. (2021), and Martínková, I. (2023). Note also that the question which categories are fair and which not is both a philosophical (ethical) question and an empirical one. It is often argued that certain sports are not sex-affected and thus it would be fair for them to be mixed sex. These claims need to be more empirically informed than they often are, but even if performance in an activity is not sex-affected, women may have good reasons to prefer that they be exclusively for women, and those reasons need to be taken seriously, because women have the legitimate moral authority to demand that their needs be addressed equally with those of men.

²⁶It should not be necessary to point out that some of the measures previously adopted, and often still touted, by sports governing bodies, such as testosterone suppression or cross-sex hormones, are completely inadequate, given that they do not significantly reduce male advantage, are not medically benign for those who take them, and effect exclusion of women from women’s sport by the back door. More to the point, and in line with the argument

eligible just because it is what one wants, no matter how deeply or earnestly, or for reasons that really have nothing to do with sport, is to place one's own subjective satisfaction and one's own assessment of the validity of one's will above any claim that the others who are affected by this exercise of will could possibly have in their own right. It is to fail to acknowledge the prior claim to moral consideration of those for whom the category exists. This is self-conceit.

Excluding on the basis of categories is a kind of blanket exclusion, in that it isn't about individuals as such, but depends on a recognition that inclusion of any individuals who are not eligible for a category (i.e., who would normally be excluded) would violate fairness and thus the integrity of the particular sport practice. A demand to be exempt from this exclusion is a kind of exceptionalism with definite moral and practical consequences. It is internally rather than externally motivated in that the issue is not any moral or political offence committed by either the individual or the category of individuals so excluded, but about the practice of sport itself and its constitutive principles, violation of which would render *it* offensive to those other participants whom it must treat with fairness and respect *as well*. Because, after all, sports participants are also human beings with moral standing and therefore have legitimate claims to be recognised and treated as such, i.e., with fairness and justice, just like any other member of society.

Conclusions

Given the ethical difficulties of the boycott model, or disappointment with the categorical exclusion model in sport, it might seem that a case-by-case based approach is more attractive because it is more permissive. The case-by-case approach does seem to do one thing right, insofar as it takes account of concrete situation, though in practice it may often narrow its view to only one side of the case. But case-by-case rapidly becomes incoherent unless you have a *principle* by which to judge the appropriateness of each such case. Coming to such a principle in this area is, however, impossible *unless* we take something like a second-personal standpoint, which we would also need to do even if we were to attempt to make these judgements without such principles. This is an outcome we should expect: we can't exclude people (others like us with equal moral standing) without having a good moral principle (such as fairness) that we can apply consistently. Otherwise we are treating others either with prejudice and partiality, or, at best, arbitrarily.

presented in this paper, these policies systematically disregard the legitimacy of women's demand for their own categories and spaces on the basis of sex.

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