Abstract

This paper examines a football doping incident that occurred at the University of Waterloo (UW) in Canada, and critically analyzes the doping policy recommendations for intercollegiate sport sparked by the scandal. In March 2010, a police raid led to the discovery of a large quantity of performance-enhancing drugs at a home linked to a former student-athlete, which resulted in an entire football team being subjected to mandatory drug testing. After the release of the test results, a task force was formed by the Canadian Centre for Ethics in Sport (CCES) to investigate doping in Canadian sport. Using a triangulation approach, which includes a case study of the UW doping scandal using media coverage, semi-structured interviews with student-athletes, and policy analysis of the reports that transpired, we critically examine the potential effects and scope of applicability of the new recommendations put forward by the task force assembled by the CCES. In critiquing the resulting recommendations, this paper cautions that replacing a culture of silence with a culture of increased surveillance can have detrimental effects in the fight against doping in sport.

Introduction

Surveillance is often understood as “the focused, systematic and routine attention to personal details for purposes of influence, management, protection or direction” (Lyon 2007: 14). Despite the privacy implications associated with increased surveillance, many benefits have arisen from modern surveillance technologies, particularly with respect to the detection and prevention of crime (Stalder 2004; Taylor 2004). Moreover, surveillance can also “enhance due process, fairness, and legitimacy” (Marx 2004: 22) and is thus not inherently negative, harmful, or unwarranted.

Yet as a result of surveillance technologies applied in sport, athletes today face more scrutiny and monitoring than in the past (Houlihan 2004; Sluggett 2011). In addition to the drug testing protocols that require athletes to provide urine and/or blood samples on demand, additional forms of surveillance, linked intricately with the goal of eradicating performance-enhancing drug use by athletes, are present in sport. Two years after the World Anti-Doping Agency (WADA) was established in 1999, Schneider and Butcher argued: “the demand that athletes be prepared to submit to urine testing at any time, with no notice, is a serious breach of their civil and human rights in North America” (2001: 130). Since then, WADA’s subsequent growth, which includes a memorandum of understanding with Interpol (Interpol Press Release 2009) and introduction of the biological passport (WADA 2010), has steadily increased the amount and types of surveillance found in contemporary sport.
WADA’s *World Anti-Doping Code* requires each country’s National Anti-Doping Organization (NADO) to maintain a list of athletes included in its registered testing pool who are eligible for out-of-competition and unannounced testing. The list initially included names, the sports in which the athletes participate, contact information, competition schedules, training times and locations, and so on. This information enables anti-doping representatives to find an athlete and conduct an unannounced test. Revisions to the system were implemented by WADA in 2008 and came into effect in 2009, requiring athletes to update and specify their exact location for one hour per day, every day, for periods of three months. The third time an athlete is not present at the location entered into the database, the athlete is charged with a doping violation and subject to a period of ineligibility from competition for a minimum of one year and maximum of two years (WADA 2009).

Waddington describes these whereabouts requirements as “a ‘Big Brother’ system of surveillance and control which infringes athletes’ right to privacy and their civil liberties” (2010: 256). At the elite level of sport, the requirement of providing one’s location for one hour per day, over the course of a 15-year career, amounts to over 225 full days of “house arrest” where the athlete must “remain in situ” (Møller 2011: 178). Noting WADA’s strict requirements allow low tolerance for memory lapses, and are unlikely to be accepted in other occupations, Møller notes the voluntary nature of sport does not provide a sufficient answer to the question:

> if such a surveillance regime as the whereabouts system is not acceptable for any other occupation, how can it then be defended in professional sport?  
>  
> (2011: 179)

It is reasonable to assume that the disciplining and normalizing implications associated with constant surveillance are desirable to anti-doping agencies because they help increase the effectiveness of analytical testing, education and deterrence. Hanstad and Loland argue that if we accept the basic premise that anti-doping regulations are warranted, then the surveillance aspects inherent in the whereabouts requirements simply enable doping agencies to enforce the rules with more precision, thereby amounting to “nothing other than an efficient extension of this work” (2009: 3). In justifying their position, they argue that:

> (e)veryday surveillance of individuals is far more extensive, it is concealed, and also more problematic. The WADA system is described in detail both when it comes to its contents and consequences, and it requires active participation from the person being watched.  
>  
> (Hanstad and Loland 2009: 9)

Similarly, WADA’s Director for Standards and Harmonization in 2007, Rune Andersen, explained:

> We [WADA] fully understand that it can be a burden for athletes to submit as detailed information as the compulsory reporting system requires. At the same time athletes have to ask themselves what they see as an acceptable price to pay in order to stop those athletes that are using drugs. Does this price include the willingness to be tested anytime and anywhere? Are they willing to inform where they are so that effective tests can be carried out? WADA considers this an acceptable and justifiable price to pay in order to compete on a level playing field.  
>  
> (as quoted in Hanstad and Loland 2009: 6)

Despite WADA’s claim that the whereabouts requirements protect “clean” athletes and are therefore necessary to combat doping in sport, the effectiveness of the program requires surveillance of top-level athletes that is “tighter and more effective” (Hanstad and Loland 2009: 3) than ever before.
The sport studies literature contains analysis of surveillance in elite sport through several lenses, including: Michel Foucault’s ideas surrounding discipline and punishment and Jeremy Bentham’s panopticon (Hanstad and Loland 2009; Park 2005); K.E. Logstrup’s analysis of trust (Møller 2011); Norbert Elias’s work on civilizing processes and game models (Waddington 2010); and Gilles Deleuze’s assemblage theory (Sluggett 2011). However, in each case, the work of these social theorists is applied to professional and Olympic athletes competing at the highest levels of sport. The rationales and justification for surveillance at lower levels of sport, such as university sport, differ substantially if the student-athletes are not part of a NADO’s whereabouts testing pool. This paper analyzes the rising culture of surveillance in university sport, and the concerns that accompany recent calls for the use of additional surveillance measures.

Student-athletes competing in the Canadian Interuniversity Sport (CIS) system expect doping detection tests to be conducted at their sport’s national championships or occasionally as part of the random unannounced testing program. The drug testing and education in effect in the CIS is coordinated by Canada’s NADO, the Canadian Centre for Ethics in Sport (CCES), which collects and analyzes blood and urine samples in accordance with protocols outlined in the Canadian Anti-Doping Program (CCES 2009), which in turn follows the requirements described in the World Anti-Doping Code (WADA 2009). The CCES also provides educational information on banned performance-enhancing substances and methods to Canadian athletes at all levels, which includes a mandatory online educational course designed specifically for student-athletes.1

Rumors of performance-enhancing drug use in Canadian university sport received very little media attention until March 2010. Prior to this time, the CIS enjoyed a reputation as a “clean” league not plagued by allegations of banned performance-enhancing drug use or positive drug tests. However, a police raid on a student’s house shattered the CIS’s reputation, and resulted in testing of all players on a university football team and a full-scale investigation into doping in the CIS (Grossman 2010). Through a case study of recent developments in doping at the university sport level, including 1) media coverage of the scandal, 2) student-athletes’ perceptions of doping culture in the CIS, and 3) a policy analysis of reports published by working groups to make recommendations for reform, this paper examines the implications of the scandal and the potential for the recommendations that followed to promote a culture of increased suspicion and surveillance within university sport.

A case study approach was adopted in this research to gain insight into the doping culture in Canadian university sport and reflect “the argument that understanding human activity requires analysis of both its development over time, and the environment and context within which the activity occurs” (Graton and Jones 2010: 97). In contributing to the very sparse literature on doping in university sport, and providing historical contextualization for anti-doping policy in Canada, this paper serves as a cautionary note that the fight against doping in sport has the potential to place student-athletes under greater surveillance and infringe too far upon their rights to privacy and confidentiality.

**Media Coverage of the Scandal**

While task forces formed by the CCES, the UW’s administration, and Ontario University Athletics (OUA) have all published reports on the UW football scandal,2 additional secondary analysis of the incident has

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1 The CCES provides an e-learning program targeted to specific groups, including Canadian Interuniversity Sport. For more information on the program see http://www.cces.ca/en/education. In the interviews described in the next section, several participants commented on the online doping tutorial that they were required to complete. Concerns were raised over the effectiveness of the seminar and the seriousness with which it was taken by their peers.

not been published in any scholarly sources. Media coverage of the scandal thus functions as a key component in understanding and contextualizing these reports and their recommendations. From the media coverage of the incident, we know that the UW football coach, working with the university’s athletic director and public relations team, requested and authorized teamwide testing of his football team. In an unprecedented move in the CIS, all members of the team were then subjected to mandatory teamwide drug testing (Grossman 2010). Diverging from the usual system, the UW administration requested that the CCES test the entire football team, as well as a selection of players from nearby universities and from the same hometowns as the suspected players (Grossman 2010).

The circumstances leading to the teamwide testing are as surprising as the test results that followed. A Waterloo police incident report suggests that during an investigation of robberies near UW, officers stumbled upon thousands of pills, capsules, and vials in a suspect’s home (Grossman 2010). However, what they found was atypical for a drug bust; the pills discovered in the home were not illegal recreational drugs, but were instead banned performance-enhancing substances, including anabolic steroids, the masking agent tamoxifen, and human growth hormone. A student at UW, who had previously played on the university’s football team but was no longer included on the roster, was charged with possession and trafficking of anabolic steroids, among other offenses. The quantity of steroids seized by the Waterloo police was large, which sparked rumors that the suspects were operating an anabolic steroid pipeline to supply many high school and university students, student-athletes, recreational athletes, and “gym rats” (Gilbert 2010).

All major media sources in Canada covered the scandal as it unfolded. Based on the newspaper coverage, which included interviews with the UW football coach and two players, the decision to test the entire team was rooted in a desire to prove to the team’s opponents and critics that the rest of the team was clean. In addition, this decision was intended to ease the public’s fear of systemic performance-enhancing drug use at UW, an institution that is known for its rigorous academic standards rather than its athletics. However, when the CCES released the results of the teamwide tests at a press conference in June 2010, the results caught many Canadians by surprise.

From the urine samples taken from 61 of the 62 players and blood samples from 20 of the players selected “as a result of intelligence gathered from a number of different sources” (CCES 2010), eight doping violations were discovered. These violations involved athletes who admitted using banned drugs and athletes who produced adverse analytical findings for the drugs Oral-Turbinabol, methyl-1-testosterone, stanozolol, tamoxifen, and, for the first time in North America, an analytical positive for human growth hormone (for which a three-year ineligibility period was imposed). A ninth violation was announced, which stemmed from a player’s refusal to provide a urine sample for testing (Zwelling 2011). The CEO of the CIS at the time, Marg McGregor, told reporters that the CIS was hopeful that the doping transgressions at UW constituted an isolated incident, and that drug use was not rampant throughout the CIS football league. Media sources reporting the story were more skeptical, with many suggesting that steroid use in university football was probably more prevalent than originally thought (Pyette 2010).

The story continued to receive in-depth media coverage after random unannounced testing of approximately 500 football players from other CIS football programs took place. This round of testing raised the doping violation count to 14, which represents a positive test rate of almost 3 per cent among the tests conducted (CCES 2011b). Canadians could no longer cling to the belief that the CIS system was free of doping. The empirical evidence, coupled with the knowledge that none of the accused football players had ever failed a doping detection test before the police raid that accidentally uncovered the large

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3 Other CIS football teams have since been subjected to similar teamwide testing (Macleans 2011a, 2011b).
quantity of steroids, raised questions regarding the value and utility of the drug testing protocols in effect. To examine the issue further, the CCES appointed an independent task force to investigate doping in sport. During the time between the teamwide testing in Waterloo in late March and the announcement of the results to the public several months later in early September 2010, students-athletes discussed their perceptions of doping in the CIS as part of a study on doping in sport.

**Student-Athlete Perceptions of Doping in the CIS**

Using a semistructured, open-ended interview protocol to assess a sample of Canadian student-athletes’ perceptions of doping in intercollegiate sport, athletes’ perspectives on doping in the CIS emerged. This method was selected because “semistructured interviews allow the emergence of important themes that may not emerge from a more structured format” (Graton and Jones 2010: 157). As part of a qualitative study investigating doping and sport, the authors recruited student-athletes at three Canadian universities to discuss their perceptions of doping, gender, and supplement use in the CIS. The authors developed an interview guide of questions after identifying gaps in the sociocultural doping literature in the process of creating a thorough annotated bibliography on doping, gender and sport.4

After obtaining research ethics board approval from the universities involved, and then recruiting at team orientation sessions and through posters advertising the study, 38 student-athletes agreed to take part in one-on-one, face-to-face interviews with one of the members of the research team. The sample consisted of 17 women and 21 men who were members of a CIS team in one of seven sports, including: rugby, football, ice hockey, soccer, basketball, volleyball, and athletics. Each interview lasted between 30 and 45 minutes, and took place while news of the UW doping scandal was prevalent in the media. After the interviews were transcribed, student-athletes were invited to review and alter their transcripts if they wished as a form of member checking (Creswell 2007). The authors coded the reviewed and approved transcripts using both a priori and emergent coding techniques (Tesch 1990). None of the student-athletes interviewed were students at UW;5 however, many shared their thoughts on the events that were transpiring. These responses help contextualize the doping culture in university sport in Canada by providing impressions of the climate, culture, and tolerance of doping in the CIS at the time of the scandal, while identifying the silence associated with doping.

Given the opportunity to discuss doping in Canadian sport, the student-athletes participating in the study were forthcoming in providing a considerable amount of information about their perceptions of banned performance-enhancing drugs, the methods that they knew or suspected other CIS varsity athletes might use and why this practice was occurring. All of the participants noted that they believe the number of drug tests conducted throughout the regular CIS season is inadequate. Based on their experiences, the student-athletes shared their perceptions that if they were going to be tested it would be at the CIS championships, not through unannounced tests during the offseason or in regular season play.6 One football player noted that in his five years competing successfully at the CIS level, he had never once been tested. Other participants echoed that they thought their chances of being tested in their five-year eligibility periods were very low, and that the infrequent and predictable testing done in the CIS does not function as a deterrent to an athlete thinking of using banned substances or methods.

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4 This project was funded by a World Anti-Doping Agency Social Science Research Grant. The annotated bibliography can be accessed at http://www.wada-ama.org/Documents/Education_Awareness/SocialScienceResearch/Research_Projects/2008/WEAVING_full_report_2008.pdf

5 We interviewed student-athletes from three Canadian universities, but our sample did not include any participants attending the University of Waterloo. The news of the scandal broke during the period in which the interviews were conducted, which provided us with an unplanned opportunity for additional analysis.

6 The CIS championships are the national championships for intercollegiate sports in Canada.
According to statistics from the CCES, out of approximately 2800 tests conducted each year on Canadian athletes, prior to 2010 only 150 to 250 of those tests were on student-athletes competing in the CIS system (CCES 2011b). Several student-athletes had heard rumors of other athletes across Canada committing doping violations but not receiving a punishment for a doping violation. As a result, despite no evidence to support their assumptions, these participants suspected that results had been discarded or somehow covered up.

Regardless of the sport in which the participants specialized, when asked to share their impressions of drug and supplement use in the CIS, the student-athletes repeatedly drew on examples from the sport of football using anecdotes involving their football-playing peers. Several participants noted their suspicions or knowledge of doping in Canadian university football and the culture of silence surrounding this sport where doping was not discussed openly. University football in Canada remains a premier sport with very strong ties to alumni support and tradition, and is only played by men. It is the main event at homecoming celebrations across Canada, and football players continue to be granted high social status by their peers.

Several of the student-athletes interviewed stated they thought that university-level football players must break doping rules if they want to play professional football in the Canadian Football League (CFL). Participants added that university sport for males (especially football and ice hockey players) can be a stepping stone to professional sport, whether it involves the CFL or other professional or semi-professional leagues around the world. For women athletes, the participants explained, university generally marks the final level for high-performance competition for Canadians unless they are members of the national team. Hence women do not have as much to gain from using banned substances to enhance their performance, and correspondingly have less incentive to do so. The prospect of playing professional football was identified as a major motivation for varsity football players to contemplate taking banned performance-enhancing drugs. Participants noted that football players’ weight was vital to play in certain positions. For example, participants commented:

- *Hockey has more emphasis on the skill set of the game, you don’t need to be 250 pounds, like Arnold Schwarzenegger, like in football where you want to be as big as possible.*
  
  [male ice hockey player]

- *They [football players] usually try to gain weight from when they leave high school, probably gain 20 pounds.*
  
  [male basketball player]

- *I came in here at 215 pounds and the coach told me I had to be at 240, and so it was my first year and I listened to what he said, but I gained 40 pounds in my first year by going to meal hall and sitting there for 2 hours and eating 5 plates of food and then going to the gym for 2 or 3 hours.*
  
  [male football player]

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7 The Canadian Football League (CFL) provided funding to test an additional 80 football players after the UW scandal. Furthermore, the CIS CEO at the time, Marg McGregor, told reporters that the increased testing in 2011 equated to a much lower chance a football player using banned performance-enhancing drugs went undetected (Macleans 2011b).

8 It must be stressed that the responses provided by the student-athletes interviewed are their perceptions only. Additional details and/or specific examples were neither requested nor offered in order to maintain the goal of discussing general perceptions of doping rather than specific observations. It may be the case that the student-athletes interviewed were speculating about rumors.
Thus a perceived pressure for football players to be bigger and stronger is evident in the perceptions of student-athletes from many sports.

Football was clearly identified as the problematic sport in the CIS by both football and non-football athletes alike:

*When you see a football guy it’s like he has to be on something because it looks unnatural.*  
[male hockey player]

*If you hear of a guy taking steroids the first thing you think is does he play football?*  
[male football player]

*You can tell when somebody has baby arms and then has Godzilla arms, you can tell instantly. Or one season he can only bench press 225 twice and then comes back next year benching it 25 times. It’s like, what happened?*  
[male football player]

Many references to steroid use were related to the size of the athletes’ muscles. Other participants commented that they thought steroid use had become normalized and widely practiced within CIS football. Beyond steroids, one participant suggested that human growth hormone was being used by CIS football players, and that the breaking news from UW was not at all surprising. The same student-athlete mentioned: ‘If you have access to steroids, you have access to anything’ [male football player].

When asked to clarify, this participant responded that he believed university football players can purchase or easily access masking drugs in order to increase their chances of passing a drug test. Perceptions such as this highlight the association, accurate or not, that many student-athletes hold between doping and football, regardless of the veracity of that linkage. Yet media reports suggested the UW scandal was a surprise to players, fans, officials, and sports administrations. Thus the student-athletes’ candid observations allude to a doping culture hidden behind a wall of silence within the CIS system. Similar sentiments were expressed in reports composed by the CCES, OUA, and UW administration published the next year.

### Analysis of New Recommendations and Suggested Policies

One year after the teamwide testing occurred at UW, the CCES’s appointed task force released its report in June 2011, entitled *Performance Enhancing Drugs Pose a Significant Health Risk for Athletes, Children and Youth: Final Report of the Task Force on the Use of Performance Enhancing Drugs in Football,* which included the results of its investigation into the UW football scandal and doping in the CIS system generally. The report contains 52 recommendations to encourage anti-doping attitudes in student-athletes and decrease incidents of doping in the CIS. In addition to the CCES task force’s own investigation, the report incorporates and addresses the recommendations contained in the *Ontario University Athletics (OUA) Performance Enhancing Drugs Education Task Force Final Report* (OUA 2011), which in turn included information published in the *Review of the University of Waterloo Football Program in Relation to the Use of Banned Substances* (Gravill and Thompson 2010).

The CCES’s task force’s 68-page report indicates that the mission of the committee was “to develop an action plan to rid competitive tackle football of the use of performance enhancing drugs,” with the main objective of developing “a comprehensive plan including, but not limited to, policy education, testing and

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9 It is possible that bias, or a desire to preserve the reputation of Canadian football, was inherent (intentionally or unintentionally) in the framing of the doping scandal by the reporters covering the saga.
investigation approaches necessary to effectively prevent, detect and deter doping in the sport of tackle football” (CCES Task Force 2011: 16). The report’s 58 recommendations address education (20 recommendations), funding (9), testing and analysis (8), intelligence (8), policy and sanctions (5), and establishing partnerships (2). Media coverage discussing the release of the report focused on proposals to introduce teamwide suspensions, apply financial penalties to teams that break anti-doping rules, and increase testing from 2-3 per cent of CIS football players to 30 per cent (Christie 2011).

While the report contains many positive recommendations, several suggestions are also quite troubling. Specifically, the suggestions advocate the implementation of target testing to catch drug cheats more effectively. Target testing relies on intelligence methods, including analytical and non-analytical evidence, to identify “high-risk” athletes for more frequent testing who are thought to be more likely to commit doping offenses (CCES Task Force 2011: 43). Methods listed in the report to obtain intelligence include:

- a variety of sources including but not limited to players, player performances, ‘tips’, whereabouts information, analytical results, doping control staff observations and law enforcement agencies.

(CCES Task Force 2011: 45)

Factors that might classify an athlete as “high risk” range from information obtained through discussions with rival coaches or athletes to changes in the athletes’ physique, performance, or physiological markers (CCES Task Force 2011: 67).

A final suggestion to help gather intelligence recommends the creation of a “report doping in sport” hotline and website application (CCES Task Force 2011: 45). Functioning as an anonymous tip line, the authors of the report foresee this service as helping to address and overcome the culture of silence associated with doping in university sports teams. The report explains that codes of silence develop from “fear of repercussions to a deeply engrained culture within team sport which often includes issues of team solidarity and individual player self-esteem” (CCES Task Force 2011: 21), where athletes might believe losing their teammates’ trust is worse than committing a doping offense or allowing violations to continue.

In acknowledging that the culture of teams, as well as the leadership and administration of teams, may contribute to doping, the CCES report reiterates the following conclusions that originally appeared in the UW report issued earlier in 2010 (Gravill and Thompson 2010):

10 In addition to the 52 recommendations, the CCES task force report contains 13 full or near-full page photos of muscular, male football players, four pages of boys in football gear, and three pages of disembodied limbs injecting or holding drugs. The de-contextualization of the human body that the images portray is troubling. Moreover, the visual images included in the report suggest that football is a male-only environment and the doping problem in university sport is exclusive to men who play football. In the authors’ defence, football in Canada, like in the United States, remains a sport predominantly played by boys and men, and exclusively by men in the CIS. Yet the reality is that girls and women play football too, and not all anti-doping violations are committed by men. A person casually glancing through the report could make the faulty assumption that all doping participants are male.

11 A constructive recommendation in the CCES report is the idea that doping policies need to protect the health and well-being of all athletes, not just clean athletes, noting: “Consideration must be given to the care of athletes who test positive with consideration given to the development of an athlete rehabilitation program on the same level as health care and education and assigned a similar level of priority” (CCES Task Force 2011: 34-35). The report also notes, “It is vitally important that the health sectors and governments of our country recognize the seriousness of this issue and come together to find ways of eradicating it from our society” (CCES Task Force 2011: 7). Emphasis on steroid cessation rehabilitation programs acknowledges the complicity of the system that creates the desire in athletes to take drugs to also help them stop.

12 Furthermore, the report defines intelligence as “the product of logical and systematic evaluation of information gathered by an anti-doping organization” (CCES Task Force 2011: 67).
1. Some players have the perception that to be successful at the professional level it will be necessary to use banned substances.
2. Some players may be tempted to use banned substances in order to be able to play.
3. Rumour and speculation are a part of the football culture.
4. There is a widespread assumption that players on other teams are using banned substances.
5. Speculative conversations between players do occur about use of banned substances.
6. Some comments even from players not using PEDs [performance enhancing drugs] support the notion that the culture anticipates the use of banned substances to be a matter of personal choice.
7. The discipline process for dealing with player behaviour issues, while clear to most, has had no formal prescription for dealing with some issues with serious ramifications.13

(CCES Task Force 2011: 22)

These conclusions highlight the tensions and apparent disregard for official anti-doping policy attributed to some CIS football players and programs. The previous silence via unspoken acceptance of performance-enhancing drug use acknowledged in these reports resonates with the comments provided by the student-athletes above. The observations from the report are very similar to the themes that emerged in our interviews, both of which highlight the culture of silence on CIS teams, the pressures faced by athletes, and the pervasiveness of the win-at-all-cost mentality, which can contribute to athletes overlooking or passively condoning anti-doping rule violations.

To improve the effectiveness of the anti-doping system and combat the culture of silence on doping issues, the report proposes using intelligence and target testing. The suggestion to implement WADA’s whereabouts reporting system in the CIS would require university student-athletes to supply their physical location for one hour per day to be available for drug testing, and, in effect, puts them under surveillance. Moreover, the report advocates offering coaches the option of receiving a reduced doping sanction if they facilitate or assist in investigations by providing additional information about any doping suspicions, or encourage their players to do the same. The intention of this recommendation is to “encourage the coach to compel players who may have information to cooperate in investigations into doping behaviour” (CCES Task Force 2011: 47). However, this requirement contains serious ethical and social implications by encouraging coaches to motivate their athletes to engage in surveillance of their peers.

The surveillance techniques outlined in the recommendations are coercive and could result in the harassment of student-athletes with very large muscles or improved performances. We fear that in attempting to eliminate the current culture of silence, the authors of the recommendations will instead facilitate the development of a culture of suspicion and increased surveillance that is disruptive to trust and team dynamics. This shift is already underway. In partnership with the Government of Canada, the Canadian Paralympic Committee, and the Canadian Olympic Committee, on 5 November 2013 the CCES unveiled its report doping hotline. Thanks to a combined contribution of nearly $1 million CDN, anyone with information on doping in sport can telephone the doping hotline to leave an anonymous tip or accusation. CCES president Paul Melia told reporters at a ceremony celebrating the new hotline:

Today’s news will allow us to increase our focus on intelligence gathering and investigations to stay ahead of sophisticated doping strategies, as well as expand the Whereabouts and Athlete Biological Passport Programs.

13 This point relates to a lack of standardization for dealing with doping-related information across the country.
Melia went on to explain that “(o)ne of the most effective ways to obtain intelligence about doping is to gather information from athletes themselves” (Canadian Olympic Committee Communications 2013).

This move, which has the potential to identify athletes who are doping, comes at a very high price for all athletes. The degree to which athletes tolerate and support invasive anti-doping strategies is difficult to decipher. Studies reporting that athletes seek stronger anti-doping measures and trust the anti-doping system, to the point of supporting the insertion of GPS chips in their bodies (Hanstad and Loland 2009), are countered by other studies that highlight athletes’ fears about the fairness of the whereabouts system, and their diminished ability to share negative evaluations out of fear of negative repercussions (Møller 2011). Moving forward, additional empirical research is needed in this area.

**Conclusion: The Need for Caution**

Media reports, data from student-athletes playing varsity sports, and the football experts appointed to the CCES task force all agree that the current doping control system in the CIS system is in need of reform. The UW doping scandal helped highlight the complex doping problem in university sport in Canada, where it was once thought that very few university athletes were involved in doping. As a method of triangulation, the interview responses provided additional context about the doping culture within the CIS system, and demonstrate that student-athletes strongly believe the current system is in need of reform.

In examining the doping culture in Canada, the CCES report serves as an update to the Honourable Charles L. Dubin’s *Commission of Inquiry into the use of Drugs and Banned Practices Intended to Increase Athletic Performance*, which was released in 1990 to address the culture of high-performance sport in Canada that led to Ben Johnson’s disqualification for doping at the 1988 Olympics in Seoul. In the two decades between the publication of the *Dubin Report* and the CCES’s report on doping in Canadian university-level football, anti-doping policy has changed immensely. For example, WADA was created to centralize and coordinate year-round unannounced drug testing, and since its inception in 1999 has instigated whereabouts requirements, athletes’ bio-passports, collaboration with Interpol and drug development companies, deep freezer storage of samples for future analysis, and extensive sanctions, all without direct positive analytical findings. The increased surveillance that athletes now face significantly undermines their privacy and autonomy.

Like Chief Justice Dubin’s examination of doping, the CCES report identifies the alleged harms and health issues associated with doping, and seeks to promote “cleaner” and healthier sport. Undoubtedly this goal is set with the intention of protecting athletes’ health and trying to create a fair playing field. Indeed, as the President and CEO of the CCES, Paul Melia, noted in a press release announcing the doping sanction of another CIS football player in October 2011:

> We continue to be concerned with the number of football players testing positive for performance enhancing drugs… The Task Force on the Use of Performance Enhancing Drugs in Tackle Football concluded that this is a serious health risk that is threatening the lives of our children and youth—and we agree.

(CCES 2011a)

While protecting athletes’ health is undoubtedly very important, so too is respecting their autonomy, privacy, and confidentiality by not placing them under unwarranted surveillance.

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14 Several media reports that discussed the UW scandal compared it to the magnitude of Ben Johnson’s positive test for stanozolol at the 1988 Olympics (see, for example, Masters 2011).
Beamish and Ritchie’s (2004, 2006) analysis of the history of doping in sport demonstrates doping rules were implemented as part of the International Olympic Committee’s effort to maintain the requirements of amateurism in sport. The amateur athlete, who played for the pure love of the game, would not use performance-enhancing drugs to fuel his or her athletic success. The amateur ethos associated with the first 80 years of the modern Olympic movement remains in the CIS system, where student-athletes are treated as students first, and have only recently become eligible for moderate athletic scholarships. As students, student-athletes are owed a duty of care by their institutions. Yet in requiring advanced methods of doping deterrence and surveillance in the CIS system, student-athletes are held to a different standard than all other students at their universities who are not required to specify their whereabouts, provide blood/urine samples on demand, or be subjected to allegations made through anonymous tip lines.

In response to the UW scandal, a renewed call for more tests and harsher punishments has been echoed by the experts crafting the CCES recommendations, by the student-athletes interviewed, and in media coverage and analysis of the scandal. More testing is simple to implement, but doing so requires a very large funding budget. Funding aside, anti-doping programs based on search and sanction tactics are bound to be ineffective (Mazanov and Connor 2010). Counseling and treatment programs that do not remove athletes from their social and professional environments are considered more effective than imposing periods of ineligibility (D’Angelo and Tamburrini 2010). Despite the growing realization that search and sanction approaches can be counterproductive and unintentionally promote the denial of the message (Hanstad and Waddington 2009), the CIS reacted by promising more tests and harsher penalties.

The CCES report is innovative in recommending new techniques for addressing drug use in sport, but several recommendations appear to go too far. The suggestions to implement a “report doping hotline” and to offer financial incentives or reduced periods of ineligibility for additional information supplied by teammates about their peers, run the risk of promoting a culture of suspicion and surveillance. However, a common response to critique of the anti-doping system is that unlike other forms of surveillance, athletes choose to participate in sport and can discontinue their participation in high-performance sport at any time (Pound 2004).

Despite the power imbalance between the surveilled student-athletes and the surveillers who implement and set the rules for the anti-doping system, athletes can challenge the system in many ways. In discussing the multiple ontologies of resistance and surveillance, Martin, Van Brakel and Bernhard categorize the ways in which individuals can disrupt and fail to comply with surveillance systems and technologies through modes such as masking, distorting, blocking, refusing, and other forms of non-compliance (2009: 216). Neutralization techniques, including individual or collective actions, can help offset or resist forms of surveillance, by challenging the legitimacy of the surveillance through legal means or active boycotts (Marx 2009). However, few covert actions remain for student-athletes in the testing pool to avoid the surveillance requirements mandated by the CIS, CCES, and WADA. Many of Martin, Van Brakel and Bernhard’s techniques of opposition would amount to anti-doping violations and mandatory periods of ineligibility. Opposing proposed new methods of doping surveillance by reference to students’ rights charters before any new rules are implemented, could potentially help maintain an acceptable level of surveillance in the CIS system. However, passive indifference on the part of the student-athletes and their coaches, managers, professors, and other supporters allows more invasive methods of anti-doping deterrence to proliferate. The unchallenged activation of the 1-800 report doping hotline in late 2013 aptly demonstrates this point.

Recognizing that privacy is not an inalienable right, and that some surveillance in sport will help ensure a fair playing field, does not require condoning all methods of doping deterrence suggested by anti-doping organizations and task forces. Methods that go too far must be opposed. The appropriateness of target testing student-athletes based on intelligence gathering may constitute a form of profiling and harassment,
which might encourage athletes to act as informants about the activities of their peers. In searching for solutions, however, we must remember that intelligence gathering and rewarding informants can expose university student-athletes to an uncomfortable level of surveillance, which is at odds with how university student-athletes deserve to be treated.

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References


