

The Armstrong Saga: Why We Should Legalise Performance Enhancing Drugs in Sport

“If people don’t mind the Tour de France and 25 kilometres per hour, the riders don’t have to prepare. But if they want it at 42 kph then, I’m sorry the riders can’t do it without preparation.”

Hein Verbrueggen, president of UCIⁱ

“To fight with bows and arrows in a war that is fought with chemical warfare is meaningless. I trained like beserk, but I just couldn’t keep up. For example, I was overtaken by Rolf Aldag in GP Eddy Merckx. I was the defending champion in the time trial, even so I was overtaken by a guy who started two minutes after me. For me cycling meant training, food and sleep. I was terribly naive.”

Hooydonk (ex-cyclist)ⁱⁱ

Burn Armstrong, Burn – The Culture of Doping

On 3 November 2012, for a celebration of Guy Fawke’s night, a 9m effigy of Lance Armstrong was burned in Edenbridge, England. He was dressed in a Tour de France leader’s yellow jersey, holding a sign saying, "For Sale - Racing Bike. No longer required." He pipped Jimmy Savile, reviled paedophile for the honour, though he did sport a badge around his neck confessing "Jim Fixed It For Me", referring to Savile’s disgraced BBC children’s programme. Previously, an effigy of Saddam Hussein was torched.

Lance Armstrong was a phenomenon. He survived cancer despite having brain and lung metastases. He came back to win the most grueling race in sport, the Tour de France, a record 7 times. He established a cancer charity, Livestrong, which raises around \$35 million dollars a year for cancer research. He was an icon, the all American dream.

But now, on the eve of his confession, he is apparently ruined. The International Cycling Union (UCI) has stripped Lance Armstrong of his titles. Sponsors and Tour organisers want millions of dollars returned. UCI president Pat McQuaid said, “Lance Armstrong has no place in cycling. He deserves to be forgotten.”

The new rhetoric is compelling. Doping is cheating. It is not possible to cheat now. Tests are in place. Riding times are slower, hematocrit levels down. Riders hate cheaters. Cycling is keen to convince us that it has now cleaned up its act:

“If I ever have to take that stuff to compete, I’ll retire.”

“Every rider knows that they will be fired if they are caught doping.”

But these quotes are not from today, though they sound familiar. They are from admitted dopers, Tyler Hamilton and Bjarne Riis, before they were caught.

Now, with Lance Armstrong confessing, the same rhetoric is back. Whilst the media are enjoying a field day, the cycling world keen to show us that times have changed:

"Doping is just a non-subject to the young guys. To them it's the dark ages of the sport," according to convicted dooper, born again anti-doper, David Millar.

The UCI had already acted prior to his confession on the euphemistically entitled "Reasoned Decision" produced by the US Anti-Doping Agency (USADA), which claims Armstrong presided over "the most sophisticated, professionalised and successful doping programme that sport has ever seen".

"He was not just a part of the doping culture on his team, he enforced and re-enforced it." With their disposal of Armstrong, "So ends one of the most sordid chapters in sporting history."

Patrick Smith wrote in *The Australian*,

"Lance Armstrong is a creep. A liar, cheat and a bully. So awful is Armstrong, you are right to question whether all his work for cancer patients is not just calculated camouflage to protect his abuse of drugs, his competitors, teammates and supporters.

"He is not just part of the drug regime that saturated cycling when he was at his peak, but he has been that culture's bodyguard. Its enforcer ... No one in sport has lived a bigger lie."ⁱⁱⁱ

Armstrong stands on the verge of confessing. If he does, ironically, his confession will remain the only conclusive evidence against him. The testimony of 11 of Armstrong's former teammates and 4 other cyclists was apparently coerced. These comrades have been caught or implicated in doping themselves and given light bans in return for confessions against Armstrong.

Where scientific evidence does exist, it is not probative. In a section "Scientific Evidence the Corroborates Lance Armstrong's Doping Violations", tucked away towards the end of the Reasoned Decision^{iv}, the USADA cover two sets of tests, which, though they passed controls in place at the time (though allegations of bribes have been made), they wish to use as corroboratory evidence.

This doesn't show, or attempt to show, that maybe after everything, Armstrong rode clean. But it does show that even in an elite professional career going right up to 2009 and despite all the testing and scientific advances during that period, and even with major government investigations and a concerted effort to pin charges, it remained possible to cheat the testing system.

And doping been widespread. Many others have got away with it. Estimates vary but go up to suggestions that 90% of riders were doping at that time^v. When the EPO test was first developed, it was tested on 102 urine samples from the 1998 Tour de France, with 28 found to be at levels that were above the normal range^{vi}. EPO has a short range of detectability, so it is not certain that this test would have caught all users.

The only rider known to have turned down doping on team US Postal did not leave for another team - he left cycling altogether. When he asked his teammate about doping, the teammate said, "You'll have to make your own decision". He took this to mean that all professional cycling would require doping (rather than just in the US Postal team).^{vii}

Armstrong is a scapegoat, singled out for cruel and extraordinary punishment.

Doping has always been an integral part of cycling. Since the Tour de France began in 1903, riders have invariably used performance-enhancing substances in an attempt get through the gruelling 21 day test of human endurance. They have taken alcohol, caffeine, cocaine, amphetamines, steroids, growth hormone, EPO and blood doping. Fausto Coppi, who won the golden jersey in 1949 and 1952, summed it up when he was asked whether ever used amphetamines, or 'La Bomba', and replied, "Yes, whenever it was needed." When asked how often that was, he said, "Practically all the time."^{viii}

Looking at the ranking of the 10th Stage of Tour de France 2005 (Grenoble- Courchevel), Verner Moller in his excellent book, 'The Scapegoat' notes that of the first 25 riders placed on that stage, only seven are still uncompromised by doping allegations or convictions. And only one in the top 17 (Cadel Evans) is untainted.^{ix}

Indeed with the ever increasing speed of the Tour de France, some riders have claimed it is now impossible without doping. In 1989, when advances were made in bike technology, average speed was 37.5kph. In 2005, it was 40.9kph, an increase of over 8%. Moller explains these apparently small increases in speed mask a large increase in effort- 8% increase in speed means 16% more air must be moved, means 16% more energy is required to go 8% faster. In the context of a race won by seconds, by athletes at the top of their abilities, this is a huge increase.^x

Of 21 podium finishers in the Tour de France for the period 1999-2005, 20 have been directly linked to doping. For the longer period 1996-2010, it is 36 out of 45.^{xi}

Armstrong's medals will not be reallocated because virtually all the second place holders have been doping. The new list of "winners" would have contained many names familiar to those who have followed cycling's infamous doping scandals: Jan Ullrich (banned for doping), Ivan Basso (banned for doping), Andreas Klöden (accused of blood doping- the case was closed when he made a 25000 Euro payment to settle the charges, without an admission of guilt. NADA, the German anti-doping agency, have recently expressed an interest in re-opening the case), and Joseba Beloki (implicated though not charged in Operacion Puerto investigations). Of the new victors, only Jaan Kirsipuu has been neither implicated nor proven to be doping. Along with many who have previously been banned for doping, Basso and Klöden are still riding, still performing at a competitive elite level (5th in Giro d'Italia 2012 and 11th in Tour de France 2012 respectively).

Jörg Jaksche, one of the witnesses against Armstrong, who confessed doping, but after 1998 scandals rode 1999 clean, described his experience riding without enhancement:

"You hope from day-to-day that the speed goes down. You have to push yourself harder and your recuperation is slower, there was no way I could hang on, and I felt completely superfluous. In the end I was afraid of being left behind on a railway bridge."

He explains the Catch-22:

“Only the one who dopes wins. Only the one who wins appears in the media. Only the one in the media makes the sponsor happy. Only happy sponsors invest new money in the team the following year.”^{xii}

Much has been made of improvements in testing and controls since those days, claiming that the culture has changed.

“It’s very easy, and a lot of people fail to see this, but look at anti-doping today and it’s a totally different landscape to what it was 15 years ago. There’s been a lot of that as time goes on: the UCI introduces new tests and then the landscape changes.”

Pat McQuaid, President of the International Cycling Union (UCI) reassures us.

There is some evidence for reduced doping. Climbs are slower and have lower power outputs for shorter sustained periods. Frank Shleck’s ‘slow’ winning speed on the Alpe D’Huez in 2006 was the first time in 12 years the climb took over 40 minutes. It has been used as an example that the sport is getting cleaner (<http://www.guardian.co.uk/sport/blog/2012/jul/10/tour-mountains-science-of-sport>). But Shleck himself has now twice been implicated in doping, including making a payment to Dr Fuentes of Operacion Puerto fame, in 2006 (though he denied doping) and failing a drugs test in 2012.

Apart from a higher sustained power up hills, a major advantage of doping is the speeding of recovery times, enabling a consistent performance. In a race won by seconds over 3 weeks, one bad day can be decisive.

By its nature, doping, denied in public and practiced in private under the ‘omerta’ (an informal code of conduct preventing any discussion of doping by professional cyclists), is difficult to prove or disprove. But there are signs that the culture has not disappeared. In addition to Frank Shleck’s positive test in 2012, in September of this year, AG2R La Mondiale team member Steve Houanard was banned for the use of EPO after he failed an out of competition test. In 2011, Ricco, an Italian cyclist was forced to abandon the Tour de France after a botched blood transfusion left him with kidney failure. This is by no means an exhaustive list.

Testing is not so far particularly effective. Armstrong never failed any of over 200 tests, and doubts have been cast on those that USADA has raised in its evidence. The 2001 EPO finding has been called ‘borderline’ by the head of the lab that found it. Though testing has improved, Armstrong was last accused of doping in 2009, yet EPO tests have been in place since 2000. There is no particular reason to think they are more effective now than in 2009, though they have had to modify them to catch new kinds of EPO. There is no test for autologous blood transfusions-. Moreover so long as your testosterone-epi-testosterone ratio at 1 to 4 you will not be deemed positive. Normally this ratio is 1 to 1. However to avoid (too many) false positives the 1 to 4 ratio has been introduced. So in effect small doses of testosterone can’t be detected either.

In the 2012 Reasoned Decision, the USADA’s own doping expert, Larry Bowers, testified, “...it is not possible to equate a ‘negative test’ with the absence of doping at the current time ... Even with a well-executed collection and testing system, ... it is possible to use some products in specific routes of administration that would very difficult to detect. In addition,

there are some prohibited substances and methods for which there is no effective test (e.g., autologous blood transfusion and until very recently growth hormone).”

One would expect that without doping, performance times would significantly reduce. EPO use confers an advantage which enables time to exhaustion when working at an 80% of maximum oxygen uptake level to increase by 55%. It increases the maximum oxygen uptake by 6 – 12%^{xiii}. Of course average speeds vary with the course. However, average speeds have not consistently dropped. The Tour de France winner’s average speed in 2012 was faster than in Lance Armstrong’s 2000 winning year and than the infamous 2007 Tour which was marred by doping scandals. The Vuelta average speed in 2012 was higher than 1999, 2004, and 2009- all when Armstrong was the “patron of the peloton”. It was also higher than in 2006, and in 2008 when Contador won the race after his implication in the Operacion Puerto scandal and before his doping conviction for Clenbuterol. At the time of Contador’s disqualification, cycling legend Eddy Merckx said:

“It’s a sad day for Alberto Contador; it’s a sad day for cycling. . I think people want to kill off cycling. We’re going too far.”^{xiv}

What must he be thinking now?

Individuals previously doping but now claiming to be riding clean have also not suffered apparent loss in form. Contador won the Spanish Vuelta in 2012, his first major tour back after being banned for doping and being stripped of 2 Tour de France victories. Vinokourov, banned in 2007 for blood doping (when he was only caught because he used someone else’s blood), won the Olympic Road Race in 2012, now aged 39. Why on earth did they dope if they can now win without it and go just as fast?

Armstrong has done a lot of good and given hope to a lot of people. How should we evaluate these ill-gotten gains? Is it still cheating if everyone is cheating? Well, yes. It is against the rules. But in such cases, it is better to ask *why* is everyone cheating and why are the rules failing?

The Solution¹

I wrote back in 2004 that doping bans should be relaxed^{xv}. Everything which has happened since then has only strengthened my view that this is the only rational approach. The current ban is unenforceable. More importantly, it has perverse effects. Firstly, it is unsafe. There is no monitoring of the nature, dosing or administration of doping agents. The only pressure is not to get caught. Riccardo Ricco was lucky not to be permanently harmed by his poorly administered blood transfusion. Hamilton describes a similar incident in his book *The Secret Race*. A number of rider deaths and other damage have been linked to drugs . It will be impossible to ever know the extent of any damage, as there are no effective controls. Secondly, it is unfair to those perhaps few athletes who don’t dope. Third, it is ruining the spectacle of sport and the lives of sportsmen, like Armstrong.

What would a rational doping policy look like?

¹ Parts of this section are taken from Foddy B and Savulescu J. Using Steroids Ethically. *Steroids and Doping in Sports: A Reference Handbook*. ABC-CLIO Santa Barbara, California. Forthcoming.

First, we need to stop all investigations into past doping. It is past. We can never fully and fairly investigate who was and was not doping in the past. In such circumstances, it is most fair to leave the past behind.

Second, we should relax the ban on doping. Much of the fuss in the Tour is related to the use of EPO and blood. But we could eliminate this whole problem with the stroke of a pen. If we allowed riders to blood dope up to a haematocrit level of 50 % where half their blood would be red blood cells, we could administer a safe, cheap, simple reliable test on all riders. Those over 50% would be out, those under in. Riders could still use plasma expanders to reduce haematocrits over 50. Or still worse, they might use PFC which was invented for emergencies such as severe blood loss in war. It makes it possible for the plasma to carry oxygen around, but since it does not bind oxygen as well as haemoglobin it is a deadly dangerous practise.

As is the case with all limitations on doping practices, there are ways around them. The issue is which rules are best – most fair, enforceable and safe. Setting a figure on haematocrit reduces the number of interventions which have to be pursued. It represents an improvement on the current situation. And such a level is already accepted by the UCI as safe.

What about other drugs, like steroids and growth hormone?

Three reasons cited by WADA for prohibiting performance-enhancing drugs are: (1) they are unsafe; (2) they pervert the nature and spirit of sport; (3) they should be banned simply because they enhance performance.

The last reason ought to be dismissed immediately. Modern athletic sport is entirely focused on finding new ways to break the old records, and most of the effective methods are legal. Hypoxic training tents, which simulate the effect of training at high altitude by allowing the blood to carry more oxygen, are legal. Caffeine, which improves reaction time and fights fatigue, is legal.

The other two arguments provide good reason for banning certain drugs in certain situations. Some drugs do change the nature of a given sport, so that it changes into a less interesting or valuable pursuit. For example, one of the most interesting things about boxing is that boxers need to overcome their fear of being hit to perform well. If they took a drug that entirely eliminated their ability to feel fear, or pain, this valuable aspect of the performance would be eliminated from the sport. Similarly, when archers or professional pistol shooters use beta-blocker drugs to steady their hands, that removes one of the most interesting aspects of those sports: the challenge of controlling one's nerves.

Do anabolic steroids and growth hormone make cycling and athletic sports like running less interesting or challenging? No. Steroids allow athletes to train longer and recover more quickly. Athletes on steroids still have to train hard. If every Olympic sprinter or cyclist were using steroids, it would still be the same sport, just slightly faster. And athletes would be better able to recover from injury, like Shane Warne who was banned for taking steroids after a shoulder injury. Disgraced Seoul 100m winner Ben Johnson said that in order to train to run times under 10sec, a sprinter inevitably gets injured. To recover and continue to train, steroids are necessary. Carl Lewis drew attention to Jamaica's low levels of out of season testing after Bolt's successes in the Beijing Olympics, which Bolt again raised after Jamaican successes in London 2012 ^{xvi}

Finally, there is the argument that drugs need to be banned because they are too dangerous. In the history of competitive sport several exceedingly dangerous drugs have been used to enhance performance. In the third modern Olympic games, the winner of the men's marathon was given strychnine (a lethal poison) during the race as a stimulant. More recently, drugs have appeared that allows athletes to modify their genes to increase the performance of their muscles—but these drugs are nowhere near safe enough for humans, and their side effects are not well understood. It makes sense to ban drugs like these.

However, the dangers of any performance-enhancer need to be put in context. Nothing in life is completely safe, not even drinking water or going for a morning stroll. Athletic sport is especially dangerous—it causes more deaths, both in training and competition, than steroids do, and it produces millions of crippling injuries every year. Young men end up paralysed for life from playing rugby. If a performance-enhancing drug is significantly less dangerous than the training for that sport, or than competing in it, then the dangers of the drug may be so low as to make them insignificant.

In the case of cycling, the dangers of cycling at speeds in excess of 60km/hr vastly outweigh the risks of the use of steroids or growth hormone, when administered by a medical professional.

Anabolic steroids are nothing more than the synthetic form of the natural hormone, testosterone. To receive a benefit in sporting performance, ordinary athletes need to take a dose of the hormone that would be very unusual in an unenhanced body. But testosterone is not a poisonous substance like strychnine. In its naturally-occurring form it is a natural byproduct of heavy training, and many of its worst side-effects—immune deficiency, enlarged ventricles in the heart, and depression—are also common symptoms of overtraining. In this context, steroids are still dangerous, but perhaps not much more dangerous than hard training and professional full-contact sport. And very high doses of steroids can be lethal – but so can drinking water.

We have good reason to ban certain kinds of performance enhancing drugs. Boxers should not be able to take strong painkillers during competition, and no athlete should be able to take truly dangerous or untested drugs like the new genetic medicines. But the case against moderate doses of steroids is much weaker.

The biggest problem with anabolic steroids is that they are obtained illegally, and then self-administered in secret by athletes who are not trained to identify overuse or to scale their dose appropriately. Like many behind-the-counter drugs, steroids can be taken safely but it is not safe enough to take them on your own. It would be much safer to take steroids for performance enhancement if they could be administered and monitored by a doctor.

For these reasons, we suggest that the legal shackles are removed from steroid and growth hormone use, and put in the hands of the prescription system. Athletes would be able to obtain steroids from their doctor on request. However, the moral and legal responsibility for the athlete's health would be passed from the athlete, who after all is no expert on modern medicine, to the doctor. Any doctor who overprescribed steroids, or who prescribed any unreasonably dangerous drug, would be struck off the medical register.

Two objections are frequently raised to such a proposal. Firstly, it will not improve safety because everyone will be coerced into doping, and some will still cheat using unsafe, illegal additional performance enhancers.

It is certainly true that if everyone is using performance enhancers, there will be pressure to use them to compete. But this is precisely what happens today when they are on the black market. Because the rewards are so high and the possibility of detection low if skillfully execute, there is almost irresistible pressure for many to dope today. Also there already exists irresistible pressure to train incredibly hard and place one's health at risk through training and competition. This is a part of modern sport. What is important is whether these risks are reasonable. As I have argued, the risks of certain doping practices are reasonable compared to the risks of sport.

The argument that this will not make sport safer also fails because by creating an open market of safe performance enhancers, honest athletes can compete with cheaters who employ the black market. It is true human nature being what it is, some athletes will risk serious damage to health for additional advantage. But that advantage will be smaller under circumstances where a white market in safe enhancement can compete with a black market of unsafe enhancement. We can narrow the advantage gap between cheaters and honest athletes with safe legal performance enhancement.

The second objection is that sport will become a technological race, rather than a human race. Drugs will dominate performance and sport will become a competition for pharmaceutical companies, instead of a test of natural human ability. This is indeed one possible adverse outcome and reason to ban certain enhancement practices. One example would be the development of blades and artificial, bionic limbs for amputees. With time, these will considerably surpass normal human anatomy and confer huge performance advantages. It would be reasonable to ban such significant enhancements if they dominate the contribution to outcome. Genetic enhancements might similarly have dominating effects and should be banned. But steroids and growth hormone given in safe doses, monitored by a responsible medical professional, do not have such significant performance advantages.

The grounds then for banning a performance enhancing drug are not that it is performance enhancing, but that:

1. it is substantially unsafe, compared to the risks of sport.
2. it is inconsistent with the spirit of a particular sport in virtue of corrupting the activity or reducing interest.
3. it dominates the contribution to outcome reducing the human element to an unreasonable degree.

Harm to Children

Having given many talks on the legalization of doping, one objection comes up time and again. Allowing drugs in sport will send the wrong message to children and harm them. This objection, however, fails at many levels.

Firstly, there are many things which are legal for adults but not legal for children such as drinking alcohol and driving. This is an expression of the risks involved and the requirement for maturity and competence in handling those risks. The same applies to performance enhancing drugs.

Secondly, the message which would be sent is that it is permissible to take drugs which are safe enough to enhance performance, but not dangerous performance enhancers. This is the message that is sent by now allowing caffeine. What children currently see though is that athletes cheat and that you need to take drugs from the black market to compete. They see mixed messages from athletic practice and societal agencies like WADA.

Thirdly, there are only limited resources for the prosecution of a war on drugs. It is far better to use these to prevent the use of performance enhancers in children and the use of those which are very unsafe or against the spirit of a particular sport, than spread them thinly over the whole of sport.

Football

Cycling has come under intense scrutiny but we can predict that doping is rife in football as well (to take just one sport as a case study). Footballing schedules have increased, along with the distances players sprint in each match. Since a single goal at the end of a match can be critical, and getting to the ball fractions of seconds quicker than the opponent determinative, there will be enormous pressure to enhance performance, though this continues under the radar. Indeed, the data such as we have it supports this hypothesis.

Five members of the national Mexican football team tested positive for clenbuterol before the FIFA Concacaf Cup. There were 109 positive tests from 19 teams at the FIFA U17 World Cup. They were all attributed to meat.

FIFA unilaterally cleared all concerned of any doping charges insisting it was a "public health" issue. WADA initially tried to appeal that verdict but they quickly backed down.

There have been some players who have been punished: Abel Xavier (banned for 2 years, reduced to 1). Dutch national team players Stam (5 month ban, reduced to one month), de Boer (suspended but successfully appealed), Coutu and Davids who within a very short span of time were caught doping with Nandrolone.^{xvii}

Tour de France winner Oscar Pereiro claimed on Spanish television that many football players were doping. "Giovanna tested positive, Gurpegui, Guardiola ... And all are because they take an energy complex. If a cyclist takes it, he has doped. Everyone at San Mamés, Balaidos, Barcelona shouts 'innocent' and I have to put on a mask to walk down the street."^{xviii}

When asked about *Operación Puerto*, he answered that "Zidane has admitted that he had a blood transfusion in Switzerland to regenerate his body. In cycling that is [a doping] positive."^{xix}

Pereiro said that he hoped that Eufemiano Fuentes, the point man of *Operación Puerto* will "hopefully one day have the courage to tell everything he knows. In *Operación Puerto* there were a lot of blood bags labelled European Championships, which doesn't exist in [pro men's] cycling."^{xx}

When Operacin Puerto broke, over 200 athletes from a variety of sports were clients. Only cyclists were named. Le Monde was later fined for linking Spanish football teams FC Barcelona, Real Madrid, FC Valence and Seville's Real Betis to Fuentes, though Fuentes himself confirmed his clients included tennis players, footballers, boxers and others.

Top players should not be obliged to provide information on their whereabouts to drug testers for 365 days a year, FIFA's medical chief has insisted. Instead they apply the rules to teams and not individuals, saying there is no need to go to a private home. Yet the 'glowtime' (time after ingesting illegal substance that testing will be effective) of many drugs is short, and could be scheduled around training sessions.

Moral Hypocrisy

The Armstrong affair has wider significance. It represents an acute example of the hypocrisy and moralism in modern society. There is one set of norms for everyday life and then there are romantic, idealistic, moralistic norms governing those in whose lives are filtered to us via the media. Occasionally an individual is plucked out to suffer the punishment of not conforming to these moralist ideals that virtually no one conforms to.

The best example of puritanical hypocrisy is Bill Clinton's affair with Monica Lewinsky. Dan Burton, a Republican had stated, "No one, regardless of what party they serve, no one, regardless of what branch of government they serve, should be allowed to get away with these alleged sexual improprieties"^{xxi} However, in 1998, Burton was forced to admit that he himself had an affair in 1983 that produced a child. Speaker of the House Newt Gingrich, admitted in 1998 to having had an affair with a House intern while he was married to his second wife, at the same time as he was leading the impeachment of Bill Clinton for perjury regarding an affair with intern Monica Lewinsky.

Homophobia in US politics is another fertile ground for hypocrisy. US Republican Senator Larry Craig, who had a history of voting for anti-gay measures, pleaded guilty to "lewd conduct" in a men's toilet. And he is only one of many politicians with similar voting patterns who have been exposed as hypocrites. One website lists Larry as one of 15 anti gay activists who are actually gay, including another who claimed he hired an escort from rentboy.com only to 'lift his luggage'.

There are few real saints. Most people, as Shakespeare realized, are flawed in some way. It is remarkable that a country like the US that prides itself for its Christian spirit has shown so little forgiveness, so little charity and so little grace.

"So when they continued asking him, he lifted up himself, and said unto them, He that is without sin among you, let him first cast a stone at her." (John 8:7)

Conclusion

Doping will always be present in sport. A zero-tolerance approach will always fail. But so too will any policy which attempts to restrict access to performance enhancing drugs and interventions in competitive sport. The question is what kind and how many failures will there be. We should choose the policy which best promotes the values of health, spectator interest, enforceability, fair competition and human excellence. That is a policy of regulated access to performance enhancing drugs.

The zero tolerance ban on drugs in sport is an example of the spectacular victory of ideology, wishful thinking, moralism and naivety over ethics and common sense. Human beings have limitations. Lance Armstrong is no god, but he is also no devil.

We should change the rules, and take Armstrong off the bonfire. There will, after all, be more like him.

Thanks to Verner Moller for insightful comments, references and inspiration.

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ⁱⁱ Moller V. *The Scapegoat*. Aarhus 2011: 30

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^{ix} Moller V. *The Scapegoat*. Aarhus 2011: 59 -60

^x Moller V. *The Scapegoat*. Aarhus 2011: 44

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^{xiii} Moller V. *The Scapegoat*. Aarhus 2011: 41

^{xiv} Atkins B. Eddy Merckx: “I think people want to kill off cycling”. Velonation, 6 February 2012. <http://www.velonation.com/News/ID/11081/Eddy-Merckx-I-think-people-want-to-kill-off-cycling.aspx>. Accessed 13 november 2012

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^{xviii} <http://www.cyclingnews.com/news/pereiro-blasts-different-perceptions-of-cycling-and-football-doping>

^{xix} Op. Cit

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^{xxi} <http://abcnews.go.com/blogs/politics/2012/01/house-republican-dan-burton-latest-congressional-veteran-to-announce-retirement/>