

Vortrag:

Doping and surveillance - privacy rights vs. fair play practices

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First two things: I am not an expert in doping. The field is rather new to me. I know a couple of things about surveillance. And that is why I am here today, and why I thought that there are some interesting overlappings to look at: doping from - if you so want - a surveillance perspective.

From the last session has become clear that the fight against doping - although complicated - there is a bottom line that it is good that people do that. And there is no question that in doing so there have to be controls, there have to be checks, whatever they'll be. The more complicated stuff then starts, about the controls, about the details, about the natural sciences. Stuff that I don't really understand, but has to be there. Another thing that is pretty clear is that whenever a camera goes up somewhere in a town center, nobody really wants that. There is at least a big outrage from some people. Anti-surveillance groups, civil rights groups, state of protection groups go up and say: „This camera shall not be there!“ And you can substitute camera for loyalty cards, you can substitute cameras for passports, biometrics etc. So there is an outrage. There is almost never an outrage when it comes to doping controls. Very very little and the reporting in the wider public and the media is not so much about outrage against controls within the fight of doping. And as we just heard from Hajo Seppelt he wants to explore what is more important: privacy rights of individuals or the integrity of sports. And that would indeed be an interesting debate to follow. Because I think there is an uneven comparison here. I come to that later.

So why is there no outrage against doping controls? And why are doping controls a very very intense form of surveillance? I am going to tell you something about the forms of surveillance within doping controls. I speak a little bit about the implications and I'll talk a little bit about research perspectives. Things that may have been left out and that I am interested in.

The form of doping controls are the following: They can be invasive. Blood testing, urine testing, everything that transgresses the boundaries of your body, that transgresses the boundaries of your personal space I deem invasive. They can be locational. The ADAMS system is an example of locational surveillance. You have to say where you are. Although you are not tagged, it is almost as if you were because of the consequences if you don't do it. A tag would be a locational device. Everybody could just be tagged like prisoners can be tagged with a tag to follow where he or she is. There is self-surveillance. Athletes engage in several forms of self-surveillance. They watch out for their body, the nutrition, the drugs they take, their training. It regulates their life. In a very Foucauldian sense they are the most disciplined bodies that we probably have. It's a constant process of self-surveillance that they engage in. And surveillance could be permanent. A non-removable tag could be permanent. It could be injected into your body, RFID or GPS things. Or even more: nano medicine and biochemistry come up with things that control substances within your body. Speaking about it is science fiction but not so much science fiction. The cyborg if you so want.

What are the implications of this? The implication for one is that individual rights seem to be suspended in a way. If you engage in sports and you are willing to and consent to it - as Hoffmann said, „informed consent“ - you give up some of your civil and individual rights. And apparently the wider public thinks that is ok because you are in sports, and an athlete, and you have to. I think that is a very doubtful a notion. And one can question if this suspension of your personal rights is an absolute necessity for engaging in sports and particularly in high level athletic engagement. Whatever the self-determination of the athlete, subjectivity of the athlete, agency of the athlete. How much is he himself? He watches himself or herself but how much has the athlete a say in what the outcome of this self-surveillance is? Just to be more beautiful or just to fulfill some rules that are not made by the athletes themselves? What about the bodily integrity? Is there a necessity to give this up? And the question comes back to Hajo Seppelt privacy or sports integrity: What about bodily integrity? Can it be transgressed? And what is integrity in sports anyway?

A second implication - and there I come back to Jonas Hoffman when he said we don't have to watch the individual but we also have to watch the entourage, so check on everybody - means every effort to evade control generates new methods to control, new ideas and new strategies to control and surveil the athlete, the entourage, the system, the family, everybody who is possibly in contact. It is like you are looking for a terrorist and

you are checking everybody he is shaking hands with. We are speaking of athletes here, so maybe this is a false comparison, but maybe not. There is a feed-back loop, a cycle of surveillance that feeds itself. The more you control, the more people try to evade, the more you invent other techniques to again surveille. Where does it stop? Is that worth doing it? And where do we want it to end? Again integrity of sport.

Consequence of locational privacy: the ADAMS system - and when you think for example of tax - this is data that is fed into larger systems. On the internet there is a sharing of data between databases. Once biometric and biological data of athletes, of individual persons is in that system it gets shared all around the world between agencies, between WADA and NADA and national agencies, between the sports federations. Who tells me that it is not shared between Interpol, the FBI, national police agencies, social security in various countries, the health system and what not? There is what is called a function creep, in this case there is a purpose creep of that data. Once it's out in the databases and going along the cycles, the internet, the networks, it is out there. No matter how well it is protected it is out there and you can misuse it. If it is not being hacked, it can be misused. Someone just gives a CD to someone - we have seen that with tax evasion. Why not with doping?

I speak little about permanent doping, but I think the next session on tech-doping will elaborate on that much more, bodily enhancements or prostheses or whatever you can do. So there is permanent doping and that raises moral questions, questions about what it is to be human and what kind of controls are possible within you so that you don't have to have anybody that follows you, you don't have to enter your data into the system, it is always there. It is not self-surveillance, it is something in your body that watches you. What are the consequences of the self-determination (agency of the athlete and so forth)?

What I'm interested in researching and what I think there is a lack of is: How is doping viewed by the athlete? How are the practices viewed? Because surveillance is not a set of techniques or of technological gadgets but it also establishes itself in the practices, in the practices of watching, of gathering data, how an athlete is engaging in certain systems. And in this engagement lies also a certain form of resistance. Maybe there are ways to engage with ADAMS to resist some of the locational breeches of privacy that happen there. So how people actually assess practices that they engage in as an athlete, as a watched athlete, as a controlled athlete, as an athlete that wants to enhance his or her ability through training or other? I am interested in the notions that the athletes themselves

speak about, doping or the practices within which doping is embedded. I think that gives a clearer view about how we can actually make - even moral - statements on what doping is and what controls are possible, how far it may or may not go. That also means to research the whole assemblage of things and actions that surround doping practices.

I want to finish with an argument by Olivier Niggli made earlier. He said to pay respect to data protection. And then he mentioned: „Well, data protection, when I see what people do on Facebook and Twitter, maybe it is not so important.“ He didn't say „not so important“ but made it sound like: „Maybe that's not so important because people are not really watching out for their privacy on Facebook and Twitter“. And I find this very audacious or even dangerous to think like that. Just because someone privately, voluntarily gives up data and says: „Hey, this is my dog, my room, my girlfriend, or my whatever“, or on Facebook: „Come to my party!“ To think that I have then the right to ask for other stuff and to post other stuff on him or her just because someone does that voluntarily! Because I have a tattoo does not mean someone can come and give me yet another one or brand mark me on my arm! The first one was voluntarily, the second one is probably not. I think that is a dangerous thing and we have to be very wary.

Again to finish up, this is what I am interested in: to research the whole practice of doping and the athlete's life, that makes it up, to find where the personal limits are and where we maybe have to draw a limit even to safeguard the athletes for/by him or herself.

That's it. Thank you!