



Universiteit Utrecht

**A virtue-ethical approach to issues of commercialization in
professional football**

by

B.M. Veraar

A thesis submitted in partial fulfillment of the requirements for the degree of

MA Applied Ethics

Utrecht University

Student number: 5482593

Supervisor: dr. Mathijs Peters

Second reader: dr. Koen Kramer

Utrecht University, Faculty of Humanities

June 2021

Abstract

The intrinsic value of professional football expressed as the dignity of players, clubs and the sport in general is increasingly pressured by the extrinsic value expressed in terms of financial revenue. This raises the ethical issue of whether or not commercialization provides morally permissible motivations as well as corresponding outcomes for the sport's ethos, in other words the attitudes and conducts of sporting humans, within professional football. In this thesis, I will argue that motivations incentivizing commercialization in professional football ought to be morally constrained, using a moral framework derived from agent-based virtue ethics.

The first chapter of this thesis explains the preferred virtue ethical approach of research. In the second chapter, an agent-based virtue ethics is defended against its major criticisms in order to construct a working definition that integrates *sportsmanship as a moral category* as well as a notion of moral dignity. Subsequently, in the third chapter, this agent-based virtue ethical account is applied to the case of football players transfers in particular. Finally, this thesis is concluded with suggestions of some constraints, imposed by agent-based virtue ethics, on the motivations that incentivize the international commercialization of professional football.

Table of Contents

Introduction	4
Chapter 1: Virtue-based approach	11
1.1 – Why virtue ethics?	11
1.1.1 Nussbaum’s Aristotelian approach	11
1.1.2 Virtue Ethics in relation to Sportsmanship	14
1.2 – Svensson’s Eudaimonist Virtue (EV)	15
1.3 – Swanton’s Target-centered Virtue (TcV)	17
1.4 – Slote’s Agent-based Virtue (AbV)	19
1.5 – Evaluating the virtue-ethical positions	23
1.5.1 The EV-position	23
1.5.2 The TcV-position	25
1.5.3 The AbV-position	27
1.5.4 Considering all three positions together	29
1.5.5 Concluding preview	30
Chapter 2: AbV-Ethics, Sportsmanship & Dignity	32
2.1 – In defense of AbV-Ethics	33
2.1.1 General criticisms on AbV-ethics	33
2.1.2 Jacobson’s criticism on AbV-ethics	35
2.1.3 Das’s criticism on AbV-ethics	39
2.2 – AbV-Ethics & Sportsmanship	43
2.2.1 The concept of Sportsmanship	43
2.3 – Integrating Sportsmanship and Dignity into AbV-Ethics	46
2.3.1 AbV-ethics in relation to Dignity	47
2.3.2 Formulating an AbV-ethical working definition	49
2.3.3 Concluding preview	50
Chapter 3: Constraining commercialization in professional football	51
3.1 – Historical overview of player transfers	52
3.2 – The case of player transfers evaluated	54
3.2.1 Recent development: players without agents	55
3.2.2 Moral education through Sportsmanship	57
Conclusion	60
Bibliography	63

Introduction

The ESL-proposal

Anno 2021, there has been great turmoil in the world of professional football about plans to reform the European club competitions, such as the UEFA Champions League (UCL) and the UEFA Europe League (UEL). Executive directors and investors of 12 traditionally major European football clubs have proposed the European Super League (ESL), wherein 15 founding clubs and 5 changing teams based on performance will compete against each other midweek for a massive annual prize pool of several billion euros backed by US investment bank JPMorgan. Therefore, this new competition is similar to the ‘closed’, or non-merit-based, American sports leagues.¹

Furthermore, the ESL would become the first league organized by clubs, without the supervision of the continental and international football associations. In fact, the initiating clubs seemed to plot a seizure of power through financial forces within European professional football and, albeit to a lesser extent, within global professional football. It is thus important to note that this recent proposal originated from dissatisfaction of the clubs’ executive directors, owners and investing media corporations with the distribution of profit in the existing UCL. This dissatisfaction led to a proposal that claims to be meant to help modern football at every level and to respond to the desires of fans globally.²

However, the plan instead seems to encourage the pursuit of commercial interests within sports, inasmuch the press release that announced the ESL talks frequently about the motivations of the initiating clubs to provide football with “additional financial resources for the overall pyramid” and “significantly greater economic growth”.³ This sparks the question whether, such a plan genuinely intends to support the sport of football or whether it mainly intends to support the financial status of the mutinous clubs? In other words, ought the ESL-proposal to be considered as

¹ *Waarom Super Leagues in Amerika wel werken*. (2021, 12th of May). [Video file]. Consulted from: <https://nos.nl/video/2380439-waarom-super-leagues-in-amerika-wel-werken>

² European Super League Company. (2021, 18th of April). *LEADING EUROPEAN FOOTBALL CLUBS ANNOUNCE NEW SUPER LEAGUE COMPETITION* [Press Release]. <https://thesuperleague.nl/press.html>

³ European Super League Company. (2021, 18th of April). *LEADING EUROPEAN FOOTBALL CLUBS ANNOUNCE NEW SUPER LEAGUE COMPETITION* [Press Release]. <https://thesuperleague.nl/press.html>

beneficial for the sport of football, even though it is not at all clear whether the intentions of the initiators were also aiming to benefit the entire sport or only their own financial margins?

The conflicting intentions were swiftly fathomed, leading to upset reactions from supporter groups, (ex-)players and staff members from several clubs. Of course, the football federations were furious as well, seeing no point in turning away from the existing European football leagues. As a result of the realization within the football community that such an idea could be devastating for the essence of the sport, most initiating clubs already withdrawn from the ESL within a few days. Apparently, not everything turns out to be for sale and more money does not always equal more 'better'.

Commerce in professional football

This thesis will focus on the motivations that incentivize the commercialization of professional football. Before I explicate my research question, there has to be said some more about the entry and manifestation of commerce in professional football. The sport of football once originated as a recreational game for and by the working class.⁴ This game is played regulatory with a ball, two teams and a defined playing field with two goals, into which the ball must be played in order to score. Over time, teams associated into clubs that compete in leagues, turning recreation into competition. Thereafter, football soon became the biggest sport in the world, causing increased interest from wealthy parties and the interference of financial capital. At first this interest came from a loving nature for the sport, as Tim Krabbenbos recognizes in his thesis on commercialization strategies in football, by stating that: "the aim of professional football clubs was finding ways to improve sportive success in order to entertain the fans, while staying solvent and not to maximize profit".⁵

However, the commercial opportunities that had arisen would change the orientations within professional football permanently. After the 90s of the last century, finding ways to increase the success of football clubs was shifted and centered to create revenue from the sport. Where football clubs used to be ordinary associations of

⁴ Kitching, G. (2015, April). The origins of football: History, ideology and the making of 'The People's Game'. In *History Workshop Journal* (Vol. 79, No. 1, pp. 127-153). Oxford University Press.

⁵ Krabbenbos, T. (2013). *Commercialization strategies in football* (Master's thesis, University of Twente). 8

sporting people, some clubs have now even become stock listed companies, such as AFC Ajax in the Netherlands.⁶ According to Krabbenbos, commercialization, or the process of entering the market economy, has thus created a number of new dimensions for the financial exploitation of professional football.⁷ Consequently, global media corporations and investors dived into the emerged opportunities within professional football.⁸

Developments like these accelerated the commercialization of professional football accelerating even more. Nowadays, a large part of football clubs' income is acquired by revenue from broadcasting and commercial sources, such as player transfer fees, merchandising, sponsorships and other non-football activities. Thereafter, the exploitation of professional football changed to a consumer-oriented service wherein the principles of a market economy are applied.⁹

The foregoing indicates that the sport of football has reached a tipping point, where a trade-off has to be made between sporting motives in a humane sense and professional motives in a commercial sense. By this means, characterizing the intrinsic value of football as humane since, according to sports ethicist James W. Keating, sports are generally destined for human beings to enjoy any form of either physical or mental exercise.¹⁰ The latter, conceived as the goal of sports activities, determines the moral conduct of sporting participants proper to a certain sport.¹¹ Following from Keating's view, the moral conduct of participants in sports should contribute towards the purposes of sport, that is to derive pleasure from attempting to win and to afford pleasure to one's fellow participants in the process.¹² Consequently, commercial interests and its purposes could eventually corrupt the sport of football's humane essence, consisting of competitive exercise in a fair and respectful manner.

In such perspective, the interference of money could figuratively be tearing the sport apart. For example, because it diametrically opposes the interests of football clubs' owners and their players, namely the motivation to earn money versus the motivation to practice the sport of football. If this development continues, then football

⁶ Krabbenbos, T. (2013). 32

⁷ Krabbenbos, T. (2013). 8

⁸ Krabbenbos, T. (2013). 8

⁹ Krabbenbos, T. (2013). 8-9

¹⁰ Keating, J. W. (1964). Sportsmanship as a moral category. *Ethics*, 75(1), 25-35. 29

¹¹ Keating, J. W. (1964). 29

¹² Keating, J. W. (1964). 29

will only be played for the models of revenue and the financial interests of wealthy investors eventually, but no longer for the sake of the game.¹³

Virtue Ethics in Sports

The foregoing brings me to the ethical issues at stake here. Namely, whether or not commercialization provides morally permissible intentions as well as corresponding outcomes for the sport's ethos, in other words the attitudes and conducts of sporting humans, within professional football. According to the philosophical framework on the ethos of sports as proposed by sports ethicists Sigmund Loland & Michael McNamee, ethics is involved with these types of issues in order to ensure that "fair and impartial procedures are established in which conflicting interests and normative claims can be adjusted".¹⁴

In order to perceive the ethical issues relating to commercialization in professional football that I will focus on in this thesis, my research is going to use a moral framework based on a virtue ethics that considers the evaluation of moral actions in the light of social practices. Throughout my thesis, I will cite various authors in the field of sports ethics, like Keating, Loland and McNamee, who use virtue ethical approaches. Due to the common occurrence of virtue ethical approaches in moral analyses of sports, I will approach the topic of research within my thesis accordingly from such perspective.

Generally, within any sports pertaining to virtue, everyone would of course like to win, but mutual respect and sportsmanship should at all times prevail as the motivations of the participants. This virtuous impression of sports seems compatible with football being famously coined as 'the beautiful game' within the autobiography of the legendary Brazilian player Edson Arantes do Nascimento, or Pelé.

Therefore, it could be argued from a virtue ethical perspective that this beauty may be damaged due to the continuous commercialization of professional football at an international level. The intrinsic value of football expressed as the dignity of the players, the clubs and the sport in general is increasingly pressured by the extrinsic

¹³ Independent European Sports Review. (2006). p.13-14. Retrieved from: http://eose.org/wp-content/uploads/2014/03/independant_european_sports_review1.pdf

¹⁴ Loland, S., & McNamee, M. (2000). Fair play and the ethos of sports: an eclectic philosophical framework. *Journal of the Philosophy of Sport*, 27(1), 63-80. 69

value expressed as price in terms of money. With this shift from intrinsic value to extrinsic value, it is also immediately clear that the sport, the clubs and the players are considered differently. At first the human creativity and enjoyment of practicing the sport football were central features, but over the past century these features increasingly made way and intertwined with the market-economic delivery of tradable end products.¹⁵

Consequently, the question that sparks a lot of other questions is what the moral implications are of this development for ‘the beautiful game’. What should the aim of professional football in general, the clubs and the players be? Which interests should moral agents in professional football act upon, financial interests or sporting interests? What purposes should these interests serve, for the club as a stock listed company or as an ‘ordinary’ sports club? How should professional football players be considered in light of commercialization, as ‘ordinary’ people or as tradable end product supplying objects? What should the relation between money and merits entail in professional sports, as two sides of the same medal combining work and pleasure?

Ultimately, the overarching goal of my research will be to construct a virtue ethical account that in practice preserves motivations that value professional football intrinsically and protects it from the excessive pursuit of extrinsically valued financial interests. Such action seems necessary, because of the capacity of professional football to contribute to the physically as well as mentally flourishing of sporting humans. Thus, it would be important not to let the increasing commercialization take hold of the sportive intentions corresponding to football, as had almost happened recently due to the possible arrival of the ESL, initiated only for and by the traditionally rich clubs.

Accordingly, this global commercialization of professional football should be morally constrained in order to ensure that ‘the beautiful game’ continues to exist as such in the future. If the motivations of moral agents within professional football are to be corrupted by money, then eventually there will be no more intentions to serve the sportive purposes and the related beneficial outcomes that the sport of football is acclaimed for.¹⁶

Consequently, the situation at hand does not only raise the ethical issue whether commercialization is a permissible end to which the sport of football ought to strive for.

¹⁵ Independent European Sports Review. (2006). p.13-14 Retrieved from: http://eose.org/wp-content/uploads/2014/03/independant_european_sports_review1.pdf

¹⁶ Independent European Sports Review. (2006). p.13-14 Retrieved from: http://eose.org/wp-content/uploads/2014/03/independant_european_sports_review1.pdf

I will demonstrate that these conflicting underlying motivations also resemble the virtue ethical debate on *doing the right things for the right reasons*. This specific debate is intervened by the ethicist Michael Slote, who composes his agent-based virtue ethics that treats the moral status of actions as to be depending upon the motivations of moral agent.¹⁷ Furthermore, Slote is attempting to avert that agent-based virtue ethics allegedly violates the ‘ought implies can’-principle as stated by the counterargument towards aretaic moralities of utilitarian Henry Sidgwick, scrutinizing the alleged conflicts of interests within the practical reasoning of moral agents.¹⁸ Elaborating on this debate will allow me to translate Slote’s virtue ethical account of right action into the practical context of professional football as well.

In order to examine the moral issue at stake here, the research question of my thesis will be: To what extent would an agent-based interpretation of virtue ethics impose moral constraints on the worldwide commercialization of professional football?

Structure of Research

The first chapter of my thesis will more generally explain the preferred virtue ethical approach of research, in which Eudaimonist Virtue (EV) by Frans Svensson, Target-centered Virtue (TcV) by Christine Swanton and Agent-based Virtue (AbV) by Michael Slote are going to be discussed. I will evaluate those variations of virtue ethics against each other using the practical context of the recent initiation of the ESL-proposal, and eventually argue that Slote’s AbV-ethics prevails as the basis for a proper sports ethos in terms of the adjustment of conflicting interests.

In the second chapter, I will specifically defend AbV-ethics in different forms versus the shared criticisms from moral philosophers Ramon Das and Daniel Jacobson on the Sidgwick-problem as well as the ‘ought implies can’-principle that AbV-ethical accounts of right action would allegedly violate. By this means, I will be able to translate Slote’s virtue ethical account of right action into the practical context of professional football. Subsequently, I am going to argue that the use of AbV-ethics in practice for the evaluation of cases in professional football suits the purpose of the applied ethical component within my research. Thereafter, to bridge the gap between

¹⁷ Slote, M. (1995). Agent-based virtue ethics. *Midwest studies in philosophy*, 20, 83-101. 83

¹⁸ Slote, M. (1995). 84-85

theory and practice, I will elaborate on Keating's virtue ethical conceptualization of *sportsmanship as a moral category* that is also endorsed by applied ethicist Diana Abad. Then, in order to emphasize the focus of my thesis on the intrinsic value of professional football, I will briefly discuss a notion of moral dignity derived from medical philosopher Lennart Nordenfelt's concept of *Menschenwürde*. The latter concept may serve complementary to Keating's notion of *sportsmanship* in order to construct my AbV-ethical working definition that consists of the benevolently motivated contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans.

Subsequently, the third chapter will evaluate my research question in relation to the case of player transfers. Regarding this specific type of commercialization issues within professional football, the case evaluation will by all means discuss the role of some moral agents participating in professional football, such as the players, the players' agents and the clubs.

Finally, I will conclude my thesis with suggesting some constraints, imposed by AbV-ethics, for the motivations that incentivize the international commercialization of professional football.

Chapter 1: Virtue-based Approach

Introduction

The first chapter of my thesis is an introduction to the philosophical framework, wherein the applied ethical debate on issues of commercialization within professional football is going to take place. Various authors in the field of sports ethics, like James W. Keating, Sigmund Loland and Michael McNamee use virtue ethical approaches. As indicated before, the aim of my research is to analyze and morally evaluate commercial intentions and behaviors in professional football. Therefore, I will intervene the applied ethical debate at hand and approach the topic of research within my thesis accordingly from a virtue ethical perspective.

In this first chapter, my research will start off with explaining the virtue-based approach, generally derived from Martha Nussbaum's interpretation of Aristotle, comprising section 1.1. Subsequently, the following sections will provide a critical analysis of three characteristic variations of virtue ethics in a more contemporary sense. Section 1.2 will elaborate on Eudaimonist Virtue (EV) as proposed by Frans Svensson. Next, section 1.3 will follow up on this along the discussion of Target-centered Virtue (TcV) as set out by Christine Swanton. Thereafter, section 1.4 will examine Agent-based Virtue (AbV) as introduced by Michael Slote. After the different positions have been explained and evaluated with respect to each other using references to the practical context of the recent initiation of the ESL-proposal in section 1.5, I will briefly argue why AbV-ethics provides the most suitable position for the research purposes within my thesis as compared to the other two positions.

1.1 – Why virtue ethics?

1.1.1 Nussbaum's Aristotelian approach

Firstly, in order to substantiate the preference for virtue ethics, there needs to be constructed some understanding of what this type of morality entails. In general, virtue

ethics as famously proposed by Aristotle seeks for the best good in order to determine the moral agent's way of life.¹⁹ Virtue stems from the ancient Greek word *arête*, which translates to pertaining to virtue or of excellence. Therefore, virtues should be understood as good qualities or excellent characters, both complete and self-sufficient: "And so, if only one end is complete, the good we are looking for will be this end; if more ends than one are complete, it will be the most complete end of these."²⁰

According to the Aristotelian approach of Martha Nussbaum, virtue ethics begins with a characterization of a sphere of moral choice that introduces a virtue yet to define as whatever it is to choose appropriately in that area of experience.²¹ Of course, people might disagree about what appropriate ways of acting entail, but then such arguments are about competing specifications of the same initial virtue.²²

Subsequently, virtue ethical theory is positioned to search for the best further specification of virtuous character and to produce a full understanding of specific virtues.²³ Aristotle argued that such an understanding should avoid excess and seeks for intermediation relative to the moral agent in question, thus not with regard to the object of moral action.²⁴ Moreover, intermediation is neither superfluous nor deficient and not the same for all, as some moral agents might need more and others less depending on their differing circumstances.²⁵

Therefore, virtue ethics aims for objectivity in attending to particular features of context.²⁶ If an ethical decision is right in a specific situation and all relevant moral as well as contextual features arise similarly in another situation, then the former decision is right again in this new situation.²⁷ Thus, the objectivity resides in self-contained, self-sufficient and complete virtues.

However, the conception of these virtues with regard to any situation of moral action might vary in practice. As Nussbaum points out, moral decisions and corresponding virtues are open to revision in light of changing circumstances and new information regarding the decision to be made: "Sometimes the new circumstances may

¹⁹ Aristotle, "The Nature of Virtue," from *Nicomachean Ethics*, trans. Terence Irwin (Hackett, 1999), 1–5, 7–12, 15–29, 163–9. © 1999 by Terence Irwin. Reprinted with permission of Hackett Publishing Company, Inc. 1-2

²⁰ Aristotle, trans. Terence Irwin (Hackett, 1999). 3-5

²¹ Nussbaum, M. C. (1988). Non-relative virtues: an Aristotelian approach. *Midwest studies in philosophy*, 13, 32-53. 38

²² Nussbaum, M. C. (1988). 38-39

²³ Nussbaum, M. C. (1988). 43

²⁴ Aristotle, trans. Terence Irwin (Hackett, 1999). 17-18

²⁵ Aristotle, trans. Terence Irwin (Hackett, 1999). 18

²⁶ Nussbaum, M. C. (1988). 49

²⁷ Nussbaum, M. C. (1988). 46-47

simply give rise to a new concrete specification of the virtue as previously defined; in some cases, it may cause us to change our view about what the virtue itself is.”²⁸

Consequently, virtues tend to be dynamic towards the changing attitudes of moral agents and varying contextual features. In this respect, virtue ethics is somewhat flexible with regard to the practical situations in which humans find themselves and considers the inclusiveness of situational circumstances as well as the needs for human action that these circumstances require.²⁹

For example, take the virtue of courage towards the fear of important damages.³⁰ One moral agent would be considered courageous in a hypothetical situation of standing up for him- or herself against being bullied, knowing that it might even worsen the harassments. Whereas, in a different hypothetical situation, to show courage for another moral agent would be to run into a burning house in order to save any residents, knowing that the fire might be fatal. These situations indeed seem to be completely different, but both objectively require the same need for moral agents with courageous attitudes due to the similar possibility of damage either physically or mentally.

Precisely this flexibility within the objectivity of virtues also ensures that virtue ethics tends to be a stable disposition, aiming to make the right choice in the right situation for the right reasons. Although not every moral agent has such stability of virtuous character, that does not mean that no one would be able to have it.³¹ In addition, moral education through practical wisdom, in correspondence with Aristotle conceived as habitually reflecting on and evaluating lessons learned about the right action in the current situation, is necessary to achieve full virtue.³² This makes lessons of life the guidelines that a moral agent should include in moral consideration, not necessarily universal rules of conduct since universality within virtue ethics only applies to identical situations.

Nevertheless, the objectivity of virtue remains in its self-sufficiency at all times as the competing specifications of disagreeing moral agents are in fact contributing to construct a solid and more complete definition of the virtue in dispute. Therefore, Nussbaum points out that it is important to understand the problems human beings encounter as moral agents.³³ Namely, virtue ethics aims to provide a way of assessing

²⁸ Nussbaum, M. C. (1988). 46-47

²⁹ Nussbaum, M. C. (1988). 41

³⁰ Nussbaum, M. C. (1988). 34-36

³¹ Aristotle, trans. Terence Irwin (Hackett, 1999). 8-12

³² Aristotle, trans. Terence Irwin (Hackett, 1999). 8-12

³³ Nussbaum, M. C. (1988). 40-41

competing responses to moral problems and the corresponding circumstances that require moral decision. Such understanding will eventually lead to a moral agent having the appropriate character to act well in the face of ethical issues.³⁴

1.1.2 Virtue Ethics in relation to Sportsmanship

Thus, virtue ethics emphasizes the evaluation of the characters of moral agents, concerned with finding their excellence and corresponding moral attitudes, from which the flourishing of moral agents, or the manifestation of excellent characters, is organically effectuated. Translating this to professional football as the direct object of my thesis, would mean that moral agents within ‘the beautiful game’ should be evaluated ideally on the basis of their characters pertaining to excellence as well.

In sports terms, such a form of virtuous ideality is resembled by the concept of *sportsmanship as a moral category*, proposed in an applied ethical paper by James Keating. From this conceptualization, Keating argues that the way in which people should act towards sports consists of the aggregate of moral qualities that comprises an attitude of respecting the purpose of sports and the immediate pleasure of its participants.³⁵

Consequently, moral agents should always conduct in such a manner that will increase the pleasure to be found in sports, both of your own and that of your fellow participants.³⁶ Sportsmanship, considered as a moral category, is thus concerned with physically as well as mentally respecting moral agents in sports, being the participants of a competitive exercise. When those sporting participants disagree as moral agents on what constitutes sportsmanlike behavior, then this disagreement stems from the application of the maxim rather than from the maxim itself.³⁷ Actually, I would even argue that we should recognize this disagreement of moral agents on appropriate ways of virtuous acting as to be about, what Nussbaum called before, the competing specifications of a certain virtue. For example, sportsmanlike behavior for one moral agent could entail congratulating opponents on their win, but for another it could mean

³⁴ Nussbaum, M. C. (1988). 40

³⁵ Keating, J. W. (1964). 29

³⁶ Keating, J. W. (1964). 29

³⁷ Keating, J. W. (1964). 30

to not cheat on the rules of the game.³⁸ Eventually, all the different specifications of sportsmanlike behavior or variety of virtues in sports, such as fair play, generosity, honor and respect for the game, complement each other into an overarching notion of virtuous sportsmanship.³⁹

Summarizing the foregoing, I have demonstrated on the basis of the Aristotelian approach of Nussbaum that virtue ethics as a theoretical framework could be suitably applied to moral issues in sports. Virtue ethics suits the purposes of my thesis, due to the fact that this morality pursues both objectivity in terms of complete as well as self-sufficient virtues and virtue ethical approaches tend to consider the contextual situations in which moral agents have to make an ethical decision. The focus of virtue ethics on moral education in the form of lessons of life and gradually reflecting on moral agents' actions could also have great value in sports practices, because in this dynamic way there will be more room for moral development in sports over time. For example, in contrast to moralities that prescribe absolute rules of conduct.

Having explained the preference to use virtue ethics for my thesis, I will now contemplate this type of morality in more detail. There are at least three distinctive variations within virtue ethics, which will be explained in the following three sections as introduced at the beginning of this chapter. Ultimately, after all three have been briefly discussed and weighed against each other in section 1.5, one of these approaches will be defended in order to synchronize my virtue ethical approach with sportsmanship as a moral category and a medic-ethical notion of moral dignity in chapter 2.

1.2 – Svensson's Eudaimonist Virtue

The first variation of virtue ethics that deserves a more extensive discussion, is Eudaimonist Virtue (EV) as proposed by Frans Svensson. Being one of the classical and straightforward positions within virtue ethics, the EV-position is concerned with the basic question of what constitutes the best and most choice-worthy lives for human beings.⁴⁰ *Eudaimonia* in ancient Greek translates to happiness, which could be

³⁸ Abad, D. (2010). Sportsmanship. *Sport, ethics and philosophy*, 4(1), 27-41. 30-31

³⁹ Abad, D. (2010). 39

⁴⁰ Svensson, F. (2011). Eudaimonist virtue ethics and right action: a reassessment. *The journal of Ethics*, 15(4), 321-339. 322

considered as the ultimate goal of Aristotle's virtue ethics.⁴¹ Consequently, a virtue is to be understood as a trait of character that is needed in order to achieve *eudaimonia*.

In this respect, moral agents are thus concerned with virtue in order to flourish and achieve happiness in their lives. Aligned with Rosalind Hursthouse's virtue ethical specification of right action in her paper on normative virtue ethics, the EV-position of Svensson grants the theorem that an action is right if the act emulates what a virtuous agent would do in the exact same circumstances.⁴² According to Svensson's reassessment of EV-ethics and right action, moral acts require what the circumstances would call for in accordance with the correct use of reason.⁴³ Subsequently, the decision of a moral agent to act must be for its own sake and must be done also knowing why it is called for in a specific situation.⁴⁴ After all, the moral act must be performed from "a firm and unchanging disposition".⁴⁵

Despite being rather unclear about how a non-complete virtuous moral agent should know what the completely virtuous agent would be and do, the aim of EV-ethics is to strive for complete virtue. The ideal of complete virtue is something that moral agents can compare themselves to in order to determine ways to improve their own characters. Because of this focus on how moral agents could live and not on how they should live, Hursthouse argues that conflicts of virtue or seemingly irresolvable dilemmas are not necessarily an insurmountable problem for the EV-position.⁴⁶

Hereby, EV-ethics does not require absolute rules of conduct, but rather lessons of life and moral maturity in the form of relatable excellent character traits. The EV-position focuses mainly on the educational process towards practical wisdom, conceived as reflecting on and evaluating the lessons learned about right actions in certain situations, or what the circumstances called for in accordance with correct reason and the moral agent's own sake.⁴⁷ Ultimately, practical wisdom in the form of experiencing lessons of life brings a moral agent the insight of rightness and virtue. For example, one should endorse the virtue of being honest because speaking the truth is generally praiseworthy and not because lying is not allowed.⁴⁸

⁴¹ Aristotle, trans. Terence Irwin (Hackett, 1999). 2

⁴² Svensson, F. (2011). 322

⁴³ Svensson, F. (2011). 322

⁴⁴ Svensson, F. (2011). 322

⁴⁵ Svensson, F. (2011). 322

⁴⁶ Hursthouse, R. (1996) "Normative Virtue Ethics," from Roger Crisp, ed., *How Should One Live?* (Oxford University Press), 19–33. 29-31

⁴⁷ Svensson, F. (2011). 322-323

⁴⁸ Hursthouse, R. (1996). 21-23

EV-ethics approached as set out briefly above is primarily concerned with the human good and what humans must do in order to achieve that good. A necessary condition for living the life that is best for humans according to the EV-position is that a moral agent does what is right in particular situations and does what is right with knowledge of why that specific act is right. Therefore, Svensson recognizes justly that it should be conceded that someone possible could coherently endorse an EV-position and, for instance, also a certain deontological account of right action.⁴⁹

However, I consider concessions like the latter as inconvenient for the research purposes within my thesis because it does not strengthen the dynamic objectivity and focus on moral development within a strict virtue ethical account. But for now, I will not further substantiate why the EV-position is probably not the most suitable regarding my research, as that will still be done in the last section of this chapter on virtue ethics. In the following sections, I will first discuss two other virtue ethical positions in order to look at whether another position would be able to distinguish itself from compatibility with absolute rules of conduct in deontological terms.

1.3 – Swanton’s Target-centered Virtue

One of the two remaining virtue ethical positions that deserve discussion with regard to my research, is Target-centered Virtue (TcV). This position, as proposed by Christine Swanton, is concerned with the evaluation of actions in terms of right and wrong rather than the common focus of virtue ethics on evaluating the characters of moral agents.⁵⁰

In particular, Swanton wants to demonstrate that TcV-ethics can offer a criterion of rightness through the notion of the target or aim of a specific virtue.⁵¹ According to Swanton, this criterion of rightness provides an account of right action not reducible to an hypothetical fully virtuous agent.⁵² Such criterion is not equal to a decision procedure as it is able to distinguish moral rightness from moral goodness.⁵³ Swanton states in her article that TcV-ethics offers a criterion of rightness of acts as an alternative to other

⁴⁹ Svensson, F. (2011). 324

⁵⁰ Swanton, C. (2001). A virtue ethical account of right action. *Ethics*, 112(1), 32-52. 32

⁵¹ Swanton, C. (2001). 32

⁵² Swanton, C. (2001). 32

⁵³ Swanton, C. (2001). 32

virtue ethical criteria, among which the EV-ethics of Hursthouse and that of Svensson as well.⁵⁴

Nevertheless, to start from the beginning, Swanton initiates TcV-ethics with constructing the same foundation as other virtue ethical accounts. Virtues are commonly understood as good qualities.⁵⁵ Glen Pettigrove refers to Swanton's definition of virtues in a paper on defending virtue ethics against criticisms of self-effacement as follows: "The virtues will be defined, at least partly, in terms of the goods that they acknowledge, respond to, and/or promote."⁵⁶

According to the foregoing, an act from virtue as perceived by Swanton's TcV-ethics would state that such an act should display excellence of character to a sufficient degree.⁵⁷ In particular, mind the proviso of 'to a sufficient degree'. Namely, Swanton would add to this definition of an act from virtue that it is concerned about the act as a successful response towards a certain situation that requires virtue since it becomes clear later on that moral acts count as overall virtuous in TcV-ethical terms if and only if the target of a virtue is hit.⁵⁸ Such a target may be several modes of moral response, for example it may be internal to the agent, it may be plural, but it also may depend on context and may be to avoid things.⁵⁹

Therefore, hitting the target of a virtue in TcV-ethical terms is equal to a form of moral responsiveness, understood as the realization of what is to be done in a certain situation, appropriate to the initial aim of the concerned virtue.⁶⁰ For example, take the virtue of thrift that is concerned with the use of money.⁶¹ One moral agent might save more money than another, depending on their financial statuses, but being relatively moderate towards the use of money is and remains the target of the initial virtue of thrift. In addition, TcV-ethics assumes that moral decisions could be personally limited and context-dependent. Because of this, TcV-ethics has to allow for moral luck, or the situational factors that affect moral agents beyond their own control, since the result of a moral act or the possibility of hitting the target of a virtue may depend in part on such features of decision-making not entirely within the control of the moral agent.⁶²

⁵⁴ Swanton, C. (2001). 33

⁵⁵ Swanton, C. (2001). 38

⁵⁶ Pettigrove, G. (2011). Is virtue ethics self-effacing?. *The Journal of Ethics*, 15(3), 191-207. 201

⁵⁷ Swanton, C. (2001). 38

⁵⁸ Swanton, C. (2001). 39

⁵⁹ Swanton, C. (2001). 39-43

⁶⁰ Swanton, C. (2001). 38-39

⁶¹ Swanton, C. (2001). 40

⁶² Swanton, C. (2001). 38

Accordingly, the TcV-ethical distinction between an act from virtue and a virtuous act becomes rather clear. Swanton summarizes these differences by stating that an act from virtue is less contextual and not virtuous if it fails to hit the target or if it fails to manifest aspects of the relevant virtue sufficiently.⁶³

Furthermore, it is precisely the emphasis on successfully hitting the target of a virtue that makes TcV-ethics similar to act-consequentialism in terms of structure. This similarity is pointed out as follows by Pettigrove: “What makes an act good is that it promotes certain good ends, which in this case are the ends that constitute the targets of the virtues.”⁶⁴ Thus, Swanton’s TcV-ethics deliberately concedes the consequentialist account regarding outcomes as decisive in moral judgment that would argue for rightness of a moral act as maximizing the overall good.⁶⁵

However, I again consider concessions like the latter to be inconvenient for the research purposes within my thesis because of the diminishment of dynamic objectivity and the focus on moral development within a strict virtue ethical account. But for now, I will not further substantiate why the TcV-position is probably not the most suitable regarding my research, as that will be done in the last section of this chapter on virtue ethics. In the following section, I will discuss one last virtue ethical position that as a method of guiding actions would be able to distinguish itself from compatibility with absolute rules of conduct in deontological terms and from the focus on outcomes of moral decision in act-consequentialistic terms.

1.4 – Slote’s Agent-based Virtue

The last, but not the least, variation of virtue ethics that will be discussed for the purposes of this chapter, is Agent-based Virtue (AbV) as proposed by Michael Slote. The ultimate goal of Slote’s position is to explore the possibility of pursuing virtue ethics in an agent-based perspective that considers the moral status of acts as derivative from Aristotle’s fundamental characterizations of individuals’ motives and traits.⁶⁶

⁶³ Swanton, C. (2001). 45

⁶⁴ Pettigrove, G. (2011). 202

⁶⁵ Swanton, C. (2001). 32

⁶⁶ Slote, M. (1995). 83

Furthermore, Slote points out that Aristotle characterizes the virtuous individual as someone who realizes what is good or right to do in certain situations.⁶⁷ In this respect, an act receives the status of virtuous because it is what the virtuous individual would choose.⁶⁸ Thus, the status of moral acts is treated independent of agent-evaluations, which is incompatible with Slote's agent-basing.⁶⁹ Inasmuch, a virtuous individual could be just in the best possible position to know what is right.⁷⁰

In this way, Slote aims to draw a clear distinction between focusing on virtuous individuals and their traits (agent-focusing) as well as treating the moral status of actions as derivative from claims about individuals and their traits (agent-basing).⁷¹ As a result of this distinction, Slote also intervenes in the debate on *doing the right thing for the right reasons* that was introduced before. Namely, this debate, being illustrated by Henry Sidgwick through an example of a maliciously rather than dutiful motivated prosecutor trying to convict someone, could problematize the argument of Slote's AbV-position from the start: "[...] here because of the way it understands rightness in terms of having good motivations and wrongness in terms of having bad motives."⁷² Hence, the problems posed by this debate certainly spark an important discussion for my research. The more general explanation of the AbV-position in this section will not specifically address the debate at hand, but the Sidgwick-problem and possible solutions to it will be analyzed in detail and applied to the subject of commercialization in professional football as part of the next chapter.

Continuing with the construction of the AbV-position, Slote firstly comes across another objection to agent-basing. This objection argues that evaluating actions of moral agents on the basis of their personalities or inner states would result in the actions of moral agents not being subject to any moral requirements.⁷³ Besides that, the AbV-position seemingly isolates itself from the involved ethical approach of living up to standards of behavior.⁷⁴ Slote even indicates that this line of reasoning once caused himself to reject the idea of agent-basing.⁷⁵ However, the realization that such implications do not apply to the AbV-position must prevail after all, since:

⁶⁷ Slote, M. (1995). 83

⁶⁸ Slote, M. (1995). 83

⁶⁹ Slote, M. (1995). 83-84

⁷⁰ Slote, M. (1995). 83-84

⁷¹ Slote, M. (1995). 83-84

⁷² Slote, M. (1995). 84

⁷³ Slote, M. (1995). 85

⁷⁴ Slote, M. (1995). 85

⁷⁵ Slote, M. (1995). 85

A view can be agent-based and still not treat actions as right or admirable simply because they are done by a virtuous individual or by someone with an admirable or good inner state. Nor does an agent-based theory have to say, with respect to each and every action a virtuous agent is capable of performing, that if she were to perform that action, it would automatically count as a good or admirable thing for her to have done. (Slote, 1995, pp. 85-86)

Consequently, Slote proposes the expression of benevolence, or in other words being and willing well through a humane concern for other people, as the standard to be applied in agent-based positions.⁷⁶ Given this standard of behavior, the quality of motives and corresponding virtues should be understood as the degree to which benevolence is or is not expressed. Virtuous motives are then to be valued intrinsically and independently. In agent-based terms, actions that express benevolence count as ethically superior to actions that do not express benevolence.⁷⁷ Virtuous acts have to express or further such motives of goodwill in order to qualify as virtuous from an AbV-perspective.⁷⁸ Thus, Slote concludes that it is simply not true that agent-based theories inevitably treat human actions as subject to no moral standards or requirements.⁷⁹ Namely, moral agents should avoid actions that exhibit and express bad inner motives, as a moral constraint from within moral agents themselves. According to AbV-ethics, a moral action is thus right on account of its virtuous motivations and becomes virtuous on account of the benevolence expressed by the moral agent.⁸⁰

However, such constraints *from within* do not entail isolation from facts about the world.⁸¹ The kinds of motivation that AbV-theories specify as fundamentally admirable need to take the contextual circumstances of moral agents into account in order for them to assess what it is to act upon benevolently. Because of this, Slote argues that moral agents must be open to and seek contact with the world around their decisions as to overcome the isolation from the morally relevant reality.⁸²

⁷⁶ Slote, M. (1995). 85-86

⁷⁷ Slote, M. (1995). 86

⁷⁸ Slote, M. (1995). 86-87

⁷⁹ Slote, M. (1995). 87

⁸⁰ Russell, D. C. (2008). Agent-based virtue ethics and the fundamentality of virtue. *American Philosophical Quarterly*, 45(4), 329-347. 329

⁸¹ Slote, M. (1995). 87

⁸² Slote, M. (1995). 87

In order to be capable of expressing benevolent motives and behaviors, moral agents require *inner strength* that is to be found in the degree of someone's courage to face facts or danger, self-sufficient self-reliance, self-sufficient moderation and strength of purpose.⁸³ Especially, Slote is concerned with the self-reliance of moral agents, understood as the development of finding one's own way that people undergo throughout their lives. This idea of self-reliance resembles some sort of independency that consists of people's efforts to learn to do things for oneself and determine an own way of living.⁸⁴ Contrary to this independency, Slote introduces the idea of parasitism, meaning to willingly remain dependent on others rather than acting upon one's own personality.⁸⁵ Important to note here, is that the dependency of moral agents mainly hangs on the motivation rather than on the abilities of the moral agent in question.⁸⁶ Someone who is capable of but unwilling to stand on their own two feet is considered dependent because of the corresponding motivation.

Furthermore, Slote's AbV-ethics is about actions exemplifying universal benevolence and not about actions achieving goals that universal benevolence aims at.⁸⁷ A distinction has to be drawn again since there tends to be a difference between knowing or expecting good consequences of an act and being motivated to produce these consequences.⁸⁸ Therefore, AbV-positions could be helpfully applied as any expression of benevolence needs the gathering of facts about the world around the concerning moral agents in order for them to be motivated and informed as completely as possible.⁸⁹

Primarily, AbV-ethics as set out briefly above is concerned with the benevolence expressed within the motivations of moral agents. Recall that a necessary condition for living the life that is best for humans according to the AbV-position, is that a moral agent expresses or furthers benevolence in particular situations as being motivated to produce good consequences through virtue. Therefore, Slote justly concedes that it could occur that morality as benevolence will not be able to unconditionally solve moral issues at all times, if there are to be facts about the world that cannot be learned or turn out to be highly complicated.⁹⁰ For example, take the

⁸³ Slote, M. (1995). 95

⁸⁴ Slote, M. (1995). 90-91

⁸⁵ Slote, M. (1995). 91

⁸⁶ Slote, M. (1995). 91-92

⁸⁷ Slote, M. (1995). 96-97

⁸⁸ Slote, M. (1995). 96-97

⁸⁹ Slote, M. (1995). 98-99

⁹⁰ Slote, M. (1995). 101

virtue of helping people in need.⁹¹ If there are two individuals equally in need of help, then it would be rather difficult for the AbV-position to choose between the two. Still, helping just one of the two expresses the required benevolent motivations from a humane concern for others and is thus to be considered regardless as virtuous in such complex situations.

Besides that, the agent-based morality does not pretend to know the answers to difficult moral questions in cases that outrun human reason, as Slote states that: “Any ethical theory that makes it too easy always to know what to do will also seem to that extent flawed or even useless because of the complexity and changeability of moral phenomena.”⁹² Furthermore, I consider Slote’s honest recognitions about the AbV-position as particularly fruitful for the research purposes within my thesis because it does strengthen the dynamic objectivity and focus on moral development of virtue ethical accounts in general. But for now, I will not further substantiate why the AbV-position is probably the most suitable regarding my research, as that will be done in the concluding section of this chapter on virtue ethics.

1.5 – Evaluating the virtue-ethical positions

Above, three contemporary variants of virtue ethics have been discussed and explained one by one. In this section, I will zoom in briefly on the apparent and most evident weaknesses of all three positions. Thereafter, the positions will be evaluated with respect to each other using the practical context of the recent initiation of the ESL-proposal, in order to see which virtue-based approach would properly suit my research purpose of morally evaluating issues of commercialization in professional football.

1.5.1 The EV-position

Following the order in this chapter, I will concentrate on the EV-position first. The emphasis of EV-ethics is on the educational processes of moral agents towards practical wisdom, conceived as reflecting on and evaluating the lessons learned about

⁹¹ Slote, M. (1995). 96-97

⁹² Slote, M. (1995). 101

right actions in certain situations.⁹³ Ultimately, practical wisdom in the form of experiencing lessons of life brings a moral agent the insight of rightness and virtue.⁹⁴ Primarily, EV-ethics is thus concerned with the human good and what humans must do in order to achieve that good. In this respect, moral agents should act in accordance with virtue in order to flourish and achieve happiness, or *eudaimonia*, in their lives. The EV-position holds that an action is right if the act emulates what a virtuous agent would do so in the exact same circumstances.⁹⁵

However, the latter leads to the criticism formulated by political philosopher Janna Thompson that it would be irrational for moral agents to put their trust in the thoughts of one virtuous individual.⁹⁶ Namely, this hypothetical individual is not known by moral agents and probably they will not be able to get to know this fully virtuous individual, making it rather unclear how moral agents might act virtuously and reach their *eudaimonia*.

Seemingly, this virtue ethical approach could be theoretically considered as worth striving for. The focus on the educational process towards flourishing of moral agents appeals to the intuition that people tend to act upon learning how to make the best out of their lives. Nevertheless, that same focus on learning lessons from occurred situations leads to this position only being able to determine afterwards whether an action counts as virtuous or contributing to the *eudaimonia* of moral agents, that is to say only after the decision-making process about the moral act already occurred.

Therefore, I would prefer a position that, prior to an action, is already able to say something about the moral implications of the action that is to come, because such a position would already provide some more guidance for practice during the decision-making process of the concerned moral agent. If this was to be translated to the initiation of the ESL-proposal mentioned before, then it would have been more useful for the football clubs to know the moral implications that may affect the contribution towards the *eudaimonia* of all the relevant moral agents beforehand. Since, in this case, reflecting and evaluating only afterwards meant that the damage to the *eudaimonia* of the relevant moral agents had already been done as the ESL-proposal was canceled due to the proposal being not well received and probably it was ultimately not going to contribute to the *eudaimonia* of some of the relevant moral agents, such as the players

⁹³ Svensson, F. (2011). 322-323

⁹⁴ Hursthouse, R. (1996). 21-23

⁹⁵ Svensson, F. (2011). 322

⁹⁶ Thompson, J. (2002). *Discourse and knowledge: Defence of a collectivist ethics*. Routledge. 73

and various football clubs left out of the proposal initially. Despite the fact that this failed proposal would indeed provide a valuable lesson for another hypothetical ESL-proposal in the future, here the EV-position would have provided little to no substantive moral guidance during the consideration primary to the proposal.

Furthermore, it seems highly implausible to set a universal standard for what people will experience as personal flourishing and *eudaimonia* since this could be experienced differently among moral agents. Likewise, full virtue and complete self-development seem impossible to achieve in an imperfect world, which would mean that ethical considerations according to EV-ethics have to be recognized as being limited and thus usually remain only subjective.

All in all, for the foregoing reasons these weaknesses have led to the EV-position being the first to drop out of my research.

1.5.2 The TcV-position

Second in the line of scrutiny is TcV-ethics. An act from virtue as perceived by TcV-ethics would state that such an act should display excellence of character to a sufficient degree.⁹⁷ In particular, meaning that an act from virtue is concerned about a successful response towards a certain situation that requires virtue. Moral acts count as overall virtuous in TcV-ethical terms if and only if the target of a virtue is hit.⁹⁸ Therefore, hitting the target of a virtue in TcV-ethical terms is equal to a form of moral responsiveness, understood as the realization of what is to be done in a certain situation, appropriate to the initial aim of the concerned virtue.⁹⁹ Additionally, TcV-ethics assumes that moral decisions could be personally limited and context-dependent. Because of this, TcV-ethics has to allow for moral luck in its account of rightness since the result of a moral act or the possibility of hitting the target of a virtue may depend in part on features of decision-making not entirely within the control of the agent.¹⁰⁰

Therefore, within the TcV-position it is practically too unclear when an expression of excellence in character is given sufficiently in relation to the purpose of a moral act. If this position was put into practice, then any moral agent that follows the

⁹⁷ Swanton, C. (2001). 38

⁹⁸ Swanton, C. (2001). 39

⁹⁹ Swanton, C. (2001). 38-39

¹⁰⁰ Swanton, C. (2001). 38

TcV-ethical approach would be constantly deliberating and questioning itself what exactly counts as appropriate to the initial aim of a certain virtue. For example, take the virtue of magnanimity in relation to the ESL-proposal mentioned before. What would then be the moral act appropriate to the initial aim of bringing about respect through the virtue of magnanimity? Would that be for clubs and players as the relevant moral agents to speak against such proposal? Would that be to completely refrain from taking part in that specific competition?

TcV-ethics explains that an action is virtuous if it achieves the intended target of a virtue, but it is less clear what exactly counts as a successfully achieved target. This is mainly due to the fact that the targets of virtues must always merely accomplish ‘the best good’ or promote this as such for all human individuals.

However, again my questions towards this theorem would then be, what exactly is to be understood as the good for all in the context of professional football? And could this even be overdemanding in the sense that human individuals participating in professional football should sacrifice themselves for others or the greater good?

These questions seem to remain unanswered within the TcV-position, just like that this position as well as EV-ethics would not be able to provide much guidance during the decision-making processes of moral agents. TcV-ethics focusses on the targets of virtues, so this position is only able to evaluate a moral act when such an act already reached its corresponding outcome. In contrary to Aristotle noting that virtue ethics should start from the beginning, or the things known, and not at the end, or the yet unknown outcome of a moral act.¹⁰¹ The outcomes of the actions of moral agents are only predictions during the decision-making processes. Therefore, the focus of TcV-ethics on outcomes also raises the question whether this position still is virtue ethical and not more like an act-consequentialistic position?

According to Aristotle, virtue ethics is concerned with virtuous actions in combination with virtuous character. A moral agent must be in the right, or excellent, state of character in performing a virtuous action:

But surely actions are not enough, even in the case of crafts; for it is possible to produce a grammatical result by chance, or by following someone else’s instructions. To be grammarians, then, we must both produce a grammatical result and produce it

¹⁰¹ Aristotle, trans. Terence Irwin (Hackett, 1999). 2

grammatically – that is to say, produce it in accord with the grammatical knowledge in us. (Aristotle, (Hackett, 1999), pp. 23)

Furthermore, it could be the case that the outcomes of moral acts are not entirely in control of the concerned moral agent because of context dependency. Blind spots like the latter and the other weaknesses that have been described briefly above, are the reasons that I tend to drop out the TcV-position as well.

1.5.3 The AbV-position

The remaining position to be zoomed in on, is that of AbV-ethics. AbV-ethics, we have seen, is about actions exemplifying universal benevolence and not about actions achieving goals that universal benevolence aims at.¹⁰² AbV-ethics is primarily concerned with the benevolence expressed within the motivations of moral agents. According to the AbV-position, a necessary condition for living the life that is best for humans and for an act to count as virtuous, is that a moral agent expresses or furthers benevolence in particular situations as being motivated to produce good consequences. Thus, a moral action is right from an AbV-perspective on account of its virtuous motivations and becomes virtuous on account of the benevolence expressed by the moral agent.¹⁰³ In order to be capable of expressing benevolent motives and behaviors, moral agents require *inner strength* that is to be found in the degree of someone's courage to face facts or danger, self-sufficient self-reliance, self-sufficient moderation and strength of purpose.¹⁰⁴

In general, the AbV-position is being criticized for its alleged demandingness and the moral implications following from the Sidgwick-problem mentioned earlier, which will be discussed in more detail in the next chapter. By the means of discussing this problem only later on, I will be able to translate Slote's virtue ethical account of right action into the practical context of professional football in the following chapter. Thus, for now, I will only concentrate on the criticism of demandingness towards AbV-ethics. When this criticism is to be translated to the initiation of the ESL-proposal

¹⁰² Slote, M. (1995). 96-97

¹⁰³ Russell, D. C. (2008). 329

¹⁰⁴ Slote, M. (1995). 95

mentioned before, then it would entail for the relevant moral agents that they will never be allowed to participate in such competitions if their motivations are determined merely by self-interest. The objection of demandingness thus arises from the idea that AbV-ethics would morally disapprove the pursuit of self-interest as contrary to universal benevolence, or the goodwill resulting from a humane concern for others, that would cause individuals to subordinate themselves to other people at all times.¹⁰⁵

If such criticism towards AbV-ethics is granted, it would mean that a moral agent may never do anything out of a motivation that only serves the moral agent's own gains and purposes. Although highly questionable to what extent it would be problematic or overdemanding that egoistic motives and purposes are to be considered as inferior to altruism and helping others in need, there could be another possible way out for AbV-ethics. Namely, to come up with a satisficing version.¹⁰⁶ Such a version of AbV-ethics would argue that it is morally acceptable to act virtuous on the basis of a motivation from which the universal benevolence appears sufficiently and not necessarily as the supreme exemplary motive.¹⁰⁷ For the most part, I am cautiously willing to bite the bullet on this point, despite the fact that such a concession and incidental ambiguity of what would count as sufficient in varying cases slightly diminishes the overall strength of the whole position.

Nevertheless, as compared to the weaknesses and concessions of the other two positions, the latter concession of AbV-ethics would be the least problematic for moral decision-making in practice. EV- and TcV-ethics are unable to deliver significant contributions during the process of moral decision-making since both positions tend to focus on what moral acts eventually result in and not on how such acts originate from moral considerations. Subsequently, AbV-ethics remains relatively unharmed, despite the fact that this position must concede a satisficing version, by which the ideal of universal benevolence could still be included in the decision-making processes of moral agents. This ideal does not necessarily have to be pursued literally at all times to the utmost, but at least it may serve provisionally for virtuous motivations and to a lesser extent for the corresponding actions as well as outcomes. Actually, a somewhat demanding position could even cause moral agents striving to act more in accordance with motivations worth pursuing towards overall virtuousness.

¹⁰⁵ Slote, M. (1995). 97-98

¹⁰⁶ Slote, M. (1995). 98

¹⁰⁷ Slote, M. (1995). 98-99

1.5.4 Considering all three positions together

In light of the three approaches presented above, recall that my research requires a practical-guiding position that would be able to solve applied ethical issues from their roots. Of the three positions discussed, AbV-ethics is the most suitable for my research purposes, because this position already informs moral agents about their virtuousness prior to moral acts being conducted, thus during moral considerations. The other two positions strictly focus on outcomes that moral agents cannot always fully control or oversee in advance. In a moral sense, this would result in EV- and TcV-ethics only being able to make a judgement about the virtuousness of moral acts afterwards. AbV-ethics tends to be action guiding from the start by means of the evaluation of motives during the process of decision making, while EV- and TcV-ethics are only outcome evaluating.

In contrast to the other two positions, AbV-ethics also takes contextual factors into account properly. The latter is something that the other positions particularly fail to consider, while contextual circumstances do seem to provide important information for moral decision making. Furthermore, an expression of benevolence essentially needs information about the outside world around the moral agent, because without contextual input such an expression would be of little practical use as output.¹⁰⁸ Consequently, without shifting the discussion to whether or not moral agents always have full control over their motivations, AbV-ethics provides a more complete picture of all the relevant components (context, motivation, action, outcome, etc.) regarding moral considerations, than EV- and TcV-ethics seem to do. For moral agents in need of practical guidance, it seems that the AbV-position should be preferred over outcome-oriented approaches. Inasmuch, that a malicious motivated action can count as virtuous for EV- and TcV-ethics, when this action unexpectedly contributes to ‘the best good’ or merely produces a good outcome due to moral luck.

In fact, the AbV-position also prevails over EV- and TcV-ethics with regard to sports ethos in terms of feasibility and impartiality towards the adjustment of conflicting interests, because from a practical point of view Slote also specifies what an excellent

¹⁰⁸ Slote, M. (1995). 98-101

character or virtues should consist of, being the expression of benevolence. A virtuous act necessarily expresses a good will and goes hand in hand with acting from virtue as acting from this very same good will, which most closely resembles Aristotle's combination discussed earlier on with regard to virtuous actions and virtuous characters.

Furthermore, this research requires an applied ethical position that can evaluate the intentions behind commercialization of sports in practice, thus that makes AbV-ethics extremely suitable. Of the three positions discussed in this chapter, the AbV-position is also the only one that tries to delve further into where the foundation of virtuous motivations for moral actions is grounded. This foundation entails the notion of self-sufficient self-reliance, which will play an important role later on in my thesis during the discussion of the Sidgwick-problem as well as the evaluation of cases in chapter 3.

1.5.5 Concluding preview

Within the current chapter, I have discussed and explained three contemporary variants of virtue ethics one by one. After that, I zoomed in briefly on the apparent and most evident weaknesses of all three positions. Consequently, those positions have been evaluated relative to each other in order to arrive at the observation that AbV-ethics would most properly suit my research purposes as compared to the other two.

In the next chapter, a working definition of AbV-ethics regarding the topic of commercialization in professional football will be constructed through multiple defenses of the AbV-position against the aforementioned Sidgwick-problem. By this means, I will be able to translate Slote's virtue ethical account of right action into the practical context of professional football. Thereafter, this working definition will be used to evaluate the cases in chapter 3. My research still aims to explore the possibilities of morally constraining the motivations behind the international commercialization of professional football.

Hence, my preference for the AbV-position as the approach of research because this approach aims to serve as intent to evaluate actions and to be practical guiding with regard to the motivations and reasons of moral agents in a direct sense, but also with regard to the outcomes of moral acts in an indirect sense. In other words, the outcomes

of moral acts must be considered and examined in response to the motivations and reasons for those same actions. The constraints that the AbV-approach could impose for moral actions with regard to the commercialization of professional football are binding and operating from within the relevant moral agents since such an approach ultimately focusses on people's inner motivations.

Chapter 2: AbV-ethics, Sportsmanship & Dignity

Introduction

This second chapter intends to bridge the gap between the theoretical framework of virtue ethics and the practical field on which my thesis focuses, as to provide an applied ethical account of commercialization issues in professional football worldwide.

Firstly, I will embed analogues to issues of commercialization within professional football in my defense of Slote's AbV-ethical position against the criticisms of the Sidgwick-problem on *doing the right things for the right reasons* and the 'ought implies can'-principle that agent-based virtue ethical accounts of right action would allegedly violate. By this means, I will be able to translate Slote's virtue ethical account of right action into the practical context of professional football. In particular, the aforementioned criticisms will be elaborated on and parried using the AbV-ethical accounts of moral philosophers Liezl van Zyl & Daniel Doviak. Those debates, proposed in various forms by moral philosophers Daniel Jacobson & Ramon Das, will be presented in section 2.1 as the major criticisms on Slote's AbV-ethics to be refuted. It is necessary to discuss this, because I have to show that AbV-ethics will hold in the practical context of my research.

Thereafter, in section 2.2, I will focus briefly on how Slote's AbV-ethics would be meaningful to the evaluation of motivations behind the commercialization within professional football, using James Keating's conceptualization of *sportsmanship as a moral category* that is endorsed by Diana Abad. Necessarily, I will have to integrate virtue ethics and sports in the same discourse in order to construct an AbV-ethical working definition that I will use for the case evaluations in chapter 3.

At last, in section 2.3, my aim will be to synchronize the AbV-ethical benevolence towards the intrinsic value of moral agents in professional football and their moral dignity. In order to do so, I will briefly discuss a notion of moral dignity derived from medical philosopher Lennart Nordenfelt's concept of *Menschenwürde*. The latter concept may serve complementary to Keating's notion of *sportsmanship* in order to construct my AbV-ethical working definition that consists of the benevolently

motivated contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans.

The link between this virtue ethical account and moral dignity is important to point out since my research tends to emphasize the intrinsic value of football, so as to achieve that my working definition of AbV-ethics will hold in practice.

2.1 – In defense of AbV-ethics

Starting with bridging the gap between theory and practice, I will discuss varying criticisms on AbV-ethics. My aim within this section is to defend that AbV-ethics is capable of confronting the majority of its objections, in particular with regard to the research subject of the worldwide commercialization within professional football. Eventually, conducting this discussion on the basis of practical examples will strengthen my analysis of virtue ethical theory.

Before entering the debate, recall from the foregoing chapter that AbV-ethics is about actions exemplifying universal benevolence and not about actions achieving goals that universal benevolence aims at.¹⁰⁹ Thus, a moral action is right from an AbV-perspective on account of its virtuous motivations and becomes virtuous on account of the benevolence expressed by the moral agent.¹¹⁰ In order to be capable of expressing benevolent motives and behaviors, moral agents require *inner strength* that is to be found in the degree of someone's courage to face facts or danger, self-sufficient self-reliance, self-sufficient moderation and strength of purpose.¹¹¹

2.1.1 General criticisms on AbV-ethics

In general, the AbV-position is being criticized for its alleged demandingness, dealt with in the previous chapter, and the moral implications following from the Sidgwick-problem mentioned earlier, which will be discussed in detail here. The criticisms attempt to diminish the practical value of AbV-ethics by arguing that this position would not be able to state that moral agents do their moral duties or achieve

¹⁰⁹ Slote, M. (1995). 96-97

¹¹⁰ Russell, D. C. (2008). 329

¹¹¹ Slote, M. (1995). 95

morally good outcomes, while acting from the wrong motivations.¹¹² For this reason, the Sidgwick-problem could demonstrate that Slote's AbV-ethics should reject a morally good act in terms of outcomes, when the corresponding motivations did not express benevolence. The Sidgwick-problem in its original form exemplifies the conflicting interests of a prosecutor that prosecutes someone from malice. The prosecutor has a duty to prosecute, as his job, but also the duty to prosecute justly. In this example, there could exist some tension between *doing the right thing* and *doing the right thing for the right reasons*.¹¹³ Consequently, AbV-ethics is criticized for not being able to allow for moral agents to do right things for the wrong reasons: "An agent-based theory seems to have a problem here, insofar as it apparently holds that an agent does the right thing just in case he does it for the right reasons (motives)."¹¹⁴

However, my counter questions to such criticism are then: have moral agents truly done right things, if they did not want to achieve those at all? Or would that rather be a flawed moral evaluation of the roughly coincidental concurrence of the moral agents' motives in combination with their contextual situations? I assume that one does one's duty on the basis of a consideration that one has that duty to do so. This generally means that a duty cannot be fulfilled without a moral agent having the motivation to fulfill that duty, otherwise it would not be considered as a duty to fulfill in the first place.

According to Van Zyl's discussion of Slote's AbV-ethics, the prosecutor's motivation will also be bad if he does not prosecute, as such a failure indicates that the prosecutor lacks a real concern for professional and moral duties.¹¹⁵ Hence, AbV-ethics does allow to make the distinction between doing a moral duty for the right reasons and thus acting morally right as well as doing a moral duty for the wrong reasons and thus acting morally wrong.¹¹⁶ This means that the prosecutor should prosecute as an expression of concern for his job, but if the prosecutor goes on to prosecute from malice the act would be morally wrong. Namely, because the motives the prosecutor ought to express differ from the motives actually expressed.¹¹⁷

¹¹² Brady, M. S. (2004). Against agent-based virtue ethics. *Philosophical Papers*, 33(1), 1-10. 4-7

¹¹³ Slote, M. (1995). 84-85

¹¹⁴ Das, R. (2003). Virtue ethics and right action. *Australasian Journal of Philosophy*, 81(3), 324-339. 326

¹¹⁵ Van Zyl, L. (2009). Agent-based virtue ethics and the problem of action guidance. *Journal of Moral Philosophy*, 6(1), 50-69. 56-57

¹¹⁶ Van Zyl, L. (2009). 56

¹¹⁷ Van Zyl, L. (2009). 57

Nevertheless, should it be the case that, for whatever reasons, the outcome appears as if the duty has been fulfilled, it must be stated that this outcome only came about by chance and not by truly doing one's duty. The foregoing observation pointed out by Van Zyl is precisely what strengthens the AbV-ethical theorem of evaluating motives intrinsically and independently from a moral agent's personality and behaviors. The criticisms seem not to recognize such a crucial point for AbV-ethics, that in effect means that the assessment and guidance of moral actions is coming separately in cases where the moral agent does a duty for the wrong reasons.¹¹⁸ In this way, it is not necessary to make a distinction between virtuous acts and acts from virtue. For the completeness of evaluating moral acts, it would be even more useful when both go hand in hand, as Aristotle also intended to synchronize virtuous act and virtuous character.¹¹⁹

2.1.2 Jacobson's criticism on AbV-ethics

A similar objection to Slote following from the Sidgwick-problem, is the criticism of Daniel Jacobson that AbV-ethics could not circumvent the moral consideration by attempting to construct compatibility with the 'ought implies can'-principle.¹²⁰ Jacobson argues that Slote's appeal to compatibilism is inadequate, since a moral agent's choice in a wide range of situations will be either between failing to do one's duty or doing it from inferior motives.¹²¹ According to Jacobson, the solution that Slote tries to provide in response to this problem requires that the malicious prosecutor sets aside his malice and yet prosecutes out of professional and moral duty.¹²² Considering that such malicious person is capable of refraining from acting out of malice, it might just be the case that this prosecutor is incapable of performing the prosecution from any other motivation.¹²³ Jacobson's argument reasons that AbV-ethics would be compromised in cases where moral agents can only do their duty by expressing inferior motives and thus the concerning moral agent would only be able to act wrongly.

¹¹⁸ Van Zyl, L. (2009). 57

¹¹⁹ Aristotle, (Hackett, 1999). 23

¹²⁰ Jacobson, D. (2002). An unsolved problem for Slote's agent-based virtue ethics. *Philosophical studies*, 111(1), 53-67. 58

¹²¹ Jacobson, D. (2002). 53

¹²² Jacobson, D. (2002). 59

¹²³ Jacobson, D. (2002). 59

However, as a response to the first part of Jacobson's criticism, inferior motives being inferior to other motives do not necessarily entail that such motives have to be considered in every possible situation as completely wrong from a moral perspective. Furthermore, AbV-ethics would always presuppose that those superior motives and in particular benevolence are to be preferred over inferior motives. In this way, AbV-ethics will also turn out to be compatible with the 'ought implies can'-principle.

For example, take the preference of altruistic motives as superior to selfishness motives. If those motivations are translated into a situation of commercialization within professional football, say the recent proposal of a few clubs that in their own words wanted to organize the ESL for the sake of saving save modern football in general, then the claimed altruistic motive of preserving modern football as a whole is benevolent by all means. Subsequently, football clubs ought to preserve football for the sake of their professional duty to accommodate the sport of football and so they can. Likewise, the prosecutor from the Sidgwick-problem ought to prosecute for the sake of the professional duty to perform his job and so he can.

Now, the crucial difference that changes the situation on both sides is that there are brought up additional motives, or at least some extra information about the totality of the relevant motives. In other words, the prosecutor turns out to be malicious and the football clubs initiating the recent ESL-proposal turn out to be mostly concerned with their own financial situations. Consequently, from an AbV-ethical perspective, a malicious prosecutor ought not to prosecute from malice and so cannot prosecute from malice. Similarly, professional football clubs ought not to preserve football for the sake of their own financial profits but for the sake of preserving the sport they accommodate and so they cannot further the ESL-proposal. In this way, there may still be numerous examples both from everyday practice and within professional football, where the compatibility of AbV-ethics with the 'ought implies can'-principle would simply remain to apply.

Certainly, I have to agree with Jacobson that the prosecutor within the Sidgwick-problem would normally have a professional or moral duty to prosecute. Except for the fact that this prosecutor is maliciously motivated and thus his duty is more or less canceled out by his own motivations. Indeed, a prosecutor ought to prosecute but not from an inferior motive of malice. Likewise, professional football clubs ought to preserve football but not for the sake of their own financial profits.

Corresponding with Slote's AbV-ethics, the 'ought implies can'-principle would then prescribe that the concerning prosecutor ought not to prosecute from malice and thus cannot prosecute from malice. Again, just like professional football clubs ought not to preserve football for the sake of their own commercial interests and thus cannot further proposals that tend to preserve football for their own financial gains.

In particular, the prosecutor and the professional football clubs consequentially refraining from action are the reason for Jacobson to argue that AbV-ethics would lead to moral agents acting wrongly, because of their failure to do their initial duty. This criticism from Jacobson assumes that the moral agent in question has to make a choice and his initial duty is predominant here, so the moral agent has no way of refraining from a choice in the concerning situation.

However, in reality it does seem to be the case that there are always more possibilities and relevant information available to be included in the considerations of a moral agent than is currently outlined in the relatively simplistic example of Jacobson. That is why, I tend to suppose that Jacobson also has to recognize that there are far more comprehensive cases of moral consideration, where professional duties could be overruled by other benevolent motives. If there is no wider range of options available but for a moral agent to stick to his initial duty whatsoever, then actually there seems to be no moral consideration to be made in the first place.

Precisely for that very reason, Slote is arguing against *autistic* moral considerations in thought experiments isolated from the outside world, because such considerations are simply not useful in everyday reality.¹²⁴ If the Sidgwick-problem with the malicious prosecutor is made a little more realistic by assuming that in all likelihood other prosecutors exist and are available, then the situation would be better off by the prosecutor being replaced. Likewise, the situation with professional football clubs initiating the ESL-proposal would be better off by cancelling out the ideas of these clubs since there exist other football clubs and competitive leagues that might be willing to preserve football for the sake of the sport and not for their own financial profits.

Another solution, proposed by Doviak assuming that the prosecutor does not have the option to recuse himself from prosecuting, would be to state that the prosecutor is on balance more virtuous if he were to prosecute.¹²⁵ Namely, the prosecutor's

¹²⁴ Slote, M. (1995). 90

¹²⁵ Doviak, D. (2011). A new form of agent-based virtue ethics. *Ethical theory and moral practice*, 14(3), 259-272. 270

indifference to public welfare and his disrespect towards the legal system when not prosecuting could outweigh the malevolence expressed in prosecuting from malice as to conclude that the prosecutor should prosecute after all.¹²⁶

However, this solution of Doviak seems a bit far-fetched. Despite the practical attractiveness of considering motives on balance, malevolence is the counterpart of benevolence and thus always deplorable or hard to outweigh from an AbV-ethical perspective. Furthermore, assuming that there are other prosecutors and football clubs as well as competitive leagues available, the incapability of the relevant moral agents to perform their specific jobs as a prosecutor or as a football club does not have to problematize Slote's AbV-ethics. Since refraining from action would mean here that the prosecutor and the concerning football clubs are to be substituted for others, so that still the initial duty of prosecuting and of preserving the sport of football would be fulfilled eventually.

Accordingly, Jacobson's criticisms do not seem to argue against the theoretical foundation of agent-based virtue, but instead it argues for replacing both the specific prosecutor and the football clubs in question for others that fit the situation appropriately and are able to perform their work in a suitable way. Granted that this may not be the most indisputable response to Jacobson's criticism following from AbV-ethics, it would still be a conclusion in accordance with real-life situations. The latter, namely the multiplicity of facts about the outside world that are important to the moral agent in question, is what seems to be a significant part of a moral consideration.

Based on the foregoing and with regard to the subject of my research, I would argue that agent-based virtue shows that conflicting motivations can and need to be adjusted. This fits in well with the aforementioned goal of sports ethos as conceived by Loland & McNamee, namely to adjust conflicting interests.¹²⁷ In doing so, without getting personal to a hypothetical prosecutor or the relevant football clubs of the ESL-proposal, AbV-ethics would state that both the prosecutor and the initiating football clubs themselves should realize that their inferior motivations in this situation are so problematic that it can only be resolved by refraining from prosecuting or refraining from pursuing the proposal in question. Particularly, because of the prosecutor's moral and professional duty to preserve his own credibility and that of the legal system in a benevolent way as well as for the professional football clubs to preserve the sport they

¹²⁶ Doviak, D. (2011). 270

¹²⁷ Loland, S., & McNamee, M. (2000). 69

accommodate in a benevolent way. In fact, if refraining to do something and persisting to do something both go for the wrong reasons, then this would mean that the moral agent in question is probably not (yet) the right person or group of persons in possession of the right character for the moral assessment required in the concerning situation.

Therefore, Jacobson's argument seems rather short-sighted to say that the prosecutor not prosecuting from malice is failing to do his duty, as the initial duty to fulfill for the prosecutor was merely prosecuting and not prosecuting from malice. This would mean that the prosecutor did not fail to do his duty, apart from the fact that performing his job is complicated because of the inferior motive of malice. In practice and partly due to the interference of contextual circumstances omitted in the Sidgwick-problem, the accusation of Jacobson towards Slote that AbV-ethics would be incompatible with the 'ought implies can'-principle is thus not going to withstand.

2.1.3 Das's criticism on AbV-ethics

Subsequently, I will now elaborate on the criticism of Ramon Das following from a thought experimental case that is presented as a variation on and inspired by the Sidgwick-problem.¹²⁸ This case presupposes that there is some man dating a woman with a young child. As soon as the child falls into a swimming pool, the man dives into the water to save the child from drowning.¹²⁹ Meanwhile, Das adds to the example that the man in question cares not at all for the child since his motivation is exclusively to impress the woman as a means to sleep with her.¹³⁰

According to Das, cases like the foregoing demonstrate that AbV-ethics is not capable of distinguishing between *doing the right thing* and *doing the right thing for the right reasons*.¹³¹ Therefore, the criticism is that AbV-ethics in such cases would judge that the man acted wrongly even though the child was saved. This example again attempts to state that AbV-ethics would be contradictory in certain cases, when the

¹²⁸ Another point of critique on ethics of virtue in general states that such moralities consist of circular reasoning when virtuousness is to be explained in terms of rightness and then rightness is again defined in terms of virtuousness (Das, R. (2003), pp. 324). Given the limited scope of my thesis and the fact that such an objection is more of a general criticism towards virtue ethics, thus not AbV-ethics in particular, I will not dig into it too deeply. In response to this criticism, there must be argued that AbV-ethics does not necessarily suffer too much from the objection made, because this virtue ethical position comprehends virtuousness not in terms of rightness but in terms of the inner strength of moral agents and their expressions of benevolence.

¹²⁹ Das, R. (2003). 326

¹³⁰ Das, R. (2003). 326

¹³¹ Das, R. (2003). 326-328

outcome is predominantly good, but the motivations are not.¹³² Nevertheless, such counterarguments do not have to pose a significant problem for Slote's AbV-ethics as I will make clear by the following solutions.

Like the previous critiques, the whole moral consideration and evaluation seems to depend on how the cases are formulated and presented in the first place. Namely, it is obscure to write AbV-ethics down as incompatible with the 'ought implies can'-principle when the information relevant to the cases is presented incomplete or unilaterally.

From an AbV-ethical perspective, the moral act of the man saving the child would be considered wrong to the extent that his motivations were incorrect, but the outcome of the same action would be considered as good to the extent that the child is saved. Thus, meaning that the overall moral action is not entirely virtuous, but the achieved outcome of the action is. Just as cheating in games, or deceit for the sake of winning, can still be considered a disputable act regardless of the possibility that this cheat may result in a good outcome of winning the concerned game.

Clearly, there seems to be an analogue to the recent ESL-proposal, as discussed a number of times before throughout my thesis. Recall that, the initiating clubs pretended to have the motivation of saving the entire sport of football for the fans, but they also stated that they are mainly concerned with economic growth, so motivated for their own financial gain. This example resembles the case of Das, wherein a man saves a child exclusively for his own purposes of impressing the mother.

In such situations, abusing a virtuous act is to be morally disapproved on AbV-grounds, but fortunately for the child and the mother, the child is saved from drowning after all. Therefore, rescuing the child should actually, however strange this may sound, be seen as a quite positive side-effect of an inadequately motivated act in a moral sense. Consider for a moment how this situation would have been thought about morally, if the man motivated from the same intentions had not been able to save the child for whatever reasons. The fact that Das as well as Jacobson do not include such considerations in their examples is significant for the one-sidedness of the criticisms on AbV-ethics.

Subsequently, a 'bad motivation with positive side effect of good outcome'-theorem does not necessarily have to diminish the strength of Slote's AbV-ethics. On

¹³² Das, R. (2003). 326-328

the contrary, this only contributes to the consistency of Slote's position as responding towards the criticisms and towards moral issues. I would even argue that AbV-ethics will consider it just as correct and virtuous that the child has been saved, but in principle Slote would not be able to rightly deny that the motives of the rescuing man were deplorable. As a result of which the overall act, so not merely the outcome of the act, would be considered morally as to be deplorable or neutral at its utter most. In addition, without further detracting from the fact that it is intuitively a good outcome for the child and its mother that the child was eventually saved.

Similarly, it is just as counterintuitive to state that the rescuing swimmer should be judged morally wrong if the child had not been rescued due to unforeseen circumstances, like currents in the water or muscle acidification while swimming, although the man had a sole benevolent intention to save the child. Even, just as wrong when the child had not been saved and that same man had not intended to save the child. Of course, that seems strange since a moral agent who deliberately wants to make his best efforts in order to achieve a good outcome but is just unable to achieve it due to circumstances or other contextual factors beyond his control, should get some moral credit regardless of the outcome. Namely, on the basis of whichever his motivation prior to the moral act is motivated or intended to achieve a good outcome in the first place.

Another and maybe even more adequate suggestion for AbV-ethics to confront the criticism of Das, is to state that in the concerning thought experiment there are actually two conflicting moral intentions of two separate actions. In the example of Das, there clearly is to be assumed that the consideration is about the man who is exclusively motivated to impress the mother within the situational context of one and the same moral act (MA), namely saving the child.

However, if the moral act in question is split up and seen as separately motivated considerations, whether or not consecutive, there arises a completely different image of the issue at stake (MA1 + MA2):

(MA1) The moral act of saving the child is virtuous, because of the good will towards the mother and her child regardless of whether or not this man also consciously had that good will in mind. Rescuing a drowning child is at all times an expression of benevolence, because of the humane concern for other people. Even though the man is claimed to not all care about the child in question, he

knows he has to save the child in order to impress the mother. Therefore, the will to save the child is actually benevolent.

(MA2) Then, to deliberately misuse a benevolent act in that situation in order to conduct the next moral act of impressing the mother of the child is rather malevolently motivated. Therefore, this moral act is deplorable from an AbV-ethical perspective, despite the first act of saving the child being benevolently virtuous.

In this way, thus by differentiating and subdividing moral acts as well as the corresponding motivations, AbV-ethics is indeed able to argue that separate moral acts could be deplorable because of the underlying bad intentions. Regardless of whether or not those acts are part of an overarching moral act that has achieved a good outcome in response to the situation as a whole or a successive, yet really essentially different, moral act. For this reason, Slote deservedly argues as follows:

But we ordinarily distinguish between motives that, relative to circumstances we are glad to see and it is good to have occur and those motives we genuinely admire as morally good. [...] morality as universal benevolence, precisely because it insists that the moral evaluation of motives depends on their inherent character as motives rather than on their consequences, allows for the distinction and comes much closer to an intuitive conception of what makes motives morally better or worse. [...] For if we judge the actions of ourselves or others simply by their effects in the world, we end up unable to distinguish accidentally or ironically useful actions (or slips on banana peels) from actions that we actually morally admire and that are morally good and praiseworthy. (Slote, 1995, pp. 97-100)

Precisely because of this focus on evaluating motivations separately from the moral act, AbV-ethics is capable of exposing and solving the bottlenecks in moral considerations. Therefore, the recent initiation of the ESL-proposal would have been virtuous in so far that the concerned football clubs benevolently claimed to save the sport of football for the fans. However, in the end, those professional football clubs deliberately misusing that benevolent act merely in order to gain financial resources and economic growth for themselves is to be considered morally deplorable.

2.2 – AbV-ethics & Sportsmanship

In the previous section, it has been made clear how AbV-ethics could be able to overcome some of its major criticisms from theory when putted into the practical context of real-life situations, such as the recent initiation of the ESL-proposal. In addition, I would not necessarily argue that my defense of Slote's AbV-position is wholly conclusive or infallible, but the foundations set forth should certainly suffice for the scope of this investigation and its purposes. To reiterate, AbV-ethics presupposes that virtue consists of an expression of benevolence, in agent-based terms that would mean acting rightly for the right reasons out of a human concern for others. Based on these presuppositions, AbV-ethics will be used in my thesis to conduct the evaluation of some practical cases in the next chapter.

But first, in this second section of the current chapter, I will attempt to establish the link between AbV-ethics and the research topic of football through James W. Keating's idea of *sportsmanship as a moral category* that is also expounded by Diana Abad. Such a link is needed to integrate virtue ethics and sports, particularly the sport of football, in the same discourse. In this way, I will be able to evaluate phenomena of commercialization within professional football. Accordingly, it is important to also keep in mind the beforementioned idea and purpose of ethics with regard to the ethos of sports as conceived by Sigmund Loland & Michael McNamee.

2.2.1 The concept of Sportsmanship

Recall that, if virtues are translated into professional football as the research topic of my thesis, then it would mean that moral agents within this sport should be evaluated ideally on the basis of their characters pertaining to some sort of excellence. In sports terms, such ideality is resembled by Keating's concept of *sportsmanship as a moral category*. From this conceptualization, Keating argues that the way in which people should act towards sports consists of an attitude that respects the purpose of

sports and the immediate pleasure of its participants.¹³³ Consequently, moral agents should always behave as to increase the pleasure to be found in sports, both of their own and that of fellow participants.¹³⁴ According to Abad, sportsmanship as a moral category is for this reason concerned with physically as well as mentally respecting other moral agents in sports.¹³⁵

In the light of my research, I will understand the moral agents as to be the human individuals involved with professional football either directly participating or supporting as well as contributing towards the performance of participants. But also employing, accommodating and representing the sporting participants qualifies certain human individuals as to be moral agents regarding their behaviors towards sports.

Subsequently, Keating argues that the concept of sportsmanship is not merely an aggregate of moral qualities: “[...] it is also an attitude, a posture, a manner of interpreting what would otherwise be only a code of specialized behavior.”¹³⁶ If sportsmanship is viewed from such perspective, the concept will be able to preserve its distinctiveness.¹³⁷ Namely, in this way, the concept as a whole is not overshadowed by its components.

Nevertheless, the separate moral components or virtues are still important to complete the conglomerating concept of sportsmanship as a moral category.¹³⁸ Some of the more obvious components are listed by Keating, like courage, endurance, self-control, courtesy, sense of honor and co-operation.¹³⁹ Yet above all, magnanimity and generosity are the foremost ingredients of sportsmanship that Keating introduces.¹⁴⁰ Essentially, both magnanimous and generous attitudes endorse conducts of behavior as sportsmanlike.¹⁴¹ Furthermore, Keating indicates that those attitudes tend to preserve the purpose of sports, by not sacrificing the immediate pleasure of the participants to other more selfish ends.¹⁴²

According to an article on the ethics of sports psychology of Michael McNamee, Carwyn Jones and Joan Duda, there should be stated that sportsmanship requires the acquisition of moral habit and qualities, or aretaic characters and virtues, in relation to

¹³³ Keating, J. W. (1964). 29

¹³⁴ Keating, J. W. (1964). 29

¹³⁵ Abad, D. (2010). 28-29

¹³⁶ Keating, J. W. (1964). 29

¹³⁷ Keating, J. W. (1964). 29

¹³⁸ Abad, D. (2010). 39

¹³⁹ Keating, J. W. (1964). 29

¹⁴⁰ Keating, J. W. (1964). 29

¹⁴¹ Keating, J. W. (1964). 29

¹⁴² Keating, J. W. (1964). 29

sports.¹⁴³ This would mean that the concept of sportsmanship as a moral category does not necessarily have to be the yardstick for perfection, but it could properly serve as a moral minimum.¹⁴⁴ I tend to agree with Keating's idea, because in professional football it would certainly be useful to set a moral minimum that now seems to become obscured due to issues of commercialization. With such a threshold it would be possible to steer moral agents in professional football already during their moral considerations. In contrast to a summum of morality, where the possibility merely exists afterwards to see whether or not the act has come close to the yardstick.

Therefore, sportsmanship is to be understood as an overarching moral category, which has similarities with the AbV-ethical idea of benevolence. Inasmuch, that not sacrificing the immediate pleasure of the sporting participants to other more selfish ends can be seen as an equivalent to the agent-based expression of benevolence from a humane concern for others. Additionally, the conceptualization of Keating can be interpreted as corresponding to the method of AbV-ethical approaches, emphasizing the steering of moral behavior during moral consideration.

The foregoing also indicates a close connection with the AbV-ethical idea of Inner Strength, or the moral agent being strong inside and requiring no appeal to or defense from outside ideas.¹⁴⁵ This includes Strength of Purpose, which is to be understood as moral agents both keeping to purposes and intentions over time following moral judgment.¹⁴⁶ From a *sportsmanlike* perspective, strong purposes would be equivalent to keeping to the purpose and intention of enriching the sport of football and the direct pleasure of its participants.

Subsequently, when this idea is translated into issues of commercialization within professional football, financial purposes are in those cases considerably weaker because of such purposes mostly striving for selfish ends at the expense of the direct the enrichment of professional football in general. Earlier on in my thesis, I already mentioned that being dependent on others is regarded by AbV-ethics as a bad motivation because of the lack of benevolence.

Additionally, the foregoing clearly demonstrates the AbV-ethical idea of moral agents being not dependent on others and establishing strong characters.¹⁴⁷ Namely, by

¹⁴³ McNamee, M., Jones, C., & Duda, J. L. (2003). Psychology, ethics and sports. *International Journal of Sport and Health Science*, 1(1), 61-75. 71

¹⁴⁴ Keating, J. W. (1964). 27

¹⁴⁵ Slote, M. (1995). 90-95

¹⁴⁶ Slote, M. (1995). 90-95

¹⁴⁷ Slote, M. (1995). 90-95

the moral agents appealing to their self-reliance and their desire to be useful through positive contributions.¹⁴⁸ Within the context of my research, this would be understood best as preserving and promoting an expression of benevolence towards the moral agents involved in professional football worldwide.

For instance, AbV-ethics could at least impose various limitations on the egoistic aspects of commercialization within sports since selfishness does not express benevolence from a human concern for other people. Therefore, from an AbV-ethical perspective, sportsmanship within professional football should consist of worthy motivations that aim to altruistically, thus not egoistically, preserve as well as improve the flourishing of the sport's participants and identity of the sport, but also to contribute towards the moral development of all human beings involved with professional football.

Ultimately, the actual virtuousness of an action is determined by the inner strength of the moral agent, consisting of the courage to face facts, self-sufficient self-reliance, self-sufficiency as moderation and generosity and strength of purpose.¹⁴⁹ Here, recall that also Aristotle's idea of intermediate states is resembled as the moral agent's strength equals the ability to choose a decent midway between two excesses. The midway is always commendable, even though a moral agent is not always perfectly accurate to find this intermediation.¹⁵⁰

2.3 – Integrating Sportsmanship and Dignity into AbV-ethics

In the last section of this chapter, I will attempt to develop an AbV-ethical working definition for the upcoming evaluation of one specific type of commercialization issues within professional football, namely: the case of player transfers. Practically, this working definition will aim to integrate the concept of *sportsmanship* with the AbV-ethical benevolence towards the intrinsic value of football. Additionally, in relation to issues of commercialization within professional football, I will argue that AbV-ethics presupposes a degree of respect for the moral dignity of both the sport and its participants. In order to demonstrate this, I will discuss

¹⁴⁸ Slote, M. (1995). 90-95

¹⁴⁹ Slote, M. (1995). 85-90

¹⁵⁰ Aristotle, "The Nature of Virtue," from *Nicomachean Ethics*, trans. Terence Irwin (Hackett, 1999). 17-18

a medical ethical notion of moral dignity derived from medical ethicist Lennart Nordenfelt as a comparison with Slote's AbV-ethical notion of dignity. Those forms of moral dignity will be briefly explained below in relation to sportsmanship as a moral category. Thereafter, my idea of scrutiny is that of constructing an AbV-ethical working definition that would provide a threshold to prevent the role of commerce within professional football from being completely derailed.

2.3.1 AbV-ethics in relation to Dignity

Firstly, I will have to respond to the question, why dignity would have to be considered as an important moral value in relation to issues of commercialization in professional football. To put it simply and as already discussed in the introduction of my thesis, the answer to this question is the following: commercial interests have led to professional footballers being increasingly valued and respected extrinsically for their financial worth, but less and less intrinsically as human beings that try to perform and flourish in the sport of their occupation. Exactly this shift from intrinsic value to extrinsic value is the reason for me to be concerned that eventually the intrinsic value, or the humane essence, of sports and in particular football will be corrupted in the sense that the enjoyment and flourishing of humans participating in sports might be increasingly subordinated to models of revenue and commercial interests.

Secondly, another question may be raised, how dignity is connected to AbV-ethics as the approach defended throughout my thesis. In response to this, I will appeal to Slote's essay "Virtue Ethics and democratic values". Here, Slote discusses the possibility of a virtue ethical notion of moral dignity, wherein self-sufficient self-reliance is tied or even made equal to moral dignity.¹⁵¹

In fact, moral dignity from an AbV-ethical perspective should thus be regarded as the degree of respect for the ability to act self-sufficiently according to the possibilities of individual human beings and their abilities.¹⁵² The foregoing also indicates that Slote's previously discussed idea of parasitism is contrary to moral dignity since dependence on others shows no respect for the self-sufficient ability of

¹⁵¹ Slote, M. (1993). Virtue ethics and democratic values. *Journal of Social Philosophy*, 24(2), 5-37. 11

¹⁵² Slote, M. (1993). 11

human individuals to be self-reliant.¹⁵³ For this reason, moral dignity may also serve as some sort of ideal what people could try to emulate, becoming independent from others with simultaneous respect for the own individual and the benevolence from a humane concern for others.¹⁵⁴

Now that I have briefly discussed Slote's own virtual ethical perception of moral dignity, a more common concept of moral dignity stemming from medical ethics deserves some attention. According to medical philosopher Lennart Nordenfelt, this concerns the idea that all people have dignity, just because human beings are human beings.¹⁵⁵ It assumes an intrinsic value grounded in the consciousness, rationality, autonomy and self-reflection of humans.¹⁵⁶ In medic-ethical terms, this concept of moral dignity is to be understood as the Dignity of Human Being, also called *Menschenwürde*.¹⁵⁷ Such an idea of human dignity that applies to body and mind is appropriate in sports context, as athletes develop and exercise their mind and body in order to flourish in sports.

Consequently, it becomes clear to me that there arises a small ambiguity in the different concepts of moral and human dignity discussed above, meaning that the conceptualizations of Nordenfelt and Slote do not fully match. Namely, according to the medic-ethical concept, Dignity of Human Being is possessed by humans at all times, purely because humans are human. This concept of dignity is invariable and equal for all people grounded in the aforementioned human capacities that are crucial for human beings to be considered as human beings and so to be respected in such a way as well.¹⁵⁸ While Slote strikingly stated that AbV-ethics perceives the concept of dignity in a more variable manner, despite the fact that this variability consists of the extent to which people are self-sufficiently self-reliant, or act autonomous.

Thus, the ambiguity to be solved arises from the question of whether or not dignity should be considered variable or invariable. In any case, both concepts presuppose that all humans possess crucial capacities, such as autonomy and rationality. Subsequently, the way in which both concepts are put into practice differs only slightly. Therefore, I would consider opting for an apparent middle ground between the two concepts of dignity.

¹⁵³ Slote, M. (1993). 14

¹⁵⁴ Slote, M. (1993). 15

¹⁵⁵ Nordenfelt, L. (2004). The varieties of dignity. *Health care analysis*, 12(2), 69-81. 77

¹⁵⁶ Nordenfelt, L. (2004). 78-79

¹⁵⁷ Nordenfelt, L. (2004). 77-78

¹⁵⁸ Nordenfelt, L. (2004). 77-81

Based on the foregoing, I would argue that the dignity of human beings is not necessarily obtainable to a greater or lesser extent, so that losing it in its entirety is and will not be possible. However, by inserting Slote's idea of dignity, indeed the possibility does seem to exist that various moral attitudes and conducts express or respect this dignity in different degrees. Additionally, a combined notion of human dignity would be constant, despite the attitude of people towards their own and others' dignity being changeable.¹⁵⁹ Just like I demonstrated already in the explanation of my virtue ethical approach of research that virtues are always objective, but do require flexibility towards different situations.

At the beginning of my thesis, I briefly expressed my concern about the increasing shift from intrinsic dignity to extrinsic dignity due to global commercialization within professional football. In this context, such a shift would be considered as a violation of dignity. Commercialization in professional football have led to the participants of this sport being brought into a market as some sort of tradeable end products. Such commercialization seems equal to objectification, or treating people as objects, which in turn is a degradation of human beings and thus a violation of human dignity.

The commercial motivations behind this objectification or degradation with corresponding outcomes could be objectionable on the basis of AbV-ethics. For example, because considering and treating a human being as a marketable object does not reflect an expression of benevolence from a humane concern for others. Similarly, this would be seen as a lack of respect towards the dignity of human beings.

2.3.2 Formulating an AbV-ethical working definition

In the small remainder of this chapter, I will draw up a workable definition of the AbV-ethical approach that is integrated with the ideas of *sportsmanship as a moral category* and Dignity of Human Being. My definition is grounded in the AbV-ethical idea of acting for the right reasons that in relation to the concept of Dignity of Human Being consists of motivations that express benevolence towards human dignity. In order to connect the foregoing with the idea of sportsmanship, this will be understood in

¹⁵⁹ Nordenfelt, L. (2004). 77-81

relation to sports as a motivation and attitude that respects the purpose of sports and the flourishing of its participants. From a virtue ethical perspective, human flourishing in sports would thus mean to live a life of reason in which crucial human capabilities are developed and exercised by acting in accordance with virtue.

Therefore, the approach of my AbV-ethical working definition is that benevolence should be expressed and promoted in relation to the dignity of the human body and mind of sporting individuals. With this approach to morality within the practical context of sports and in particular professional football, I tend to comply with or at least approximate the goal of sports ethos formulated by Loland & McNamee, that is to serve as an adjustment of conflicting interests towards fair and impartial procedures in sports.¹⁶⁰ The latter values of fairness and impartiality, but also the aforementioned values of generosity, magnanimity and the will to win are crucial to a virtue ethical perspective of sportsmanship.

2.3.3 Concluding preview

Within this chapter, I have first defended Slote's AbV-ethical account of right action with regard to some of its major criticisms in order to demonstrate that the AbV-position is capable of providing guidance during moral considerations in practice. Therefore, this type of virtue ethics suits the applied ethical component within my research. After that, I have explained the concept of *sportsmanship as a moral category* in more detail as to argue that this conceptualization shows similarities with some crucial aspects of AbV-ethics, such as self-reliance. Subsequently, my aim was to integrate sportsmanship and a notion of moral dignity into the AbV-ethical account of right action in order to construct my working definition that focusses on preserving the essence or intrinsic value of professional football.

In the next chapter, I will evaluate the case of player transfers in professional football at different levels of moral agency. The working definition drawn up above will be applied and the aim of my research remains to analyze possible constraints on the basis of AbV-ethics for the motivations that incentivize the worldwide commercialization of professional football.

¹⁶⁰ Loland, S., & McNamee, M. (2000). 69

Chapter 3: Constraining commercialization in professional football

Introduction

As announced at the end of the previous chapter, I will now evaluate one specific case of commercialization within professional football. The case study to be discussed in terms of the moral implications in practice from an agent-based virtue ethical perspective comprises the moral considerations regarding the transfers of players in contemporary football.

Throughout my thesis, a number of developments have already been mentioned that resulted in professional football being attractive for its commercial purposes. Furthermore, certain specific events have led to the emergence of a transfer market, in which the most exorbitant amounts are paid for individual players, staff members and others involved with participation in professional football.

To start off the case evaluation, I will first briefly explain the origin of this market and then evaluate a number of motivations for moral considerations and actions within it. In this way, I will be able to examine whether AbV-ethics would propose limitations to this form of commercialization. Seemingly, such limitations could be necessary because otherwise the madness in this market area will become even greater. In fact, it just resembles a negative spiral, despite the prices rising constantly. The higher the prices and the more often these prices are paid, the greater the influence of money and commercial motives on moral considerations within professional football. Here, I will assume that players started playing football because of the direct enjoyment that the sport brings to its participants and, when they became professionals, players just want to flourish in the sport of their occupation. This should not be corrupted in any way, hence my idea to see how various moral agents within professional football ought to relate to issues of commercialization in AbV-ethical terms.

3.1 – Historical overview of player transfers

For the purpose of developing my argument, first I will discuss some more details on the emergence of the transfer market in professional football. Actually, the market arose through coincidence or at least not intentionally as will become clear beyond.

In 1893, English football club Aston Villa wanted to enforce their squad with the best player of another English Football Club, namely West Bromwich Albion. However, the rules of the English Football Association (FA) stated that a player needed the club's permission to negotiate with other clubs. Aston Villa approached the player in question without such permission and, therefore, the club had to pay a fee of 100 English pounds to West Bromwich Albion with which the first transfer of a football player was made.

Since 1908, as the FA made its last effort to restrict player transfers, the trading of professional footballers has increasingly become an instrument to commercial purposes of making revenue and other financial advantages over the sporting participants as marketable products. Especially, after player transfers occurred exhaustively due to the Bosman-arrest was ruled by the European Court of Justice, concerning the football players' free movement of labor and freedom of association.¹⁶¹ In 1995, the Belgian player Jean-Marc Bosman wanted to exchange his club Standard Liège for Dunkirk. Bosman's contract had expired, but the rule that a club had to give permission even after the contract had ended, still existed. Bosman thought this to be contrary to European legislation, so he went to court and was proved right.¹⁶²

In correspondence with European legislation, professional football players were now subject to free movement of labor. Thereafter, the newest commercial element in professional football was born, namely: the transfer market. According to sports economist Bernd Frick and labor economist Robert Simmons, the transfer market is to be understood as the labor market of professional football.¹⁶³

¹⁶¹ Krabbenbos, T. (2013). 8

¹⁶² *BBC SPORT | Football | 10 years since Bosman*. (2005). Retrieved from: <http://news.bbc.co.uk/sport2/hi/football/4528732.stm>

¹⁶³ Frick, B., & Simmons, R. (2014). The footballers' labour market after the Bosman ruling. In *Handbook on the economics of professional football*. Edward Elgar Publishing. 204-205

Given the size of the sport of football internationally, it was only a matter of time before commercial parties and financial schemes would step into this vacuum within professional football, putting multimillion-dollar price tags on players. Therefore, the transfer fees rose quickly after the Bosman ruling. The Argentine player Hernan Crespo moved from Parma Calcio to Lazio Roma in 2000 for 57 million euros already, after that Cristiano Ronaldo was bought in 2009 by Real Madrid for 94 million euros and Real Madrid went on as they bought Gareth Bale from Tottenham Hotspur for an amount of more than 100 million euros.¹⁶⁴ However, even those records would be broken on short notice as the Brazilian player Neymar Junior and French player Kylian Mbappé were bought by Paris Saint Germain in 2017 and 2018 for 222 million euros and 180 million respectively.¹⁶⁵

Thus, over a century and a quarter of time, transfer prices have risen from £100 to over £200 million. Subsequently, the moral questions would be, whether this development ought to be considered as morally beneficial to professional football worldwide or ought it to be considered just as an indication of how big the moral issue of commercialization has become? And more importantly, how do such transfers ought to be considered morally in relation to the motivations of moral agents within professional football? Ought such development, of the practical manifestation of the aforementioned shift from football being intrinsically valued towards football being extrinsically valued for its financial purposes and commercial interests, to be regarded as morally permissible?

Before answering these questions, I would like to emphasize once again that sport serves as an instigator of enjoyment and as a way to flourish for the participating people.¹⁶⁶ Moral agents within football should always promote and preserve this, certainly at a professional level, from their benevolence towards this sport and the participating people as a humane concern for others. Therefore, recall again that, my AbV-ethical working definition holds that benevolence should be expressed and promoted in relation to the dignity of the human body and mind of individuals that participate in sports. Additionally, a motivation is correct if it expresses or furthers

¹⁶⁴ The Daily Mail. (2013, 29th of July). *From a £100 Scot to £80m Ronaldo, will Bale's touted move to Real Madrid break the world transfer record for the 42nd time?* Retrieved from: https://www.dailymail.co.uk/sport/football/article-2380721/World-football-transfer-record-history-Will-Gareth-Bale-join-Ronaldo-Maradona-Alan-Shearer.html?ITO=1490&ns_mchannel=rss&ns_campaign=1490

¹⁶⁵ Nieuwsblad.be. (2017, 31st of August). Tweede megatransfer voor PSG: na Neymar tekent nu ook Mbappé. *Het Nieuwsblad*. Retrieved from: https://www.nieuwsblad.be/cnt/dmf20170831_03045500

¹⁶⁶ Keating, J. W. (1964). 29

benevolence, that is a motivation which shows the sportsmanlike contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans.

3.2 – The case of player transfers evaluated

Due to the emergence of the transfer market, professional participants in the sport of football are reduced to a market value that is no longer based solely on personal qualities, such as individual skills and talent. Nowadays, the market value of players is determined through so-called coordinators on the basis of supply and demand by considering the player's age, position on the pitch, contractual terms and the level of a buying club.¹⁶⁷ Speculations about the potential of young talents or the importance of more experienced players are also included in a player's market price. Even social status and fame are also factors, which can affect the value of both the football players and the football clubs. In this way, professional football players, who are also still ordinary people, are traded as marketable objects between different clubs worldwide, with an extensive revenue model of various commercial parties behind it.

Here, my AbV-ethical working definition would propose an initial limitation on the motivations that incentivize the commercialization of professional football. Because of the fact that players are nowadays considered as tradable products and thus in such a way not treated according to benevolent motivations. This would mean that the commercial intentions behind trading players in professional football may be regarded as an expression of malevolence, due to the fact that these intentions are an expression of a certain motive aimed at financial profit. Rather than an expression of benevolence from a humane concern for others understood as the contribution towards the direct enjoyment and physically as well as mentally flourishing of the player in question.

The foregoing does not necessarily lead to the complete moral rejection of the idea of a transfer market or the involvement of money in professional football. Nevertheless, my AbV-ethical working definition would imply that any consideration in professional football ought not to be motivated merely on the basis of commercial interests. Earning money or creating commercial opportunities ought not to become the

¹⁶⁷ *Transfermarkt.nl explains the calculation of players' transfer prices.* (2020, 4th of March). Retrieved from: <https://www.rtlnieuws.nl/sport/voetbal/artikel/5043691/transfermarkt-legt-uit-zo-berekenen-we-waardes-van-spelers>

goal of professional football. Both should only remain the means to allow the participants of the sport to enjoy themselves and to further their flourishing in terms of sporting quality and moral development, but not in terms of financial profitability.

For this reason, the idea of virtue ethical sports ethos should be brought into play here to adjust the tension between the conflicting financial and sporting motives in order to let sporting motives prevail over financial motives. The latter because professional football is in essence still meant for its participants as working athletes and not for third parties that try to create revenue on the back of the participants as sporting products.

3.2.1 Recent development: players without agents

A recent development, which shows that it is not at all necessary that so many parties with different motives try to get involved with a transfer of a football player, is the contract negotiation of Belgian football player Kevin de Bruyne with the English football club Manchester City.¹⁶⁸ This negotiation took place without the football player in question calling on an player agent or other directly involved third party, which is highly unusual in the current time of exorbitant agent fees, interference from sponsorships and so on.

Such a development and in particular the idea that players are going to try and keep the considerations about a possible transfer as close to themselves as possible by not directly allowing other parties to the negotiating table, is completely in line with what Slote's AbV-ethics would regard as the *inner strength* of moral agents. Especially, Slote is concerned with the notion of self-reliance, understood as the development of finding one's own way that people undergo throughout their lives. This idea of self-reliance resembles some sort of independency that consists of people's efforts to learn to do things for oneself and determine an own way of living.¹⁶⁹ Contrary to this independency, Slote introduces the idea of parasitism, meaning to willingly remain dependent on others rather than acting upon one's own personality.¹⁷⁰ Important to note

¹⁶⁸ Voetbalprimeur. (2021, 9th of April). *Unieke onderhandelingen tussen De Bruyne en club: "Ook nieuw voor Man City"*. Retrieved from: <https://www.voetbalprimeur.nl/nieuws/975163/unieke-onderhandelingen-tussen-de-bruyne-en-club-ook-nieuw-voor-man-city.html>

¹⁶⁹ Slote, M. (1995). 90-91

¹⁷⁰ Slote, M. (1995). 91

here, is that the dependency of moral agents mainly hangs on the motivation rather than on the abilities of the moral agent in question.¹⁷¹ Someone who is capable of but unwilling to stand on their own two feet is considered dependent because of the corresponding motivation. From such AbV-ethical perspective, the player in question would be considered as more self-reliant and thus less dependent on others without the involvement of any third party.

Ultimately, any transfer should only concern the motivations of the relevant participant in professional football and of another participant across the table. Without the interference of all kinds of third parties, participants in professional football might also be better positioned to consider what the right motivations would consist of regarding their certain situations of possible transfer. In practice, that should lead to motivations that involve playing football in order for the professional participants to flourish in their occupations. Additionally, the role of money or commercial intentions should always be an afterthought. In this way, my AbV-ethical working definition would constrain the motivations that incentivize the worldwide commercialization of professional football as well. That is, in terms of commercial motivations being subordinate to motivations that express benevolence from a humane concern for others understood as the contribution towards the direct enjoyment and physically as well as mentally flourishing of the player in question.

Nevertheless, because of the fact that professional participants in sports perform their jobs, I must recognize that professional football players should of course be allowed to earn money. What really matters from the moral perspective of my account, based on AbV-ethics, is that the process of commercialization ought not to predominate in sports, particularly in professional football. Therefore, the argument following from my AbV-ethical working definition is not that the involvement of money or commercial intentions are inherently deplorable in relation to professional football, or that moral actors within sports should at all times act indifferent towards money and commerce.

The latter, in correspondence with Slote noticing in his article on virtue ethics and dignity that self-reliance in economic terms, thus also with regard to issues of commercialization, is not completely possible. For this reason, Slote argues that moral agents economically depend on how the market is structured already:

¹⁷¹ Slote, M. (1995). 91-92

We cannot be fully self-reliant in economic terms because of the division of labor and the historical accumulation of technological infrastructure and knowledge -we can only counterbalance our dependence on others and early-life parasitism by independent work. But given the difficulties involved for us in achieving even this limited or moderate self-reliance, there is no reason to deny that the effortful achievement of such self-reliance is admirable (in us). Similarly, we are not likely to be entirely indifferent to comfort, money, security, reputation, physical pleasure, and companionship, but if we are not greedy with respect to such things, which is by no means easy for us humans, and are consequently generous to others, then we are admirable (as humans). (Slote, 1993, pp.14)

If this line of reasoning is applied to the case of Kevin de Bruyne, then the player's approach could be seen as morally admirable on the basis of his effortful achievement of moderate self-reliance.

3.2.2 Moral education through Sportsmanship

Hence, the case of a well-known player like Kevin de Bruyne showing that things ought to be done differently, could serve exemplary for the rest of the participants in professional football. Such a form of moral development is described by sports ethicist Li-Hong Hsu as *teaching through example*, which would complete the moral framework within my thesis as this idea in turn is contributing towards *sportsmanship as moral category* and the education of character as perceived from virtue ethics.¹⁷²

As already mentioned a few times throughout my thesis, AbV-ethics requires that moral agents must be moderate and self-reliant. However, moral agents do not necessarily have to behave completely indifferent towards money. For this reason, my AbV-ethical account is not fundamentally against the interference of money and commerce within professional football. Currently, the issue at stake here is just that the process of commercialization threatens to play too big of a role within professional football, while it should be about the sport and its participants.

¹⁷² Hsu, L. (2004). Moral thinking, sports rules and education. *Sport, Education and Society*, 9(1), 143-154. 149-152

Demanding or offering a certain fee for professional participants in the sport of football, so that they will again through their work provide added value for themselves and others, is not objectionable on the basis of agent-based virtue. Such motivations express benevolence as someone is brought to a club in order to contribute to the further sporting development of the person and the club. Subsequently, motivations also express benevolence when the opposing party is paid a reasonable compensation for the transfer since this party potentially loses a positive impulse for its sporting flourishing and moral development. However, it does not express benevolence if the motivations for such an agreement are established on the basis of the financial revenue or commercial opportunities attached to the same agreement.

For these reasons, my AbV-ethical working definition could propose a limit for the amount of money involved in transfer fees. This leads to the conclusion that transfer values of professional footballers, on the basis of a motivation that expresses the sportsmanlike contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans, can and should never exceed a club or an entire league. This would jeopardize the moral values of generosity, magnanimity honor and equal treatment for all.

Nevertheless, there may exist some degree of variance in player transfer values. Inasmuch, that professional participants in sports are not treated differently on the basis of mutual inequalities, for which they themselves cannot be held responsible.¹⁷³ Consequently, bigger transfer fees for players that trained hard and done everything to support their teammates as compared to smaller transfer fees for players that worked less hard and supported their teams to a lesser extent, would be allowed from my AbV-ethical work definition. This could thus result in differing transfer fees, but only in terms of the added value that professional participants in football may produce for the sporting and moral development of the sport as well as for the direct enjoyment and flourishing of their fellow participants.

However, in the first place, my idea is not to commercialize virtues or virtuous behavior but to approach commercial matters in professional football incentivized from virtuous attitudes, thus from a focus on the intrinsic value of sports instead of the focus on extrinsic value. Benevolence is then expressed, as long as the moral agents participating in professional football act on the basis of a motivation that shows the

¹⁷³ Loland, S. (2004). Normative theories of sport: A critical review. *Journal of the Philosophy of Sport*, 31(2), 111-121. 117

sportsmanlike contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans. In this way, transfer fees of professional participants in the sport of football would be even more focused on human qualities and delivered performances instead of the increasing role of commercial motivations and the models of revenue for the third parties that are also involved behind such transfers. Eventually, a kind of ceiling for the amount of money involved with player transfers could also be thought of as to ensure that transfer fees merely represent the sporting qualities of participants in professional football and not the commercial interests of third parties.

Conclusion

The aim of my research was to analyze the possibility of morally constraining the motivations that incentivize the worldwide commercialization in professional football. In the introduction, I have explained what the issues of commercialization in professional football could entail on the basis of the example of the recent proposal for the European Super League and how such issues were going to be approached within the structure of my thesis.

For this reason, I started with setting out a moral framework based on Nussbaum's Aristotelian approach towards virtue ethics in chapter 1. Subsequently, I have explicated that virtue ethics resembles and comprises some ideas of sports ethos. Thereafter, I provided an overview and critical analysis of three more contemporary forms of virtue ethics: Svensson's Eudaimonist Virtue (EV), Swanton's Target-centered Virtue (TcV) and Slote's Agent-based Virtue (AbV). All three positions have their pros and cons in terms of practical applicability and their lines of reasoning. Nevertheless, my research requires an approach that attempts to provide guidance for moral agents early on during their moral considerations. Therefore, I had to drop Svensson's EV-position and Swanton's TcV-position due to the fact that those positions are more focused on virtuousness and rightness in terms of the outcomes of moral acts. Hence, my preference for the AbV-position as the approach of research because this approach serves as intent to evaluate actions and to be practical guiding with regard to the motivations and reasons of moral agents in a direct sense, but also with regard to the outcomes of moral acts in an indirect sense.

In chapter 2, I intended to bridge the gap between the theoretical framework of virtue ethics and the practical field of research regarding my thesis, as to provide an applied ethical account of commercialization issues in professional football worldwide. My aim was to embed analogues to issues of commercialization within professional football in defense of Slote's AbV-ethical position against the criticisms of the Sidgwick-problem on *doing the right things for the right reasons* and the 'ought implies can'-principle that agent-based virtue ethical accounts of right action would allegedly violate. By this means, I was able to translate Slote's virtue ethical account of right action into the practical context of professional football. Those debates, proposed in various forms by Jacobson & Das, were the major criticisms on Slote's AbV-ethics to

be refuted as I had to show that AbV-ethics could hold in the practical context of my research. Thereafter, I concentrated briefly on how Slote's AbV-ethics would be meaningful to the evaluation of motivations behind the commercialization within professional football, using James Keating's conceptualization of *sportsmanship as a moral category*. At last, I synchronized the foregoing with AbV-ethical benevolence towards the intrinsic value of moral agents in professional football and their moral dignity. In order to do so, I briefly discussed a notion of moral dignity derived from Lennart Nordenfelt's concept of *Menschenwürde*. The latter concept served complementary to Keating's notion of *sportsmanship* in order to construct my AbV-ethical working definition that consists of the benevolently motivated contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans.

Finally, in chapter 3, I have evaluated one specific case of commercialization within professional football that comprises the moral considerations regarding the transfers of players in contemporary football in terms of the moral implications in practice from an agent-based virtue ethical perspective. To start off this case evaluation, I briefly explained the origin of the transfer market and then evaluated some motivations for moral considerations and actions within it. In this way, I was able to examine whether or not AbV-ethics would propose limitations to this form of commercialization. Here, I assumed that players started playing football because of the direct enjoyment that the sport brings to its participants and, when they became professionals, players just want to flourish in the sport of their occupation. This should not be corrupted in any way, hence that I discussed a recent development which shows that it is not at all necessary that so many parties with different motives try to get involved with a transfer of a football player. This recent development, embodied by the case of Kevin de Bruyne, is that of professional football players not calling on a player agent or other directly involved third party. In particular, the idea that players are going to try and keep the considerations about a possible transfer as close to themselves as possible, is completely in line with what Slote's AbV-ethics would regard as the *inner strength* of moral agents. Ultimately, any transfer should only concern the motivations and indirectly the outcomes of the relevant participants in professional football. In practice, that should lead to motivations that involve playing football in order for the professional participants to flourish in their occupations. In this way, my AbV-ethical working definition would constrain the motivations that incentivize the worldwide commercialization of professional football as well. That is, in terms of commercial

motivations being subordinate to motivations that express benevolence from a humane concern for others understood as the contribution towards the direct enjoyment and physically as well as mentally flourishing of the player in question. Meanwhile, I recognized that, because of the fact that professional participants in sports perform their jobs, professional football players should of course be allowed to earn money. What really matters from the moral perspective of my account, based on AbV-ethics, is that the process of commercialization ought not to predominate in sports and particularly in professional football. This also led to the conclusion that transfer fees of professional participants in the sport of football, on the basis of a motivation that expresses the sportsmanlike contribution to the direct enjoyment and physically as well as mentally flourishing of sporting humans, can and should never exceed a club or an entire league. Because of the fact that such exorbitant transfer fees would jeopardize the moral values of generosity, magnanimity honor and equal treatment for all. Nevertheless, there may exist some degree of variance in player transfer values. This could thus result in differing transfer fees, but only in terms of the added value that professional participants in football may produce for the sporting and moral development of the sport as well as for the direct enjoyment and flourishing of their fellow participants. In this way, transfer fees of professional participants in the sport of football would be even more focused on human qualities and delivered performances instead of the increasing role of commercial motivations and the models of revenue for the third parties that are also involved behind such transfers. Eventually, a kind of ceiling for transfers could also be thought of here as to ensure that transfer fees merely represent the sporting qualities of participants in professional football and not the commercial interests of third parties.

Throughout my thesis, I hope to have shown the relevance of virtue ethics to sports and in particular to issues of commercialization within professional football. Although various issues of commercialization in professional football, such as football clubs being listed on stock markets, or the consumer-oriented approaches to exploit the fans of the game, still much in need of further research, I will not discuss those in more detail here due to the limited scope of my thesis. Nevertheless, I once again urge the reader to consider the importance of preserving the intrinsic value or humane essence of the sport of football as contributing towards the participants' direct enjoyment and flourishing.

Bibliography

- Annas, J. (2004). Being virtuous and doing the right thing. In *Proceedings and addresses of the American philosophical association* (Vol. 78, No. 2, pp. 61-75). American Philosophical Association.
- Aristotle, "The Nature of Virtue," from *Nicomachean Ethics*, trans. Terence Irwin (Hackett, 1999), 1–5, 7–12, 15–29, 163–9. © 1999 by Terence Irwin. Reprinted with permission of Hackett Publishing Company, Inc.
- BBC SPORT | Football | 10 years since Bosman.* (2005). Retrieved from: <http://news.bbc.co.uk/sport2/hi/football/4528732.stm>
- Brady, M. S. (2004). Against agent-based virtue ethics. *Philosophical Papers*, 33(1), 1-10.
- Das, R. (2003). Virtue ethics and right action. *Australasian Journal of Philosophy*, 81(3), 324-339.
- Doviak, D. (2011). A new form of agent-based virtue ethics. *Ethical theory and moral practice*, 14(3), 259-272.
- European Super League Company. (2021, 18th of April). *LEADING EUROPEAN FOOTBALL CLUBS ANNOUNCE NEW SUPER LEAGUE COMPETITION* [Press Release]. <https://thesuperleague.nl/press.html>
- Frick, B., & Simmons, R. (2014). The footballers' labour market after the Bosman ruling. In *Handbook on the economics of professional football*. Edward Elgar Publishing.
- Hsu, L. (2004). Moral thinking, sports rules and education. *Sport, Education and Society*, 9(1), 143-154.
- Hursthouse, R. (1996) "Normative Virtue Ethics," from Roger Crisp, ed., *How Should One Live?* (Oxford University Press), 19–33.
- Independent European Sports Review. (2006). p.13-14. Retrieved from: http://eose.org/wp-content/uploads/2014/03/independant_european_sports_review1.pdf
- Jacobson, D. (2002). An unsolved problem for Slote's agent-based virtue ethics. *Philosophical studies*, 111(1), 53-67.
- Keating, J. W. (1964). Sportsmanship as a moral category. *Ethics*, 75(1), 25-35.
- Kitching, G. (2015, April). The origins of football: History, ideology and the making of 'The People's Game'. In *History Workshop Journal* (Vol. 79, No. 1, pp. 127-153). Oxford University Press.

- Krabbenbos, T. (2013). *Commercialization strategies in football* (Master's thesis, University of Twente).
- Loland, S. (2004). Normative theories of sport: A critical review. *Journal of the Philosophy of Sport*, 31(2), 111-121.
- Loland, S., & McNamee, M. (2000). Fair play and the ethos of sports: an eclectic philosophical framework. *Journal of the Philosophy of Sport*, 27(1), 63-80.
- McNamee, M., Jones, C., & Duda, J. L. (2003). Psychology, ethics and sports. *International Journal of Sport and Health Science*, 1(1), 61-75.
- Nieuwsblad.be. (2017, 31st of August). Tweede megatransfer voor PSG: na Neymar tekent nu ook Mbappé. *Het Nieuwsblad*. Retrieved from: https://www.nieuwsblad.be/cnt/dmf20170831_03045500
- Nordenfelt, L. (2004). The varieties of dignity. *Health care analysis*, 12(2), 69-81.
- Nussbaum, M. C. (1988). Non-relative virtues: an Aristotelian approach. *Midwest studies in philosophy*, 13, 32-53.
- Pettigrove, G. (2011). Is virtue ethics self-effacing?. *The Journal of Ethics*, 15(3), 191-207.
- Russell, D. C. (2008). Agent-based virtue ethics and the fundamentality of virtue. *American Philosophical Quarterly*, 45(4), 329-347.
- Slote, M. (1993). Virtue ethics and democratic values. *Journal of Social Philosophy*, 24(2), 5-37.
- Slote, M. (1995). Agent-based virtue ethics. *Midwest studies in philosophy*, 20, 83-101.
- Svensson, F. (2011). Eudaimonist virtue ethics and right action: a reassessment. *The journal of Ethics*, 15(4), 321-339.
- Swanton, C. (2001). A virtue ethical account of right action. *Ethics*, 112(1), 32-52.
- Thompson, J. (2002). *Discourse and knowledge: Defence of a collectivist ethics*. Routledge.
- Van Zyl, L. (2009). Agent-based virtue ethics and the problem of action guidance. *Journal of Moral Philosophy*, 6(1), 50-69.
- Waarom Super Leagues in Amerika wel werken*. (2021, 12th of May). [Video file]. Consulted from: <https://nos.nl/video/2380439-waarom-super-leagues-in-amerika-wel-werken>